

# Heritage Management Plan

## Eviron Road Quarry and Landfill

Date: 07/01/2014

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Tweed Shire Council



# Heritage Management Plan

## Eviron Road Quarry and Landfill

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# 1. Introduction

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## Context

This Heritage Management Sub Plan (HMP or Plan) forms part of the Environmental Management Strategy for the Eviron Road Quarry Landfill Project Stage 1 (the Project) Approval 08\_0068.

This HMP has been prepared to address the requirements of the Minister's Conditions of Approval (hereafter referred to as CoA), the Tweed Shire Council Statement of Commitments (hereafter referred to as SoC), and the safeguards listed in the Project Environmental Assessment (EA) and all applicable legislation.

## Background

The environmental assessment for the Eviron Road Quarry and Landfill Project (Tweed Shire Council 2011) assessed the heritage impacts of construction and operation on; Aboriginal and non-Aboriginal heritage.

As part of EA, a detailed cultural heritage assessment was prepared to address the Environmental Assessment Requirements issued by the Department of Planning and Infrastructure (formerly Department of Planning). The cultural heritage assessment for the Project was included within the EA as Appendix N– Cultural Heritage Assessment.

The EA determined that no areas or objects of indigenous cultural heritage significance were identified within the study area. The EA concluded that there is only a low probability that further, undetected cultural heritage material may remain in the study area, either within areas of low visibility or as subsurface remains.

The EA identified five sites (springboard trees) of historic interest that may be illustrative of the past activities of loggers and timber getters. The EA concluded that provided the proposed mitigation and management measures are implemented, no significant impacts would be expected.

## Environmental Systems Overview

The overall Environmental Management System for the Project is described in the Environmental Management Strategy (EMS).

The HMP is part of the environmental management framework for the Project. In accordance with Schedule 4 CoA 28, this Plan has been developed in consultation with the NSW Office of Environment and Heritage (OEH) and registered Aboriginal stakeholders.

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

EWMS will be developed and reviewed and accepted by environment and management representatives prior to commencement of the associated works and construction personnel will be required to undertake works in accordance with the identified safeguards.

Used together, the Environmental Management Strategy, Contractors Environmental Management Plan, strategies, procedures and EWMS form management guides that clearly identify required environmental management actions for reference by personnel and contractors.

## 2. Purpose and objectives

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### **Purpose**

The purpose of this HMP is to describe how the Tweed Shire Council propose to manage and protect Aboriginal and non-Aboriginal heritage during construction of the Project.

### **Objectives**

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

- Ensure appropriate controls and procedures are implemented during construction activities to avoid or minimise potential adverse impacts to Aboriginal and non-Aboriginal heritage within the Project.
- Ensure appropriate measures are implemented to address the relevant CoA and SoC outlined in Table 3.1 and Table 3.2, and the safeguards detailed in the EA.
- Ensure appropriate measures are implemented to comply with all relevant legislation and other requirements as described in Section 3.1, Section 3.2 and Section 6 of this Plan.

## 3. Environmental Requirements

### 3.1 Relevant legislation and guidelines

#### Legislation

Legislation relevant to heritage management includes:

- Environmental Planning and Assessment Act 1979 (EP&A Act).
- National Parks and Wildlife Act 1974 (NPW Act).
- Heritage Act 1977 (Heritage Act).

#### Guidelines

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

- Altering Heritage Assets (Heritage Office and DUAP 1996).
- Assessing Heritage Significance (NSW Heritage Office 2001).
- Archaeological Assessment Guidelines (NSW Heritage Office and NSW Department of Urban Affairs and Planning 1996).
- NSW Government’s Aboriginal Participation in Construction Guidelines (2007).
- How to Prepare Archival Recording of Heritage Items (Heritage Branch 1998).
- Photographic Recording of Heritage Items Using Film or Digital Capture (Heritage Branch 2006).

OEH Guides:

- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.
- Aboriginal cultural heritage consultation requirements for proponents (2010).
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.
- Code of Practice for Archaeological Investigation in NSW.

### 3.2 Minister’s Conditions of Approval

The Conditions of Approval relevant to this Plan are listed in Table 3.1 below. A cross reference is also included to indicate where the condition is addressed in this Plan.

**Table 3.1 Conditions of Approval relevant to the HMP**

CoA No.	Condition Requirements	Document Reference
28	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:	Heritage Management Plan – Environ Road Quarry and Landfill
28(a)	Be prepared in consultation with OEH and Aboriginal stakeholders;	Through consultation with Aboriginal Advisory Committee and OEH post Aboriginal Advisory Committee.
28(b)	Be submitted to the Director-General for approval prior to the commencement of surface disturbance;	On completion of the plan and consultation.

28(c)	Include an Aboriginal Cultural Heritage Induction Program for all personnel and contractors involved in construction and operational activities on the site;	Table 6.1 and Appendix C
28(d)	Describe the measures that will be implemented to : <ul style="list-style-type: none"> <li>• Monitor all new surface disturbance on site for unidentified heritage objects;</li> </ul>	Table 6.1 and Appendix A
28(d)	<ul style="list-style-type: none"> <li>• Manage the discovery of human remains or previously unidentified heritage objects on site; and</li> </ul>	Table 6.1 and Appendix C
28(d)	<ul style="list-style-type: none"> <li>• Ensure ongoing consultation with Aboriginal stakeholders in the conservation and management of any Aboriginal cultural values on site.</li> </ul>	Table 6.1 and regular PM regular attendance at AAC.

### 3.3 Statement of commitments

Relevant SoC are listed in Table 3.2 below. This includes reference to required outcomes, the timing of when the commitment applies relevant documents or sections of the environmental assessment influencing the outcome and implementation.

**Table 3 2 Statements of commitment relevant to this HMP**

Issue	Commitment	Document Reference
Cultural Heritage	Council commits to the following actions regarding the management of cultural heritage at the site:	HMP
Cultural Heritage	<ul style="list-style-type: none"> <li>• On-going consultation with all registered local Aboriginal representatives to develop a Cultural Heritage Management Plan for the site</li> </ul>	Table 6.1, Item 1
Cultural Heritage	<ul style="list-style-type: none"> <li>• All reasonable efforts will be made to avoid items of Aboriginal and European Cultural Heritage. If impacts are unavoidable, mitigation measures will be negotiated with the EPA and local community.</li> </ul>	Methodology for management of historic and cultural heritage is contained in Table 6.1
Cultural Heritage	<ul style="list-style-type: none"> <li>• The Cultural Heritage Management Plan will include as a minimum:</li> </ul>	
Cultural Heritage	<ul style="list-style-type: none"> <li>- Procedures for ongoing Aboriginal consultation and involvement.</li> </ul>	Table 6.1, Item 1
Cultural Heritage	<ul style="list-style-type: none"> <li>- Management of any recorded sites of higher archaeological potential within the project footprint.</li> </ul>	Table 6.1, Items 4-9.
Cultural Heritage	<ul style="list-style-type: none"> <li>- Responsibilities of all stakeholders.</li> </ul>	Table 6.1
Cultural Heritage	<ul style="list-style-type: none"> <li>- Details of proposed mitigation and management strategies of all sites.</li> </ul>	Table 6.1
Cultural Heritage	<ul style="list-style-type: none"> <li>- Procedures for the identification and management of previous unrecorded sites (excluding human remains).</li> </ul>	Appendix A – Unexpected Finds Procedure and Table 6.1 Items 4-9.
Cultural	<ul style="list-style-type: none"> <li>- Details of an Aboriginal Cultural Heritage Education Program for contractors and personnel</li> </ul>	Appendix C



Heritage	associated with construction activities.	
Cultural Heritage	<ul style="list-style-type: none"> <li>- Corrective procedures in the unlikely event that a non-compliance with the Cultural Heritage Management Plan is identified.</li> </ul>	Section 7.5
Cultural Heritage	<ul style="list-style-type: none"> <li>• A program of site monitoring by representatives of the Aboriginal Party during activities causing ground disturbance for the recognised areas with a higher potential for the presence of unidentified cultural heritage. In the event that additional Aboriginal objects are uncovered during the monitoring program, the objects are to be recorded and managed in accordance with the requirements of the <i>National Parks and Wildlife Act 1974</i>.</li> </ul>	As per Table 6.1, Items 4-9 and Figure 2.
Cultural Heritage	<ul style="list-style-type: none"> <li>• If human remains are located, all works must halt in the immediate area and the NSW Police must be immediately contacted. No action is to be undertaken until police provide written notification.</li> </ul>	Appendix A- Unexpected Finds Procedure and Table 6.1.
Cultural Heritage	<ul style="list-style-type: none"> <li>• An Aboriginal Cultural Education Program will be developed in collaboration with the local Aboriginal community for the induction of all personnel and contractors involved in the construction activities.</li> </ul>	Table 6.1, Items 1-3.
Cultural Heritage	<ul style="list-style-type: none"> <li>• The five springboard trees will be retained <i>in situ</i> wherever possible and relocated to an appropriate location where they can be preserved and displayed along with appropriate interpretation where they cannot be retained <i>in situ</i>.</li> </ul>	Table 6.1, Item 12
Cultural Heritage	<ul style="list-style-type: none"> <li>• Cultural heritage inductions will be undertaken so that work crews are aware of specific obligations to look for cultural heritage material aiming at informing workers what archaeological materials may look like and give them clear instructions on the procedures for inadvertent discoveries.</li> </ul>	Table 6.1, Items 1-3.

## 4. Existing Environment

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The following sections summarise what is known about Aboriginal and non-Aboriginal heritage within the Project.

The key reference documents are Section 9.9 of the Report for Eviron Road Quarry and Landfill Proposal Part 3A Environmental Assessment (Tweed Shire Council 2011) and the Cultural Heritage Assessment for the Proposed Eviron Road Quarry and Landfill Site (Converge 2009) -Appendix N of the EA.

### 4.1 Aboriginal Cultural Heritage

No areas or objects of Aboriginal cultural heritage significance were identified during the field survey undertaken during the preparation of the EIS. Low visibility compounded with ground disturbance from past and present land use may have been contributing factors.

During the cultural heritage survey in 2009 undertaken by Converge and members of the Aboriginal Community, Traditional Owner representatives did indicate that the project area held cultural heritage significance for them, as it would have been crossed by a traditional Aboriginal pathway that followed the ridgelines from the coast to more inland areas. Along the boundary of the project area the ridgelines are particularly well defined and represent a direct east-west route between the coast and the middle reaches of the Tweed River.

Tweed Shire Council have initiated a Council Aboriginal Cultural Heritage Management Plan, refined cultural mapping was undertaken as part of this process in consultation with community. The AAC have endorsed the use of the Draft Cultural Mapping in inductions and management plans for the Eviron Road Quarry Landfill Project – Stage 1 Project. This mapping is presented in Figure 2.



**Figure 1: Areas with higher potential for the presence of unidentified cultural heritage (Source Appendix N of the EA).**



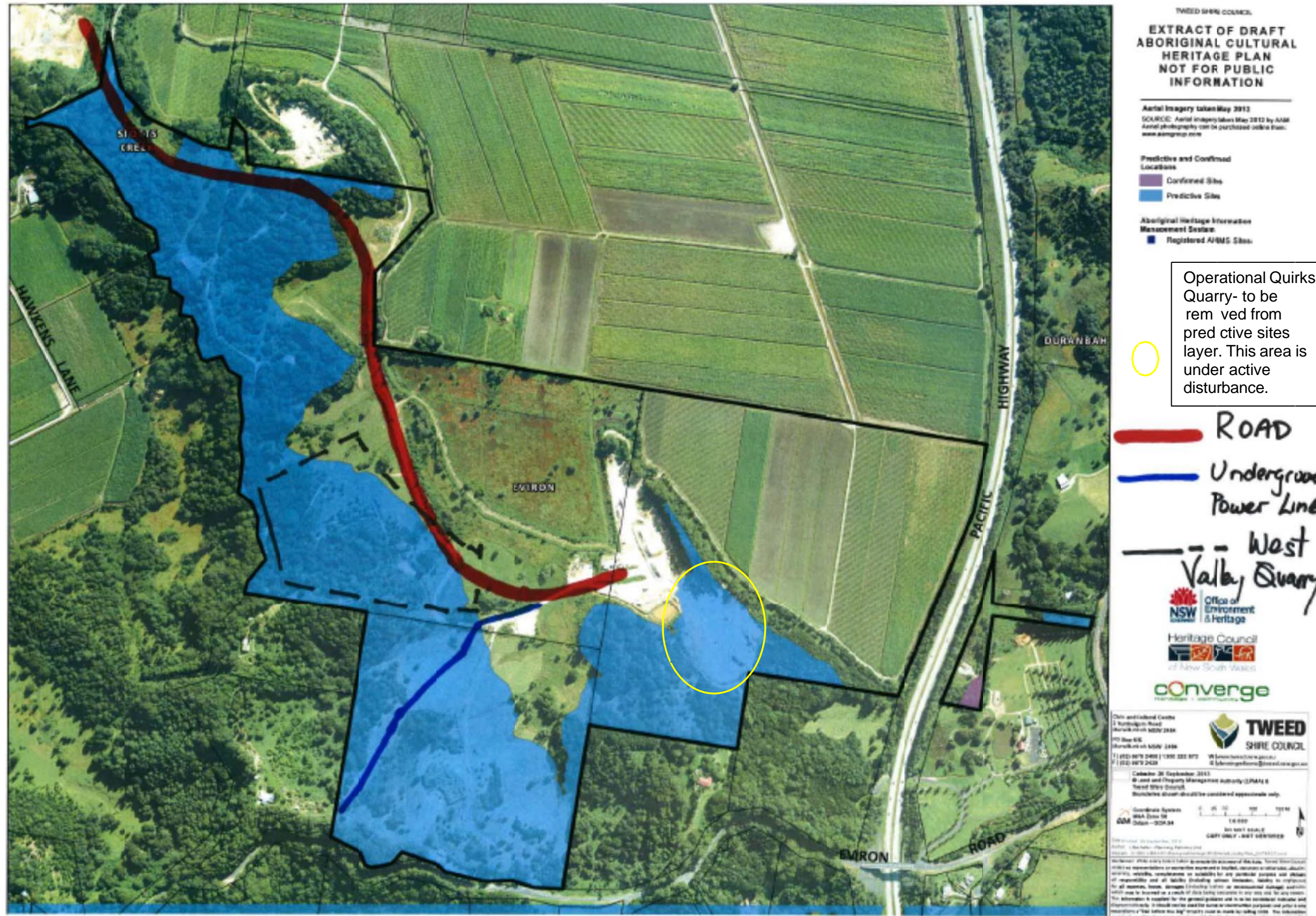


Figure 2: Cultural Monitoring required for construction works in blue shaded area (Source Tweed Shire Council Draft Cultural Mapping)



## 4.2 Non- Aboriginal Heritage

No areas or objects of non-Indigenous cultural heritage significance were identified during the field survey. However, there were five sites of historic interest- all are springboard trees. Springboards were slabs of wood that were inserted into notches cut into the tree to allow the upper tree to be cut. The identified springboard trees may be illustrative of the past activities of loggers and timber getters.



Figure 3: Springboard Trees Location

Site ID <sup>1</sup>	GPS Co-ordinates <sup>2</sup>		Description	Scientific Significance
	Easting	Northing		
EQ1	0549830	0549830	springboard tree	Nil - Historic interest only
EQ2	0549919	0549919	springboard tree	Nil - Historic interest only
EQ3	0549826	0549826	springboard tree	Nil - Historic interest only
EQ4	0549526	0549526	springboard tree	Nil - Historic interest only
EQ5	0549227	6868943	springboard tree	Nil - Historic interest only Recently damaged by heavy machinery

<sup>1</sup> EQ = Eviron Quarry

<sup>2</sup> Datum = WGS 84

Table: 4: Springboard Trees Significance Assessment and location

## **5. Environmental Aspects and Impacts**

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### **5.1 Construction activities**

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

- Dust mobilisation from general construction works.
- Damages from plant / equipment operation or storage on or near Aboriginal archaeological items, Aboriginal cultural places and / or non-Aboriginal heritage items.
- Vibration impacts from operation of vibration intensive equipment.
- Sub – surface excavation to a depth of 20cm (ridgelines), 500cm (floodplains), and 2m (sandy soils and dune systems).

## 6. Environmental Control Measures

The following table details the mitigations and procedures for managing risk to historic and cultural heritage throughout the Project.

**Table 6.1 Heritage management and mitigation measures**

ID	Measure/Requirement	Resources Needed	When to Implement	Responsibility
1	On-going consultation with the local Aboriginal community	Aboriginal Advisory Committee (hereafter referred to as AAC) Monthly meetings updates	Throughout the project	Project Manager and TSC Representative
2	<p>Inductions-Cultural Heritage</p> <p>Inductions- small scale contractors- survey and geotechnical.</p> <p>Induction clearing contractors- Road, quarry and landfill construction contractors.</p>	<p>Cultural Heritage Induction to be provided to contractors as part of the Contractor Inductions.</p> <p>Tweed Shire Council Representative to provide inductions to small groups of contractors and cultural heritage professional (currently Ian Fox and Associates) to provide larger contractor inductions.</p> <p>Inductions for large groups to be undertaken in collaboration with a representative of the Tweed Aboriginal community (ie nominee of AAC).</p>	For each contractor on the project.	Project Manager and TSC Representative
3	Induction Package	Induction package to be developed based on collaborative approach between TSC and Ian Fox & Associates. Updated Cultural mapping from the Tweed Shire	Preconstruction	Project Manager and TSC Representative

Eviron Road Quarry Landfill Project – Stage 1- Heritage Management Plan

ID	Measure/Requirement	Resources Needed	When to Implement	Responsibility
		<p>Council to be referred to.</p> <p>AAC to review and approve cultural content of the induction package.</p>		
4	Site Monitoring	<p>TBLALC to be contacted to book Sites Officers.</p> <p>Trainee sites officers to be accompanied by qualified sites officer with field kit.</p>	<p>For removal of the 1<sup>st</sup> 20cm (nominal depth) of topsoil during the process of vegetation clearing and geotechnical test pitting on the high risk areas-ridgelines nominated in the EIS.</p>	Project Manager
5(a)	Site Monitoring- Early Works	<p>Sites Officers required for geotechnical test pitting (not boring via drill rig) and clearing for survey.</p>	<p>Ridgeline Test pitting- for the first 20cm (nominal depth) of soil removed. - Time allocated is 2 days.</p> <p>Vegetation clearing for design survey on ridgelines. - Time allocated is 2 days for clearance of first 20cm (nominal depth) of topsoil on high risk areas as nominated in the EA and Cultural Mapping.</p>	Project Manager

Eviron Road Quarry Landfill Project – Stage 1- Heritage Management Plan

ID	Measure/Requirement	Resources Needed	When to Implement	Responsibility
5(b)	Site Monitoring- Road Construction	Sites Officers	For removal of the first 20cm (nominal depth) of topsoil on ridges.	Project Manager
6	Discovering artefacts during site monitoring- Site monitors will be required to record objects and manage in accordance with the requirements of the National Parks and Wildlife Act 1974	Sites Officers	For site monitoring and unexpected finds.	Sites Officers
7(a)	Collect and Care and Control- Should Community wish to collect and keep artefacts found as either unexpected finds or through site monitoring, a care and control permit in consultation with OEH will need to be obtained.	Care and Controls Permits in place for where the artefacts are going to be held if uncovered, in the long term and short term for recording.	Throughout the project- For site monitoring and unexpected finds.	AAC and in consultation with Tweed Shire Council.
7(b)	In the event that artefacts are found temporary storage of Artefacts for cataloguing purposes will be at Tweed Byron LALC(referred to hereafter as TBLALC)	Site Monitors and Aboriginal Advisory Committee or TBLALC	Throughout the project- For site monitoring and unexpected finds.	TBLALC
7(c)	Should Community wish to relocate and/or rebury artefacts collected, location of reburial shall be Area 1 (Appendix 4 of the CoA) unless otherwise determined by AAC in consultation with TSC and OEH.	Agreement of AAC and TSC and undertaken by sites officers	Throughout the project- For site monitoring and unexpected finds.	Agreement of AAC and TSC and undertaken by sites officers



Eviron Road Quarry Landfill Project – Stage 1- Heritage Management Plan

ID	Measure/Requirement	Resources Needed	When to Implement	Responsibility
8	Reburial of Artefacts will require a new Aboriginal Heritage Information Management System (AHIMS) site card	TBLALC and OEH to liaise	Throughout the project- For site monitoring and unexpected finds.	Sites Monitors and TBLALC in consultation with OEH.
9(a)	If unexpected finds of archaeological material occur on the Project in the low cultural heritage risk areas (not ridgelines), works potentially affecting the find will cease and Sites Monitors will be contacted to undertake record and possible collect as per site monitoring provisions above (Table 6.1 Items 5-9).	Site Monitors	Throughout the project- for unexpected finds	Project Manager
9(b)	If unexpected finds of significant archaeological material (e.g. hearths) occur on the Project in low risk areas, works potentially affecting the find will cease and Site Monitors and Cultural Heritage Professional will be contacted to assess the site and identify and flag a 30m buffer zone, and advise.	Site Monitors and Cultural Heritage Professional (Ian Fox & Associates) (archaeologist)	Throughout the project- for unexpected finds	Project Manager
9(c)	If it is found that further management actions such as monitoring are required to mitigate the impact of the project activities on cultural heritage then the Sites officers to liaise with Project Manager/TSC Representative on the nature and location of the identified or	Site Monitors Cultural Heritage Professional (Ian Fox & Associates) (archaeologist).	Throughout the project- for unexpected finds	Project Manager

Eviron Road Quarry Landfill Project – Stage 1- Heritage Management Plan

ID	Measure/Requirement	Resources Needed	When to Implement	Responsibility
	potential cultural heritage and appropriate management options, including the location of any monitoring areas.			
10	<p>If suspected human skeletal remains are encountered, works potentially affecting the find would cease immediately and the police will be contacted to attend site.</p> <p>OEH and TBLALC (Sites Officers) and will be contacted if the remains are found to be Aboriginal remains.</p>	Project Manager, Police.	Throughout the project	All personnel and subcontractors
11	If any unexpected historic heritage items are encountered across the Project site, works potentially affecting the area would cease immediately, Project Manager, and Tweed Shire Council Representative, and archaeologist (if required) to be contacted to attend site and assess impact.	Project Manager, Tweed Shire Council Representative, and archaeologist	Throughout the project	All personnel and subcontractors
12	Springboard Trees- Relocation to appropriate location, if required, where they can be preserved and displayed along with appropriate interpretation where reasonable and feasible.	Tweed Shire Council	Throughout the project where reasonable and feasible.	Tweed Shire Council and Project Manager

## **7. Compliance Management**

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### **7.1 Roles and responsibilities**

Roles and responsibilities for the implementation of this plan are identified in Table 6.1 Section 6 of this Plan. See also Project Management Structure Section of the Environmental Management Strategy.

### **7.2 Training**

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

- Existence and requirements of this sub-plan.
- Role of the Aboriginal Advisory Committee and TBLALC.
- Relevant legislation.
- Roles and responsibilities for heritage management.
- Location of any identified heritage sites.
- Proposed heritage management and protection measures.
- Procedure to follow in the event of an unexpected heritage item find during construction works.
- Procedure to follow in the event of discovery of human remains during construction works.

The Heritage Education and Training Package for the project is included in Appendix C.

### **7.3 Inspections**

Inspections of activities with the potential to impact Aboriginal and non-Aboriginal heritage will occur for the duration of the project by internal and external Auditors.

### **7.4 Auditing**

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

### **7.5 Reporting**

Reporting on the mitigation measures in this plan shall be actioned via monthly meetings with the Aboriginal Advisory Committee and through the Reporting of Incidents, Regular Reporting Independent Environmental Audit as required by Schedule 6 of the CoA Clauses 8, 9 and 10 respectively.

Non Compliances with the Heritage Management Plan will be dealt with through Contract Non-Conformance Process and classed as an incident, and will require reporting to OEH, TBLALC and the Aboriginal Advisory Committee accordingly.

# **Appendix A**

## **Unexpected Finds Procedure**

**Unexpected Finds Procedure**

ID	Measure/Requirement	Resources Needed	Responsibility
1	If unexpected finds of archaeological material occur on the Project in the low cultural heritage risk areas (not ridgelines), works potentially affecting the find will cease and Sites Monitors will be contacted to undertake, record and collect as per site monitoring provisions above (Table 6.1 Items 5-9).	Site Monitors	Project Manager
2	If unexpected finds of significant archaeological material (e.g. hearths) occur on the Project in low risk areas, works potentially affecting the find will cease and Site Monitors and Cultural Heritage Professional will be contacted to assess the site and identify and flag a 30m buffer zone, and advise.	Site Monitors and Cultural Heritage Professional (Ian Fox & Associates) (archaeologist)	Project Manager
3	If it is found that further management actions such as monitoring are required to mitigate the impact of the project activities on cultural heritage then the Sites officers to liaise with Project Manager/TSC Representative on the nature and location of the identified or potential cultural heritage and appropriate management options, including the location of any monitoring areas.	Site Monitors and Cultural Heritage Professional (Ian Fox & Associates) (archaeologist)	Project Manager
4	If any unexpected historic heritage items are encountered across the Project site, works potentially affecting the area would cease immediately, Project Manager, and Tweed Shire Council Representative, and archaeologist (if required) to be contacted to attend site and assess impact?	Project Manager, Tweed Shire Council Representative, and archaeologist	All personnel and Contractors
5	If suspected human skeletal remains are encountered, works potentially affecting the find would cease immediately and the Police would be contacted to attend site.	Procedures for unexpected finds	All personnel and subcontractors

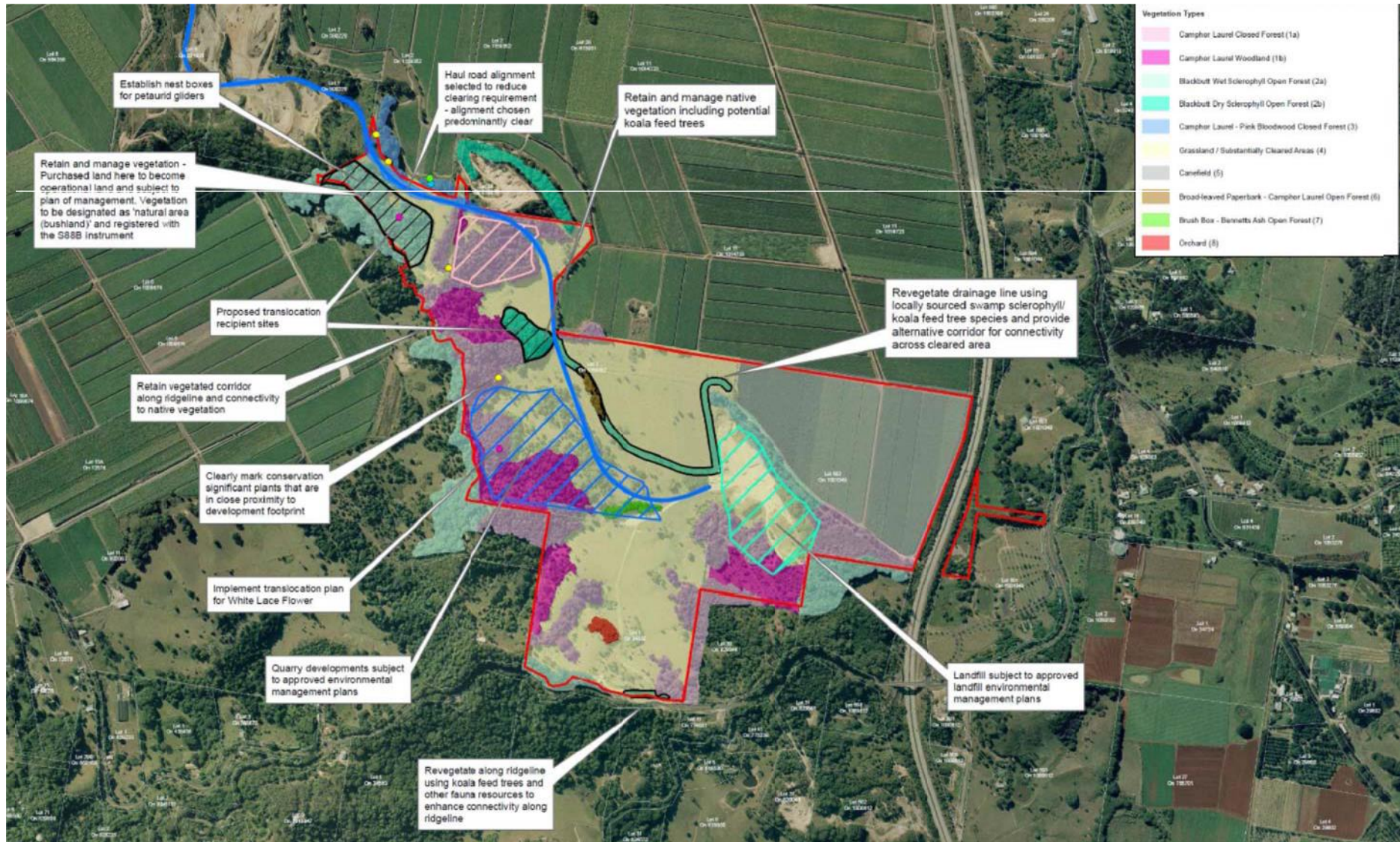
ID	Measure/Requirement	Resources Needed	Responsibility
	OEH and TBLALC will be contacted if the remains are found to be Aboriginal remains.		

## **Appendix B**

### **Area for Environmental Protection- Keeping Place**



# Eviron Road Quarry Landfill Project – Stage 1- Heritage Management Plan





## **Appendix C**

### Heritage education and training package

## Heritage Induction

### Eviron Road Quarry and Landfill Project

Acknowledgements:

Contribution of TSG Aboriginal Advisory Committee and Tweed/Byron LALC  
All photographs by Ian Fox, unless otherwise indicated  
All displayed objects courtesy Tweed/Byron LALC

## Induction Content

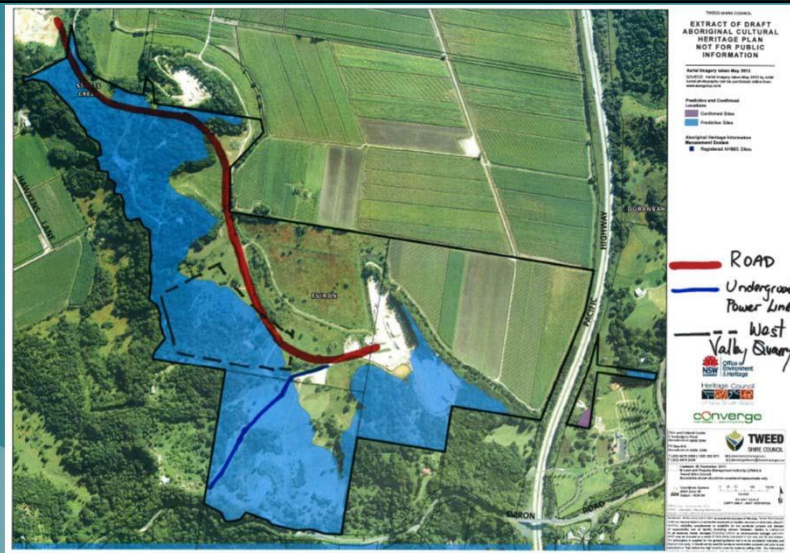
- Eviron Project— areas of higher probability, management and recommendations.
- Types of Heritage sites and places you may encounter.
- Explanation of criteria that predict where Aboriginal objects may be found.
- Activities which may impact on heritage sites or material.
- Aboriginal site examples from the local Tweed region.
- Discussion of your legislative responsibility.
- An opportunity to ask questions.

## Heritage Aspects on the Eviron Project

- TSC Aboriginal Advisory Committee and Tweed/Byron LALC
- Potential Cultural Heritage Significance:-The top 20cm of topsoil on the Ridgeline areas of the Project to be impacted by clearing and construction.
- Site Monitoring of High Risk Areas: 2 Site Monitors Onsite for high risk areas up to the first 20cm of topsoil removal.
- Historic Heritage Items:- 5 Springboard Trees
- Unexpected Finds

Heritage Induction

Eviron Road Quarry Landfill



Cultural Mapping for Eviron Area

Heritage Induction

Eviron Road Quarry Landfill





Heritage Induction

Eviron Road Quarry Landfill



## Potential Impact Activities

- Vegetation removal and disturbance of the existing ground surface.
- Grubbing, grading, and dozing.
- Subsurface excavation to nominal a depth of 20cm (ridgelines), 500cm (floodplains), and 2m (sandy soils and dune systems).

Heritage Induction

Eviron Road Quarry Landfill



## Site Procedure for Cultural Monitoring

- Principal to contact Cultural Heritage Monitors and arrange a suitable time for inspection
- Principal to inform Contractor of arrival time of Cultural Monitors
- Cultural Monitors to sign in / relocate to work area / identify themselves to Machine Operators / attendance managed by principal.

Heritage Induction

Eviron Road Quarry Landfill



## Unexpected Finds Procedure

1. If unexpected finds of archaeological material occur on the Project in the low cultural heritage risk areas (not ridgelines), works potentially affecting the find will cease and Sites Monitors will be contacted to undertake record and possible collect as per site monitoring provisions of the Heritage Management Plan, Table 6.1 (Items 5-9). CEASE WORKS → CONTACT SUPERVISOR
2. If unexpected finds of significant archaeological material occur on the Project in low risk areas, works potentially affecting the find will cease and Site Monitors will be contacted to assess the site and identify and flag a 30m buffer zone, and advise.

CEASE WORKS → CONTACT SUPERVISOR

Heritage Induction

Eviron Road Quarry Landfill



## Unexpected Finds Procedure (Continued)

3. If it is found that further management actions such as monitoring are required to mitigate the impact of the project activities on cultural heritage then the sites officers to advise on the nature and location of the identified or potential cultural heritage and appropriate management options, including the location of any monitoring areas, for consideration by TSC.
4. If any unexpected historic heritage items are encountered across the Project site, works potentially affecting the area would cease immediately, Project Manager, and Tweed Shire Council Representative, and archaeologist (if required) to be contacted to attend site and assess impact.

CEASE WORKS → CONTACT SUPERVISOR

Heritage Induction

Eviron Road Quarry Landfill



## Unexpected Finds Procedure (Continued)

5. If suspected human skeletal remains are encountered, works potentially affecting the find would cease immediately and the Police would be contacted to attend site. OEH and TBLALC will be contacted if the remains are found to be Aboriginal remains.

CEASE WORKS → CONTACT SUPERVISOR

Heritage Induction

Eviron Road Quarry Landfill



## Identifying Aboriginal Cultural Heritage: Predictive Criteria

- Resource based  
Habitat & Vegetation,  
Water,  
Geology
- Landform based  
Points of Observation,  
Ridge Saddles & Spurs,  
Aspect & Shelter,  
Ancient Dune Systems,  
Places of Alignment
- Proximity to other known sites  
Some sites are known to occur together

Heritage Induction

Eviron Road Quarry Landfill



## Types of Cultural Sites

- Middens
- Scared or Marked Trees
- Open Campsites
- Isolated Finds
- Rock Shelters
- Stone and Ochre Quarries
- Grinding Sites
- Stone Arrangements
- Fish Traps
- Art Sites
- Burial Sites
- Ceremonial Sites
- Mythological Sites

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## Marked or Scarred Trees



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## Middens or Shell Scatters



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## Large Artefacts



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## Small Artefacts



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## Stone Arrangements



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## Rock Shelters



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## Ochre Quarries



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## Stone Quarries



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## Grinding Sites



Photo: Lee Pearce (Our Land Our Spirit)

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## Ceremonial Sites

Minjungbal Bora Ring  
Kirkwood Road  
Tweed Heads South



Photo: Lee Pearce (Minjungbal)

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## Legislation and Guiding Documents

*National Parks & Wildlife Act, 1974*, administered by the Office of Environment and Heritage(OEH).

Guiding documents:

*Aboriginal cultural heritage consultation requirements for proponents, 2010;*  
*Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW;*  
*Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW.*

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## Penalties for non-compliance

### Offences and penalties for harming or desecrating Aboriginal objects and declared Aboriginal Places

The new and existing Aboriginal cultural heritage offences and the penalty for each offence are summarised below.

Offence	Maximum penalty: Individual	Maximum penalty: Corporation
A person must not harm or desecrate an Aboriginal object that the person knows is an Aboriginal object.	2,500 penalty units (\$275,000) or imprisonment for 1 year. 5,000 penalty units (\$550,000) or imprisonment for 2 years or both (in circumstances of aggravation)	10,000 penalty units (\$1,100,000)
A person must not harm or desecrate an Aboriginal object (strict liability offence).	500 penalty units (\$55,000) 1,000 penalty units (\$110,000) (in circumstances of aggravation)	2,000 penalty units (\$220,000)
A person must not harm or desecrate an Aboriginal Place (strict liability offence).	5,000 penalty units (\$550,000) or imprisonment for 2 years or both	10,000 penalty units (\$1,100,000)
Failure to notify DECCW of the location of an Aboriginal object (existing offence and penalty)	100 penalty units (\$11,000). For continuing offences a further maximum penalty of 10 penalty units (\$1,100) applies for each day the offence continues.	200 penalty units (\$22,000). For continuing offences a further maximum penalty of 20 penalty units (\$2,200) applies for each day the offence continues.
Contravention of any condition of an Aboriginal Heritage Impact Permit	1,000 penalty units (\$110,000) or imprisonment for 6 months, or both, and in the case of a continuing offence a further penalty of 100 penalty units (\$11,000) for each day the offence continues	2,000 penalty units (\$220,000) and in the case of a continuing offence a further penalty of 200 penalty units (\$22,000) for each day the offence continues

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Questions?

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