



STRATFORD MINING COMPLEX Heritage Management Plan

STRATFORD MINING COMPLEX
(STRATFORD EXTENSION PROJECT)

HERITAGE MANAGEMENT PLAN



Revision Status Register

Section/Page/ Annexure	Revision Number	Amendment/Addition	Distribution	DPE Approval Date
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1 INTRODUCTION

1.1 STRATFORD MINING COMPLEX

Stratford Coal Pty Ltd (SCPL), a wholly owned subsidiary of Yancoal Australia Limited (Yancoal), owns the Stratford Coal Mine (SCM), which is located approximately 100 kilometres (km) north of Newcastle, New South Wales (NSW) (Figure 1). SCPL also owns the Bowens Road North Open Cut (BRNOC), located to the immediate north of the SCM. The SCM and BRNOC are collectively referred to as the Stratford Mining Complex (SMC).

Yancoal also owns the Duralie Coal Mine (DCM), which is located approximately 20 km south of the SMC (Figure 1). Run-of-mine (ROM) coal from the DCM is transported by rail to the SMC for processing and export.

Mining activities approved under the SCM Development Consent and the BRNOC Development Consent were suspended in mid-2014, however, processing of ROM coal from the DCM and the export of product coals continued under the SCM Development Consent.

The Development Consent SSD-4966 for the Stratford Extension Project (SEP) was granted on 29 May 2015 under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and involves the extension and continuation of mine operations at the SMC¹, including (among other things):

- mining of up to 2.6 million tonnes of ROM coal per annum;
- continuation of mining in the BRNOC and the extension of mining into three additional open cut mining areas:
 - Roseville West Pit Extension;
 - Avon North Open Cut; and
 - Stratford East Open Cut;
- progressive backfilling of mine voids with waste rock behind the advancing open cut mining operations;
- continued and expanded placement of waste rock in the Stratford Waste Emplacement and Northern Waste Emplacement;
- coal processing at the existing coal handling and preparation plant (CHPP);
- stockpiling and loading of product coal to trains for transport on the North Coast Railway to Newcastle;
- disposal of CHPP rejects via pipeline to the existing co-disposal area in the Stratford Main Pit and, later in the SMC life, the Avon North Open Cut void;
- continued use of existing water storages/dams and progressive development of additional sediment dams, pumps, pipelines, irrigation infrastructure and other water management equipment and structures;
- other associated minor infrastructure, plant, equipment and activities and minor modifications to existing structure, plant and equipment and activities; and
- rehabilitation of the site.

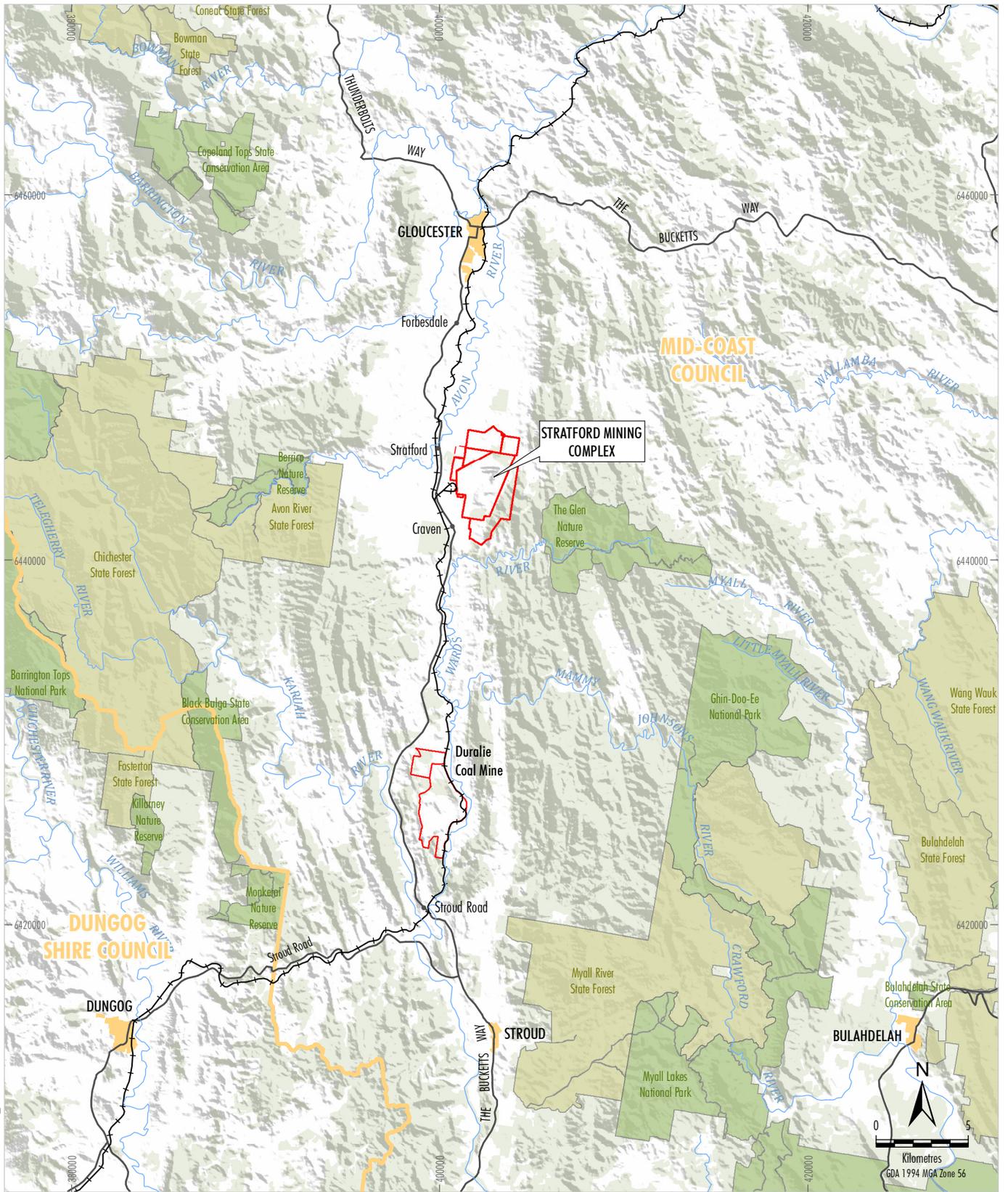
The general arrangement of the approved SMC is provided in Figure 2.

Current Status of SMC

Mining activities approved under the SEP Development Consent (SSD-4966) commenced on 4 April 2018. Current mining operations at the SMC are associated with:

- completion of mining in the Roseville West Open Cut Pit followed by progressive backfilling with waste rock material;
- completion of mining in the BRNOC followed by progressive backfilling with waste rock material;
- continued development and mining of the Stratford East Open Cut; and
- continued development and mining of the Avon North Open Cut.

¹ A copy of the Development Consent (and other statutory State and Federal licenses and approvals) is available on the Stratford Coal website (www.stratfordcoal.com.au).



YAN-21-40-IMP2021 CF - 201A



- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary *
 - NSW State Forest
 - National Park, Nature Reserve or State Conservation Area
 - Local Government Area Boundary

*MLA1 is a proposed future Mining Lease Application (MLA) area and has not yet been lodged.

Source: Geoscience Australia (2006); Yancoal (2019); NSW Department of Planning & Environment (2017)



STRATFORD EXTENSION PROJECT
Regional Location

Figure 1



YAN-21-40 MP2021 (F. 202A)

- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary*
 - Electricity Transmission Line
 - Approximate Extent of Existing/Approved Surface Development
 - Conceptual Up-Catchment Diversion

*MLA1 is a proposed future Mining Lease Application (MLA) area and has not yet been lodged.

Not yet Constructed

Source: Orthophoto - Yancoal (2021);
LPI (2016); NSW Department of Planning & Environment (2017)



STRATFORD EXTENSION PROJECT
Approved General Arrangement

Figure 2

Condition 5, Schedule 2 of the SMC's Development Consent (SSD_4966) authorises mining operations to be carried at the SMC until 31 December 2025. As the SMC progresses towards the end of its approved mine life, operations and activities at the SMC over the next four years will progressively change to reflect this and will generally involve the following:

- **Reduction of open cut pit mining and total mobile plant fleet:** Open cut mining operations will progressively reduce with mining of the SMC's remaining operational pits (Avon North Open Cut and Stratford East Open Cut) to reduce sequentially over the next four years. Consequently, total mobile plant fleet operating at the SMC will also reduce.
- **Progressive open cut pit backfilling activities:** As mining of the open cut pits is progressively completed, backfilling of some of the pits with waste rock material, including Roseville West Open Cut Pit and BRNOC, will also occur either concurrently with mining or after the completion of mining.
- **Progressive rehabilitation of completed areas:** Rehabilitation of backfilled open cut pits, completed areas of the waste emplacements and other disturbed areas will continue to be progressed in accordance with the SMC's Rehabilitation Management Plan.
- **Reduction and then cessation of vegetation clearance activities:** The proposed extent of development of the remaining open cut pits and ancillary mining activities will be reached over the next four years, and subsequently after this time, no new disturbance areas (within the approved surface disturbance areas) are proposed.
- **Closure Planning:** SCPL will continue to implement the SMC's Mine Closure Planning Program (described in the SMC Mining Operations Plan and Rehabilitation Management Plan [and in future Rehabilitation Management Plans]) which includes technical assessments and works that will be undertaken and implemented as the SMC progresses towards the mine closure phase. As these assessments and works are completed, the SMC's environmental management plans will be reviewed and revised as required to reflect the progression of the SMC towards mine closure, in consultation with relevant regulatory agencies.

Following the cessation of mining operations on 31 December 2025, SCPL will undertake bulk rehabilitation earthworks, which may involve some blasting activities to achieve the final landform design and satisfy geotechnical requirements in accordance with the SMC's Rehabilitation Management Plan.

1.2 PURPOSE AND SCOPE

This Heritage Management Plan (HMP) has been prepared on behalf of SCPL by Mr Jamie Reeves of Niche Environment and Heritage Pty Ltd (Niche) (whose appointment was approved by the NSW Department of Planning and Environment [DPE], [letter dated 10 October 2017] as a *"suitably qualified and experienced person"*), to satisfy the requirements under Development Consent SSD-4966.

This HMP has been prepared for the SMC in accordance with the requirements of Condition 43, Schedule 3 of the SEP Development Consent SSD-4966.

This HMP has been prepared to manage potential impacts on items of heritage significance at the SMC.

This HMP will be updated prior to mining operations commencing in the Roseville West Pit Extension, in accordance with Condition 15, Schedule 2 of SSD-4966.

This revision of the HMP has been prepared by SCPL to:

- describe the current status of operations at the SMC;
- describe anticipated changes to SMC operations as the site progresses towards mine closure;
- describe the current status of known Aboriginal heritage sites at the SMC; and
- include other administrative updates to contemporise the plan.

1.3 STRUCTURE OF THE HERITAGE MANAGEMENT PLAN

The remainder of the HMP is structured as follows:

- Section 2: Outlines the statutory requirements applicable to the HMP.
- Section 3: Outlines the Aboriginal and non-Aboriginal cultural heritage sites and values at the SMC.
- Section 4: Outlines management measures for Aboriginal heritage at the SMC.
- Section 5: Outlines the monitoring of Aboriginal Cultural Heritage Sites.
- Section 6: Describes the protocols for heritage inductions and training.
- Section 7: Describes the performance measures applicable to the management of Aboriginal heritage at the SMC.
- Section 8: Provides a contingency plan to manage any unprecedented impacts and their consequences.
- Section 9: Describes the Annual Review and improvement of environmental performance process.
- Section 10: Describes the management and reporting of incidents, complaints and non-compliances.
- Section 11: Provides the references cited in the HMP.

2 STATUTORY REQUIREMENTS

SCPL's statutory obligations are contained in:

- (i) the conditions of Development Consent SSD-4966;
- (ii) the conditions of Commonwealth Approval (EPBC 2011/6176);
- (iii) the conditions of Environment Protection Licence (EPL) 5161;
- (iv) relevant licences and permits, including conditions attached to the SMC mining leases; and
- (v) other relevant legislation.

Obligations relevant to this HMP are described below.

2.1 EP&A ACT DEVELOPMENT CONSENT

The conditions of Development Consent SSD-4966 relevant to heritage management are described below.

2.1.1 Heritage Management Requirements

Conditions 42 and 43, Schedule 3 of Development Consent SSD-4966 require the protection of Aboriginal sites at the SMC and require the preparation of a HMP for the SMC. Table 1 presents these requirements and indicates where they are addressed within this HMP.

**Table 1
Development Consent SSD-4966 Requirements Relevant to Heritage Management**

Development Consent SSD-4966 Condition	HMP Section
Conditions 42 and 43, Schedule 3	
Protection of Aboriginal Sites	
42. <i>The Applicant shall ensure that the development does not cause any direct or indirect impact on identified Aboriginal sites located outside the approved disturbance area of the development on the site.</i>	Section 7
Heritage Management Plan	
43. <i>The Applicant shall prepare and implement a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:</i>	
(a) <i>be prepared by suitably qualified and experienced person/s whose appointment has been endorsed by the Secretary;</i>	Section 1.2
(b) <i>be prepared in consultation with BCD and local Aboriginal stakeholders (in relation to the management of Aboriginal heritage values);</i>	Section 2.1.3 Appendix A
(c) <i>be submitted to the Secretary for approval prior to 31 December 2015, unless the Secretary agrees otherwise;</i>	Section 1.1
(d) <i>include the following:</i>	
<ul style="list-style-type: none"> • <i>a detailed archaeological salvage program for Aboriginal sites/objects within the approved disturbance area, including methodology and procedures/protocols for:</i> <ul style="list-style-type: none"> ○ <i>staged salvage, based on anticipated mine planning (sites OS-3, OS-4, OS-5, IF-1, IF-2, IF-3, IF-4 shown on the figure in Appendix 7);</i> ○ <i>salvage of scarred trees (site ST-4 shown on the figure in Appendix 7);</i> ○ <i>monitoring of topsoil stripping during construction associated with the Wenhams Cox / Bowens Road realignment in the vicinity of Dog Trap Creek;</i> ○ <i>site assessment and reporting;</i> ○ <i>protection, storage, management and long-term protection of salvaged Aboriginal objects; and</i> ○ <i>addressing relevant statutory requirements under the National Parks and Wildlife Act 1974; and</i> 	Section 4.3 Section 4.4 Section 5.2 Section 4.3 Sections 4.8 and 4.9 This HMP

Table 1 (Continued)
Development Consent SSD-4966 Requirements Relevant to Heritage Management

Development Consent SSD-4966 Condition	HMP Section
<ul style="list-style-type: none"> • a description of the measures that would be implemented for: <ul style="list-style-type: none"> ○ protecting, monitoring and managing Aboriginal sites outside the approved disturbance area (including sites OS-2, ST-3 shown on the figure in Appendix 7); ○ maintaining and managing reasonable access for Aboriginal stakeholders to cultural heritage items on site and in the Biodiversity Offset Area; ○ managing the discovery of any human remains or previously unidentified Aboriginal objects on site, including (in the case of human remains) stop work provisions and notification protocols; ○ ongoing consultation with local Aboriginal stakeholders in the conservation and management of Aboriginal cultural heritage both on-site and in the Biodiversity Offset Area; and ○ ensuring any workers on site receive suitable heritage inductions prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions. 	<p align="center">Section 4</p> <p align="center">Section 4.1.5</p> <p align="center">Section 4.7</p> <p align="center">Section 4.1.3</p> <p align="center">Section 6</p>

2.1.2 Management Plan Requirements

Condition 3, Schedule 5 of Development Consent SSD-4966 outlines the management plan requirements that are applicable to the preparation of the HMP. Table 2 presents these requirements and indicated where they are addressed within this HMP.

Table 2
Management Plan Requirements

Development Consent SSD-4966 Condition	HMP Section
<p>Condition 3, Schedule 5</p> <p>3. The Applicant shall ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the development; • effectiveness of any management measures (see c above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the development over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p>	<p align="center">Section 3</p> <p align="center">Section 2</p> <p align="center">Section 7</p> <p align="center">Section 7</p> <p align="center">Section 4</p> <p align="center">Section 5</p> <p align="center">Section 8</p> <p align="center">Section 9</p> <p align="center">Section 10 and SMC Environmental Management Strategy and Pollution Incident Response Management Plan</p> <p align="center">Section 9</p>

2.1.3 Consultation

Condition 43(b), Schedule 3 of NSW Development Consent SSD-4966, requires the HMP to be prepared in consultation with the NSW Biodiversity Conservation Division (BCD) (a division of the DPE), and local Aboriginal stakeholders. It is noted that all Aboriginal cultural heritage and non-Aboriginal heritage regulatory functions are now administered by Heritage NSW (not the DPE-BCD). Accordingly, SCPL has undertaken consultation with Heritage NSW regarding the HMP, not the DPE-BCD.

The original HMP was prepared and approved in April 2018, with one additional revision to the plan approved in October 2018. The original HMP was prepared in consultation with the DPE, the former NSW Office of Environment and Heritage (OEH), and local Aboriginal stakeholders. A record of consultation comments received in 2018 from local Aboriginal stakeholders is included in Appendix A of this HMP.

This revised HMP has been provided to Heritage NSW and local Aboriginal stakeholders for consultation purposes. Heritage NSW (including the Aboriginal Cultural Heritage branch) and BCD recommended that no changes were required. No responses on the revised HMP were received from local Aboriginal stakeholders. A record of consultation comments from local Aboriginal stakeholders on this revision of the HMP is included in Appendix A of this HMP.

On 30 January 2023, the DPE approved this revised HMP. The DPE's letter of approval is provided in Attachment 1. The revision status of this HMP is provided on the title page of this plan.

2.2 LICENCES, PERMITS AND LEASES

In addition to the NSW Development Consent SSD-4966 and Commonwealth Approval (EPBC 2011/6176), all activities at or in association with the SMC will be conducted in accordance with a number of licences, permits and leases which have been issued or are pending issue.

Key licences, permits and leases pertaining to the SMC include:

- The conditions EPL 5161 administered by the NSW Environment Protection Authority (EPA) under the NSW *Protection of the Environment Operations Act 1997* (POEO Act).
- The conditions of the Mining Leases (MLs) 1360, 1409, 1447, 1538, 1521, 1577, 1528, 1733 and 1787 issued under the NSW *Mining Act 1992*².
- The SMC Mining Operations Plan (and/or Rehabilitation Management Plan) approved by the NSW Resources Regulator, within the Minerals, Exploration and Geoscience (MEG) division of the Department of Regional NSW.
- Water supply works, water use approvals and water access licences issued by Water NSW under the NSW *Water Management Act 2000*.

A detailed register of current licences, permits and approvals is maintained on-site by SCPL personnel and a summary of current approvals is presented in the SMC Annual Review.

2.3 OTHER RELEVANT LEGISLATION

SCPL will operate the SMC consistent with the NSW Development Consent, Commonwealth Approval and any other legislation that is applicable to an approved Part 4 Project under the EP&A Act.

In addition to the EP&A Act, the following NSW Acts may be applicable to the conduct of the SMC:

- *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984*;
- *Commonwealth Australian Heritage Council Act 2003*;
- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*;
- *Commonwealth Native Title Act 1993*;
- *NSW Heritage Act 1977*;

² Mining Lease Application (MLA) area 1 is a proposed ML area and has not yet been lodged.

- *NSW National Parks and Wildlife Act 1974;*
- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (NSW Department of Environment, Climate Change and Water [DECCW], 2010a);*
- *Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW, 2010b);*
- *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales (DECCW, 2010c);*
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011); and*
- *NSW Minerals Industry Due Diligence Code of Practice for the Protection of Aboriginal Objects (NSW Minerals Council, 2010).*

3 CULTURAL HERITAGE SITES AND HERITAGE VALUES

3.1 ABORIGINAL CULTURAL HERITAGE SITES

Known Aboriginal cultural heritage sites at the SMC were identified in the SEP Environmental Impact Statement (SCPL, 2012) (EIS) and are listed in Table 3. A detailed description of each site, as described in Kayandel Archaeological Services (Kayandel) (2012) is provided in Appendix B. As a result of previous assessments and archaeological salvage works, 17 sites have been identified within the SMC (Kayandel, 2012).

This HMP considers the impacts of the development of the SEP on Aboriginal cultural heritage sites. Aboriginal cultural heritage sites in the vicinity of the SMC are shown on Figure 3, with Table 3 indicating which sites will be directly impacted by the SEP.

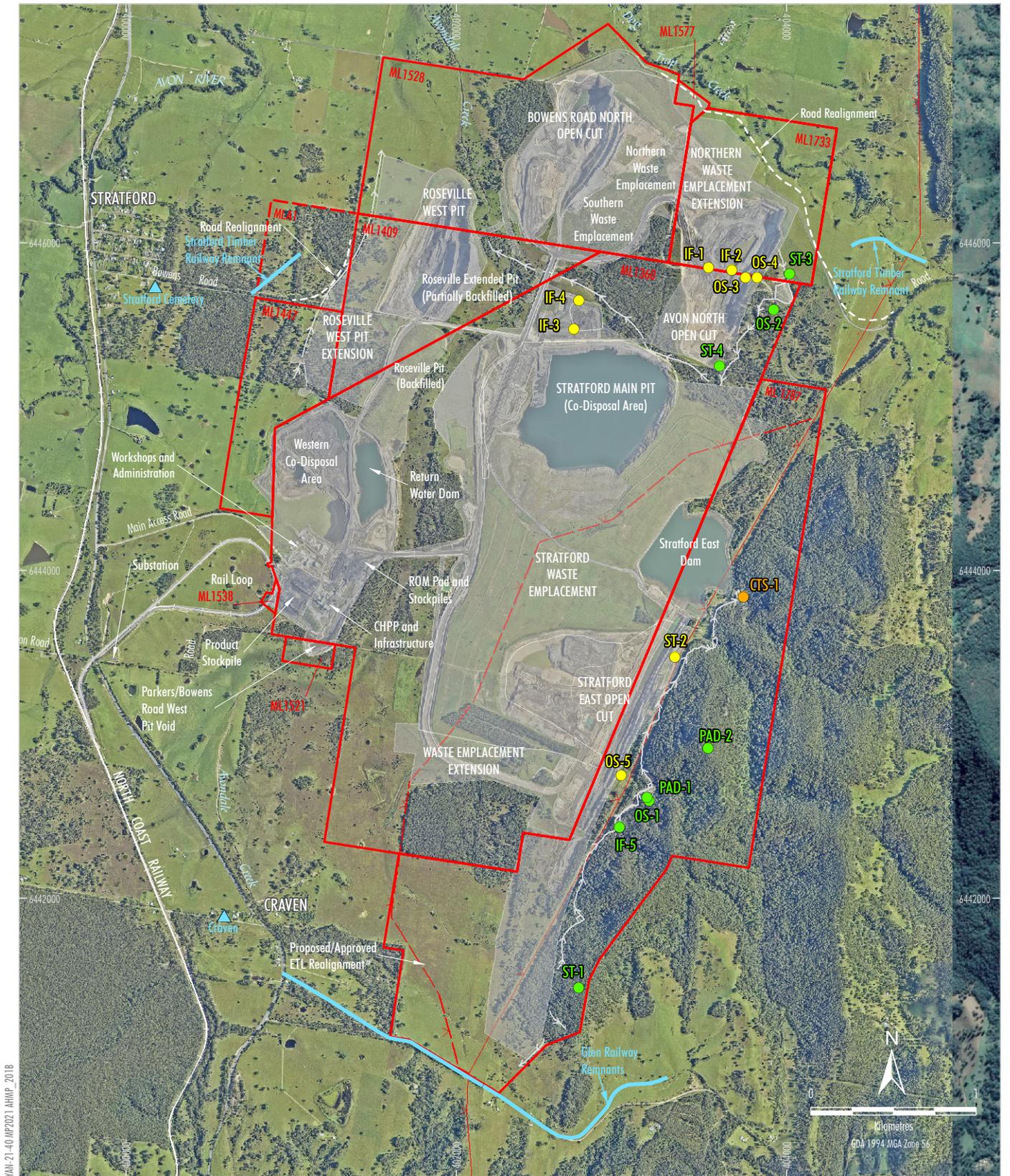
This HMP also covers any previously unknown Aboriginal cultural heritage sites that may be in the proximity of the activities of the SEP.

Table 3
Aboriginal Cultural Heritage Sites at the SMC

Site Name	AHIMS ¹	Site Type	Proposed Impact
OS-1	38-1-0087	Open Artefact Scatter	No (outside disturbance area)
OS-2	38-1-0088	Open Artefact Scatter	No (outside disturbance area)
OS-3	38-1-0089	Open Artefact Scatter	Yes
OS-4	38-1-0077	Open Artefact Scatter	Yes
OS-5	38-1-0008	Open Artefact Scatter	Yes
ST-1	38-1-0079	Scarred Tree	No (outside disturbance area)
ST-2	38-1-0080	Scarred Tree	Yes
ST-3	38-1-0081	Scarred Tree	No (outside disturbance area)
ST-4	38-1-0082	Scarred Tree	Yes
IF-1	38-1-0083	Isolated Find	Yes
IF-2	38-1-0084	Isolated Find	Yes
IF-3	38-1-0085	Isolated Find	Yes
IF-4	38-1-0086	Isolated Find	Yes
IF-5	38-1-0031	Isolated Find	No (outside disturbance area)
PAD-1	38-1-0101	PAD	No (outside disturbance area)
PAD-2	38-1-0078	PAD	No (outside disturbance area)
CTS-1	-	Cultural/Traditional Site	No (outside disturbance area)

¹ AHIMS = Aboriginal Heritage Information Management System.

An additional site (Stratford 2 Open Site) was identified during previous surveys, however, could not be located during surveying for the SEP EIS (Kayandel, 2012). Notwithstanding, this HMP includes provisions for unrecorded sites and is addressed by the protocol in Section 4.6.



YAN-21-40 MP2021_AHMP_2018

- LEGEND**
- Mining Lease Boundary
 - Mining Lease Application Boundary*
 - Electricity Transmission Line
 - Approximate Extent of Existing/Approved Surface Development
 - Conceptual Up-Catchment Diversion
 - Non-Aboriginal Heritage - Local Significance Heritage Item
 - Aboriginal Cultural Heritage Site
 - Potential Aboriginal Cultural Heritage Site
 - Salvaged Aboriginal Heritage Site

*MLA1 is a proposed future Mining Lease Application (MLA) area and has not yet been lodged.

Not yet Constructed

Source: Orthophoto - Yancoal (2021);
LPI (2016); NSW Department of Planning & Environment (2017)



STRATFORD EXTENSION PROJECT
Aboriginal and Non-Aboriginal
Cultural Heritage Sites

Figure 3

3.2 ABORIGINAL CULTURAL HERITAGE VALUES

Over the course of numerous Aboriginal cultural heritage assessments at the SMC, the Registered Aboriginal Parties (RAPs) and/or Aboriginal stakeholders have been consulted about the cultural significance of Aboriginal objects and places, and a number of specific and general cultural values have been identified.

Aboriginal cultural values may relate to:

- sites or places associated with ceremonies, spiritual/mythological beliefs and traditional knowledge, which date from the pre-contact period and have persisted until the present time;
- sites or places associated with historical associations, which date from the post-contact period and are remembered by people today (for example, plant and animal resource use areas and known camp sites); and
- sites or places of contemporary significance (including areas for which Aboriginal objects remain), for which the significance has been acquired in recent times.

The RAPs for the SMC (Section 4.1.1) have been consulted on the nature, extent and significance of Aboriginal cultural heritage at the SMC, including during the community consultation processes undertaken for previous cultural heritage assessments and investigations.

Throughout the EIS consultation and assessment process the RAPs were requested to provide comments regarding the cultural significance of each individual site and the landscape as a whole. Comments received regarding the cultural significance of the SMC area from the RAPs are documented in Kayandel (2012). The following provides a summary of all cultural comments received either verbally or in writing from the RAPs throughout the consultation process (Kayandel, 2012):

- A number of the RAPs during the surveys indicated that the ridgeline located to the east of the SMC would likely have been used as a travelling route for Aboriginal people moving through the area.
- Mick Leon (from Do-Wa-Kee Cultural & Heritage Surveys) noted that the wide saddle to the east of the SMC along the ridgeline would have been good temporary camp site for Aboriginal people moving through the area.
- Barry Bungee (from Do-Wa-Kee Cultural & Heritage Surveys) noted that there were a number of plants growing in the subject area including “geebung fruit” and “pudding vine” that would have been traditionally gathered and utilised as bush tucker.
- Aunty Norma Fisher (from Mookibakh Aboriginal Traditional Owners Corporation) indicated that there are a number of culturally significant sites located in the wider region including burials, initiation sites, bora grounds and a corroboree ground.
- A number of RAPs identified a location within the SMC locality as containing cultural significance as a women’s site. Other representatives of the Aboriginal community concluded that the location had no cultural significance.

SCPL acknowledges that all Aboriginal heritage sites are considered to be culturally significant to the Aboriginal people who have a traditional connection to Country.

3.3 NON-ABORIGINAL HERITAGE SITES

Sites of known and potential non-Aboriginal heritage significance at the SMC were identified in SEP Non-Aboriginal Heritage Assessment (Heritage Management Consultants, 2012). The extension areas proposed for the SEP, and a 500 metre (m) buffer, were inspected for non-Aboriginal heritage places.

No items of state or regional non-Aboriginal heritage significance were identified in the vicinity of the SMC (Heritage Management Consultants, 2012).

Items with identified heritage values in the vicinity of the SMC in the Gloucester Local Environmental Plan (LEP) included (Heritage Management Consultants, 2012):

- The Glen, Craven Logging Tramline (parts of); and
- Avon Valley Colliery Site.

Both of these items are listed as being of local significance in Schedule 5 of the Gloucester LEP and are located outside of the SMC area (Heritage Management Consultants, 2012).

As detailed in the SEP EIS, five items identified in the site survey were assessed as having local heritage significance, including the Stratford Timber Railway (cutting and routes 1 and 2), the Glen Timber Railway, the Stratford Cemetery and the Craven Village. These items are all located outside of the SMC disturbance area (Figure 3).

No sites of non-Aboriginal heritage value were identified within the open cut pits (Heritage Management Consultants, 2012). Given no sites with non-Aboriginal heritage significance were identified within, or near, the SMC disturbance areas, no management measures are described within this HMP. If sites with suspected non-Aboriginal heritage significance are identified in the future, an appropriately qualified individual will be required to determine management measures.

4 MANAGEMENT OF ABORIGINAL HERITAGE

This section outlines the management and mitigation measures proposed for identified and potential Aboriginal cultural heritage sites at the SMC, consistent with the requirements of Development Consent SSD-4966.

4.1 PROTOCOL FOR ONGOING INVOLVEMENT OF THE ABORIGINAL COMMUNITY

SCPL acknowledges that Aboriginal heritage is of primary interest to the Aboriginal community and that Aboriginal people have the right to be consulted and involved in relation to the management of their heritage. SCPL recognises that the Aboriginal community has a paramount role in identifying cultural significance and cultural heritage values.

4.1.1 Registered Aboriginal Parties

Consistent with the former OEH (now Heritage NSW) Requirements, the RAPs for the SMC were identified through a program of Aboriginal community consultation. The RAPs at the SMC are:

- Cultural Consulting Services;
- Karuah Local Aboriginal Land Council;
- Maaiangal Group, Worimi Nation;
- Do-Wa-Kee Cultural and Heritage Surveys;
- Mookibakh Traditional Owners Inc.;
- Forster Local Aboriginal Land Council (FLALC); and
- Gloucester Worimi First People.

4.1.2 Native Title

There are no Native Title determinations, claims or Indigenous Land Use Agreements at the SMC.

4.1.3 Ongoing Consultation with Registered Aboriginal Parties

As stated in Section 4.1, SCPL acknowledges that Aboriginal heritage is of primary interest to the Aboriginal community and that Aboriginal people have the right to be consulted and involved in relation to the management of their heritage. SCPL recognises that the Aboriginal community has a paramount role in identifying cultural significance and cultural heritage values.

SCPL is committed to maintaining ongoing consultation with all RAPs throughout the life of the SMC; however, it is the responsibility of RAPs to ensure that up-to-date contact details (full name, postal address, telephone number, and where possible, email address) are provided to SCPL. These details will be updated on the register of RAPs which will be maintained by SCPL over the life of the SMC. Contact details for SCPL are available on the Stratford Coal website (www.stratfordcoal.com.au).

Other consultation will occur with the RAPs in accordance with this HMP including:

- In general, making available to RAPs copies of all heritage reports produced under this HMP.
- Any heritage reports produced under this HMP that require the review and input of the RAPs are distributed in a draft format to the RAPs for review. Final heritage reports would be prepared that address and incorporate any input received within the specified timeframe from the RAPs.

Evidence of this consultation will be maintained by SCPL and provided to the Secretary where requested.

4.1.4 Involvement of Registered Aboriginal Parties in Fieldwork

SCPL will ensure the opportunity for appropriate Aboriginal representation during archaeological fieldwork (such as artefact collection).

All RAPs will be offered the opportunity to apply for participation in the archaeological salvage program and other relevant fieldwork described in this HMP.

Engagement of RAPs in fieldwork will be at the discretion of SCPL and on an as required basis.

Engagement of RAPs for participation in fieldwork will be based on the roster system, with inclusion in the roster by written application.

4.1.5 Aboriginal Community Access

Throughout the operational life of the SMC, RAPs may wish to access sites and/or areas at the SMC (including in Biodiversity Offset Areas) for cultural purposes (e.g. education, ceremony). SCPL is committed to facilitating reasonable access consistent with personnel work health and safety requirements.

RAPs wishing to access sites within the SMC or Biodiversity Offset Areas should contact the SCPL Environment and Community Superintendent in writing at PO Box 168, Gloucester, NSW 2422. If a written request is unable to be made, RAPs should contact SCPL via telephone on (02) 6538 4200 or 1300 658 239.

A minimum of five working days written notice is required and access will be permitted by SCPL once an agreement has been reached between the RAP representatives and SCPL regarding the conditions of access. Access, in all instances, will be subject to relevant operational and safety considerations and cannot be guaranteed. There will be no unauthorised access to the SMC or Biodiversity Offset Areas.

4.2 SUMMARY OF MANAGEMENT MEASURES FOR ABORIGINAL CULTURAL HERITAGE SITES

This section summarises the management measures for the Aboriginal cultural heritage sites at the SMC in consideration of the sites' cultural and scientific heritage values. The measures proposed for the Aboriginal cultural heritage sites outlined in this HMP are consistent with the measures proposed in the SEP EIS (SCPL, 2012) and were subject to consultation with the former OEH and the RAPs during the preparation of the EIS.

The impact of the SMC on these sites is determined by the future expansion and development of the SMC and the degree of harm this would cause. The types of harm defined in this assessment are direct and indirect. The SEP would result in partial loss of value to seven known sites (Figure 3).

The remaining known sites would not be directly impacted by the SEP, although have the potential to be indirectly impacted. Possible indirect impacts include:

- accidental damage during construction of components of the SEP (e.g. road realignments and the upslope diversion); and
- damage due to blast vibration (site CTS-1 only).

A concise summary of management categories is presented in Table 4 below.

Table 4
Summary and Status of Management Responses for Aboriginal Cultural Heritage Sites at the SMC

Site	Proposed Impact	Management Response	Management Status December 2021
CTS-1	Nil	Establishment and operation of the blast monitoring site between CTS-1 and Stratford East Open Cut in accordance with the SMC Blast Management Plan ¹ .	Extant. Access restricted. Establishment and operation of the blast monitoring site between CTS-1 and Stratford East Pit for blasts within 1 km.
IF-1	Direct	Surface collection of artefact (Section 4.3).	Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2018).
IF-2	Direct		Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2018).
IF-3	Direct		Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2020).
IF-4	Direct		Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2020).
IF-5	Nil		Erection of fencing in the vicinity of the site (Section 4.5).
OS-1	Nil	Monitoring of indirect impacts to site (Section 5.3). Surface collection during salvage works for directly impacted sites if practicable (Section 4.3).	Extant. Not disturbed.
OS-2	Nil		Not disturbed. Inspection by FLALC did not locate this artefact (AMBS, 2018).
OS-3	Direct		Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS 2018).
OS-4	Direct	Surface collection of artefacts (Section 4.3).	Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2018). This area has previously been disturbed due to its use as a drilling pad for a borehole (AMBS, 2018).
OS-5	Direct		Salvaged by FLALC. Archaeological survey of the approximate 20 m ² area could not locate this artefact. It was determined after 20 minutes that the area was considered as having been sufficiently salvaged (AMBS, 2019).
PAD-1	Nil	Erection of fencing in the vicinity of the site (Section 4.5).	Extant. Not disturbed.
PAD-2	Nil	Monitoring of indirect impacts to site (Section 5.3). Surface collection during salvage works for directly impacted sites if practicable (Section 4.3).	Extant. Not disturbed.

Table 4 (Continued)
Summary and Status of Management Responses for Aboriginal Cultural Heritage Sites at the SMC

Site	Proposed Impact	Management Response	Management Status December 2021
ST-1	Nil	Erection of fencing in the vicinity of the site (Section 4.5). Monitoring of indirect impacts to site (Section 5.3). Salvage of scarred tree if impacts cannot be avoided (Section 4.4).	Extant. Not disturbed.
ST-2	Direct	Salvage of scarred tree (Section 4.4).	Salvaged by FLALC. Relocated locally following advice from FLALC (AMBS, 2019).
ST-3	Nil	Erection of fencing in the vicinity of the site (Section 4.5). Monitoring of indirect impacts to site (Section 5.3). Salvage of scarred tree if impacts cannot be avoided (Section 4.4).	Extant. Not disturbed. This scarred tree has been fenced and signed as per the HMP (AMBS, 2018).
ST-4	Direct	Salvage of scarred tree (Section 4.4).	Extant, Not disturbed. Site inspected by FLALC. Archaeological survey identified this scarred tree. It was determined that fencing and signage should be established around the tree to ensure that it is not impacted by the proposed works (AMBS, 2018).

¹ Following completion of mining and bulk rehabilitation earthwork activities at the Stratford East Open Cut, blasting will cease within this pit and subsequently blast monitoring at CTS-1 will then also cease as the potential impact pathway to CTS-1 will no longer exist.

4.3 RECORDING AND SURFACE COLLECTION

4.3.1 Procedure for Site Recording

Where not already undertaken, sites scheduled for surface collection will be subject to recording according to archaeological best practice, as outlined in the policy *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010c) and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011). Recording will be undertaken:

- by an appropriately qualified archaeologist experienced in detailed recording of the relevant site type; and
- in consultation with RAPs.

Upon conclusion of the detailed recording:

- All data collected will be submitted to Heritage NSW for inclusion in the relevant AHIMS site record.
- A reassessment of the site's significance will be undertaken if warranted.

4.3.2 Protocols for Surface Collection

The potential significance of a site guides the surface collection methodology described below. The objective of the surface collection component of the salvage program is to record and recover a representative sample of visible surface artefacts within open artefact sites. Should a previously recorded site not be able to be relocated after a reasonable search (to be determined at the discretion of the SCPL Environment and Community Superintendent [or delegate] by the archaeologist in consultation with the attending RAPs), then the site will be considered as having been sufficiently salvaged.

Surface collection will be undertaken at the discretion of the SCPL Environment and Community Superintendent (or delegate) by the RAPs in conjunction with an archaeologist(s), and will involve:

- the flagging of all visible artefacts within each site;
- the recording of individual artefact locations using a Global Positioning System;
- site photography; and
- bagging of identified artefacts with an assigned Unique Reference Number (URN).

All surface collected artefacts will be assigned an URN for recording and data analysis purposes (where required). Analysis of surface artefacts may be conducted off site on a progressive basis (Section 4.3.3).

4.3.3 Artefact Analysis

Where post-salvage analyses for surface collected and excavated sites is required, this may include:

- The analysis and cataloguing of a representative sample of recovered Aboriginal objects (e.g. stone artefacts, hearth stone) by a suitably qualified person or persons.
- Detailed technological analysis by a lithic specialist of representative samples of surface collected stone artefacts as deemed appropriate by a qualified archaeologist.
- The submission, where deemed appropriate by a qualified archaeologist, of a selection of stone artefacts for functional use-wear/residue analysis.

Post-excavation analyses will not delay mining (or associated) activities within the boundaries of any salvaged sites.

Consistent with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010c), analysis of collected and salvaged artefacts will seek to further the knowledge of past human behaviours in the Stratford area. If the analysis will not significantly further this knowledge then it is not warranted.

4.4 SCARRED TREE REMOVAL PROTOCOL

In the event salvage and removal of a scarred tree is required, a methodology has been developed based on an industry best practice scarred tree removal and relocation procedure and will be employed to remove and store any scarred trees directly impacted by the SMC.

The removal methodology for any Aboriginal scarred trees is outlined in Appendix D.

The identification of trees as 'scarred trees' may include the involvement of an arborist or forestry specialist with relevant experience, along with consultation with the RAPs. The determination of the origin of the tree's scarring may also involve an archaeologist with relevant experience. If considered to be of likely cultural origin, the archaeologist and/or arborist or forestry specialist will offer advice on the tree's removal, in consultation with the attending RAPs.

The removal of a confirmed, or likely, Aboriginal scarred tree will follow the four step procedure outlined below:

1. Pre-removal preparation.
2. Removal/relocation.
3. Storage.
4. Management/preservation.

Should a possible scarred tree be identified (or have been previously recorded) and later be determined not to be of Aboriginal origin by a suitably qualified archaeologist and arborist or forestry specialist in consultation with the attending RAPs, a technical report would be prepared. This report would be provided to the DPE, Heritage NSW and made available to all RAPs. A copy would also be forwarded to the AHIMS registrar so the status of the tree can be appropriately updated (as necessary).

In the event that a previously identified scarred tree is determined to not be of Aboriginal origin, no further management according to the principles outlined in this document (including salvage or removal) would be required.

4.5 FENCING AND SIGNAGE OF CERTAIN ABORIGINAL CULTURAL HERITAGE SITES

In accordance with Condition 42, Schedule 3 of Development Consent SSD-4966, SCPL will ensure that the SMC does not directly or indirectly impact identified Aboriginal cultural heritage sites located outside of approved disturbance areas.

Temporary fencing of Aboriginal cultural heritage sites will occur when the site is located within 50 m of a development disturbance area, or where it is identified that there is potential for the site to be adversely impacted (e.g. through inappropriate access, livestock activity etc.).

The extent of fencing will encompass the entirety of the relevant Aboriginal cultural heritage site. Existing access tracks within Aboriginal cultural heritage site boundaries are to be maintained. Traffic and/or upgrading of roads will be managed or limited within these areas to avoid impacts to sites outside of approved disturbance areas.

Signage would be installed to identify the area as a heritage management site.

Temporary fences will be removed at the end of the SMC life, or when disturbance is further than 50 m from the site and/or the site is deemed to be no longer at risk of potential adverse impacts.

4.6 PROTOCOL FOR THE MANAGEMENT OF PREVIOUSLY UNRECORDED ABORIGINAL CULTURAL HERITAGE SITES

In the event that previously unidentified Aboriginal objects³ and/or sites are discovered throughout the life of the SMC the following procedure will be adopted:

- All works to cease immediately in the immediate vicinity of the identified site.
- The SCPL Environment and Community Superintendent is to be notified immediately.
- A qualified archaeologist will be engaged to determine the nature, extent and cultural/scientific significance of the object(s) in consultation with RAPs and Heritage NSW. The DPE will also be notified.
- The qualified archaeologist will determine the extent of the newly identified site and the site will be temporarily fenced off with an appropriate buffer in order to avoid further disturbance. Work will be able to resume in the vicinity of the newly identified site, after the site has been demarcated.
- If the site is determined to be of 'high significance' by the qualified archaeologist, proposed management actions will be discussed with the RAPs and Heritage NSW. Following these discussions, management actions will be implemented (e.g. salvage, excavation) in accordance with the procedures outlined in this HMP appropriate for the type of site.
- If the site is determined to be 'low or moderate significance', the qualified archaeologist will, in consultation with the RAPs, propose appropriate management of the newly identified site in accordance with the procedures outlined in this HMP, which may include salvage of the site.
- An AHIMS site card will be completed and submitted to Heritage NSW in compliance with section 89A of the *NSW National Parks and Wildlife ACT 1974* (NP&W Act).

³ Other than new evidence identified during heritage mitigation work in a location where evidence has previously been recorded (for example, new stone artefacts identified during the surface collection of a known site).

4.7 PROTOCOL FOR THE DISCOVERY OF HUMAN REMAINS

In the event that human remains (skeletal material) are discovered, the following procedure will be followed:

- When suspected human remains are exposed, all work will cease immediately in the near vicinity of the find location.
- The SCPL Environment and Community Superintendent is to be notified immediately.
- The SCPL Environment and Community Superintendent will notify the police immediately.
- The SCPL Environment and Community Superintendent will contact Heritage NSW on (02) 9873 8500 or at heritagemailbox@environment.nsw.gov.au and the DPE to report that possible skeletal remains have been discovered and that the police have been notified. Heritage NSW will provide details on the current processes involved in best dealing with archaeological skeletal remains (whether Aboriginal or historic).
- The area (to be determined following advice from Heritage NSW and the police) is to be cordoned off by temporary fencing around the exposed suspected human remains site – work can continue outside of this area as long as there is no risk of interfering to the human remains or the assessment of human remains.
- If the remains are determined to be Aboriginal remains, then RAPs will be notified and consulted with on the advice of Heritage NSW .
- Work will not recommence at the location until all legal requirements and the reasonable requirements of Heritage NSW and the RAPs (where relevant) have been adequately addressed.

4.8 CURATION OF ABORIGINAL ARTEFACTS/OBJECTS

Aboriginal objects salvaged across the SMC will be appropriately curated in consultation with RAPs. As part of the curation program, SCPL will consult with the RAPs on the post-salvage management and storage of the Aboriginal objects. This may include (but is not limited to) the permanent transferral of the objects/artefacts to a RAP, transferral to another party for storage and/or display (such as a museum, historical society or education institution) and/or the relocation of the objects on the rehabilitated land post-mining. If agreement with SCPL and the RAPs cannot be reached, then advice from an appropriately qualified heritage expert (e.g. a physical conservator) and/or advice from Heritage NSW will be obtained by SCPL.

Any Aboriginal objects salvaged under the HMP may be temporarily stored by SCPL, prior to transfer to their final destination.

4.9 PROTOCOL FOR DAMAGE TO A KNOWN ABORIGINAL CULTURAL HERITAGE SITE

Where a known Aboriginal cultural heritage site located outside an approved disturbance area (including ancillary works) is unintentionally damaged, the following procedure will apply:

- Work will stop immediately in the immediate vicinity of the Aboriginal cultural heritage site, and the incident will be reported to the Environment and Community Superintendent. The Environment and Community Superintendent will report the incident to the DPE and to Heritage NSW as soon as practicable.
- In consultation with the RAPs, a management strategy will be developed to ensure the site is secured against any further damage.
- If an agreement between SCPL and the RAPs cannot be reached then advice from an appropriately qualified heritage expert (e.g. a physical conservator) and/or advice from Heritage NSW will be obtained by SCPL.
- SCPL will report the incident and the implementation of the agreed management measure(s) as a component of the Annual Review.

5 MONITORING OF ABORIGINAL CULTURAL HERITAGE SITES

5.1 BLAST MONITORING

Condition 14(b), Schedule 3, of Development Consent SSD-4966 requires SCPL to ensure that blasting on the site does not damage Aboriginal cultural heritage site CTS-1.

A blast monitoring site has been established to ensure that blasting does not damage CTS-1. As described in Section 4.2, blast monitoring at CTS-1 will cease following completion of mining and bulk rehabilitation activities at Stratford East Open Cut.

The establishment and operation of the blast monitoring site near CTS-1 will be conducted in accordance with the SMC Blast Management Plan.

5.2 TOPSOIL STRIPPING MONITORING

In accordance with Condition 43(d), Schedule 3, of Development Consent SSD-4966, SCPL monitored topsoil stripping during construction associated with the Wenham Cox/Bowens Road Realignment in the vicinity of Dog Trap Creek (Figure 3).

The monitoring of soil stripping associated with construction of the Wenham Cox/Bowens Road realignment in the vicinity of Dog Trap Creek was generally conducted as set out below:

1. RAPs (or their representatives) were not present on site until machine scrapes commenced, post vegetation clearing. (Note, the area was inspected and assessed during previous site survey works, hence surface inspection was only required once topsoil stripping began).
2. Scrapes in sensitive areas were undertaken with RAPs and archaeologists present. The first monitoring inspection was undertaken following the initial scrapes.
3. Scrapes were generally undertaken in a system of parallel lines no more than 50 m apart.
4. Where safe access was possible, scrapes proceeded in spits of generally 100 millimetres depth (dependent upon machine being used). If no cultural material was recorded after two spits the scrape was be closed. If cultural material was recorded further spits were removed until the nature of the site was characterised.
5. If Aboriginal archaeological objects were identified the Protocol for the Management of Previously Unrecorded Aboriginal Cultural Heritage Sites (Section 4.6) was implemented.

The results of the topsoil stripping Aboriginal heritage monitoring was reported in the SMC 2018 Annual Review.

The protocols for surface collection listed in Section 4.3.2 were undertaken by AMBS in 2018, 2019 and 2020 and are described in the relevant reports (AMBS, 2018; 2019; 2020). The results of these surveys are summarised in Table 4. The reports concluded that the works undertaken by AMBS were conducted in a manner consistent with requirements in the HMP, as revised (AMBS, 2018; 2019; 2020).

5.3 MONITORING OF FENCED SITES

Inspections of Aboriginal heritage sites in the vicinity of (but outside) approved disturbance areas (i.e. within 50 m of disturbance areas – sites OS-1, OS-2, ST-3, IF-5, PAD-1 and CTS-1) will be undertaken at least weekly while disturbance activities are occurring in the vicinity of the sites. At other times monitoring will be conducted on an opportunistic basis and at least annually.

Monitoring will assess:

- the condition and integrity of fencing and signage, where installed;
- evidence of nearby disturbance that has the potential to impact (directly or indirectly) on the fencing and/or fenced off site; and
- where applicable, the need for additional or alternative measures to be implemented to protect and manage the sites.

A summary of the monitoring will be reported within the Annual Review (Section 9). In the event that impacts occur to these sites, then the protocol described in Section 4.9 will be implemented.

6 HERITAGE INDUCTIONS AND TRAINING

All SCPL site specific employee and contractor inductions will include a heritage component. This will outline current protocols and responsibilities with respect to the management of Aboriginal cultural heritage for the SMC. It will also provide an overview of the site types present and procedures for reporting the identification of Aboriginal archaeological sites. The induction process also includes relevant protocols prior to any surface disturbance activities. SCPL will maintain an accurate record of all employee and contractor inductions in accordance with Condition 43(d), Schedule 3 of Development Consent SSD-4966.

7 PERFORMANCE MEASURES

There are no specific performance measures relating to heritage identified in Development Consent SSD-4966.

Notwithstanding, Conditions 14 and 42, Schedule 3 of Development Consent SSD-4966 state the following:

14. *The Applicant shall:*

...

(b) *Ensure that blasting on site does not damage Aboriginal cultural heritage site CTS-1.*

...

42. *The Applicant shall ensure that the development does not cause any direct or indirect impact on identified Aboriginal sites located outside the approved disturbance area of the development of the site.*

In addition, Table 4 sets out the management measures to be implemented at each of the identified sites.

8 CONTINGENCY PLAN

In the event a performance measure detailed in Section 7 is considered to have been exceeded, SCPL will implement the following Contingency Plan:

- The Environment and Community Superintendent (or delegate) will report the exceedances to the Operations Manager within 24 hours of assessment completion.
- In the event that the incident has caused, or threatens to cause, harm to Aboriginal heritage sites not approved for disturbance, SCPL will report the incident to the DPE and Heritage NSW immediately.
- SCPL will identify an appropriate course of action in consultation with Heritage NSW, RAPs and an appropriately experienced archaeologist, as necessary. This may require revising management outcomes for the particular site; seeking relevant licences to manage the unintended disturbance as appropriate; or an alternative course of action.
- SCPL will submit the proposed course of action to the DPE for approval.
- SCPL will implement the approved course of action to the satisfaction of the DPE.
- SCPL will provide a detailed report on the incident to the DPE and Heritage NSW within seven (7) days of the date of becoming aware of the exceedance.
- SCPL will report the incident and the implementation of the approved course of action in the Annual Review.

9 ANNUAL REVIEW AND IMPROVEMENT OF THE HERITAGE MANAGEMENT PLAN

9.1 ANNUAL REVIEW

In accordance with Condition 4, Schedule 5 of Development Consent SSD-4966, SCPL will prepare an Annual Review by the end of March each year, or other timing as may be agreed by the Secretary of the DPE.

The Annual Review will specifically address the following aspects of Condition 4, Schedule 5, which directly relate to heritage management:

- include a comprehensive review of the monitoring results and complaints records for the SMC over the previous calendar year, including a comparison of these results against the:
 - relevant statutory requirements, limits or performance measures/criteria;
 - monitoring results of previous years; and
 - relevant predictions in the SMC EIS;
- identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- identify any trends in the monitoring data over the life of the SMC;
- identify any discrepancies between the predicted and actual impacts of the SMC, and analyse the potential cause of any significant discrepancies; and
- describe what measures will be implemented over the next year to improve the environmental performance of the SMC.

Annual Reviews will be made available on the Stratford Coal website (www.stratfordcoal.com.au) in accordance with Condition 11, Schedule 5 of Development Consent SSD-4966.

9.2 HERITAGE MANAGEMENT PLAN REVIEW AND UPDATE

In accordance with Condition 5, Schedule 5 of Development Consent SSD-4966, this HMP will be reviewed to the satisfaction of the Secretary of the DPE within three months of the submission of:

- (a) an Annual Review under Condition 4, Schedule 5 of Development Consent SSD-4966;
- (b) an incident report under Condition 7, Schedule 5 of Development Consent SSD-4966;
- (c) an audit report under Condition 9, Schedule 5 of Development Consent SSD-4966; or
- (d) any modification to the conditions of Development Consent SSD-4966.

Where this review leads to revisions of the HMP, then within four weeks of the review, the revised HMP will be submitted for the approval of the Secretary of the DPE. The revision status of this HMP is indicated on the title page of each copy.

This HMP will be made publicly available on the Stratford Coal website (www.stratfordcoal.com.au) in accordance with Condition 11, Schedule 5 of Development Consent SSD-4966. A hard copy of the HMP will also be kept at the SMC.

10 REPORTING AND MANAGEMENT PROTOCOLS

In accordance with Condition 3, Schedule 5 of Development Consent SSD-4966, SCPL has developed protocols for managing and reporting the following:

- incidents;
- complaints;
- non-compliance with statutory requirements; and
- exceedances of the impact assessment criteria and/or performance criteria.

The management of incidents is described in the SMC Pollution Incident Response Management Plan. The management of complaints and non-compliances is described in detail in the SMC Environmental Management Strategy. The management of exceedances of performance measures is detailed in Sections 4, 5 and 7 of this HMP. In accordance with Condition 8, Schedule 5 of Development Consent SSD-4966, SCPL will provide regular reporting on the environmental performance of the SMC on the Stratford Coal website (www.stratfordcoal.com.au).

11 REFERENCES

- AMBS Ecology and Heritage (2018) *Stratford Extension Project Aboriginal Heritage Site Recording, Surface Collection & Monitoring*.
- AMBS Ecology and Heritage (2019) *Stratford Extension Project: Aboriginal Heritage Site Salvage & Review*.
- AMBS Ecology and Heritage (2020) *Stratford Extension Project: Aboriginal Heritage Site Salvage & Review*.
- Department of Environment, Climate Change and Water (2010a) *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*.
- Department of Environment, Climate Change and Water (2010b) *Aboriginal cultural heritage consultation requirements for proponents 2010*.
- Department of Environment, Climate Change and Water (2010c) *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales*.
- Heritage Management Consultants (2012) *Stratford Extension Project Non-Aboriginal Heritage Assessment*.
- Kayandel Archaeological Services (2012) *Stratford Extension Project Aboriginal Cultural Heritage Assessment*.
- NSW Minerals Council (2010) *NSW Minerals Industry Due Diligence Code of Practice for the Protection of Aboriginal Objects*.
- Office of Environment and Heritage (2011) *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*.
- Stratford Coal Pty Ltd (2012) *Stratford Extension Project Environmental Impact Statement*.

ATTACHMENT 1
DPE LETTER OF APPROVAL OF HMP

Mr Michael Plain
Environment and Community Superintendent
3364 Bucketts Way South
Stratford NSW 2422

30/01/2023

Subject: Heritage Management Plan

Dear Mr Plain

I refer to the Heritage Management Plan submitted in accordance with condition 43 of Schedule 3 of the conditions of consent for the Stratford Extension Project (SSD 4966).

I note the Heritage Management Plan has been prepared in consultation with Heritage NSW and Aboriginal stakeholders and contains the information required by the conditions of consent.

The Department has carefully reviewed the document and is satisfied that it meets the relevant requirements of the conditions of consent. Accordingly, the Secretary has approved the Heritage Management Plan (Revision 3, dated October 2022).

Please ensure you make the document publicly available on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact Philip Nevill on 82751036 or at philip.nevill@planning.nsw.gov.au

Yours sincerely



Stephen O'Donoghue
Director
Resource Assessments
As nominee of the Planning Secretary

APPENDIX A
HMP CONSULTATION REGISTER

**Table A-1
HMP Consultation Register**

Registered Aboriginal Party	Date of Provision of Draft 2018 HMP	Comments Received	Date of Provision of Revised 2022 HMP	Comments Received
Cultural Consulting Services	Mail – 31 January 2018	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil
Forster Local Aboriginal Land Council (FLALC)	E-Mail – 31 January 2018	<ul style="list-style-type: none"> Phone call on 7 March 2018 - SCPL discussed the process for consultation on HMP. Cal Davis advised he would raise it at the FLALC committee meeting and provide email response by 16 March 2018 – no response received. 	<ul style="list-style-type: none"> E-Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil
Gloucester Worimi First People (GWFP)	E-Mail – 31 January 2018	<ul style="list-style-type: none"> Email from Amber Galvin on 22 February 2018 indicating interest in aboriginal artefact collection and storage. SCPL responded via phone on 7 March 2018 and 15 March 2018 with no answer. SCPL sent follow-up email sent 15 March 2018. Phone call received from Amber Galvin 15 March 2018 – advising that GWFP would discuss the preferred storage of Aboriginal artefacts with FLALC and reply to SCPL. 	<ul style="list-style-type: none"> E-Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil
Karuah Local Aboriginal Land Council (KLALC)	E-Mail – 31 January 2018	<ul style="list-style-type: none"> Phone call with Len Roberts - Len advised the SMC was in FLALC area and KLALC would not be able to provide comment on the HMP. 	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Nil
Maaiangal Group, Worimi Nation	Mail – 31 January 2018	<ul style="list-style-type: none"> Letter received on 23 February 2018 from Di Stephenson advising that there are no further action/changes required to the HMP. 	<ul style="list-style-type: none"> Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil
Mookibakh Traditional Owners Inc.	Mail – 31 January 2018	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil
Doo-wa-kee Cultural & Heritage Surveys	E-Mail – 31 January 2018	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> E-Mail – 8 April 2022 	<ul style="list-style-type: none"> Nil

APPENDIX B

DESCRIPTION OF ABORIGINAL HERITAGE SITES (KAYANDEL ARCHAEOLOGICAL SERVICES, 2012)

APPENDIX C
GLOSSARY OF KEY TERMS

Table C-1
Glossary of Key Terms

Term	Definition
Aboriginal cultural heritage sites	Location of evidence of Aboriginal occupation (typically Aboriginal objects, but also places of traditional or historical cultural value for which no Aboriginal objects exist).
AHIMS	Aboriginal Heritage Information Management System, administered by Heritage NSW.
Isolated Find	A single Aboriginal artefact present on the surface of the ground, with no artefacts nearby.
Open Artefact Scatter	An area where more than one Aboriginal artefact is present on the surface of the ground. While commonly called "scatters" these areas are actually concentrations of artefacts within the broader landscape.
Potential Archaeological Deposit (PAD)	An area where surface artefacts may or may not have been identified and where sub-surface artefacts and/or other cultural materials are likely to occur.
Registered Aboriginal Party (RAP)	Members of a Local Aboriginal Land Council, registered holders of Native Title, Aboriginal organisations or other Aboriginal people who have expressed an interest in the SEP.
Scarred Tree	Scarred trees have a scar(s) where a section of bark or wood was removed in order to make a canoe, shield, or container, or where footholds were cut into the tree trunk to gain access to resources such as possums or honey.

APPENDIX D
SCARRED TREE REMOVAL PROTOCOL

The following four step procedure provides a guide for the removal and treatment of an Aboriginal scarred tree site:

1. Pre-removal preparation.
2. Removal/relocation.
3. Storage.
4. Management/preservation.

Pre-removal Preparation

A qualified arborist will be engaged to plan, conduct and direct the tree removal works. The arborist is responsible for assessing the most appropriate method of removing each tree based on specific factors such as species, condition and location.

A qualified archaeologist will be engaged to attend the removal in order to address potential archaeological issues such as exposure of artefacts during topsoil disturbances.

A pre-removal planning meeting will be held onsite that includes Stratford Coal Pty Ltd (SCPL) representatives, the arborist, attending Registered Aboriginal Parties (RAPs) and the qualified archaeologist. This allows all parties to discuss the works program and any logistical issues. The pre-removal planning meeting may be held on the day of the tree removal or before.

The following equipment may be required:

- Backhoe.
- Large front-end loader.
- Excavator.
- 25 tonne all-terrain crane.
- 50 tonne crane.
- Tipper (for hay bales for bedding).
- Elevated work platform.
- 20 tonne soft slings.
- Water truck.
- Wool bags or similar for bedding.
- Concrete blocks for plinths.
- Chain saws.
- Carpet or similar for wrapping scar and bole of tree.
- Hazard cones, bunting signage etc.

Removal/Relocation

The following steps provide a guide for the tree removal. This process may be subject to modification based on the arborist's and/or archaeologist's recommendations.

1. Prepare access and safe work area, including a barricaded exclusion zone.
2. Wrap carpet or similar around scar for protection.
3. Erect an elevated platform in order to remove overhanging branches and limbs (if required).
4. Attach lift swing.
5. Use backhoe to trench around the tree in order to expose the base of the bole (trunk) above the roots.
6. Once the trench has been excavated and the base of the bole cut, the crane can begin removing the tree from the trench.
7. Load the tree on the truck for transportation and relocate the tree to a keeping place or storage area.
8. Tree can then be cleaned and cared for including application of pest control.

Storage

The salvaged scar tree will be placed on non-timber based sleepers such as a high strength concrete block or plinths. The storage facility must be of sufficient size to adequately store and maintain the removed tree. The facility must be suitable for enabling cleaning and maintenance of the tree. A tag, identifying the tree, including the Aboriginal Heritage Information Management System (AHIMS) reference number and Site Name will be placed on the tree.

In addition, a barrier layer of acrylic resin at the base or other suitable area of the tree and an indelible pigment based pen will be used to apply the registration number of the scarred tree.

This process will be subject to modification based on the arborist's and/or archaeologist's recommendations.

Preservation – Cleaning

Many trees suffer from termite activity and rotting which subsequently hollows the tree's trunk. Therefore, all termite detritus will be attempted to be cleared from the inside of the trunk and the outer surface as far as practical without damaging the scar for which the tree has been salvaged for. Termite detritus will be removed using brushes and probes and then vacuumed. Insects recovered during this process will be identified to determine an appropriate eradication procedure. Insect traps such as glue pads will be placed throughout the storage container or shed as required.

This process may be subject to modification based on the arborist's and/or archaeologist's recommendations.

Preservation – Seasoning

Should the scarred tree that is to be removed be a living or 'green' tree it must be stored indoors until the moisture content is below 20 %. Trees with moisture content less than 20 % are unlikely to support decay fungi degradation and should also be relatively physically stable. In dry conditions, the trees will age and season readily.

Once seasoned, high temperatures should not affect the trees, however 'green' humidity may obstruct the drying process. Humidity indicators and moisture detection strips may be used as a guide to ventilation requirements. Such requirement may be as simple as opening the container or shed doors on a dry day. The scarred trees will be monitored regularly (monthly) during the initial stages of their storage.

This process may be subject to modification based on the RAPs and the arborist's and/or archaeologist's recommendations.