



**SUNNYSIDE COAL PROJECT
ENVIRONMENTAL
MANAGEMENT SYSTEM**

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WHC_PLN_SUN_ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN



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ACRONYMS USED THROUGHOUT THIS DOCUMENT

ACHMP	-	Aboriginal Cultural Heritage Management Plan
AHIMS	-	Aboriginal Heritage Information Management System
ASR	-	Archaeological Surveys and Reports Pty Ltd
LALC	-	Local Aboriginal Land Council
OEH	-	Office of Environment and Heritage
PA	-	Project Approval
NMPL	-	Namoi Mining Pty Ltd



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1 INTRODUCTION

This Aboriginal Cultural Heritage Management Plan (ACHMP) has been prepared in accordance with Condition 3(33) of Project Approval (PA) 06_0308 for the Sunnyside Coal Project (Sunnyside). Sunnyside is operated by Namoi Mining Pty Ltd (NMPL), a subsidiary company of Whitehaven Coal Limited. Mining operations at Sunnyside were suspended in late November 2012 and recommenced in late 2017. This document considers the area of land corresponding to the project site boundary for Sunnyside, referred to as the “mine site”.

As illustrated in Figure 1, Sunnyside is located approximately 15km west of Gunnedah. The project layout is shown in Figure 2.

The ACHMP was originally prepared in consultation with the local Aboriginal Community through the Red Chief Local Aboriginal Land Council (LALC), Gunida Gunyah Aboriginal Corporation, Min Min Aboriginal Corporation and Bigundi-Biame Gunnedarr Traditional People. Consultation was also undertaken with the Office of Environment and Heritage (OEH).



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LEGEND

- National Park
- Nature Reserve
- State Conservation Area
- Aboriginal Area
- NSW State Forest
- Local Government Area Boundary
- Mining Lease Boundary
- Mine Site
- Mine Project

Source: Geoscience Australia (2006), NSW Department of Premier and Cabinet, Office of Environment and Heritage (2011) and Minerals NSW (2012)

WHITEHAVEN COAL
SUNNYSIDE COAL MINE
 Regional Location

Figure 1 - Regional Location



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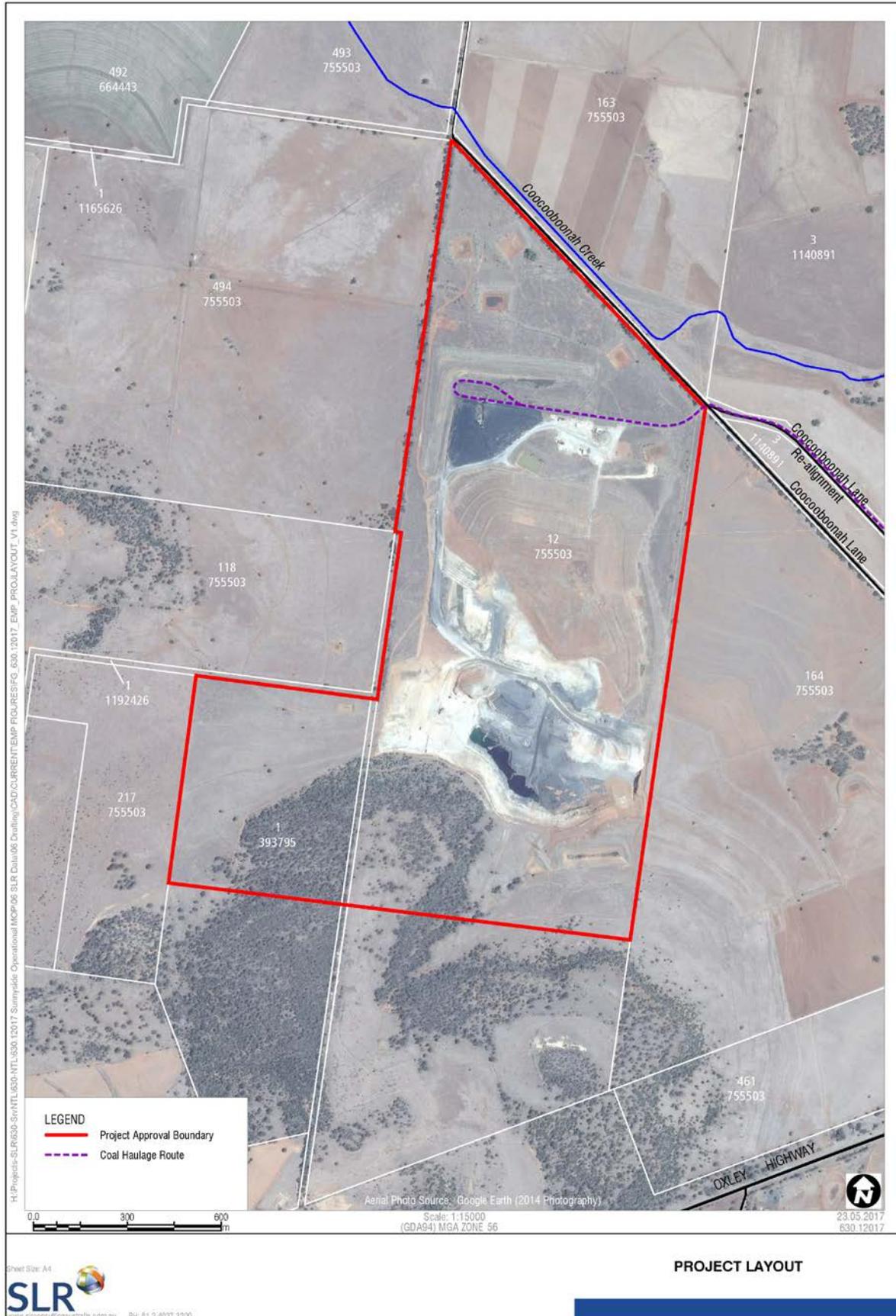


Figure 2 - Project Layout



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2 STATUTORY REQUIREMENTS

This ACHMP has been prepared in accordance with Conditions 3(32) and 3(33) of PA 06_0308, which state:

HERITAGE

Note: These conditions must be read in conjunction with Section 12 of the Statement of Commitments.

Aboriginal Cultural Heritage Management Plan

32. *The Proponent shall not destroy any known Aboriginal objects (as defined in the National Parks and Wildlife Act 1974) without the written approval of the Secretary.*
33. *The Proponent shall prepare and implement an Aboriginal Cultural Heritage Management Plan for the project to the satisfaction of the Secretary. This plan must:*
 - (a) be submitted the Secretary prior to the commencement of construction activities (not including off site road works);*
 - (b) be prepared in consultation with the OEH and the local Aboriginal community;*
 - (c) include a protocol for the ongoing consultation and involvement of Aboriginal communities in the conservation and management of Aboriginal heritage on site; and*
 - (d) describe the measures that would be implemented to protect Aboriginal sites on site, or if any new Aboriginal objects or skeletal remains are discovered during the project.*

All registered and unregistered Aboriginal archaeological sites in NSW are protected by the State *NP&W Act* and the *EP&A Act*. All historical sites in NSW are protected by the NSW *Heritage Act 1977 (Heritage Act)* and the *EP&A Act*. These Acts prohibit the destruction or disturbance of any cultural heritage site, place or object, whether on private or public land. These places are considered to have significance according to the guidelines of the *Australian ICOMOS Charter for the Conservation of Places of Cultural Significance* (the Burra Charter).

Statutory requirements under the *NPW Act* for a Care and Control Permit under *Section 85a* and notification of sites under *Section 91* are still required and will be undertaken accordingly. If a relic of state or local heritage significance is found, the Heritage Council will be notified under *Section 146 of the Heritage Act*.



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3 ARCHAEOLOGICAL AND CULTURAL HERITAGE OF THE MINE SITE

3.1 Cultural Heritage Assessments

An assessment of the cultural heritage of the mine site was conducted by ASR. The investigation was undertaken on 12th September 2006 when officers from Red Chief LALC and Bigundi Biame were consulted and assisted in the field work. Further survey was undertaken in December 2006 over the proposed coal transport route. The assessment was used in the preparation of the Environmental Assessment for the mine, undertaken by Olsen Environmental Consulting and R.W. Corkery & Co. Pty Ltd on behalf of NMPL.

The field survey was undertaken by Mr John Appleton (ASR), with the assistance of Greg Griffiths and Les Field (Red Chief LALC) and Matthew Draper (Bigundi Biame).

The Aboriginal heritage assessment of the mine site comprised the following components.

1. A review of previous archaeological investigations on and surrounding the mine site.
2. Consultation with the Red Chief LALC and Bigundi Biame Gunnedarr Traditional People including on-site discussions with group representatives.
3. An assessment of the archaeological potential of the mine site based on the presence or absence of resources such as vegetation, water and stone.
4. A review of the Aboriginal Sites Register (Aboriginal Heritage Information Management System – AHIMS) covering the project site and the surrounding local area and recent archaeological investigations within the local area.
5. The development of a predictive model for archaeological material that might realistically be expected to be present.
6. The completion of comprehensive field surveys over the mine site and the transport route.
7. An assessment of the cultural significance of the identified sites of Aboriginal heritage.
8. Development of recommendations for the management of identified sites of Aboriginal significance.
9. An assessment of the impact on Aboriginal heritage as a result of the mine as it relates to both identified sites and artefacts and the cumulative impacts on the regional record.

3.2 Identified Aboriginal Heritage Sites

One site was recorded on the mine site, being an axe-grinding groove (AGG1), as detailed in Table 1 and presented on Figure 3.



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Table 1 - Identified Aboriginal Heritage Site within the Mine Site

Site Name	Easting	Northing	Site Type	Site Description/Comments
"Sunnyside AGG1"	224359	6568031	Axe Grinding Groove	<p>GPS (AMG) Ref: 224359 6568031 Emerald Hill 1:25,000 scale Topographic Map</p> <p>Site type: Axe grinding groove</p> <p>Location: At the rim of a cliff like scarp (beside a small water filled natural depression in the rock).</p> <p>Description: Length – Approx 28cm Width – Approx 6cm Depth – Approx 2cm</p>
Source: Modified after ASR (2007)				



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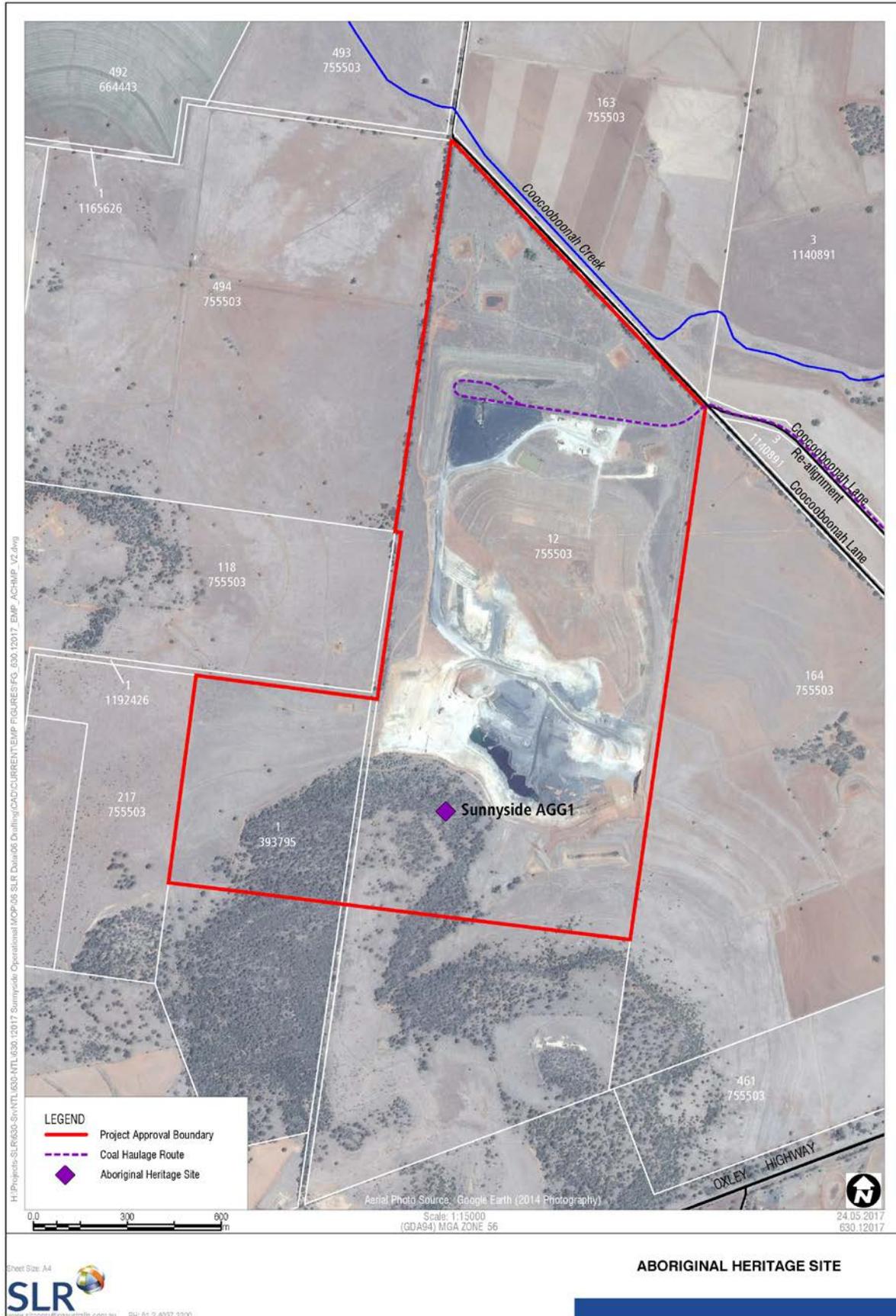


Figure 3 - Aboriginal Heritage Sites



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4 CONSERVATION PROGRAM

4.1 Management of Known Aboriginal Sites

NMPL recognises the importance of Aboriginal relics and sites to the local Aboriginal community, and will undertake all activities in a manner which conserves the cultural heritage values of the mine site. The conservation program has been prepared principally based upon the recommendations of ASR (2007) and consultation with the Aboriginal groups identified above.

The identified site will not be directly impacted on by mining activity. Notwithstanding this, cultural awareness will be included in the site specific induction.

The site is approximately 150 metres away from the open cut area of the mine, with some potential remaining for it to be damaged by fly rock during blasting activities. In order to address this potential impact, medium sized blasts (MIC 960kg or less) will be undertaken within 150m to 210m of the site, and thick rubber matting has been placed over the site to minimise the potential for impacts on the artefact. The coverage by this matting will be checked prior to the resumption of blasting on site and quarterly thereafter to ensure it remains secure.

NMPL understands its obligations under s91 of the NP&W Act to ensure that the OEH is notified about the location of any newly discovered Aboriginal objects as soon as practicable upon their discovery. Moreover to facilitate and support the ongoing operation and maintenance of the OEH's Aboriginal Heritage Information System reporting of the change in status (eg damage, destroyed, salvaged) and relocation of any Aboriginal objects from within the approved project area is required.

4.2 Management of Other Aboriginal Sites

The surface area within the mine site, which has been significantly altered by clearing and agricultural activity over the last 100 years, was examined by representatives of the Red Chief LALC and Bigundi Biame Gunnedarr Traditional People during the EA process. It was considered that there was only a very low potential for the remaining area within the mine site to contain any other archaeological material and, even if present, would likely only constitute very small isolated artefacts.

Notwithstanding the low potential for other archaeological material to be present, NMPL will invite nominated representatives from the Red Chief LALC and Bigundi Biame Gunnedarr Traditional People to monitor all soil stripping and ground disturbance work, in areas not already disturbed by mining, throughout the life of the mine. Monitoring is not proposed in areas of material rehandling, such as relocation of overburden material and soil stockpiles.

In the event of the discovery of a potential site or artefact, the following procedure will be followed.

1. Work will cease 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 has come from.



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3. The person discovering the artefact will notify their superior who will ensure that work has ceased and area(s) is (are) cordoned off with tape.
4. The supervisor will notify the Operations Superintendent or senior NMPL person on site.
5. The Operations Superintendent will:
 - (a) request a qualified archaeologist to attend the site and advise on its archaeological significance;
 - (b) request the site monitors representing the local Aboriginal Community groups, if not already present to attend and advise on its cultural significance in consultation with the qualified archaeologist; and
 - (c) if the find is determined to be a site, notify the OEH with the advice from the archaeologist and the site monitors representing the local Aboriginal Community groups for determination of further procedures.
6. If the find is confirmed as a site, the archaeologist will complete a Sites Register Card and forward to the OEH for inclusion on the Aboriginal Heritage Information management System (AHIMS) database.
7. Subject to the recommendations of the archaeologist and the site monitors for the local Aboriginal Community groups, the appropriate permit to transfer (under Section 85A of the NPW Act) will be applied for prior to further work being undertaken in the vicinity of the site. Any such action to disturb or transfer Aboriginal items will also require the development of excavation and/or salvage plans in consultation with OEH.
8. The Operations Superintendent will implement any other procedures or recommendations issued by the OEH.

In addition to the above procedure, in the event that skeletal remains are uncovered at any stage during the project, the following actions will be undertaken:-

1. Work will cease immediately in the area of discovery;
2. The area of discovery will be cordoned off with reflective tape and marked "No Entry";
3. The Operations Superintendent will notify the local Police of the discovery;
4. The Operations Superintendent will inform the representatives of the Red Chief Local Aboriginal Land Council, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah and Min Min Corporations as to the find and request their attendance at the scene, in consultation with the local Police;
5. The Operations Superintendent will notify the OEH and the consultant archaeologist of the find and request attendance at the scene in consultation with the local Police;
6. No handling of the remains will be permitted without the attendance of the above parties;
7. Where the remains are determined to be Aboriginal, determination of procedures to be followed will be undertaken through consultation between the above groups;
8. No activity will be allowed in the vicinity of the find until such time as the OEH provides formal advice to proceed.



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4.3 Contingency Plan

In the event that inadvertent damage occurs to any Aboriginal site or place within the mine site, the activities causing the damage will cease immediately and procedures identified in Section 4.2 followed. Specifically, the following procedure will be followed.

1. Work will cease in the area of the Aboriginal site or place.
2. Work will also cease in the direct vicinity of the artefact or site.
3. The Operations Superintendent or Environmental Officer will be notified who will ensure that work has ceased and area(s) is (are) cordoned off with tape.
4. The Operations Superintendent or Environmental Officer will:
 - (d) request a qualified archaeologist to attend the site and advise on its archaeological significance;
 - (e) request the site monitors representing the local Aboriginal Community groups, if not already present to attend and advise on its cultural significance in consultation with the qualified archaeologist; and
 - (f) notify the OEH with the advice from the archaeologist and the nominated site monitors representing the local Aboriginal Community groups for determination of further procedures.
5. The Operations Superintendent will implement any procedures or recommendations issued by the OEH. Subject to the recommendations of the archaeologist, and the nominated site monitors for the local Aboriginal Community groups this may include the development of excavation and/or salvage plans for the Aboriginal items and/or the transfer of any artefacts under s85A of the *NPW Act*.

4.4 Post-European Sites

Although no features of post-European significance were identified within the Project area and there is little potential for post-European heritage relics to be discovered within the proposed areas of mine-related impact, NMPL will advise all employees and contractors in writing of their obligations under the NSW *Heritage Act 1977*, i.e. that it is an offence to disturb (destroy or remove) non-indigenous relics without the prior consent of the NSW Heritage Council. Accordingly, in the event that any non-indigenous relics are discovered during mine-related earthworks, work will cease immediately at the specific location and the NSW Heritage Council contacted for further directions.



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5 CONSULTATION, MONITORING AND REPORTING

5.1 Consultation Protocol

Subject to any modifications initiated by the Red Chief LALC, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and the Min Min Corporation, the following protocol will be followed with respect to consultation.

1. The Operations Superintendent will advise the Managers of the Red Chief LALC, Bigundi Biame Gunnedarr Traditional People, Gunida Gunyah Aboriginal Corporation and the Min Min Corporation of the date of planned commencement of soil stripping or ground disturbance work in areas not already disturbed by mining, advising of the extent, location, timing and expected duration of the planned campaign and invite representative to monitor the activities.
2. At the request of representatives of the above Aboriginal groups, a Whitehaven representative will avail them self to attend Community meetings of those groups or to arrange site visits for interested Aboriginal group personnel or members.
3. In the event that any possible archaeological sites are identified in the absence of the Site Monitor, the Operations Superintendent will notify the Manager and/or member of staff of the identified Aboriginal groups following the initiation of the procedures identified in Section 4.2.

5.2 Monitoring and Reporting

In the event that an Aboriginal artefact or site is identified, and in accordance with the procedure documented in Section 4.2, a site register card will be completed and forwarded to the OEH for entry onto the AHIMS database.

The results of monitoring undertaken will be summarised in the Annual Review.

6 DOCUMENT REVIEW

This document will be reviewed in accordance with the requirements of Condition 5(5A) of PA 06_0308.