



APPENDIX B5

Heritage Management Sub Plan

Warrell Creek to Nambucca Heads

DECEMBER 2014



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Glossary / Abbreviations

CEMP	Construction Environmental Management Plan
CoA	Condition of approval
Director-General	Director-General of the NSW Department of Planning and Infrastructure (or delegate)
DP&I	Department of Planning and Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
EWMS	Environmental Work Method Statements
HMP	Heritage Management Sub Plan
NPW Act	<i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
Project, the	The Warrell Creek to Nambucca Heads Project
RAPs	Registered Aboriginal parties
RMS	Roads and Maritime Services
SoC	Statement of commitments

1 Introduction

1.1 Context

This Heritage Management Sub Plan (HMP or Plan) forms part of the Construction Environmental Management Plan (CEMP) for the upgrade of the Pacific Highway from Warrell Creek to Nambucca Heads (WC2NH). The WC2NH Project (the Project) is Stage 2 of the Warrell Creek to Urunga (WC2U) Project approved by the Minister for Planning and Infrastructure in 2011.

The WC2NH section of the WC2U Project involves the construction of 19.5 km of new highway from the Warrell Creek Interchange to south of Nambucca Heads Interchange. The WC2NH Project is being constructed by Acciona Ferrovial Joint Venture.

This HMP has been prepared to address the requirements of the Minister's Conditions of Approval (CoA), the RMS Statement of Commitments (SoC), the mitigation and management measures listed in the Warrell Creek to Urunga Environmental Assessment (EA), the Addendum to the Cultural Heritage Assessment Report and all applicable legislation.

This HMP acknowledges the loss and harm caused by impacts to Aboriginal cultural heritage. The management measures described within this HMP demonstrate a commitment to avoid impacts to Aboriginal cultural heritage values where possible. Where avoidance is not possible, impact minimisation or mitigation, primarily consisting of relocation, will be the preferred management recommendations.

1.2 Background

The *Warrell Creek to Urunga – Upgrading the Pacific Highway - Environmental Assessment* (RTA 2010) assessed the impacts of construction and operation of the Project on Aboriginal and non-Aboriginal heritage.

As part of EA development, detailed Aboriginal cultural heritage and non-Aboriginal heritage assessments were prepared to address the Environmental Assessment Requirements issued by the then Department of Planning. The Aboriginal cultural heritage assessment was included in the EA as Working Paper 4 – Aboriginal Heritage. An addendum to Working Paper 4 was also prepared to document the process and results of additional archaeological and cultural heritage sub-surface testing undertaken in response to government agency comment during the Adequacy Review of the EA. Non-Aboriginal heritage was also assessed as part of the EA.

The EA identified direct and indirect impacts on Aboriginal archaeological and cultural sites, but concluded that provided the proposed mitigation and management measures are implemented, no significant long-term impacts would be expected.

The EA identified potential direct or indirect impacts on three non-Aboriginal items assessed as having heritage significance in the WC2NH section of the project.

1.3 Environmental management systems overview

The overall Environmental Management System for the Project is described in the Construction Environmental Management Plan (CEMP).

This HMP is part of the Acciona and Ferrovial Joint Venture (AFJV) environmental management framework for the Project, as described in Section 4.1 of the CEMP. In accordance with CoA B31(e), this Plan has been developed in consultation with the NSW Office of Environment and Heritage (OEH) and registered Aboriginal stakeholders.

Management measures identified in this Plan will be incorporated into site or activity specific Environmental Work Method Statements (EWMS).

EWMS will be developed and signed off by environment and management representatives prior to associated works and construction personnel will be required to undertake works in accordance with the identified mitigation and management measures.

Used together, the CEMP, strategies, procedures and EWMS form management guides that clearly identify required environmental management actions for reference by AFJV personnel and contractors.

The review and document control processes for this Plan are described in Chapter 10 of the CEMP.

2 Purpose and objectives

2.1 Purpose

The purpose of this Plan is to describe how Aboriginal and non-Aboriginal heritage will be protected and managed during construction of the Project.

2.2 Objectives

The key objective of the HMP is to ensure that impacts to Aboriginal and non-Aboriginal heritage are minimised and within the scope permitted by the planning approval. To achieve this objective, the following will be undertaken:

- Facilitate engagement with the local Aboriginal community in partnership to appropriately manage the Aboriginal cultural heritage values associated with the project.
- Ensure appropriate controls and procedures are implemented during construction activities to avoid or minimise potential adverse impacts to Aboriginal and non-Aboriginal heritage along the Project corridor.
- Ensure appropriate measures are implemented to address the relevant CoA and SoC outlined in Table 3.1 and Table 3.2, and the safeguards detailed in the EA.
- Ensure appropriate measures are implemented to comply with all relevant legislation and other requirements as described in Section 3.1 and Section 3.4 of this Plan.

2.3 Targets

The following targets have been established for the management of Aboriginal cultural heritage and non-Aboriginal heritage impacts during the project:

- Ensure full compliance with the relevant legislative requirements, CoA and SoC.
- Minimise or avoid impacts on known Aboriginal and non-Aboriginal heritage sites.
- Follow correct procedure and ensure notification of any heritage objects/places uncovered during construction.
- Ensure training is provided in the form of inductions to all Project personnel on heritage items, protection measures and unexpected heritage items procedures before they begin work on site.
- Ensure the Aboriginal Cultural Heritage Education and Training Package is provided to all personnel throughout the course of the Project.

3 Environmental requirements

3.1 Relevant legislation and guidelines

3.1.1 Legislation

Legislation relevant to heritage management includes:

- *Environmental Planning and Assessment Act 1979* (EP&A Act).
- *National Parks and Wildlife Act 1974* (NPW Act).
- *Heritage Act 1977* (Heritage Act).
- Native Title Act 1994 (NSW).
- Native Title Act 1993 (Commonwealth).
- *Environment Protection Biodiversity Conservation Act, 1999* (EPBC Act) (Commonwealth).
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Commonwealth).

Relevant provisions of the above legislation are explained in the register of legal and other requirements included in Appendix A1 of the CEMP.

3.1.2 Guidelines

The main guidelines, specifications and policy documents relevant to this Plan include:

- *RMS QA Specification G36 – Environmental Protection* (Management System).
- *RMS Standard Management Procedure – Unexpected Archaeological Finds* (August 2013).
- DEC Interim Community Consultation Requirements for Applicants (December 2004).
- DEC Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (July 2005).
- *Altering Heritage Assets* (Heritage Office and DUAP 1996).
- *Assessing Heritage Significance* (NSW Heritage Office 2001).
- *Assessing Significance for Historical Archaeological Sites and Relics* (Heritage Branch, Department of Planning 2009).
- *RTA Heritage Guidelines* (March 2004).
- *Archaeological Assessment Guidelines* (NSW Heritage Office and NSW Department of Urban Affairs and Planning 1996).
- NSW Government's *Aboriginal Participation in Construction Guidelines* (2007).
- *How to Prepare Archival Recording of Heritage Items* (Heritage Branch 1998).
- *Photographic Recording of Heritage Items Using Film or Digital Capture* (Heritage Branch 2006).
- *SOHI Guidelines* (NSW Heritage Office 1996).

3.2 Minister’s Conditions of Approval

The CoA relevant to this Plan are listed Table 3-1 below. A cross reference is also included to indicate where the condition is addressed in this Plan or other Project management documents.

Table 3-1 Conditions of Approval relevant to the HMP

CoA No.	Condition Requirements	Document Reference
CoA B18	As part of detailed design, the Proponent shall ensure that the final design of the alignment is aligned to minimise project impacts on the Cow Creek Aboriginal Reserve (21-6-0228) as far as practicable and detail these design considerations in the Heritage Management Plan required to be prepared under condition B31(e).	<i>Appendix B5 Heritage Management Sub Plan Nambucca Heads to Urunga (Lend Lease, August 2013)</i>
CoA B19	<p>Prior to the commencement of pre-construction and construction activities affecting the following Aboriginal sites the Proponent shall undertake the relevant salvage mitigation measures outlined in the Environmental Assessment for these sites:</p> <ul style="list-style-type: none"> (a) Butchers Creek 1 (previously PAD 1); (b) Stoney Creek 1 (previously PAD 24); (c) Bald Hill Road 1 (previously PAD 7); (d) Old Coast Road Stone Artefact (previously PAD 2); (e) Boggy Creek Artefact 1 & resource gathering area (previously PAD 16); (f) Cow Creek Artefact Scatter (previously PAD 8); (g) Kalang Spur Artefact Scatter (previously PAD 12); (h) Kalang Flat 1 9(a) (previously PAD 9); (i) Kalang Flat 2 9(b) (previously PAD 9); (j) South Arm Road 1; (k) Tyson’s Flat Ridge Artefact Scatter (previously PAD 29); (l) Tyson’s Flat 1 (previously PAD 28); and (m) Tyson’s Flat 2 (previously PAD 27). <p>The results of the salvage program shall be provided to the Department, OEH and Aboriginal stakeholders within six months of the completion of the salvage program, unless otherwise agreed by the Director General.</p>	Salvage of the sites identified in CoA B19 has been completed within the Approved Project corridor. See <i>Warrell Creek to Urunga Pacific Highway Upgrade Archaeological Salvage Works Report (SKM July 2012)</i>
CoA B31(e)	<p>As part of the Construction Environment Management Plan for the project required under condition B30 of this approval, the Proponent shall prepare and implement the following sub plan(s): ...</p> <ul style="list-style-type: none"> (e) Construction Heritage Management Plan to detail how construction impacts on Aboriginal and non-Aboriginal heritage will be minimised and managed. The Plan shall be developed in consultation with the OEH (Heritage Branch) (for non-Aboriginal heritage) and OEH and Registered Aboriginal Stakeholders (for Aboriginal 	

CoA No.	Condition Requirements	Document Reference
	heritage), and include, but not necessarily be limited to:	
	(ii) In relation to Aboriginal Heritage: <ul style="list-style-type: none"> i. details of management measures to be carried out in relation to already recorded sites and potential Aboriginal deposits (including further archaeological investigations, salvage measures and/ or measures to protect unaffected sites during construction works in the vicinity); 	Chapter 6 of this HMP
	ii. procedures for dealing with previously unidentified Aboriginal objects excluding human remains (including halting of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a qualified archaeologist in consultation with registered Aboriginal stakeholders, assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the project, and registering of the new site in the OEH AHIMS register);	Chapter 6 of this HMP
	iii. procedures for dealing with human remains (including halting of works in the vicinity and notification of the NSW Police, OEH and registered Aboriginal stakeholders and not-recommending [sic] any works in the area unless authorised by OEH and/ or the NSW Police); and	Chapter 6 of this HMP
	iv. Aboriginal cultural heritage induction processes for construction personnel (including procedures for keeping records of inductions undertaken for the duration of the project) and procedures for ongoing Aboriginal consultation and involvement; and	Appendix B of this HMP Chapter 6 of this HMP
	(iii) In relation to non-Aboriginal Heritage: <ul style="list-style-type: none"> i. details of management measures to be carried out in relation to already recorded sites (including further heritage investigations, archival recordings and/ or measures to protect unaffected sites during construction works in the vicinity), consistent with the measures listed in Environmental Assessment Table 19-4; 	Chapter 6 of this HMP
	ii. procedures for dealing with previously unidentified non-Aboriginal objects, (including halting of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a qualified archaeologist and assessment of the consistency of any new non-Aboriginal heritage impacts against the approved impacts of the project; and	Chapter 6 of this HMP
	iii. non-Aboriginal cultural heritage induction processes for construction personnel.	Appendix C of this HMP
CoA C13	This approval does not allow the Proponent to destroy, modify or otherwise physically affect human remains.	Chapter 6 of this HMP
CoA C14	The Proponent shall not destroy, modify or otherwise physically affect the Aboriginal cultural sites identified in Table 15-3 of the Environmental Assessment (including AHIMS site numbers 21-6-36, 21-6-0287, 21-6-0016, 21-6-0163, 21-6-0039, 21-6-0090, 21-6-0102, 21-6-0141, 21-6-0164, 21-6-0064, and 21-6-0044), Boggy Creek spiritual area, Buchanan Conflict Site at Cow Creek (21-6-00286), burial site, Cabbage tree palm resource site, Aboriginal mirrah	Chapter 6 of this HMP Regarding location of site 21-3-0034 note: Email Correspondence from

CoA No.	Condition Requirements	Document Reference
	(21-3-0034), Rosewood Scarred Tree or potential archaeological deposits (PAD) 31.	Roger Mehr (OEH) dated 12/4/2012. Email Correspondence from Andrew Beattie (DP&I) dated 26/4/2012. RMS seeking Modification 7 to remove several sites from this condition.
CoA C15	The Proponent shall not destroy, modify or otherwise physically affect the following historic sites: the ferry/ punt crossing at Boulton Hill; old municipal tip; Valla Gold Mine; former stock route; tramway and quarry, Martells Road; and the native swamp conservation area.	Chapter 6 of this HMP
CoA C16	The measures to protect any Aboriginal or historic heritage sites near or adjacent to the project during construction shall be detailed in the Heritage Management Plan required under condition B31(e).	Chapter 6 of this HMP
CoA C16A.	(a) i) Where permanent works (including utilities, services and permanent access and service roads, or similar works required for the project) located outside the approved project footprint and described in the documents listed in condition A1 are required, and those works have the potential to impact upon previously unidentified non-Aboriginal and Aboriginal archaeology, the proponent shall undertake archaeological investigations to determine the impacts of those works.	Chapter 6 of this HMP
	ii) The proponent shall undertake the investigations required in accordance with condition C16A(a)(i) consistent with the Construction Heritage Management Plan required under Condition B31(e), or using a methodology prepared in consultation with OEH and approved by the Director General.	Appendix A of this HMP Chapter 6 of this HMP
	iii) The proponent shall report on the results of the archaeological investigations prior to commencement of permanent works, and: <ul style="list-style-type: none"> • where the potential heritage impacts identified in the report are less than those described in the documents listed in condition A1, the report shall be provided to the Director General; • where the potential heritage impacts identified in the report are the same as those described in the documents listed in condition A1, the report shall be prepared in consultation with OEH and submitted to the Director General; • where the potential heritage impacts identified in the report are greater than those described in the documents listed in condition A1, the report shall be prepared in consultation with OEH and submitted to the satisfaction of the Director General. 	Chapter 6 of this HMP

CoA No.	Condition Requirements	Document Reference
	iv) The report on the results of the archaeological investigation is to include recommendations (such as for further archaeological work) and shall include, but not necessarily be limited to, consideration of measures to avoid or minimise disturbance to Aboriginal objects where objects of moderate to high significance are found to be present. The proponent shall undertake the investigations required in accordance with condition C16A(a)(i) consistent with the Construction Heritage Management Plan required under Condition B31(e), or using a methodology prepared in consultation with OEH and approved by the Director General.	Chapter 6 of this HMP
	(b) i) The proponent shall undertake salvage work with the approval of the Director General, when recommended by the results of the archaeological investigation required under condition C16A.	Chapter 6 of this HMP
	ii) In determining whether to approve salvage work, the Director General is to have reference to the results of all relevant archaeological investigations undertaken under condition C16A(a) and the views of OEH.	Chapter 6 of this HMP
CoA C27A.	(a) The Proponent may undertake archaeological investigations at ancillary sites that do not meet the criterion set out in condition C27(i) of this approval, where this is required to assess the potential non-Aboriginal and Aboriginal archaeological impacts of the ancillary facility on previously unidentified heritage sites.	Chapter 6 of this HMP
	(b) Any archaeological investigations undertaken under this condition must be undertaken consistent with the Construction Heritage Management Plan required under Condition B31(e) or a methodology prepared in consultation with OEH and approved by the Director General.	Appendix A of this HMP Chapter 6 of this HMP
	(c) The results of any relevant archaeological investigations undertaken under this condition must be described in the assessment of the ancillary facility required under Condition C27.	Chapter 6 of this HMP

3.3 Statement of commitments

Relevant SoC are listed Table 3-2 below. This includes reference to required outcomes, the timing of when the commitment applies, relevant documents or sections of the environmental assessment influencing the outcome and implementation.

Table 3-2 Statements of commitment relevant to this HMP

Outcome	Ref #	Commitment	Timing	HMP Reference
Minimise impacts on	AH1	The protection of items and areas of archaeological significance not directly affected by construction will occur.	Pre-construction and construction	Chapter 6 of this HMP

Outcome	Ref #	Commitment	Timing	HMP Reference
Aboriginal Heritage	AH2	There will be protocols established and implemented to manage any previously unidentified Aboriginal objects or skeletal remains encountered during construction. All works in the vicinity of the find will cease to obtain Aboriginal heritage specialist advice and inform the Department of Environment, Climate Change and Water.	Pre-construction and construction	Chapter 6 of this HMP
	AH3	The management of any Aboriginal heritage items directly affected will be in consultation with Aboriginal stakeholders and OEH.	Pre-construction Construction	Chapter 6 of this HMP
	AH4	All construction personnel will receive training on their obligations for protection of Aboriginal cultural materials, including information on site locations, conservation management and legal obligations in regard to Aboriginal cultural materials.	Pre-construction	Appendix B
Aboriginal participation in construction	AH5	RMS will comply with the NSW Government's <i>Aboriginal Participation in Construction Guidelines</i> .	Pre-construction and construction	Chapter 6 of this HMP
Minimise impacts on non-Aboriginal heritage	NH1	The detailed design will minimise impacts to identified non-Aboriginal heritage items where feasible and reasonable.	Pre-construction	Chapter 6 of this HMP
	NH2	If any material of potential archaeological significance is unearthed, work will cease to obtain specialist heritage advice.	Pre-construction and construction	Chapter 6 of this HMP
	NH3	Preparation of archival and photographic records for impacted heritage items would be in accordance with relevant guidelines.	Pre-construction	Chapter 6 of this HMP

4 Consultation and identified heritage

4.1 Consultation undertaken to date

Consultation with the Aboriginal community has been an integral part of the Warrell Creek to Urunga Pacific Highway Upgrade Project (WC2U) since its inception in 2003. Roads and Maritime Services NSW (Roads and Maritime) are committed to maintaining their good relationship with the local Aboriginal Stakeholder groups through open and honest communication.

In accordance with the Interim Community Consultation Requirements for Applicants (Department of Conservation (DEC) 2005) formal consultation activities were conducted prior to and during the Environmental Assessment (EA) process. This consultation is outlined in the EA and more recently in the *Warrell Creek to Urunga Pacific Highway Upgrade Archaeological Salvage Works Report* (SKM 2012) and the *Warrell Creek to Urunga Pacific Highway Upgrade Utilities Relocation Cultural Heritage Assessment Report V8* (SKM 2014).

Through this consultation process, a number of Aboriginal stakeholder organisations registered their interest in the project and have been actively involved in previous phases of cultural heritage assessment, including desktop, survey, sub-surface testing and salvage programs. For the Warrell Creek to Nambucca Heads Pacific Highway Upgrade Project (WC2NH), these stakeholders are:

- Nambucca Heads Local Aboriginal Lands Council (LALC).
- Unkya LALC
- Bowraville LALC
- Muurrbay Aboriginal Language and Culture Co-operative (Muurrbay, not a registered stakeholder for the project)

It should be noted that there is a long standing agreement between these groups and Roads and Maritime that all four parties are consulted regardless of whether the works or heritage items being assessed are located within the boundaries of Nambucca Heads or Unkya LALC areas (the project corridor does not intersect with Bowraville LALC area).

During previous archaeological fieldwork for WC2U, nominated site officers were continuously consulted regarding the methodology and locations of archaeological excavation. When possible, nominated site officers have also been involved in the analysis and interpretation of data obtained during fieldwork.

4.2 Current Consultation

Recent consultation activities for WC2NH include an Aboriginal Focus Group (AFG) meeting held on 13 August 2014 to introduce the parties and discuss the development of the Heritage Management Plan (HMP) and further cultural heritage assessments required for works located outside the approved Project corridor. In addition to this meeting, consultation has been undertaken to arrange and conduct field assessments of potential ancillary areas in locations outside the approved Project boundary. This consultation is ongoing and detailed further in Section 4.3.

A draft Heritage Management Plan (HMP) will be provided to the registered Aboriginal parties for WC2NH for comment. Following consultation, this plan will be updated to include

any comments raised and to document the consultation undertaken. The provision of all stakeholder consultation records, including how and where comments were addressed in the HMP is currently in progress.

4.3 Ongoing Consultation

The primary aim of the ongoing consultation for WC2NH is to keep Aboriginal stakeholders informed of the next phase of the project development and identify the need for further archaeological assessment arising, particularly for works proposed outside the Approved Project corridor.

The proposed consultation plan provides for continuity of the existing consultation process used in previous stages of the project. The frequency of AFG meetings is designed to ensure that the Aboriginal stakeholders are regularly informed of any additional works proposed outside the Approved Project corridor and the ongoing cultural heritage assessment of these proposed works.

Consultation for WC2NH will continue to include the Aboriginal stakeholders listed above, with Gumbaynggirr representatives to speak for matters relating to culture and heritage. Note that as per the agreement discussed above, all four stakeholder groups will continue to be consulted regardless of the location of the works or heritage items being assessed, unless further consultation and agreement dictates otherwise. Any modifications to this consultation plan will also require further consultation, including up to 28 days for review.

Consultation with the Aboriginal stakeholders for WC2NH will include, but not be limited to, the following tasks:

4.3.1 AFG Meetings

AFG meetings will be held every 3 months, unless agreed otherwise. These meetings will be held to:

- Review the status of the project.
- Discuss ongoing cultural heritage assessments for works proposed outside the Approved Project corridor.
- The implementation of any mitigation strategies for Aboriginal cultural heritage values identified to be potentially impacted by works located outside the Approved Project corridor
- Any other agreed items.

Where is considered appropriate, additional AFG meetings may be held.

Detailed minutes for each AFG will be distributed to the Aboriginal stakeholder groups to confirm the consultation outcomes.

4.3.2 Aboriginal Cultural Heritage Education and Training Package

Nominated representatives of the Aboriginal stakeholder groups will be consulted on the development of the Aboriginal Cultural Heritage Education and Training Package (in MS PowerPoint format, see Appendix B of this HMP) to be presented to the construction team. These representatives will also assist in the delivery of the Aboriginal Cultural Heritage Education and Training Package

4.3.3 Further Aboriginal Cultural Heritage Assessment

The Aboriginal stakeholder groups will be consulted throughout the Aboriginal cultural heritage assessment of proposed works located outside the Approved Project corridor. This will include:

- The organisation and participation of nominated site officers for each Aboriginal stakeholder group in archaeological fieldwork conducted. This includes:
 - Archaeological survey. The results of the desktop assessment recommending survey will be presented. Nominated site officers will be consulted on the identification of potential archaeological deposits (PADs).
 - Archaeological test excavation. Nominated site officers will be consulted on the placement and extent of archaeological test excavations.
 - Where Aboriginal cultural material is identified through archaeological survey or archaeological test excavations, nominated site officers will be consulted regarding the cultural significance of the material and appropriate management recommendations.
 - Archaeological salvage excavation. Nominated site officers will be consulted on the placement and extent of any archaeological salvage excavations.
- Provision of all reports detailing the cultural heritage assessment of proposed works located outside the Approved Project corridor. Where impact mitigation measures are recommended for Aboriginal heritage values, up to 30 days will be allowed for review and comment by the Aboriginal stakeholder groups.

4.3.4 Unexpected Heritage Items Management

The Aboriginal stakeholder groups will be consulted during the assessment of any unexpected Aboriginal cultural heritage items identified during proposed works. This consultation will follow the procedure set out above for further cultural heritage assessments.

In the event that unexpected heritage items are identified during works, the Roads and Maritime *Standard Management Procedure: Unexpected Archaeological Finds* (2013) will be implemented.

4.3.5 Heritage Incident Management Process

If unauthorised impacts to Aboriginal cultural heritage values occur Aboriginal stakeholder groups will be consulted during the assessment of impacts and the development of appropriate management strategies.

4.3.6 Care and Control of Recovered Aboriginal Objects

The Aboriginal stakeholder groups will be consulted on the care and control of Aboriginal objects recovered during any future archaeological test excavation or salvage required. This will be conducted in accordance with the existing Care Agreement for Aboriginal Objects that exists for the WC2U project.

4.4 Identified Aboriginal heritage

The following sections summarise what is known about Aboriginal and non-Aboriginal heritage within and adjacent to the project corridor.

The key reference documents are Chapter 15, Section 19.3 and Working Paper 4 of the EA as well as the April 2010 addendum to the Aboriginal Cultural Heritage Assessment Report and the July 2012 Archaeological Salvage Works Report.

4.4.1 Archaeological sites

As detailed in the EA, the Project would have direct, indirect and potential impacts on various identified archaeological sites – refer Table 4-1. The Sensitive Area Maps included in Appendix A6 of the CEMP also detail sensitive sites adjacent to the corridor that have not been salvaged and will be protected in accordance with this Heritage Management Plan during construction.

Table 4-1 Archaeological sites

Name	Scientific Significance	Aboriginal Significance
Rosewood Creek scarred tree	Moderate	High
Plantation Trail artefact 1 and resource gathering site	Low	Moderate
Bald Hill Road 1	Low	High
Old Coast Road stone artefact	Low	Moderate
Butchers Creek 1	Moderate	High
Stony Creek 1	Low	High

4.4.2 Aboriginal cultural sites

One cultural site was identified through the cultural heritage assessment and consultation process undertaken for the EA – refer Table 4-2. Refer also to the Sensitive Area Maps included in Appendix A8 of the CEMP.

Table 4-2 Aboriginal cultural sites

Name	Aboriginal Significance	Scientific Significance
Cabbage tree palm resource site	High	Low

4.5 Identified non-Aboriginal heritage

Non-Aboriginal heritage items located within or adjacent to the project corridor are listed below in Table 4-3. The location of these items is shown on the Sensitive Area Maps included in Appendix A6 of the CEMP.

Table 4-3 Non-Aboriginal heritage items

Name	Location	Significance
Boulton Hotel	75 River Road, Macksville	Local
Ferry/punt crossing at Boulton Hotel	Opposite Boulton Hotel, Macksville.	Local

Name	Location	Significance
Farm house, North Macksville	Junction of Pacific Highway and Old Coast Road.	Low potential significance
Old municipal tip site	Eastern side of Old Coast Road, north of Macksville.	Local
Tangye pump	Between Warrell Creek and the North Coast Railway Line	High local

5 Environmental aspects and impacts

5.1 Construction activities

Key aspects of the project that could result in adverse impacts to Aboriginal and Non-Aboriginal heritage include:

- Early works including non-substantial construction activities such as services relocations.
- Planned salvage of Aboriginal heritage items.
- Initial clearing and/or grubbing of vegetation.
- Initial removal of topsoil.
- Construction of site compounds and spoil / mulch and / or equipment stockpile areas.
- Temporary access roads during construction.

Refer to Appendix A2 of the CEMP – Aspects and Impacts Register.

5.2 Aboriginal cultural heritage impacts

Table 5-1 summarises identified impacts and management measures in relation to Aboriginal archaeological sites.

Table 5-1 Aboriginal archaeology - impacts and management

Name	Impact	Management
Rosewood Creek scarred tree	No impact	Protection and monitoring
Plantation Trail artefact 1 and resource gathering site	Partial (resources only)	Recording of resources
Bald Hill Road 1	Direct impact	Salvage
Old Coast Road stone artefact	Direct impact	Collection
Butchers Creek 1	Direct impact	Salvage
Stony Creek 1	Direct impact	Salvage

Salvage and collection work has now been completed within the project corridor. Salvage took the form of either salvage excavation (mechanical or manual) within the project corridor, or salvage collection of known artefacts within the project corridor.

Across the ten sites for which archaeological salvage excavation had been recommended for the entire WC2U Project, a total of 53 mechanical trenches and 57 manual excavation squares were excavated during the archaeological salvage program for the project. A total area of 660.3 square metres was excavated.

All cultural material was dealt within in accordance with the Care Agreement for Aboriginal Objects, which was entered into with relevant parties.

Refer to the Warrell Creek to Urunga Pacific Highway Upgrade Archaeological Salvage Works Report (July 2012) for further detail.

Table 5-2 summarises identified impacts and management measures in relation to Aboriginal cultural heritage site for the WC2NH section of the WC2U Project.

Table 5-2 Aboriginal cultural heritage - impacts and mitigation

Name	Impact	Management
Cabbage tree palm resource site (AHIMS 21-6-0302)	Partial impact	Recording (completed) Aboriginal Site Impact Recording Form (ASIRF) to be completed and submitted to AHIMS following clearing of the project corridor.

5.3 Non-Aboriginal heritage impacts

Table 5-3 summarises identified impacts and management measures in relation to Non-Aboriginal cultural heritage sites in the WC2NH section of the WC2U Project. On inspection of the Tangye pump site on 27 August 2014, the key site components of the pump, engine and shed were no longer present at the site. Concrete footings and a shaft were all that remained. Additionally, the project design now avoids the site.

Table 5-3 Non-Aboriginal heritage – impacts and mitigation

Name	Impact	Management
Boulton Hotel	No impact	None required
Ferry/punt crossing at Boulton Hotel	Indirect impact (within 50 m)	Protection and monitoring
Farm house, North Macksville	Direct impact	Archaeological analysis and archival recording
Old municipal tip site	No impact	None required
Tangye pump	Direct impact	None required

6 Environmental mitigation and management measures

A range of environmental requirements and control measures are identified in the various environmental documents, including the EA, Statement of Commitments, supplementary assessments, Conditions of Approval and other RMS documents. Specific measures and requirements to address impacts on Aboriginal and non-Aboriginal heritage are outlined in Table 6-1.

Table 6-1 Heritage management and mitigation measures

ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
GENERAL					
AH1 / NH1	Training will be provided to all project personnel, including relevant sub-contractors on Aboriginal and non-Aboriginal heritage requirements from this plan through inductions, toolboxes and targeted training. The training will be undertaken in accordance with education and training packages included in Appendix B and Appendix C of this HMP.	Aboriginal and non-Aboriginal education and training packages (refer Appendix B and Appendix C)	Pre-construction Construction	Environment Manager	CoA B.31(e)(ii) iv. CoA B31(e)(iii) iii. SoC AH4 G36
AH2 / NH2	If any unexpected heritage items are encountered, works potentially affecting the find would cease immediately and the RMS Standard Management Procedure – Unexpected Heritage Items (August 2013) (refer Appendix D) would be followed.	RMS Standard Management Procedure – Unexpected Heritage Items (August 2013) (refer Appendix D)	Pre-construction Construction	All personnel and subcontractors	CoA B31(e)(ii) ii. CoA B31(e)(iii) ii. SoC AH2 and NH2 G36
AH3 / NH3	If suspected human skeletal remains are encountered, works potentially affecting the find would cease immediately and the RMS Standard Management Procedure – Unexpected Heritage Items (August 2013) (refer Appendix D) would be followed.	RMS Standard Management Procedure – Unexpected Heritage Items (August 2013) (refer Appendix D)	Pre-construction Construction	All personnel and subcontractors	CoA B31(e)(ii) iii. SoC AH2 G36
AH4 / NH4	If any project works (such as a design change or ancillary facility) is proposed to occur in an area beyond the extent of previous heritage survey and assessment, additional heritage assessment (including desktop assessment, archaeological survey and test excavation where required) will be undertaken to determine if heritage constraints exist. In accordance with CoA 16A and CoA27A, a methodology for these assessments has been prepared in consultation with OEH (see Appendix A). The Aboriginal component was approved by the Director General on 23 May 2014 and the Historical component is currently under review. (Note - Impacts to identified heritage sites not part of the Project will only be permitted for works related to ancillary facilities and following approval from the Director General, DP&I)		Pre-construction Construction	Environment Manager	SoC AH1 Appendix A of this HMP

ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
AH5	Ongoing consultation with Aboriginal stakeholders will be undertaken with relevant stakeholders and activities as detailed Section 4.2 of the Heritage Management Plan.		Pre-construction Construction	Environment Manager	CoAB31(e)(ii)(iv)
SITE SPECIFIC ABORIGINAL HERITAGE MANAGEMENT / MITIGATION MEASURES					
AH6	To protect the identified Rosewood Creek scared tree the following management measures will be implemented: <ul style="list-style-type: none"> - Establish a tree protection zone around the base of the tree with a minimum radius of between 14 and 16 metres. - Install wire mesh (or similar) fencing around the border of the tree protection zone. - Installation of signage reading “Tree Protection Zone – Do Not Enter” - Protective plantings to obscure the scar if agreed by arborist and Unkya LALC representative. - Monitoring during weekly inspections. - Annual monitoring for two years following the completion of construction. 		Construction Operation	Project Engineers Forman / Leading Hands Environment Manager	CoA C14 EA SoC AH1 <i>Addendum Aboriginal Cultural Heritage Assessment Report</i>
AH7	All reasonable and feasible measures will be taken to minimise the impact of the Project on the following sites, including the installation and ongoing maintenance of protective fencing (from within the project corridor) prior to and during construction works near the area. <ul style="list-style-type: none"> - Butchers Creek 1 - Stony Creek 1 - Other areas of PAD or sites identified as part of further assessment for the Project works 		Pre-construction Construction	Environment Manager Design Manager Project Archaeologist Project Engineers Forman / Leading Hands	CoA B19 EA <i>Addendum Aboriginal Cultural Heritage Assessment Report</i>
SITE SPECIFIC NON-ABORIGINAL HERITAGE MANAGEMENT / MITIGATION MEASURES					
NH5	To protect the Ferry/punt crossing at Boulton Hotel the following management measures will be implemented: <ul style="list-style-type: none"> - Designation of the site as a “No Impact Zone” on all construction drawings and the marking of the item boundaries on site. 		Pre-construction Construction	Environment Manager Design Manager	EA

ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
	<ul style="list-style-type: none"> - Reference to the site during inductions, training and awareness sessions. - Weekly inspections of the site to monitor any impacts including photographing of the site. 				
NH6	<p>The following measures will be implemented in relation to the Farm house, North Macksville:</p> <ul style="list-style-type: none"> - Archaeological analysis and archival recording of the item. - Lodgement of copies of the archival records with Clarence Regional Library, the Bowraville Folk Museum and the Office of Environment and Heritage library. 		Pre-construction	Environment Manager Project Archaeologist	EA

7 Compliance management

7.1 Roles and responsibilities

The Project Team's organisational structure and overall roles and responsibilities are outlined in Section 4.2 of the CEMP. Specific responsibilities for the implementation of environmental controls are detailed in Section 6 of this Plan.

7.2 Training

All employees, contractors and utility staff working on site will undergo site induction training relating to Aboriginal and non-Aboriginal heritage management issues. The induction training will address elements related to heritage management including:

- Existence and requirements of this sub-plan.
- Relevant legislation.
- Roles and responsibilities for heritage management.
- Location of identified heritage sites.
- Proposed heritage management and protection measures.
- Procedure to follow in the event of an unexpected heritage item find during construction works (**RMS Standard Management Procedure – Unexpected Heritage Items** (August 2013) (refer Appendix D)).
- Procedure to follow in the event of discovery of human remains during construction works (**RMS Standard Management Procedure – Unexpected Heritage Items** (August 2013) (refer Appendix D)).

Further details regarding staff induction and training are outlined in Section 5 of the CEMP.

In addition to the induction training described above, staff will undergo specific detailed training in both Aboriginal and non-Aboriginal heritage. This will be delivered as separate training sessions at various stages throughout the Project to up skill the workforce in heritage awareness.

The Aboriginal Heritage Education and Training Package for the project is included in Appendix B. The non-Aboriginal Heritage Education and Training Package for the project is included in Appendix C.

7.3 Inspections

Inspections of sensitive areas and activities with the potential to impact Aboriginal and non-Aboriginal heritage will occur for the duration of the Project. Inspections will be undertaken during the environmental inspections detailed in Section 8.1 of the CEMP. Some specific monitoring requirements in relation to some items have been documented in Table 6-1.

Requirements and responsibilities in relation to inspections are documented in Section 8.1 of the CEMP.

7.4 Auditing

Audits (both internal and external) will be undertaken to assess the effectiveness of environmental controls, compliance with this sub plan, CoA and other relevant approvals, licenses and guidelines.

Audit requirements are detailed in Section 8.3 of the CEMP.

7.5 Reporting

Reporting requirements and responsibilities are documented in Section 8.3 of the CEMP.

8 Review and improvement

8.1 Continuous improvement

Continuous improvement of this plan will be achieved by the ongoing evaluation of environmental management performance against environmental policies, objectives and targets for the purpose of identifying opportunities for improvement.

The continuous improvement process will be designed to:

- Identify areas of opportunity for improvement of environmental management and performance.
- Determine the cause or causes of non-conformances and deficiencies.
- Develop and implement a plan of corrective and preventative action to address any non-conformances and deficiencies.
- Verify the effectiveness of the corrective and preventative actions.
- Document any changes in procedures resulting from process improvement.
- Make comparisons with objectives and targets.

8.2 HMP update and amendment

The processes described in Chapter 8 and Chapter 9 of the CEMP may result in the need to update or revise this Plan. This will occur as needed.

Any revisions to the HMP will be in accordance with the process outlined in Section 1.6 of the CEMP and as required, be provided to relevant stakeholders for review and comment and forwarded to the Director General of DP&I for approval.

A copy of the updated plan and changes will be distributed to all relevant stakeholders in accordance with the approved document control procedure – refer to Section 10.2 of the CEMP.

Appendix A

Methodology for Aboriginal and Historical
Investigation for Works Outside the Project
Corridor

METHODOLOGY FOR ABORIGINAL AND HISTORICAL HERITAGE INVESTIGATION FOR WORKS OUTSIDE THE PROJECT CORRIDOR

1. Introduction

This appendix establishes the Aboriginal and historical (non-Aboriginal) cultural heritage assessment methodology for any future ancillary facilities (as defined in Schedule 1 of the Ministers Conditions of Approval) or permanent work areas (as defined in Ministers Conditions of Approval C16A) identified outside the previous heritage survey and assessment. This document has been prepared in accordance with Ministers Conditions of Approval (CoA) C16A and C27.

Cultural heritage assessment will be undertaken in a manner consistent with the approvals provided by the Director-General of the Department of Planning and Infrastructure (DP&I) (Approval Number MP07_0112 and MOD 5). This includes assessment of potential impacts to cultural heritage consistent with that detailed in:

- Mills (2004) *Pacific Highway Upgrading Program, Options Investigation Phase, Macksville to Urunga, Preliminary Options Assessment: Heritage Assessment*. Report for SKM on behalf of RTA
- JCIS Consultants (2008) *Heritage Impact Statements for Seven Heritage Items, Warrell Creek to Urunga Upgrade, North Coast NSW*. Prepared for SKM on behalf of the RTA
- SKM (Dec 2009) *Warrell Creek to Urunga, Upgrading the Pacific Highway. Working Paper No.4 Aboriginal Cultural Heritage*. Prepared for the RTA.
- SKM (Jan 2010) *Warrell Creek to Urunga Upgrading the Pacific Highway Environmental Assessment. Volume 1 Environmental Assessment*. Prepared for the RTA.
- SKM (May 2010) *Warrell Creek to Urunga, Upgrading the Pacific Highway. Addendum to the Cultural Heritage Assessment Report*. Prepared for the RTA.

This methodology will provide consistency with the previous assessments and provide confidence for the registered Aboriginal stakeholders. Where applicable, this methodology is also consistent with:

- DEC (Dec 2004) Interim Community Consultation Requirements for Applicants.
- DEC (July 2005) Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation.
- Roads and Maritime Service (Nov 2012) *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*.

- The Office of Environment and Heritage (September 2010) *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* has been considered in the preparation of this methodology, and where applicable this information has been incorporated into Sections 2.1 (Desktop Assessment), 2.3 (Aboriginal Cultural Heritage Field Survey), 2.4 (Sub-surface Testing) and 2.5 (Archaeological Report) below.

The assessment methodology will be a staged process comprising desktop assessment, and where required, consultation, cultural heritage field survey, archaeological sub-surface testing, impact assessment, mitigation/management recommendations and reporting.

In accordance with Ministers Conditions of Approval C16A and C27, if impacts to Aboriginal and Historical heritage sites, other than subsurface testing, are proposed, then approval would be sought from DP&I. Ministers Conditions of Approval C16A, C27 and C27A are reproduced below:

- C16A. (a)
- i) Where permanent works (including utilities, services and permanent access and service roads, or similar works required for the project) located outside the approved project footprint and described in the documents listed in condition A1 are required, and those works have the potential to impact upon previously unidentified non-Aboriginal and Aboriginal archaeology, the proponent shall undertake archaeological investigations to determine the impacts of those works.
 - ii) The proponent shall undertake the investigations required in accordance with condition C16A(a)(i) consistent with the Construction Heritage Management Plan required under Condition B31(e), or using a methodology prepared in consultation with OEH and approved by the Director General.
 - iii) The proponent shall report on the results of the archaeological investigations prior to commencement of permanent works, and:
 - where the potential heritage impacts identified in the report are less than those described in the documents listed in condition A1, the report shall be provided to the Director General;
 - where the potential heritage impacts identified in the report are the same as those described in the documents listed in condition A1, the report shall be prepared in consultation with OEH and submitted to the Director General;
 - where the potential heritage impacts identified in the report are greater than those described in the documents listed in condition A1, the report shall be prepared in consultation with OEH and submitted to the satisfaction of the Director General.
 - iv) The report on the results of the archaeological investigation is to include recommendations (such as for further archaeological work) and shall include, but not necessarily be limited to, consideration of measures to avoid or minimise disturbance to Aboriginal objects where objects of moderate to high significance are found to be present.
- (b)
- i) The proponent shall undertake salvage work with the approval of the Director General, when recommended by the results of the archaeological investigation required under condition C16A.
 - ii) In determining whether to approve salvage work, the Director General is to have reference to the results of all relevant archaeological investigations undertaken under condition C16A(a) and the views of OEH.

- C27. Unless otherwise approved by the Director General in accordance with this condition, the sites for ancillary facilities associated with the construction of the project shall:
- (a) be located more than 50 metres from a waterway;
 - (b) have ready access to the road network or direct access to the construction corridor;
 - (c) be located in areas of low ecological significance and require minimal clearing of native vegetation (not beyond that already required by the project);
 - (d) be located on relatively level land;
 - (e) be separated from the nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);
 - (f) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented;
 - (g) not unreasonably affect the land use of adjacent properties;
 - (h) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours; and
 - (i) be located in areas of low heritage conservation significance (including identified Aboriginal cultural value) and not impact on heritage sites beyond those already impacted by the project.

Ancillary sites identified that do not meet the above criteria shall be assessed against this criteria to demonstrate how any impacts can be mitigated and managed to acceptable standards (including demonstrating consistency with project impacts identified in the documents listed under condition A1, to the satisfaction of the Director General. Such assessment(s) can be submitted separately or as part of the Construction Environmental Management Plan required under condition B30.

- C27A. (a) The Proponent may undertake archaeological investigations at ancillary sites that do not meet the criterion set out in condition C27(i) of this approval, where this is required to assess the potential non-Aboriginal and Aboriginal archaeological impacts of the ancillary facility on previously unidentified heritage sites.
- (b) Any archaeological investigations undertaken under this condition must be undertaken consistent with the Construction Heritage Management Plan required under Condition B31(e) or a methodology prepared in consultation with OEH and approved by the Director General.
- (c) The results of any relevant archaeological investigations undertaken under this condition must be described in the assessment of the ancillary facility required under Condition C27.

2. Aboriginal heritage methodology

2.1 Desktop Assessment

For proposed works areas outside of the previous heritage survey and assessment, the first step in heritage assessment is a desktop assessment.

The desktop assessment will include the following tasks:

- A search and review of relevant Aboriginal cultural heritage registers, including the Aboriginal Heritage Information Management System (AHIMS). It is noted that some cultural significant sites may not be publically accessible through the AHIMS register;
- A review of the Aboriginal cultural assessment conducted for the Warrell Creek to Urunga Pacific Highway Upgrade Environmental Assessment (SKM 2010) focussing

upon the Aboriginal cultural heritage values previously identified in consultation with the registered Aboriginal parties (RAPs) for this project.

- Use of the ARC GIS system established for this assessment to analyse the following data sets:
 - Updated data from AHIMS register;
 - Heritage data from earlier assessments, including areas of potential archaeological deposit (PAD) and potential archaeological sensitivity (PAS), Aboriginal heritage sites and Aboriginal cultural places and historical heritage sites;
 - New areas of PAS for Aboriginal cultural heritage, identified through predictive modelling;
 - Aerial imagery;
 - The approved boundary of the project area;
 - The location of proposed ancillary facilities or permanent work areas.

The locations of any new works areas outside the Project corridor not previously subject to survey will be identified and assessed for proximity to known Aboriginal heritage sites. The overall sensitivity for each of the proposed works areas will be assessed through a desktop assessment. Where a review of available mapping and aerial imagery is insufficient to adequately assess the location of works in relation to landforms of potential archaeological sensitivity an inspection of the works site may be conducted by an appropriately qualified and experienced archaeologist to determine the potential archaeological significance of the works area.

The results of the desktop assessment will be presented by an appropriately qualified and experienced archaeologist to Roads and Maritime Services NSW (RMS) and the project construction team. This will identify whether there is potential for the proposed works to impact upon Aboriginal cultural heritage and recommendations for any further archaeological assessment, where required. Where no further archaeological assessment is recommended, the results of the desktop assessment will also be presented to the RAPs for this project.

2.2 Consultation

Consultation with the Aboriginal community has been an integral part of the project since its inception in 2007. In accordance with the Interim Community Consultation Requirements for Applicants (Department of Conservation (DEC) 2005) formal consultation activities were conducted prior to and during the Environmental Assessment process.

Where there is potential for the proposed works to impact upon Aboriginal cultural heritage, consultation with the RAPs for this project will be conducted. Consultation may consist of:

- Aboriginal Focus Group (AFG) meetings
- Involvement of nominated site officers of the relevant RAPs during archaeological assessment fieldwork
- Other discussions with RAP representatives

Regular consultation/contact with the Office of Environment and Heritage (OEH) will also be maintained throughout additional cultural heritage assessments required for the project and via Environmental Review Group (ERG) meetings.

2.3 Aboriginal Cultural Heritage Field Survey

Cultural Heritage (archaeological) Field Surveys will be undertaken to evaluate areas of PAS identified from the desktop assessments for any new works areas outside the previous heritage survey and assessment.

The methodology for Cultural Heritage Field Surveys will be:

- Undertake pedestrian survey transects with the relevant RAPs, approximately 20 metre wide, covering as much of the area as practicable.
- Archaeological sites and survey areas to be mapped into a Geographic Information System (GIS) database. This information will be provided to the RAPs as requested.
- The following details will be recorded for each surveyed area:
 - Landform
 - Ground surface exposure and nature of exposure
 - Visibility as a result of vegetation
 - Degree of disturbance
 - Nature of current and historical land use.
- All artefacts identified during survey will be recorded, and left on site as close to their original position as possible.
- AHIMS site recording forms will be completed for each new Aboriginal site and PAD recorded and these will be submitted to AHIMS.

The results of the field survey will be presented by an appropriately qualified and experienced archaeologist to RMS and the project construction team in the format of an archaeological report (see Section 2.5 below). This will identify whether there is potential for the proposed works to impact upon Aboriginal cultural heritage and recommendations for any further archaeological assessment and management recommendations, where required.

2.4 Sub-surface Testing

For PADs identified as being impacted by the proposed new works, archaeological sub-surface testing may be required in order to assess the extent and nature of any sub-surface deposits. The requirement for sub-surface testing is based upon both the cultural significance and the archaeological potential of each test area. As shown in Table 1, where both the cultural significance and the archaeological potential are considered low, there is a low risk of impacting upon Aboriginal heritage values and sub-surface testing will not be required. Where the risk of impacting upon Aboriginal heritage values is moderate or high, sub-surface testing will be required.

■ **Table 1: Risk of impacting upon Aboriginal heritage values.**

Archaeological potential of PAD	Cultural Significance of PAD		
	High	Moderate	Low
High	High	Moderate	Moderate
Moderate	Moderate	Moderate	Moderate
Low	Moderate	Moderate	Low

The archaeological potential assigned to a PAD by an appropriately qualified and experienced archaeologist is based upon:

- The information obtained through the desktop assessment phase, including the likelihood for archaeological sites to occur within a specific landform, as defined by the predictive model used for the project (SKM 2009; 2010); and
- The information obtained through the archaeological field survey, including any ground disturbance noted during survey.
- The archaeological potential is then graded according to the following: low potential = 0-30% chance of archaeological deposits, moderate = 30-70%, high = 70-100%.

The cultural significance of the PAD will be established through consultation with nominated site officers of the registered Aboriginal stakeholders during archaeological field survey in combination with previous comprehensive consultation through the AFG process and the cultural assessment (SKM 2009).

All sub-surface testing will be undertaken with nominated site officers of the registered Aboriginal stakeholders and if sub-surface components of the investigated PADs are identified, nominated site officers will be consulted regarding preferred strategies for impact mitigation.

All sub-surface investigation will be conducted in accordance with the following methodology:

- Excavation units will only be placed within the immediate vicinity of any new works areas (within 100 m).
- Excavation units will generally be placed along transects or grids at 20 metre intervals, depending upon observed disturbance of the area, and the predicted sensitivity of the landforms on which the PAD it was located. Excavation units will be

placed outside defined PAD areas or at closer intervals where required to further investigate the extent of an identified site. The exact placement and number of excavation units will be determined by the supervising archaeologist in consultation with site officers for the relevant RAPs.

- Excavation will be performed either mechanically or manually, at the discretion of the supervising archaeologist in consultation with site officers for the relevant RAPs
 - Mechanical pits will be excavated in 1.1 m x 2 m units (note: mechanical testing not to be used for PADs with high archaeological potential and high cultural significance)
 - Manual shovel test-pits will be excavated in 500 mm x 500 mm units.
- Each excavation unit will be excavated in a controlled manner and documented in 50 mm spits.
- All material excavated from the test excavation units will be sieved using approximately 5 mm aperture wire-mesh sieve (mechanical or manual).
- Excavation units will be excavated until the B-Horizon is reached or until Work Health and Safety (WH&S) restrictions force a cessation of further excavation at that location.
- Photographic and scale-drawn records of the stratigraphy/soil profile, features and informative Aboriginal objects will be made for a representative sample of excavation points. This includes recording of the stratigraphy/soil profile of each distinct landform sampled and of each test excavation unit in which an archaeological feature or Aboriginal object is identified.
- Soil colour and type, texture, acidity and stratification will be recorded to increase understanding of the sub-surface conditions of PADs and how they may relate to site formation processes influencing the presence and condition of sub-surface archaeological deposits.
- Soil colours will be recorded from a representative sample of soil strata, using a Munsell colour chart to ensure consistency.
- Soil acidity will be measured for a representative sample of soil types using a pH testing kit.
- All artefacts retrieved during sub-surface testing will be double bagged and labelled with appropriate contextual information. The artefacts will either be analysed in the field and left *in situ* as close as possible to their original location or transported to SKM's Melbourne office, where analysis will be undertaken including all measurements, identification of material, depth and test pit locations and photos. The long term management arrangements for any recovered artefacts will be in consultation and agreement with the RAPs within 12 months from collection. Where objects cannot be individually returned to their original location they will be reburied or stored in accordance with Section 3.7 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (OEH 2010).

- The location of each excavation unit will be recorded using a mobile GIS Unit (Trimble® GeoXH™ GeoExplorer® or the Trimble® Nomad). This will allow for the spatial datasets collected in the field to be post-processed to sub-metre level accuracy once the GPS co-ordinates have been differentially corrected.
- Excavations units will be backfilled as soon as practicable.
- An Aboriginal Site Impact Recording form (ASIRF) will be completed and submitted to the AHIMS Registrar for each PAD investigated.
- If suspected human skeletal remains are encountered, works potentially affecting the find would cease immediately and the RMS Standard Management Procedure – Unexpected Heritage Items (August 2013) would be followed.

The results of the sub-surface testing program and analysis of excavated cultural material will be incorporated by an appropriately qualified and experienced archaeologist into an archaeological report (see Section 2.5 below) and presented in draft form to the RAPs for the project for comment prior to finalisation. The final report will be presented to RMS, the project construction team and the RAPs for this project.

2.5 Archaeological Report

Where proposed works have been identified to potentially impact upon Aboriginal cultural heritage, the subsequent archaeological assessment of the works will be detailed within an archaeological report. The archaeological report will be prepared by an appropriately qualified and experienced archaeologist and in accordance with C16A (a) iii) and iv). This will typically detail the following:

- Introduction and background to assessment
- Review of relevant cultural heritage legislation
- Environmental and Historical Background
- Desktop assessment methodology and results leading to further assessment
- Aboriginal cultural assessment for the project area
- Consultation process and results
- Cultural Heritage Field Survey methodology, results and requirements for further assessment
- Sub-surface testing methodology and results (where required)
- Statement of significance for all Aboriginal sites identified. This assessment is based upon the four values of the *Australia ICOMOS Burra Charter* (Australian ICOMOS 1999).
 - Social values
 - Historical values

- Scientific values (including site integrity, structure, contents, representativeness and rarity).
- Aesthetic values
- Impact and consistency assessment for all identified Aboriginal sites
- Recommendations and mitigation measures for all potentially impacted Aboriginal sites including consideration of measures to avoid or minimise disturbance to Aboriginal objects of moderate to high significance (see Section 2.6 below).
- Provision of quality figures and maps relating to the location of works sites, the Desktop Assessment and the Cultural Heritage Field Survey.

Consultation with OEH and the RAPs will occur when heritage impacts are the same or greater than those described in the documents listed in CoA A1. The archaeological report will then be finalised following incorporation of any comments from the registered Aboriginal stakeholders or OEH and provided to DP&I. A final copy of the archaeological report will also be provided to the RAPs for their record.

2.6 Recommendations and Mitigation Measures

In general the first principle of cultural heritage management is impact avoidance and minimisation before mitigation. If it is not possible to completely avoid sites, then mitigation is required for sites or parts of site impacted. Potential management recommendations, in order of preference, may include:

- Avoidance. This includes the relocation of the works or the use of exclusion zones or other measures to ensure that works do not impact upon heritage sites.
- Salvage – collection. This includes the collection of surface cultural material (generally artefacts) or sub-surface cultural material identified during sub-surface testing.
- Salvage – salvage excavation. This consists of the archaeological salvage excavation of that part of a site which will be impacted.

In accordance with Ministers Conditions of Approval C16A and C27, if impacts to Aboriginal heritage sites, other than sub-surface testing, are proposed, then approval would be sought from DP&I.

3. Historical heritage methodology

3.1 Desktop Assessment

The historical heritage desktop assessment will include the following tasks:

- A search and review of the Nambucca Local Environment Plan (LEP) 2010, the NSW State Heritage Register, Australian Heritage Database and the Roads and Maritime Service s170 Heritage and Conservation Register
- Use of the ARC GIS system established for this assessment to analyse the following data sets:
 - Updated data from the relevant historic heritage registers
 - Heritage data from previous historical heritage assessments for the project, including historical heritage sites
 - Aerial imagery
 - The approved boundary of the project area
 - The location of proposed ancillary facilities or permanent work areas

The locations of any new works areas not previously subject to survey will be identified and assessed for proximity to known historical heritage items. The overall potential for historical heritage items for each of the proposed works areas will be determined through a desktop assessment.

The results of the desktop assessment will be presented by an appropriately qualified and experienced archaeologist to the project construction team. This will identify whether there is potential for the proposed works to impact upon historical heritage items and present recommendations for any further heritage assessment, where required.

3.2 Historical Heritage Field Survey

Historical Heritage Field Surveys will be undertaken to evaluate works areas identified as having potential for historical heritage items from the desktop assessments.

The methodology for Historical Heritage Field Surveys will be:

- Undertake pedestrian survey transects approximately 20 metre wide, covering as much of the area as practicable.
- Heritage sites and survey areas to be mapped into a Geographic Information System (GIS) database.
- The following details will be recorded for each surveyed area:
 - Landform
 - Ground surface exposure and nature of exposure
 - Visibility as a result of vegetation

- Degree of disturbance
- Nature of current and historical land use.

- All heritage items identified during survey will be recorded, and left on site.
- All unregistered heritage items identified will be reported to the NSW Heritage Branch (OEH)

Preliminary results of the field survey will be presented by an appropriately qualified and experienced archaeologist to the project construction team.

3.3 Significance Assessment

Where there is potential for the proposed works to impact upon historical heritage items a significance assessment will be completed. This will include:

- Historical background research for information about the history of the identified heritage item
- Assessment of the significance of the heritage items against the NSW Heritage Council criteria from the *Heritage Act 1977*. The seven criteria upon which the assessment of significance will be based include:
 - Criterion (a) an item is important in the course, or pattern, of NSW cultural or natural history
 - Criterion (b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW cultural or natural history
 - Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW
 - Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons
 - Criterion (e) an item has potential to yield information that would contribute to an understanding of NSW cultural or natural history
 - Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW cultural or natural history
 - Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW cultural or natural places or cultural or natural environments.

Each of the above criteria will be considered in regard to the history and physical evidence of the heritage items identified. As the criteria of the Australia ICOMOS *Charter for Places of Cultural Significance* (the Burra Charter) Australia ICOMOS 2000) are very similar to the NSW Heritage Manual, they are not considered separately. The level of significance of each item will also be assessed based on *Levels of Heritage Significance* guidelines (NSW Heritage

Office 2008) and in accordance with the definitions of local and State heritage significance in section 4A of the NSW *Heritage Act 1977*.

3.4 Statement of Heritage Impact

For newly identified historical heritage items assessed to be of local or State level heritage significance, a Statement of Heritage Impact (SOHI) will be completed in accordance with the *Statements of Heritage Impact Guidelines* (NSW Heritage Office 1996). This document will include mitigation and management measures to minimise heritage impacts and will be presented by an appropriately qualified and experienced heritage consultant to the project construction team.

In accordance with Ministers Conditions of Approval C16A and C27, if impacts to Historical heritage sites, are proposed, then approval would be sought from DP&I.



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PACIFIC HIGHWAY OFFICE

24 SEP 2014

ACTION BY:

Att: Shayne Watson

Dear Mr Higgins

Warrell Creek to Urunga (07_0112 – Aboriginal and non-Aboriginal Heritage Investigations Methodology – Outside the Project Corridor

I refer to your letter of 28 August 2014 submitting, for the Secretary's consideration, the methodology for heritage investigation of permanent works and temporary ancillary sites located outside the project footprint, under conditions C16A and C27A.

The Department has reviewed the proposed methodology and notes the methodology for Aboriginal archaeological investigations is the same as that approved by the Secretary on 23 May 2014. In relation to the methodology for non-Aboriginal archaeological investigation, the Department is satisfied with the general approach for non-Aboriginal heritage investigations.

I wish to advise you that the Secretary has approved the Aboriginal and non-Aboriginal archaeological investigation methodology for the Warrell Creek to Nambucca Heads stage under conditions C16A(a)(ii) and C27A(b).

It is requested that the approved methodology be included in the Construction Heritage Management Plan for Stage 2 of the project.

Should you have further queries regarding this matter, please contact Michael Young on (02) 9228 6437.

Yours sincerely

Felicity Greenway 18/9/14

Felicity Greenway
A/Director, Infrastructure Projects
As nominee of the Secretary

Appendix B Aboriginal heritage education and training package



Cultural Heritage Awareness Training

Pacific Highway Upgrade
Warrell Creek to Nambucca Heads

JACOBS





WELCOME TO COUNTRY

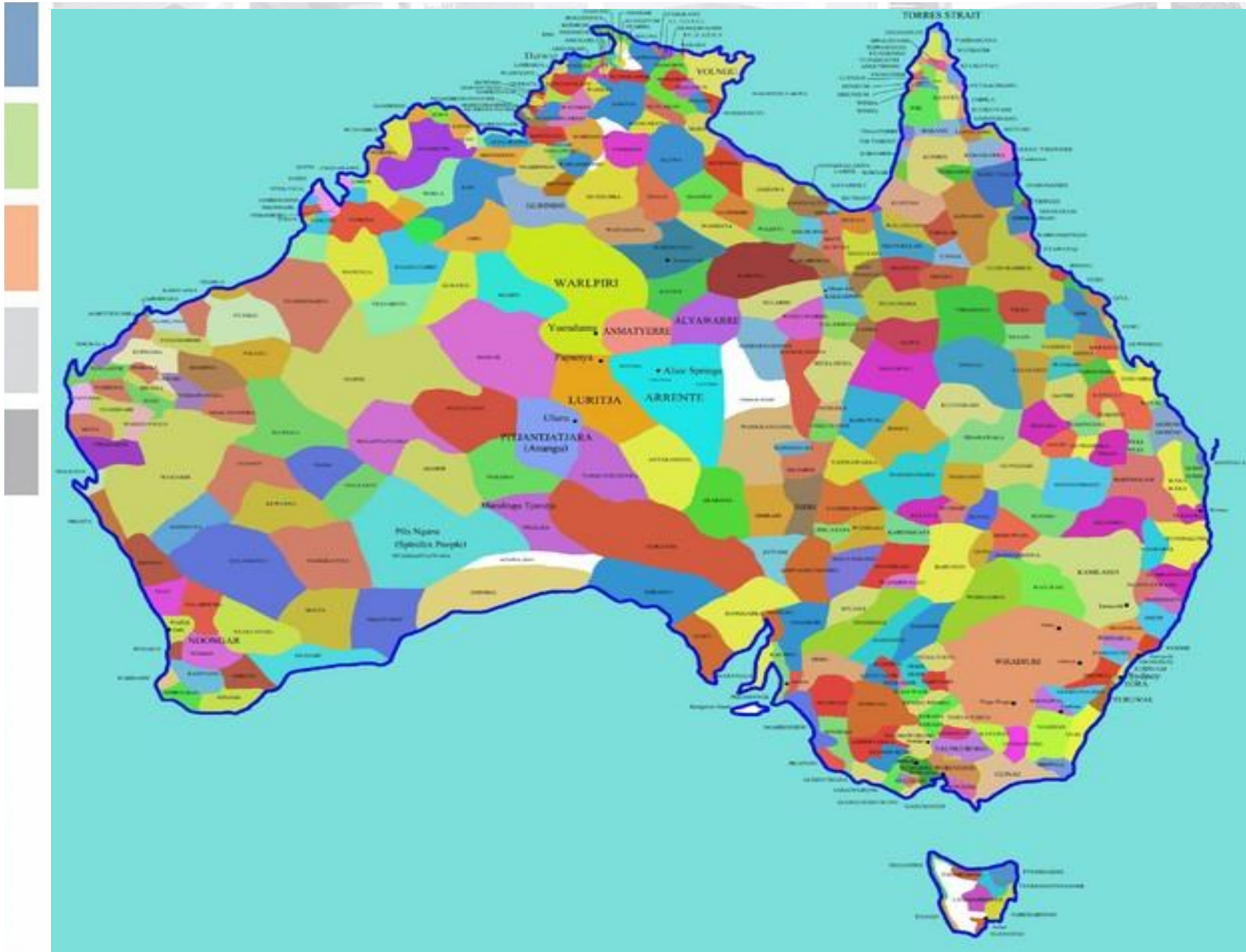
- Giinagay ngujawiny
- Yaam Darruy ngujalinya nyaagaygu
- Yaam Baga-baga girrwar
- Darruy nyaagaygu guuyu, jurruy; girrwaa
- Yaarri junga-ngarraangala yaam *[Gumbaynggirr] jagun
- garla-ngarraangala gilagung, gunga-ngulam jalumgalnyarr
- Darruyay yilaaming

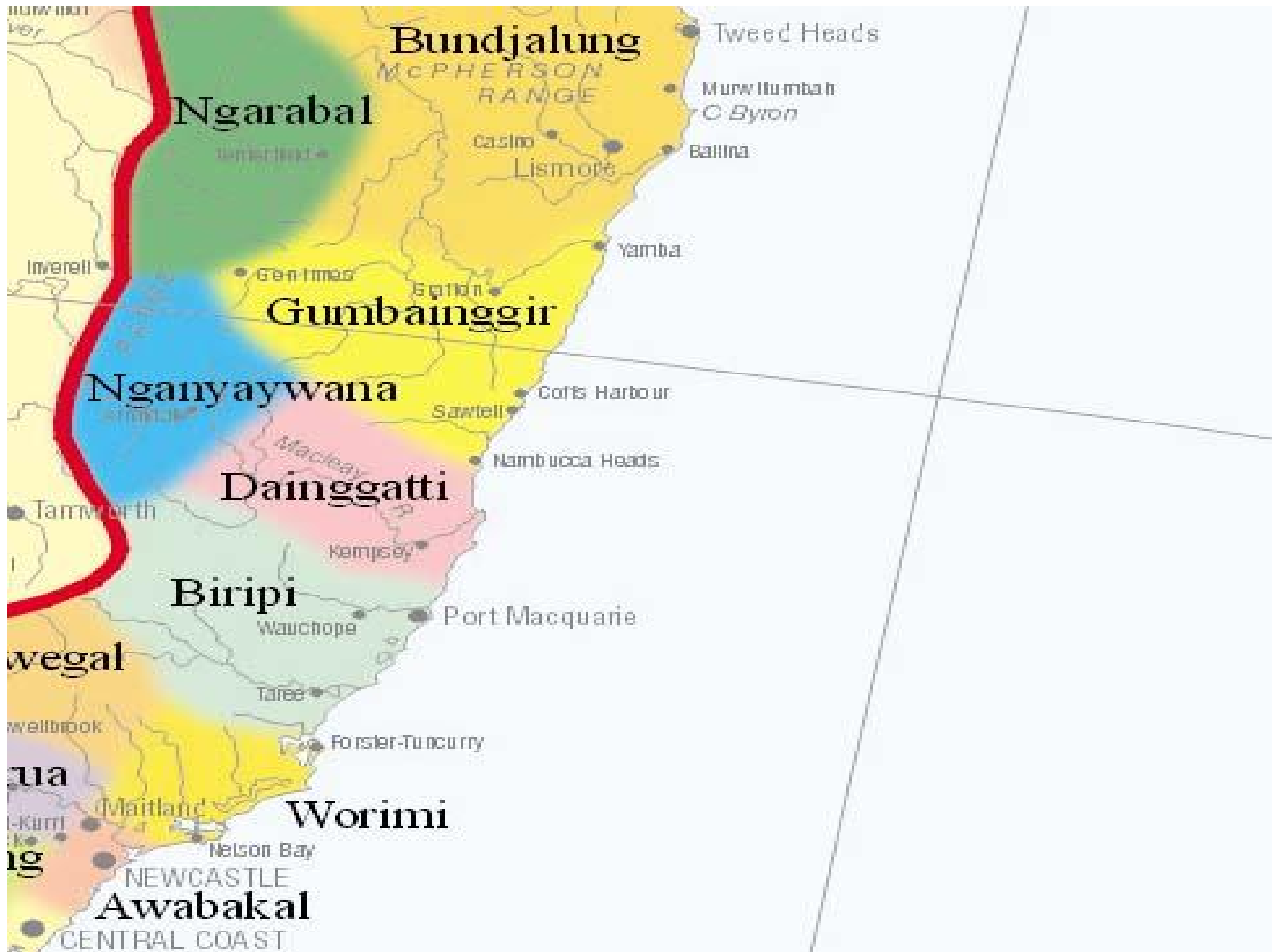
- Hello everyone how are you
- Its good to see you all
- This is the clan of the baga-baga people
- It is good to see our elders and community
- Let us now acknowledge the Gumbaynggirr homeland and pay our respects to the ancestors and traditional custodians.
- Welcome!



People of the Project Area

- Entire project area within Gumbaynggirr traditional lands.
- This is the area in which the Gumbaynggirr language was spoken.







3 major dialects

- Gumbaynggirr Language has 3 main dialects, Northern lowlands around Grafton, Southern around Nambucca Heads and the nymboidan around New England which reached to Guyra and Tingha.

Gumbaynggirr

Glen Innes

Grafton

Guyra

Dorrigo

Coffs
Harbour

Nambucca
Heads

Please note: language regions are estimates only and the spelling of the language names may vary.

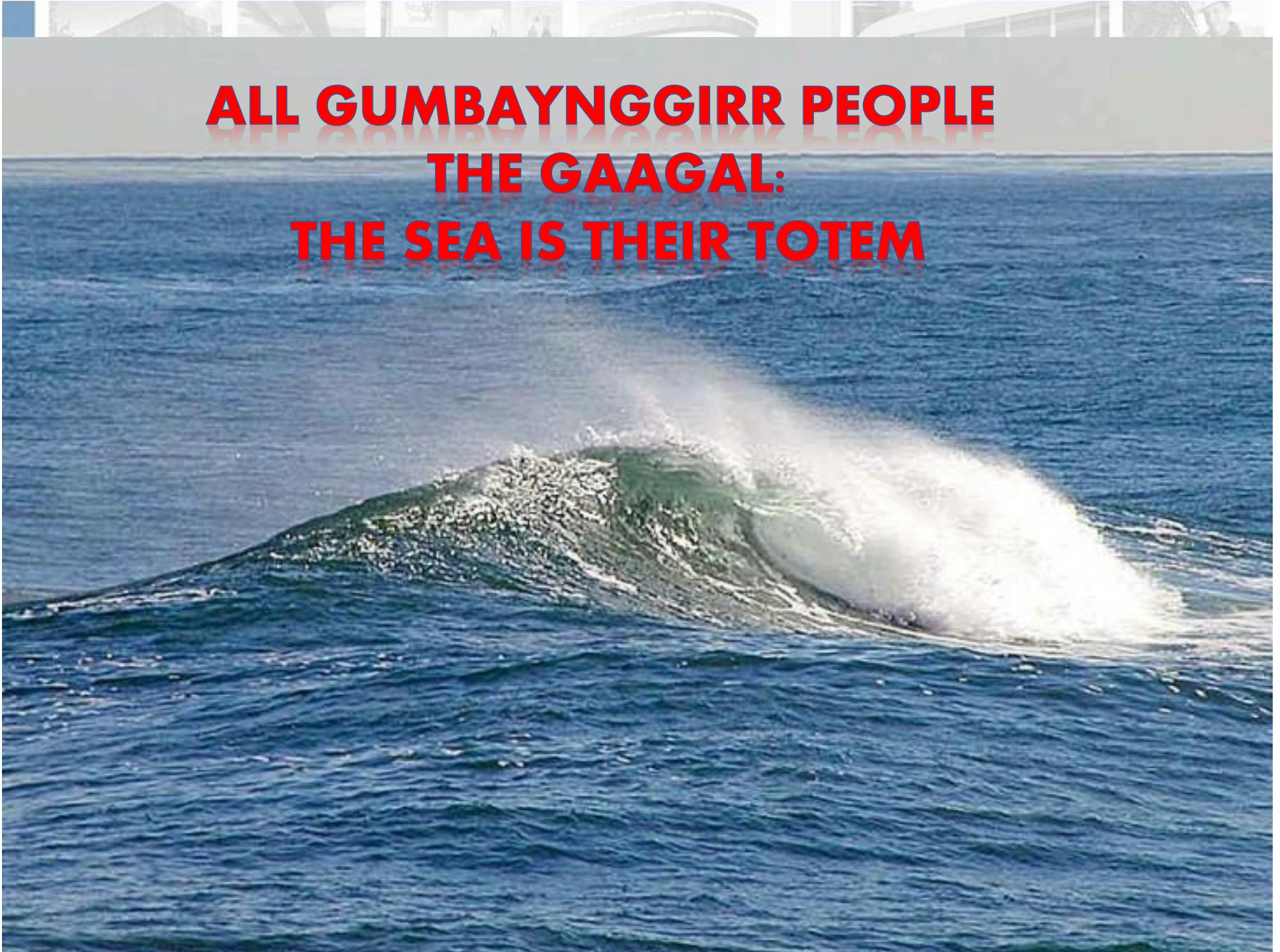
© Muurrbay/MRALC 2008



Gumbaynggirr Totems

Some of the Totems are large scale

**ALL GUMBAYNGGIRR PEOPLE
THE GAAGAL:
THE SEA IS THEIR TOTEM**



All Gumbaynggirr men have *girrimarring*:
the bat, which is regarded as 'clever',
as their totem;



All Gumbaynggirr women have the *niyin*: the tree-creeper or woodpecker as their totem.





Hero Ancestors

- There are 3 main Ancestors that are very important to Gumbaynggirr Dreaming and Creation.
- Yuludarla the first man
- Gawnggan his wife
- Birrugan their son
- They were responsible for the creation of many geographical and culturally significant places.



Local Aboriginal Land Councils (LALCs)

- Established under the *Aboriginal Land Rights Act 1983* as the elected representatives for Aboriginal people in NSW.
- LALCs assist their members and the wider Aboriginal community in their local area in matters relating to the areas of housing, legal, employment, cultural heritage and other day-to-day matters.
- Autonomous bodies governed by boards elected by local Aboriginal community members every 2 years.
- LALCs for the project area are Nambucca Heads LALC, Unkya LALC and Bowraville LALC.



Cultural Heritage

- Cultural heritage relates to landscapes, places, objects, customs and traditions (and their contexts) that communities have inherited from the past and wish to conserve for future generations
- It comprises the **TANGIBLE** (sites, places, objects) and the **INTANGIBLE** (cultural practices associated with sites, places and objects)
- Cultural heritage includes **TRADITIONAL**, **HISTORICAL** and **CONTEMPORARY** associations of people with places
- Natural elements of the environment may also have cultural meanings and values

What are Aboriginal objects and places

Aboriginal objects are physical evidence of the use of an area by Aboriginal people. They can also be referred to as Aboriginal sites, relics or cultural material.

An Aboriginal site can be identified as,

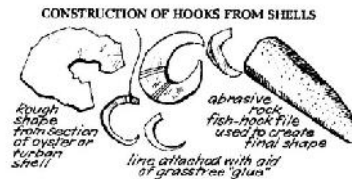
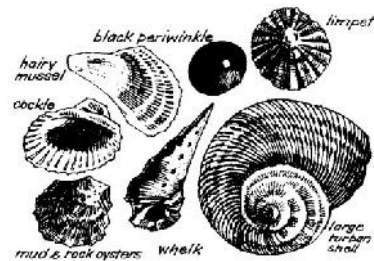
- Physical objects, such as stone tools, scarred trees.
- Material deposited on land such as midden.
- The land may be particularly important to Aboriginal people.
- It may be a memorial or have a spiritual importance.
- The sites may be significant because it shows that Aboriginal people once occupied an area such as shell midden, rock painting or rock engraving.



Shell Midden

These sites occur on the coast and along the edge of rivers and lakes in both coastal and inland zones. A midden is a deposit composed of the remains of edible shellfish.

It may also contain fish and other animal bones, stone tools and charcoal from campfires. These midden remains show how the Aboriginal people hunted the surrounding habitats and lived off the land.





Ceremonial Ground

These are sites where ceremonies have taken place, such as initiation, marriage ceremonies, tribal meetings or corroborees and other important social functions were held. They are places of great significance to Aboriginal people. Bora grounds, which featured one or two raised earth rings were used for male initiation.



Tucki Tucki Ceremonial Ring





Stone Arrangements

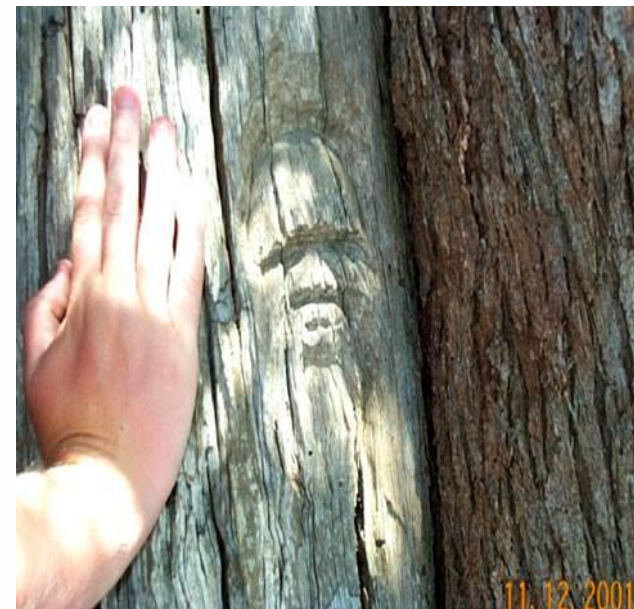
Stone arrangements range from simple mounds to complex ceremonial areas. Stone arrangements may be practical hunting hides or fish traps, or for ceremonial purposes such initiation and other religious purposes. Stone arrangements are very significant to Aboriginal people as some arrangement are places of ancestral burials which are forbidden grounds.



Parrots Nest Lismore

Scarred Trees

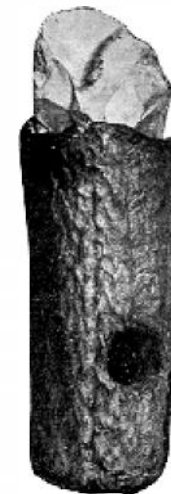
These are trees from which a section of the bark or wood has been removed for making canoes, shields, containers, (Coolamons) and other weapons and utensils or which have toeholds cut in them for hunting possums or gathering honey.





Carved Trees

Carved trees are becoming very rare in New South Wales as the trees decay and fall over, or are burnt. Aboriginal people used carved trees to mark burial and ceremonial sites. Usually a section of the bark of the tree was removed and a carving made on the exposed wood. Many of these trees are still significant to particular Aboriginal groups.



Burial Grounds

A variety of methods were used to dispose of the dead depending on the particular practices of the different tribal groups. Aboriginal people were amongst the first people to cremate their dead. Archaeologists have indicated that some cremation sites in New South Wales are known to be more than 60,000 years old.

Burials can be found in rock shelters, coastal middens, camp sites, even in trees. Most Aboriginal burials have a marker point ranging from stone arrangements, carved trees or a significant part of the landscape.





Rock Art

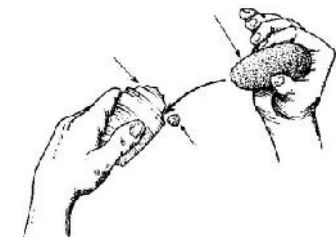
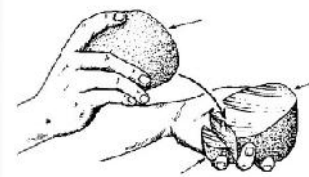
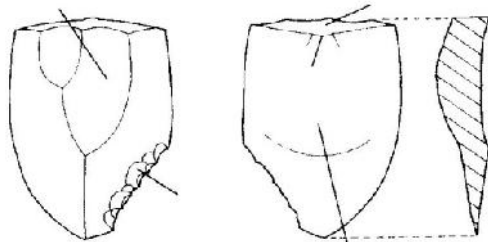
Rock art paintings are very rare sites on the Northern River area and are most commonly found on the central coast and in north Queensland. Red and yellow ochre, white pipeclay and charcoal were also used to make stencils of hand and objects also paint animals, animal footprints and people-like figures.



Aboriginal Flaked Stone Tools

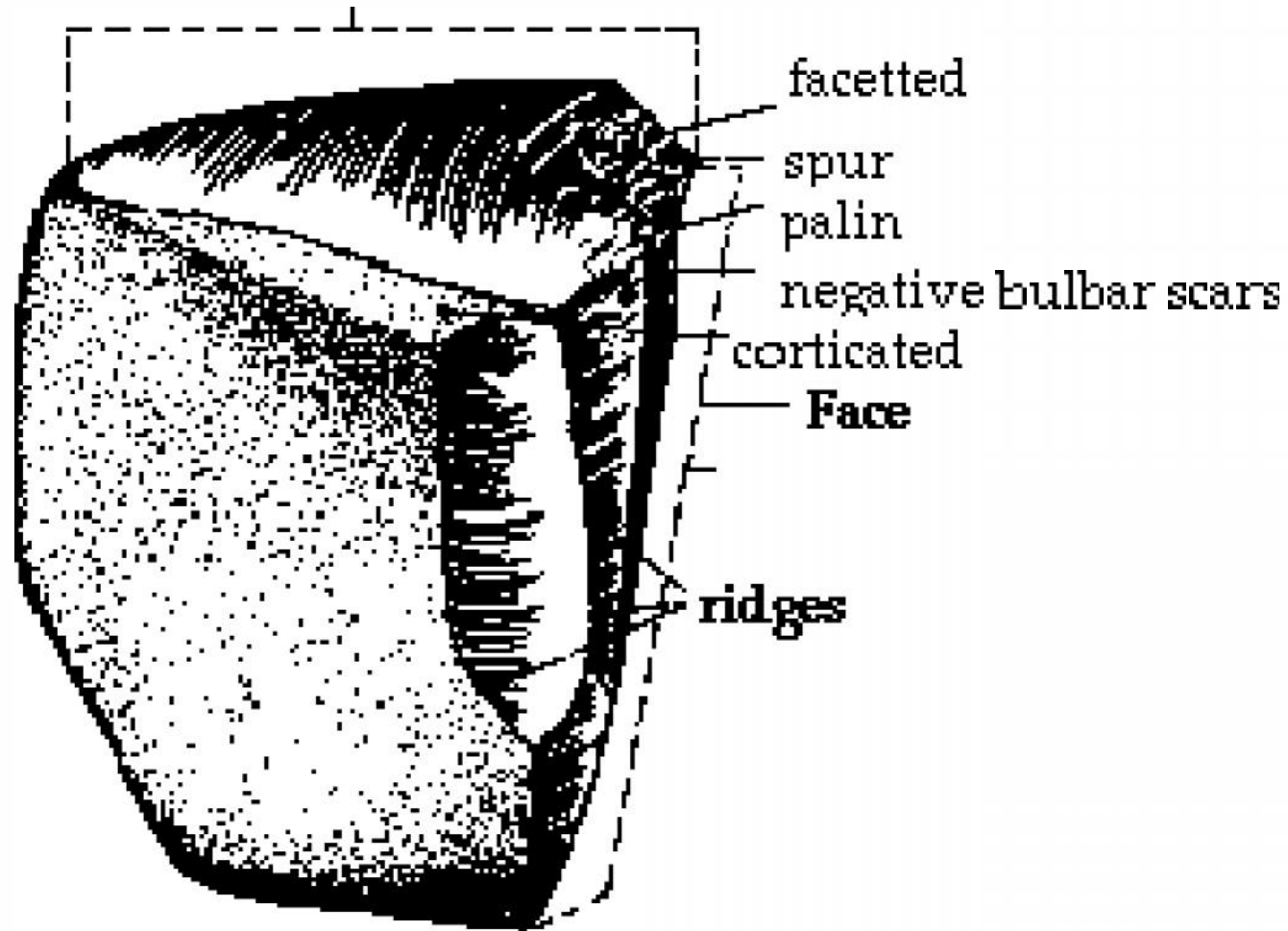
Flaked stone tools were made by hitting a piece of stone, called a core, with a 'hammer stone', often a pebble. This would remove a sharp fragment of stone called a flake. Both cores and flakes could be used as stone tools.

New flakes were very sharp, but quickly became blunt during use and had to be sharpened again by further flaking, a process called 'retouch'. A tool that was retouched has a row of small flake scars along one or more edges. Retouch was also used to shape a tool. Not all types of stone could be used for making tools. The best types of stone are rich in silica, hard and brittle. These include quartzite, chert, flint, silcrete and quartz.





Striking Platform







Grinding Stones


Grinding stones are slabs of stone that Aboriginal people used to grind and crush different materials. Bulbs, berries, seeds, insects and many other things were ground between a large lower stone and a smaller upper stone. Grinding stones are usually found where Aboriginal people lived and camped. For example, they have been found in shell middens and rock shelters, and at open camp sites and rock art sites. They are common in museums and private collections.

Grinding stones were among the largest stone implements of Aboriginal people. They were used to crush, grind or pound different materials. A main function of grinding stones was to process many types of food for cooking.





Artefact Scatter



Artefact scatters are the material remains of past Aboriginal people's activities. Scatter sites usually contain stone artefacts, but other material such as charcoal, animal bone, shell and ochre may also be present. No two surface scatters are exactly the same.

Surface scatters can be found wherever Aboriginal occupation has occurred in the past. Aboriginal campsites were most frequently located near a reliable source of fresh water, so surface scatters are often found near rivers or streams where erosion or disturbance has exposed an older land surface.





Engravings

Rock engravings are usually found where a suitable outcrop of fairly flat, soft rock occurs or in rock overhangs. People, animal and tracks and people shapes are common subjects. Abstract or non-figurative designs, such as circles and geometric figures are also common.





Natural Sacred Sites

Many natural features of the landscape, such as mountains, rock, waterholes, are regarded as sacred sites by Aboriginal people. They are places created by Spiritual ancestors or associated with them. They can usually only be identified by Aboriginal people and are highly significant to them.





Massacre Sites

Massacre sites are highly significant to Aboriginal people as evidence of their defence against hostile attacks during the invasion by European settlers. The characteristics of massacre sites could lead to mis-identification of human remains as non-Aboriginal.

Any human remains still present at a massacre site could exhibit bullet holes and be associated with post contact items (eg: cartridges, buttons from clothing). Bodies were not always buried, being left to decompose where they had fallen. Because of their exposure to the elements it is likely that any remaining bones are fragmented and scattered on the ground surface.

Where remains were buried it is possible that they were not provided with formal or individual graves, but placed together into one mass grave.



Aboriginal Sites / Places – Examples

- Sites
- Aboriginal Places
- Project Specific Examples
 - Mount Yarrahapinni
 - Nambucca River (Birrugun's Crossing)
 - Stuart Island Aboriginal Reserve
 - Scarred trees
 - Artefact scatters



Aboriginal Artefacts from WC2U

- Examples
 - Flakes
 - Tools





Legislation

- Environmental Planning and Assessment Act 1979 (NSW)
- National Parks and Wildlife Act 1974 (NSW)
- National Parks and Wildlife Amendment Act 2010 (NSW)
- Native Title Act 1994 (NSW)
- Native Title Act 1993 (Commonwealth)
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)
- Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
- Policies and Guidelines
 - Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010
 - Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.
 - RMS Procedure for Aboriginal and Cultural Heritage Consultation and Investigation.
 - RMS Standard procedure – Unexpected Archaeological Finds
- Offences and punishment
 - Individual: Fines and possibly imprisonment.
 - Corporation: Fines.



Investigations for WC2U

- Jacobs (formerly SKM) conducted an Environmental Assessment for the Warrell Creek to Urunga Pacific Highway Upgrade
- Included an Aboriginal Cultural Heritage Assessment of entire project corridor
 - Desktop assessment
 - Consultation with Gumbaynggirr knowledge holders and registered stakeholder groups
 - Field survey
 - Sub-surface testing



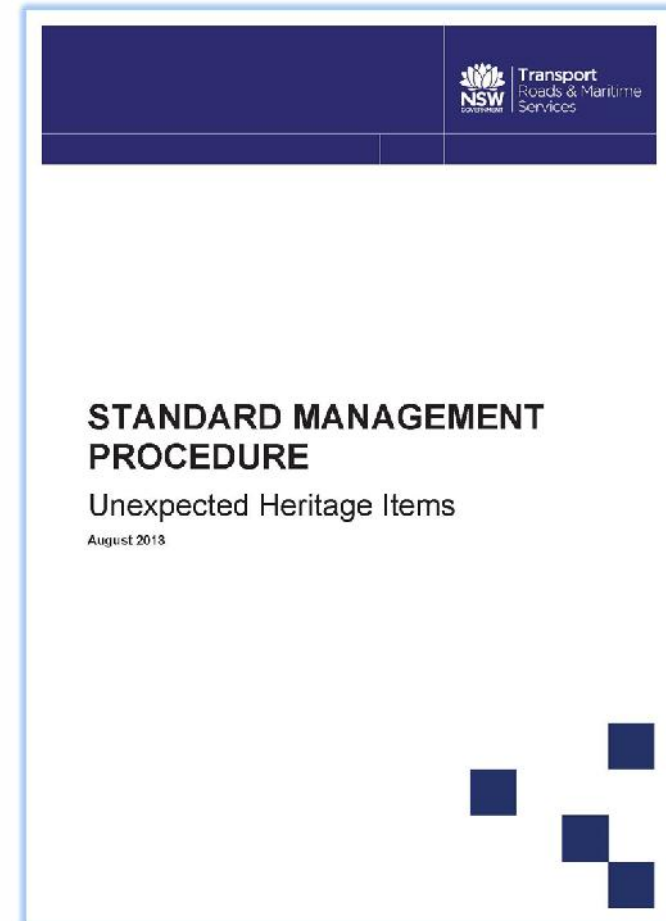
Investigations for WC2U

- Identified 15 sites within the project corridor that would be impacted upon and required mitigation measures, such as salvage excavation
 - 10 artefact scatters
 - 4 isolated artefacts
 - 1 scarred tree
- Salvage excavation of the 10 artefact scatters completed in 2012
- Assessment of works areas outside the project corridor to be conducted for AFJV through the pre-construction and construction phase. This includes assessment of unexpected heritage items.

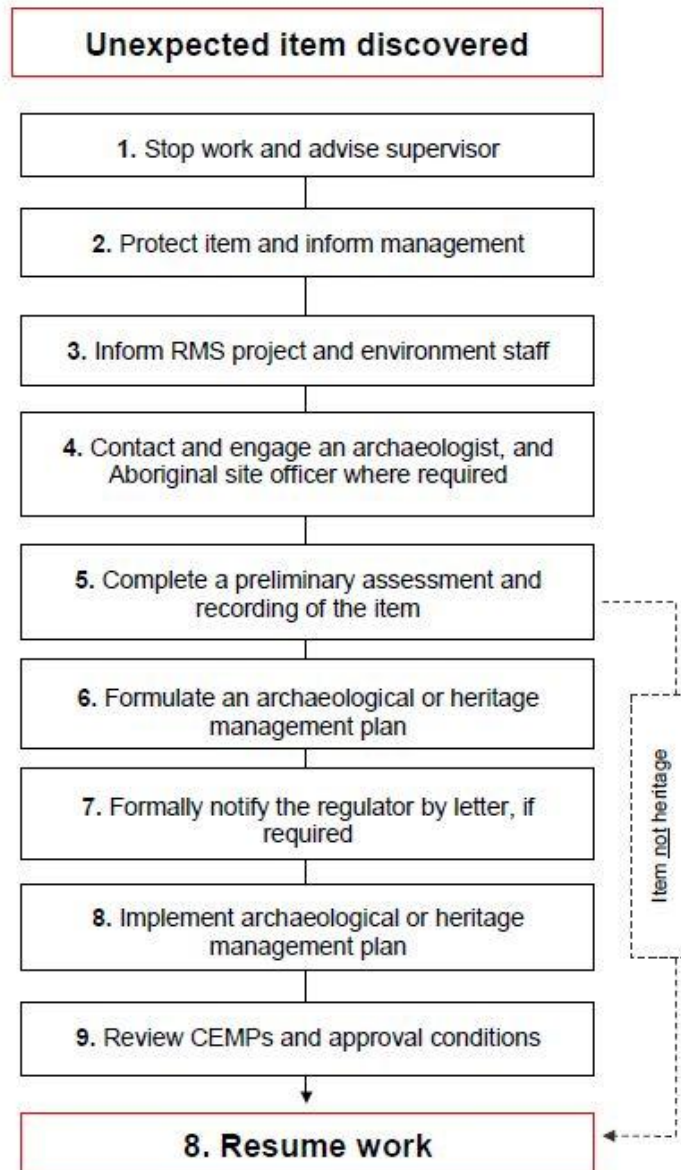


Unexpected Finds Procedure on WC2NH

- Roads and Maritime Standard Procedure – Unexpected Heritage Items (2013)
 - To be utilised for all unexpected finds (Aboriginal or Historical) during construction (including for all human remains).



Unexpected Finds Procedure on WC2NH



Appendix C

Non-Aboriginal heritage education and training package



Cultural Heritage Awareness Training

Pacific Highway Upgrade
Warrell Creek to Nambucca Heads



Historical Heritage



Legislation

- Environmental Planning and Assessment Act 1979
- Heritage Act 1977
- Offences and punishments
 - Individual: Fines and possibly imprisonment.
 - Corporation: Fines.

Any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance is protected. The item doesn't have to be a specific age to be important.

Types of Historical Material

- Early building remains

- Bricks, walls, foundations, flooring, timber supports, basements, stairs and steps, nails, bolts and fastenings.



Types of Historical Material

- Infrastructure and services
 - machinery, tanks, pipes, drains, tramway/railways, creek crossings, culverts and old road remains.



Types of Historical Material

- Remains of domestic or commercial activities
 - bottles and glass, ceramic plates and pots, cutlery and cooking implements, charcoal (from cooking fires and ovens), buttons, children's toys, ornaments, butchered bone, mine shafts





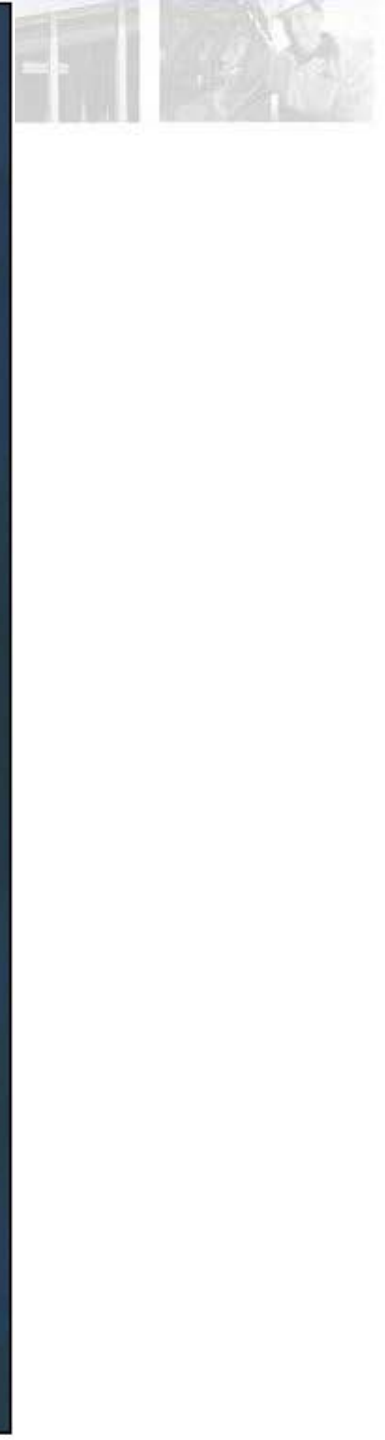
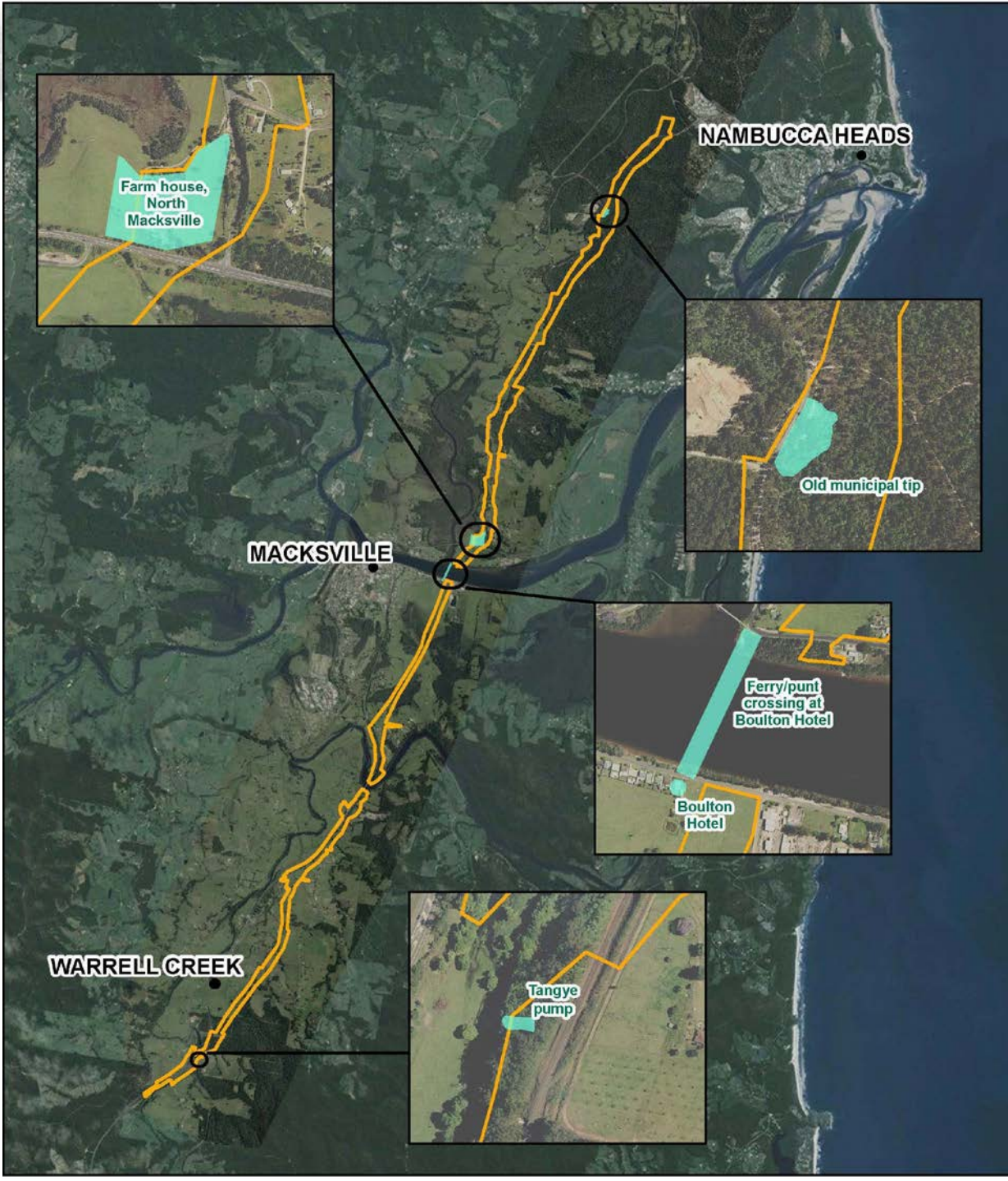
Investigations for WC2U Project

- Jacobs (formerly SKM) conducted an Environmental Assessment for the Warrell Creek to Urunga Pacific Highway Upgrade
- Included a non-Aboriginal Historical Heritage Assessment for the entire project corridor:
 - Desktop assessment
 - Consultation with local councils and heritage groups
 - Field survey
 - Significance assessment
 - Statements of Heritage Impact
- Additional assessments of works areas outside the project corridor conducted for AFJV through the pre-construction and construction phase. This includes assessment of unexpected heritage items.



Heritage Items on or near the WC2NH Project

- Assessment identified nearby items with heritage significance that may be impacted by the Project and are required to be protected:
 - Boulton Hotel
 - Ferry/punt crossing at Boulton Hotel
 - Farmhouse, north Macksville
 - Old municipal tip site
 - Tangye pump





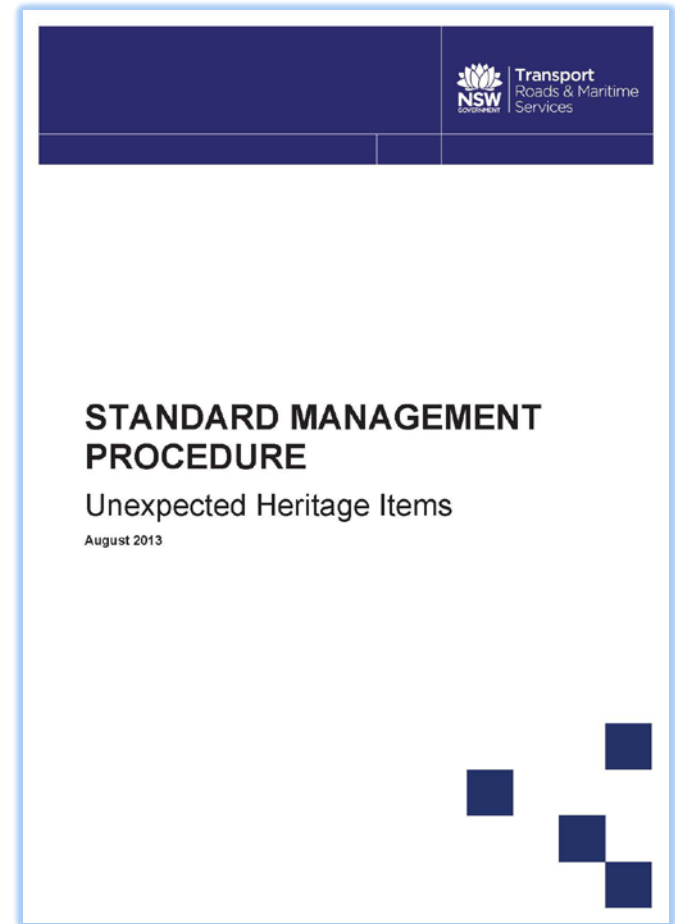


Management Measures

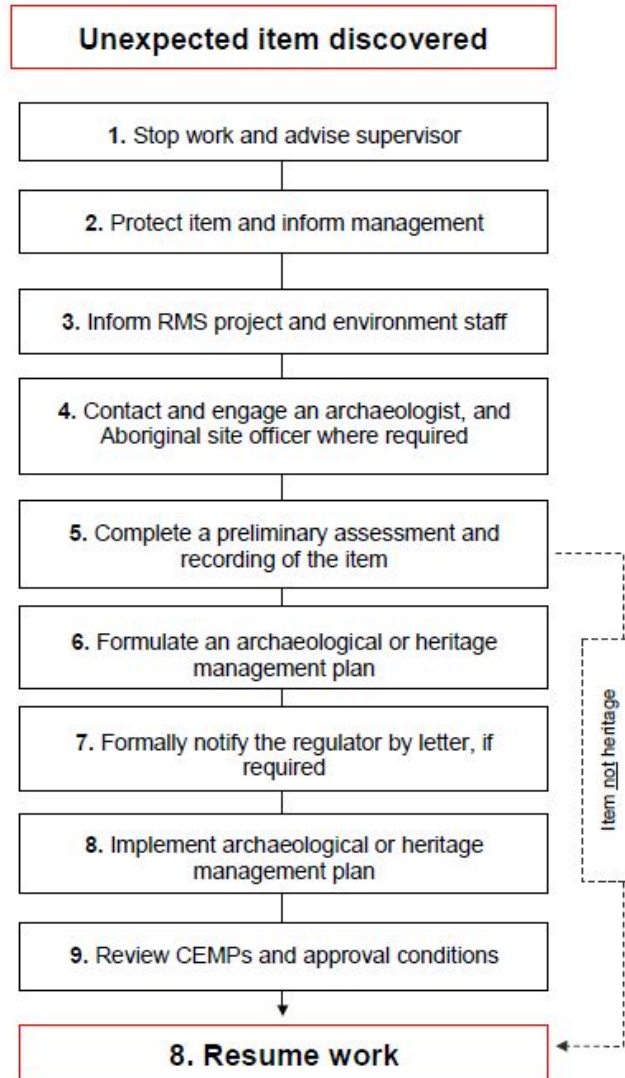
- Boulton Hotel
 - Not impacted
- Ferry/punt crossing at Boulton Hotel
 - No Go zones and weekly inspections
- Farmhouse, North Macksville
 - Archival photographic recording prior to removal
- Old municipal tip site
 - Design to avoid impacts
- Tangye pump
 - Design will avoid impacts, only pump footings now remain

Unexpected Finds Procedure on WC2NH

- Roads and Maritime Standard Procedure – Unexpected Heritage Items (2013)
 - To be utilised for all unexpected finds (Aboriginal or Historical) during construction (including for all human remains).



Unexpected Finds Procedure on WC2NH



Appendix D
RMS Standard Management Procedure –
Unexpected Heritage Items

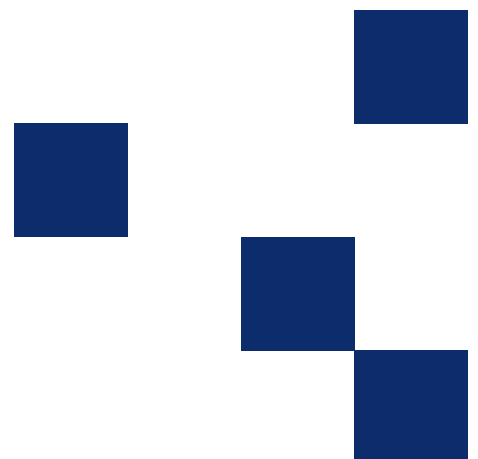


Transport
Roads & Maritime
Services

STANDARD MANAGEMENT PROCEDURE

Unexpected Heritage Items

August 2013



About this release

RMS/ISBN numbers	RMS 12.003 ISBN 9781922040305
Title	Unexpected Heritage items Procedure

Approval and authorisation		Name
Prepared by	Environmental Officer (Heritage)	Gretta Logue
Revised by	Environmental Officer (Heritage)	Daniel Percival
Approved by	Manager Environmental Policy	Michael Crowley

File location	File name
Objective - SF2013/153770	Unexpected heritage items procedure.doc

Document status	Date
Final	23 July 2012

Version	Date	Revision Description
Final	1 November 2011	First Draft
Revised	23 July 2012	Amended to reflect that (a) unexpected finds do not include items covered by a relevant approval; (b) Aboriginal people must be consulted where an unexpected find is likely to be an Aboriginal object; (c) the Department of Planning and Infrastructure must be notified in accordance with Step 5 of this procedure for Part 3A and Part 5.1 projects.
Revised	16 August 2013	Amended to clarify that the procedure applies to all types of unexpected heritage items, not just archaeological items. The procedure introduces the term 'Historic Items' to cover both 'archaeological relics' and 'other historic items' such as works, structures, buildings and movable objects. The title of the document has been amended to better reflect this clarification.

Prepared by
 Environment Branch
 Roads and Maritime Services
 Level 17, 101 Miller Street
 North Sydney, NSW 2060
 T 02 8588 5726

Please note

This procedure applies to all development and activities concerning roads, road infrastructure and road related assets undertaken by Roads and Maritime Services.

For advice on how to manage unexpected heritage items as a result of activities related to maritime infrastructure or projects, please contact the Senior Environmental Specialist (Heritage).

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Unexpected heritage items procedure

1. Purpose

This procedure has been developed to provide a consistent method for managing unexpected heritage items (both Aboriginal and non-Aboriginal) during Roads and Maritime Services' (RMS) activities. This procedure includes RMS' heritage notification obligations under the following legislation: *Heritage Act 1977* (NSW), *National Parks and Wildlife Act 1974* (NSW), *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) and the *Coroner's Act 2009* (NSW).

This document provides relevant background information in Section 3, followed by the technical procedure in Sections 6 and 7. Associated guidance referred to in the procedure can be found in Appendices A-H.

2. Scope

This procedure assumes that an appropriate level of Aboriginal and non-Aboriginal heritage assessment has been undertaken prior to project approval or determination. Such assessment would have identified all heritage items, including areas of archaeological potential, likely to be present within the project area.

In some cases, despite appropriate and adequate investigation, unexpected heritage items may be encountered during the project construction phase. When this happens, this procedure must be followed. This procedure provides direction on when to stop work, where to seek technical advice and how to notify the regulator, if required.

This procedure applies to all RMS construction and maintenance activities

This procedure **applies to**:

- The discovery of any unexpected heritage item (usually during construction), where RMS does not have approval to disturb that item.
- All RMS projects that are approved or determined under Part 3A (including Transitional Part 3A Projects), Part 4, Part 5 or Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), or any development that is exempt under the Act.

This procedure must be followed by all RMS staff, RMS alliance partners (including Local Council staff working under Road Maintenance Council Contracts, [RMCC]), developers under works authorisation deeds or any person undertaking Part 5 assessment for the purposes of RMS.

This procedure **does not apply** to:

- The legal discovery and disturbance of heritage items as a result of investigations being undertaken in accordance with OEH's *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (2010); an Aboriginal Heritage Impact Permit (AHIP) issued under the *National Parks and Wildlife Act 1974*; or an approval issued under the *Heritage Act 1977*.

¹ RMS' heritage obligations are incorporated into the conditions of heritage approvals.

- The legal discovery and disturbance of heritage items as a result of investigations (or other activities) that are required to be carried out for the purpose of complying with any environmental assessment requirements under Part 3A (including Transitional Part 3A Projects) or Part 5.1 of the EP&A Act.
- The legal discovery and disturbance of heritage items as a result of construction related activities, where the disturbance is permissible in accordance with an AHIP²; an approval issued under the *Heritage Act 1977*; or the Minister for Planning's conditions of project approval.

All new Construction Environment Management Plans (CEMPs) must make reference to and/or include this procedure (often included as a heritage sub-plan). Where approved CEMPs exist they must be followed in the first instance. Where there is a difference between approved CEMPs and this procedure, the approved CEMP must be followed. Where approved CEMPs do not provide sufficient detail on particular issues, this procedure should be used as additional guidance. When in doubt always seek environment and legal advice on varying approved CEMPs.

3. Types of unexpected heritage items and their legal protection

The roles of project, field and environmental staff are critical to the early identification and protection of unexpected heritage items. Appendix A illustrates the wide range of heritage discoveries found on RMS projects and provides a useful photographic guide to this early identification. Subsequent confirmation of heritage discoveries must then be identified and assessed by technical specialists (usually an archaeologist).

An 'unexpected heritage item' means any unanticipated discovery of an actual or potential heritage item, for which RMS does not have approval to disturb³.

These discoveries are categorised as either:

- (a) Aboriginal objects
- (b) Historic (non-Aboriginal) heritage items
- (c) Human skeletal remains.

The relevant legislation that applies to each of these categories is described below.

3.1 Aboriginal objects

Unexpected heritage items may include 'Aboriginal objects'. The *National Park and Wildlife Act 1974* protects *Aboriginal objects* which are defined as:

“any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the

² RMS Procedure for Aboriginal cultural heritage consultation and investigation (2011) recommends that Part 4 and Part 5 projects that are likely to impact Aboriginal objects during construction seek a whole-of-project AHIP. This type of AHIP generally allows a project to impact known and potential Aboriginal objects within the entire project area, without the need to stop works. It should be noted that an AHIP may exclude impact to certain objects and areas, such as burials or ceremonial sites. In such cases, the project must follow this procedure.

³ Disturbance considered to be any physical interference with the item that results in it being destroyed, defaced, damaged, harmed, impacted or altered in any way (this includes archaeological investigation activities).

occupation of that area by persons of non Aboriginal extraction, and includes Aboriginal remains”⁴.

Examples of Aboriginal objects include stone tool artefacts, shell middens, axe grinding grooves, pigment or engraved rock art, burials and scarred trees.

IMPORTANT!

All Aboriginal objects, regardless of significance, are protected under law.

If any impact is expected to an Aboriginal object, an Aboriginal Heritage Impact Permit (AHIP) is usually required from the Office of Environment and Heritage (OEH)⁵. Also, when a person becomes aware of an Aboriginal object they must notify the Director-General of OEH about its location⁶. Assistance on how to do this is provided in Section 7 (Step 5).

3.2 Historic heritage items

Historic (non-Aboriginal) heritage items may include:

- Archaeological ‘relics’
- Other historic items (i.e. works, structures, buildings or movable objects).

3.2.1 Archaeological relics

The *Heritage Act 1977* protects *relics* which are defined as:

“any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance”⁷.

Relics are archaeological items of local or state significance which may relate to past domestic, industrial or agricultural activities in NSW, and can include bottles, remnants of clothing, pottery, building materials and general refuse.

IMPORTANT!

All relics are subject to statutory controls and protections.

If any impact is expected to a relic, a heritage approval is usually required from the NSW Heritage Council⁸. Also, when a person discovers a relic they must notify the NSW Heritage Council of its location⁹. Advice on how to do this is provided in Section 7 (Step 5).

⁴ Section 5(1) *National Park and Wildlife Act 1974*.

⁵ Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

⁶ This is required under s89(A) of the *National Park and Wildlife Act 1974* and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

⁷ Section 4(1) *Heritage Act 1977*.

⁸ Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

⁹ This is required under s146 of the *Heritage Act 1977* and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

3.2.2 Other historic items

Some historic heritage items are not considered to be 'relics'; but are instead referred to as works, buildings, structures or movable objects. Examples of these items that RMS may encounter include culverts, historic road formations, historic pavements, buried roads, retaining walls, tramlines, cisterns, fences, sheds, buildings and conduits. Although an approval under the *Heritage Act 1977* may not be required to disturb these items, their discovery must be managed in accordance with this procedure.

As a general rule, an archaeological relic requires discovery or examination through the act of excavation. An archaeological excavation permit under Section 140 of the *Heritage Act 1977* is required to do this. In contrast, 'other historic items' either exist above the ground's surface (e.g. a shed), or they are designed to operate and exist beneath the ground's surface (e.g. a culvert).

Despite this difference, it should be remembered that relics can often be associated with 'other heritage items', such as archaeological deposits within cisterns and underfloor deposits under buildings.

3.3 Human skeletal remains

Human skeletal remains can be identified as either an Aboriginal object or non-Aboriginal relic depending on ancestry of the individual (Aboriginal or non-Aboriginal) and burial context (archaeological or non-archaeological). Remains are considered to be archaeological when the time elapsed since death is suspected of being 100 years or more. Depending on ancestry and context, different legislation applies.

As a simple example, a pre-contact archaeological Aboriginal burial would be protected under the *National Park and Wildlife Act 1974*, while a historic (non-Aboriginal) archaeological burial within a cemetery would be protected under the *Heritage Act 1977*. For these cases, the relevant heritage approval and notification requirements described in the above sections 3.1 and 3.2 would apply. In addition to the *National Park and Wildlife Act 1974*, finding Aboriginal human remains also triggers notification requirements to the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities (SEWPC) under s20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

IMPORTANT!

All human skeletal remains are subject to statutory controls and protections.

All bones must be treated as potential human skeletal remains and work around them must stop while they are protected and investigated urgently.

However, where it is suspected that less than 100 years has elapsed since death, the human skeletal remains come under the jurisdiction of the State Coroner and the *Coroners Act 2009* (NSW). Such a case would be considered a 'reportable death' and under legal notification obligations set out in s35(2); a person must report the death to a police officer, a coroner or an assistant coroner as soon as possible. This applies to

all human remains less than 100 years old¹⁰ regardless of ancestry (ie both Aboriginal and non-Aboriginal remains). Public health controls may also apply.

Guidance on what to do when suspected human remains are found is provided in Appendix F.

¹⁰ Under s19 of the *Coroners Act 2009*, the coroner has no jurisdiction to conduct an inquest into reportable death unless it appears to the coroner that (or that there is reasonable cause to suspect that) the death or suspected death occurred within the last 100 years.

4. Responsibilities

The following roles and responsibilities are relevant to this procedure.

Role	Definition/responsibility
Aboriginal Cultural Heritage Advisor (ACHA)	Provides Aboriginal cultural heritage advice to project teams. Acts as Aboriginal community liaison for projects on cultural heritage matters. Engages and consults with the Aboriginal community as per the RMS <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Aboriginal Sites Officer	Is an appropriately trained and skilled Aboriginal person whose role is to identify and assess Aboriginal objects and cultural values. For details on engaging Aboriginal sites officers, refer to RMS <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Archaeologist (A)	Professional consultant, contracted on a case-by-case basis to provide heritage and archaeological advice and technical services (such as reports, heritage approval documentation etc).
Project (<i>on-call</i>) Archaeologist	Professional consultant contracted for the implementation phase of a construction project to provide heritage and archaeological advice and technical services when required. Major projects with complex heritage issues often have a Project archaeologist.
Project Manager (PM)	Ensuring all aspects of this procedure are implemented. The PM can delegate specific site tasks to a construction environment manager, RMS site representatives or regional environment staff, where appropriate.
Regional Environment Staff (RES)	Providing advice on this procedure to project teams. Ensuring this procedure is implemented consistently by supporting the PM. Supporting project teams during the uncovering of unexpected finds. Reviewing archaeological management plans and liaising with heritage staff and archaeological consultants as needed.
Registered Aboriginal parties (RAPs)	RAPs are Aboriginal people who have registered with the RMS to be consulted about a proposed RMS project or activity in accordance with OEH's Aboriginal cultural heritage consultation requirements for proponents (2010).
RFS Environment Manager	Ensuring RFS field staff are aware of the RFS Escalation Protocol and RFS Unexpected Heritage Item Recording Form 418. Supporting the RFS Section Manager, where required, during the implementation of this procedure and ensuring reporting of unexpected heritage items through environment management systems.
RFS Section Manager	Responding to escalated unexpected heritage items that

	have been discovered during RFS maintenance works. Liaising with the RES and RFS Environment Manager and heritage staff, where required, during the discovery of unexpected heritage items and the implementation of this procedure.
RFS Team Leader	Ensuring RFS field crew stop works in vicinity of the heritage item. Completing RFS Unexpected Heritage Item Recording Form 418 and escalating issues to RFS Section Manager, as per RFS Escalation Protocol.
Senior Environmental Specialist (Heritage) (SES(H))	Provides technical assistance on this procedure and archaeological technical matters, as required. Reviewing the archaeological management plans and facilitating heritage approval applications, where required. Assists with regulator engagement, where required.
Technical Specialist	Professional consultant contracted to provide specific technical advice that relates to the specific type of unexpected heritage find (eg a forensic or physical anthropologist who can identify and analyse human skeletal remains).

5. Acronyms

The following acronyms are relevant to this procedure.

Acronym	Meaning
AHIP	Aboriginal Heritage Impact Permit
ASO	Aboriginal Site Officer
CEMP	Construction Environment Management Plan
DSEWPC	Commonwealth Department of Sustainability, Environment, Water, Populations and Communities
EPRG	Environmental Planning and Regulatory Group. <i>Please note at the time of finalisation EPRG became part of Environment Protection Authority.</i>
OEH	Office of Environment and Heritage
PACHCI	Procedure for Aboriginal Cultural Heritage Consultation and Investigation
RAP	Registered Aboriginal Party/ies
RFS	Road and Fleet Services
RMCC	Road Maintenance Council Contracts
RMS	Roads and Maritime Services

6. Overview of the procedure

On discovering something that could be an unexpected heritage item ('the item'), the project manager must implement the following procedure with the assistance of the regional environment staff and RMS heritage staff, where required.

There are eight steps in the procedure. These steps are shown briefly in Figure 1 below and explained in detail in Section 7.

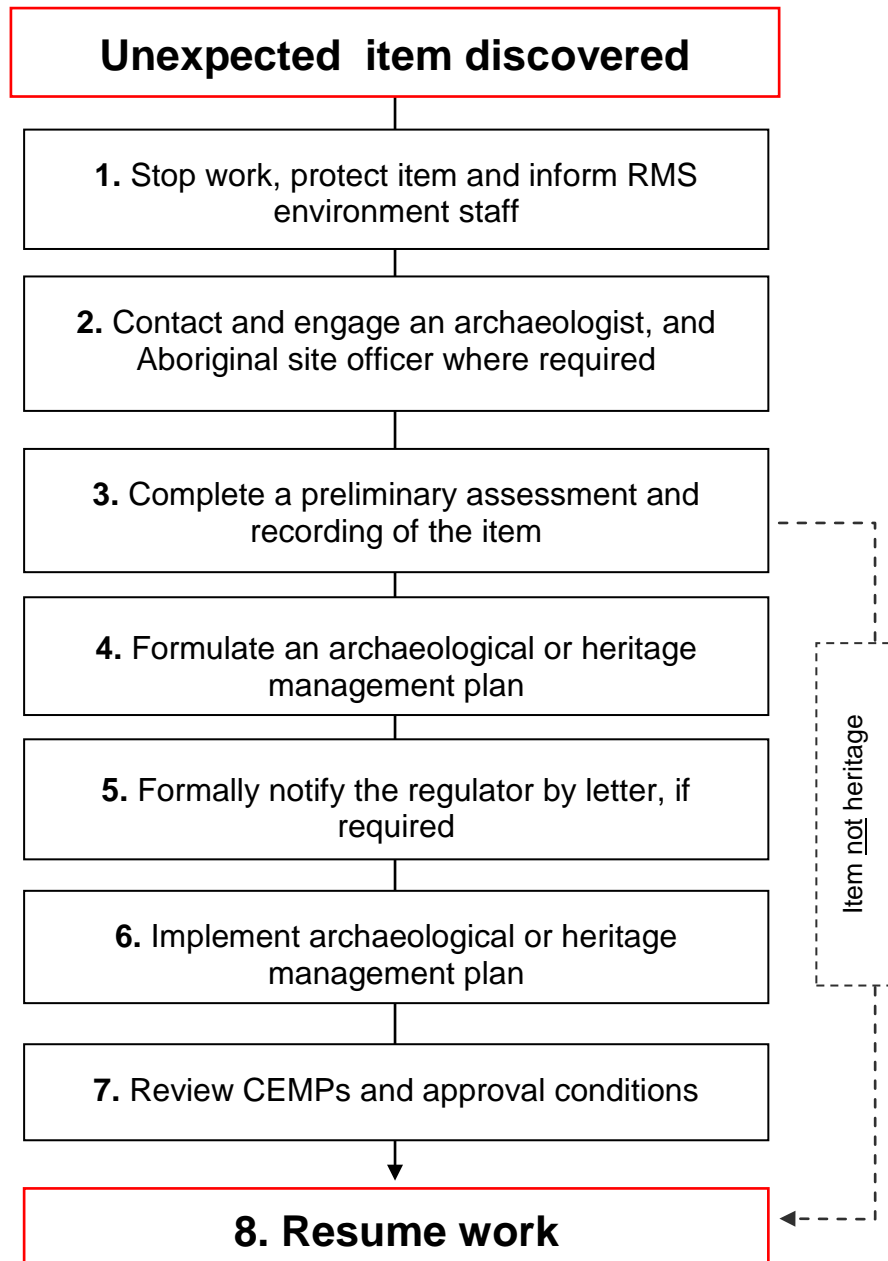


Figure 1: Overview of steps to be undertaken on the discovery of an unexpected heritage item.

7. Unexpected heritage items procedure

Table 1: Specific tasks to be implemented following the discovery of an unexpected heritage item.

Aboriginal Cultural Heritage Advisor (ACHA); Aboriginal Sites Officer (ASO); Archaeologist (A); Project Manager (PM); Regional Environment Staff (RES); Registered Aboriginal Parties (RAPs); Senior Environmental Specialist (Heritage) (SES(H)).

Step	Task	Responsibility	Guidance & Tools
1	Stop work, protect item and inform RMS environment staff		
1.1	Stop all work in the immediate area of the item and notify the PM.	All	Appendix A (Identifying Unexpected Heritage items)
1.2	RFS routine maintenance crews are required to follow the escalation protocol outlined in Appendix B and return to this procedure when directed by that protocol.	RFS Team Leader	Appendix B (RFS Escalation Protocol) Appendix C (RFS Item Recording Form 418)
1.3	Take a number of photographs that captures the general context and specific detail of the item.	PM	Appendix D (Photographing Unexpected Heritage items)
1.4	Inform relevant RMS regional environment staff, Senior Environmental Specialist (Heritage) and Regional Aboriginal Cultural Heritage Advisor (where the item is thought to be an Aboriginal object).	PM	Appendix E (Key Environmental Contacts)
1.5	Delineate and protect the item with appropriate (high visibility) fencing, where practical.	PM	
1.6	No further interference, including works, ground disturbance, touching or moving the item must occur to the item or within the protected area.	PM	
1.7	Inform all site personnel of the protected area (a new environmentally sensitive zone).	PM	

Step	Task	Responsibility	Guidance & Tools
1.8	Where, at this stage, the item is reasonably suspected to be human remains proceed directly to notifying the local police who may take command of all or part of the site. Where the item does not involve human remains, continue progressing through this procedure.	PM	Appendix F (Uncovering Bones)
1.9	Report the item as a ' <i>Notifiable Event</i> ' in accordance with RMS <i>Incident Classification and Reporting Procedure</i> . Also implement any additional reporting requirements related to the project's approval and CEMP.	PM/RES	RTA Incident Classification and Reporting Procedure
2	Contact and engage an archaeologist, and Aboriginal site officer where required		
2.1	Contact the project (<i>on-call</i>) archaeologist to discuss the location and extent of the item and to arrange a site inspection, if required. The project CEMP contains contact details of the project archaeologist.	PM/RES	Also see Appendix E (Key Environmental Contacts)
2.2	Where there is no project archaeologist engaged for the project, engage a suitably qualified and experienced archaeological consultant to undertake a site inspection, conduct a preliminary assessment and prepare an archaeological or heritage management plan. Lists of consultants are available from online sources, including the yellow pages. Regional environment staff and RMS heritage staff can also advise on appropriate consultants.	PM/RES	Online lists of heritage consultants: <ul style="list-style-type: none"> • OEH List • AACAI List
2.3	Where the item is likely to be an Aboriginal object, arrange for an Aboriginal sites officer to inspect the find. Generally, this person would be a sites officer from the relevant local Aboriginal land council. If an alternative contact person (ie a RAP) has been nominated as a result of previous consultation, then that person is to be contacted.	PM/ACHA	
2.4	If requested, provide photographs of the item taken at Step 1.3 to the archaeologist, and Aboriginal sites officer if relevant.	PM/RES	Appendix D (Photographing Unexpected Heritage items)
3	Preliminary assessment and recording of the find		
3.1	In a minority of cases, the archaeologist (and Aboriginal sites officer, if relevant) may	A/PM/ASO	Proceed to Step 8

Step	Task	Responsibility	Guidance & Tools
	determine from the photographs that no site inspection is required because no archaeological constraint exists for the project (<i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i>). Any such advice should be provided in writing by the archaeologist (eg via email) and confirmed by the project manager.		
3.2	Arrange site access for the archaeologist (and Aboriginal sites officer, if relevant) to inspect the item as soon as practicable. In the majority of cases a site inspection is required to conduct a preliminary assessment.	PM	
3.3	Subject to the archaeologist's assessment (and the Aboriginal sites officer's assessment, if relevant), work may recommence at a set distance from the item. This is to protect any other archaeological material that may exist in the vicinity, which has not yet been uncovered. Existing protective fencing established in Step 1.5 may need to be adjusted to reflect the extent of the newly assessed protective area. No works are to take place within this area once established.	A/PM/ASO	
3.4	The archaeologist (and Aboriginal sites officer, if relevant) may provide advice after the site inspection and preliminary assessment that no archaeological constraint exists for the project (<i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i>). Any such advice should be provided in writing by the archaeologist, (and Aboriginal sites officer if relevant) (eg via email) and confirmed by the project manager.	A/PM/ASO	Proceed to Step 8
3.5	Where required, seek additional specialist technical advice (such as a forensic or physical anthropologist to identify skeletal remains). Regional environment staff and/or RMS heritage staff can provide contacts for such specialist consultants.	PM/RES	Appendix E (Key Environmental Contacts)
3.6	Where the item has been identified as a 'relic', 'heritage item' or an 'Aboriginal object' the archaeologist should record the item on a proforma recording form.	A	<ul style="list-style-type: none"> • Aboriginal site recording form • Non-Aboriginal site recording form
3.7	The regulator can be notified informally by telephone at this stage by the archaeologist or project manager (or delegate). Any verbal conversations with regulators must be noted on the project file for future reference.	PM/A	

Step	Task	Responsibility	Guidance & Tools
4	Prepare an archaeological or heritage management plan		
4.1	The archaeologist must prepare an archaeological or heritage management plan (with input from the Aboriginal sites officer, where relevant) shortly after the site inspection. This plan is a brief overview of the following: (a) description of the feature, (b) historic context, if data is easily accessible, (c) likely significance, (d) heritage approval and regulatory notification requirements, (e) heritage reporting requirements, (f) stakeholder consultation requirements, (g) relevance to other project approvals and management plans etc.	A/ASO	Appendix G (Archaeological/Heritage Advice Checklist)
4.2	In preparing the plan, the archaeologist with the assistance of regional environment staff must review the CEMP, any heritage sub-plans, any conditions of heritage approvals, any conditions of project approval (and or Minister's Conditions of Approval) and heritage assessment documentation (eg Aboriginal Cultural Heritage Assessment Report). This will outline if the unexpected item is consistent with previous heritage/project approval(s) and/or previously agreed management strategies. The project manager and regional environment staff must provide all relevant documents to the archaeologist to assist with this. Discussions should occur with design engineers to consider if re-design options exist and are appropriate.	A/RES/PM	Appendix G (Archaeological/Heritage Advice Checklist)
4.3	The archaeologist must submit this plan as a letter, brief report or email to the project manager outlining all relevant archaeological or heritage issues. This plan should be submitted to the project manager as soon as practicable. Given that the archaeological management plan is an overview of all the necessary requirements (and the urgency of the situation), it should take no longer than two working days to submit to the project manager.	A	
4.4	The project manager must review the archaeological or heritage management plan to ensure all requirements can reasonably be implemented. Seek additional advice from regional environment staff and RMS heritage staff, if required.	PM/RES/SES (H)	
5	Notify the regulator, if required.		
5.1	Review the archaeological or heritage management plan to confirm if regulator notification	PM/RES/SES (H)	Proceed to Step 6

Step	Task	Responsibility	Guidance & Tools
	is required. It may state notification is not required.		
5.2	If notification is required, complete the template notification letter.	PM	Appendix H (Template Notification Letter)
5.3	Forward the draft notification letter, archaeological or heritage management plan and the site recording form to regional environment staff and Senior Environmental Specialist (Heritage) for review, and consider any suggested amendments.	PM/RES/SES (H)	
5.4	Forward the signed notification letter to the relevant regulator (ie notification of relics must be given to the Heritage Branch of OEH, while notification for Aboriginal objects must be given to the Environmental Protection and Regulation Group of OEH). Informal notification (via a phone call or email) to the regulator prior to sending the letter is appropriate. The archaeological management plan and the completed site recording form must be submitted with the notification letter. For Part 3A and Part 5.1 projects, the Department of Planning and Infrastructure must also be notified.	PM	Appendix E (Key Environmental Contacts)
5.5	A copy of the final signed notification letter, archaeological or heritage management plan and the site recording form should be kept on file by the project manager and a copy sent to the Senior Environmental Specialist (Heritage).	PM	
5.6	If requested by the regulator, arrange a site inspection of the item for them.	PM	
6	Implement archaeological or heritage management plan		
6.1	Modify the archaeological or heritage management plan to take into account any additional advice resulting from notification and discussions with the regulator.	A/PM	
6.2	Implement the archaeological or heritage management plan. Where impact is expected, this would include such things as a formal assessment of significance and heritage impact assessment, preparation of excavation or recording methodologies, consultation with registered Aboriginal parties, obtaining heritage approvals etc, if required.	PM/RAPs	PACHCI Stage 3
6.3	Where heritage approval is required contact regional environment staff for further advice and support material. Please note time constraints associated with heritage approval preparation and processing. Project scheduling may need to be revised where extensive	PM/RES	

Step	Task	Responsibility	Guidance & Tools
	delays are expected.		
6.4	For Part 3A/Part 5.1 projects, assess whether heritage impact is consistent with the project approval or if project approval modification is required from the Department of Planning and Infrastructure. Seek advice from regional environment staff and Environment Branch specialist staff if unsure.	PM/RES	
6.5	Where statutory approvals (or project approval modification) are required, impact upon relics and/or Aboriginal objects must not occur until heritage approvals are issued by the appropriate regulator.	PM	
6.6	Where statutory approval (or Part 3A/Part 5.1 project modification) is not required and where recording is recommended by the archaeologist, sufficient time must be allowed for this to occur.	PM	
6.7	Ensure short term and permanent storage locations are identified for archaeological material or other heritage material is removed from site, where required. Interested third parties (eg museums or local councils) should be consulted on this issue. Contact regional environment staff and Senior Environmental Specialist (Heritage) for advice on this matter, if required.	PM	
6.8	Ensure all archaeological excavation and/or heritage recording are completed prior to RMS project work resuming.	PM	
7	Review CEMPs and approval conditions		
7.1	Clarify regulator expectations around written authorisation to commence project work. This may relate to situations where human remains are found or when they request to review preliminary archaeological excavation reports or heritage assessments prior to the resumption of RMS project work. Where this is not explicit in heritage approval conditions, expectations should be clarified directly with the regulator.	PM	
7.2	Update the CEMP, site mapping and project delivery program as appropriate with any project changes resulting from final heritage management (eg retention of heritage item, salvage of item). Updated CEMPs must incorporate additional conditions arising from any	PM	

Step	Task	Responsibility	Guidance & Tools
	heritage approvals, and Aboriginal community consultation if relevant. Include any changes to CEMP in site induction material and update site workers during toolbox talks.		
8	Resume work		
8.1	Seek written clearance to resume project work from regional environment staff and the archaeologist (and regulator, if required). Clearance would only be given once all archaeological excavation and/or heritage recommendations (where required) are complete. Resumption of project work must be in accordance with the all relevant project/heritage approvals/determinations.	RES/A/PM	
8.2	If required, ensure archaeological excavation/heritage reporting and other heritage approval conditions are completed in the required timeframes. This includes artefact retention repositories, conservation and/or disposal strategies.	PM/A	
8.3	Forward all heritage/archaeological assessments, heritage location data and its RMS ownership status to the Senior Environmental Specialist (Heritage). They will ensure all heritage items in RMS ownership and/or control are considered for the RMS S170 Heritage Register.	PM/SES(H)	
8.4	If additional unexpected items are discovered this procedure must begin again from Step 1.	PM	

8. Seeking advice

Advice on this procedure should be sought from regional environment staff in the first instance, and then RMS heritage policy officers, where required. RMS staff can contact RMS regional environment staff for advice on this procedure at any time. Contractors and alliance partners should ensure their own project environment managers are aware of and understand this procedure. Regional environment staff can assist non-RMS project environment managers with enquires concerning this procedure.

IMPORTANT!

RMS staff and contractors are not to seek advice on this procedure directly from OEH without first seeking advice from regional environment staff and heritage policy staff.

Technical archaeological or heritage advice regarding the unexpected item should be sought from the contracted archaeologist. Technical specialist advice can also be sought from heritage policy staff within Environment Branch to assist with the preliminary archaeological identification and technical reviews of heritage/archaeological reports.

9. Related information

Contact details: Manager, Environmental Policy, Environment Branch, 02 8588 5740

Effective date: 1 November 2011

Review date: Final + 12 months

This procedure should be read in conjunction with:

- *RTA Incident Classification and Reporting Procedure.*
- *RMS Procedure for Aboriginal Cultural Heritage Consultation and Investigation.*
- *RTA Heritage Guidelines 2004.*
- *RTA Environmental Impact Assessment Guidelines.*

This procedure replaces:

- Procedure 5.5 (“*unexpected discovery of an archaeological relic or Aboriginal object*”) outlined in the RTA’s *Heritage Guidelines 2004.*

Other relevant reading material:

- NSW Heritage Office (1998), *Skeletal remains: guidelines for the management of human skeletal remains.*
- Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal remains.*
- Department of Health (April 2008), *Policy Directive: Burials - exhumation of human remains*¹¹.

¹¹ http://www.health.nsw.gov.au/policies/pd/2008/pdf/PD2008_022.pdf

10. List of appendices

The following appendices are included to support this procedure.

Appendix A	Identifying Unexpected Heritage items
Appendix B	Road and Fleet Services Escalation Protocol
Appendix C	RFS Unexpected Find Recording Form 418
Appendix D	Photographing Unexpected Heritage items
Appendix E	Key Environment Contacts
Appendix F	Uncovering Bones
Appendix G	Archaeological Advice Checklist
Appendix H	Template Notification Letter

Appendix A

Identifying unexpected heritage items

The following images can be used to assist in the preliminary identification of a potential unexpected items (both Aboriginal and non-Aboriginal) during construction and maintenance works. Please note this is not a comprehensive typology.



Top left hand picture continuing clockwise: Stock camp remnants (Hume Highway Bypass at Tarcutta); Linear archaeological feature with post holes (Hume Highway Duplication), Animal bones (Hume Highway Bypass at Woomargama); Cut wooden stake; Glass jars, bottles, spoon and fork recovered from refuse pit associated with a Newcastle Hotel (Pacific Highway, Adamstown Heights, Newcastle area).



Wood stave water pipe



Tram tracks



Retaining wall



Cistern

Top left hand picture continuing clockwise: Woodstave water pipe with tar and wire sealing (Horsley Drive); Tram tracks (Sydney); Brick lined cistern (Clyde); Retaining wall (Great Western Highway, Leura).



Top left hand picture continuing clockwise: Road pavement (Great Western Highway, Lawson); Sandstone kerbing and guttering (Parramatta Road, Mays Hill); Telford road (sandstone road base, Great Western Highway, Leura); Ceramic conduit and sandstone culvert headwall (Blue Mountains, NSW); Corduroy road (timber road base, Entrance Road, Wamberai).



Alignment pin



Survey tree



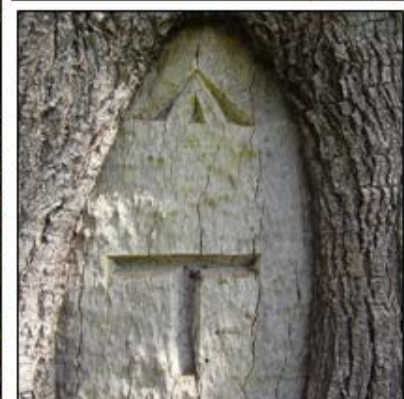
Alignment stone



Survey tree



Milestone



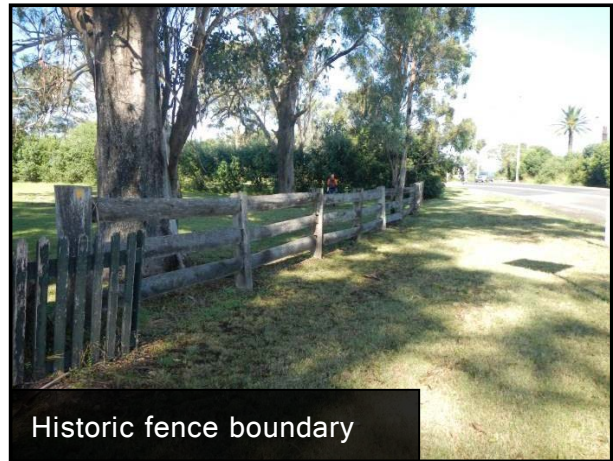
Top left hand corner continuing clockwise: Alignment Pin (Great Western Highway, Wentworth Falls); Survey tree (MR7, Albury); Survey tree (Kidman Way, Darlington Point, Murrumbidgee); Survey tree (Cobb Highway, Deniliquin); Milestone (Great Western Highway, Kingswood, Penrith); Alignment Stone (near Guntawong Road, Riverstone). Please note survey marks may have additional statutory protection under the *Surveying and Spatial Information Act 2002*.



Remnant Bridge Piers



Mine Shaft



Historic fence boundary



Dairy shed

Top left hand corner continuing clockwise: Remnant bridge piers (Putty Road, Bulga); Wooden boundary fence (Campbelltown Road, Denham Court); Dairy shed (Ballina); Golden Arrow Mine Shaft.

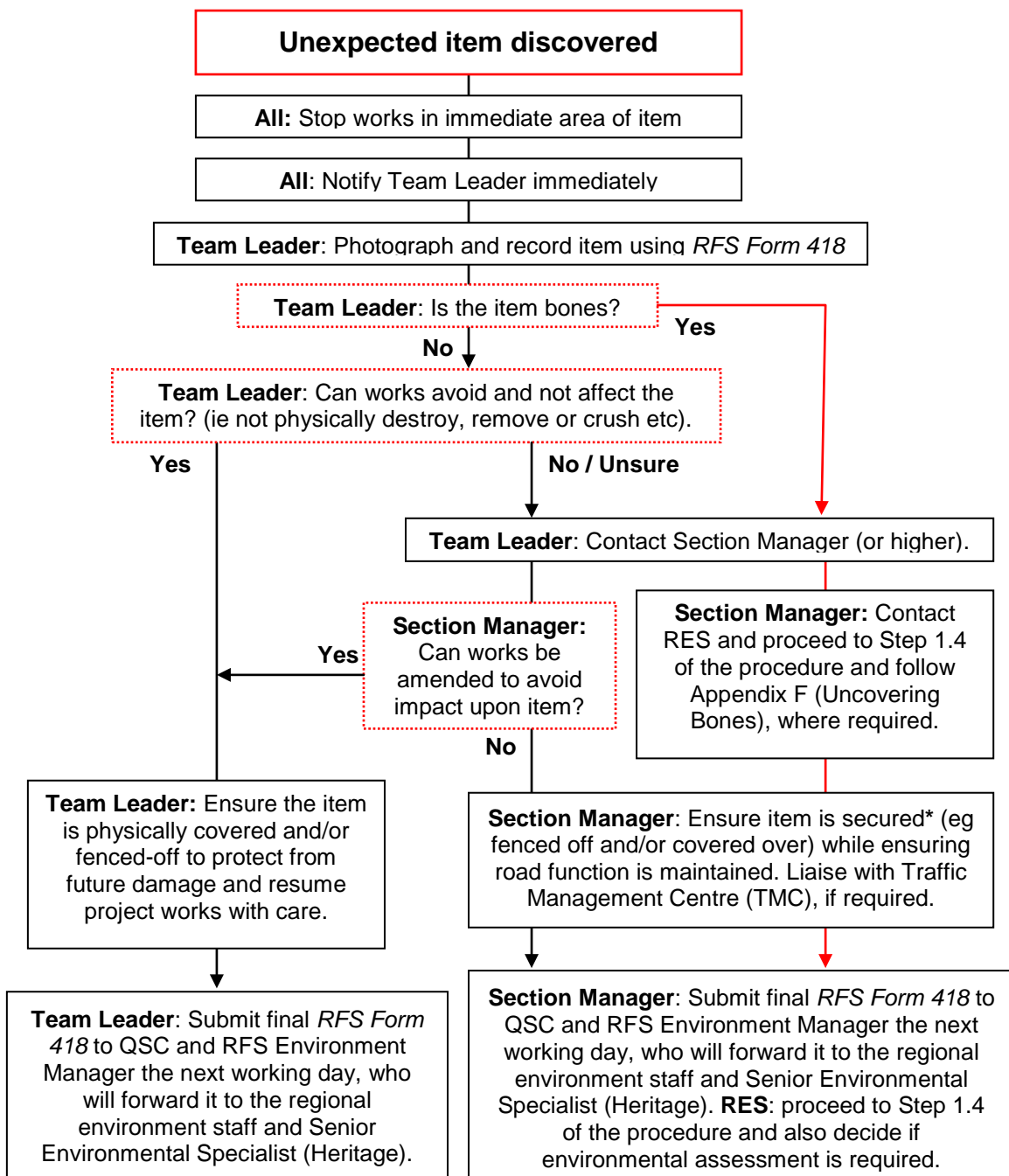


Top left hand corner: Culturally modified stone discovered on Main Road 92, about two kilometres west of Sassafras. The rest of the images show a selection of stone artefacts retrieved from test and salvage archaeological excavations during the Hume Highway Duplication and Bypass projects from 2006-2010.

Appendix B

Road and Fleet Services Escalation Protocol

Road crews in RMS Road and Fleet Services (RFS) undertake routine maintenance works such as patching, cleaning, line marking and milling within the road reserve. In addition, these works are often undertaken at night on urban thoroughfares. A specific escalation protocol has been developed to ensure that disruption to traffic is minimised if an unexpected item is encountered when carrying out such maintenance works.



*In the case of an archaeological item, appropriate temporary covering of the find is something that may protect it from further damage and that can be removed quickly the next day without

damage from re-excavation. For example geofabric and loose, dry asphalt, or a metal plate. Certain unexpected finds (such as human remains) should not be covered with loose material as the re-excavation process is likely to cause further damage to the find. Fencing and immediate action is appropriate in these rare cases.

Appendix C

RFS Unexpected Heritage Item Recording Form 418

Date:		Recorded by	
Project Name:			
Description of works being undertaken (eg Removal of failed pavement by excavation and pouring concrete slabs in 1m x 1m replacement sections).			
Description of exact location of item (eg Within the road formation on Parramatta Road, east bound lane, at the corner of Johnston Street, Annandale, Sydney).			
Description of item found (eg Metal tram tracks running parallel to road alignment. Good condition. Tracks set in concrete, approximately 10cms (100 mm) below the current ground surface).			
Sketch (Provide a sketch of the item's general location in relation to other road features so its approximate location can be mapped without having to re-excavate it. Also annotate this sketch with the location and direction of any photographs of the item taken).			
Action Taken (Tick either A or B)			
A.	Unexpected item will not be affected by maintenance works	<input type="checkbox"/>	B. Unexpected item will be affected by maintenance works <input type="checkbox"/>
A. Describe if and how works were amended to avoid impact to the item and the action taken to cover the item.			
B. Describe how works will affect the item. (eg Milling is required to be continued to 200 mm depth to ensure road pavement requirements are met. Milling to required depth would affect the top 50 mm of potential heritage pavement).			

Attach Photographs. (Take a number of close up and general photographs so anyone off site can understand the location of the item, the material it is made from and any distinguishing features).

Team Leader Signature

Action: Refer issue to Section Manager (or higher) immediately where 'B' has been ticked.

To be completed by Section Manager

Describe any further considerations to amend project works to avoid unexpected item and if impact is still anticipated.

Describe action taken to secure site temporarily

**Section Manager
Signature**

Action: Escalate to environment and heritage policy staff where impact to item cannot be avoided.

Appendix D

Photographing Unexpected Heritage items

👉 Removal of the item from its context (eg excavating from the ground) for photographic purposes is not permitted.

Photographs of unexpected items in their current context (*in situ*) may assist heritage staff and archaeologists to better identify the heritage values of the item. Emailing good quality photographs to specialists can allow for better quality and faster heritage advice. The key elements that must be captured in photographs of the item include its position, the item itself and any distinguishing features. All photographs must have a scale (ruler, scale bar, mobile phone, coin) and a note describing the direction of the photograph.

Context and detailed photographs

It is important to take a general photograph (Figure 1) to convey the location and setting of the item. This will add much value to the subsequent detailed photographs also required (Figure 2).



Figure 2: Close up detail of the sandstone surface showing material type, formation and construction detail. This is essential for establishing date of the feature.

Figure 1: Telford road uncovered on the Great Western Highway (Leura) in 2008.

Photographing distinguishing features

Where unexpected items have a distinguishing feature, close up detailed photographs must be taken of this, where practicable. In the case of a building or bridge, this may include diagnostic details architectural or technical features. See Figures 3 and 4 for examples.



Figure 3: Ceramic bottle artefact with stamp.

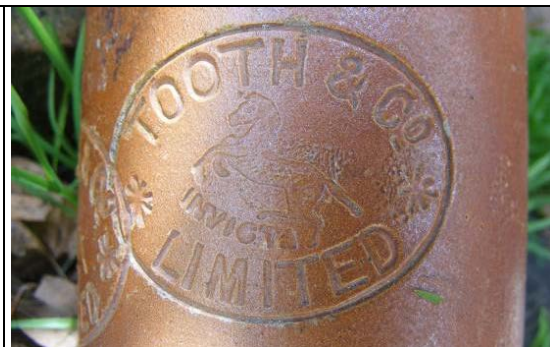


Figure 4: Detail of the stamp allows 'Tooth & Co Limited' to be made out. This is helpful to a specialist in gauging the artefact's origin, manufacturing date and likely significance.

Photographing bones

The majority of bones found on site will those of be recently deceased animal bones often requiring no further assessment (unless they are in archaeological context). However, if bones are human RMS must contact the police immediately (see Appendix F for detailed guidance). Taking quality photographs of the bones can often resolve this issue quickly. Heritage staff in Environment Branch can confirm if bones are human or non-human if provided with appropriate photographs. Ensure that photographs of bones are not concealed by foliage (Figure 5) as this makes it difficult to identify. Minor hand removal of foliage can be undertaken as long as disturbance of the bone does not occur. Excavation of the ground to remove bone(s) should not occur, nor should they be pulled out of the ground if partially exposed. Where sediment (adhering to a bone found on the ground surface) conceals portions of a bone (Figure 6) ensure the photograph is taken of the bone (if any) that is not concealed by sediment.



Figure 5: Bone concealed by foliage.



Figure 6: Bone covered in sediment

Ensure that all close up photographs include the whole bone and then specific details of the bone (especially the ends of long bones, the *epiphysis*, which is critical for species identification). Figures 7 and 8 are examples of good photographs of bones that can easily be identified from the photograph alone. They show sufficient detail of the complete bone and the epiphysis.



Figure 7: Photograph showing complete bone.



Figure 8: Close up of a long bone's epiphysis.

Appendix E

Key Environmental Contacts

Hunter region	Senior Environmental Officer	4924 0281
	Aboriginal Cultural Heritage Advisor	4924 0383
Northern region	Senior Environmental Officer	6640 1072
	Aboriginal Cultural Heritage Advisor	6604 9305
Southern region	Senior Environmental Officer	4221 2765
	Aboriginal Cultural Heritage Advisor	4221 2767
South West region	Senior Environmental Officer	6938 1143
	Aboriginal Cultural Heritage Advisor	6937 1647
Sydney region	Senior Environmental Officer	8814 2516
	Aboriginal Cultural Heritage Advisor	8849 2006
Western region	Senior Environmental Officer	6861 1628
	Aboriginal Cultural Heritage Advisor	6861 1658
Pacific Highway Office	Environmental Services Manager	6640 1375
Hume Highway Office	Senior Environmental Officer	6923 3419
Road and Fleet Services	Environment Manager	9598 7721
Environment Branch	Senior Environmental Specialist, Heritage	8588 5754

Heritage Regulators

Heritage Branch Office of Environment and Heritage Locked Bag 5020 Parramatta NSW 2124 Phone: (02) 9873 8500	Minister for Sustainability, Environment, Water, Populations and Communities GPO Box 787 Canberra ACT 2601 Phone: (02) 6274 1111
Planning and Aboriginal Heritage Section Environment Protection and Regulation Group* (Metropolitan) Office of Environment and Heritage PO Box 668 Parramatta NSW 2124 Phone: (02) 9995 5000	Planning and Aboriginal Heritage Section Environment Protection and Regulation Group* (North East) Office of Environment and Heritage Locked Bag 914 Coffs Harbour NSW 2450 Phone: (02) 6651 5946
Environment and Conservation Programs Environment Protection and Regulation Group* (North West) Office of Environment and Heritage PO Box 2111 Dubbo NSW 2830 Phone: (02) 6883 5330	Aboriginal Heritage Protection Section Environment Protection and Regulation Group* (South) Office of Environment and Heritage PO Box 733 Queanbeyan NSW 2620 Phone: (02) 6229 7000

Project-Specific Contacts (*complete as needed*)

Position	Name	Phone Number
Project Manager		
Site/Alliance Environment Manager		
Regional Environmental Officer		
Aboriginal Cultural Heritage Advisor		
Consultant Archaeologist		
Local Police Station		
OEH: Environment Line		131 555

* **Please note:** at the time of finalising this procedure EPRG became part to the Environment Protection Authority (EPA); full title block was yet to be finalised.

Appendix F

Uncovering Bones

Hand icon All matters relating to uncovering bones and RMS' human remains notification obligations should involve RMS regional environment and heritage staff. They will guide project managers through occurrences of uncovering bones.

This appendix provides project managers with advice (1) on what to do on first uncovering bones (2) the range of human skeletal notification pathways and (3) additional considerations and requirements when managing the discovery of human remains.

1. First uncovering bones

Stop all work in the vicinity of the find. All bones uncovered during project works should be **treated with care and urgency** as they have the potential to be human remains. Therefore they must be identified as either human or non-human as soon as possible by a qualified forensic or physical anthropologist. These specialist consultants can be sought by contacting regional environment staff and/or heritage staff at Environment Branch.

On the very rare occasion where it is *instantly obvious* from the remains that they are human, the project manager (or a delegate) should **inform the police by telephone** prior to seeking specialist advice. It will be '*obvious*' that it is human skeletal remains where there is *no doubt*, as demonstrated by the example in Figure 1. Often skeletal elements in isolation (such as a skull) can also clearly be identified as human. Note it may also be obvious that human remains have been uncovered when soft tissue and clothing are present.

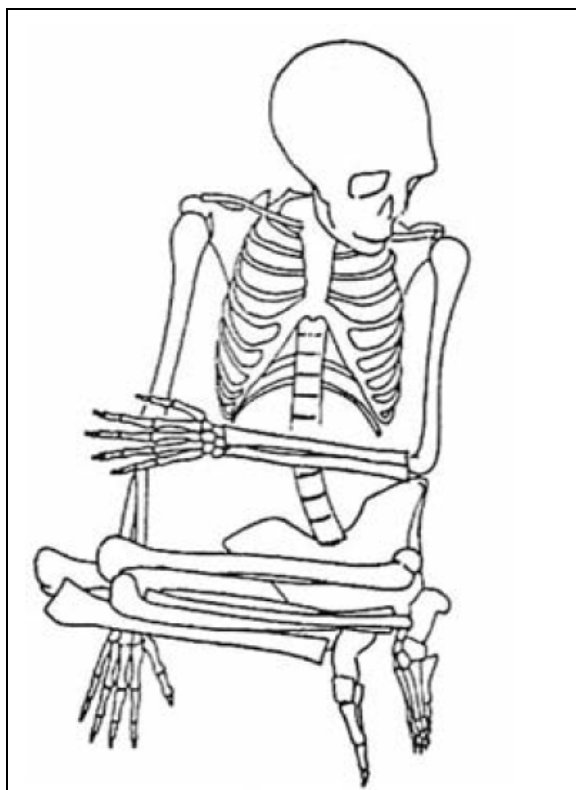


Figure 1: Schematic of a complete skeleton that is 'obviously' human¹².



Figure 2: Disarticulated bones that require assessment to determine species.

¹² After Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal Remains*: 17.

This preliminary phone call is to let the police know that the RMS is undertaking a specialist skeletal assessment to determine the approximate date of death which will inform legal jurisdiction. The police may wish to take control of the site at this stage. If not, a forensic or physical anthropologist must be requested to make an on-site assessment of the skeletal remains.

Where it is not 'obvious' that the bones are human (in the majority of cases, illustrated by Figure 2), specialist assessment is required to establish the species of the bones. Photographs of the bones can assist this assessment if they are clear and taken in accordance with guidance provided in Appendix D. Good photographs often result in the bones being identified by a specialist without requiring a site visit; noting they are nearly always non-human. In these cases, non-human skeletal remains must be treated like any other unexpected archaeological find.

If the bones are identified as human (either by photographs or an on-site inspection) a technical specialist must determine the likely ancestry (Aboriginal or non-Aboriginal) and burial context (archaeological or forensic). This assessment is required to identify the legal regulator of the human remains so **urgent notification** (as below) can occur. Preliminary telephone or verbal notification by the project manager or regional environment staff is considered appropriate. This must be followed up later by RMS formal letter notification as per Appendix H when a management plan has been developed and agreed to by the relevant parties.

2. Range of human skeletal notification pathways

The following is a summary of the different notification pathways required for human skeletal remains depending on the preliminary skeletal assessment of ancestry and burial context.

A. Human bones are from a recently deceased person (*less than 100 years old*).

Action

A police officer must be notified immediately as per the obligations to report a death or suspected death under s35 of the *Coroners Act 2009* (NSW). It should be assumed the police will then take command of the site until otherwise directed.

B. Human bones are archaeological in nature (*more than 100 years old*) and are likely to be **Aboriginal** remains.

Action

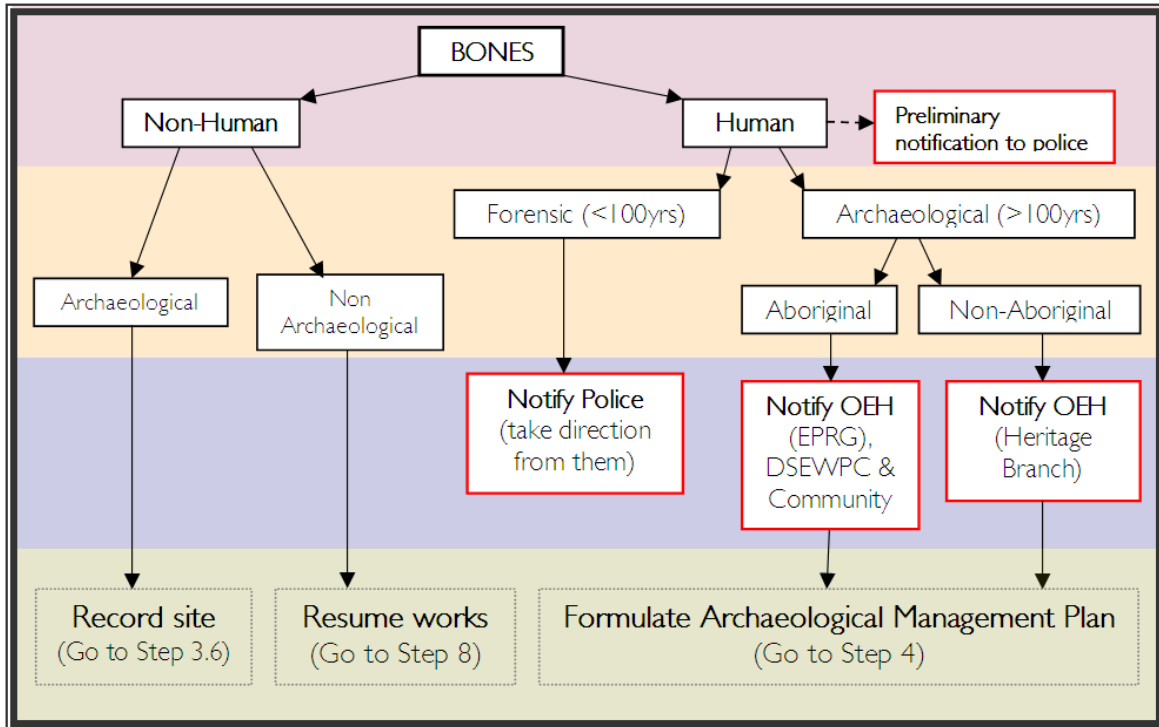
The OEH (*EPRG*) and the RMS Aboriginal Cultural Heritage Advisor (ACHA) must be notified immediately. The ACHA must contact and inform the relevant Aboriginal community stakeholders who may request to be present on site. Relevant stakeholders are determined by the RTA's *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*.

C. Human bones are archaeological in nature (*more than 100 years old*) and likely to be **non-Aboriginal** remains.

Action

The OEH (Heritage Branch, Conservation Team) must be notified immediately.

The simple diagram below summarises the notification pathways on finding bones.



After the appropriate verbal notifications (as described in B and C), the project manager must proceed through the *Unexpected Heritage items Procedure* to formulate an archaeological management plan (Step 4). Note *no* archaeological management plan is required for forensic cases (A), as all future management is a police matter. Non-human skeletal remains must be treated like any other unexpected archaeological find and so must proceed to recording the find as per Step 3.6.

3. Additional considerations and requirements

Uncovering archaeological human remains must be managed intensively and needs to consider a number of additional specific issues. These issues might include facilitating culturally appropriate processes when dealing with Aboriginal remains (such as repatriation and cultural ceremonies). RMS ACHA can provide advice on this and how to engage with the relevant Aboriginal community. Project managers, more generally, may also need to consider overnight site security of any exposed remains and may need to manage the onsite attendance of a number of different external stakeholders during assessment and/or investigation of remains. Project managers may also be advised to liaise with local church/religious groups and the media to manage community issues arising from the find. Additional investigations may be required to identify living descendants, particularly if the remains are to be removed and relocated.

If exhumation of the remains (from a formal burial or a vault) is required, project managers should also be aware of additional approval requirements under the *Public Health Act 1991* (NSW). Specifically, RMS is required to apply to the Director General of NSW Department of Health for approval to exhume human remains as per Clause 26 of the *Public Health (Disposal of Bodies) Regulation 2002* (NSW)¹³. Further, the exhumation of such remains needs to consider health risks such as infectious disease control, exhumation procedures and reburial approval and registration. Further guidance on this matter can be found at the NSW Department of Health [website](#).

In addition, due to the potential significant statutory and common law controls and prohibitions associated with interfering with a public cemetery, project teams are advised, when works uncover human remains adjacent to cemeteries, to confirm the cemetery's exact boundaries.

¹³ This requirement is in addition to heritage approvals under the *Heritage Act 1977*.

Appendix G

Archaeological/Heritage Advice Checklist

The archaeologist must advise the project manager of an appropriate archaeological or heritage management plan as soon as possible after site inspection (see Step 4). An archaeological or heritage management plan can include a range of activities and processes, which differ depending on the find and its significance. In discussions with the archaeologist the following checklist can be used by the project manager and the archaeologist as a prompt to ensure all relevant archaeological issues are considered when developing this plan. This will allow the project team to receive clear and full advice to move forward quickly and in the right direction. Archaeological and/or heritage advice on how to proceed can be received in a letter or email outlining all relevant archaeological and/or heritage issues.

	Required	Outcome/notes
Assessment and investigation		
• Assessment of significance	Yes/No	
• Assessment of heritage impact	Yes/No	
• Archaeological excavation	Yes/No	
• Archival photographic recording	Yes/No	
Heritage approvals and notifications		
• AHIPs, Section 140, S139 exceptions etc	Yes/No	
• Regulator relics/objects notification	Yes/No	
• RMS' S170 Heritage Register listing requirements	Yes/No	
• Compliance with CEMP or other project heritage approvals	Yes/No	
Stakeholder consultation		
• Aboriginal stakeholder consultation requirements and how it relates to RTA <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> (PACHCI).	Yes/No	
• Advice from regional environmental staff, Aboriginal Cultural Heritage Advisor, RMS heritage team.	Yes/No	
Artefact/ heritage item management		
• Retention or conservation strategy (eg items may be subject to long conservation and interpretation)	Yes/No	
• Disposal strategy (eg former road pavement)		
• Short term and permanent storage locations (interested third parties should be consulted on this issue).		
• Control Agreement for Aboriginal objects.	Yes/No	
Program and budget		
• Time estimate associated with		

archaeological or heritage conservation work.	
• Total cost of archaeological/heritage work.	

Appendix H

Template Notification Letter

[Select and type date]

[Select and type reference number]

[Select and type file number]

[Insert recipient's name and address, see **Appendix E**]

[Select and type salutation and name],

Re: Unexpected heritage item discovered during Roads and Maritime Services project works.

I write to inform you of an unexpected [select: relic, heritage item or Aboriginal object] found during Roads and Maritime Services construction works at [insert location] on [insert date]. [Where the regulator has been informally notified at an earlier date by telephone, this should be referred to here].

This letter is in accordance with the notification requirement under [select: Section 146 of the *Heritage Act 1977* (NSW) or Section 89(A) of the *National Parks and Wildlife Act 1974* (NSW)] **NB:** There may be not be statutory requirement to notify of the discovery of a 'heritage Item that is not a relic or Aboriginal object].

NB: On finding Aboriginal human skeletal remains this letter must also be sent to the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities (SEWPC) in accordance with notification requirements under Section 20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

[Provide a brief overview of the project background and project area. Provide a summary of the description and location of the item, including a map and image where possible. Also include how the project was assessed under the *Environmental Planning and Assessment Act 1979* (NSW) (eg Part 5). Also include any project approval number, if available].

Roads and Maritime Services [or contractor] has sought professional archaeological advice regarding the item. A preliminary assessment indicates [provide a summary description and likely significance of the item]. Please find additional information on the site recording form attached.

Resulting from these preliminary findings, Roads and Maritime Services [or contractor] is proposing [provide a summary of the proposed archaeological/heritage approach (eg develop archaeological research design (where relevant), seek heritage approvals, undertake archaeological investigation or conservation/interpretation strategy). Also include preliminary justification of such heritage impact with regard to project design constraints and delivery program].

The proposed approach will be further developed in consultation with a nominated Office of Environment and Heritage [select either EPRG/Heritage Branch, Conservation Team] staff member.

Please contact me if you have any input on this approach or if you require any further information.

Yours sincerely

[Sender name and position]

[Attach the archaeological/heritage management plan and site recording form].

Date	Time	SKM Contact	Method	Contact Person	Organisation	Subject	Comment
18/8/14	3.54pm	Dave Collard	Email	Michele Donovan	ULALC	PPT for Cultural Heritage Education and Training	Sent Michele the draft PPT for Cultural Heritage Education and Training for comment, following request..
26/8/14	8.50am	Dave Collard	Email	Various	NHLALC, ULALC, BLALC, Muurrbay	Aboriginal Consultation Plan	Draft Aboriginal Consultation Plan sent for comment.
26/8/14	9.25am	Dave Collard	Email	Michele Donovan	ULALC	Aboriginal Consultation Plan	Michele is happy with the Aboriginal Consultation Plan
26/8/14	11.10am	Dave Collard	Email	Michele Donovan	ULALC	Aboriginal Consultation Plan	Michele requested that Jenner Rosser be invited to future AFG meetings.
26/8/14	11.16am	Dave Collard	Email	Various	NHLALC, ULALC, BLALC, Muurrbay	Draft mitigation measures from HMP	Draft mitigation measures from HMP sent for comment.
26/8/14	12.58pm	Dave Collard	Email	Michele Donovan	ULALC	Draft mitigation measures from HMP	Michele requested details on any 'Stop Work Policy' in the event that Aboriginal artefacts were uncovered. In response, Dave Collard provided Michele with RMS (2013) <i>Standard Management Procedure: Unexpected Heritage Items</i> on 29/8/14.
27/8/14	9.26pm	Dave Collard	Email	Michele Donovan	ULALC	Aboriginal Consultation Plan	Michele requested an amendment to the Aboriginal Consultation Plan emphasising that only Gumbaynggirr people be consulted on matters concerning heritage and culture. On 29/8/14 Dave Collard proposed a minor amendment which Michele indicated satisfied her request.
29/8/14	9.47am	Dave Collard	Email	Various	NHLALC, ULALC, BLALC, Muurrbay	Draft Heritage Management Plan	Daft Aboriginal Heritage Education and Training PPT sent for comment.
3/9/14	2.13pm	Dave Collard	Email	Michele Donovan	ULALC	Draft Aboriginal Heritage Education and Training PPT	Michele requested confirmation that certain content had been included in the PowerPoint. Dave Collard confirmed that the content in questions had been included.
16/9/14	2.43pm	Dave Collard	Email	Various	NHLALC, ULALC, BLALC, Muurrbay	Draft Aboriginal Heritage Education and Training PPT	Complete draft of the HMP sent for comment.
16/9/14	2.43pm	Dave Collard	Email	Various	NHLALC, ULALC, BLALC, Muurrbay	Draft Aboriginal Heritage Education and Training PPT	Complete draft of the HMP sent for comment.
14/10/14	9.30am	Dave Collard	Phone	Louise Robinson	NHLALC	Draft Heritage Management Plan	Rang Louise to confirm that there were no comments on HMP from Nambucca Heads LALC. Louise informed me that the HMP had been passed on to Conway Edwards, Michael Jarrett and Chels Marshall and had not received any comments from them. Louise will confirm no comment by COB. . No comments provided by COB.
14/10/14	9.40am	Dave Collard	Phone	Phillip Hall	BLALC	Draft Heritage Management Plan	Rang Phillip to confirm that there were no comments on HMP from Bowraville LALC. Phillip is happy with the HMP as it is and confirmed that BLALC site officer are also happy with the fieldwork done do date.
14/10/14	10.22am	Dave Collard	Phone	Bridget Jarrett	Muurrbay	Draft Heritage Management Plan	Rang Bridget to confirm that there were no comments on HMP from Muurbay. Bridget stated she would have a final look and provide any comment by COB. No comments provided by COB.
14/10/14	10.51am	Dave Collard	Phone	Michele Donovan	ULALC	Draft Heritage Management Plan	Rang Michele to confirm that there were no further comments on HMP from ULALC. Michele confirmed that there were no further.