

BURONGA LANDFILL EXPANSION

HERITAGE MANAGEMENT PLAN



Final
September 2024
PREPARED BY LANDSKAPE

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1 INTRODUCTION

The Buronga Landfill Expansion (the Project) is being developed by Wentworth Shire Council.

The Project is located at Lot 197 and 212 DP756946 and Lot 1 DP1037845 258 Arumpo Road, Buronga, approximately 25 km east of Wentworth and 5 km north of Buronga in western New South Wales (Figure 1).

The Project includes the excavation of new landfill cells, modified internal infrastructure and hardstands and stormwater and leachate collection and management works.

1.1 SCOPE

This Heritage Management Plan (HMP) has been prepared on behalf of Wentworth Shire Council by Dr Matt Cupper of Landskape, to satisfy the requirements of NSW Development Consent (SSD_10096818). Dr Cupper is a qualified archaeologist with over two decades' experience in Aboriginal cultural heritage management in NSW.

The HMP describes the management of Aboriginal cultural heritage at the Project in accordance with the above listed approval.

1.2 STRUCTURE OF THE HERITAGE MANAGEMENT PLAN

The remainder of the HMP is structured as follows:

- Section 2: Outlines the statutory requirements applicable to the HMP.
- Section 3: Outlines the Aboriginal cultural heritage sites and Aboriginal heritage values at the Project.
- Section 4: Outlines management measures for Aboriginal heritage at the Project.
- Section 5: Describes the protocols for heritage inductions and training.
- Section 6: Describes the performance measures applicable to the management of Aboriginal and historic heritage at the Project.
- Section 7: Provides a contingency plan to manage any unprecedented impacts and their consequences.
- Section 8: Describes the roles and responsibilities in relation to the management of heritage at the Project.
- Section 9: Provides details for the review and improvement of environmental performance process.
- Section 10: Describes the management and reporting of incidents, complaints and non-compliances.
- Section 11: Provides the references cited in the HMP.
- Appendix A: Provides a glossary of terms and abbreviations.
- Appendix B: Lists the Aboriginal cultural heritage sites at the Project.
- Appendix C: Consultation log for the HMP.

1.3 CONSULTATION FOR THE HERITAGE MANAGEMENT PLAN

In accordance with Condition B37(b) of Development Consent (SSD_10096818), a draft of the HMP was provided to Heritage NSW and the Registered Aboriginal Parties (RAPs) for their review and comment (see Appendix C for a log of this consultation). The draft was provided to the RAPs on 20

December 2023. No responses had been received by 23 January 2024. The draft was also provided to Heritage NSW on 23 January 2024. Heritage NSW made a number of suggested comments on 31 January 2024, which have been incorporated into this final HMP. Correspondence from Heritage NSW is included in Appendix C.

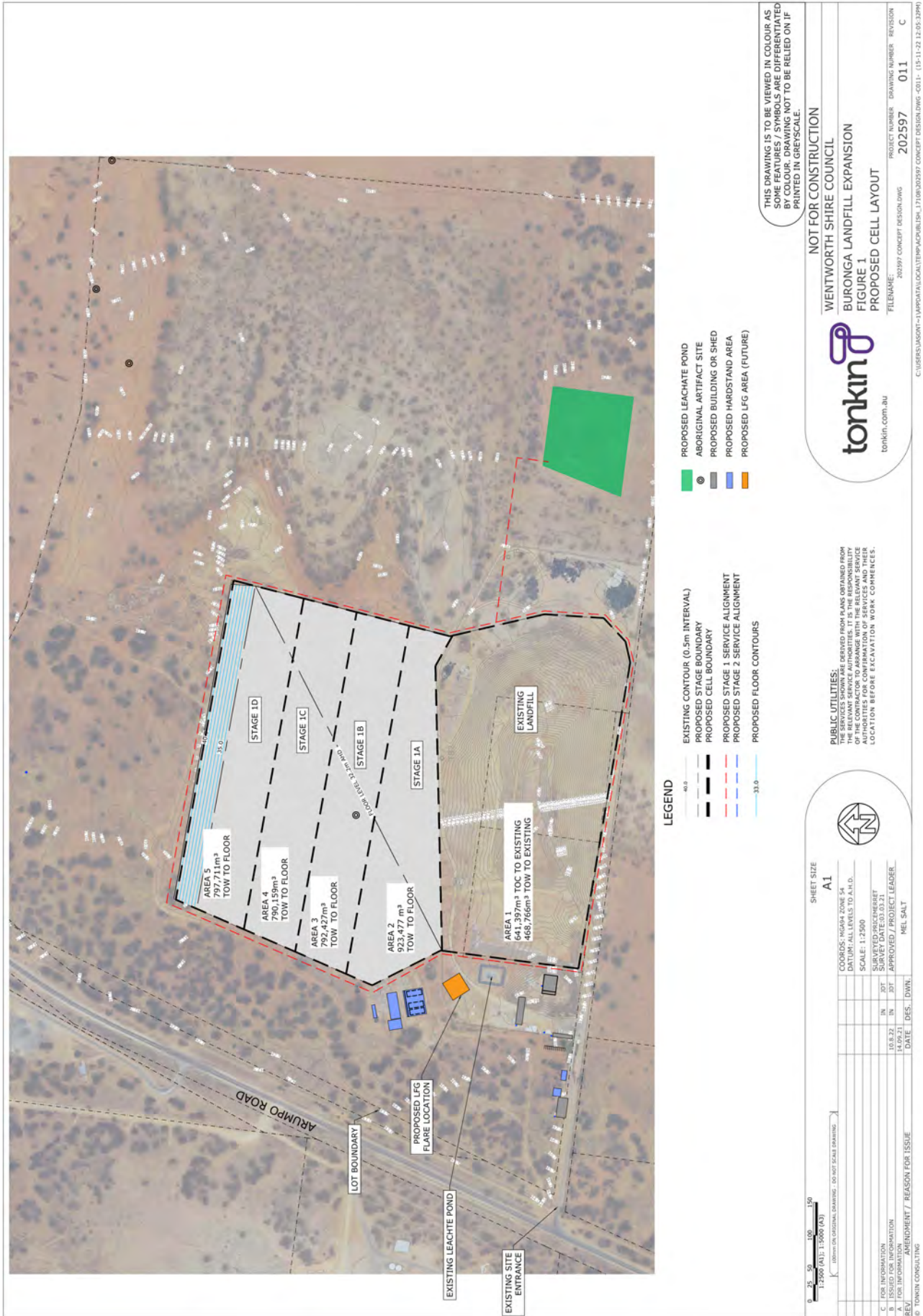


Figure 1. Project Location

2 STATUTORY REQUIREMENTS

Wentworth Shire Council's statutory obligations are contained in:

- the conditions of the NSW Development Consent (SSD_10096818); and
- other relevant legislation.

2.1 DEVELOPMENT CONSENT

A comprehensive list of all conditions in the Development Consent (SSD_10096818) relevant to heritage management, and a description of where they are referenced in this HMP, is provided below.

2.1.1 Heritage Management Plan

Condition B37 of the NSW Development Consent (SSD_10096818) requires the preparation of the HMP. Table 1 presents these requirements and where they are presented in the HMP.

Table 1
Heritage Management Plan Requirements

NSW Development Consent (SSD_1009681) Condition	HMP Section
<i>B37. Prior to the commencement of any works on site the Applicant must prepare a Heritage Management Plan (HMP). The HMP must form part of the LEMP required by condition C2. The HMP must:</i>	All sections
<i>(a) be prepared by suitably qualified and experienced person (s);</i>	Section 1.1
<i>(b) be prepared in consultation with Heritage NSW and registered Aboriginal parties; and</i>	Section 1.3
<i>(c) include measures to protect the Aboriginal items on site to ensure the development does not cause any direct or indirect impact.</i>	Section 4
<i>Unexpected Finds Protocol</i>	
<i>B38. If any item or object of Aboriginal heritage significance is identified on site:</i>	
<i>(a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;</i>	Sections 4.7 and 4.8
<i>(b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and</i>	Sections 4.7 and 4.8
<i>(c) Heritage NSW must be contacted immediately.</i>	Sections 4.7 and 4.8
<i>B39. 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>.</i>	Sections 4.7 and 4.8
<i>B40. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW.</i>	Section 4.7

2.1.2 Management Plan Requirements

Part C of NSW Development Consent (SSD_10096818) outlines the general management plan requirements that are applicable to the preparation of the HMP. Table 2 presents these requirements and where they are addressed in the HMP.

**Table 2
Management Plan Requirements**

NSW Development Consent (SSD_10096818) Condition	HMP Section
<i>C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</i>	All sections
<i>(a) details of:</i> <i>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</i> <i>(ii) any relevant limits or performance measures and criteria; and</i> <i>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</i>	Section 2
<i>(b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</i>	Section 4, 6
<i>(c) a program to monitor and report on the:</i> <i>(i) impacts and environmental performance of the development; and</i> <i>(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;</i>	Sections 8 and 9
<i>(d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing</i> <i>impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</i>	Section 7
<i>(e) a program to investigate and implement ways to improve the environmental performance of the development over time;</i>	Section 9
<i>(f) a protocol for managing and reporting any:</i> <i>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</i> <i>(ii) complaint;</i> <i>(iii) failure to comply with statutory requirements; and</i>	Section 10
<i>(g) a protocol for periodic review of the plan.</i>	Section 9.1

2.2 KEY REGULATORY GUIDELINES

The Acts, Regulations and Guidelines that may be applicable to the Project include, but are not necessarily limited to, the:

- Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act, 1984*;
- Commonwealth *Australian Heritage Council Act, 2003*;
- Commonwealth *Environment Protection and Biodiversity Conservation Act, 1999*;
- Commonwealth *Native Title Act, 1993*;
- NSW *Crown Lands Act, 1989*;
- NSW *Heritage Act, 1977*;

- *NSW National Parks and Wildlife Act, 1974;*
- *NSW Environmental Planning and Assessment Act, 1979;*
- *Engage Early* (Commonwealth Department of the Environment, 2016);
- *Aboriginal cultural heritage consultation requirements for proponents 2010* (NSW Department of Environment, Climate Change and Water [DECCW], 2010a);
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010b);
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011);
- *Ask First: A Guide to Respecting Indigenous Heritage Places and Values* (Australian Heritage Commission, 2002);
- *Aboriginal Cultural Heritage: Standards and Guidelines Kit* (National Parks and Wildlife Service, 1997);
- *Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation* (NSW Department of Environment and Conservation (DEC), 2005);
- *Assessing Heritage Significance* (NSW Heritage Office, 2001); and
- The Australian International Council on Monuments and Sites (ICOMOS) *Burra Charter* (Australia ICOMOS, 2013).

3 ABORIGINAL CULTURAL HERITAGE SITES AND ABORIGINAL HERITAGE VALUES

3.1 ABORIGINAL CULTURAL HERITAGE SITES

A total of four Aboriginal cultural heritage sites were identified within the Project area (Figure 2) (Appendix B).

Aboriginal cultural heritage sites identified within the Project area comprise four isolated finds of stone artefacts (Watts, 2016; Landskape, 2021).

Watts (2016) identified an isolated find of a stone artefact (AHIMS site number 46-3-0192) during a Due Diligence Assessment of the Buronga Landfill Expansion area. Wentworth Shire Council subsequently obtained an Aboriginal Heritage Impact Permit (AHIP Number 4081) (an AHIP issued under the NSW *National Parks and Wildlife Act, 1974*) to harm the site and the area was disturbed by construction of a borrow pit.

Landskape (2021) identified three isolated finds of stone artefact (AHIMS site numbers 46-3-0203, 46-3-0204, 46-3-0205) during an Aboriginal Cultural Heritage Assessment of the Buronga Landfill Expansion area. The Project footprint was designed to avoid these sites. These sites will be fenced to protect these sites during construction activities (Sections 4.4). A detailed description of each of these three Aboriginal cultural heritage sites identified within the Project area and immediate surrounds is provided in Appendix B.

3.2 KEY ABORIGINAL HERITAGE VALUES

The Project area is located at the boundary of traditional country of the Barkindji, Kureinji, Latje Latje, Maraura, and Yerre Yerre peoples. A prevailing view throughout the Aboriginal consultation process undertaken for the Project EIS (Landskape, 2021) and during development of this Heritage Management Plan is the importance of all physical evidence of past Aboriginal life to current Aboriginal communities. Aboriginal cultural heritage sites provide a tangible connection to past Aboriginal land use. Aboriginal cultural heritage sites are valuable in sustaining contemporary Aboriginal identity through opportunities for teaching and engagement with heritage in field investigations. It is also acknowledged that landforms, soils, water, flora and fauna resources are important in understanding how Aboriginal people would have used the landscape.

The Aboriginal Cultural Heritage Assessment prepared for the Project (Landskape, 2021) concluded that overall the Project area was of low scientific cultural heritage value.

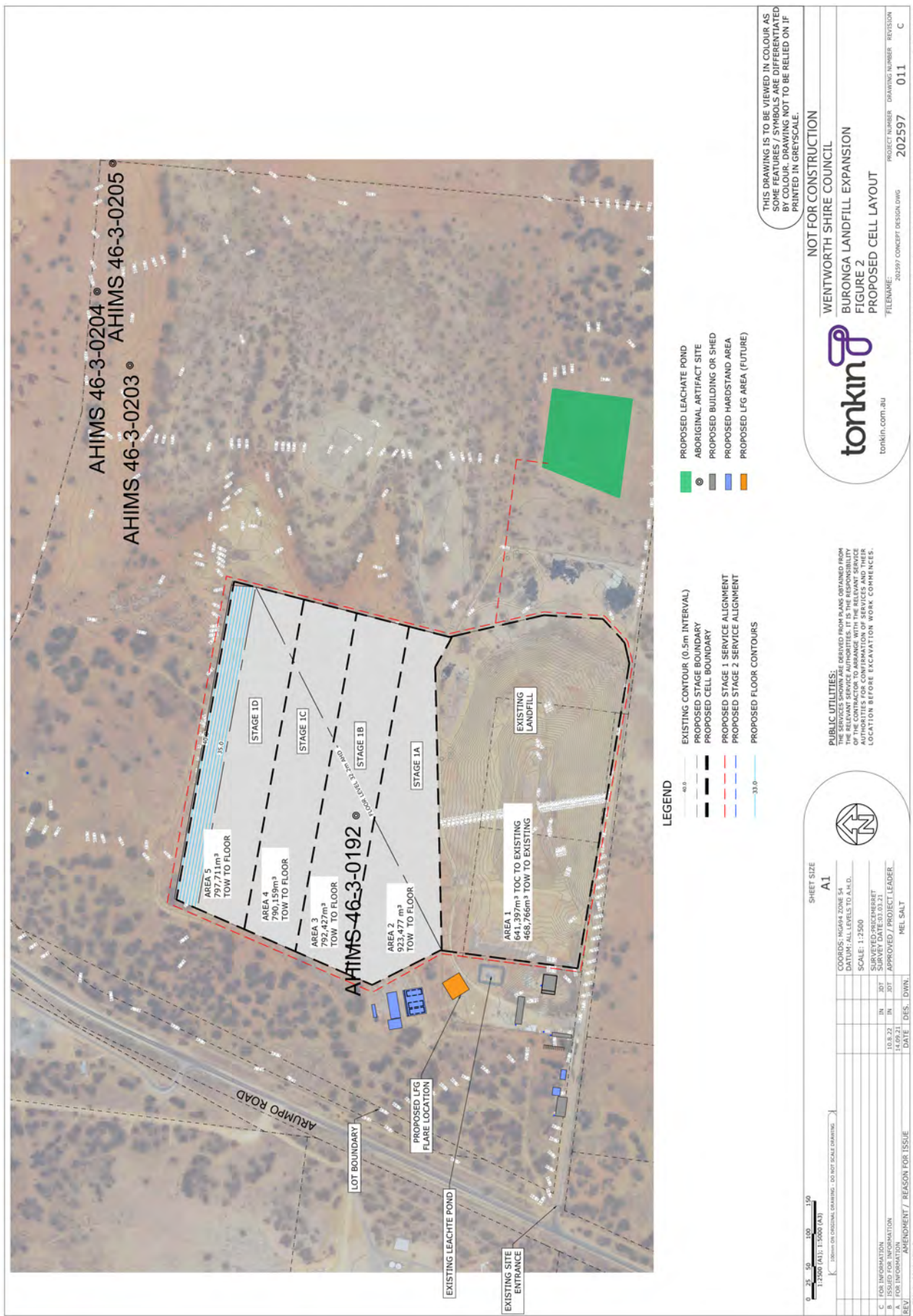


Figure 2. Aboriginal Cultural Heritage Sites

4 MANAGEMENT OF ABORIGINAL HERITAGE

This section outlines the management and mitigation measures proposed for identified and potential Aboriginal cultural heritage sites at the Project, consistent with the requirements of the Development Consent (SSD_10096818).

4.1 PROTOCOL FOR THE ONGOING INVOLVEMENT OF THE ABORIGINAL COMMUNITY

Wentworth Shire Council acknowledges that Aboriginal heritage is of prime importance to the Aboriginal community and that Aboriginal people have the right to be consulted and involved in relation to the management of their heritage. Wentworth Shire Council recognises that the Aboriginal community has a paramount role in identifying cultural significance and cultural heritage values, and that the Aboriginal community are the primary source of information on the value of their heritage and how this is best conserved.

4.1.1 Registered Aboriginal Parties

During the course of the development of the Project EIS and the Aboriginal Cultural Heritage Assessments (Landskape, 2021), representatives of archaeological consultancy Landskape consulted with members of the Aboriginal community. RAPs from the Aboriginal community were identified through a comprehensive program of community consultation consistent with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a) and also in consideration of the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC, 2005).

The Aboriginal organisations and/or individuals responsible for the provision of Aboriginal cultural heritage advice within the Project area (i.e. the RAPs for the Project) are listed in Table 3.

**Table 3
Registered Aboriginal Parties for the Project**

Registered Aboriginal Party
Barkandji Native Title Group Aboriginal Corporation
Dareton Local Aboriginal Land Council
Ta-Ru Board of Management/Mauraura Barkindji Traditional Owners

Detailed records of the Aboriginal community consultation undertaken during the development of the Project EIS is included in the Aboriginal Cultural Heritage Assessment (Landskape, 2021).

4.1.2 Ongoing Consultation with Registered Aboriginal Parties

The management measures for the Project outlined in this Heritage Management Plan involve the RAPs and consider their cultural values and concerns in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011) and *Ask First; A Guide to Respecting Indigenous Heritage Places and Values* (Australian Heritage Commission, 2002).

Wentworth Shire Council is committed to maintaining ongoing consultation with all RAPs throughout the life of the Project, however it is the responsibility of RAPs to provide up-to-date contact details (e.g. full name, postal address, telephone number and where possible, email address) to Wentworth Shire Council.

At the request of the RAPs, the Wentworth Shire Council authorised delegate will avail themselves to attend community meetings at the RAPs offices or to arrange site visits for interested personnel or

members.

The effectiveness and value of the consultation with the RAPs will be periodically reviewed. In the event there is agreement that the approach to consultation needs to change, the changed procedures will be documented, communicated to the DPHI and recorded in the review (Section 9). All consultation will be diarised.

Wentworth Shire Council will provide appropriate notification to the RAPs and a minimum of 28 days to comment on any proposed amendments to the HMP (Section 9.1). Wentworth Shire Council will distribute copies of any updated version of this HMP to the RAPs.

4.2 SUMMARY OF MANAGEMENT MEASURES FOR ABORIGINAL CULTURAL HERITAGE SITES

The management measures detailed in the following sub-sections have incorporated indicative Aboriginal community attitudes recorded during the consultation process with the RAPs who participated in the Aboriginal Cultural Heritage Assessment (Landskape, 2021).

Management measures are directly related to the archaeological significance of each Aboriginal cultural heritage site. Cultural heritage sites will be avoided (Section 4.4). General land management strategies will also be implemented to avoid inadvertent damage to any Aboriginal cultural heritage sites (Section 4.3).

4.3 LAND MANAGEMENT STRATEGIES

General land management strategies will be implemented during the development of the Project, to minimise the potential impacts on Aboriginal cultural heritage through:

- minimising disturbance areas where practicable;
- controlling erosion and sedimentation; and
- progressive rehabilitation.

These land management strategies are detailed in a number of environmental management plans prepared for the Project including the Environmental Management Strategy.

4.4 AVOIDANCE

Archaeological surveys undertaken for the Project EIS (Landskape, 2021) identified three Aboriginal cultural heritage sites to be avoided during construction and operation of the Project. Details of the sites to be avoided and measures to be undertaken to prevent direct and indirect impact of the sites are detailed below (Sections 4.4.1 to 4.4.2).

4.4.1 Aboriginal Cultural Heritage Sites to be Avoided

Identified Aboriginal objects in sites AHIMS site numbers 46-3-0203, 46-3-0204, 46-3-0205 will be avoided and protective fencing erected around each site to prevent inadvertent damage.

Aboriginal cultural heritage sites AHIMS site numbers 46-3-0203, 46-3-0204, 46-3-0205 are of low archaeological significance. Although the Project footprint was designed to avoid these sites, they are located in proximity to the footprint. To protect these sites during construction activities, these sites will be fenced (Section 4.4.2) and demarked with signage stating: “Restricted Area: Do Not Enter: Aboriginal Cultural Heritage Site”.

4.4.2 Construction of Protective Fencing

Wentworth Shire Council will retain appropriate contractors to construct protective fencing around identified sites to be avoided (Section 4.4.1). No disturbance to Aboriginal cultural heritage sites will occur during fence installation.

Fencing of relevant Aboriginal cultural heritage sites will (at a minimum) involve surrounding the sites with a 10 m wide buffer¹ demarked by flagging tape attached to plastic bollards (or flagged bunting attached to star pickets). This fencing will be undertaken when surface disturbance activities are within 50 m of the relevant Aboriginal cultural heritage sites (Section 4.4.1). The boundaries for the flagged buffer must be determined by an archaeologist in the field with the invited participation of representatives of the RAPs. Temporary protective fencing will be removed when surface disturbance activities in the vicinity have concluded.

More permanent post and wire fences and appropriate signage will be erected around Aboriginal cultural heritage sites AHIMS site numbers 46-3-0203, 46-3-0204, 46-3-0205 due to their proximity to the footprint. The fencing around AHIMS site numbers 46-3-0203, 46-3-0204, 46-3-0205 will be installed prior to the commencement of disturbance, and will be inspected annually for maintenance purposes and to monitor any potential adverse impacts to the fenced sites.

4.5 MONITORING OF ABORIGINAL CULTURAL HERITAGE SITES

Wentworth Shire Council personnel and/or contractors with cultural heritage training (Section 5) will supervise and/or undertake all vegetation clearing, soil stripping activities and other construction earthworks.

¹ Or other suitable buffer as determined by a qualified archaeologist on an individual site basis.

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

Should previously unidentified Aboriginal cultural heritage sites be encountered over the life of the Project, the management of such cultural heritage will proceed in accordance with protocol outlined below. Information about any such Aboriginal cultural heritage sites will be submitted to Heritage NSW for inclusion in the Aboriginal Heritage Information Management System (AHIMS) Site Register.

In the event of the discovery of a new Aboriginal cultural heritage site, the following procedure will be followed:

1. Work will cease immediately in the area of discovery.
2. If the area of discovery is in deposited material, then work will also cease in the area where the material originated.
3. The person discovering the artefact will notify their supervisor who will confirm that work has ceased and the area(s) is (are) cordoned off with a minimum 10 m buffer with tape.
4. The supervisor will notify the authorised delegate.
5. The authorised delegate, will:
 - a. Notify Heritage NSW.
 - b. Engage a qualified archaeologist to attend the Aboriginal cultural heritage site and advise on its nature, extent and archaeological significance.
 - c. The qualified archaeologist will determine the extent of the newly identified site and the site will be temporarily fenced off with an appropriate buffer in order to avoid further disturbance. Work will be able to resume in the vicinity of the newly identified site, after the site has been demarcated.
 - d. If the site is considered to be of low or moderate archaeological significance, the qualified archaeological will propose applying the existing management measures for other similar sites already described in the HMP.
 - e. If the site is considered to be of high archaeological significance, arrange for representatives of the RAPS to attend and advise on its cultural significance in consultation with the qualified archaeologist and to discuss the proposed management actions.
6. If the find is confirmed as an Aboriginal cultural heritage site, the archaeologist will complete a Sites Register Card and forward to Heritage NSW for inclusion on the AHIMS register.
7. Subject to the recommendations of the archaeologist and the representatives of the RAPs, artefacts from the site will be collected prior to further work being undertaken in the vicinity of the site.
8. The Project Aboriginal Cultural Heritage Sites Database will be updated with the relevant information (Section 4.8).

4.7 PROTOCOL FOR DISCOVERY OF HUMAN REMAINS

Should suspected human bone(s) be identified, Wentworth Shire Council staff or contractors working at the Project, work will cease immediately in the area of the find and the Police and the State Coroner's Office will be notified immediately. If there are reasonable grounds to believe that the remains are more than 100 years old and Aboriginal, the Environmental Line (tel: 131 555) will also be notified immediately.

Below are four basic steps that will be followed in the event that human remains are identified over the life of the Project:

1. Discovery:
 - a. If suspected human remains are discovered, all activity in the vicinity will stop to prevent any further damage to the remains.
 - b. The remains will be left in place and protected from harm or damage by temporary fencing comprising plastic bollards and flagging tape with a minimum buffer of 10 m.
 - c. Work can continue outside of the fenced area as long as there is no risk of interference to the human remains or the assessment of the remains.
2. Notification:
 - a. The Wentworth Shire Council authorised delegate is to be notified immediately.
 - b. The Wentworth Shire Council authorised delegate will notify the Coroner's Office (tel: 02 9552 4066) and the NSW Police (Balranald; tel: 03 5020 1404) immediately.
 - c. If there are reasonable grounds to believe that the remains could be more than 100 years old and are of potential Aboriginal origin, the Environmental Line (tel: 131 555) will be notified immediately.
 - d. All details of the location and nature of the human remains will be provided to the relevant authorities.
3. Impact Mitigation or Recording and Collection:
 - a. If the remains are determined to be of Aboriginal origin, Heritage NSW, after taking reasonable steps to consult with any Aboriginal person or body with an interest in Aboriginal human remains, will determine the appropriate course of action.
 - b. An appropriate impact mitigation or recording and collection strategy as determined by Heritage NSW, in consultation with the RAPs will be implemented. This will depend on the circumstances in which the remains were found, the number of burials found, the type of burials, and the outcome of consultation with any Aboriginal person or body.
4. Curation, Reburial and further analysis:
 - a. The treatment of salvaged Aboriginal human remains will be in accordance with the direction of Heritage NSW.
 - b. Any reburial place(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details provided to Heritage NSW.
 - c. Appropriate management measures will be implemented to prevent disturbance of the remains in the future.

4.8 MANAGEMENT OF THE ABORIGINAL CULTURAL HERITAGE SITES DATABASES

Heritage NSW maintains the AHIMS register, a database containing information about known Aboriginal cultural heritage sites across NSW.

Results of the previously conducted surveys (Landskape, 2021) have been made available to Heritage NSW for inclusion in the AHIMS register. The results of any future surveys (and salvage works, where relevant) will also be made available to Heritage NSW for inclusion in AHIMS register.

Wentworth Shire Council will also maintain a comprehensive database of the location, nature and extent of any known Aboriginal cultural heritage sites in the Project area and immediate surrounds. The database will include detailed descriptions of the contents and spatial extent of each Aboriginal cultural heritage site (including the name, AHIMS number, site type, archaeological significance, MGA coordinates and status) in both tabular and GIS formats.

The database will be made available to all relevant Wentworth Shire Council staff and contractors as required to avoid any inadvertent damage to Aboriginal cultural heritage sites and for planning purposes. The database will be regularly updated and Heritage NSW will be notified of any changes to the database.

4.9 MANAGEMENT OF CULTURALLY SENSITIVE INFORMATION

Wentworth Shire Council understands that the intellectual property of Aboriginal knowledge-holders will be treated respectfully and confidentially. Potential access to, and dissemination of, any cultural information will at all times be controlled by Aboriginal knowledge-holders.

A sensitive information protocol would be developed by Wentworth Shire Council if requested by the RAPs.

4.10 ABORIGINAL COMMUNITY ACCESS

If requested by members of the Aboriginal community, Wentworth Shire Council will facilitate access to sites within the Project area for cultural purposes (e.g. education, ceremony), subject to any Workplace Health and Safety requirements.

RAPs wishing to access the Project area should contact Wentworth Shire Council General Manager in writing.

Access, in all instances, will be subject to relevant operational and safety considerations and cannot be guaranteed. There will be no unauthorised access to the Project area.

4.11 ASSESSMENT OF ANY FUTURE ALTERATIONS TO SURFACE DEVELOPMENT AREAS

Prior to any significant alterations or modifications to the approved surface development areas at the Project, a risk assessment will be undertaken in conjunction with appropriate due diligence detailed in this section to assess the potential impacts of any change on Aboriginal heritage:

- Where future alterations are proposed to the approved surface development areas at the Project, the potential impacts of any changes on the identified and potential Aboriginal heritage resource will be assessed.
- Where alterations to the approved surface development areas at the Project are proposed in areas that have not been subject to heritage survey sampling consistent with Heritage NSW

requirements, a field survey by a suitably qualified archaeologist and representatives of the RAPs will be implemented. In addition, with respect to broad-scale surface impacts, the assessment will also address the possible impacts on major open artefact sites and/or Potential Archaeological Deposits in open contexts.

- A report will be prepared with reference to contemporary Heritage NSW reporting assessment guidelines and the requirements of this HMP, documenting the results of any heritage assessment of future proposed alterations to the approved surface development areas at the Project. Any draft reports will be distributed to the RAPs for review, with a minimum 15 working days allowed for comment. Final heritage reports will be prepared that consider and incorporate (where relevant) any input received within the specified timeframe from the RAPs. Copies of any final reports will be distributed to the RAPs following completion.

5 HERITAGE INDUCTIONS AND TRAINING

5.1 BURONGA LANDFILL EXPANSION INDUCTION

All Project specific employee and contractor inductions will include a heritage component. This will outline current protocols and responsibilities with respect to the management of historical heritage and Aboriginal cultural heritage for the Project. It will also provide an overview of the site types present and procedures for reporting the identification of Aboriginal cultural heritage sites and items of historical heritage.

Wentworth Shire Council will maintain an accurate record of all employee and contractor inductions.

6 PERFORMANCE MEASURES

6.1 KEY PERFORMANCE MEASURES

Condition C1 of the Development Consent (SSD_10096818) requires all management plans to include 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.

There are no specific performance measures relating to heritage identified in the Development Consent (SSD_10096818).

6.2 KEY MANAGEMENT TARGETS

A summary of the key management targets described in this HMP is provided in Table 4.

**Table 4
Summary of Key Management Targets**

Key Management Target	Timing/Frequency	Section Reference
Aboriginal Cultural Heritage Management Targets		
Ongoing consultation with RAPs	Ongoing	Section 4.1.2
Avoidance of identified Aboriginal cultural heritage sites (refer to sites listed in Section 4.4.1)	Life of Project	Section 4.4.1
Fencing and demarcation of sites	Prior to surface disturbance activities in the vicinity of the sites	Section 4.4.1
Construction of protective fencing around Aboriginal cultural heritage sites to be avoided	Prior to surface disturbance activities in the vicinity of the sites	Section 4.4.2
Development and maintenance of Aboriginal Cultural Heritage Sites Database	Prior to any surface disturbance activities.	Section 4.8
No direct or indirect impact on the identified Aboriginal heritage items located outside the approved disturbance area on site	Life of Project	Section 4.4
Additional HMP Management Targets		
Maintain a record of all employee and contractor inductions	Life of Project	Section 4.8

7 CONTINGENCY PLAN

In the event a performance measure detailed in Section 6.1 is considered to have been exceeded, Wentworth Shire Council will implement the following Contingency Plan:

- The authorised delegate will report the exceedance to the General Manager within 24 hours of assessment completion.
- Wentworth Shire Council will report the exceedance of the performance measure to the DPHI and Heritage NSW at the earliest opportunity after Wentworth Shire Council becomes aware of the exceedance.
- Wentworth Shire Council will identify an appropriate course of action with respect to the identified impact(s), in consultation with specialists and relevant agencies, as necessary. For example, identification of proposed contingency measure(s) and a program to review the effectiveness of the contingency measures. Contingency measures will be developed in consideration of the specific circumstances of the exceedance and the assessment of environmental consequences.
- Wentworth Shire Council will submit the proposed course of action to the DPHI for approval.
- Wentworth Shire Council will implement the approved course of action to the satisfaction of the DPHI.
- Wentworth Shire Council will report the exceedance of the performance measure and the success of the approved course of action as a component of the review (Section 9).

In the event of any unanticipated impacts to items of Aboriginal cultural heritage or historic heritage, Wentworth Shire Council will implement the procedure described above, including consultation with the DPHI, Heritage NSW and RAPs as necessary.

8 ROLES AND RESPONSIBILITIES

The responsibilities for implementing the measures described in this Heritage Management Plan are provided in Table 5.

**Table 5
Roles and Responsibilities**

Role	Responsibilities
General Manager	<ul style="list-style-type: none"> • Manage the availability of adequate financial and personnel resources for the implementation of the HMP.
Authorised delegate	<ul style="list-style-type: none"> • Manage the overall implementation of the HMP. • Involve representatives of RAPs in management protocols as required by the HMP. • Coordinate relevant specialist personnel to complete management measures (including monitoring, fencing), as specified in the HMP. • Inclusion of Aboriginal heritage in worker inductions through delivery or input to induction documents. • Distribute copies of this HMP as required. • Maintain records of Aboriginal consultation. • Arrange for periodic review of the HMP. • Include any actions under the HMP in the review.

9 REVIEW AND IMPROVEMENT OF THE HERITAGE MANAGEMENT PLAN

9.1 HERITAGE MANAGEMENT PLAN REVIEW

In accordance with Condition C1(g) of the Development Consent (SSD_10096818), Wentworth Shire Council will complete a periodic review annually.

This Annual Review will specifically address the following, which directly relate to heritage:

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

In accordance with Condition C5 of the NSW Development Consent (SSD_10096818) this HMP will be reviewed, and if necessary, revised to the satisfaction of the Secretary, within 3 months of the submission of:

- the submission of a Compliance Report under condition C11;
- the submission of an incident report under condition C7;
- the submission of an Independent Audit under condition C13;
- the approval of any modification of the conditions of this consent; or
- the issue of a direction of the Planning Secretary under condition A2(b) which requires a review.

In accordance with Condition C6 of the NSW Development Consent (SSD_10096818) this HMP will be revised to the satisfaction of the Secretary if necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction. Where revisions are required, the revised document will be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

10 REPORTING SYSTEMS

Heritage monitoring and management is reported as part of the review described in Section 9.1

In accordance with Condition C1 of the Development Consent (SSD_10096818), Wentworth Shire Council has developed protocols for managing and reporting:

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

These protocols are described in detail in the Environmental Management Strategy.

11 REFERENCES

- Australian International Council on Monuments and Sites (2013) *Burra Charter*.
- Australian Heritage Commission (2002) *Ask First: A Guide to Respecting Indigenous Heritage Places and Values*.
- Department of Environment and Conservation (2004) *Interim Community Consultation Requirements for Applicants*.
- Department of Environment and Conservation (2005) *Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation*.
- Department of Environment, Climate Change and Water (2010a) *Aboriginal cultural heritage consultation requirements for proponents 2010 (Part 6 National Parks and Wildlife Act, 1974)*. NSW Department of Environment, Climate Change and Water, Sydney.
- Department of Environment, Climate Change and Water (2010b) *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. NSW Department of Environment, Climate Change and Water, Sydney.
- Department of the Environment (2016) *Engage Early*.
- Landskape Heritage Management (2021) *Buronga Landfill Expansion: Aboriginal Cultural Heritage Assessment*. Report to Wentworth Shire Council.
- National Parks and Wildlife Service (1997) *Aboriginal Cultural Heritage: Standards and Guidelines Kit*.
- NSW Heritage Office (2001) *Assessing Heritage Significance*. NSW Heritage Office, Sydney.
- Office of Environment and Heritage (2011) *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. Office of Environment and Heritage, Sydney.
- Watts, S. (2016). *Buronga Landfill Aboriginal Cultural Heritage Due Diligence Assessment*. Report to Green Edge Environmental.

APPENDIX A
GLOSSARY OF TERMS AND ABBREVIATIONS

AHIMS - Aboriginal Heritage Information Management System.

Artefact scatter - A surface scatter of Aboriginal or historic cultural material. Scatters of stone artefacts are a common cultural heritage place type. These scatters may also contain charcoal, discarded animal bones, shell and ochre.

Burial place - A place with a concentration of human remains. Ochre, stone tools, charcoal and grave goods may be associated with burials. Most burial places are found in sand dunes but dead trees, caves and rockshelters were also used.

Core - A piece of stone from which flakes have been removed. They usually have negative flake scars that have resulted from the removal of flakes.

Aboriginal cultural heritage site - A place with evidence of past human activity. This evidence may include Aboriginal and/or historic artefacts, features, structures or organic traces.

Cultural material - Any material remains or objects resulting from human activity.

DECCW - Department of Environment, Climate Change and Water (NSW [Historical]).

DPIE - Department of Planning, Industry and Environment (NSW [Historical]).

DPHI – Department of Planning, Housing and Infrastructure (NSW).

EIS - Environmental Impact Statement.

EPBC - Environmental Protection and Biodiversity Conservation (Commonwealth Act 1999).

Flake - A piece of stone detached from a core that typically displays a striking platform, bulb of percussion and flake scars on the ventral surface.

HMP - Heritage Management Plan.

in situ - An artefact or other feature that has not been disturbed from its original position.

NP&W - National Parks and Wildlife (NSW Act 1974).

OEH - Office of Environment and Heritage (NSW).

RAP - Registered Aboriginal Party.

Silcrete - A hard, fine-grained rock composed of silica cement.

Survey - An inspection of land either by foot or vehicle for the purpose of identifying cultural heritage sites.

APPENDIX B

ABORIGINAL CULTURAL HERITAGE SITES AT THE BURONGA LANDFILL
EXPANSION

Table B-1
Aboriginal Cultural Heritage Sites at the Buronga Landfill Expansion

AHIMS Site Number	Site Name	GDA94 Zone 54 (mE)	GDA94 Zone 54 (mN)	Site size (m)	Landform	Contents
46-3-0203	Buronga Landfill Artefact 1	611253	6223510	na	Sandplain	Silcrete flake
46-3-0204	Buronga Landfill Artefact 2	611366	6223560	na	Sandplain	Broken sandstone muller
46-3-0205	Buronga Landfill Artefact 3	611562	6223536	na	Sandplain	Silcrete angular fragment

APPENDIX C
CONSULTATION LOG

**Table C-1
Consultation Log for HMP**

Date	Whom Contacted	Name of Contact	Method of Contact	Purpose
20 Dec 2023	Barkandji Native Title Group Aboriginal Corporation Dareton Local Aboriginal Land Council Ta-Ru Board of Management/Mauraura Barkindji Traditional Owners	Derek Hardman Pam Handy Ricky Mitchell	Email from Dr Matt Cupper	Provision of copy of Draft HMP for minimum 28 day review
23 Jan 2024	Heritage NSW	Heritage Mailbox	Email from Dr Matt Cupper	Provision of copy of Draft HMP for minimum 28 day review
31 Jan 2024	Landskape	Dr Matt Cupper	Email from Corey O'Driscoll, Senior Assessments Officer (Archaeologist) Heritage NSW	Provision of Heritage NSW comments on Draft HMP

From: Matt Cupper mattcupper@telstra.com 
Subject: Re: Barkandji ACHA Identification of Aboriginal stakeholders Buronga Landfill Expansion
Date: 20 December 2023 at 4:11 pm
To: Derek Hardman barkandjiceo@gmail.com



Dear Derek,

Attached for your review is the draft heritage management plan for the Buronga Landfill Expansion.

Could you provide any comments to me by 5 pm Thursday 18 January 2024, please?

Many thanks for your assistance with this project to date.

Please feel free to contact me with any queries.

All the best,
Matt

Dr Matt Cupper
Principal
Landscape

Tel: 0408 006 690
mattcupper@telstra.com

Draft Buronga Landfill...23.pdf

On 4 May 2021, at 9:44 am, Derek Hardman <barkandjiceo@gmail.com> wrote:

Hi Matt,
the 3 groups that you will need to consult are as follows and Ccd into this email
Barkandji Native title (Myself)
Dareton Local Aboriginal Land Council (Pam Handy)
BMEET (Arthur Kirby)
Thanks
Derek

----- Forwarded message -----

From: **Matilda Vaughan** <mvaughan@ntscorp.com.au>
Date: Tue, May 4, 2021 at 8:43 AM
Subject: Barkandji ACHA Identification of Aboriginal stakeholders Buronga Landfill Expansion
To: warrenbc53@outlook.com <warrenbc53@outlook.com>, geraldjamesquayle26@gmail.com <geraldjamesquayle26@gmail.com>, kevinknight1250@gmail.com <kevinknight1250@gmail.com>, barkandjiceo@gmail.com <barkandjiceo@gmail.com>, bilyara@live.com.au <bilyara@live.com.au>, Leroy Johnson <Leroy.Johnson@environment.nsw.gov.au>, kutjika@hotmail.com <kutjika@hotmail.com>, barkindjiwoman@gmail.com <barkindjiwoman@gmail.com>, potter.kathy.m@edumail.vic.gov.au <potter.kathy.m@edumail.vic.gov.au>
Cc: James MacLeod <jmacLeod@ntscorp.com.au>, Maeve Parker <mparker@ntscorp.com.au>

Dear Barkandji NTGAC,

Please see attached notice for an Aboriginal Cultural Heritage assessment.

Wentworth Shire Council intends to upgrade the municipal landfill at Lot 1 DP1037845, Arumpo Road, Buronga.

Nominations are requested by Monday 17 May 2021 to:

Dr Matt Cupper,

Landscape, 178 Midgen Flat Road Broken Head 2481

landscape@telstra.com

0408 006 690.

From: Matt Cupper mattcupper@telstra.com
Subject: Re: Barkandji ACHA Identification of Aboriginal stakeholders Buronga Landfill Expansion
Date: 20 December 2023 at 4:12 pm
To: Pam Handy pam.handy@daretonlalc.com.au



Dear Pam,

Trust all is well.

Attached for your review is the draft heritage management plan for the Buronga Landfill Expansion.

Could you provide any comments to me by 5 pm Thursday 18 January 2024, please?

Many thanks for your assistance with this project to date.

Please feel free to contact me with any queries.

Have a great Christmas and new year break.

All the best,
Matt

Dr Matt Cupper
Principal
Landskape

Tel: 0408 006 690
mattcupper@telstra.com

Draft Buronga
Landfill...23.pdf

From: Matt Cupper mattcupper@telstra.com 
Subject: Re: Barkandji ACHA Identification of Aboriginal stakeholders Buronga Landfill Expansion
Date: 20 December 2023 at 4:13 pm
To: Ricky Mitchell rickymitchell836@gmail.com



Dear Ricky,

Trust all is well.

Attached for your review is the draft heritage management plan for the Buronga Landfill Expansion.

Could you provide any comments to me by 5 pm Thursday 18 January 2024, please?

Many thanks for your assistance with this project to date.

Please feel free to contact me with any queries.

Have a great Christmas and new year break.

All the best,
Matt


Dr Matt Cupper
Principal
Landskape

Tel: 0408 006 690
mattcupper@telstra.com

Draft Buronga
Landfill...23.pdf

Dr Matt Cupper
Principal
Landskape

Tel: 0408 006 690
mattcupper@telstra.com

From: Corey O'Driscoll Corey.ODriscoll@environment.nsw.gov.au 
Subject: RE: Agency review of draft Heritage Management Plan, Buronga Landfill Expansion (Wentworth LGA)
Date: 31 January 2024 at 1:25 pm
To: Matt Cupper mattcupper@telstra.com, OEH HD Heritage Mailbox HERITAGEMailbox@environment.nsw.gov.au

CO

Dear Matt,

Thank you for your email seeking advice on the draft Aboriginal Cultural Heritage Management Plan (ACHMP) for the Buronga Landfill Expansion.

Heritage NSW understands the ACHMP has been submitted in accordance with the Minister's Conditions of Approval (CoA), Part C, of SSD-10096818. Heritage NSW recommends the following amendments be made to the ACHMP:

- Please provide evidence of the consultation undertaken for the ACHMP and include a log of consultation into ACHMP.
- Need to update Departmental names (e.g., Department of Planning, Housing and Infrastructure).
- Include details of who will do the initial flagging of the registered AHIMS sites for their protection. Heritage NSW recommends that an archaeologist and members of the Registered Aboriginal Parties (RAPs) be present for the flagging to ensure that the sites are accurately identified and adequately protected.

Once these updates have been completed, the final ACHMP can be submitted to the Department of Planning, Housing and Infrastructure for approval.

If you have any further questions, please do not hesitate to contact me.

Kind regards,

Corey.

Corey O'Driscoll

Senior Assessments Officer (Archaeologist)
Heritage NSW

**Department of Climate Change,
Energy, the Environment and Water**

dcceew.nsw.gov.au

Level 3, 11 Farrer Place, Queanbeyan NSW 2620

T: 02 62297079 | Corey.ODriscoll@environment.nsw.gov.au



I acknowledge and respect the traditional custodians and ancestors of the lands I work across.

Please note my work days are Monday to Wednesday. For anything urgent, please contact Nicole Davis (Nicole.davis@environment.nsw.gov.au). Otherwise, I will respond to your email as soon as possible when I am back in the office.

From: Matt Cupper <mattcupper@telstra.com>
Sent: Monday, 22 January 2024 2:31 PM
To: OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Subject: Agency review of draft Heritage Management Plan, Buronga Landfill

Subject: Agency review of draft Heritage Management Plan, Buronga Landfill Expansion (Wentworth LGA)

Dear Sir/Madam,

Could you provide any Heritage NSW comments regarding the attached draft Heritage Management Plan for the proposed Buronga Landfill Expansion (Wentworth LGA), preferably by 24 February 2024, please?

Please feel free to contact me with any queries.

Many thanks,
Matt

Dr Matt Cupper
Principal
Landskape

Tel: 0408 006 690
mattcupper@telstra.com

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.
If you are not the intended recipient, please notify the sender and then delete it immediately.
Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL