



View northeast across Poultry Production Unit 1 location.

ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

RUSHES CREEK POULTRY FARM

RUSHES CREEK, NSW

JUNE 2021

Report prepared by
OzArk Environment & Heritage
for EME Advisory
on behalf of ProTen Tamworth Pty Ltd



OzArk Environment & Heritage

145 Wingewarra St
(PO Box 2069)
Dubbo NSW 2830

Phone: (02) 6882 0118
Fax: (02) 6882 0630
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

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Prepared For	Prepared By	
Bill Williams CEO ProTen	Stephanie Rusden Senior Archaeologist OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 stephanie@ozarkeh.com.au	
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Acknowledgement

OzArk acknowledge Traditional Owners of the area to which this plan applies 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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1 INTRODUCTION

This Aboriginal Cultural Heritage Management Plan (ACHMP) for the Rushes Creek Poultry Production Farm (herein referred to as the Development) has been prepared by OzArk Environment & Heritage (OzArk) on behalf of ProTen Tamworth Pty Ltd (ProTen; the Proponent).

The Development, approved as State Significant Development (SSD) 7704 on 16 April 2020, comprises a poultry farm which will be located on 1016 hectares (ha) of rural land in an area known as Rushes Creek (the Development Site), approximately 12 kilometres (km) southwest of Manilla, NSW (**Figure 1-1**).

1.1 SCOPE

This ACHMP has been prepared as a tool to give consideration to and to manage Aboriginal heritage related issues during the construction and operation of the Development. It will be used by all Development employees, contractors, sub-contractors and visitors as the first point of reference for Aboriginal cultural heritage related issues.

This ACHMP synthesises the recommendations made during the preparation of an Environmental Impact Statement (EIS) for the Development, and subsequent assessment and approval of SSD-7704 (**Section 2**).

1.2 PURPOSE

The primary purpose of the ACHMP is to define management of Aboriginal heritage values in accordance with the Development Consent (refer to **Section 2** and **Table 2-1**). In order to achieve this, the ACHMP:

- details the management procedures for known Aboriginal heritage within the Development Site
- details reporting requirements
- outlines and describes ongoing Aboriginal consultation
- outlines the obligations of construction personnel to protect Aboriginal sites
- describes the roles and responsibilities of project staff in managing Aboriginal heritage sites before and after salvage works
- provides for continuous improvement through auditing and modification of the ACHMP.

1.3 DEVELOPMENT OVERVIEW

The Development, approved as SSD-7704, comprises four individual poultry production units (PPUs), which are identified as Farms 1 to 4, where broiler birds will be grown for the purpose of producing poultry meat (for human consumption). Each farm will contain between 10 and 18 tunnel-ventilated fully-enclosed climate-controlled poultry sheds, which will each have the

capacity to house 56,500 birds, along with associated support and servicing infrastructure. The Development will comprise a total of 54 poultry sheds, housing a combined site population of 3,051,000 birds.

Table 1-1 provides a summary of the various components of the Development and **Figure 1-2** shows the impact footprint of Development.

Table 1-1: Development description summary.

Aspect	Details
Purpose	Birds grown for the purpose of producing poultry meat
Number of PPUs	Four - Farms 1, 2, 3 and 4
Total disturbance footprint	Approximately 87.78 ha
Number of poultry sheds	Farm 1 – 10 sheds Farm 2 – 18 sheds Farm 3 – 10 sheds Farm 4 – 16 sheds
Type of poultry sheds	Tunnel-ventilated, fully-enclosed, climate-controlled
Poultry shed dimensions	160 metres (m) long by 18 m wide by 4.7 m high (to roof ridge)
Poultry shed areas	Each shed – 2,880 square metres (m ²) Total – 155,520 m ²
Bird numbers	Each shed - 56,500 birds Farm 1 – 565,000 birds Farm 2 – 1,017,000 birds Farm 3 – 565,000 birds Farm 4 – 904,000 birds Total – 3,051,000 birds
Maximum bird density within sheds	34 kilograms per square metre (kg/m ²)
Hours of operation	24 hours a day, 7 days a week
Production cycle length	Approximately 65 days, comprising a maximum bird occupation of 55 days and a cleaning phase of 10 days
Production cycles per year	Approximately 5.6 on average
Support/servicing infrastructure	<ul style="list-style-type: none"> * Eight houses to accommodate farm managers • Two access driveways from Rushes Creek Road and internal access roads • Water supply infrastructure to extract, transfer, treat and store water from the Namoi River • Reticulated electrical supply infrastructure • Bedding material storage shed • Two dead bird freezers • At each PPU: staff amenities and workshop (office, change rooms, toilets, workshop, chemical store and pump room); feed silos; water storage tanks; solar panels; fuel and gas storage facilities; generators; vehicle wheel wash; ring roads; surface water management system, including upstream diversions; and aerated wastewater treatment system (AWTS)
Vehicle access	Two access driveways from Rushes Creek Road constructed to accommodate a basic left turn (BAL) treatment. Internal access roads and ring roads around each PPU constructed as all-weather rural-type roads

Figure 1-1: Location map of the Development Site in relation to Manilla.

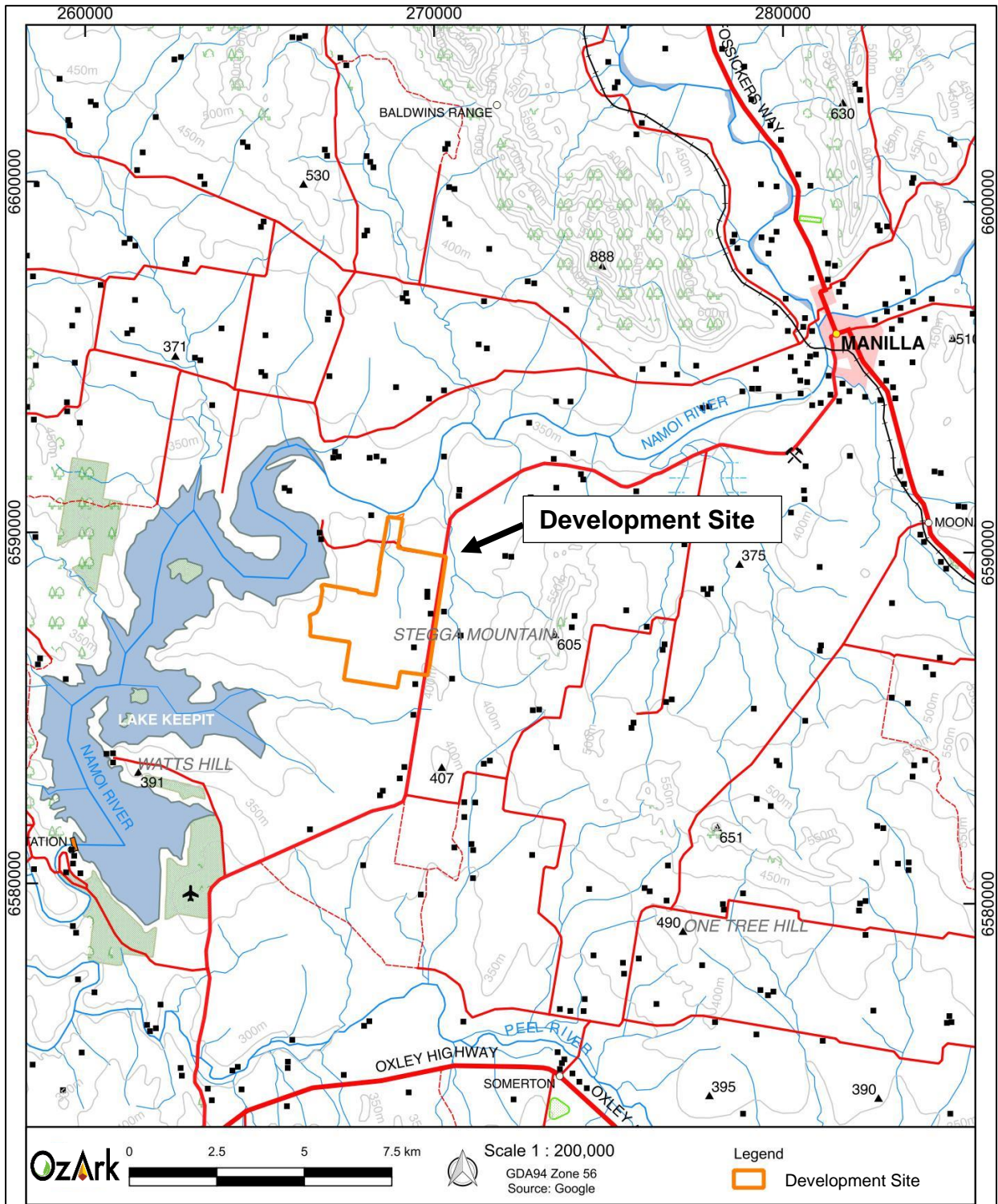


Figure 1-2: The Development Site and infrastructure layout.



2 LEGAL AND OTHER REGULATORY REQUIREMENTS

2.1 DEVELOPMENT CONSENT CONDITIONS

The Development is an SSD and an EIS was completed (SLR Consulting Australia Pty Ltd 2018) in accordance with clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* to assess the environmental impacts (including Aboriginal cultural heritage) of the Development Site.

Development Consent SSD-7704 was granted from the Minister for Planning and Public Spaces on 16 April 2020, with *Condition B33* requiring the preparation of an ACHMP. **Table 2-1** identifies all the conditional requirements relating to Aboriginal heritage and identifies where in the ACHMP individual requirements have been addressed.

Appendix 1 includes a copy of the 'relevant conditions' for which this ACHMP provides measures to ensure compliance, namely *Condition B33* to *B36*.

Table 2-1: Conditional requirements of SSD-7704 for an ACHMP.

Condition	Section in this ACHMP
<p>B33. Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development. The plan must form part of the CEMP required by condition C2 and must:</p> <ul style="list-style-type: none"> a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties and the Environment, Energy and Science Group b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development c) describe the management actions of all Aboriginal sites within the development site d) describe the measures to salvage the artefacts at Happy Hills-IF3, Bondah-IF1, Bondah-IF2, Bondah-IF7, Bondah-IF8, Happy Hills-OS3 and Bondah-OS11, including mapping, analysis and collection, and protect them in perpetuity e) include a program of excavation and reporting of the feature known as Bondah-H1, in consultation with the Registered Aboriginal Parties (RAPs). 	<ul style="list-style-type: none"> a) Section 3 b) Section 3.1 c) Section 6 d) Section 6.1.2 e) Section 2.2
<p>B34. The Applicant must:</p> <ul style="list-style-type: none"> a) not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary b) implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development. 	This ACHMP accords with the condition.
<p>B35. If any item or object of Aboriginal heritage significance is identified on site:</p> <ul style="list-style-type: none"> a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately b) a 10 metre wide buffer area around the suspected item or object must be cordoned off c) the Heritage Division of the Department of Premier and Cabinet must be contacted immediately. 	Section 7
<p>B36. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the <i>National Parks and Wildlife Act 1974</i>.</p>	Section 7.1 and 7.2.2

2.2 CONDITION B33 (E): EXCAVATION OF BONDAB-H1

Bondah-H1 is a hearth located in the north of the Development Site (**Figure 4-1**). The hearth is located approximately 455 metres (m) from the nearest Development impact: the water pipeline and powerline. As such, no management measures were recommended for the site within the ACHAR prepared by OzArk (2018).

Despite this, excavation of the hearth has been included as a condition by Heritage NSW in the Development Consent. Condition B33 (e) states the ACHMP must:

include a program of excavation and reporting of the feature known as Bondah-H1, in consultation with the Registered Aboriginal Parties (RAPs).

Consultation was undertaken with the RAPs to determine whether they supported the partial excavation of the hearth for dating purposes. As part of the draft ACHMP which was distributed to RAPs for their review, a proposed methodology was included for the excavation and reconstruction of the hearth following retrieval of a suitable sample for dating.

The majority of RAPs who provided feedback regarding the excavation of Bondah-H1 have stated that they do not support the excavation of the site (**Section 3.2.2.1** and **Table 3-1**). As such, OzArk prepared a letter which was sent to Heritage NSW requesting Condition B33 (e) be retracted from the Development Consent as per the request of the RAPs. A letter from Heritage NSW dated 4 May 2021 stating that “Heritage NSW supports the decision not to excavate site ‘Bondah-H1’ (**Appendix 2**).

3 CONSULTATION

3.1 GOVERNMENT CONSULTATION

As outlined in *Condition B33(a)* of the Development Consent, the ACHMP must be prepared in conjunction with the Environment, Energy and Science Group (henceforth Heritage NSW) and be submitted to the Department of Planning, Industry and Environment (DPIE) prior to any construction to satisfy *Condition B33(b)* (**Table 1-1**).

Accordingly, a copy of this ACHMP was provided to Heritage NSW on 8 March 2021 for their review and comments. Endorsement of the ACHMP was received from Heritage NSW on 4 May 2021 and is presented in **Appendix 2**.

Endorsement of the ACHMP was received from DPIE on 14 May 2021 (**Appendix 2**).

3.2 ABORIGINAL COMMUNITY CONSULTATION

3.2.1 Aboriginal parties consulted

Details of Aboriginal community consultation undertaken for *the Aboriginal Cultural Heritage Assessment Report* is detailed in OzArk 2018. The assessment followed the guidelines contained in the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010b). In summary, the following RAPs were identified and consulted with respect to proposed management of Aboriginal sites.

- Tamworth Local Aboriginal Land Council (LALC)
- T&G Culture Consultants
- Richard Slater
- DFTV Enterprises
- Gomery Cultural Consultant
- Brian Draper
- White Cockatoo Aboriginal Corporation
- Gomeroi People NC2011/006
- Natasha Rodgers
- AT Gomilaroi Cultural Consultancy
- Veronica Talbott.

3.2.2 Consultation in developing this ACHMP

During the drafting of this ACHMP, the RAPs listed in **Section 3.2.1** were consulted.

A log regarding the consultation is provided in **Appendix 3 Figure 1**.

3.2.2.1 *Hearth excavation and long-term management of artefacts*

A letter was initially sent to all RAPs to provide some background on the approval of the Development on 13 November 2020 (**Appendix 3 Figure 2**). The letter also requested feedback on the following:

- Whether RAPs supported the partial excavation Bondah-H1 for dating purposes (as requested by Heritage NSW)
- The preferred option for the long-term management of salvaged artefacts.

Feedback received from RAPs on the excavation of Bondah-H1 and the long-term management of salvaged artefacts is tabulated in **Table 3-1**. RAPs not listed in **Table 3-1** were unable to be contacted for their response.

Table 3-1: Responses from RAPs regarding the excavation of Bondah-H1 and the long-term management of salvaged artefacts.

RAP Group	Hearth to be excavated (yes or no)	Artefact management (Care Agreement or reburial / relocation)	Date of feedback	Feedback method
Tamworth LALC	No	Care Agreement	26 November 2020	Email
Gomery Cultural Consultation	Yes	Care Agreement	7 December 2020	Phone
Veronica Talbott	No	Reburial / relocation	7 December 2020	Phone
White Cockatoo Aboriginal Corporation	No	Reburial / relocation	8 December 2020	Phone
Gomeri People NC2011/006 (Steve Talbott)	No	Reburial / relocation	12 December 2020	Phone

3.2.2.2 *AFGM*

Responses were received from two RAP groups (Gomeri People NC2011/006 and White Cockatoo Aboriginal Corporation) requesting a meeting to discuss the ACHMP and proposed salvage. As such, an invitation to attend an Aboriginal Focus Group Meeting (AFGM) was sent to all RAPs on 22 January 2021 (**Appendix 3 Figure 4**).

The AFGM was held on Thursday 4 February 2021 at the Gunnedah Services and Bowling Club. The AFGM was attended by the following people (**Appendix 3 Figure 6**):

- Stephanie Rusden (OzArk)
- Julian Johnson (ProTen)
- Chris Fermon (Tamworth LALC)
- Kerry Morgan (White Cockatoo Aboriginal Corporation)

The meeting minutes are provided in **Appendix 3 Figure 7**.

3.2.2.3 ACHMP review

A draft copy of the ACHMP was sent to all RAPs on 22 January 2021 for their review (**Appendix 3 Figure 5**). Comments on the draft ACHMP were requested by Friday 19 February 2021.

Comments of the ACHMP were received from White Cockatoo Aboriginal Corporation and AT Gomilaroi Cultural Consultancy (**Appendix 3 Figure 8**).

OzArk's response to White Cockatoo Aboriginal Corporation is provided in **Appendix 3 Figure 9**.

3.2.3 Ongoing consultation protocols

RAPs will be kept informed with respect to activities and operations which may impact on Aboriginal heritage management.

Notification within a reasonably prompt timeframe will be issued to all Aboriginal parties where:

- significant changes to the Development may have implications for Aboriginal heritage management
- there is a discovery in the course of construction or operation of the Development, e.g. unexpected finds of Aboriginal ancestral remains or object(s)
- significant land management actions are required in Aboriginal site protection areas not envisaged by this ACHMP.

Issues raised by RAPs in conversations whether by telephone or in person in the course of ongoing consultation will be documented in writing by the Proponent or the Archaeologist involved in the correspondence. Only documented issues will be followed up.

RAPs will be consulted as part of any formal review of the ACHMP.

4 THE ABORIGINAL HERITAGE RESOURCE

4.1 IDENTIFIED ABORIGINAL CULTURAL HERITAGE

As a result of the archaeological assessment (OzArk 2018), 35 sites were identified within the Development Site. No previously recorded Aboriginal sites were present within the Development Site.

Table 4-1 lists the Aboriginal site types known to exist within the Development Site and **Table 4-2** provides details of the 35 sites within the Development Site. **Figure 4-1** and **Figure 4-2** show the location of the recorded Aboriginal sites within the Development Site.

Detailed descriptions and images of each site are provided in Section 5.4 of OzArk 2018.

Table 4-1: Aboriginal site types within the Development Site.

Site type	Number	Percentage of total (% rounded)
Isolated finds	17	49
Artefact scatters	13	37
Scarred trees	3	8
Artefact scatter with potential archaeological deposit (PAD)	1	3
Hearth	1	3

Table 4-2: Recorded Aboriginal sites within the Development Site.

AHIMS ID	Site Name	Site coordinates (GDA Zone 56)	Site Type	Site Description
20-5-0133	Happy Hills-IF1	269741E, 6586383N	Isolated find	Volcanic flake located on a contour bank, approximately 144 m north of the Happy Hills southern property boundary.
20-5-0102	Happy Hills-IF2	268635E, 6586196N	Isolated find	Fine-grained siliceous flake located 60 m south of Plain Gully and 120 m west of a dam.
20-5-0101	Happy Hills-IF3	268267E, 6586496N	Isolated find	Volcanic flake located to the south of a contour bank, approximately 420 m east of the Happy Hills property boundary.
20-5-0100	Happy Hills-IF4	268641E, 6586796N	Isolated find	Fine-grained siliceous flake located on a farm track, approximately 1.4 km west of the more recent Happy Hills house.
20-5-0126	Bondah-IF1	269923E, 6588309N	Isolated find	Volcanic flake located on a contour bank, 180 m north of a dam and 12 m west of a drainage feature.
20-5-0127	Bondah-IF2	269837E, 6588361N	Isolated find	Fine-grained siliceous flake in a previously ploughed paddock, located 442 m southwest of the Bondah infrastructure complex.
20-5-0128	Bondah-IF3	269641E, 6587816N	Isolated find	Mudstone flake located on a contour bank, 330 m southeast of a dam and 25m west of a drainage feature.
20-5-0129	Bondah-IF4	268212E, 6587644N	Isolated find	Chert flake located within an eroding exposure along the edge of a drainage feature.
20-5-0122	Bondah-IF5	267996E, 6587325N	Isolated find	Mudstone flake located within an eroding exposure along the edge of a drainage feature.
20-5-0123	Bondah-IF6	267931E, 6587218N	Isolated find	Chert flake located within an eroding exposure along the edge of a drainage feature.

AHIMS ID	Site Name	Site coordinates (GDA Zone 56)	Site Type	Site Description
20-5-0124	Bondah-IF7	267260E, 6587726N	Isolated find	Chert flake located on a contour bank, 216 m northwest of a dam.
20-5-0125	Bondah-IF8	267098E, 6587759N	Isolated find	Basalt flake located within a previously ploughed paddock, 94 m northeast of a dam.
20-5-0121	Bondah-IF9	267425E, 6588036N	Isolated find	Basalt flake on a livestock track located 350 m south of a dam and 930 m southeast of the Namoi River.
20-5-0120	Bondah-IF10	267652E, 6587944N	Isolated find	Fine-grained siliceous flake with usewear on a contour bank located 2.6 km southwest of the Bondah infrastructure complex, 102 m north of a dam.
20-5-0119	Bondah-IF11	267549E, 6587933N	Isolated find	Chert flake located within an erosion scald along a drainage feature, 65 m north of a dam.
20-5-0118	Bondah-IF12	269195E, 6590574N	Isolated find	Chert flake on an ant nest located 640 m north of Ski Gardens Road and 115 m south of the Namoi River.
20-5-0116	Bondah-IF13	269157E, 6588907N	Isolated find	Mudstone flake located within an erosion scald along a drainage feature, 931 m south of Ski Gardens Road.
20-5-0105	Happy Hills-OS1	268294E, 6586054N	Artefact scatter	Nine stone artefacts manufactured from volcanic materials, chert and fine-grained siliceous materials. The site extent measures 126 m x 87 m and is located 124 m, north of the Happy Hills southern property boundary.
20-5-0104	Happy Hills-OS2	268144E, 6586277N	Artefact scatter	Five stone artefacts manufactured from fine-grained siliceous materials and chalcedony. The site extent measures 18 m x 59 m and is located 370 m west southwest of a dam and 295 m north of the Happy Hills southern property boundary.
20-5-0103	Happy Hills-OS3	268303E, 6586677N	Artefact scatter	Four stone artefacts manufactured from volcanic and fine-grained siliceous materials. The site extent measures 127 m x 42 m and is located 1.6 km west southwest of the more recent Happy Hills homestead, 560 m southeast of a dam.
20-5-0117	Bondah-OS1	269358E, 6590634N	Artefact scatter	Six stone artefacts manufactured from a fine-grained siliceous material located 670 m north of Ski Gardens Road and 130 m south of the Namoi River. The site extent measures 109 m x 38 m.
20-5-0115	Bondah-OS2	269042E, 6590711N	Artefact scatter	Four stone artefacts manufactured from chert, quartz and fine-grained siliceous material situated on a gentle to moderately sloped bank of the Namoi River. The site extent measures 12 m x 21 m.
20-5-0107	Bondah-OS3	269140E, 6589451N	Artefact scatter with PAD	Artefact scatter consisting of 12 separate artefact location areas with artefacts manufactured from a variety of materials including fine-grained siliceous materials, silcrete, jasper, basalt and quartz. The site is located at the confluence of two second order tributaries of the Namoi River. The site extent measure 978 m x 326 m.
20-5-0110	Bondah-OS4	268883E, 6589353N	Artefact scatter	Artefact scatter consisting of more than 10 stone artefacts manufactured largely from fine-grained siliceous materials and a possible manuport. Artefacts are present along the banks of a drainage line to the south of Bondah-OS3. The site extent measures 398 m x 84 m.
20-5-0111	Bondah-OS5	269259E, 6589134N	Artefact scatter	Artefact scatter consisting of 17 stone artefacts manufactured from basalt, chert, fine-grained siliceous materials and jasper. Artefacts are present along the banks of a

AHIMS ID	Site Name	Site coordinates (GDA Zone 56)	Site Type	Site Description
				drainage line to the south of Bondah-OS3. The site extent measures 80 m x 122 m.
20-5-0112	Bondah-OS6	267419E, 6588351N	Artefact scatter	Artefact scatter consisting of nine stone artefacts manufactured from basalt, fine-grained siliceous material and chalcedony located on a gentle to moderately sloped creek bank. The site extent measures 33 m x 17 m.
20-5-0113	Bondah-OS7	267707E, 6587821N	Artefact scatter	Artefact scatter consisting of two flakes manufactured from volcanic materials located on the bank of a drainage line. The site extent measures 36 m x 50 m.
20-5-0114	Bondah-OS8	267956E, 6587767N	Artefact scatter	Artefact scatter consisting of three flakes manufactured from a volcanic material, a fine-grained siliceous material and quartzite. The site comprises two areas of exposure either side of the drainage line. The site extent measures 140 m x 38 m.
20-5-0109	Bondah-OS9	267638E, 658532N	Artefact scatter	Artefact scatter consisting of two flakes manufactured from chert and mudstone located on the edges of a heavily eroded drainage line. The site extent measures 183 m x 91 m.
20-5-0108	Bondah-OS10	267505E, 6587166N	Artefact scatter	Artefact scatter consisting of two flakes manufactured from mudstone recorded within an area of exposure at the base of an area of basalt outcropping. The site extent measures 13 m x 11 m.
20-5-0106	Bondah-OS11	267123E, 6587441N	Artefact scatter	Artefact scatter consisting of two stone artefacts manufactured from a fine-grained siliceous material located 218m south east of a dam. The site extent measures 22 m x 4 m.
20-5-0134	Bondah-H1	269169E, 6589145N	Hearth	A hearth comprised of heat fractured rocks, however, no evidence of burning or charcoal was evident on the surface. The site is located 1.7 km south of the Namoi River and 650 m south of Ski Gardens Road and west of Bondah-OS5.
20-5-0131	Happy Hills-ST1	268684E, 6586958N	Scarred tree	Scarred tree located adjacent to an ephemeral first order tributary of Plain Gully on a mid to lower slope landform within a vegetated corridor between an existing ploughed paddock and access road. The scar is 105 centimetres (cm) long and is 33 cm wide. The scar is orientated to the southwest.
20-5-0132	Happy Hills-ST2	268363E, 6587137N	Scarred tree	Scarred tree located adjacent to an ephemeral first order tributary of Plain Gully on a mid to lower slope landform within a vegetated corridor between an existing ploughed paddock and access road. The scar is 140 cm long and is 38 cm wide. The scar is orientated to the northwest.
20-5-0130	Happy Hills-ST3	268207E, 6585970N	Scarred tree	Scarred tree located within a grassed paddock surrounded by a number of mature isolated trees on a lower slope landform. The scar is 132 cm long and is 28 cm wide. The scar is orientated to the south.

Figure 4-1: Location of recorded isolated finds, scarred trees, and the hearth within the Development Site.

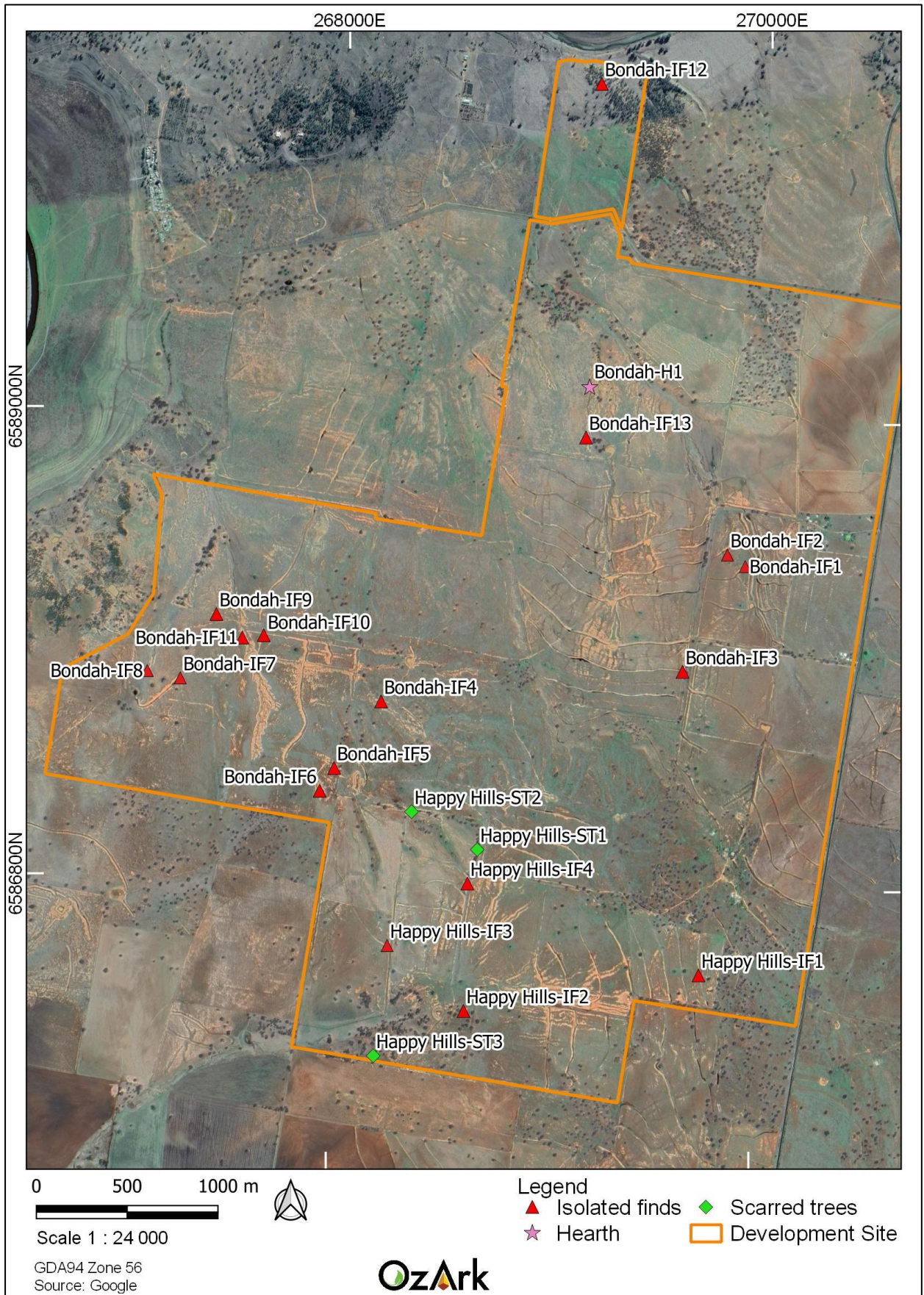
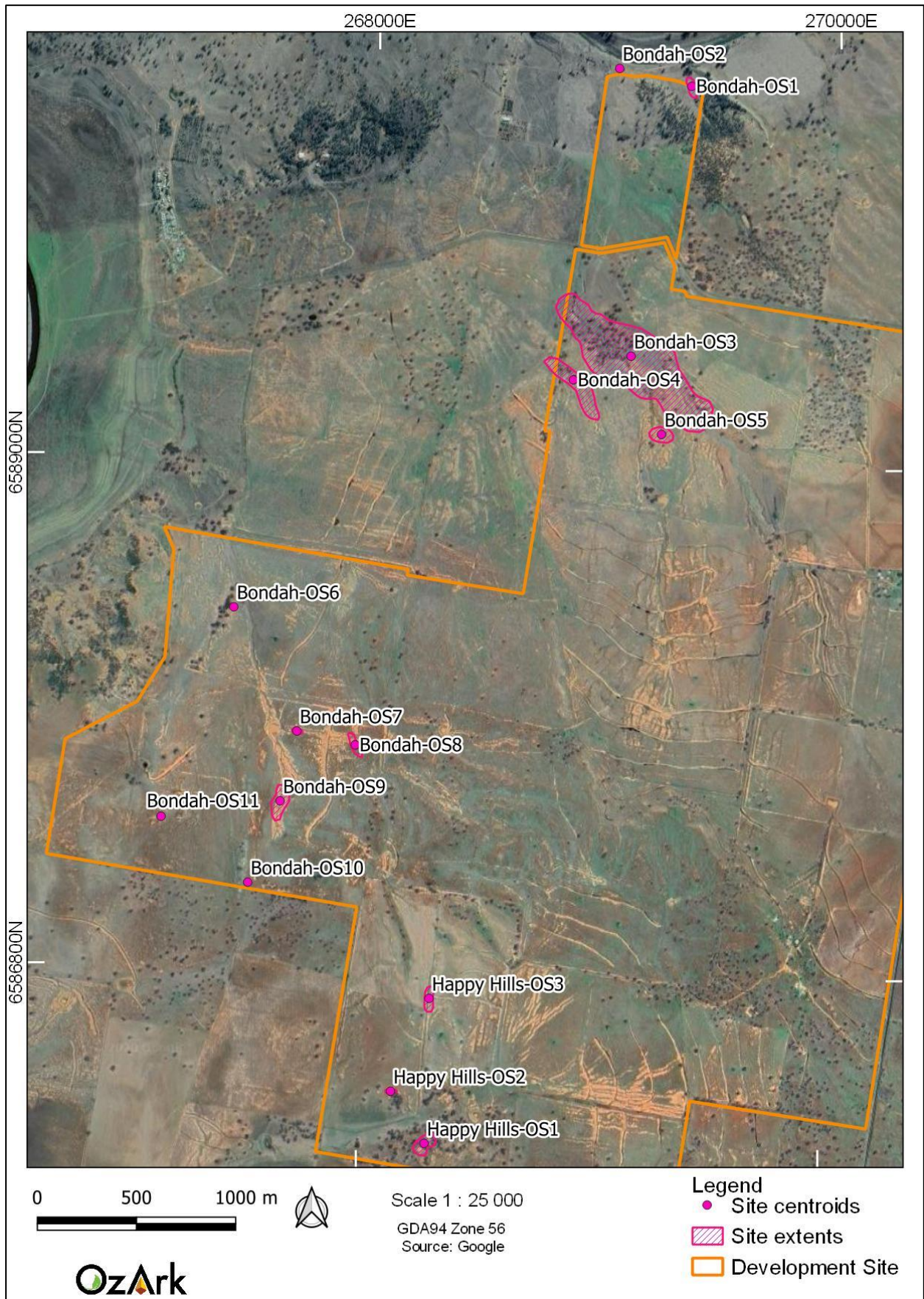


Figure 4-2: Location of recorded artefact scatters within the Development Site.



4.2 CULTURAL VALUES

Social or cultural value refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them.

Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods or events. Communities can experience a sense of loss should a place of social or cultural value be damaged or destroyed.

There is not always consensus about a place's social or cultural value. Because people experience places and events differently, expressions of social or cultural value do vary and, in some instances, will be in direct conflict. When identifying values, it is not necessary to agree with or acknowledge the validity of each other's values, but it is necessary to document the range of values identified.

Social or cultural value can only be identified through consultation with Aboriginal people. This could involve a range of methodologies, such as cultural mapping, oral histories, archival documentation and specific information provided by Aboriginal people specifically for the investigation.

A copy of the ACHAR was sent to the RAPs on 29 August 2017. No feedback was received relating to the social or cultural value of the newly recorded sites. As such, for the purposes of assessing the potential impact to Aboriginal cultural heritage, all recorded sites were accorded high social and cultural values. This is because Aboriginal sites are seen by the community as a marker of ancient occupation across the region, as well as being a tangible link to their ancestors.

5 MANAGEMENT STRATEGY

5.1 IDENTIFYING ABORIGINAL HERITAGE IMPACTS

Development impacts will occur to Aboriginal objects both at Aboriginal sites where objects are visible, as well as potentially below the ground surface where they are not readily apparent. The impacts to Aboriginal sites through the Development were identified and assessed as part EIS.

The findings of the archaeological survey confirm that Aboriginal stone artefacts are broadly distributed within the soil across the Development Site and that vegetation cover and soil exposure conditions can change to reveal previously obscured artefacts. Such exposed artefacts are referred to as “sites” which means the site where Aboriginal objects may be observed in the present. Similarly changing environmental conditions can obscure previously visible Aboriginal objects. The phenomenon of previously recorded “sites” not being discoverable at a later time is also common.

The management strategy addresses the recorded sites of Aboriginal objects, as well as the inferred broad distributions of Aboriginal stone artefacts reflecting past Aboriginal activity in all parts of the landscape. Because Aboriginal objects occur within the topsoil in parts of the Development Site, impacts to undiscovered Aboriginal objects may occur. The management strategy is provided as mitigation of all Aboriginal heritage impacts, including impacts to those Aboriginal objects that have been recorded and Aboriginal objects which may occur unrecorded within the topsoil.

5.2 OBLIGATION TO PROTECT ABORIGINAL CULTURAL HERITAGE

5.2.1 Obligation to avoid harm

All employees, contractors, sub-contractors and visitors to the Development Site have an obligation to avoid harming Aboriginal heritage unless engaged in approved development activity in an area where Aboriginal salvage obligations have been met as described in this ACHMP.

The definition of harm used in this ACHMP stems from the definition in Section 5 of the *National Parks and Wildlife Act 1974* (NPW Act). The examples used below are for illustrative purposes and are not exhaustive.

Harm to an Aboriginal object or Aboriginal site means:

- Moving or collecting stone artefacts (although picking up artefacts and inspecting them is acceptable as long as 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 scarred trees.

Trivial or negligible impacts to Aboriginal objects are not regarded as harm.

5.2.2 Obligation to protect harm

All employees, contractors and sub-contractors of the Development Site having responsibility for land management, construction or operation have an obligation to protect Aboriginal heritage within their area of work responsibility.

Protection means active recognition of known Aboriginal heritage and active measures to avoid Aboriginal heritage.

5.2.3 Obligation to implement impact management measures

All employees, contractors and sub-contractors of the Development Site have a responsibility to ensure that the appropriate Aboriginal heritage salvage has been conducted prior to or in association with their activities which impact Aboriginal objects.

5.3 ABORIGINAL HERITAGE INDUCTIONS

All employees, contractors, sub-contractors, and visitors to the Development Site should be made aware of the obligation to avoid harm to Aboriginal heritage through an Aboriginal heritage component of a general site induction.

The induction will include the following points expressed in plain language.

- Aboriginal sites occur across the Development Site
- Aboriginal sites are of great significance to the Aboriginal community, are important to the wider community and must be treated with respect
- Aboriginal sites are protected by law. The Development Consent for the Development includes conditions allowing impact to certain specified Aboriginal sites described in the EIS and this ACHMP
- Aboriginal sites include stone tool artefacts, hearths, and scarred trees
- Many Aboriginal artefacts are hidden within the topsoil and are not readily visible. The apparent absence of a site does not mean it is no longer in existence.

5.4 GENERAL STRATEGIES

Aboriginal sites within the Development Site, but outside of impact areas, will not be harmed. The following management strategy will apply to these sites:

- Previously recorded Aboriginal sites not impacted by Development will be protected by fencing on an as needed basis. For example, if it is considered that a site may be inadvertently harmed, such as being located near an access road, it should be fenced.

Sites located away (i.e. more than 55 m) from any activity area may not require fencing (refer to **Section 6.1.3**).

Any sites within impact areas are likely to be harmed. All known sites within impact areas will be salvaged under the terms of this ACHMP (refer to **Section 6.1**). However, before an area is impacted by approved activities, a previously unknown Aboriginal object(s) may be noted. The following management strategy relates to new discoveries within impact areas:

- Information, such as location and photographs, should first be sent to an archaeologist to gain a preliminary determination of whether the discovery is an Aboriginal object
- If it is determined to be an Aboriginal object, the object(s) should be recorded and assessed by an archaeologist to determine the management group of the site comprising the objects
- Any Aboriginal objects identified within impact areas will be salvaged following the methodology set out in **Section 6.1.2.1**
- All findings will be described in a technical report.

The procedures for the discovery of additional Aboriginal objects and/or human skeletal material at the Development Site are detailed in **Section 7**.

6 SALVAGE AND MANAGEMENT OF ABORIGINAL SITES

6.1 MANAGEMENT GROUPS

Based on the approved disturbance footprint of the Development, seven sites are within impact areas. 28 sites occur in non-impact areas although some require additional management to ensure that they are not harmed. Management of these sites falls under three management groups, namely:

- Group 1: Avoidance. These sites are at no direct risk of harm from the Development.
- Group 2: Sites Requiring Salvage. This group includes sites directly within or adjacent to impact areas. Sites within this group will be subject to surface collection.
- Group 3: Sites Requiring Management. This group includes sites within 55 m of a ground disturbing impact associated with the Development and the scarred trees.

Table 6-1 identifies all sites and nominates the management group to which each is assigned. The locations of sites in relation to the impact footprint of the Development are shown on **Figure 6-1** and **Figure 6-2**.

The following sub-sections describe the specific salvage and management measures to be applied to the sites within each group.

Table 6-1: Site impact and management assessment.

AHIMS ID	Site Name	Assessed Scientific Significance	Degree of Harm (Total/Partial/None)	Management Strategy
20-5-0133	Happy Hills-IF1	Low	None	Group 1: No management required. The site is located 425 m east of a PPU.
20-5-0102	Happy Hills-IF2	Low	None	Group 1: No management required. The site is located 260 m west of a PPU.
20-5-0101	Happy Hills-IF3	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0100	Happy Hills-IF4	Low	None	Group 3: The site is located within 50 m of the access road to the north. It should be permanently fenced with a 10 m buffer during both the construction and operational phases of the Development. The fencing should be clearly visible and signed with 'Do Not Enter'.
20-5-0126	Bondah-IF1	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0127	Bondah-IF2	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0128	Bondah-IF3	Low	None	Group 1: No management required. The site is located 100 m south of a PPU.
20-5-0129	Bondah-IF4	Low	None	Group 1: No management required. The site is located 470 m northeast of the proposed water pipeline and powerline, and proposed access road.
20-5-0122	Bondah-IF5	Low	None	Group 3: The site is located within 30 m northeast of the proposed access road. It should be permanently fenced with a 10 m buffer during both the construction and operational phases of the Development. The

AHIMS ID	Site Name	Assessed Scientific Significance	Degree of Harm (Total/Partial/None)	Management Strategy
				fencing should be clearly visible and signed with 'Do Not Enter'.
20-5-0123	Bondah-IF6	Low	None	Group 1: No management required. The site is located 60 m southwest of a proposed water pipeline and powerline.
20-5-0124	Bondah-IF7	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0125	Bondah-IF8	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0121	Bondah-IF9	Low	None	Group 1: No management required. The site is located 150 m north of a proposed residence.
20-5-0120	Bondah-IF10	Low	None	Group 1: No management required. The site is located 200 m northeast of a proposed residence.
20-5-0119	Bondah-IF11	Low	None	Group 1: No management required. The site is located 115 m northeast of a proposed residence.
20-5-0118	Bondah-IF12	Low	None	Group 1: No management required. The site is located 155 m east of the proposed water pipeline and powerline.
20-5-0116	Bondah-IF13	Low	None	Group 1: No management required. The site is located 600 m southwest of the proposed water pipeline and powerline.
20-5-0105	Happy Hills-OS1	Low	None	Group 1: No management required. The site is located 540 m south of a PPU.
20-5-0104	Happy Hills-OS2	Low	None	Group 1: No management required. The site is located 220 m southeast of a PPU.
20-5-0103	Happy Hills-OS3	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0117	Bondah-OS1	Low	None	Group 1: No management required. The site is located 330 m east of the proposed water pipeline and powerline.
20-5-0115	Bondah-OS2	Low	None	Group 3: The site is located within 50 m of the proposed water pipeline and powerline to the southeast. It should be fenced with a 10 m buffer during the construction phase of the Development. The fencing should be clearly visible and signed with "Do Not Enter". As the site is distant to operational activities, permanent fencing is not required.
20-5-0107	Bondah-OS3	Moderate	None	Group 3: The site is located 55 m southwest of the proposed water pipeline and powerline to the northeast. It should be fenced along its eastern extents during the construction phase of the Development. The fencing should be clearly visible and signed with "Do Not Enter". As the site is distant to operational activities, permanent fencing is not required.
20-5-0110	Bondah-OS4	Low	None	Group 1: No management required. The site is located 670 m west of the proposed water pipeline and powerline.
20-5-0111	Bondah-OS5	Low	None	Group 1: No management required. The site is located 425 m west of the proposed water pipeline and powerline.
20-5-0112	Bondah-OS6	Low	None	Group 1: No management required. The site is located 530 m north of a PPU.
20-5-0113	Bondah-OS7	Low	None	Group 1: No management required. The site is located 225 m east of a proposed residence and 215 m north of the proposed water pipeline and powerline.

AHIMS ID	Site Name	Assessed Scientific Significance	Degree of Harm (Total/Partial/None)	Management Strategy
20-5-0114	Bondah-OS8	Low	None	Group 1: No management required. The site is located 330 m northeast of a proposed access road.
20-5-0109	Bondah-OS9	Low	None	Group 3: The site is located within 20 m of a proposed access road to the north. It should be permanently fenced with a 10 m buffer around the northern extent during both the construction and operational phases of the Development. The fencing should be clearly visible and signed "Do Not Enter".
20-5-0108	Bondah-OS10	Low	None	Group 1: No management required. The site is located 375 m southeast of a proposed PPU.
20-5-0106	Bondah-OS11	Low	Total	Group 2: Mapping, recording and collection of surface artefacts.
20-5-0134	Bondah-H1	Moderate to high	Total	Group 1: No management required. The site is located 455 m southwest of the proposed water pipeline and powerline.
20-5-0131	Happy Hills-ST1	Low	None	Group 3: The site is located 135 m north of the proposed water pipeline and powerline however RAPs have requested the tree be fenced to ensure it is not impacted by livestock.
20-5-0132	Happy Hills-ST2	Low	None	Group 3: The site is located 135 m north of a proposed access road however RAPs have requested the tree be fenced to ensure it is not impacted by livestock.
20-5-0130	Happy Hills-ST3	Low	None	Group 3: The site is located 750 m southwest of a PPU however RAPs have requested the tree be fenced to ensure it is not impacted by livestock.

*Sites are colour categorised to their corresponding management strategy as follows:

- Red – salvage surface collection
- Orange – requires fencing

Figure 6-1: Location of recorded Aboriginal sites in relation to the Development impacts in the north of the Development Site.

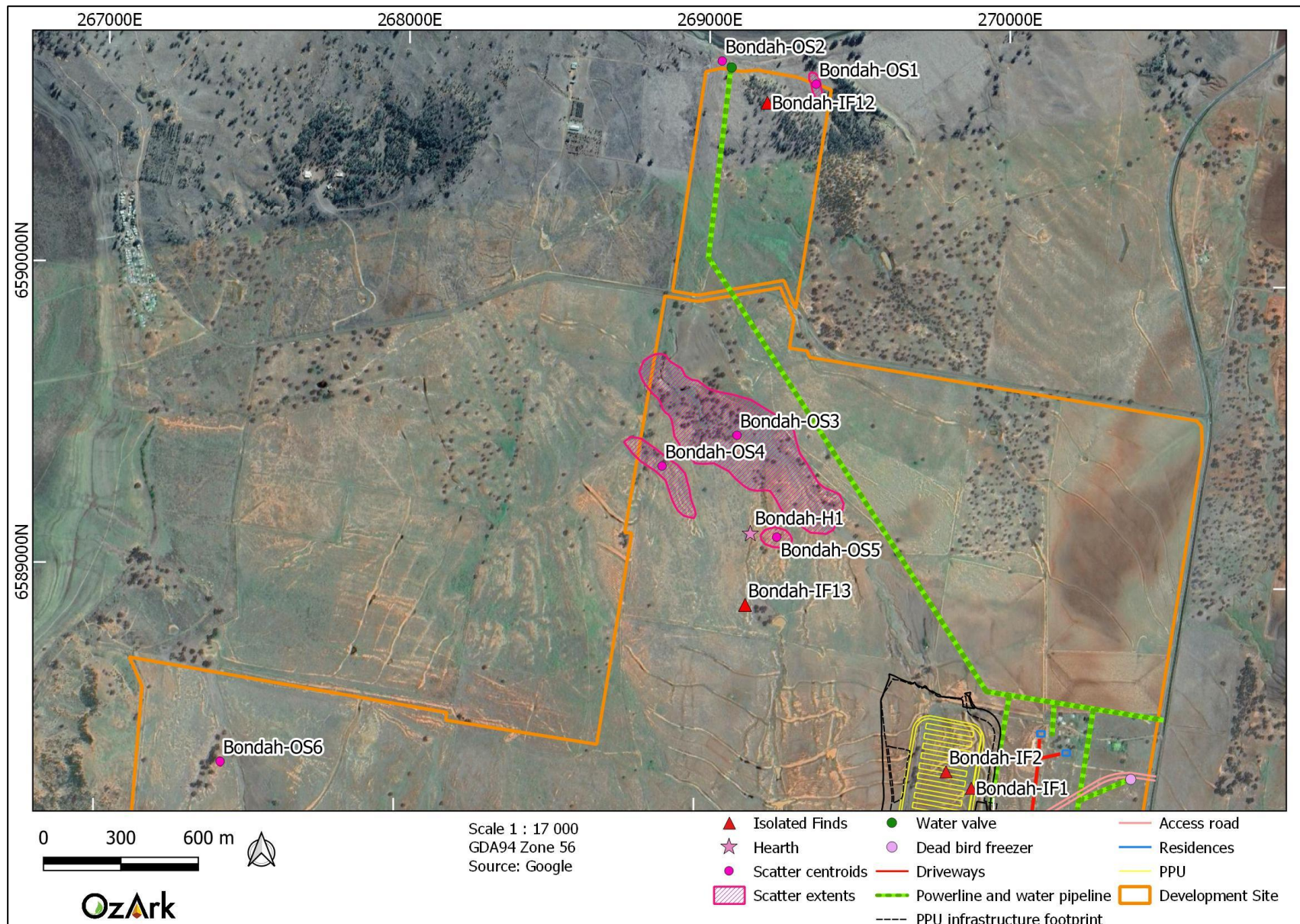
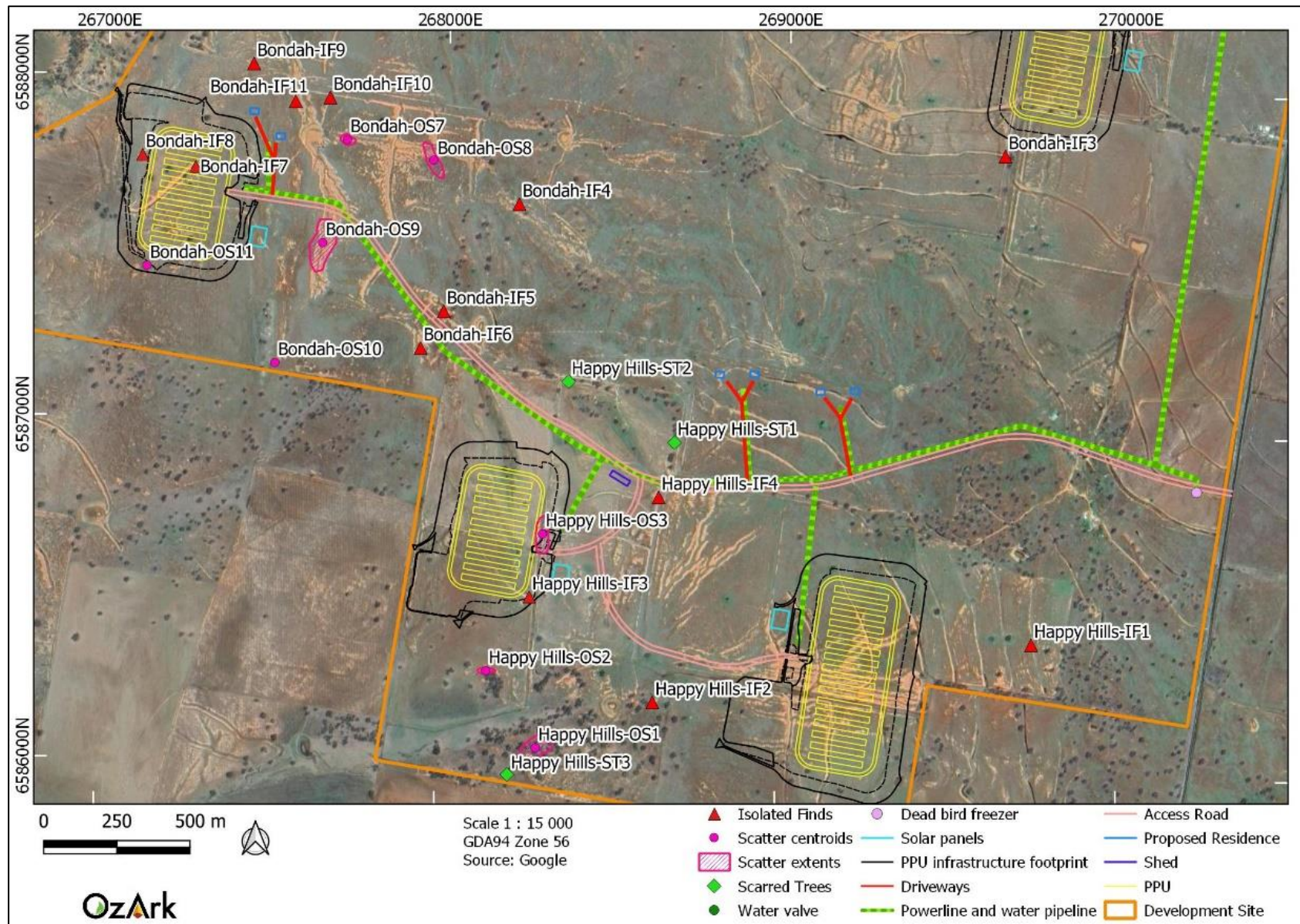


Figure 6-2: Location of recorded Aboriginal sites in relation to the Development impacts in the south of the Development Site.



6.1.1 Group 1: Avoidance

This group currently includes 22 sites which occur outside the impact area and are at no direct risk of harm from the Development. These sites are listed below:

- Happy Hills-IF1
- Happy Hills-IF2
- Bondah-IF3
- Bondah-IF4
- Bondah-IF6
- Bondah-IF9
- Bondah-IF10
- Bondah-IF11
- Bondah-IF12
- Bondah-IF13
- Happy Hills-OS1
- Happy Hills-OS2
- Bondah-OS1
- Bondah-OS4
- Bondah-OS5
- Bondah-OS6
- Bondah-OS7
- Bondah-OS8
- Bondah-OS10
- Happy Hills-ST1
- Happy Hills-ST2
- Happy Hills-ST3

6.1.2 Group 2: Sites requiring salvage

Seven sites currently fall into this group:

- Happy Hills-IF3
- Bondah-IF1
- Bondah-IF2
- Bondah-IF7
- Bondah-IF8
- Happy Hills-OS3
- Bondah-OS11

Detailed recording and collection of surface artefacts will be the primary management approach for sites in this category.

6.1.2.1 *Archaeological salvage: surface collection of artefacts*

The following methodology will apply to all Group 2 sites:

- All visible artefacts at a site should be flagged in the field
- The site should be photographed after flagging and before recording
- All artefacts should have the following artefact information entered directly into a GPS unit:
 - Location
 - Artefact type
 - Size
 - Reduction level
 - Integrity

- Raw material
- Notes.
- A selection of indicative and / or unusual artefacts from each site will be photographed
- Once all recording is complete, the artefacts will be collected according to site zones (if the site is large) with artefacts from each zone being kept separate
- Should the collection team encounter a human burial, all work should cease in the area and advice from authorities and RAPs (should the remains be Aboriginal) sought (refer to **Section 7.1**)
- The recording of the artefacts recovered will be completed in the field and this data would be incorporated into a report
- The supervising archaeologist would be responsible for submitting an Aboriginal Site Impact Recording Form (ASIRF) to the Aboriginal Heritage Information Management System (AHIMS) to update the register with the results of the salvage works.

6.1.3 Group 3: Sites requiring management

There are five sites that are located within 55 m of the Disturbance Area and may be unintentionally harmed by the Development unless specific management (fencing) is undertaken to avoid impacts. Due to their proximity to proposed works, these sites are at greater risk of unintentional impact when compared to sites located further away.

Further, RAPs have requested that the scarred trees be fenced with a 5 m buffer to ensure the scars are not impacted by any livestock which will be kept on the property.

6.1.3.1 Site requiring permanent fencing

Three sites (Happy Hills-IF4, Bondah-IF5 and Bondah-OS9) require permanent fencing given their proximity to the access road which will be utilised during the operation of the Development. These sites should be permanently fenced with a 10 m buffer and signed prior to works beginning to provide adequate protection. Permanent fencing, at a minimum, can consist of star pickets with clearly visible and durable bunting. A sign should be attached to the fence noting that the area is an 'environmental zone' (it is preferred not to call it a 'heritage site' as this could encourage vandalism/theft) and providing a contact number should assistance be required.

Three sites (Happy Hills ST-1 to ST-3) do not require permanent fencing as they are distant from the Development impacts, however, the proponent has elected to fence the trees with a 5 m buffer at the request of the RAPs to ensure they are not impacted by any livestock which will be kept on the property.

6.1.3.2 Sites requiring temporary fencing

Sites Bondah-OS2 and Bondah-OS3 also require fencing, but only during the construction of the powerline and water pipeline. These sites should also be fenced with a 10 m buffer and signed prior to works beginning to provide adequate protection.

6.2 MANAGEMENT OF SALVAGE ARTEFACTS

6.2.1 Intermediate provisions for artefact storage

Until the long-term management of the artefacts can be enacted, OzArk will undertake to store any artefacts retrieved in a locked cupboard at the OzArk office: 145 Wingewarra Street, Dubbo, NSW.

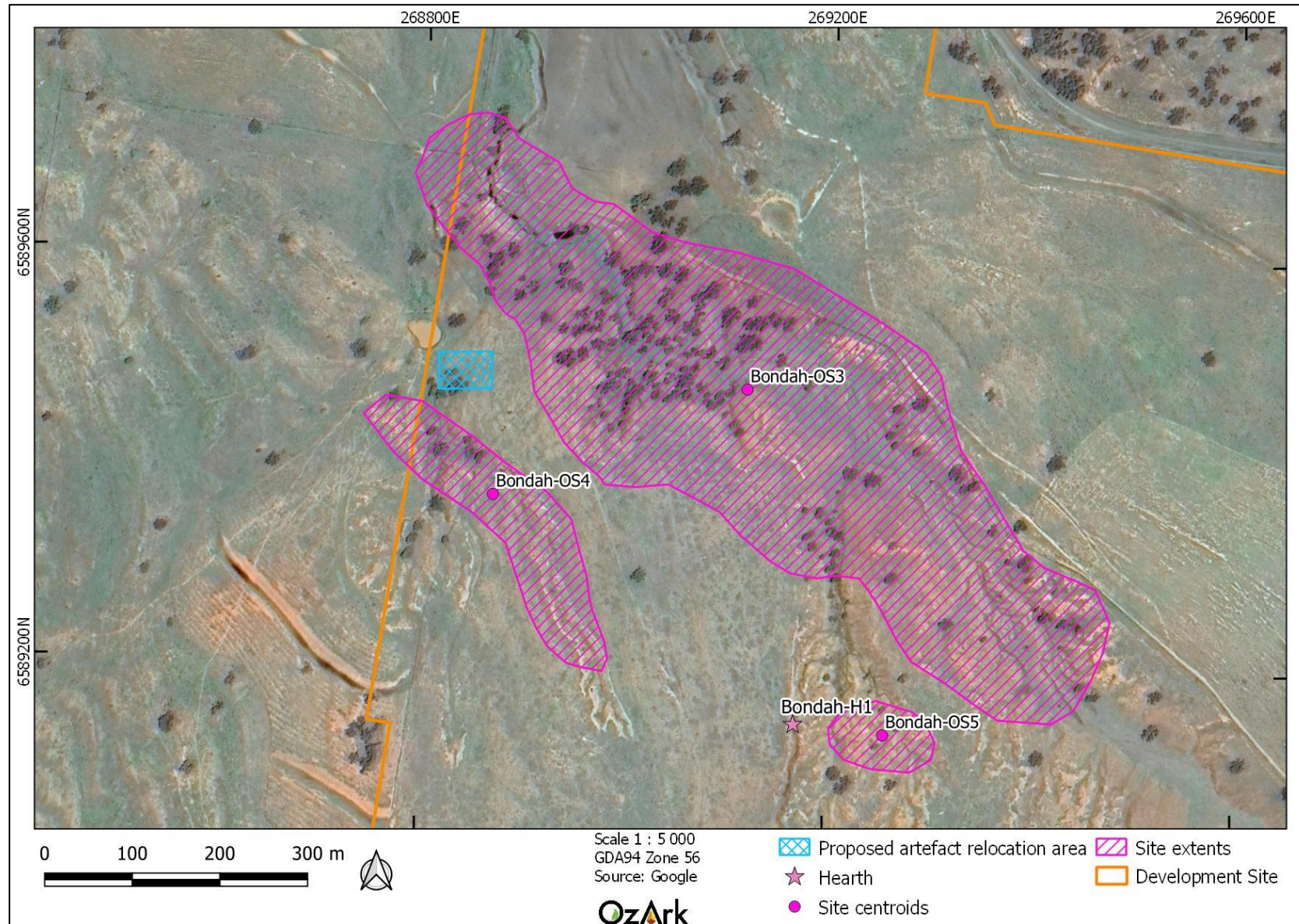
6.2.2 Long-term care and control of artefacts

Following consultation with RAPs, the preferred option for the long-term management of the salvaged artefacts is to relocate them near to sites Bondah-OS3 and Bondah-OS4 (**Section 3.2**).

As such, it is proposed that the artefacts will be placed on the ground surface as opposed to reburied at the location shown in **Figure 6-3**. The artefacts will be placed outside the defined extents of Bondah-OS3 and Bondah-OS4. No future development related to the Development is planned at this location.

A site card will be submitted to the AHIMS registrar for the relocation area.

Figure 6-3: Proposed artefact relocation area.



6.3 SALVAGE REPORT

A technical report will be prepared documenting the results of the Aboriginal site salvage in accordance with the Code of Practice. This report will be prepared within four months of the conclusion of all salvage activities. A copy of the salvage report will be sent to the AHIMS register so that the information gained is available for the general public.

A copy of the report will be archived by the Proponent for future reference.

7 DETAILED PROCEDURES

7.1 DISCOVERY OF ABORIGINAL ANCESTRAL REMAINS

The procedure related to the discovery of suspected human skeletal material are based on Requirement 25 of the Code of Practice.

In the event known or suspected Aboriginal skeletal remains are encountered during the course of Development the following procedure will be followed:

- All work close to the find will cease immediately and a minimum buffer of 10 m in all directions from the visible remains will be cordoned off with temporary construction fencing
- The find will be immediately reported to the site supervisor who will immediately advise the Proponent.
- The Proponent will promptly contact the nearest police station (as required for all human remains discoveries)
- The Proponent will contact Heritage NSW (131 555) for advice on identification of the skeletal material as Aboriginal and management of the material
- If the remains are Aboriginal ancestral remains, the RAPs will be contacted and consultative arrangements will be made to discuss ongoing care of the remains, including advice on recommended forensic anthropologists.
- Recommencement of work in the area surrounding the Aboriginal ancestral remains can only occur once the updated ACHMP for the Development has been endorsed by the Secretary (or their delegate), or the Secretary is satisfied that the measures to be implemented in managing the remains have been undertaken and makes a written direction in that regard.

7.2 DISCOVERY OF NEW ABORIGINAL SITES

7.2.1 Initial procedure

In the event of discovery of unrecorded Aboriginal sites which are more than 50 m from previously recorded boundaries of Aboriginal sites, all work close to the discovery will cease and an area of 10 m around the object(s) fenced with temporary construction fencing. An archaeologist will be contacted to determine the veracity of the Aboriginal object(s) present.

If determined to be a new site, the location will be visited by an archaeologist and a RAP representative to record the site and to determine its significance. New sites will be registered in the AHIMS registrar (**Section 8.3.1**) with management undertaken in accordance with depending on proximity of the site to the impact area.

7.2.2 New sites within impact areas

If a newly discovered site is in an impact area, the site will be temporarily fenced, and the Aboriginal object(s) will be salvaged in accordance with the procedures set out in (**Section 6.1.2**). On the completion of salvage at such sites, an ASIRF will be completed and submitted to the AHIMS registrar within one month after completion of salvage fieldwork (**Section 8.3.2**). Copies of the ASIRF will be archived by the Proponent. Recommencement of work should only take place at the site location once the ASIRF has been approved by AHIMS.

A technical report will be completed within four months of the salvage excavation and a copy sent to the AHIMS register. The Proponent will also archive a copy of the report for future reference.

7.2.3 New sites within non-impact areas

If the site is not within 55 m of an impact area there is no requirement to fence the site. If the site is within 55 m of the impact area, fencing of the site following the procedure set out in **Section 6.1.3**) and should be undertaken. Recommencement of work may only take place once the required management measures are implemented.

Proposed impact by the Development or related activities to any site within non-impact areas, other than the rescue salvage described above, will require an Aboriginal Heritage Impact Permit to be obtained from the Heritage NSW, unless it is part of a future modification to SSD-7704.

8 RECORD KEEPING AND REPORTING REQUIREMENTS

8.1 SALVAGE RECORDS

Copies of all records relevant to salvaged or relocated Aboriginal objects will be provided to the Proponents for their records.

Records relating to Aboriginal heritage include:

- This ACHMP
- Spatial data and maps showing site locations
- Site cards and ASIRFs
- Reports.

8.2 SALVAGE REPORTS

A technical report will be prepared documenting the results of the Aboriginal site salvage in accordance with the Code of Practice.

8.3 REPORTING REQUIREMENTS

8.3.1 Discovery of Aboriginal objects

Under s89A of the NPW Act, it is a requirement that Heritage NSW is notified of the existence of Aboriginal object(s) as soon as practicable after they are first identified. This is usually done through the completion of an Aboriginal Site Card which is submitted to the AHIMS registrar for inclusion on the Aboriginal sites database. Information regarding AHIMS and site recording forms can be downloaded from the AHIMS registrar.

8.3.2 Reporting impact to Aboriginal sites

Although not strictly required by the NPW Act, Heritage NSW expects that information on authorised impacts to Aboriginal sites be reported to them on the ASIRF which can be downloaded from the AHIMS registrar.

9 DOCUMENT IMPLEMENTATION

9.1 REVIEW AND IMPROVEMENT

The ACHMP will be reviewed every five years at a minimum or following any salvage activities, a change in legislation or modification to Development Consent containing conditions relevant to Aboriginal cultural heritage. This will include a review of performance and consideration of ongoing consultation. This will ensure the adequacy of the ACHMP and allow for opportunities of adaptive management and continual improvement.

Changes may be made to the ACHMP in the following circumstances:

- Where new Aboriginal sites are discovered which require specific management approaches proportionate to their cultural significance and which are not otherwise covered in this ACHMP
- Where approved modifications to the Development introduce new impacts on Aboriginal heritage which are not generally covered by this ACHMP
- Where approved changes to the Development change or remove previously planned impacts on Aboriginal heritage where mitigation was proposed in the ACHMP but is no longer required.

Where changes are made to the ACHMP, a draft will be subject to Aboriginal consultation in accordance with the ACHMP. Matters raised in consultation which are specific to the changes in the ACHMP may be acknowledged and addressed in the revised ACHMP.

9.2 ACCOUNTABILITIES

Who	Responsibilities
The Proponent	Responsible for coordinating the implementation of this ACHMP and for ensuring that the review of this ACHMP is undertaken. Responsible for ensuring that all personnel involved in the construction and operation of the development are suitably informed of the need to protect Aboriginal cultural heritage. Responsible for advising the Aboriginal community of operational changes relevant to the management of Aboriginal cultural heritage.
Aboriginal community	Responsible for providing expertise and appropriate and timely feedback in relation to the management of Aboriginal cultural heritage.
Archaeologist	Responsible for providing expertise in relation to the management of Aboriginal archaeology.

9.3 CHANGE INFORMATION

Full details of the document history are recorded in the document control register, by version.

A summary of the current change is provided below.

Version	Date	Review team	
1.0	2020	OzArk, the Proponent	ACHMP developed based on study conducted by OzArk 2018.

REFERENCES

- DECCW 2010 Department of Environment, Climate Change and Water, Sydney (now Heritage NSW). *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.
- OzArk 2018 OzArk Environment & Heritage. 2018. *Aboriginal Cultural Heritage Assessment Report: Rushes Creek Poultry Production Farm, Rushes Creek NSW, Tamworth Regional Local Government Area*. Report to ProTen Tamworth Pty Limited.
- SLR 2018 SLR Consulting Australia Pty Ltd. 2018. *Rushes Creek Poultry Production Farm Environmental Impact Statement*. Report to ProTen Tamworth Pty Limited.

APPENDIX 1: DEVELOPMENT CONSENT CONDITIONS RELEVANT TO ABORIGINAL HERITAGE

ABORIGINAL HERITAGE

Aboriginal Cultural Heritage Management Plan (ACHMP)

- B33. Before the commencement of any clearing or construction works, the Applicant must prepare an ACHMP for the development. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties and EES;
 - (b) be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the development;
 - (c) describe the management actions for all Aboriginal sites within the development site;
 - (d) describe the measures to salvage the artefacts in Happy Hills-IF3, Bondah-IF1, Bondah-IF2, Bondah-IF7, Bondah-IF8, Happy Hills-OS3 and Bondah-OS11, including mapping, analysis and collection, and protect them in perpetuity; and
 - (e) include a program of excavation and reporting of the feature known as Bondah H1, in consultation with the Registered Aboriginal Parties and ESS.
- B34. The Applicant must:
- (a) not commence construction until the Aboriginal Cultural Heritage Management Plan is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Aboriginal Cultural Heritage Management Plan approved by the Planning Secretary for the duration of the development.

Unexpected Finds Protocol

- B35. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) the Heritage Division of DPC must be contacted immediately.
- B36. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

APPENDIX 2: GOVERNMENT CORRESPONDENCE



Our ref: DOC21/169400
Senders ref: email 08/03/2021

Industry Assessments
Department of Planning, Industry and Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Attention: Ms Sally Munk

Dear Ms Munk

RE: Rushes Creek Poultry Farm SSD-7704 – Draft Aboriginal Cultural Heritage Management Plan (ACHMP)

I am writing to provide advice with regard to the proposed Rushes Creek Poultry Farm draft ACHMP.

Heritage NSW has reviewed the draft ACHMP and concurs with the findings and recommendations contained therein.

We note the changed management proposal for Aboriginal hearth site "Bondah-H1". We note that the site lies outside of the proposed impact footprint for the project and that the majority of Aboriginal stakeholders preferred that no excavation of the site occur. Based on these reasons Heritage NSW supports the decision not to excavate site "Bondah-H1"

If you have any questions about this advice, please do not hesitate to contact Mr Roger Mehr, Archaeologist, roger.mehr@environment.nsw.gov.au or 0459075354.

Yours sincerely

A handwritten signature in blue ink, appearing to be "SH".

Dr Samantha Higgs
Senior Team Leader - Aboriginal Cultural Heritage Regulation - North
Heritage NSW

Date: 4 May 2021

Locked Bag 5020 Parramatta 2124

E: heritagemailbox@environment.nsw.gov.au

1



Planning,
Industry &
Environment

Mr Bill Williams
Chief Executive Officer
ProTen Pty Ltd
PO Box 1746
NORTH SYDNEY NSW 2060

14/05/2021

Dear Mr Williams

**Rushers Creek Poultry Production Farm (SSD-7704)
Aboriginal Cultural Heritage Management Plan – Condition B33**

I refer to the Aboriginal Cultural Heritage Management Plan (ACHMP) which was submitted in accordance with Condition B33 of Schedule 2 of the consent for the Rushers Creek Poultry Production Farm (SSD-7704).

The Department has carefully reviewed the document and is satisfied that it addresses the requirements of Conditions B33.

Accordingly, the Planning Secretary has approved the ACHMP (Revision 3.0, dated 4 May 2021). Please ensure that the approved plan is placed on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact David Koppers on 9373 2869 or at david.koppers@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Joanna Bakopanos'.

Joanna Bakopanos
A/Director
Industry Assessments

As nominee of the Planning Secretary

APPENDIX 3: ABORIGINAL COMMUNITY CONSULTATION

Appendix 3 Figure 1: Aboriginal Community Consultation Log

Aboriginal Consultation Log - Rushes Creek			
Date	Organisation	Comment	Method
13/11/2020	T&G Culture Consultants	Brendan Fisher (BF) sent post-project approval letter	Postal
13/11/2020	Richard Slater	BF sent post-project approval letter	Postal
13/11/2020	DFTV Enterprises	BF sent post-project approval letter	Email
13/11/2020	Gomery Cultural Consultants	BF sent post-project approval letter	Email
13/11/2020	Brian Draper	BF sent post-project approval letter	Email
13/11/2020	Michael Long White Cockatoo Aboriginal Corporation	BF sent post-project approval letter	Email
13/11/2020	Tamworth LALC	BF sent post-project approval letter	Email
13/11/2020	Gomeroi People NC2011/006 C/- NTSCORP	BF sent post-project approval letter	Email
13/11/2020	Natasha Rodgers	BF sent post-project approval letter	Email
13/11/2020	AT Gomilaroi Cultural Consultancy	BF sent post-project approval letter	Email
13/11/2020	Veronica Talbott	BF sent post-project approval letter	Email
16.11.20	Gomeroi People NC2011/006 C/- NTSCORP	Rebecca Hardman (RH) received response: <i>I refer to the attached letter. I will seek to get instructions on this matter from the Gomeroi Applicant. However, I expect that the Applicant would want to discuss the proposal in person given the potential impact on their cultural heritage. I will seek to get a response to you in the coming weeks, however it may not be prior to 24 November.</i>	Email
17.11.20	Michael Long White Cockatoo Aboriginal Corporation	RH received response: <i>I received your letter dated 13 November 2020 regarding rushes creek and I find it very hard for me as RAP that there has been known feedback or RAP meeting appointed to address the archaeology survey that was conducted as well cultural values of this location. And I would like to visit the site before any impacts go forward.</i>	Email
20.11.20	Gomeroi People NC2011/006 C/- NTSCORP	Stephanie Rusden (SR) responded: <i>Thank you for your email and apologies for the delay in getting back to you. If you are able to provide a date that we are likely to receive some feedback from the Gomeroi Applicant that would be greatly appreciated. We also note that they are likely to want to discuss in person and we have flagged this with our client.</i>	Email
20.11.20	Michael Long White Cockatoo Aboriginal Corporation	SR responded: <i>Thank you for your email. Currently there are no site visits planned as part of the preparation of the Aboriginal Cultural Heritage Management Plan, however we have flagged your request with the client and will be in touch once we hear from them.</i>	Email
26.11.20	Tamworth LALC	RH received feedback	Email
26.11.20	Tamworth LALC	RH thanked Fiona	Email
1.12.20	Veronica Talbott	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	Natasha Rodgers	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	Aaron Talbott	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email


Aboriginal Consultation Log - Rushes Creek			
1.12.20	Brian Draper	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	DFTV Enterprises	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	Gomery Cultural Consultants	BF sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	Gomeri People NC2011/006 C/- NTSCORP	SR sent follow up email to get feedback on the letter sent 13 November 2020.	Email
1.12.20	Michael Long White Cockatoo Aboriginal Corporation	SR sent the 2018 ACHAR noting it provides the site information and may assist in providing feedback requested.	Email
7.12.20	T&G Culture Consultants	Taylor Foster (TF) called Tony Griffiths for feedback regarding hearth excavation and long term management plan. No answer. Called again within the hour and the phone was disconnected	Phone
7.12.20	Gomeri People NC2011/006 C/- NTSCORP	TF called Mishka Holt for feedback regarding hearth excavation and long term management plan. No answer.	Phone
7.12.20	Natasha Rodgers	TF called Natasha for feedback regarding hearth excavation and long term management plan. No answer.	Phone
7.12.20	AT Gomilaroi Cultural Consultancy	TF called Aaron for feedback regarding hearth excavation and long term management plan. No answer.	Phone
7.12.20	Veronica Talbott	TF called Veronica Talbott for feedback regarding hearth excavation and long term management plan. Does not want hearth excavated and wants artefacts reburied. Mentioned her concern over burials in the area.	Phone
7.12.20	Gomery Cultural Consultants	TF called for feedback regarding hearth excavation and long term management plan. David said he would like the hearth to be excavated and would prefer a care agreement. Also updated his home address.	Phone
7.12.20	DFTV Enterprises	BF sent follow up email regarding hearth excavation and long term management plan as no phone number was listed	Email
8.12.20	White Cockatoo Aboriginal Consulting	Micheal Long called and spoke to TF in regards to Rushes Creek. Against the excavation of the hearth. Also wanted to register complaint about the consultation process and other RAP parties involved. Said that he did not like the other RAP parties who've been involved. Stated the hearth excavation should not have been suggested. Said that he had not been involved in the work leading up to this point and that he would like a site inspection. Wants to know what cultural values have been listed	Phone
8.12.20	Gomeri People NC2011/006 C/- NTSCORP	Steve Talbott called and spoke to TF regarding the Rushes Creek Project. He expressed he was against the excavation of the hearth and for the reburial of artefacts. He requested Steph call him as he was unhappy with the hearth excavation being an option.	Phone
8.12.20	T&G Culture Consultants	TF called again in regards to Rushes Creek feedback. Phone was disconnected. No other phone numbers or emails are listed.	Phone
8.12.20	Richard Slater	TF could not call to follow up feedback for Rushes Creek as no phone numbers or emails are listed.	
8.12.20	Gomeri People NC2011/006 C/- NTSCORP Mishka Holt	TF called again in regards to Rushes Creek feedback. No answer. TF asked BF to resend emails he previously sent to clients.	Phone

Aboriginal Consultation Log - Rushes Creek			
8.12.20	Natasha Rodgers	TF called again in regards to Rushes Creek feedback. No answer. TF asked BF to resend emails he previously sent to clients.	Phone
8.12.21	Gomeri People NC2011/006 C/- NTSCORP	BF resent email to Mishka as requested containing post approval letter and ACHAR.	Email
8.12.20	Michael Long White Cockatoo Aboriginal Corporation	BF resent email to Michael as requested containing post approval letter and ACHAR.	Email
8.12.20	Gomeri People NC2011/006 C/- NTSCORP	Mishka Holt read BF's email (resend of the post-project approval letter).	Email
9.12.20	Gomeri People NC2011/006 C/- NTSCORP	BF received a call from James McLeod in regard to community concerns with how the consultation is being handled. He forwarded the Gomeri People's concern that letters were not sufficient enough to provide any feedback. The Gomeri people would like a "visual idea" on the future of the project, which should be done through a physical meeting with all RAPS and archaeologists involved to be present.	Email
9.12.20	Gomeri People NC2011/006 C/- NTSCORP	Jodie Benton (JB) contacted James McLeod to inform him of the background context. She also discussed that the Gomeri people are not alone in their concerns with consultation of the project, as other RAP groups have expressed in a similar way. It was discussed that a possible meeting may occur in Tamworth for all RAPS and archaeologists to get together and discuss the project, so that adequate feedback can be provided.	Phone
12.1.21	Gomeri People NC2011/006 C/- NTSCORP	SR spoke to Steve Talbott regarding the excavation of the hearth. Steve is opposed to the excavation as it is outside the impact footprint. SR advised there will likely be a meeting to discuss the potential excavation and would let Native Title know when this is	Phone
19.1.20	AT Gomilaroi Cultural Consultancy	BF received email from Aaron Talbott requesting update of contact details, as well as a project update and post involvement in care plan.	Email
20.1.20	AT Gomilaroi Cultural Consultancy	BF updated contact details and emailed Aaron a brief project update.	Email
22.1.20	T&G Culture Consultants	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Postal
22.1.20	Richard Slater	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Postal
22.1.20	DFTV Enterprises	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Gomery Cultural Consultants	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Brian Draper	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Michael Long White Cockatoo Aboriginal Corporation	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Tamworth LALC	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Gomeri People NC2011/006 C/- NTSCORP	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Natasha Rodgers	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	AT Gomilaroi Cultural Consultancy	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email

Aboriginal Consultation Log - Rushes Creek			
22.1.20	Veronica Talbott	TF sent AFGM Invitation, ACHMP review letter and draft ACHMP	Email
22.1.20	Michael Long White Cockatoo Aboriginal Corporation	Michael Long email response to ACHMP draft with recommendations to the management plan.	Email
1.2.21	T&G Culture Consultants	TF called to ascertain attendance to AFGM meeting. The phone number supplied is disconnected	Phone
1.2.22	Gomery Cultural Consultants	TF called to ascertain attendance to AFGM meeting. Cannot attend the meeting. I said if there were any topics or concerns, he wished to discuss, he could send through an email and this would be taken on board.	Phone
1.2.22	Brian Draper	TF called to ascertain attendance to AFGM meeting. Brian said that he will do his best to attend.	Phone
1.2.22	Michael Long White Cockatoo Aboriginal Corporation	TF called to ascertain attendance to AFGM meeting. No answer, a message was left.	Phone
1.2.22	Gomeri People NC2011/006 C/- NTSCORP	TF called to ascertain attendance to AFGM meeting. James was unavailable but a message was passed on for James to call back with response.	Phone
1.2.22	Natasha Rodgers	TF called to ascertain attendance to AFGM meeting. No response left a message.	Phone
1.2.22	AT Gomilaroi Cultural Consultancy	TF called to ascertain attendance to AFGM meeting. Aaron is coming.	Phone
1.2.22	Veronica Talbott	TF called to ascertain attendance to AFGM meeting. No answer, left a message.	Phone
1.2.22	DFTV Enterprises	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
1.2.22	Michael Long White Cockatoo Aboriginal Corporation	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
1.2.22	Gomeri People NC2011/006 C/- NTSCORP	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
1.2.22	Natasha Rodgers	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
1.2.22	Veronica Talbott	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
1.2.21	Michael Long White Cockatoo Aboriginal Corporation	Called back. Confirmed he would send a representative to the meeting. Would like to touch base about the letter he sent in response to the ACHMP.	Phone
1.2.22	Gomeri People NC2011/006 C/- NTSCORP	James McLeod emailed TF and RH stating he would RSVP soon.	Email
2.2.21	Natasha Rodgers	Phoned Harrison Rochford (HR). Still unsure of attendance, would like to be listed as a possible attendee.	Phone
1.2.22	Gomeri People NC2011/006 C/- NTSCORP	TF called to ascertain attendance to AFGM meeting. James was unavailable but a message was passed on for James to call back with response by 4pm today.	Phone
1.2.22	Gomeri People NC2011/006 C/- NTSCORP	TF also sent final follow up email to ascertain attendance to AFGM.	Phone
2.2.21	Natasha Rodgers	TF phoned to ascertain attendance to AFGM, could not get through and left a message.	Phone
2.2.21	Natasha Rodgers	TF also sent final follow up email to ascertain attendance to AFGM.	Email
2.2.21	Veronica Talbott	TF phoned to ascertain attendance to AFGM, could not get through and left a message.	Phone

Aboriginal Consultation Log - Rushes Creek			
2.2.21	Veronica Talbott	TF also sent final follow up email to ascertain attendance to AFGM.	Email
2.2.22	DFTV Enterprises	TF sent follow up email to ascertain attendance to AFGM meeting. Awaiting response	Email
2.2.21	Veronica Talbott	RH received call confirming will send someone on her behalf as she is not in the area.	Phone
3.2.21	Michael Long White Cockatoo Aboriginal Corporation	SR called to discuss feedback. No answer	Phone
3.2.21	Michael Long White Cockatoo Aboriginal Corporation	SR sent response to feedback	Email
3.2.21	Gomeroi People NC2011/006 C/- NTSCORP	TF and RH received response to AFGM email saying that representatives would be unable to attend and provided additional email for contact.	Email
4.2.21	Gomeroi People NC2011/006 C/- NTSCORP	RH thanked Maeve for additional contact information and noted additional time request	Email
15.2.21	AT Gomilaroi Cultural Consultancy	TF received email response to AFGM and draft ACHMP. "YAAMA Taylor. Apologies for meeting. I Agree with the majority in regard to methodology and salvage program. AT Gomilaroi Cultural Consultancy requesting a field position for the salvage works. Look forward to your response. Yalu (regards) Aaron Talbott"	Email
15.2.21	AT Gomilaroi Cultural Consultancy	TF responded "Hi Aaron, Thanks for taking the time to review the Aboriginal Cultural Heritage Management Plan and provide feedback. We have noted that AT Gomilaroi Cultural Consultancy would like to be involved in the salvage program"	Email
15.2.21	DFTV Enterprises	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Gomery Cultural Consultants	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Brian Draper	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Michael Long White Cockatoo Aboriginal Corporation	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Tamworth LALC	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Gomeroi People NC2011/006 C/- NTSCORP	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Natasha Rodgers	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	AT Gomilaroi Cultural Consultancy	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email
15.2.21	Veronica Talbott	TF sent AFGM minutes and reminder to respond to ACHMP review by deadline	Email

Appendix 3 Figure 2: Project background summary and request for feedback regarding hearth and long-term management of salvaged artefacts



OzArk Environment & Heritage

Dubbo	T: 02 6882 0118	145 Wingewarra St
Queanbeyan	enquiry@ozarkehm.com.au	PO Box 2069
Newcastle	www.ozarkehm.com.au	DUBBO NSW 2830

13 November 2020

Tamworth Local Aboriginal Land Council
PO Box 57
Tamworth NSW 2340
admin@tamworthlalc.com.au

**RUSHES CREEK POULTRY FARM, NEAR TAMWORTH
EXCAVATION AND DATING OF BONDAB-H1**

Dear Members,

Thank-you for your previous participation as a Registered Aboriginal Party (RAP) regarding the proposed Rushes Creek Poultry Production Farm (the Project), Rushes Creek Road, Rushes Creek, Tamworth Local Government Area (LGA).

The purpose of the letter is to provide some background on the approval of the Project and invite you to comment on the possibility of excavation of a hearth (Bondah-H1) identified within the Project area and the long-term management of salvaged artefacts..

Background

ProTen Tamworth Pty Ltd (ProTen), have received Development Consent (Application SSD 7704) from the Minister for Planning and Public Spaces, for the construction and operation of the Rushes Creek Poultry Production Farm.

The approval is dependent on the fulfilling of the Development Consent, which includes the development of an Aboriginal Cultural Heritage Management Plan (ACHMP) addressing Conditions B33, B34, B35 and B36.

OzArk Environment & Heritage (OzArk) is currently preparing the ACHMP to address Conditions B33, B34, B35 and B36. Once the ACHMP has been drafted, this will be circulated to all RAPs for review.

Possible excavation of Bondah-H1

Prior to the draft ACHMP being circulated, OzArk would like to provide you with the opportunity to comment on the possibility of excavating Bondah-H1. Bondah-H1 is located outside the impact footprint of the Project, however excavation and subsequent dating of the hearth has been included as a condition by Heritage NSW as they see it as a good opportunity to gain further insight into Aboriginal occupation on the local area.

Condition B33 [e] states the ACHMP must:

Include a program of excavation and reporting of the feature known as Bondah-H1, in consultation with the Registered Aboriginal Parties and ESS [now Heritage NSW].

If there is support from the RAPs to excavate the hearth, OzArk will prepare a detailed methodology which will be included in the ACHMP. In brief, the excavation would include excavating only a portion of the hearth at a time, in order to minimise harm to the hearth as much as possible, until a suitable sample for dating can be retrieved and then reconstructing the hearth following excavation.

Long-term management of salvaged artefacts

Two options are presented below for consideration regarding the long-term management of the recovered Aboriginal objects which will be subject to surface collection following approval of the ACHMP. These include:

- Reburial in accordance with Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*. This includes reburying the artefacts at an agreed upon location where no future development related to the Project is planned
- A RAP nominating themselves to apply for a Care Agreement to be entered into between the RAP and Heritage NSW.

Feedback

OzArk would like to provide you with 10 days to provide your preference and any comments on the possible excavation of Bondah-H1 and long-term management of salvaged artefacts. However, should you require further time, please let us know.

Please complete the brief form below and email through to rebecca@ozarkehm.com.au by 5pm Tuesday 24 November 2020.

Your name: _____

Your organisation (if applicable): _____

Date _____

Do you agree for the excavation of Bondah-H1 and subsequent C14 (radiocarbon) dating techniques to determine the age of the hearth? This will result in a portion of the hearth being destroyed however it will be reconstructed following excavation.

I agree to the excavation of Bondah-H1 for the purposes of C14 dating:

Yes No

Comments: _____

OzArk Environment & Heritage

Regarding the long-term management of artefacts which will be salvaged following approval of the ACHMP, I would prefer:

I agree to the excavation of Bondah-H1 for the purposes of C14 dating:

Reburial at a nearby location Apply for Care Agreement

Comments: _____

Should you have any comments or would like further information please feel free to contact our office by phone on (02) 6882 0118; or email at rebecca@ozarkehm.com.au.


Kind regards,

Stephanie Rusden

OzArk Senior Archaeologist

Page 3

Appendix 3 Figure 3: RAP responses regarding hearth and long-term management of salvaged artefacts

	<p>OzArk Environment & Heritage</p> <p>Dubbo T: 02 6882 0118 Queanbeyan enquiry@ozarkehm.com.au Newcastle www.ozarkehm.com.au</p>	<p>ABN 59 104 582 354</p> <p>145 Wingewarra St PO Box 2069 DUBBO NSW 2830</p>
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13 November 2020

Tamworth Local Aboriginal Land Council
 PO Box 57
 Tamworth NSW 2340
 admin@tamworthlalc.com.au

**RUSHES CREEK POULTRY FARM, NEAR TAMWORTH
 EXCAVATION AND DATING OF BONDAB-H1**

Dear Members,

Thank-you for your previous participation as a Registered Aboriginal Party (RAP) regarding the proposed Rushes Creek Poultry Production Farm (the Project), Rushes Creek Road, Rushes Creek, Tamworth Local Government Area (LGA).

The purpose of the letter is to provide some background on the approval of the Project and invite you to comment on the possibility of excavation of a hearth (Bondah-H1) identified within the Project area and the long-term management of salvaged artefacts..

Background

ProTen Tamworth Pty Ltd (ProTen), have received Development Consent (Application SSD 7704) from the Minister for Planning and Public Spaces, for the construction and operation of the Rushes Creek Poultry Production Farm.

The approval is dependent on the fulfilling of the Development Consent, which includes the development of an Aboriginal Cultural Heritage Management Plan (ACHMP) addressing Conditions B33, B34, B35 and B36.

OzArk Environment & Heritage (OzArk) is currently preparing the ACHMP to address Conditions B33, B34, B35 and B36. Once the ACHMP has been drafted, this will be circulated to all RAPs for review.

Possible excavation of Bondah-H1

Prior to the draft ACHMP being circulated, OzArk would like to provide you with the opportunity to comment on the possibility of excavating Bondah-H1. Bondah-H1 is located outside the impact footprint of the Project, however excavation and subsequent dating of the hearth has been included as a condition by Heritage NSW as they see it as a good opportunity to gain further insight into Aboriginal occupation on the local area.

Condition B33 [e] states the ACHMP must:

Include a program of excavation and reporting of the feature known as Bondah-H1, in consultation with the Registered Aboriginal Parties and ESS [now Heritage NSW].

OzArk Environment & Heritage

If there is support from the RAPs to excavate the hearth, OzArk will prepare a detailed methodology which will be included in the ACHMP. In brief, the excavation would include excavating only a portion of the hearth at a time, in order to minimise harm to the hearth as much as possible, until a suitable sample for dating can be retrieved and then reconstructing the hearth following excavation.

OzArk Environment & Heritage

Long-term management of salvaged artefacts

Two options are presented below for consideration regarding the long-term management of the recovered Aboriginal objects which will be subject to surface collection following approval of the ACHMP. These include:

- Reburial in accordance with Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*. This includes reburying the artefacts at an agreed upon location where no future development related to the Project is planned
- A RAP nominating themselves to apply for a Care Agreement to be entered into between the RAP and Heritage NSW.

Feedback

OzArk would like to provide you with 10 days to provide your preference and any comments on the possible excavation of Bondah-H1 and long-term management of salvaged artefacts. However, should you require further time, please let us know.

Please complete the brief form below and email through to rebecca@ozarkehm.com.au by **5pm Tuesday 24 November 2020**.

Your name: Fiona Snape - CEO

Your organisation (if applicable): Tamworth Local Aboriginal Land Council

Date 26 November 2020

Do you agree for the excavation of Bondah-H1 and subsequent C14 (radiocarbon) dating techniques to determine the age of the hearth? This will result in a portion of the hearth being destroyed however it will be reconstructed following excavation.

I agree to the excavation of Bondah-H1 for the purposes of C14 dating:

Yes No

Comments: _____

Regarding the long-term management of artefacts which will be salvaged following approval of the ACHMP, I would prefer:

I agree to the excavation of Bondah-H1 for the purposes of C14 dating:

Reburial at a nearby location Apply for Care Agreement

Page 3

OzArk Environment & Heritage


Comments: _____

Should you have any comments or would like further information please feel free to contact our office by phone on [\(02\) 6882 0118](tel:0268820118); or email at rebecca@ozarkehm.com.au.

Kind regards,

Stephanie Rusden
OzArk Senior Archaeologist

Appendix 3 Figure 4: Invitation to Aboriginal Focus Group Meeting



OzArk Environment & Heritage

<p>Dubbo</p> <p>Queanbeyan</p> <p>Newcastle</p>	<p>T: 02 6882 0118</p> <p>enquiry@ozarkehm.com.au</p> <p>www.ozarkehm.com.au</p>	<p>ABN 59 104 582 354</p> <p>145 Wingewarra St</p> <p>PO Box 2069</p> <p>DUBBO NSW 2830</p>
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22 January 2021

Tamworth Local Aboriginal Land Council
 PO Box 57
 Tamworth NSW 2340
 admin@tamworthalc.com.au

INVITATION TO MEETING FOR RUSHES CREEK POULTRY FARM, NEAR TAMWORTH.

Dear Members,

Thank-you for your past participation as a Registered Aboriginal Party (RAP) and involvement in the development of the Rushes Creek Poultry Farm (SSD-7704).

On behalf of ProTen Tamworth Pty Ltd (ProTen), OzArk would like to invite you to a meeting which aims to outline the draft *Aboriginal Cultural Heritage Management Plan (ACHMP)* and the potential excavation of Bondah-H1 (a hearth) as recommended by Heritage NSW for research purposes.

A copy of the draft ACHMP is attached to this email so that you are able to familiarise yourselves with its contents.

This meeting offers the opportunity to further develop open communication between all parties. We recognise and acknowledge the cultural knowledge held by the Registered Aboriginal Parties, however, please note that there is no remuneration associated with attendance at this meeting, although a \$50 travel and incidentals reimbursement is available. It is an opportunity to provide feedback, but it is not compulsory to attend. Should you not be able to attend, you are still welcome to provide feedback via phone, email or letter.

This meeting is scheduled to be held:

- Date:** Thursday 4th February 2021
- Time:** 11 am (It is anticipated the meeting will run for approximately 2 hr)
- Place:** Gunnedah Services and Bowling Club
 313 Conadilly St
 Gunnedah NSW 2380 (Figure 1)

Should you wish to nominate any additional items for the agenda, please do not hesitate to contact our office prior to the meeting.

If you would like to attend the meeting, we ask that you RSVP by contacting our office through telephone (02) 6882 0118 or email rebecca@ozarkehm.com.au, by no later than **Monday 1st February 2021**. Please

Appendix 3 Figure 5: Review of Aboriginal Cultural Heritage Management Plan



OzArk Environment & Heritage

Dubbo T: 02 6882 0118

Queanbeyan enquiry@ozarkehm.com.au

Newcastle www.ozarkehm.com.au

ABN 59 104 582 354

145 Wingewarra St

PO Box 2069

DUBBO NSW 2830

22 January 2021

Members
 Tamworth Local Aboriginal Land Council
 PO Box 57
 Tamworth NSW 2340
 admin@tamworthlalc.com.au

RUSHES CREEK POULTRY FARM
REVIEW OF ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Dear Members,

Thank-you for your past participation as a Registered Aboriginal Party (RAP) and involvement in the development of the Rushes Creek Poultry Farm (SSD-7704).

On behalf of ProTen Tamworth Pty Ltd (ProTen), OzArk would like to invite you with the opportunity to review and provide feedback on the attached draft *Aboriginal Cultural Heritage Management Plan* (ACHMP).

We request that any feedback on the ACHMP is supplied by **COB Friday 19 February 2021**. Feedback can be provided by phone, email, via post or at the Aboriginal Focus Group Meeting being held on Thursday 4 February 2021.


Should you need any help supplying feedback or have any queries, please do not hesitate to contact our office on (02) 6882 0118 or at Rebecca@ozarkehm.com.au.

Kind regards,




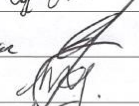

Rebecca Hardman
Consultation Officer

Appendix 3 Figure 6: Invitation to Aboriginal Focus Group Meeting attendance sheet




OzArk Environmental & Heritage Management P/L
 145 Wingewarra St / PO Box 2069 DUBBO NSW 2830
 WEB: www.ozarkehm.com.au
 ABN: 59 104 582 354

Attendance list
 Rushes Creek Poultry Farm
 4 February 2021 11am
 Gunnedah Services and Bowling Club
 313 Conadilly Street, Gunnedah, NSW

NAME	ORGANISATION	CONTACT NUMBER	EMAIL ADDRESS	SIGNATURE
(Downy) P. Farmer	TAGE IAFA	0410255473		
Julian Johnson M Johnson	PROTEK guest	0406454474 0438 155585	julian.j@protek.com.au	
K. Morgan	Whitecokc- 400	0475277956		Kerry Morgan
Steph Rudan	OzArk	0438700041		

Tel: 6882 0118; Fax: 6882 0630; Mob: 0403 763 504 / 0423 198 898
 E-mail: jodie@ozarkehm.com.au / sheridan@ozarkehm.com.au / rebecca@ozarkehm.com.au

Appendix 3 Figure 7: Aboriginal Focus Group Meeting minutes

		OzArk Environment & Heritage		ABN 59 104 582 354	
Dubbo		T: 02 6882 0118		145 Wingewarra St	
Queanbeyan		enquiry@ozarkehm.com.au		PO Box 2069	
Newcastle		www.ozarkehm.com.au		DUBBO NSW 2830	
ABORIGINAL FOCUS GROUP MEETING MINUTES: RUSHES CREEK POULTRY PRODUCTION FARM					
Venue:	Gunnedah Services & Bowling Club 313 Conadilly St, Gunnedah NSW 2380	Date:	4 February 2021		
Attendees:	OzArk: Stephanie Rusden ProTen: Julian Johnson Tamworth Local Aboriginal Land Council: Chris Fermon White Cockatoo: Kerry Morgan				
Chairperson:	Stephanie Rusden	Note taker:	Stephanie Rusden		
Minutes of Meeting					
Project background and approval	<ul style="list-style-type: none"> ◆ OzArk outlined the following with PowerPoint presentation: <ul style="list-style-type: none"> ○ Aboriginal heritage assessment completed in October 2016. ○ <i>Aboriginal Cultural Heritage Assessment Report</i> provided for comment on 29 August 2017. ○ 35 Aboriginal sites recorded during survey (one hearth, three scarred trees, 14 artefact scatters, 17 isolated finds). ○ Project approved April 2020 – Condition B33 requires preparation of an <i>Aboriginal Cultural Heritage Management Plan (ACHMP)</i>. ○ Seven sites to be impacted by the project will be subject to surface collection. ○ Five sites require fencing: either permanent or temporary. ○ Heritage NSW have requested hearth Bondah-H1 be excavated. ○ Long-term management options of salvaged artefacts include applying for a Care Agreement or reburial at the project location. ○ ACHMP sent to Registered Aboriginal Parties (RAPs) with comments requested by 19 February 2021. 				
Management measures	<ul style="list-style-type: none"> ◆ TLALC requested a monitor be on site during the construction of the project where the top 20 centimetres of the ground surface was being impacted to collect any artefacts which become exposed. ◆ OzArk noted that the assessment concluded there was low potential for subsurface artefacts to be present and as such, monitoring was not deemed necessary. An unanticipated finds protocol is outlined in the ACHMP should any artefacts be identified during the construction of the project. 				
Excavation on Bondah-H1	<ul style="list-style-type: none"> ◆ OzArk outlined the proposed methodology for excavating the hearth which includes dividing it into quadrants so harm to the hearth is minimal. Hearth would be reconstructed following excavation. ◆ OzArk noted that currently most RAPs are against excavation of the hearth. If this is the majority, OzArk would discuss this condition with Heritage NSW and request for it to be removed. ◆ Neither representatives from TLALC or White Cockatoo support excavation of Bondah-H1. 				
Unanticipated finds	<ul style="list-style-type: none"> ◆ TLALC raised concerns over the potential for burials (both pre- and post-contact) to be present due to the proximity to Bora Crossing. ◆ OzArk outlined the unanticipated finds protocol within the ACHMP should potential skeletal remains be identified. This includes notifying RAPs if determined to be Aboriginal ancestral remains. 				

OzArk Environment & Heritage

Long-term management options	<ul style="list-style-type: none"> ◆ OzArk outlined the options for the long-term management of salvaged artefacts and noted that Tamworth LALC have requested to apply for a Care Agreement, however most RAPs have requested artefacts be reburied. ◆ OzArk outlined the requirements for reburying artefacts. ◆ Representatives from TLALC or White Cockatoo said they would prefer for artefacts to be placed on the surface as opposed to reburied within a container. Would like artefacts to be placed somewhere near Bondah-OS3 and Bondah-OS4.
Installation of a plaque	<ul style="list-style-type: none"> ◆ TLALC requested a plaque be erected at Bondah-H1 as it is a rare site type for the area. ◆ OzArk said they would discuss with ProTen but as there is no public access to the site this is unlikely.
Access to site	<ul style="list-style-type: none"> ◆ TLALC requested access be granted to the sites along a drainage line of the Namoi River (Bondah-OS3, Bondah-OS4 and Bondah-H1) for educational purposes (i.e. school groups). ◆ OzArk noted this would need to be discussed with ProTen and may be subject to availability of an escort and biosecurity requirements.
Continued land use	<ul style="list-style-type: none"> ◆ TLALC questioned whether livestock would still be on the property once the poultry farm is operational as there are concerns the scarred trees would be impacted by cattle. If livestock will be on the property, they would like the scarred trees to be fenced. ◆ OzArk noted they were unsure whether livestock would be present and would need to clarify with ProTen.
Fencing of sites	<ul style="list-style-type: none"> ◆ ProTen questioned what type of fencing would be required for sites needing fencing. ◆ OzArk noted that stakes with high visibility flagging would be suitable. ◆ Potential for OzArk to fence sites requiring fencing when completing the salvage to ensure they are suitably fenced. ◆ Contractors would also be provided with plans showing the location of sites to ensure none are impacted during construction or operation.

Appendix 3 Figure 8: RAP feedback on the Aboriginal Cultural Heritage Management Plan

OZ ARK ENIRONMENT & HERITAGE	2/01/2021
Taylor Foster	WHITECOCKATOO
	Michael J Long
	17 Albion St Gunnedah NSW 2380

Hi Taylor foster

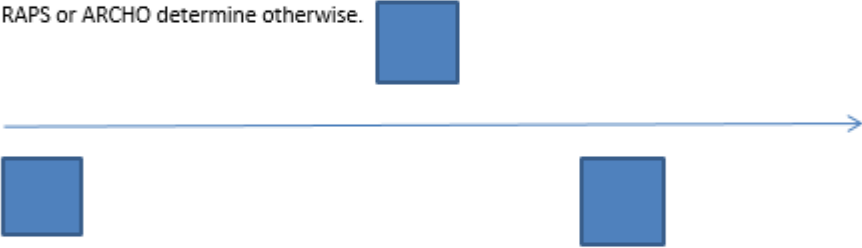
I would like to add some recommendations in regarding the methodology on the management plan for Rush creek poultry farms aboriginal objects.

Methodology Recommendations as listed below for before Archaeological investigation and works or after sites that have been or will be found.

Isolated artefacts find to be salvaged in the impact zone

All surfaces scatter artefacts to be salvaged in the impact zone

Where scatted artefacts are located and to impacted on, they need to be 50cm by 50cm test spits done in transaction formation with no less 20m apart with any less than 15 test pits per transaction, or RAPS or ARCHO determine otherwise.



After the above process is done a RAP meeting should be held to determine which artefacts scatters sites are going require more archaeological investigation, where spit of each transaction scatter site with the highest percentage of artefacts should be chased and till percentage of artefacts declined and this should be determine by the RAPS and archaeologist.

Scared trees that are found in the impact area are to be fenced off and RAP meeting to determine how it to be salvaged with a 50 metre buffer zone from tree dripping zone.

Any Gridding groves found in the ground a meeting is to take places with RAPS to determine if an exploration process is required or monitoring over the farms life span also have a 50m buffer zone.

Burials or Aboriginal graves or camp ovens found in the project area a RAP meeting is to be held so RAP can determine the best solution for the community for eg knowledge holders of Gomerioi laws and customs to visited sites so the full cultural values is to be documented.

Where the artefacts in project area that is to be impacted is to be salvaged and the sign off of the area should been done by RAPS and archaeologist. And then all archaeological salvage sign off to be presented at the annual meeting.

If there are padded areas that are grassed areas closes to creek lines, grader scraps could all so apply if there areas.

As a RAP I would also like the opportunity to be involved in works on this site like the aboriginal land council and as a knowledge holder and Gomeroi native title holder and I come from the 3 clan groups of the Gunnedah area I and my family should play an important role in the heritage management and the mitigation works, custodians should not be left out of this process.

I would also recommend having a meeting with all RAPS involved to discusses these matters as this location is part of a tribal boundary area between Gunnedah, manila and Tamworth clans but I would strongly recommend that all aboriginal objects to be salvage is to stay on site of that location and out of the impact zone because of the spiritual connection of that area.

Regards Michael long

Ph 0447867745

Re: Rushes Creek AFGM Invitation and draft ACHMP



Aaron Talbott <Aaron@atgomilaroi.onmicrosoft.com>

To Taylor Foster

Cc Rebecca Hardman

Reply

Reply All

Forward



Sun 14/02/2021 2:25 PM

You replied to this message on 15/02/2021 9:09 AM.

YAAMA Taylor

Apologies for meeting. I Agree with the majority in regards to methodology and salvage program. AT Gomilaroi Cultural Consultancy requesting a field position for the salvage works.

Look forward to your response.

Yalu (regards)

Aaron Talbott


AT Gomilaroi CC
13 Hunter Street
Gunnedah NSW 2380
ABN: 92 005 620 045
M 0457 601 685
E aaron@atgomilaroi.onmicrosoft.com

Respect to First Nations People and the Land on which we converse.

Remembrance to Ancestors Past and Action from Living and Future Generations.

This message is intended for the addressee named and may contain privileged information or confidential information or both.

Appendix 3 Figure 9: OzArk responses to feedback on the Aboriginal Cultural Heritage Management Plan

	<p style="text-align: center;">OzArk Environment & Heritage</p> <p>Dubbo T: 02 6882 0118 Queanbeyan enquiry@ozarkehm.com.au Newcastle www.ozarkehm.com.au</p>	<p style="text-align: center;">ABN 59 104 582 354</p> <p style="text-align: center;">145 Wingewarra St PO Box 2069 DUBBO NSW 2830</p>
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3 February 2021

White Cockatoo
c/- Michael J Long
17 Albion Street
Gunnedah NSW 2380
whitecockatoo1@hotmail.com

**RE: RUSHES CREEK POULTRY FARM: ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN
REVIEW AND SALVAGE**

Dear Michael,

Thank you for taking the time to read and provide feedback on the draft Aboriginal Cultural Heritage Management Plan (ACHMP) for the Rushes Creek Poultry Farm.

Please see below in [green](#) comments to each of the points raised in your feedback –

- 1) Isolated artefacts find to be salvaged in the impact zone.
[All isolated finds within the impact zone will be subject to surface collection.](#)
- 2) All surfaces scatter artefacts to be salvaged in the impact zone.
[All artefact scatters within the impact zone will be subject to surface collection.](#)
- 3) Where scatted artefacts are located and to impacted on, they need to be 50cm by 50cm test spits done in transaction formation with no less 20m apart with any less than 15 test pits per transaction, or RAPS or ARCHO determine otherwise.

After the above process is done a RAP meeting should be held to determine which artefacts scatters sites are going require more archaeological investigation, where spit of each transaction on scatter site with the highest percentage of artefacts should be chased and till percentage of artefacts declined and this should be determined by the RAPs and archaeologist.

[No subsurface excavation will be taking place at the location of the artefact scatters \(Happy Hills-OS3 and Bondah-OS11\) which will be impacted by the development. Neither of these sites were considered to be associated with subsurface deposits.](#)
- 4) Scarred trees that are found in the impact area are to be fenced off and RAP meeting to determine how it to be salvaged with a 50 metre (m) buffer zone from tree dripping zone.

If any grinding grooves found in the ground a meeting is to take places with RAPS to determine if an exploration process is required or monitoring over the farms life span also have a 50m buffer zone.

Should any scarred trees, grinding grooves or ground ovens be identified within the impact footprint, they will be managed as per Section 7.2.1 and 7.2.2 of the ACHMP. This includes:

- Fencing the site with a 10 m buffer
- An archaeologist will visit the potential site to determine if it is an Aboriginal site
- If it is determined to be an Aboriginal site, a Registered Aboriginal party (RAP) representative will be invited to visit the site.
- The site will be registered on the Aboriginal heritage Information Management System (AHIMS) register
- RAPs will be contacted to discuss management options.

5) Burials or Aboriginal graves or camp ovens found in the project area a RAP meeting is to be held so RAP can determine the best solution for the community for e.g., knowledge holders of Gomerioi laws and customs to visited sites so the full cultural values is to be documented.

If any potential Aboriginal ancestral remains are encountered, they will be managed as per Section 7.1 of the ACHMP. The process for this is detailed below:

- All work close to the find will cease immediately and a minimum buffer of 10 m in all directions from the visible remains will be cordoned off with temporary construction fencing
- The find will be immediately reported to the site supervisor who will immediately advise the Proponent.
- The Proponent will promptly contact the nearest police station (as required for all human remains discoveries)
- The Proponent will contact Heritage NSW (131 555) for advice on identification of the skeletal material as Aboriginal and management of the material
- If the remains are Aboriginal ancestral remains, the RAPs will be contacted and consultative arrangements will be made to discuss ongoing care of the remains, including advice on recommended forensic anthropologists.
- Recommencement of work in the area surrounding the Aboriginal ancestral remains can only occur once the updated ACHMP for the Development has been endorsed by the Secretary (or their delegate), or the Secretary is satisfied that the measures to be implemented in managing the remains have been undertaken and makes a written direction in that regard.

If any ground ovens are encountered, they will be managed as per the procedure listed in 4) above.

6) Where the artefacts in project area that is to be impacted is to be salvaged and the sign off of the area should been done by RAPS and archaeologist. And then all archaeological salvage sign off to be presented at the annual meeting.

The salvage will be completed by an archaeologist and RAPs. A copy of the salvage report will be sent to all RAPs which will document the results of the salvage as opposed to holding a meeting.

7) If there are padded areas that are grassed areas closes to creek lines, grader scraps could all so apply if their areas.

OzArk Environment & Heritage

No areas of potential archaeological deposits (PAD) will be impacted by the development. As such, no grader scrapes are proposed.

8) As a RAP I would also like the opportunity to be involved in works on this site like the aboriginal land council and as a knowledge holder and Gomeroi native title holder and I come from the 3 clan groups of the Gunnedah area I and my family should play an important role in the heritage management and the mitigation works, custodians should not be left out of this process.

OzArk will note that you are interested in participating in the upcoming salvage.

9) I would also recommend having a meeting with all RAPS involved to discuss these matters as this location is part of a tribal boundary area between Gunnedah, manila and Tamworth clans but I would strongly recommend that all aboriginal objects to be salvage is to stay on site of that location and out of the impact zone because of the spiritual connection of that area.

As you are aware, a meeting is being held on Thursday 4 February 2021 in Gunnedah to discuss the ACHMP and any concerns relating to the development.

OzArk has noted that your preference is for salvaged artefacts to be relocated back on site.

If you have any further questions or comments please feel free to contact me at stephanie@ozarkehm.com.au.

Kind regards,



Stephanie Rusden
OzArk Archaeologist