



View of the ACHMP area in 2021.

ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

WEE WAA HIGH SCHOOL

NOVEMBER 2022

ACHMP version	Date	Author	Author company
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Acknowledgement

The NSW Department of Education acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

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Enquiries should be addressed to NSW Department of Education.

ABBREVIATIONS AND GLOSSARY

ACHA	Aboriginal Cultural Heritage Assessment
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRs	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010
ACHMP	Aboriginal Cultural Heritage Management Plan
ACHMP area	Approved project area
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit. Issued by HNSW to allow harm to Aboriginal objects.
ASIRF	Aboriginal Site Impact Recording Form
DPE	NSW Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	NSW Environmental Planning and Assessment Act 1979
HNSW	Heritage NSW. Government department tasked with ensuring compliance with the NPW Act. HNSW is advised by the Aboriginal Cultural Heritage Advisory Committee (ACHAC)
NPW Act	NSW National Parks and Wildlife Act 1974. Primary legislation governing Aboriginal cultural heritage within NSW.
The Plan	This ACHMP
The project	The construction of the new Wee Waa High School
RAPs	Registered Aboriginal Parties. An individual or group who have indicated through the ACHCR process that they wish to be consulted regarding the project.
SSD	State Significant Development

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1 INTRODUCTION

Condition B34 of the Development Consent states that an Aboriginal Cultural Heritage Management Plan (ACHMP) (the Plan) be developed to provide heritage management measures for Aboriginal cultural heritage in relation to the proposed Wee Waa High School (the project). The project encompasses an area of 6.3 hectares and is located within the Narrabri Shire Local Government Area in New South Wales. This ACHMP applies to the ACHMP area shown on **Figure 1-1**.

The Wee Waa High School is located at 105–107 Mitchell Street, Wee Waa within Lot 2 DP550633, Lot 1 DP577294, and Lots 124 and 125 DP757125.

The development has been assessed as a State Significant Development (SSD) (SSD 21854025) and was approved on 12 October 2022 by the Department of Planning and Environment (DPE).

1.1 PURPOSE

The ACHMP provides a description of the Aboriginal cultural heritage management strategies, procedures, and controls to be implemented within the ACHMP area for construction and operation activities required to be undertaken for the high school development as stipulated by Condition B34 of the Development Consent.

1.2 WEE WAA HIGH SCHOOL BACKGROUND

In 2021, the new Wee Waa High School was designated a 'State Significant Development' (SSD 21854025) under Division 5.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). In accordance with Section 4.12(8) of the EP&A Act, the development application included an Environmental Impact Statement (EIS) that adhered to the Secretary's Environmental Assessment Requirements (SEARs) that were issued by DPE on 6 July 2021.

The SSD application for the high school sought consent for site preparation, earthworks and remediation for the construction and operation of the new Wee Waa High School including the following:

- Site preparation including earthworks, tree removal, stormwater and flooding infrastructure and remediation
- Construction of single and two storey school buildings
- Outdoor playing field, covered sports court and open play spaces
- Hard and soft landscaping including tree planting
- Car parking and bike parking
- Fencing and school identification signs

- Associated infrastructure upgrades including bus zone area, drop-off/pick-up facility, kerb and guttering and pedestrian infrastructure.

The SEARs required an Aboriginal Cultural Heritage Assessment (ACHA) be undertaken to understand the Aboriginal cultural values of the ACHMP area.

OzArk Environment & Heritage undertook the ACHA for the project. The site survey was conducted by an OzArk archaeologist and Allan Tighe, a Gomeri People representative, on 15 September 2021. No Aboriginal objects were identified within the ACHMP area during the survey. The Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared following the survey recommended that this Plan be developed to identify procedures should a new discovery of Aboriginal objects be made during construction or operation of the project.

1.3 OBJECTIVES

This ACHMP has been developed to satisfy the Development Consent (Condition B34) and to ensure that Aboriginal cultural heritage within the ACHMP area is managed in accordance with all relevant legislation and in consultation with Registered Aboriginal Parties (RAPs).

The objectives of this ACHMP are to prevent unapproved impact to any Aboriginal cultural heritage objects within the ACHMP area during the construction and operation of the project.

This ACHMP:

- Considers the recommendation of the ARCAR prepared by OzArk Environment & Heritage dated October 2021
- Details the management procedures during construction for the discovery of unknown Aboriginal objects within the ACHMP area
- Presents a detailed process for ongoing Aboriginal consultation
- Outlines the obligations of project personnel to protect Aboriginal objects, items and/or sites in perpetuity
- Provides for continuous improvement through plan reviews.

The way this Plan addresses the Development Consent is detailed in **Section 3.1**.

Figure 1-1: Location of Wee Waa High School ACHMP area.



2 REGULATORY BACKGROUND

Cultural heritage is managed by several state and national Acts. Baseline principles for the conservation of heritage places and relics can be found in the *Burra Charter* (ICOMOS 2013). The *Burra Charter* has become the standard of best practice in the conservation of heritage places in Australia, and heritage organisations and local government authorities have incorporated the inherent principles and logic into guidelines and other conservation planning documents. The *Burra Charter* generally advocates a cautious approach to changing places of heritage significance. This conservative notion embodies the basic premise behind legislation designed to protect our heritage, which operates primarily at a state level.

Several Acts of Parliament provide for the protection of heritage at various levels of government. However, only the key legislation pertaining to the ACHMP area are included below.

2.1 STATE LEGISLATION

2.1.1 *Environmental Planning and Assessment Act 1979 (EP&A Act)*

This Act established requirements relating to land use and planning.

The EP&A Act includes provisions to ensure that the potential environmental impacts of a development or activity are rigorously assessed and considered in the decision-making process.

Applicability to the ACHMP area

The Wee Waa High School has been assessed under Division 5.2 of the EP&A Act.

Under Section 5.23 of the EP&A Act, it is not necessary to obtain an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the *National Parks and Wildlife Act 1974* (NPW Act) in relation to development approved under Division 5.2. Accordingly, there is no requirement to obtain an AHIP under the current approval.

2.1.2 *National Parks and Wildlife Act 1974 (NPW Act)*

The NPW Act provides for the protection of Aboriginal objects (sites, objects, and cultural material) and Aboriginal places. Under the Act (Part 6), an Aboriginal object is defined as:

‘any deposit, object, or material evidence (not being a handicraft for sale) relating to Indigenous and non-European habitation of the area that comprises NSW, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction and includes Aboriginal remains.’

An Aboriginal place is defined under the NPW Act as:

‘an area which has been declared by the Minister administering the Act as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.’

It is an offence under Section 86 of the NPW Act to ‘harm or desecrate an object the person knows is an Aboriginal object’. It is also a strict liability offence to ‘harm an Aboriginal object’ or to ‘harm or desecrate an Aboriginal place’, whether knowingly or unknowingly. Section 87 of the Act provides a series of defences against the offences listed in Section 86, such as:

- The harm was authorised by and conducted in accordance with the requirements of an AHIP under Section 90 of the Act
- The defendant exercised ‘due diligence to determine whether the action would harm an Aboriginal object
- The harm to the Aboriginal object occurred during the undertaking of a ‘low impact activity’ (as defined in the regulations).

Under Section 89A of the Act, it is a requirement to notify the Secretary of DPE of the location of an Aboriginal object. Identified Aboriginal objects are registered on Aboriginal Heritage Information Management System (AHIMS) that is administered by Heritage NSW (HNSW).

Applicability to the ACHMP area

Any Aboriginal objects within the ACHMP area are afforded legislative protection under the NPW Act.

Under Section 5.23 of the EP&A Act, it is not necessary to obtain an AHIP under Section 60 of the NPW Act in relation to development approved under Division 5.2. However, the other provisions of the NPW Act, such as reporting the discovery of Aboriginal objects, are still applicable.

3 REQUIREMENTS OF THE ACHMP

3.1 DEVELOPMENT CONSENT CONDITIONS

The Development Consent stipulates requirements related to this Plan. These are summarised in **Table 3-1**.

Table 3-1: Cultural heritage-related Development Consent conditions.

Part	Section	Condition	Description	Section/s addressed
Part A Administrative Conditions	Monitoring and Environmental Audit	A22	<p>Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.</p> <p>Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</p>	Sections 7.2, 7.4, 7.5
	Access to Information	A23	<p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ol style="list-style-type: none"> i. the documents referred to in condition A2 of this consent; ii. all current statutory approvals for the development; iii. all approved strategies, plans and programs required under the conditions of this consent; iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent; v. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; vi. a summary of the current stage and progress of the development; vii. contact details to enquire about the development or to make a complaint; viii. a complaints register, updated monthly; ix. audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; <p>(b) any other matter required by the Planning Secretary; and</p> <p>(c) keep such information up to date, to the satisfaction of the Planning Secretary and publicly</p>	Section 7.2 Section 7.6 Section 8.1

Part	Section	Condition	Description	Section/s addressed
			available for 12 months after the commencement of operations.	
	Compliance	A24	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	Section 6.2
	Incident Notification, Reporting and Response	A25	The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	Section 7.4
		A26	Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 2.	Section 7.4
	Non-compliance Notification	A27	The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.	Section 7.5
		A28	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Section 7.5
		A29	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	
	Revision of Strategies, Plans and Programs	A30	Within three months of: <ul style="list-style-type: none"> (a) the submission of an incident report under condition A26; (b) the submission of an Independent Audit under condition C41 or C43; (c) the approval of any modification of the conditions of this consent; or (d) the issue of a direction of the Planning Secretary under condition A2 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.	Section 8.1
		A31	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review. Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.	Section 8.1

Part	Section	Condition	Description	Section/s addressed
Part B Prior to the Commencement of Construction	Environmental Management Plan Requirements	B19	Management plans required under this consent must be prepared having regard to the relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPE April 2020). Note: The Environmental Management Plan Guideline is available on the Planning Portal at: https://www.planningportal.nsw.gov.au/major-projects/assessment/post-approval Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.	This Plan
	Construction Environment Management Plan	B20 (c)	Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary within seven days when requested. The CEMP must include, but not be limited to, the following: (c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;	The CEMP will include this ACHMP as an Appendix which makes provision for unexpected finds under Section 6.5
	Aboriginal Heritage	B34	Prior to the commencement of construction, the Applicant must: (a) consult with Registered Aboriginal Parties to determine specific requirements and management measures to be used on site during construction, including protection of any objects or items in perpetuity; and (b) prepare an Aboriginal Cultural Heritage Management Plan in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by OzArk Environment & Heritage dated October 2021.	Section 4 and this Plan
Part C During Construction	Aboriginal Cultural Heritage	C24	Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by OzArk Environment & Heritage dated October 2021 and the Aboriginal Cultural Heritage Management Plan required by condition B33, including: (a) all land and ground disturbance activities must be confined to within the study area, should the parameters of the proposed extend beyond the assessed areas, further archaeological assessment may be required; and (b) all staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all Aboriginal sites and objects.	Sections 6.2 and 6.3
		C25	In the event that surface disturbance identifies a new Aboriginal object: (a) all works must halt in the immediate area to prevent any further impacts to the object(s); (b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects; (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS; (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement	Section 6.5

Part	Section	Condition	Description	Section/s addressed
			management strategies for all objects/sites; and (e) works shall only recommence with the written approval of the Planning Secretary.	

4 CONSULTATION

4.1 ABORIGINAL COMMUNITY CONSULTATION

In accordance with Condition B34(a) of the Development Consent, this ACHMP has been prepared in consultation with the RAPs.

4.1.1 Aboriginal parties consulted

The RAPs for Wee Waa High School were identified by undertaking the guidelines established in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (ACHCRs) (DECCW 2010) whereby an advertisement was placed in the local press and relevant agencies were contacted to determine if they were aware of groups or individuals who may have cultural knowledge of the region surrounding the Wee Waa High School.

The ACHCRs were undertaken by OzArk (2021) as part of the ACHA and identified six Aboriginal groups and/or individuals registered as RAPs for Wee Waa High School. The RAPs for the project are:

- Wee Waa Local Aboriginal Land Council
- Gomeroi People Native Title Claim
- Malcolm Talbott
- Talcon Pty Ltd
- Stakeholder 1 (stakeholder did not wish their name to be made public)
- AT Gomilaroi Cultural Consultancy.

4.1.2 RAP consultation on this Plan

A draft of this Plan was sent to all RAPs on 18 October 2022 with a closing date for comment of 2 November 2022. At the close of the comment period, no responses were received from the RAPs.

On 24 October 2022, OzArk received a request from NTSCORP Ltd on behalf of Gomeroi People NC2011/006 requesting an extension of the review period to 15 November 2022. OzArk replied, *“We passed your request on to School Infrastructure NSW and they have instructed us to inform you that they are compelled to maintain the original response date of 2 November given the urgent community need to commence construction of the new school. However, School Infrastructure NSW are committed to continuing consultation and should NTSCORP have any comments or additions after that date, School Infrastructure NSW are happy to consider them for inclusion in an updated plan.”*

As of 11 November 2022, no further comments have been received via NTSCORP Ltd.

4.1.3 Ongoing consultation protocols

NSW Department of Education will continue to consult with the RAPs identified in **Section 4.2.1** in compliance with Condition B34(a). Consultation with the RAPs will include, but not be limited to:

- The ACHMP will be reviewed by the RAPs and any applicable comments will be incorporated into the final version
- Notification of new discoveries of Aboriginal objects (**Section 6.5**)
- Notification of new discoveries of Aboriginal ancestral remains (**Section 6.5.1**)
- Review of the Plan, any modifications to Development Consent in accordance with relevant requirements, as established by the regulatory authorities (currently HNSW) (**Section 8**)
- Cultural awareness training and induction materials will be developed and implemented for all construction workers (**Section 6.2**)
- Notification and participation of cultural heritage works if they are required by least two Aboriginal party representatives, including inspections of any newly discovered Aboriginal objects and/or any salvage activities as detailed in **Section 6.5.2**. It should be noted that 'two' represents the minimum number of participants and this number will be adjusted commensurate to the scope of a larger assessment, if required. Select representatives will be subject to a roster for proposed works to ensure participation is fair and equitable but also subject to availability in the timing of the proposed works.

5 CULTURAL HERITAGE VALUES

5.1 PREVIOUS ARCHAEOLOGICAL INVESTIGATION OF WEE WAA HIGH SCHOOL

An ACHA for the proposed Wee Waa High School was undertaken by OzArk (2021). No Aboriginal cultural heritage values or objects were identified within the ACHMP area during field survey or through consultation with the Aboriginal community.

5.2 ABORIGINAL SITES

There are no Aboriginal sites are registered on Aboriginal Heritage Information Management System (AHIMS) within the ACHMP area.

5.3 SOCIO-CULTURAL VALUES

No specific cultural values of importance to the Aboriginal and the broader community have been identified within the ACHMP area.

6 HERITAGE MANAGEMENT MEASURES

6.1 OBLIGATION TO PROTECT ALL CULTURAL HERITAGE

6.1.1 Obligation to avoid harm

All employees, contractors, sub-contractors, and visitors to the Wee Waa High School have an obligation to avoid harming Aboriginal heritage.

The definition of harm used in this Plan stems from the definition in Part 6 of NPW Act.

6.1.1.1 *Aboriginal cultural heritage*

Harm to an Aboriginal object or Aboriginal site includes:

- Moving or collecting stone artefacts (although picking up artefacts and inspecting them is acceptable if they are immediately returned to their original location)
- Disturbing the earth where stone artefacts are located, e.g., by earthworks for drains, roads, etc.
- Breaking stone artefacts, e.g., by running over them in a vehicle
- Cutting down, disturbing or otherwise marking culturally scarred trees.

Trivial or negligible impacts on Aboriginal objects are not regarded as harm. However, 'trivial' is defined, for example, as breaking an artefact during gardening. Any harm or impact to Aboriginal objects that occurs because of construction activities will unlikely be regarded as 'trivial'.

6.1.2 Obligation to protect

All personnel, contractors and subcontractors having responsibility for land management or construction works within the ACHMP area have an obligation to protect cultural heritage items or objects within their area of work responsibility.

Construction will be undertaken in accordance with the recommendations of the ACHAR prepared by OzArk Environment & Heritage dated October 2021 and this Plan as required by Condition B34, including:

- All land and ground disturbance activities will be confined to within the ACHMP area. Should the parameters of the proposed extend beyond the assessed areas, further archaeological assessment may be required
- All staff and contractors involved in the proposed work will be made aware of the legislative protection requirements for all Aboriginal sites and objects.

Should Aboriginal heritage items be identified, the procedures in **Section 6.5** will be followed.

6.2 ABORIGINAL CULTURAL HERITAGE AWARENESS TRAINING

The NSW Department of Education recognises that training and awareness is an important aspect of the Environmental Management System. All personnel and contractors working at the site are required to complete an induction prior to entering the site.

As required in Condition A24 of the Development Consent, all staff and contractors involved in proposed work will be made aware of the legislative protection requirements for all Aboriginal sites and objects.

Site induction undertaken will include a section that provides information on cultural heritage management and awareness. This is to ensure that construction personnel and contractors undertaking ground disturbing works understand the statutory protection afforded to Aboriginal objects and that this Plan is to be implemented. The induction training will include the following:

- Conditions of the Development Consent and understanding that all staff and contractors (and their subcontractors) are required to comply with the consent conditions and this Plan
- Legislative responsibilities in relation to the management of Aboriginal cultural heritage and the potential consequences of any failure to meet these responsibilities
- Procedures to be implemented if Aboriginal objects are discovered.

6.3 MITIGATION OF POTENTIAL IMPACTS FROM FUTURE SURFACE WORKS

All land and ground disturbance activities will be confined to within the ACHMP area. Should the parameters of the project extend beyond the assessed areas, further archaeological assessment may be required.

6.4 MEASURES TO PROTECT KNOWN ABORIGINAL OBJECTS

There are no known Aboriginal objects within the ACHMP area and further management measures are not required.

Should Aboriginal objects be discovered in the ACHMP area, the procedures in **Section 6.5** will be followed.

6.5 DISCOVERY OF CULTURAL HERITAGE OBJECTS OR ITEMS

Further Aboriginal objects may be recorded within the ACHMP area once development commences. Environmental factors, such as changes in ground surface visibility, may also mean that Aboriginal objects have been revealed since previous heritage surveys.

If what is believed to be an Aboriginal object is discovered, the following steps will be adhered to:

1. All works will halt in the immediate area to prevent any further impacts to the object(s)

2. Advice will be sought from a qualified archaeologist in the first instance to determine whether the find constitutes an Aboriginal object. If the find is an Aboriginal object, the RAPs will be notified immediately
3. A suitably qualified archaeologist and the RAPs will determine the significance of the object
4. The site will be registered with AHIMS and the recommended management of the site will be included in the information provided to AHIMS in the site card
5. The NSW Department of Education will consult with the RAPs, the archaeologist, and HNSW to develop and implement management strategies for all objects/sites. The conservation of the object/sites in the landscape will be prioritised. If this is not possible management could include the collection of surface artefacts and/or archaeological excavation. If salvage is recommended, a specific methodology for the object/site will be prepared
6. Works shall only recommence with the written approval of the Planning Secretary.

6.5.1 Aboriginal ancestral remains

In the unlikely event that a potential burial site or Aboriginal ancestral remains are exposed within the ACHMP area, the following procedure will be followed:

- All work in the vicinity of the skeletal material will cease immediately and an area of 10 m radius around the find will be cordoned off with temporary construction fencing
- The find/s will be immediately reported to the work supervisor who will immediately advise NSW Department of Education or other nominated senior staff member
- NSW Department of Education will promptly notify the NSW Police Force (as required for all human remains discoveries) and HNSW
- If the remains are suspected to be human, the NSW Police Force will engage a suitably qualified person to inspect the remains and decide of whether the remains are human, and if so, the likely ancestry (Aboriginal or non-Aboriginal) and antiquity (precontact, historical, or forensic):
 - If the remains are identified as forensic the area is deemed as a crime scene and police instructions will be followed
 - If the remains are identified as Aboriginal, the site is to be secured and HNSW and all RAPs are to be notified in writing. An appropriate methodology for possible exhumation will be developed in consultation with HNSW and the RAPs
 - If the remains are non-Aboriginal (historical) remains, the site is to be secured and the HNSW is to be contacted. An appropriate methodology for possible exhumation will be developed in consultation with HNSW.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the remains is to be determined through liaison with the appropriate stakeholders (including the NSW Police Force, forensic anthropologist, HNSW, and RAPs [if Aboriginal ancestral remains are being disturbed]).

6.5.2 Potential salvage

If Aboriginal objects are discovered within the ACHMP area that are likely to be harmed by the development, then the methodology for salvage will be developed by an archaeologist in consultation with the RAPs.

6.5.3 Care of salvaged cultural heritage objects or items

If cultural heritage objects or items are salvaged within the ACHMP area (**Section 6.5.2**), consultation with relevant stakeholders (i.e. archaeologist, the RAPs, HNSW) is required to identify a suitable management strategy for salvaged objects or items.

The management could include the reburial of the cultural heritage objects or items at a location within the ACHMP area where further development is unlikely, or the storage of objects/items in a secure location.

If Aboriginal objects are reburied at a location within the ACHMP area, a site card will be submitted to AHIMS to record the location.

7 RECORD KEEPING AND REPORTING REQUIREMENTS

7.1 RECORDS HELD BY THE NSW DEPARTMENT OF EDUCATION

If Aboriginal objects are discovered in the ACHMP area, all reports and site cards will be forwarded to the NSW Department of Education for their records.

7.2 COMPLAINTS REGISTER

The NSW Education Department will establish a complaints register for the Wee Waa High School. This register will be updated at least monthly.

The NSW Education Department undertakes to:

- Acknowledge all complaints, responding to the complainant within 24 hours, where practicable
- Registering all complaints in the complaints register
- Investigating complaints impartially giving proper consideration to the facts and the circumstances prevailing at the time
- Implementing corrective actions if required
- Reporting to relevant stakeholders of investigation outcomes and corrective actions taken.

7.3 DISPUTE RESOLUTION PROCESS

The NSW Department of Education will maintain a centralised location to record communications from relevant external stakeholders and procedures for stakeholder contact including a complaints register (**Section 7.2**). Complaints will be recorded and any investigation by the NSW Department of Education, or their delegate, will also be recorded. Initial response to the complainant will be made as soon as practicable by the NSW Department of Education or their delegate. Follow up correspondence with the complainant will be made explaining the outcome of complaint investigations upon request.

If the complainant is not satisfied with the actions of the NSW Department of Education or the NSW Department of Education is not satisfied with those proposed by the complainant, the matter may be referred to the DPE for independent review.

7.4 INCIDENT NOTIFICATION

The NSW Education Department will immediately notify DPE and any other relevant agencies such as HNSW immediately after it becomes aware of an incident such as an unauthorised impact to a known Aboriginal object.

The notification will be in writing via DPE's Major Projects Website and identify the development (including the development application number and name) and set out the location and nature of the incident.

Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the NSW Department of Education will provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

- A summary of the incident
- Outcomes of an incident investigation, including identification of the cause of the incident
- Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence
- Details of any communication with other stakeholders regarding the incident.

The discovery of an Aboriginal object is not an incident and the procedures in **Section 6.5** will be followed.

7.5 PLAN NON-COMPLIANCE NOTIFICATION

Other than impacts to cultural heritage objects or items (**Section 7.4**), if any other non-compliance to this Plan is identified, the NSW Department of Education will provide the DPE with a notification in writing via the Department's Major Projects Website within seven days of the date of the non-compliance as per Conditions A27 and A28 of SSD 21854025. This notification will identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

7.6 ACCESS TO THIS PLAN AND OTHER INFORMATION

This Plan will be available on DPE's Major Projects website.

As per Condition A23 of the Development Consent, at least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the NSW Department of Education will make the following information and documents (as they are obtained or approved) publicly available on its website:

- The documents referred to in the terms of consent of the Development Consent
- All current statutory approvals for the development
- All approved strategies, plans and programs required under the conditions of this consent

- Regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent
- A comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs
- A summary of the current stage and progress of the development
- Contact details to enquire about the development or to make a complaint
- A complaints register, updated monthly
- Audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report
- Any other matter required by the Planning Secretary.

This information will be kept up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.

7.7 ADAPTIVE MANAGEMENT

Site activities will be managed to facilitate that the requirements of this ACHMP will be implemented on site. Where a non-compliance with this ACHMP, or an incident has occurred, the Project team will, as soon as becoming aware of the non-compliance and to the satisfaction of the Secretary:

- Take all reasonable and feasible steps to ensure the non-compliance / incident impacts are avoided, minimised, or mitigated
- Consider all reasonable and feasible options for remediation (where relevant) and submit a detailed report to the Planning Secretary describing these remediation options and any preferred remediation measures or other course of action in line with the requirements of the consent conditions
- Implement remediation measures as directed by the Planning Secretary.

8 REVIEW AND IMPROVEMENT

8.1 REVISION OF THIS PLAN

Ongoing monitoring and review of the performance and implementation of this Plan will be undertaken in accordance with Condition A30 of the Development Consent, which states that a review of the Plan will occur within three months of:

- The submission of an incident report under Condition A26 (**Section 7.4**)
- The submission of an Independent Audit under Condition C40 or C42
- The approval of any modification of the conditions of the Development Consent
- The issue of a direction of the Planning Secretary under condition A2 which requires a review.

The Project team will review, and if necessary, revise strategies, plans, and programs required under the Development Consent. Where this review leads to revisions in any such document, then within six weeks of the review the revised document will be submitted to the Secretary and/or certifier for approval in accordance with the Development Consent.

Review of this ACHMP will be undertaken by the Project team to determine if the ACHMP remains consistent with the Development Consent.

Any revision of this Plan will be prepared in consultation with the RAPs and will be submitted to the Planning Secretary.

8.2 STATUTORY REPORTING REQUIREMENTS

Under Section 89A of the NPW Act, it is a requirement that the AHIMS Registrar is notified of the existence of Aboriginal objects as soon as practicable after they are first identified. This is done through the completion of an Aboriginal site card which is submitted to AHIMS under the guidance of an archaeologist for inclusion on the Aboriginal objects database. See **Section 6.5** for the procedures related to newly discovered heritage objects.

8.3 SALVAGE RECORDS

If a newly discovered cultural heritage object or item within the ACHMP area is salvaged, then a record of the salvage process will be made. This will include a salvage report and updating the AHIMS site card using an Aboriginal Site Impact Recording Form (ASIRF).

Details of the temporary or permanent keeping place for those materials salvaged will be included in the salvage report and AHIMS site card update (see also **Section 6.5.3**).

9 ACCOUNTABILITIES

Environmental management at Wee Waa High School will be the responsibility of the NSW Department of Education and any contractors associated with the project, including the implementation and compliance of this ACHMP.

10 DOCUMENT INFORMATION

10.1 RELEVANT LEGISLATION

The following legislation is relevant to this Plan:

- *Environmental Planning and Assessment Act 1979*
- *National Parks and Wildlife Act 1974*

10.2 REFERENCE INFORMATION

Reference information, listed in below, is information that is related to the development of this document or referenced from within this document.

DECCW 2010	<i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i>
NSW DPE 2017	NSW Department Planning and Environment. 2017. <i>Environmental Management Plan Post Approval Requirements Series</i>
OzArk 2021	OzArk EHM. October 2021. <i>Aboriginal Cultural Heritage Assessment Report Wee Waa High School</i> Report to NSW Department of Education.

APPENDIX 1: CULTURAL HERITAGE MANAGEMENT PLAN APPROVAL

DOCUMENT CONTROLS

Proponent	NSW Education School Infrastructure	
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