



Aboriginal Heritage Management Plan

Blakebrook Quarry

MP07-0020

August 2023

Aboriginal Heritage Management Plan

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DOCUMENT HISTORY

Revision	Date	Prepared By (Name)	Reviewed By (Name)	Change Remarks
1.0	May 2010	LCC & ERM Australia	Manager Commercial Services & ERM Australia	Final draft
Rev A	June 2010	LCC & ERM Australia	Manager Commercial Services & ERM Australia	
Rev B	April 2011	LCC & ERM Australia	Manager Commercial Services & ERM Australia	
2.0	Dec 2017	LCC & ERM Australia	Manager Business Development & ERM Australia	Update plan
3.0	March 2018	LCC & ERM Australia	Manager Business Development & ERM Australia	Update as per CoA
3.1	August 2018	LCC & ERM Australia	Compliance Manager & ERM Australia	Update as per CoA
4.0	Sept 2022	LCC & Ecoteam	Compliance Manager, Manager Commercial Services DPE Secretary	Update as per CoA
4.1	July 2023	LCC	Compliance Manager, Manager Commercial Services DPE Secretary	Address comments in Post Approval Review
4.2	August 2023	LCC	Compliance Manager, Head of Roads and Quarry DPE Secretary	Address comments in Post Approval Review

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DEFINITIONS

Term	Definition
Audit	Systematic, independent, and documented process for obtaining evidence and objectively evaluating it to determine the extent to which environmental management system meets the criteria set.
Auditor	Person with appropriate training and competence to perform an audit.
Contractor	Contractor engaged by LCC.
Environment	Surroundings in which Contractor operates including air, water, land, natural resources, flora, fauna, humans, heritage, and their interrelation.
Environmental Aspect	Element of organisational activities or products that can interact with the environment.
Environmental Impact	Any changes to the environment, whether adverse or beneficial, wholly or partially resulting from an organisational aspect.
Environmental Management	The management system used to develop and implement the environmental system policy and manage environmental aspects.
Environmental Objective	Overall environmental goal, consistent with the environmental policy that an organization sets itself to achieve.
Environmental Performance	Measurable results of an organisation's management of environmental aspects.
Environmental Target	Detailed performance requirement that arises from the environmental objectives and are set in order to reach those objectives.
Integrated Management System	A single-system designed to manage multiple aspects of an organisations operations in line with multiple standards, such as those for quality, environmental and health and safety management
Non-conformance	Non fulfilment of a requirement.
Performance Indicators	Indicators that have been developed as leading or lagging to monitor and assess performance.
Procedure	Specified way to carry out an activity or process.
Subcontractor	Any company, body or person who is contracted to the Contractor for the purpose of supplying services or goods.

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ABBREVIATIONS

Abbreviation	Meaning
AHIMS	Aboriginal Heritage Information Management System
AHMP	Aboriginal Heritage Management Plan
BCD	Biodiversity and Conservation Division (within the DPE)
CoA	Conditions of Approval
DP	Deposited Plan
DPE	Department of Planning and Environment including Heritage NSW
EAR	Environmental Assessment Report
EMS	Environmental Management Strategy
ERM	Environmental Resources Management
IMS	Integrated Management System
ISO	International Organisation for Standardisation
LALC	Local Aboriginal Land Council
LCC	Lismore City Council
LEP	Local Environmental Plan
LGA	Local Government Area
OHWP	Out of Hours Work Protocol relating to Asphalt operations
RAP	Registered Aboriginal Parties
SEE	Statement of Environmental Effects (Mitchel Hanlon)

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1 INTRODUCTION

This Aboriginal Heritage Management Plan (AHMP) has been prepared by Lise Bolton and Nick Crowley from Ecotechnology Australia Pty Ltd trading as Ecoteam, who have been endorsed as suitably qualified by the Secretary, to undertake this revision on behalf of Lismore City Council (LCC) in order to continue to manage Aboriginal Heritage Values at Blakebrook Quarry (the Quarry). Refer Appendix C(a) for letter of endorsement.

Blakebrook Quarry (the Quarry) is operated by Northern Rivers Quarry (NRQ) which is a commercial entity owned by Lismore City Council (LCC). The Quarry is located at 550 Nimbin Road, Blakebrook, approximately seven (7) kilometres northwest of Lismore on Lot 53 DP 1254990 for Extraction Areas and Lot 54 DP 1254990 for Asphalt Plant an ancillary activity.

The site occupies an area of approximately 128 ha (incorporating 45ha rezoned to C2 Environmental Conservation (gazetted on 18 December 2020), providing long term security for the biodiversity offset area. Surrounding land is used for agricultural and rural purposes. The location of the Quarry is as shown in *Figure 1*.

The Quarry is identified as a State Significant Development (SSD) and provides a range of products to northern NSW on behalf of Council including:

- Aggregates
- Drainage rock
- Road base
- Basalt products
- Metal dust
- Fill material
- Bituminous products including hot mix and cold mix – blended according to mix design

The Blakebrook Quarry expansion project has undergone a number of investigations as part of a detailed Environmental Assessment Report (EAR) in order to evaluate the extent of impact of the expansion. Previous studies have confirmed that there are no known heritage constraints identified within the highly disturbed quarry expansion area although it is recognised that the quarry is situated in a region rich in Aboriginal cultural heritage.

This plan has been prepared in accordance with the Minister's Conditions of Approval (CoA), Schedule 3, Conditions 24 and 25, and provides strategies for updating the baseline heritage data to inform the management of any previously undetected Aboriginal cultural heritage items.

Furthermore, this review of the AHMP considers the most recent modification (3), especially regarding the asphalt plant, and increase in transport of laden trucks and production values.

1.1 PURPOSE

The purpose of this AHMP is to detail how potential impacts to Aboriginal heritage will be minimised and managed during the approved extraction activities.

The AHMP will:

- Describe how LCC will manage, and control risks associated with cultural heritage during the operation of the Quarry.
- Ensure the protection of previously undetected Aboriginal cultural heritage sites and artefacts when carrying out the Project activities.
- Ensure that the relevant stakeholders are involved in the implementation of this AHMP.
- Address the requirements of applicable legislation and any ongoing approvals as they are applicable to the Project.
- Meet the Project Conditions of Approval (CoA).
- Address the requirements of the EAR (ERM, 2009) and Statement of Environmental Effects (Mitchel Hanlon 2019) relating to Aboriginal Heritage

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In order to achieve this purpose:

- An awareness of the importance of the need for respect and understanding of Aboriginal cultural heritage and artefacts will be conveyed to all Quarry employees, agents, consultants, and sub-contractors involved in carrying out the Project activities.
- All parties involved in carrying out the Project activities will need to acknowledge that Aboriginal cultural heritage and artefacts need to be respected.
- All parties will need to acknowledge that the Project has the potential to impact upon previously undetected Aboriginal heritage items located within the Project area.
- LCC will implement all CoA requirements for the Project.

This plan provides procedures and actions that will be implemented to avoid or minimise impact of the quarry expansion on previously undetected Aboriginal cultural heritage items.

1.2 OBJECTIVES

The objectives of the AHMP are to:

- Identify obligations and legislative requirements applicable to Aboriginal heritage during the operation of the Quarry.
- Describe and identify the best practice methods to be implemented.
- Describe the measures that would be implemented if any unexpected finds or Aboriginal skeletal remains are discovered during the project.
- Describe the protocol for ongoing consultation and involvement of the Aboriginal community in the conservation and management of any previously undetected Aboriginal heritage of the objects/sites.
- Outline record keeping and management plan monitoring requirements.
- Define key roles and responsibilities.

1.3 REVIEW SCHEDULE

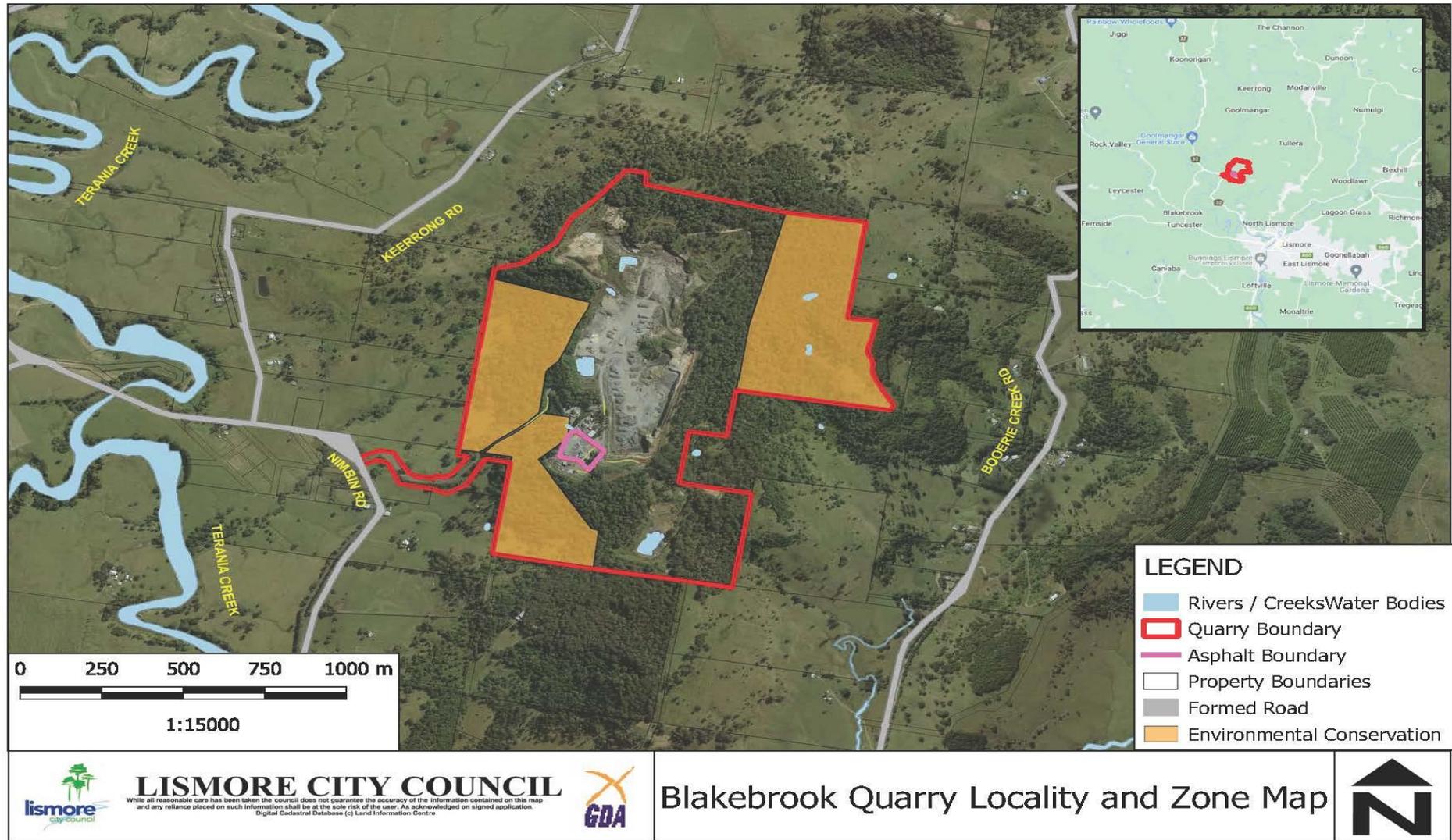
In accordance with the CoA Schedule 3, condition 24 and condition 25 this AHMP will be formally reviewed by LCC each year as part of the annual review and reporting process. An official update will be submitted to the DPE and Heritage NSW at minimum every three (3) years. Noting minor revisions as part of the outcomes of the yearly review and administrative corrections will be undertaken without DPE and Heritage NSW consultation. A copy will be provided to all parties for record.

Accordingly, the next reviews are listed in *Table A*. Full requirements for document revisions are listed in Section 9.3.1.

Table A: Review Schedule

No.	Date	Review Type	Reviewer
R2	18-Dec-2017	Submission of Draft Amended AHMP	LCC/DPE
R3	20-Mar-2018	Revision (Submission of Amended AHMP)	LCC/OEH/ DPE/RAP
R3.1	31-Dec-2018	Internal Review	LCC
R3.1	31-Dec-2019	Internal Review	LCC
R3.1	31-Dec-2020	Internal Review	LCC
R4	30 Sept 2022	Revision (extension granted by DPE)	LCC/RAP/BCD/DPE
R4.2	30 Sept 2024	Internal Review	LCC
R4.2	30 Sept 2025	Internal review	LCC
R5	30 Sept 2026	Revision	LCC /RAP/ Heritage NSW/ DPE

Figure 1: Project Locality & Land Zoning Map



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2 QUARRY OPERATIONS

2.1 BACKGROUND

The Quarry has an identified resource of approximately 13.6 million tonnes which, based on an extraction rate of 600,000 tonnes per annum, would allow for quarrying for approximately 22 years. The maximum proposed extraction rate was not expected to be achieved in all years of quarrying. Project approval was therefore sought for an area sufficient for 30 years of quarrying with maximum extraction rate of 600,000 tonnes per annum, continuing in the existing main pit (herein also referred to as the 'North Pit') and a new smaller pit (herein also referred to as the 'South Pit') located to the south of the existing main pit.

In accordance with the State Conditions of Approval MP07_0020 (CoA), the Quarry may carry out quarrying and asphalt plant operations on the site until 31 December 2039. Additionally, the Environmental Protection Licence EPL3384, authorises extractive or processed activities annually scaled between >100,000 tonnes – 500,000 tonnes. Quarry extraction depths must not exceed 55 m AHD in the North Pit or 105 m AHD in the South Pit (as prescribed in conditions listed in Appendix A).

In August 2017, LCC submitted a Modification Application to the DPE in order to mine up the first 10 metres of the cap rock in the South Pit at the Quarry. The South Pit was previously unable to be mined until late 2018, at the completion of the detailed groundwater assessment. On 18 September 2017, approval was granted to LCC to undertake these works, in accordance with revised CoA.

On 11 January 2019, LCC submitted a Modification Application to amalgamate the approvals for the Asphalt Plant and the Quarry. This application was subsequently approved (Modification 3) by the Minister of Planning in July 2021.

2.2 OPERATIONAL OVERVIEW

Quarrying has initially commenced laterally in the existing North pit from 2009. Initial excavation works within the South Pit commenced in late 2014 under a temporary approval to service a specific state government project. These initial works within the South Pit have been completed. No further excavation works for the South Pit are scheduled in the immediate future unless specific rock is needed. Extraction areas within the North Pit are chosen based on the present rock type and quality for supply. Mobile crushing and screening plant equipment is currently utilised for Quarry operations.

Initially, it was expected that over the initial 10 years of the 30 year life of the Quarry that production will average approximately 450,000 tonnes per annum including extraction of high quality product from the southern pit. The production was expected to increase beyond 10 years to the maximum 600,000 tonnes per annum. Production tonnages to date have been substantially less than originally projected as a result of changing market demands, cost of production and unprecedented weather events impacting operational performance.

Asphalt operations were amalgamated into the Mod 3 CoA as of 20 July 2021, and include asphalt operations to be undertaken for limited campaign works.

Asphalt operations are conducted during standard work hours to the fullest extent, however require the additional operating hours to cope with the current demands of the region.

The Asphalt Plant is permitted to transport up to 50,000 tonnes of Asphalt from the Quarry each calendar year. An Out of Hours Work Protocol (OHWP) was developed to undertake limited campaign Asphalt operations as required by the Mod 3 CoA, this was accepted by DPE in February 2022.

The mobile asphalt plant (operated by RPQ as an ancillary activity) offers a quieter and more efficient operation, with a production capacity of 80 tonnes per hour. The Quarry and Asphalt plant are situated on separate lots within the same deposited plan (DP) and operate within the same site footprint. As such, the Quarry supply aggregate, tested to asphalt specification requirements to the asphalt plant, where it is stockpiled.

Trucks are used to haul asphalt aggregate out of the pit, while most material will be hauled directly off-site.

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3 STATUTORY REQUIREMENTS

3.1 LEGISLATION & POLICIES

The applicable legal and other requirements related to the management of heritage values are outlined in *Table B*.

Table B: Legislation & Policies of Relevance

Legislation and Policies	
Commonwealth Legislation	<ul style="list-style-type: none"> Aboriginal & Torres Strait Islander Heritage Protection Act 1984 Environment Protection and Biodiversity Conservation Act 1999
New South Wales Legislation	<ul style="list-style-type: none"> Environment Planning and Assessment Act 1979 Heritage Act 1977 National Parks & Wildlife Act 1974
Regional Planning Documents	<ul style="list-style-type: none"> North Coast Regional Plan 2036
Local Government Documents	<ul style="list-style-type: none"> Lismore Local Environmental Plan 2012

3.2 APPROVAL CONDITIONS

Minister's Conditions of Approval

Pursuant to the *Environmental Planning and Assessment Act 1979* (EP&A Act), the Quarry expansion was declared to be a project under Part 3A of the Act and Project Approval has been granted by the Minister for Planning. Project Approval MP07_0020 is identified under a State significant development (SSD) under *Division 4.7 of the EP&A Act*.

Project Approval Conditions outline the requirements for aboriginal heritage associated with the Quarry, as provided in Appendix A and Appendix B.

3.3 GUIDELINES & STANDARDS

Relevant project environmental standards, policies, and guidelines, applicable to this management plan are provided in *Table C*.

Table C: Environmental Standards, Policies & Guidelines

Guidelines and Standards
Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales 2010
Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010
The Australia ICOMOS Burra Charter for Places of Cultural Significance, 2013 (Burra Charter)
Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010

3.4 RELATED MANAGEMENT PLANS

This AHMP forms part of an overarching Environmental Management Strategy (EMS) for the Quarry. Where relevant, reference must also be made to the other management plans, as listed in *Table D*.

Table D: Blakebrook Quarry Management Plans

Reference No.	Management Plan
EMS	Environmental Management Strategy
EMS-MP1	Noise and Blast Management Plan
EMS-MP2	Air Quality Management Plan
EMS-MP3	Soil and Water Management Plan
EMS-MP4	Biodiversity and Rehabilitation Management Plan
EMS-MP6	Operational Traffic Management Plan

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4 EXISTING ENVIRONMENT

4.1 ENVIRONMENTAL CONTEXT

Interactions between people and their surroundings are of integral importance in both the initial formation and the subsequent preservation of the archaeological record. The nature and availability of resources including water, flora and fauna and suitable raw materials for the manufacture of stone tools and other items had (and continues to have) a significant influence over the way in which people utilise the landscape.

Alterations to the natural environment also impact upon the preservation and integrity of any cultural materials that may have been deposited whilst current vegetation and erosional regimes affect the visibility and detectability of sites and relics. For these reasons, it is essential to consider the environmental context of the Quarry as a component of the heritage management process.

Geology and Soil

The geology of the Quarry predominantly comprises tertiary basalts which have given rise to the rich brown soils that dominate the site. These soils were found to have the following soil characteristics:

- Shallow soils with loose basalt floaters (increased depth on plateaus).
- Low to moderate erodibility.
- Low to neutral ph.
- High phosphorous content.
- High cation exchange Capacity (Morand, 1994).

Water Availability

The site is located within the Richmond River catchment and the Terania Creek sub-catchment. Surface water drainage on the site flows to the west towards tributaries of Terania Creek. Terania Creek is located 700m to the west and would have provided a range of permanent aquatic and riparian resources.

Land Use

The Quarry has a long history of disturbance and has been an operating quarry since 1979. Past land use and associated disturbances including quarrying, logging, and agriculture impact upon the archaeological record in terms of both the presence or absence of cultural materials and the integrity of any remaining deposits.

The vegetation remaining within the Quarry is typical of remnant vegetation associated with the upper slopes and plateaus of the local area, being highly fragmented as a result of historical clearing associated with logging and agricultural practices. ERM (2008) reports that historical activity in the area has stripped back a majority of the trees, with many trees and shrubs having the appearance of being relatively recent (at least 10 years of age or younger) and has diminished the overall archaeological potential of the site.

The land surrounding the quarry is also used for agricultural and rural purposes including horse and cattle grazing, pasture production and horticultural activities, which would have impacted the archaeological record.

Topography

The Quarry is located within the NSW North Coast Bioregion which is one of the most diverse in NSW. It is located on steeply sloping land associated with the upper southwestern slope of Boerie Hill. Elevation ranges from 90 to 130m Australian Height Datum (AHD) and provides views of the surrounding landscape.

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4.2 RECORDED ABORIGINAL HERITAGE SITES

No Aboriginal heritage sites or cultural heritage values have been recorded within the highly disturbed Quarry (ERM 2009 and ERM 2011). This is likely due to the high level and ongoing historical disturbances across the entire site as a result of quarrying, logging and agricultural practices.

Surveys undertaken in 2008 and the previous AHMP (Rev B) have identified that the Quarry has a very low potential to contain subsurface Aboriginal heritage objects or sites although it is recognised that the quarry is situated in a region rich in Aboriginal cultural heritage. A thorough survey of the few remaining large and potentially old growth trees in 2008 did not reveal any indication of scarred trees.

Updated database searches have been undertaken to inform this AHMP in accordance with heritage best practice and due diligence procedures, and the potential for any subsurface artefacts to remain in situ is considered to be low based on the definitions provided in *Table E* below.

Table E: Definitions of Archaeological Potential

Rank	Definition	Example
No potential	Artefacts cannot occur <i>in situ</i> .	Eroded landforms, reconstructed landscapes, hazardous landscape, developed areas.
Low potential	Artefacts are not normally found in comparable contexts but could occur in low densities making detection unlikely.	Landforms with no specific focus for use and/or areas that undergone significant and sustained historic disturbance that would have impacted the archaeological record.
Moderate potential	Artefacts are known to occur in comparable landforms in detectable densities (~1 artefact/m ²) and there is an unknown possibility for detection.	Landforms with an environmental focus which may have seen seasonal visitation.
High potential	Artefacts are consistently found in comparable landforms or similar environmental contexts and thus will certainly be found in any ground breaking works.	Landforms with known environmental focus encouraging repeat visitation to specific locale, i.e., margins of swamp or near high order creeks.

Heritage NSW AHIMS Register

Aboriginal heritage sites recorded in NSW are generally reported to Heritage NSW and registered on the Aboriginal Heritage Information Management System (AHIMS) database. An updated search of the AHIMS database on 15 July 2022 confirmed that no sites have been recorded within or immediately adjacent to Blakebrook Quarry (refer to *Appendix E*)

Additional AHIMS database searches were conducted for the locations that the Quarry occupy in addition to the actual quarry activities site. These additional landholdings were purchased in 2017 to satisfy the Biodiversity Offset Strategy.

To allow for accuracy of records, a search of the AHIMS database shall be conducted during the internal audit undertaken annually (in section 7.2.5).

Heritage Register Listings

As of the 13 July 2022 there were no Aboriginal (or historic) sites within the quarry listed on the State Heritage Register, State Heritage Inventory or Lismore Local Environmental Plan 2012.

The closest listed Aboriginal Place is Cubawee, located approximately 5km south of Blakebrook Quarry. As reported by Heritage NSW in the Sites heritage listing, Cubawee holds a special place in the memories of Aboriginal people who lived there and their descendants. It is also an important site of Aboriginal resistance. The first residents of Cubawee were people who moved off the nearby Modanville (Dunoon Rd) reserve when a white manager was appointed in 1929. Cubawee, also known as Tuncester Reserve, was declared an Aboriginal reserve on 13 March 1932. The population of Cubawee ranged from 60 in the 1940s to more than 100 in the 1950s and 60s. It was a self-managed settlement outside of the day-to-day control of the Aboriginal

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Protection Board. The community was self-reliant: they built their own homes and worked together to build a church; men worked on nearby farms and women worked as domestic helpers (OEH 2015).

Native Title

The Native Title search undertaken on 27 June 2022 identified that a Native Title Claim has been registered by applicants on behalf of the Widjabul Wia-bal People (NC2013/005).

The claim area covers much of the Lismore LGA and includes the Quarry Project Area. This claim has not yet been consented and currently does not directly impact the ongoing operation and management of the quarry although the list of Registered Aboriginal Stakeholders for the project must be updated to include Traditional Owners groups that have formed since the previous AHMP (Rev B) was prepared in 2011 including the Widjabul Wyabul Registered Native Title Claimants.

It is noteworthy that sections of the Native Title have been recognised as proposed agreement under s. 47C Native Title Act 1993, including Nightcap National Park and the northwest, and southwest of Tuckean Nature Reserve (Appendix E).

North Lismore Plateau

The North Lismore Plateau is located over two kilometres to the southeast of the quarry and does not result in any direct constraints to the expansion of the quarry although it is important to recognise here as it provides evidence of the cultural significance of Aboriginal heritage sites within the region. The North Lismore Plateau also provides examples of heritage values that may have existed within the elevated Blakebrook Quarry prior to the site being used as an operating quarry.

The North Lismore Plateau has a long history of development applications, planning approvals and court challenges. In reference to Aboriginal cultural heritage, an assessment undertaken by Converge Heritage in 2012 identified four culturally significant sites including two water springs - one an increase site (Djurbihl) and the other a women's site associated with birthing practice. Both of these sites were known amongst the Aboriginal community and are culturally significant and sensitive locations. A carved Red Kamala (*Mallotus philippensis*) tree was located on the southwestern side of the plateau and the fourth site was a potential burial site. Non-Aboriginal sites included two (2) dry stone terraces and six (6) dry stone walls, a spring cavity associated with one of the walls, two (2) absconded mine shafts, a European burial and the footings of a building presumed to be a dairy or piggery (Converge Heritage 2012).

A number of additional assessments have since been prepared including archaeological test excavations (IFA 2013 and Remnant Archaeology 2014). Ground Penetrating Radar (GPR) Surveys that were completed in January 2017 are being reported by Everick Heritage Consultants (report not cited).

The ongoing surveys of the North Lismore Plateau have attracted a lot of media attention and have not been fully reported here, although they do highlight not only the cultural significance of the plateau (and surrounding region including the Quarry site), they confirm the continued importance of these significant sites to the local Aboriginal community.

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5 ENVIRONMENTAL IMPACTS & RISK ANALYSIS

5.1 ENVIRONMENTAL IMPACTS

A detailed Ecological Site Assessment was prepared by Conacher Environmental Group (CEG) in 2008 to inform the Environmental Assessment Report (EAR) and subsequent project approval. The assessment included desktop assessment, targeted flora and fauna surveys and included a comprehensive ecological impact assessment and characterisation of the site.

A Statement of Environmental Effects was undertaken by Mitchel Hanlon Consulting Pty Ltd on behalf of LCC in 2019, to identify potential environmental issues in the process of streamlining operating conditions for the Quarry and Asphalt plant, Modification 3 application.

Section 4.11 Heritage of the SEE states “

“An Indigenous Heritage Assessment was undertaken for the site to prepare the EIS for the quarry. This included a review of databases, consultation with the Ngulingah Local Aboriginal Land Council and a site inspection. It was determined that it is unlikely to contain items of Indigenous Heritage.”

The quarry site also operates in accordance with an Aboriginal Heritage Plan (approved by the NSW DP&E). It is noted that, there has not been any identified items of aboriginal heritage during quarrying operations.”

Section 6.3 Biodiversity of the SEE states

“Previous site works have resulted in the development of several site specific environmental management plans. As the development is occurring on a heavily modified and disturbed site, it is not expected that any species or communities will be put at risk by the development. There is no vegetation clearing activities proposed as part of the development. Further, as the asphalt plant is already operative onsite, negative impacts to the area’s biodiversity are extremely unlikely.”

No Aboriginal Heritage sites or cultural heritage values have been recorded within the Quarry and potential impacts on any previously unrecorded Aboriginal cultural heritage values are predominantly attributed to vegetation clearance and ground disturbance works although it is noted that the potential for any subsurface artefacts to remain *in situ* is low.

5.2 RISK ANALYSIS

Given that the activities undertaken at the Quarry have the potential to impact on the surrounding environment, the commensurate level of risk associated with these impacts is required to be identified so as to better ensure that it can be mitigated and managed to an acceptable level via means of this management plan.

Accordingly, *Table F*, summaries the likely risk level associated with each of the prospective heritage impacts, assuming that no mitigation measures or controls are put in place to manage the impacts. The risk assessment process is in accordance with that described in the EMS for the Quarry.

Table F: Aboriginal Cultural Heritage Impact Risk Assessment

ID	Aspect	Impact	Risk
H1	Inadvertent impact on unknown Aboriginal heritage sites.	Exposure of previously unknown Aboriginal Heritage sites or items that do not have consent for disturbance or destruction.	Low
H2	General operational activities	The exposure of previously unknown Aboriginal or European heritage items on newly exposed surface.	Low

- Note: Risk Ratings
- High (serious impacts and potential repercussions)
 - Medium (significant impacts and potential repercussions)
 - Low (minor impacts and potential repercussions)

By implementing the measures outlined in this AHMP, these impacts and associated risks can be managed to an acceptable level, such that the risk would be considered negligible.

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Additionally the Quarry has invested significantly towards adaptive management practices, through the development and identification of risk management on site through accreditation of ISO 45001, ISO 14001, ISO 9001 and compliance with *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022* with Principal Hazard Management Plans and site risk registers.

As part of the Quarry IMS compliance schedule, Quality, Safety and Environmental Risk Registers have been developed for task specific activities on site. The risk registers are reviewed six (6) monthly by Quarry operations and Compliance staff, to ensure a proactive approach towards identification and controlling of risks.

Actions relating to any identified exceedances of CoA criteria will be managed as per Section 9.2.

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6 PERFORMANCE CRITERIA & INDICATORS

The intention of this AHMP is to ensure that the Quarry and Asphalt works do not have an adverse impact on previously undetected Aboriginal cultural heritage items.

In order to achieve this intent, the following Performance Criteria and Indicators have been developed to guide Aboriginal cultural heritage management for the Quarry and Asphalt operations based on the following (refer to *Table G*).

Table G: Performance Criteria & Indicators

Performance Criteria	Performance Indicator	Management/Control
C1: Comply with all applicable legislation, regulations, standards, codes and licenses that relate to the project	I1.1: Compliance with requirements as stipulated in the CoA and the management and mitigation controls stated in this AHMP	Section 3.2
	I1.2: Implement various procedures associated with the finding (unexpected) of items and/or objects of Aboriginal heritage significance	Section 7.2
C2: Consistency with standard industry environmental management practices to manage chance finds	I2.1: Follow "Best Practice" management approaches to Aboriginal cultural heritage management	Section 7.1
	I2.2: If an item of significance is discovered follow the Keeping Place Agreement Management Control	Section 7.2
C3: Follow correct procedure and ensure notification of any Aboriginal heritage objects or sites discovered during ground disturbance activities	I3.1: Follow Unexpected Finds Procedure contained in this AHMP	Section 7.2.1
	I3.2: Follow Possible Skeletal Remains Procedure contained in this AHMP	Section 7.2.2
C4: Ensure training on Aboriginal cultural heritage management is provided to relevant personnel.	I4.1: Integration of Aboriginal cultural heritage management into the Induction Materials for Blakebrook Quarry	Section 7.1. Table H Table I Appendix D

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7 MANAGEMENT & MITIGATION CONTROLS

7.1 “BEST PRACTICE” MANAGEMENT APPROACH

In managing the Quarry, LCC is seeking to ensure that a “Best Practice” management approach is used across all areas of potential impact management. This approach involves incorporating a suite of site-specific mitigation measures and management controls (like those provided in the sections below) to minimise, mitigate and manage risks associated with Quarry and Asphalt operations.

It is intended that all operational activities are managed by a combination of six key management control components:

1. Management Strategies & Work Practices (Table H)
2. Unexpected Finds Procedure (section 7.2.1)
3. Possible Skeletal Remains Procedure (section 7.2.2)
4. Cultural Heritage Induction Materials (section 7.2.3)
5. Keeping Place Agreement (section 7.2.4)
6. Aboriginal Heritage Information Management System Procedure (section 7.2.5)

No Aboriginal heritage sites or cultural heritage values have been recorded within the Quarry and potential impacts on any previously unrecorded Aboriginal cultural heritage values are predominantly attributed to vegetation clearance and ground disturbance works although it is noted that the potential for any subsurface artefacts to remain *in situ* is low.

7.2 PROPOSED MANAGEMENT CONTROLS

The Aboriginal cultural heritage management strategies and work practices to be implemented at the Quarry to manage operational activities are detailed in *Table H*.

Aboriginal Heritage Management Plan

Table H: Management Strategies & Work Practices

Issue	Strategy/Practice	Responsibility
Cultural Heritage	Prior to commencement of construction, consultation must be undertaken with Ngulingah LALC to ensure that the list of Registered Aboriginal Stakeholders is updated to include Traditional Owners (including the Widjabul Wia-bul Registered Native Title Claimants) and induction material is based on current heritage best practice. This may include a heritage workshop and/or site inspection by the RAPs.	<ul style="list-style-type: none"> • Head of Roads and Quarry
	Training will be provided to all staff involved in operation and management of the Project, including contractors and visitors. This training will include basic Aboriginal heritage awareness including legal responsibilities and procedures for the discovery of previously unrecorded Aboriginal objects. Induction materials are provided in Appendix D	<ul style="list-style-type: none"> • Head of Roads and Quarry
	Notify regulatory authorities including Heritage NSW of any incidents relating to Aboriginal heritage management, immediately upon being advised.	<ul style="list-style-type: none"> • Quarry Manager • Head of Roads and Quarry Compliance Manager (or delegate)
	If previously unrecorded Aboriginal heritage evidence is identified within the Quarry, the <i>Unexpected Finds Procedure</i> (section 7.2.1) shall be followed. Consultation with Registered Aboriginal Parties and Heritage NSW will be undertaken. <i>Note: Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the National Parks and Wildlife Act 1974.</i>	<ul style="list-style-type: none"> • Quarry Manager • Head of Roads and Quarry (or delegate) • Quarry staff and Contractors
	In the event that skeletal material is uncovered during excavation activities, the <i>Possible Skeletal Remains Procedure</i> (section 7.2.2) shall be followed. Consultation with RAP, Heritage NSW, DPE will be undertaken. Quarry Management and LCC will comply with statutory obligations and will consider the special needs of the Aboriginal community should those remains be identified as Aboriginal.	<ul style="list-style-type: none"> • Quarry Manager • Head of Roads and Quarry (or delegate) • Quarry staff and contractors

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7.2.1 Unexpected Finds Procedure

An unexpected (chance) finds procedure will be implemented for any locations subject to soil disturbance activities, including vegetation clearing. In the event that site workers identify any potential Aboriginal heritage sites, the unexpected finds procedure will be implemented as follows:

1. **STOP WORK IMMEDIATELY.** Any person that observes or uncovers potential Aboriginal heritage objects during the works must notify machinery operators immediately. All activities and/or works in the immediate area must cease (DO NOT collect samples to show someone).
2. **NOTIFY.** Notify the Quarry Manager immediately. The Quarry Manager will contact the Head of Roads and Quarry (and Compliance Manager), who will notify and consult with Registered Aboriginal Parties (RAP), Heritage NSW and an appropriately qualified heritage professional (archaeologist) as soon as becoming aware of the situation.
3. **AVOID DISTURBANCE** of the area at and adjacent to the cultural finds.
4. **PROTECT THE SITE.** Any sand/soils removed must be identified and set aside for assessment. The disturbed area needs to be cordoned off as an exclusion zone with safety mesh fencing so that no further disturbance occurs (include a minimum 10m wide buffer area).
5. **ASSESS THE FIND.** The RAP and archaeologist will investigate the nature, extent, and location of the find (including photographic evidence and GPS coordinates). *If the find is suspected to be human remains the Quarry Manager will refer to the Possible Skeletal Remains Procedure and contact the Police who may then take control of the site and any further investigation.*
6. **RECORD/SALVAGE THE FIND.** The RAP and archaeologist will, in consultation with the Quarry Manager and Heritage NSW, arrange recording of the objects and if required, salvage. Any cultural material collected will be bagged and clearly labelled. Storage of salvaged cultural material will be through consultation between relevant parties. Where cultural material is not salvaged, refer to the Keeping Place Agreement.
7. **RESUME WORK.** Subject to the archaeologist's assessment, work may be able to recommence under an approved Aboriginal Heritage Impact Permit (refer *Part 6 of the National Parks and Wildlife Act*).
8. Initially **MONITORING** of the work site should be undertaken by an Aboriginal representative (as per *Aboriginal Heritage sites checklist* below)

AHIMS sites cards and/or Aboriginal Site Impact Recording (ASIR) form will be completed by the Compliance Manager (or delegate) and submitted to the AHIMS Registrar as soon as practicable.

Contact the DPE & Heritage NSW on 1300 361 967 to report an Unexpected Find

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7.2.2 Possible Skeletal Remains Procedure

In the event of the discovery of human skeletal material (or suspected human skeletal material) during quarry expansion activities, the following steps will be followed:

1. **STOP WORK IMMEDIATELY.** Any person that observes or uncovers human skeletal material (or suspected human skeletal material) during the works must notify machinery operators immediately. All activities and/or works in the immediate area must cease (DO NOT collect samples to show someone).
2. **NOTIFY.** Notify the Quarry Manager immediately. The Quarry Manager will contact the Head of Roads and Quarry (and Compliance Manager), who will notify and consult with Registered Aboriginal Parties (RAP), Heritage NSW and an appropriately qualified heritage professional (archaeologist) as soon as becoming aware of the situation.
3. **PROTECT THE SITE.** Monitor the area and keep all staff/contractors out of the area until further notice. Inform site staff/contractors of the restricted access to that area. The disturbed area needs to be cordoned off as an exclusion zone with safety mesh fencing so that no further disturbance occurs (include a minimum 10m wide buffer area).
4. **ASSESS THE FIND.** If human remains are suspected the Quarry Manager is to notify the Head of Roads and Quarry (and/or Compliance Manager). The Head of Roads and Quarry (or Compliance Manager) is to notify the NSW Police and provide available details of the remains and their location (including photographic evidence and GPS coordinates). The Head of Roads and Quarry (or Compliance Manager) will also notify the RAP, an archaeologist/anthropologist and Heritage NSW
5. **POLICE INVESTIGATION.** NSW Police and the Coroner will determine the nature of the suspected remains and advise on further actions. If the remains ARE NOT human remains, work can recommence.
6. **RECORDING AND MANAGEMENT OF ABORIGINAL ANCESTRAL REMAINS.** The RAP must be present where it is reasonably suspected that Aboriginal burials or human remains have been encountered. Recording of Aboriginal ancestral remains must be undertaken by, or be conducted under the direct supervision of, a specialist physical anthropologist or other suitably qualified person. Consult with the Anthropologist, Heritage NSW, Aboriginal Representatives and the DPE Secretary as required to determine the most appropriate management measures.
7. **RESUME WORK.** Subject to the archaeologist's assessment and written approval from Heritage NSW, work may be able to recommence under the terms once the site is assessed and appropriately managed. Reburial of the remains to a specific location may be requested by the RAP.

Contact the DPE & Heritage NSW on 1300 361 967 to report Possible Skeletal Remains

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7.2.3 Cultural Heritage Induction Materials

All staff and contractors will undergo environmental awareness training as part of the Quarry site induction to ensure they understand their obligations and responsibilities. This training will include basic Aboriginal heritage awareness including legal responsibilities and procedures for the discovery of previously unrecorded Aboriginal objects.

Cultural Heritage induction materials are provided in *Appendix D*. Consultation with Ngulingah LALC must be undertaken prior to commencement of the quarry expansion to ensure that the list of Registered Aboriginal Stakeholders is updated to include Traditional Owners and that the induction material is based on current heritage best practice and local knowledge.

A copy of this AHMP and contact details for archaeologists and the project RAP will be made available to contractors upon request.

7.2.4 Keeping Place Agreement

Should an item of Aboriginal significance be discovered, LCC and Ngulingah LALC, in consultation with any recognised traditional owners, will prepare a keeping place agreement.

Consultation with Ngulingah LALC (as reported by ERM 2009) had identified that the preferred outcome of the keeping place agreement is to reinter the artefact in a safe area established within the Project Area and not offsite. This dedicated 'keeping place' would only be required in the event that material is uncovered and would be under the care and control of the local Aboriginal community.

7.2.5 - Aboriginal Heritage Information Management System (AHIMS) Procedure

As part of the internal annual review process (in section 9.3.1) a database search of the Aboriginal Heritage Information Management System (AHIMS) is to be undertaken.

A registered account is required to log in to the AHIMS Web Services portal with the account user linked with Lismore City Council (another LCC account user can link up a new account).

<https://www.environment.nsw.gov.au/awssapp/Login.aspx?ReturnUrl=%2fawssapp>

Once logged in, click on AHIMS Basic Search on the Menu
Choose Lismore City Council / Reference: Blakebrook / Click Next
Search by Address with a buffer of 1km: 550 Nimbin Road Blakebrook
Click: Search and a report will generate which can be downloaded for record keeping

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Table 1: Example Aboriginal Heritage Sites Checklist - For Unexpected Finds or Possible Skeletal Remains

Project:		Blakebrook Quarry			
Inspection Date:		Area of Activity:			
#	Control Measure	Yes	No	N/A	Comments/ Corrective Actions
During Operations					
1.	Have all staff undergone Aboriginal Heritage Awareness induction training?				
2.	Have appropriate regulatory authorities including Heritage NSW been notified of any unexpected finds or possible skeletal remains?				
3.	Is the appropriate Archaeologist and representatives from the relevant LALC (or other RAP) undertaking monitoring and salvage works (if required) in accordance with relevant approval conditions?				
4.	If Aboriginal cultural heritage artefacts were found, were they handled in accordance with relevant approval requirements?				
5.	If artefacts were salvaged, has a keeping place agreement been approved by the LALC?				
6.	<p>(To be completed by Aboriginal representative)</p> <p>I _____ monitored initial works within the vicinity of the previously unrecorded Aboriginal Heritage site below.</p> <p>Site:</p> <p>Sign:</p> <p>Date:</p> <p>Is a report required from the relevant Aboriginal group that attended the monitoring (if artefacts located, then yes)?</p>				
7.	Were AHIMS sites cards and/or Aboriginal Site Impact Recording (ASIR) forms completed and submitted to the AHIMS Registrar?				
8.	Was a report forwarded to the DPE and/or Heritage NSW (if required)?				
9.	If works have recommenced in this area, was written approval provided by Heritage NSW?				
Completed By:		Signature:			

Aboriginal Heritage Management Plan

8 ENVIRONMENTAL & OPERATIONAL PERFORMANCE

8.1 ROLES & RESPONSIBILITIES

The Quarry Manager will be responsible for the implementation of this AHMP under the direction of the Head of Roads and Quarry.

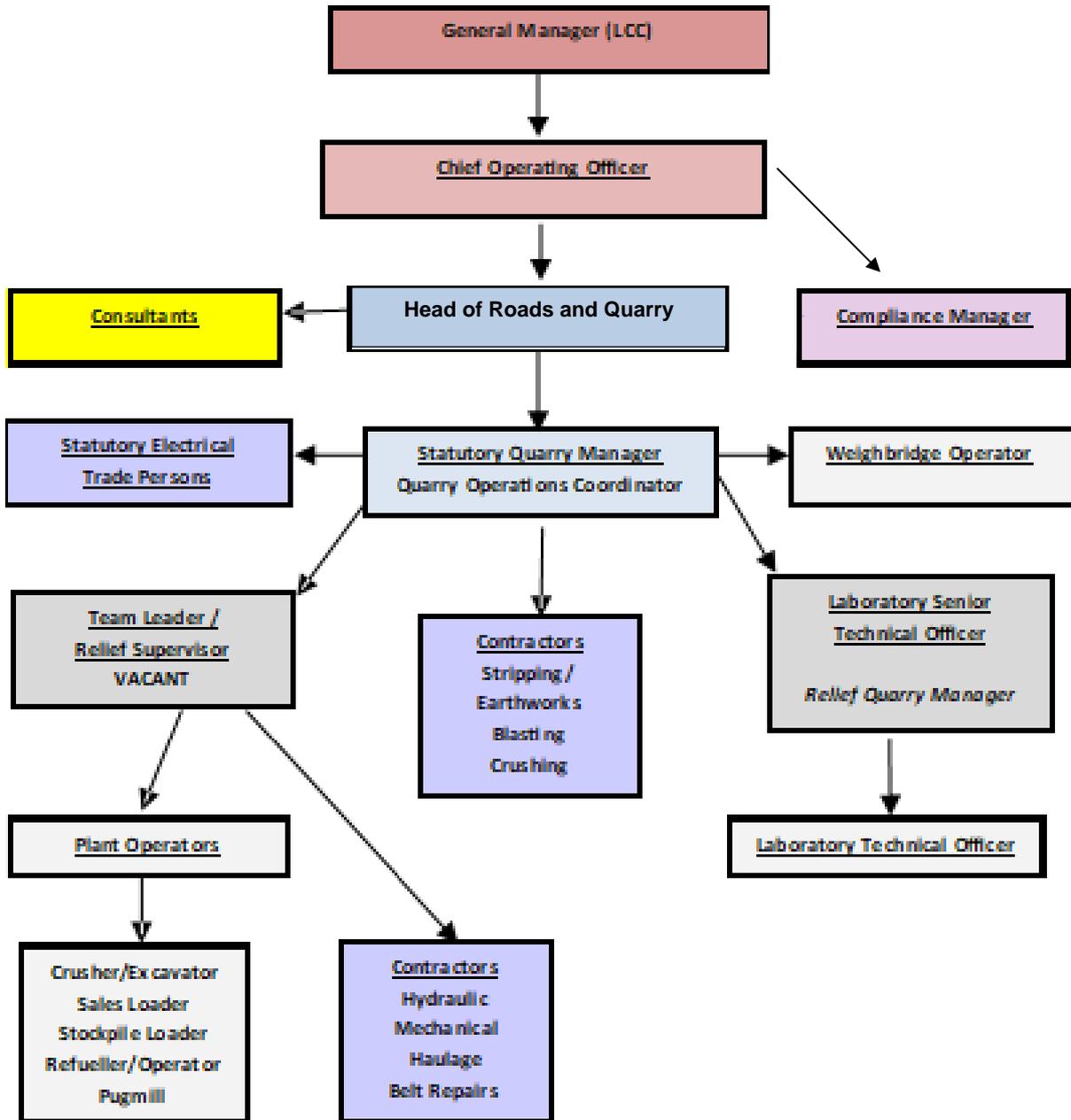
All Quarry staff and contractors are accountable through conditions of employment or contracts with each individual responsible for ensuring that their work complies with the procedures outlined in this AHMP. Further details of the responsibilities of staff are provided in *Table 1*. A diagram outlining the organisational structure for implementing this AHMP is provided at *Figure 2*.

Table J: Roles & Responsibilities

Head of Roads and Quarry		
Action No.	Action	Timing
AHM.MCS.01	Ensure that the CoA are adhered to during the implementation of this plan.	At all times.
AHM.MCS.02	Consultation must be undertaken with Ngulingah LALC to ensure that the list of Registered Aboriginal Stakeholders is updated to include Traditional Owners and induction material is based on current heritage best practice.	Ongoing
AHM.MCS.03	Ensuring all staff and contractors are provided with induction regarding the significance of heritage objects and ensuring that they know of agreed management and mitigation strategies (refer Aboriginal Heritage Induction provided in <i>Appendix D</i>).	Ongoing
AHM.MCS.04	Ensuring those staff who operate within any known Aboriginal heritage sites are fully briefed on the relevant requirements of any approval conditions.	Ongoing
AHM.MCS.05	Review of work plans before undertaking any clearing or operational works outside of the existing quarry footprint	Prior to works
AHM.MCS.06	If a previously unidentified Aboriginal heritage site are discovered then notifying the Heritage NSW, RAP and Police (if required) immediately.	When required (may be delegated to Compliance Manager)
AHM.MCS.07	Co-ordination of any necessary site investigations for Aboriginal heritage areas of interest.	When required
Blakebrook Quarry Manager		
Action No.	Management Procedure	Timing
ACHM.OC.01	Ensure that CoA are adhered to during the implementation of this plan	At all times
ACHM.OC.02	Notifying the Head of Roads and Quarry before undertaking any clearing or operational works outside of the existing quarry footprint.	Prior to works
ACHM.OC.03	If previously unidentified Aboriginal heritage site are discovered, then stop works that has the potential to impact on Aboriginal heritage sites and notify the Head of Roads and Quarry immediately.	When and if required
ACHM.OC.04	Regular review of site risk registers with Compliance staff to ensure adaptive management strategies are implemented	Ongoing
Quarry Staff and Contractors		
Action No.	Management Procedure	Timing
ACHM.QP.01	Ensure approval has been given by the Quarry Manager prior to undertaking any works outside of the existing quarry footprint.	Prior to commencement of works
ACHM.QP.02	All quarry staff and contractors are accountable through conditions of employment or contracts with each individual responsible for ensuring that their work complies with the procedures outlined in this AHMP.	At all times

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Figure 2: Organisational Structure



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8.2 STAKEHOLDER CONSULTATION

Heritage NSW

The CoA prescribes the regulatory authorities and community groups to be consulted in the preparation of the AHMP. These requirements are summarised in *Table J*.

Table K: AHMP Consultation Requirements

Regulatory Authority	Interest
Department of Planning & Environment (DPE)	DPE is the lead agency in ensuring compliance with the requirements of the CoA and will review and approve amendments to the AHMP.
Heritage NSW	Heritage NSW is to be consulted for feedback considerations of the AHMP to ensure that it complies with the requirements of the CoA and other NSW legislation, policy, and technical requirements.

Consultation was undertaken with DPE during the document revision, with comments addressed and accepted as per the Post Approval Table document. Consultation was undertaken with Heritage NSW during the document revision for feedback, with comments addressed and accepted as per Appendix C(b).

Draft copies of the AHMP will be provided to Heritage NSW and DPE for consultation and feedback considerations with a final version prepared taking into consideration all comments received. The final draft copy of the AHMP is provided to the Head of Roads and Quarry for consultation and feedback considerations prior to DPE submission.

Aboriginal Stakeholders

In accordance with the requirements of CoA Schedule 3, Condition 24, the AHMP is required to be developed in consultation with the RAPs.

Consultation commenced in 2008 at the project planning stage. This consultation was undertaken in accordance with the *Guidelines For Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECC 2005)*. This was considered best practice at the time and is generally consistent with current consultation requirements. As recorded in the previous surveys of the Project Area (ERM 2009 and ERM 2011) the viewpoints of the Aboriginal community regarding the cultural importance and sensitivity of the area have been considered.

The current registered stakeholders are:

Ngulingah Local Aboriginal Land Council (LALC);	Mr Bill Fisher Chief Executive Officer Ngulingah Local Aboriginal Land Council PO Box 581 , Lismore, NSW 2480 T: (02) 66215541 E: ceo@ngulingah.org.au
North Lismore Plateau Registered Aboriginal Party	
Widjabul Wia-bal Gurrumbil Aboriginal Corporation – through the Native Title Services Corporation.	c/ Ms Matilda Vaughan Senior Solicitor NTSCORP PO Box 2105, Strawberry Hills, NSW, 2012 T: (02) 9310 3188 E: mvaughan@ntscorp.com.au

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It should be noted that the Shared Vision Aboriginal Corporation, previously identified in this AHMP, was deregistered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* on 7th November 2012.

Although no sites have been recorded during previous surveys and the potential for any subsurface artefacts to remain in situ remains low, it is important that all revisions of the management plan consider the views of the Registered Aboriginal Stakeholders. Consultation must be ongoing with the Ngulingah LALC to ensure that the list of Registered Aboriginal Stakeholders is updated to include Traditional Owners and induction material is based on current heritage best practice. LALC is the main body for communication on behalf of other Aboriginal groups. Consultation with RAP groups is undertaken as part of the Community Consultation Committee (in section 8.6).

Each of the current registered stakeholders has been contacted, and a copy of the AHMP provided, with the intent to include any information on culturally sensitive areas or local traditional knowledge relating to the Quarry. To-date, no responses have been received from any of the Aboriginal stakeholders.

A timeline of the contacts made from LCC is detailed below, with copies of written correspondence included in *Appendix C*.

Ngulingah LALC

- 1st June 2018 – Initial contact was made with the CEO of Ngulingah LALC (Kenny), who agreed to receive a copy of the plan via email and would try to have the AHMP tabled at the LALC's next meeting on 4th June 2018.
- 25th June 2018 – Follow up phone call made to Ngulingah LALC, who advised the CEO has been hospitalized and unable to comment.
- 5th July 2018 – Meeting between Ngulingah LALC (Keisha Gordon) and LCC arranged, which was later cancelled by Ngulingah LALC due to Naidoc Week commitments.
- 5th July 2018 – Request for comment sought from Ngulingah LALC, however, to date, no reply has been received.
- 2 November 2018 – apologies from Ngulingah LALC not able to attend CCC meeting.
- 30 November 2018 – CCC Minutes mailed to Ngulingah LALC
- 6 November 2020 – CCC Minutes emailed to Ngulingah LALC, no response.
- 14 October 2021 - CCC Meeting notification emailed to Ngulingah LALC, no response.
- 21 December 2021 – CCC Minutes emailed to Ngulingah LALC, no response.
- 31 March 2022 – Letter to advise temporary change to operations due to floods, emailed to Ngulingah LALC, no response.
- 26th July 2022 – Letter sent to Ngulingah LALC via email, requesting for comment
- 17th August 2022 – Call to Ngulingah LALC requesting response. CEO said he would be happy to meet with Ecoteam for further discussions, meeting made for 19th August 2022
- 19th August 2022 Meetings took place at Ecoteam's office with CEO of Ngulingah LALC. Major discussion points are provided in *Appendix C*.
- 3 November 2022 – CCC Meeting notification emailed to Ngulingah LALC, no response.
- 25 January 2023 – CCC Minutes delayed – emailed to Ngulingah LALC, no response.
- 1 February 2023 – CCC extraordinary Meeting notification emailed to Ngulingah LALC, no response.
- 11 May 2023 – CCC extraordinary Minutes emailed to Ngulingah LALC, no response.

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North Lismore Plateau Registered Aboriginal Party

- 22nd May 2018 – LCC sent an email request to the North Lismore Plateau asking that the AHMP be tabled at the next RAP meeting, chaired by Annie McWilliam.
- 31st May 2018 – LCC was advised by the RAP Committee Chairperson, that the NLP RAP is in process of winding up with no future meetings being held at present.
- 7th June 2019 – Further email request for feedback/comment was sent to the North Lismore Plateau RAP, with no reply received.
- 5th July 2018 – Further email was sent by LCC following up on the previous request for feedback/comment from the North Lismore Plateau RAP. Feedback/comment was requested to be provided by 13th July 2018. To date, no comment has been received.

Widjabul Wia-bul Native Title Claimants

- 25th May 2018 – LCC emailed the NTS Corp (Native Title Services Corp) requesting assistance with contacting the Native Title Claimants (NC2013/005) – Widjabul Wia-bul - with a request for comment on culturally sensitive areas, for local traditional knowledge relating to the Quarry.
- 28th May 2018 – George Tonna from NTS Corp phoned LCC to advise that he can forward the plan onto the Native Title Claimants.
- 7th June 2018 – LCC contacted the NTS Corp by phone to follow up and was advised that George Tonna was unavailable. An email was sent to Mr Tonna.
- 26 June 2018 – An email from LCC was sent to NTS Corp requesting confirmation that the AHMP has been sent to the Widjabul Wia-bul NT Claimants. NTS Corp confirmed by email that the AHMP was sent out to the Native Title Claimants on 28th May 2018.
- 5th July 2018 – A further request for comment/feedback from the Widjabul Wia-bul NT Claimants was emailed through to NTS Corp, however to date, no comment has been received.

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8.3 TRAINING & AWARENESS

LCC will provide training to its employees with respect to the operations for the site. The objective of the training will be to provide a base level understanding of their individual role in complying with the AHMP. Training will also be provided for specific tasks to ensure employees are competent to perform their required duties.

In accordance with the EMS, LCC will also undertake the following in respect to training and awareness:

- Induct all employees, contractors, subcontractors and visitors (as relevant to their roles) prior to commencing works (and conduct annual refresher inductions).
- Hold daily pre-start/toolbox talks.
- Hold WHS/staff meetings as required.
- Issue Project Environmental Alerts (if required).

8.4 RECORD KEEPING & DOCUMENT CONTROL

Records are to be maintained for all heritage management measures used for the project. All records shall be kept for a minimum of seven (7) years, with record keeping and document control managed in accordance with the requirements set forth in the EMS.

To ensure that the correct procedures and plans are used on site, issue of the EMS, CoA, and/or other relevant document, and any associated amendments that may be required, will be controlled using a document register and stored in LCC's record management system (TRIM).

8.5 SITE INSPECTIONS

Weekly inspections of work areas will be conducted by the Quarry Manager to monitor work practices and identify non-conforming areas and activities or work practices which could lead to potential environmental harm.

It's noted that weekly inspections of work sites also provide an opportunity for the Quarry Manager to address issues raised by Staff, Contractors or Consultants and assist in the implementation of environmental controls to manage Aboriginal Heritage procedures. Often this continued support leads to better ownership of environmental management and becomes a coaching exercise for field staff to improve their skills in this specialised and complex discipline.

To ensure that all management and mitigation measures are complied with for the specific management of any sites where cultural heritage material is discovered, the Quarry Manager will complete Aboriginal Cultural Heritage Checklists as presented *Table 1*.

8.6 EXTERNAL COMMUNICATION & NOTIFICATION

General information regarding the environmental performance of the quarry and contact details regarding complaints will be updated monthly and available at all times through LCC website <https://lismore.nsw.gov.au/blakebrook-quarry-operating-approval-conditions>

Community meetings will be held at least once per annum, where information regarding the activities being undertaken at the site as well as environmental performance information will be detailed.

Authorities will be kept informed regarding the operation and environmental performance of the Quarry through the Annual Reporting requirements of the CoA.

8.7 COMPLAINT INVESTIGATION & RESPONSE

Complaints regarding the Quarry or Asphalt operations (including limited campaign asphalt operations relating to the OHWP) will be managed via LCC's existing complaint management system. Quarry and Asphalt complaints must be received via telephone to LCC's Contact Centre 02 6625 0500.

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Details that are to be logged by Council staff include:

- Complainant's name.
- Telephone number / email address / postal address.
- Date of contact.
- Nature of complaint.

The details of the complaint will be passed on to the Quarry Compliance division. Management will be committed to rectifying an activity that has caused a complaint as soon as possible, with a response being provided, to the complainant within five (5) days of receipt of the complaint. The Quarry will undertake actions to identify and initiate appropriate action in response to the complaint to resolve (where practicable).

Records of all complaints received are to be kept with in LCC Complaints Management System, the Quarry Complaints Register and added to the Quarry's Non conformance and Improvements Register.

All Quarry staff are responsible for reporting any complaints to the Quarry Manager. Complaints must be made through the correct channel to the LCC Customer Contact Centre in order to ensure correct record keeping and response.

8.8 DISPUTE RESOLUTION PROCESS

In the case that a dispute between the complainant and LCC arises with respect to the management and/or outcomes of the Complaint Investigation and Response (*Section 8.7*), either party may refer to the matter to the DPE for resolution.

- Wherever possible, any issues will be negotiated directly between the RAP and the Quarry Manager to minimise disruption to Project activities.
- Failing resolution of the above, an on-site meeting will be convened between Head of Roads and Quarry, LCC Quarry management staff and relevant personnel, a representative of Heritage NSW will be invited, along with the relevant RAP representatives.
- Failing resolution of the either of the above, a meeting of Head of Roads and Quarry, LCC Quarry management staff and relevant personnel, a representative of Heritage NSW (by invitation), the relevant RAP representatives and an independent mediator will be convened on site. During the period of mediation, all works on site will cease in the area under dispute and will not recommence until the dispute is resolved to the satisfaction of all parties. The Mediator will be a suitably qualified person nominated by LCC and accepted by all relevant stakeholders.

If a matter is referred to the DPE, and the DPE are satisfied that the dispute is genuine, the DPE can request LCC to follow procedures set out in Schedule 4, condition 2 (refer Appendix A).

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9 REVIEW & REPORTING

Annual review and reporting are required to assess the outcomes of the AHMP, review its effectiveness, and consider works undertaken against annual budgets and targets.

Any issues noted regarding the success of management works will also be relayed to the site manager on an ongoing basis so that relevant improvements can be made.

9.1 CONTINGENCY PLANNING

Should at any time management results of the AHMP be determined to be negatively impacting on surrounding sensitive receptors for the Quarry and Asphalt expansion, then the AHMP management controls may need to be intensified to allow better identification and understanding of the impacts and facilitate design of appropriate mitigation measures.

Before any significant changes are made to the AHMP, LCC will consult with DPE and Heritage NSW, to obtain feedback. Once feedback from DPE and Heritage NSW has been incorporated into the AHMP, it will be uploaded to the Major Projects Portal for approval by the Secretary.

9.2 INCIDENT & NON-COMPLIANCE REPORTING

All non-compliance will be reported in accordance with the requirements of the CoA that relate to incident and non-compliance reporting.

- *Incident: An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance.*
- *Non-compliance – An occurrence, set of circumstances or development that is a breach of this consent.*

Where there is an exceedance of the limits/performance criteria where it is deemed an incident, relevant agencies will be informed immediately (of the exceedance becoming known to the licensee) by phone (where relevant) and in writing via the Major Projects Portal (per Schedule 5 Condition 8, refer Appendix A).

Alternatively, where there is an exceedance of the limits/performance criteria where it is not deemed an incident (only a non-compliance) Council will comply with Schedule 5 Condition 9 (refer Appendix A).

LCC will undertake an investigation into the cause of the incident/exceedance according to the IMS *Incident Reporting Investigation and Notification Procedure*, with strategies to prevent reoccurrence being implemented. IMS procedures are maintained within LCC's electronic records management system (TRIM).

In addition, the Quarry will follow conditions as set out in the CoA, Schedule 4, condition 1 – Notification of Landowners where applicable. LCC will meet the requirement of the DPE to address the cause or impact of any incident/exceedance within the required period as defined by the DPE. LCC will maintain a record of incidents and non-compliance in the Quarry Non-conformance and Improvement Register.

9.3 REVIEWS

9.3.1 Internal Auditing

An internal review of this AHMP will be undertaken by LCC on an annual basis or within 3 months of the below triggers. The purpose of the review is to determine the appropriateness of the AHMP in achieving environmental objectives and performance goals throughout the Quarry and Asphalt expansion and ensure that the system is meeting the requirements of relevant legislation, standards, policies, licences, permits, approvals and objectives. A report will be provided to the Compliance Manager with any recommendations for improvement. The Compliance Manager will review and approve changes to the system (as required).

An internal review would be triggered by:

- an incident report

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- annual environmental monitoring review
- independent environmental audit
- any modification to the CoA

LCC will notify DPE when a review has been undertaken. Following the outcome of a review, if a document revision is substantiated, it will be submitted via the Major Projects Portal for approval of the Secretary within six (6) weeks.

To ensure any additional measures to improve the environmental performance of the project is kept up to date, LCC may submit (at any time) revised strategies, plans or programs for approval of the Secretary, as noted in Schedule 5, condition 5 (refer Appendix A).

9.4 EXTERNAL REPORTING

All external reporting required by the CoA or other obligation for the Quarry will be approved by Quarry Management. This includes management and monitoring documentation associated with this AHMP.

The AHMP is internally audited and reviewed as part of the Annual Environmental Monitoring Report and overall compliance audited every 3 years as part of the Independent Environmental Audit (IEA).

9.4.1 Annual Environmental Monitoring Review

In accordance with the Minister's CoA, an annual environmental monitoring review (AEMR) is to be prepared to the satisfaction of the DPE in accordance with CoA Schedule 5, condition 11 (refer Appendix A).

The Head of Roads and Quarry will review and approve the outcome and recommendations in the report, which will be submitted via the Major Project Portal by the end of March annually. The AEMR will be submitted to LCC for awareness (via the Head of Roads and Quarry) and must be made available to the Community Consultative Committee or any interested person.

LCC will make available on the website via <https://lismore.nsw.gov.au/blakebrook-quarry-operating-approval-conditions> any records that are relevant to enable assessment of the environmental performance of the site, relating to the CoA and EPL.

9.4.2 Independent Environmental Audit

Within three (3) years of quarrying operations, and every three (3) years thereafter, a major independent environmental audit (IEA) of the Project will be undertaken by a suitably qualified team of experts who has been endorsed by the Secretary, to assess what, if any, heritage impacts have occurred as a result of the expanded operations at the Quarry. Consultation with Agencies and the CCC is included in the assessment of the report.

The Head of Roads and Quarry will review the outcome and recommendations in the report. Recommendations will be reviewed against the approved CoA and this management plan, with a response to audit recommendations and an implementation timetable (if required), will be submitted to the Secretary via the Major Project Portal within 12 weeks of commencing the audit. The report will be submitted to LCC for awareness (via the Head of Roads and Quarry).

Aboriginal Heritage Management Plan

10 REFERENCES

Department of Environment, Climate Change and Water (DECCW) (2010) Aboriginal Cultural Heritage Consultation Requirements for Proponents. DECCW, NSW.

Department of Environment, Climate Change and Water (DECCW) (2010) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. DECCW, NSW.

Department of Infrastructure, Planning and Natural Resources, 2004, Guidelines for the Preparation of Environmental Management Plans.

Environmental Resources Management Australia Pty Ltd (ERM), 2009, Blakebrook Quarry Expansion Environmental Assessment Report.

Lismore City Council Statement of Environmental Effects (SEE), Mitchel Hanlon 2019,

Office of Environment and Heritage (OEH) (2011) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW. OEH, NSW.

Fox, I., and P. Habgood. 2012. North Lismore Plateau NSW Cultural Heritage Assessment. Unpublished report prepared for North Lismore Plateau Landowners Project Control Group. Converge Heritage + Community: Brisbane.

Fox, I. 2013. Preliminary Report: Archaeological Test Pit Excavations - North Lismore Plateau. Unpublished report prepared for Lismore City Council, Winten Property Group and The Plateau Group. Ian Fox & Associates: Burringbar, New South Wales.

Aboriginal Heritage Management Plan

APPENDIX A - DOCUMENT COMPLIANCE

CoA Condition		Compliance reference
Schedule 2, condition 2, Terms of Approval	The Proponent must carry out the project: (a) generally in accordance with the EA, EA (Mod 1) and MR (Mod 3); and	Section 2.1 Section 2.2 Section 3.2
	(b) in accordance with the conditions of this approval, Project Layout Plan and the Statement of Commitments. <i>Notes:</i> • <i>The Project Layout Plan is shown in Appendix 1;</i> • <i>The Statement of Commitments is reproduced in Appendix 2.</i>	Section 7.2 Table H Table I Table J Section 8.3 Appendix B
Schedule 2, condition 15 Compliance	The Proponent must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Table H – updated Table I – updated Table J - updated Figure 2 – updated Section 8.1 Section 8.3
Schedule 3, condition 24 Aboriginal Heritage Management Plan	The Proponent must prepare an Aboriginal Heritage Management Plan for the project to the satisfaction of the Secretary. The plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;	Appendix C (a)
	(b) be prepared in consultation with Heritage NSW and the Registered Aboriginal Parties;	Appendix C (b) Appendix C (c) Section 8.2
	(c) be submitted to the Secretary for approval within 3 months of the determination of Modification 1, unless otherwise agreed by the Secretary;	Appendix C (d)
	(d) include a description of the measures that would be implemented to: • protect, monitor and manage known sites of archaeological significance;	Section 7.1 Section 7.2.1 Section 7.2.2 Section 7.2.4 Table H Appendix D

Aboriginal Heritage Management Plan

	<ul style="list-style-type: none"> • manage any new Aboriginal objects or relics that are discovered; 	Section 7.2 Table H Table J Appendix D
	<ul style="list-style-type: none"> • store Aboriginal heritage items salvaged on site; and 	Section 7.2.4 Table H Appendix D
	<ul style="list-style-type: none"> • ensure ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site. 	Section 8.2 Table H Appendix C (c)
	The Proponent must implement the approved Aboriginal Heritage Management Plan as approved from time to time by the Secretary.	Table H Section 8.1 – 1 st paragraph Section 8.3 – 1 st paragraph
<p>Schedule 3, condition 25</p> <p>Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i>.</p>	If any item or object of Aboriginal heritage significance is identified on site, the Proponent must ensure that:	Section 7.2 Table H
	(a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately;	Section 7.2 Table H
	(b) a 10 m buffer area around the suspected item or object is cordoned off; and	Section 7.2 Table H
	(c) the Heritage NSW is contacted immediately.	Section 7.2 Table H
<p>Schedule 5, condition 2</p> <p>Evidence of Consultation</p>	Where consultation with any State or local agency is required by the conditions of this approval, the Proponent must:	Appendix C (b)
	(a) consult with the relevant agency prior to submitting the required document to the Secretary for approval;	Section 8.2 Appendix C (b)
	(b) submit evidence of this consultation as part of the relevant document;	Section 8.2 Appendix C (b)
	(c) describe how matters raised by the agency have been addressed and any matters not resolved; and	Section 8.2
	(d) include details of any outstanding issues raised by the agency and an explanation of disagreement between any agency and the Proponent.	Appendix C – no further comments to provide

Aboriginal Heritage Management Plan

<p>Schedule 5, condition 3 Management Plan requirements</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>The Proponent must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:</p> <p>(a) detailed baseline data</p>	<p>Section 4.1 Section 5.1</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; and • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures; 	<p>Section 6 Table G Section 7.2 Table H</p>
	<p>(c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p>	<p>Section 7.2 Table H Table I</p>
	<p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the project; and • effectiveness of any management measures (see (c) above); 	<p>Table I Section 8.4 Section 9.4 Section 9.4.1 Section 9.4.2</p>
	<p>(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p>	<p>Section 9.1</p>
	<p>(f) a program to investigate and implement ways to improve the environmental performance of the project over time</p>	<p>Section 9.1 Section 9.3.1 Section 9.4.1 Section 9.4.2</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>Section 8.7 Section 8.8 Section 9.2 Section 9.4.1</p>
	<p>(h) a protocol for periodic review of the plan.</p>	<p>Section 1.3 Table A Section 9.3.1</p>

Aboriginal Heritage Management Plan

<p>Schedule 5, condition 4a Revision of Strategies, Plans & Programs</p> <p><i>Note: The purpose of this condition is to ensure that strategies, plans and programs are regularly updated to incorporate any measures recommended to improve environmental performance of the project.</i></p>	<p>Within 3 months of the submission of an:</p> <p>(a) incident report under condition 9 below;</p>	<p>Section 1.3 Table A Section 9.3.1</p>
	<p>(b) Annual Review under condition 11 below</p>	<p>Section 1.3 Table A Section 9.3.1</p>
	<p>(c) audit report under condition 12 below; and</p>	<p>Section 1.3 Table A Section 9.3.1</p>
	<p>(d) any modifications to this approval</p> <p>the Proponent must review the strategies, plans and programs required under this approval, to the satisfaction of the Secretary. The proponent must notify the Department in writing of any such review being undertaken. Where this review leads to revisions in any such document, then within 6 weeks of the review the revised document must be submitted for the approval of the Secretary.</p>	<p>Section 1.3 Table A Section 9.3.1</p>
<p>Schedule 5, condition 5 Updating and Staging of Strategies, Plans or Programs</p>	<p>To ensure that strategies, plans or programs required under this approval are updated on a regular basis, and that they incorporate any appropriate additional measures to improve the environmental performance of the project, the Proponent may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Proponent may also submit any strategy, plan or program required by this approval on a staged basis. The Secretary may approve a revised strategy, plan or program required under this approval, or the staged submission of any of these documents, at any time. With the agreement of the Secretary, the Proponent may prepare the revised or staged strategy, plan or program without undertaking consultation with all parties nominated under the applicable condition in this approval. While any strategy, plan or program may be submitted on a staged basis, the proponent will need to ensure that the operations associated with the project are covered by suitable strategies, plans or programs at all times.</p> <p>If the submission of any strategy, plan or program is to be staged; then the relevant strategy, plan or program must clearly describe the specific stage/s of the project to which the strategy, plan or program applies; the relationship of this stage/s to any future stages; and the trigger for updating the strategy, plan or program.</p>	<p>Appendix A Section 8.2 Section 9.3.1</p>
<p>Schedule 5, condition 8 Incident Notification</p>	<p>The Proponent must immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.</p>	<p>Section 9.2</p>

Aboriginal Heritage Management Plan

<p>Schedule 5, condition 9 Non-compliance Notification</p>	<p>Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing via the Major Projects Website and identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.</p>	<p>Section 9.2</p>
<p>Schedule 5, condition 10 Regular Reporting</p>	<p>The Proponent must provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.</p>	<p>Section 9.4 Section 9.4.1</p>
<p>Schedule 5, condition 11 Annual Review</p> <p><i>The Proponent must ensure that copies of the Annual Review are submitted to Council and are available to the Community Consultative Committee (see condition 7 of Schedule 5) and any interested person upon request.</i></p>	<p>By the end of March each year, or other timing as may be agreed by the Secretary, the Proponent must submit a review to the Department reviewing the environmental performance of the project to the satisfaction of the Secretary. This review must:</p> <p>(a) describe the project (including any progressive rehabilitation) that was carried out in the previous calendar year, and the project that is proposed to be carried out over the current calendar year;</p>	<p>Section 9.4.1</p>
	<p>(b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of these results against the:</p> <ul style="list-style-type: none"> • relevant statutory requirements, limits or performance measures/criteria; • requirements of any plan or program required under this approval; • monitoring results of previous years; and • relevant predictions in the documents listed in condition 2(a) of Schedule 2; 	<p>Section 9.4.1</p>
	<p>(c) evaluate and report on:</p> <ul style="list-style-type: none"> • the effectiveness of the air quality and noise management systems; and • compliance with the performance measures, criteria and operating conditions in this approval. 	<p>Section 9.4.1</p>
	<p>(d) identify any non-compliance over the past calendar year, and describe what actions were (or are being) taken to ensure compliance;</p>	<p>Section 9.4.1</p>
	<p>(e) identify any trends in the monitoring data over the life of the project;</p>	<p>Section 9.4.1</p>
	<p>(f) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies;</p>	<p>Section 9.4.1</p>

Aboriginal Heritage Management Plan

	(g) describe what measures will be implemented over the current calendar year to improve the environmental performance of the project.	Section 9.4.1
Schedule 5, Condition 12 Independent Environmental Audit	Within three years of the date of grant of this project approval, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent must commission, commence and pay the full cost of an Independent Environmental Audit of the project. This audit must: (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	Section 9.4.3
	(b) include consultation with the relevant agencies and the CCC;	Section 9.4.3
	(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL or necessary water licences for the project (including any assessment, strategy, plan or program required under these approvals);	Section 9.4.3
	(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals;	Section 9.4.3
	(e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, strategy, plan or program required under the abovementioned approvals;	Section 9.4.3
	(f) be conducted and reported to the satisfaction of the Secretary.	Section 9.4.3
Schedule 5, condition 13	Within 12 weeks of commencing this audit, or as otherwise agreed by the Secretary, the Proponent must submit a copy of the audit report to the Secretary and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of these recommendations as required. The Proponent must implement these recommendations, to the satisfaction of the Secretary.	Section 9.4.3

Aboriginal Heritage Management Plan

APPENDIX B – STATEMENT OF COMMITMENTS

4	Aboriginal Heritage	Responsibility	Timing	Comment
4.1	All site employees/ contractors will undergo site induction training that includes stop work procedures if archaeological sites are discovered.	Lismore City Council	Ongoing	Section 7.2 Table H Table I Section 8.3
4.2	Information regarding heritage requirements will be made available on site for employees/contractors.	Lismore City Council	Ongoing	
4.3	If an Aboriginal item is found all work will cease and the police, relevant Aboriginal community groups and a suitably qualified archaeologist contracted.	Lismore City Council	Ongoing	

Aboriginal Heritage Management Plan

APPENDIX C - CONSULTATION

(a) Letter of Endorsement



Department of Planning and Environment

Miss Eleisha Went
Commercial Services Compliance Manager
60 Brunswick Street
Lismore NSW 2480

03/06/2022

Dear Miss Went

Blakebrook Quarry (MP07_0020) - Endorsement of Experts

I refer to your request dated 25 May 2022 nominating environmental consulting firm Ecoteam as suitably qualified experts to review the management plans following the determination of modification 3 in accordance with conditions of consent for Blakebrook Quarry (MP07_0020).

You have nominated the following individuals to review the Aboriginal Heritage Management Plan and Biodiversity and Rehabilitation Management Plan to ensure it suitably captures the modified project:

- Lise Bolton - Director and Environmental Engineer;
- Nick Crowley - Business Manager and Environmental Consultant; and
- Dr Keith Bolton - Director and Chief Scientist.

I have reviewed the curricula vitae for the above nominees, and I approve this team as suitably qualified to review the Aboriginal Heritage Management Plan and Biodiversity and Rehabilitation Management Plan in accordance with the conditions of the development consent.

If you wish to discuss the matter further, please contact Carl Dumpleton, Senior Team Leader on 9274 6283.

Yours sincerely

A handwritten signature in black ink that reads "C. Dumpleton".

Carl Dumpleton
Team Leader
Resource Assessments

As nominee of the Secretary

Aboriginal Heritage Management Plan

APPENDIX C – (b) Consultation with Heritage NSW



Ms. Eleisha Went
Head of Operational Compliance
Lismore City Council
Email: Eleisha.went@lismore.nsw.gov.au

Your reference: MP07_0020-PA-38
Our reference: DOC23/494523

Dear Eleisha,

Aboriginal Heritage Management Plan – State Significant Development –Blakebrook Quarry – MP07_0020-PA-38

Thank you for your referral seeking advice on the Aboriginal Heritage Management Plan (AHMP) for the above State Significance Development (SSD). Thank you for the continued opportunity to comment on the project.

Heritage NSW understands the AHMP has been submitted in accordance with the Minister's Conditions of Approval (CoA), Schedule 3, Conditions 24 and 25. Heritage NSW recommends the following amendments be made to the ACHMP:

- Please update the abbreviations table to remove Heritage NSW as part of the Biodiversity and Conservation Division. Heritage NSW is currently a branch of the Department of Planning and Environment (DPE).
- Please include Heritage NSW's and DPE's Environment Line contact details in the Unexpected Finds Protocol and the Possible Skeletal Remains Procedures.
- Please include a list of the Registered Aboriginal Parties (RAP) and their contact details.
- Please include procedures for updating the Aboriginal Heritage Information Management System (AHIMS) searches and RAP consultation at regular intervals (e.g., 12 months).

Following revision of the AHMP to address the above comments, please resubmit the Plan to Heritage NSW for comment.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 and corey.odriscoll@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads 'Nicole Davis'.

Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
(As Delegate under *National Parks and Wildlife Act 1974*)
Date: 20 June 2023

Locked Bag 5020 Parramatta NSW 2124 ■
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

Aboriginal Heritage Management Plan



Your reference: MP07_0020-PA-38
Our reference: DOC23/494523

Eleisha Went
Head of Operational Compliance
Lismore City Council
Email: Eleisha.went@lismore.nsw.gov.au

Dear Eleisha,

Aboriginal Heritage Management Plan – State Significant Development – Blakebrook Quarry – MP07_0020-PA-38

Thank you for your referral seeking advice on the Aboriginal Heritage Management Plan (AHMP) for the above State Significant Development (SSD) project. Thank you for the continued opportunity to comment on the project.

It is understood that the AHMP encompasses the Blakebrook Quarry, covered by approved MP07_0020-PA-38. The requested information and changes have been adequately completed. Heritage NSW has no further comments on the AHMP and supports the recommendations and management strategies outlined in the AHMP.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 and corey.odriscoll@environment.nsw.gov.au.

Yours sincerely

Corey O'Driscoll
Senior Assessment Officer
Heritage NSW
Department of Planning and Environment
(As Delegate under *National Parks and Wildlife Act 1974*)
Date: 2 August 2023

Aboriginal Heritage Management Plan

APPENDIX C – (c) Consultation with Registered Aboriginal Parties



26th of July 2022
The Board Members
Ngulingah Local Aboriginal Land Council
53 Conway Street,
Lismore, NSW, 2480

A division of
Ecotechnology
Australia Pty Ltd
ABN 82 106 758 123

13 Ewing Street
Lismore NSW 2480
Phone: 02 86 215 123
Fax: 02 86 218 123
info@ecoteam.com.au
www.ecoteam.com.au

- Operation and maintenance of village and resort-scale water supply & sewerage systems
- Design and construction of wastewater treatment wetlands
- contaminated land assessment and remediation
- environmental consultancy, scientific research projects, agricultural assessment
- Partnerships with Aboriginal communities

Dear Board members,

Ecoteam is working with Lismore City Council to conduct the tri-annual review of the Aboriginal Heritage Management Plan for Blakebrook Quarry. We understand that Environmental Resources Management (ERM) previously consulted with Ngulingah LALC in 2018 along with contacts from North Lismore Plateau and the Widjabul Wia-bal people to discuss the Management Plan.

The Blakebrook Quarry Aboriginal Heritage Plan includes provisions for the protection of identified artefacts on site, and consultation with key stakeholders. We would like to organise a time to discuss the Plan with the Board and any key individuals you wish to nominate.

Please feel free to call or email us at any time. We are happy to organise a meeting at any time that is convenient.

Kind regards,

Saffron McKenzie

Aboriginal Heritage Management Plan

APPENDIX C – (c) Consultation with Registered Aboriginal Parties

Ngulingah Recommendations/comments	Response
<p>1. Contract and breaking of soil, looking for heritage items is a concern of Ngulingah's. "Breaking of Ground" 200 – 500mm should require a walk over and either test pitting or a Ngulingah observer on site.</p>	<p>Further lateral expansion involving the breaking of soil at 200-500 mm within the approved extraction boundary, will adhere to above AHMP management strategies and response, and where safe to do so Ngulingah will be offered an opportunity to walk over the expansion area.</p>
<p>2. Blakebrook is considered a significant area to Elders. Indigenous people walked the high points of Country across the region.</p>	<p>The Quarry accepts and recognises this information.</p>
<p>3. Induction materials – appropriate procedures for what they could find and what to look for. Query re: knowledge of staff on Aboriginal Heritage items – What information and procedure is implemented to ensure Aboriginal Heritage is recognised at the Quarry. How artefacts are treated should be up to Ngulingah Land Council, i.e., exclusion zones or rehabilitated elsewhere.</p>	<p>The Quarry AHMP recognises the importance of appropriate procedures for Aboriginal Heritage Items (Section 7.0 Management & Mitigation Controls and Appendix D Aboriginal Heritage Induction Material).</p>
<p>4. Are any Aboriginal Custodians involved in the quarry projects, specifically rehabilitation, conservation, and land protection matters? The importance of recognition and inclusion of Aboriginal way of doing business.</p>	<p>The Quarry is working to an approved plan and reporting system which is publicly available in detail in the Biodiversity and Rehabilitation Management Plan (BRMP). Alterations to these plans are not currently viable.</p>
<p>5. Acknowledgment and recognition that the current management plans for "<i>Keeping Place Agreement</i>" and "<i>Possible Skeletal Remains Procedure</i>" were respected. Closing the meeting was an acknowledgment for recognition of mutual appreciation in making contact, the interest in having a more open relationship, and the adequacy in engaging Ngulingah LALC as the main body for communications on behalf of other Aboriginal stakeholders while it is difficult to contact them, such as North Lismore Plateau and Widjabul Wia-bul Native Title Claimants.</p>	

Aboriginal Heritage Management Plan

APPENDIX C – (d) DPE Correspondence



Planning Services
Resource Assessments
Contact: Jack Murphy
Phone: 8217 2018
Email: jack.murphy@planning.nsw.gov.au

Mr Louis Penny
Senior Town & Environmental Planner
ERM
PO Box 1400
Spring Hill QLD 4000

Email: Louis.Penny@erm.com

Dear Mr Penny,

Blakebrook Quarry Modification 1 (07_0020) Environmental Management Plans

I refer to your emails dated 3 and 24 August 2018, submitting a revised environmental management strategy and revised environmental management plans for the Blakebrook Quarry. The Department has reviewed the following documents and considers they have fulfilled the requirements of their respective conditions:

- Aboriginal Heritage Management Plan dated August 2018 (condition 24, Schedule 3);
- Air Quality Management Plan dated August 2018 (condition 12, Schedule 3);
- Environmental Management Strategy dated August 2018 (condition 1, Schedule 5);
- Traffic Management Plan Dated August 2018 (condition 23, Schedule 3);
- Noise Management Plan dated August 2018 (condition 5, Schedule 3); and
- Blast Management Plan dated August 2018 (condition 9, Schedule 3).

Consequently, the Secretary has approved the above documents. Please ensure finalised copies of these documents are made available on the company's website.

Should you have any enquiries in relation to this matter, please contact Jack Murphy.

Yours sincerely,

A handwritten signature in blue ink that reads 'Howard Reed'.

Howard Reed 28.8.18
Director
Resource Assessments
as nominee of the Secretary

Aboriginal Heritage Management Plan

APPENDIX C - (d) DPE Correspondence



Department of Planning and Environment

Ms Eleisha Went
Compliance Manager, Commercial Services
Lismore City Council

Ref. ED22/6741

60 BRUNSWICK STREET
LISMORE NSW 2480

Via email: Eleisha.went@lismore.nsw.gov.au

Dear Ms Went

Blakebrook Quarry - Flood Emergency Request (MP07_0020) Extension of Time Request

Thank you for your correspondence to the Department of Planning and Environment (the "Department") dated 3 & 12 March 2022 seeking an extension of time for the submission of reports required under the conditions of consent and additionally, seeking increased limits on hours of operation, production, and vehicle movements for the Blakebrook Quarry (MP07_0020) to enable Council to repair necessary infrastructure.

The Department acknowledges that the Lismore region and its residents have been significantly impacted by the recent unprecedented flooding and associated impacts to infrastructure. The Department wishes to assist in any way possible to support Council and the community that have been impacted by this tragic event.

Reports and Environmental Management Plans

The Department has considered your request for the extension of time for the submission of the following reports and management plans;

- Annual Environmental Management Review (AEMR); and
- Modification 3 Management Plan revisions (including Site Water Balance)

Accordingly, the Planning Secretary has approved your request for an extension of time until 30 June 2022 for the submission of the Annual Environmental Management Review, and until 30 September 2022 for the submission of revised Management Plans required under Modification 3 (including the Site Water Balance).

Increased production limits, hours of operation and vehicle movements

In relation to your request seeking increased hours of operation, production limits, and vehicle movements, the Department provides assurance that it will not take enforcement action for

Aboriginal Heritage Management Plan



Department of Planning and Environment

these exceedances for an initial period of 3 months and will review the Council's circumstances at that time in determining whether this period should be extended.

The Department notes that the Council has committed to the following measures:

- Continue to monitor and record tonnages of quarry products and asphalt leaving the site;
- Continue to monitor and record the number of laden truck movements exiting the site;
- Limit hours of operation wherever possible;
- Record and respond to any complaints; and
- Continue to meet the requirements of management plans and programs.

Additionally, the Department considers that blasting activities at the site should be undertaken within the approved hours unless considered critical for production or for safety reasons (such as a misfire). The Department further requests that the Council conducts engagement with sensitive receivers prior to increasing production, truck movements or conducting operations outside of the approved hours.

Finally, the Department requests that a short monthly summary report be provided during the period of works, outlining the works conducted outside of the limits of consent, whether complaints have been received and the Council's response to such complaints.

Should you wish to discuss the matter further, please contact Mr Phillip Rose, Compliance Officer at the Department on 6670 8657 or phillip.rose@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read "Ben Harrison".

16.8.2022

Ben Harrison
Director Compliance
As nominee of the Planning Secretary

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL



ABORIGINAL HERITAGE INDUCTION – BLAKEBROOK QUARRY

BACKGROUND

Aboriginal heritage sites and places occur across Australia in every town, city and country location. Aboriginal sites provide direct evidence that Aboriginal people have lived in Australia for at least the past 50,000 years.

All Aboriginal sites are significant to Aboriginal people and archaeologists because they provide evidence for past Aboriginal activities and ways of life; many of which we have no further information about.

Aboriginal sites are becoming scarce, because of development and other impact from our expanding infrastructure. It is therefore important to conserve and care for known and unknown Aboriginal sites, so that future generations will be able to appreciate, understand and study these sites, as we can today.

PROTECTION FOR ABORIGINAL SITES

Every Aboriginal site and/or place, from the smallest stone artefact to the largest sites, is protected under NSW legislation. The *National Parks and Wildlife Act 1974*, provides statutory protection for every Aboriginal site, whether it has been recorded or not.

It is an offence to:

- move, alter or take any Aboriginal site or components of a site; and
- dig, excavate or damage a site (knowingly or unknowingly) without the permission of the Department of Environment Climate Change and Water (DECCW).

When a development is approved under *Part 3a (now repealed) of the Environmental Planning and Assessment Act 1979 (EP&A Act)*, further approvals under the *National Parks & Wildlife Act 1974* are not required. In this instance management of heritage sites must follow the *Conditions of Approval (CoA)* included in the Project Approval, along with the *Statement of Commitments (SoC)* contained in the Environmental Assessment (EA) for the Project.

Failure to undertake Project activities in accordance with the CoA and/or SoC may constitute an offence under the provision of the *EP&A Act*.



Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL

Not only can impacts result in monetary fines, but significant delays can be incurred to a project. Delays to the Project can be several months in length (up to six months); which will have a detrimental impact on the Projects schedule and the team undertaking the works.

Ignoring a suspected Aboriginal site and undertaking activities that could impact the site, including vegetation removal, any ground disturbance, etc can be considered an offence and could be liable under the *EP&A Act* if activities have not been undertaken in accordance with the SoC and CoA.

It is therefore always better to spend five minutes checking with a supervisor to determine further action at any location; rather than impacting an Aboriginal site which could result in work ceasing for several months.

WHAT ABORIGINAL SITES ARE PRESENT

In order to gain environmental approval for this Project, Lismore City Council have prepared, in collaboration with the Aboriginal community members, an Aboriginal Heritage Management Plan that details the presence or otherwise of Aboriginal sites which could be impacted by the works.

Previous studies have confirmed that there are no known heritage sites identified within the Blakebrook Quarry although it is recognised that the quarry is situated in a region rich in Aboriginal cultural heritage. You must look out for cultural heritage sites and follow the procedures below if you believe you have found an Aboriginal site.

The following photographs provide an indication of typical Aboriginal sites you may encounter. Other types of Aboriginal sites present in the region, which are less common, include:

- burial sites;
- art sites; and
- ceremonial sites.

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL



Silcrete and mudstone artefacts



Quartz stone artefacts



This bank adjacent to a creek contains hundreds of stone artefacts.

Stone Artefacts

Stone artefacts were the everyday tools used by Aboriginal people. Stone artefacts are made from quartz (a white stone), silcrete (a volcanic stone, frequently red or yellow in colour), chert (a fine grained sedimentary rock most often gray, brown, grayish brown, light green, white, black or rusty red), and mudstone (sedimentary rock, mud coloured).

Stone artefacts can be very small (a few millimetres) and can range up to pieces the size of large cobbles.

Stone artefacts may be found across the landscape; but larger concentrations are frequently found near to watercourses, on hilltops or along ridgelines.

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL



An Aboriginal cultural scar on a dead tree.

Scarred Trees

Scars may be found on old growth trees (more than 100 years old), the tree may be alive or dead. Scars caused by Aboriginal people are difficult to decipher from scars created by other factors. These scarred trees are one of the most common yet least understood items of Aboriginal heritage.

Other reasons that a tree may bears scars include:

- Trauma Damage, including the general effects of bushfire, drought, crown loss and defoliation
- Storm and Fire Damage, including wounds directly caused by lightning strikes, burning and branch tears
- Faunal Damage, including the wounds caused by insects, birds and livestock
- Impact and Abrasion Damage, including the effects of falling trees, branches and accidental collisions
- Ring-barking, and other deliberate or negligent human damage

If you find a tree which you suspect may have an Aboriginal scar it is important to notify the site supervisor immediately.

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL



This midden was buried beneath leaf litter and only exposed when the site was excavated.



Examples of oyster and bi-valve shell (and mud stone).

Middens

Middens are occupation sites and are accumulations of shell, often with stone artefacts. They contain evidence of past Aboriginal occupation including hunting, gathering and food processing activities. Middens can occur near all fresh water sources and consist primarily of concentrations of discarded shell and bone, botanical remains, ash and charcoal. Any accumulation of shell observed may be a midden if it is located in an undeveloped area. Midden can be small, less than 500 mm across, to several metres wide and deep. The discarded shell and other materials may be the remains of a single meal, or the result of repeated use of a particular location over thousands of years.

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL



A grinding bowl on sandstone



Grinding grooves on sandstone

Grinding Grooves and Bowls

These sites are carved into sandstone or volcanic stone and are the result of generations of grinding one stone against another many times to produce and/or sharpen tools and weapons (grinding grooves) or for processing food and grinding seeds into flour (grinding bowl). While grinding grooves are most often found close to a source of water, they are also found on flat sandstone areas on high ridges. These high locations often have circular water pots cut into the sandstone. It is reported that these 'water pots' held water, either after rainfall or carried from the creek, to wet the stone for grinding which made the sandstone more abrasive.

Aboriginal Heritage Management Plan

APPENDIX D – ABORIGINAL HERITAGE INDUCTION MATERIAL

WORK YOU WILL UNDERTAKE THAT COULD IMPACT AN ABORIGINAL SITE

All work where you alter the landscape could result in discovering a new Aboriginal site. Such activities include:

- any soil excavation;
- vegetation clearance;
- service installation; and
- demolition of existing buildings and foundations.

WHAT TO DO IF YOU FIND AN ABORIGINAL SITE (OR SUSPECT YOU HAVE FOUND AN ABORIGINAL SITE)

If you suspect that you have uncovered an Aboriginal site then you should follow this procedure:

1. **STOP WORK IMMEDIATELY.** Any person that observes or uncovers potential Aboriginal heritage objects during the works must notify machinery operators immediately. All activities and/or works in the immediate area must cease (DO NOT collect samples to show someone);
2. **NOTIFY.** Notify the site supervisor immediately. The site supervisor will contact, notify and consult with Registered Aboriginal Parties (RAPs), OEHL and an appropriately qualified heritage professional (archaeologist);
3. **AVOID DISTURBANCE** of the area at and adjacent to the cultural finds;
4. **PROTECT THE SITE.** Any sand/soils removed must be identified and set aside for assessment. The disturbed area needs to be cordoned off as an exclusion zone so that no further disturbance occurs (include a minimum 10m wide buffer area);
5. **ASSESS THE FIND.** The RAPs and archaeologist will investigate the nature; extent and location of the find.
If the find is suspected to be Human Remains the site supervisor will contact the Police who may then take control of the site and any further investigation;
6. **RECORD/SALVAGE THE FIND.** The RAPs and archaeologist will, in consultation with the site supervisor and OEHL, arrange recording of the objects and if required salvage.; and
7. **RESUME WORK.** Subject to the archaeologist's assessment, work may be able to recommence under the terms once the site is assessed and appropriately salvaged. Alternatively, where possible, work methods or location may be altered to minimise further harm to the find, or objects associated with the find.

Aboriginal Heritage Management Plan

APPENDIX E – UPDATED DATABASE SEARCHES

(a) AHIMS



AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : NC2013/005

Client Service ID : 700560

Ecoteam - Lismore

Date: 15 July 2022

13 ewing street

Lismore New South Wales 2480

Attention: Saffron Mckenzie

Email: saffron@ecoteam.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 53, DP:DP1254990, Section : - with a Buffer of 50 meters, conducted by Saffron Mckenzie on 15 July 2022.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

<input type="checkbox"/>	Aboriginal sites are recorded in or near the above location.
<input type="checkbox"/>	Aboriginal places have been declared in or near the above location. *

Aboriginal Heritage Management Plan

APPENDIX E – (b) Native Title Search

