



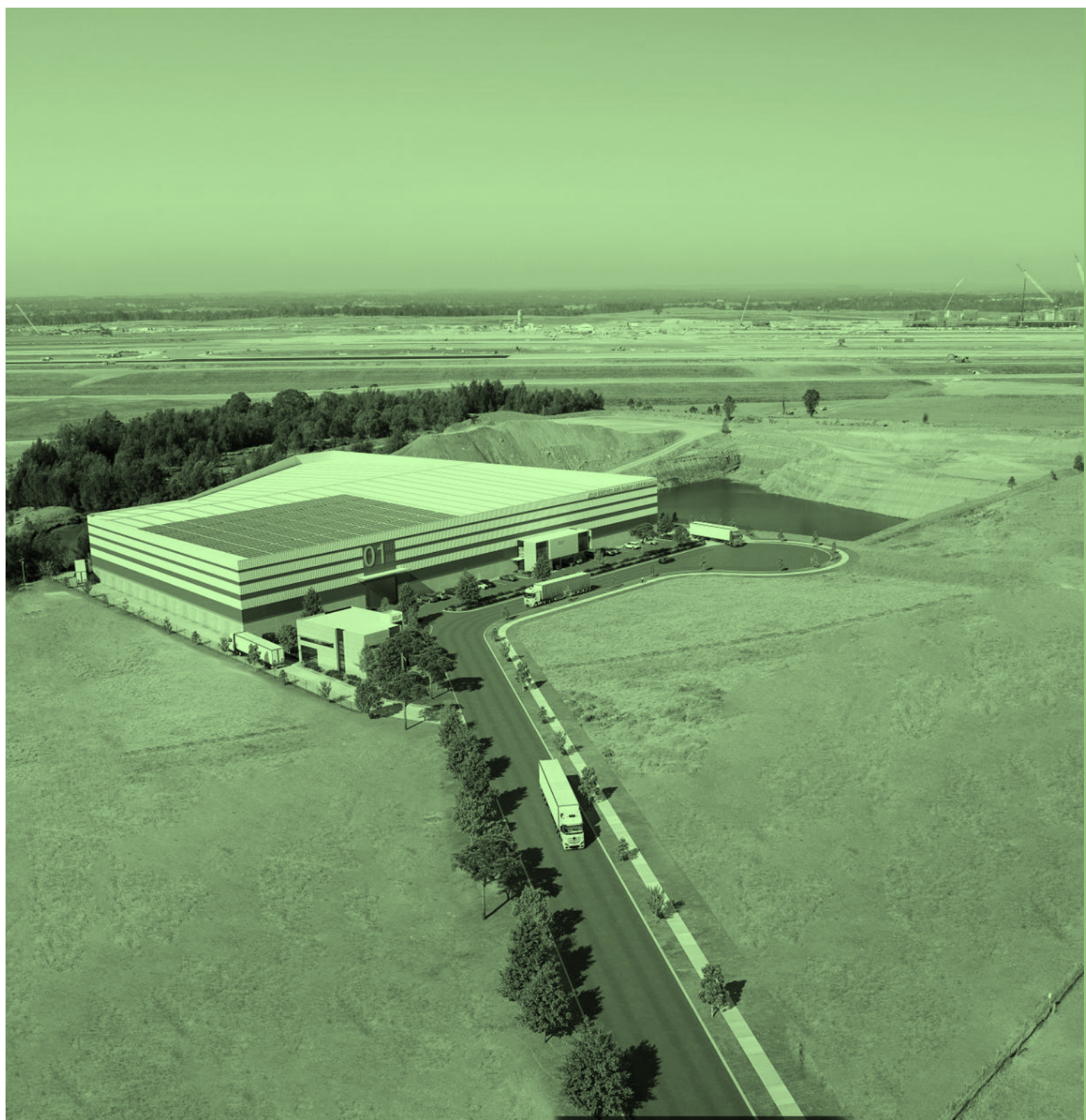
**Luddenham Advanced Resource Recovery Centre**

# ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

Prepared for Coombes Property Group | 06 March 2025







# Luddenham Advanced Resource Recovery Centre

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Prepared for Coombes Property Group  
6 March 2025

PR371

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## DOCUMENT CONTROL

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# ABBREVIATIONS

Abbreviations	Definition
<b>ACHA</b>	Aboriginal Cultural Heritage Assessment
<b>ACHMP</b>	Aboriginal Cultural Heritage Management Plan
<b>AHIMS</b>	Aboriginal Heritage Information Management System
<b>ARRC</b>	Advanced Resource Recovery Centre
<b>BMP</b>	Biodiversity Management Plan
<b>CEMP</b>	Construction Environmental Management Plan
<b>CPG</b>	Coombes Property Group
<b>DA</b>	Development Application
<b>E&amp;H Group</b>	NSW Department of Environment and Heritage
<b>ECM</b>	Environmental Control Map
<b>EIS</b>	Environmental Impact Statement
<b>LALC</b>	Local Aboriginal Land Council
<b>NSW</b>	New South Wales
<b>RAP</b>	Registered Aboriginal Parties
<b>SSD</b>	State Significant Development
<b>WSA</b>	Western Sydney International (Nancy-Bird Walton) Airport



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# 1 INTRODUCTION

The site is located at 275 Adams Road, Luddenham NSW (Lot 3 in DP 623799, 'the site') within the Liverpool Local Government Area. The Advanced Resource Recovery Centre (ARRC) is approved by State significant development (SSD) application 10446 (SSD-10446).

The adjoining existing shale/clay quarry is approved by Development Approval (DA) 315-7-2003, issued by the NSW Minister for Planning under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is owned by CFT No 13 Pty Ltd, a member of the Coombes Property Group (CPG).

## 1.1 Project Description

The broader site at 275 Adams Road is approximately nineteen (19) hectares (ha). The approved development footprint for ARRC is approx. eight (8) hectares of the total site area. Immediately to the south of the proposed ARRC, there is an existing operational shale and clay quarry on the site which occupies approximately six (6) ha of the total site area.

The ARRC development includes the construction of the following:

- Sealed driveway access from Adams Road.
- Internal sealed roads.
- Hard surfacing for the warehouse floor and external areas.
- An approx. 13,000 m<sup>2</sup> metal clad fully enclosed warehouse, with an elevation of 16 m.
- Two site offices with the larger office located in the outside parking area and the smaller office located over the car parking area on the western side of the ARRC warehouse.
- Surface water drainage system.

The project also includes the installation of:

- Marked traffic and pedestrian areas.
- Approximately 47 parking spaces for staff and customers to the west and northwest of the ARRC warehouse.
- Four weighbridges: two inbound and two outbound weighbridges.
- Two ticket booths: one for incoming and one for outgoing vehicles.
- A wheel wash for outbound vehicles.
- Awnings attached to the warehouse at each warehouse entry/exit point.
- Separate tanks for firewater supply (above ground) and containment (below ground), and a fire suppression system.
- A stormwater management system, including rainwater tanks and an onsite detention basin.
- An on-site surface water management system consisting of a water treatment plant, onsite leachate and water detention areas.
- An on-site wastewater management system comprising a septic tank.
- Connection to services.
- Fencing and signage at the front of the site.
- Landscaping.

The construction phase outlined above is expected to take 12-18 months, subject to weather and contractor contingencies.

Once fully operational, the ARRC will process up to 600,000 tonnes per annum (tpa) of waste for recycling, and it will dispatch up to about 540,000 tpa of recycled product.

The ARRC will accept general solid waste (non-putrescible), including building and demolition waste as well as selected commercial and industrial waste, such as wood waste, glass, plastic,

rubber, plasterboard, ceramics, bricks, concrete, metal, paper, cardboard, asphalt waste, cured concrete, soils, and excavated natural material. The ARRC will not receive any putrescible vegetative waste, garden waste, restricted solid waste, hazardous waste, special waste or asbestos waste.

Approximately 80–90% of materials will be recovered, with the remaining 10–20% of non-recyclable residues disposed of at an offsite licensed facility.

The regional context is shown in Figure 1.1, ARRC layout in Figure 1.2 and road upgrade extent in Figure 1.4.

## 1.2 Purpose

This document outlines the project site's management of Aboriginal cultural heritage before, during and after construction.

## 1.3 Scope

This ACHMP applies to the ARRC site (Figure 1.1) and the adjacent Oaky Creek Riparian Corridor.

The project site comprises Lot 3 in DP 623799, including the ARRC development footprint and the site access road, as shown in Figure 1.2.

This ACHMP is the Aboriginal heritage management document for the project area and the adjacent Oaky Creek Riparian Corridor until the development's practical completion.

## 1.4 Background

An Aboriginal cultural heritage assessment (ACHA) was prepared for the development application and accompanying environmental impact statement (EIS) for the ARRC. It addressed specific requirements in the Secretary's environmental assessment requirements (SEARs) issued on 24 April 2020. The ACHA aimed to assess the Aboriginal cultural heritage values within the proposed disturbance footprint per the SEARs and to present appropriate management measures in consultation with local Aboriginal community representatives.

The ACHA found that there were no previously registered Aboriginal sites within the project area. The location of AHIMS site #45-5-2280 was incorrectly recorded on AHIMS; its actual location (now corrected on AHIMS) is outside the project area, and it is currently protected by fencing.

The ARRC site is a cleared paddock sown with exotic grasses and has a small grove of trees. It is within 200 m of an ephemeral, third order stream, Oaky Creek. As the character and actual levels of disturbance could not be established through desktop study and survey alone, a test excavation programme was undertaken from 25–27 August 2020 to better characterise the archaeological resource within this area. Over the three days, 42 test excavation units (50 cm x 50 cm) were dug, and the soil was wet sieved, resulting in the recovery of seven artefacts. This result confirmed that the extent of impacts from the development to Aboriginal cultural heritage values is low.

This ACHMP includes the findings, mitigation and management requirements presented in the ACHA.

## 1.5 Consultation

### 1.5.1 ACHA Consultation

The *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010b) were used for the project. Nineteen Aboriginal parties registered their interest in the project and are referred to as registered Aboriginal parties (RAPs). RAPs were invited to provide cultural information about the project area, information about the project and fieldwork methods for review. Eight RAPs provided responses and expressed their support for the proposed methodology.

The consultation process initially identified 61 Aboriginal stakeholder organisations who may have had an interest in the project (Appendix C - ACHA). Following notification of these organisations, 19 responded wishing to be registered for subsequent consultation through the project. These groups were consulted (refer to Table 2.1 and 2.2 of ACHA)

On 29 June 2020, an archaeological survey and meeting with RAPs was organised to discuss the project and the potential impacts to Aboriginal cultural heritage values. Eight representatives from different RAPs attended. The purpose of the survey was to discuss information about the project, conduct a survey of the project area, and allow Aboriginal parties to identify and discuss their cultural concerns and perspectives to inform recommendations for this ACHA.

During the survey and discussion, RAPs raised several concerns regarding the loss of land to development and the impact this has on Aboriginal cultural heritage. The RAPs agreed that as the ground surface exposure and visibility were too low to identify Aboriginal objects, test excavation would be necessary. Test excavation was seen by the RAPs as an opportunity to find out more information about Aboriginal heritage and culture, particularly as the surrounding land continues to be developed and this information is increasingly lost. As a result of the survey and site meeting, a test excavation program was undertaken to characterise the subsurface potential for Aboriginal artefacts. RAPs have requested that the seven artefacts recovered from the test excavation be retained at the Gandangara Local Aboriginal Land Council (GLALC) Keeping Place.

In response to the findings of the updated ACHA, Darug Custodian Aboriginal Corporation (DCAC) reiterated that while the site is deemed to have low archaeological significance, they consider it to be of high cultural significance as it reflects the connection Aboriginal people have had to this landscape for thousands of years and the way that sites are all interconnected.

During the survey, AHIMS site #45-5-2280 was visited and RAPs agreed that it is important to protect known sites, and that the corridor along the creek has high potential for cultural heritage and therefore needs to be avoided and protected.

### 1.5.2 ACHMP Review Process

Per the consultation requirements, the draft ACHMP was circulated for review to the 16 RAPs identified during the Environmental Impact Statement (EIS) phase. The consultation process commenced on 2 October 2024, when emails were sent to these RAPs, providing a copy of the draft ACHMP and inviting feedback within a 28-day review period.

The Didge Ngunawal Clan provided a formal response confirming their support for the plan. The other RAPs contacted did not respond.

The RAPs listed in Table 1-1 were consulted as part of this process.

**Table 1-1 The registered Aboriginal parties for this project**

Name	Name
Gandangara Local Aboriginal Lands Council	Yulay
Didge Ngunawal Clan	Wurrumay
Goodradigbee	Butucarbin Heritage
Kamilaroy-Yankuntjatjara Working Group	Guntawang Aboriginal Land Resources
Wailwan Aboriginal Group	A1 Indigenous Services
Waawaar Awaaa Aboriginal Corporation	Yurrandaali
Dharug Ngurra Aboriginal Corporation	Cubbitch Barta
Galamaay	Barraby Cultural Services

The final ACHMP will be submitted to the Planning Secretary for review and approval. The approved ACHMP will be make available for RAPs. Should any RAPs wish to provide additional input following the approval of the ACHMP, their feedback will be considered and addressed in the nest revision of ACHMP.



Figure 1.1  
Regional context

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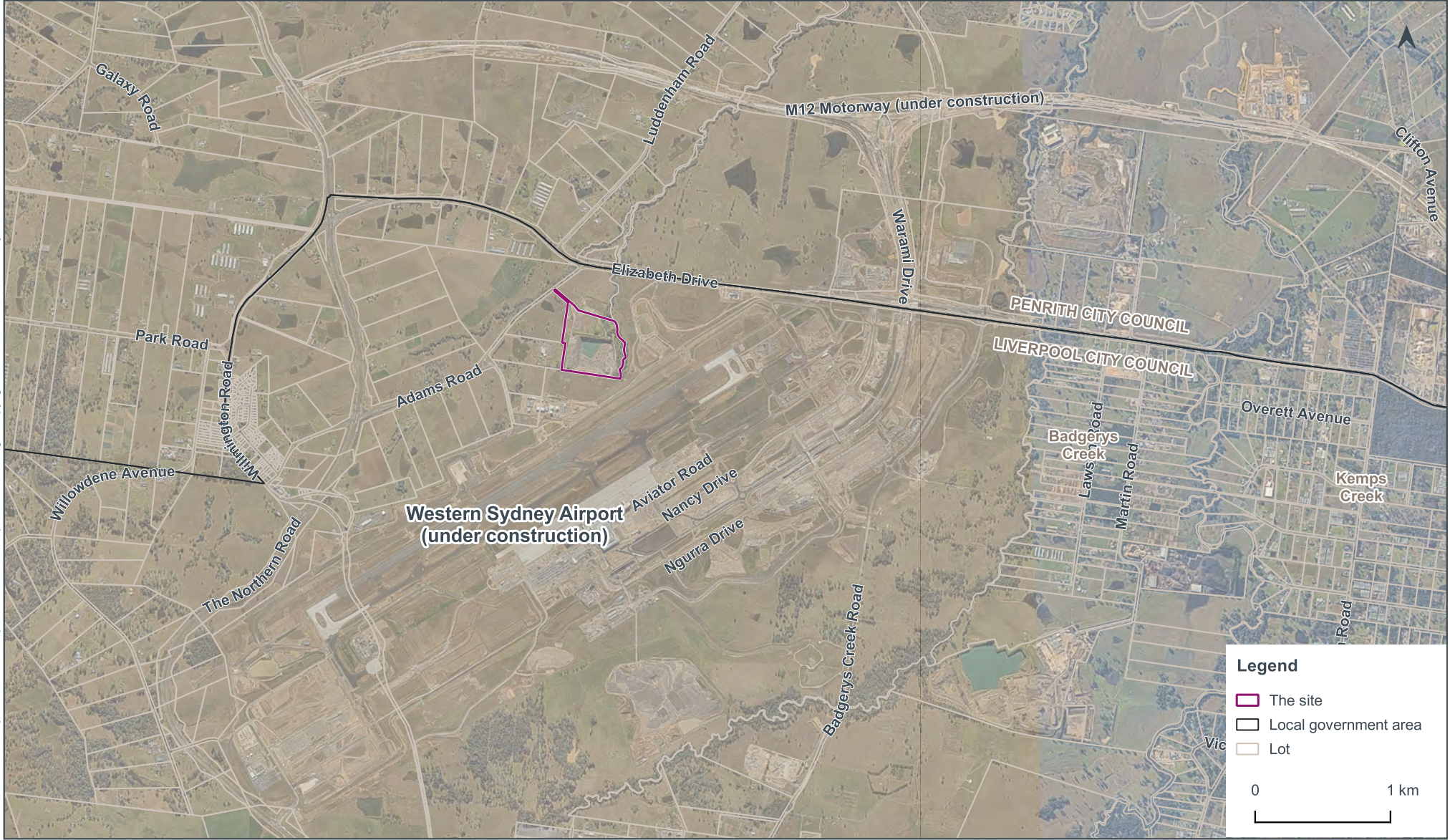




Figure 1.2  
ARRC layout

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ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

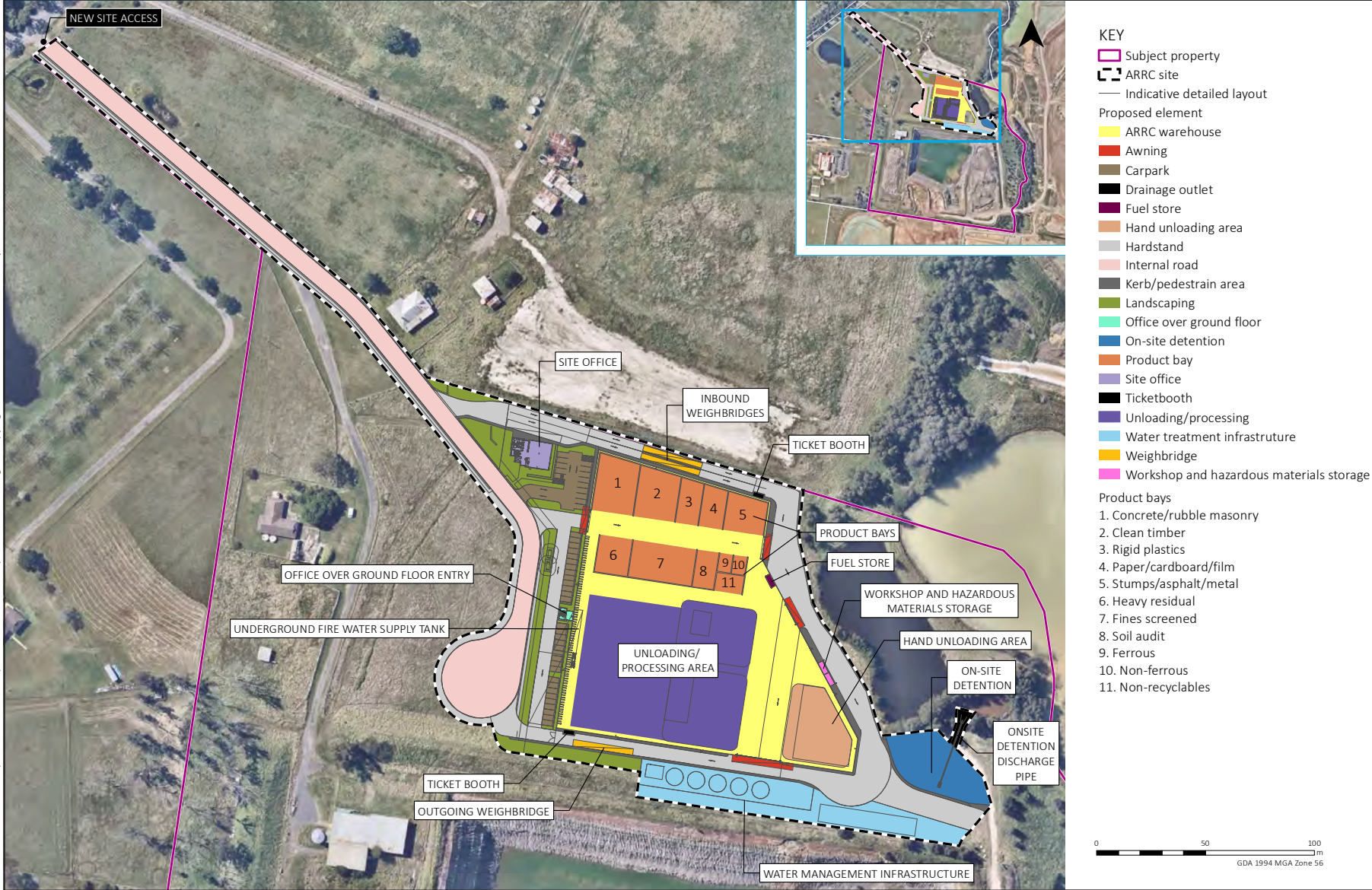




Figure 1.3  
Environmental control map

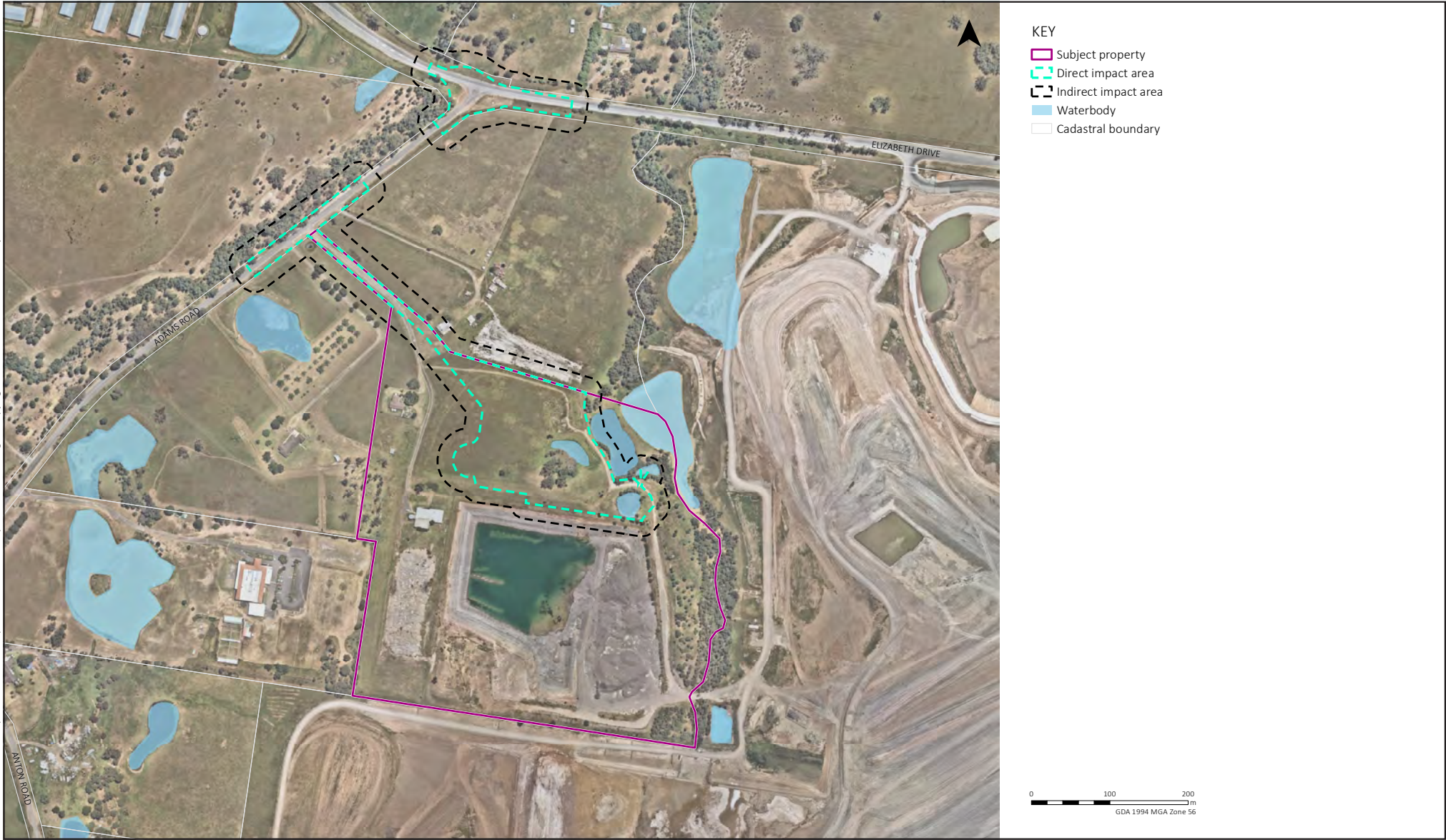
Luddenham Advanced Resource Recovery Centre  
ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN





Figure 1.4  
Approved impact areas

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ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN



## 2 OBJECTIVES AND TARGETS

### 2.1 Objectives

The key objective of this plan is to ensure that Aboriginal Cultural Heritage is appropriately managed during the construction phase of the project. To achieve this objective the following will be carried out:

- minimise disturbance and loss of Aboriginal cultural heritage values;
- minimise impacts on items of Aboriginal cultural heritage value;
- avoid accidental/indirect impacts on Aboriginal heritage items;
- maximise worker's awareness of Aboriginal heritage;
- protect and conserve Aboriginal cultural heritage items and sites within the Oaky Creek riparian zone;
- implement Aboriginal cultural heritage management measures as agreed with the Aboriginal stakeholders contributing to a greater understanding of the archaeological record within Western Sydney;
- ensure the project does not diminish the story and cultural understanding associated with the objects and places of Aboriginal people in NSW;
- seek Aboriginal stakeholder participation in the development of the ACHMP and in the implementation of the measures and strategies contained within it;
- detail management requirements and be consistent with the Aboriginal heritage conditions of the DA and other Construction Environmental Management Plan (CEMP) documents; and
- treat all Aboriginal cultural heritage items with respect, having regard to their identified values.

### 2.2 Targets and performance criteria

The following targets (Table 1-1) have been established for the management of Aboriginal cultural heritage impacts during the construction phase of the works which have been derived in part from the EIS, as well as the performance outcomes and the mitigation measures detailed in the ACHA.

The targets have been set to provide a benchmark performance objective which the client will endeavour to achieve. Failure to achieve the targets will not necessarily be considered a non-conformance for the CEMP, however it will prompt internal review of Aboriginal cultural heritage management and assessment of potential improvement opportunities.

**Table 2-1 Performance Targets**

Objective	Target	Document reference
Minimise disturbance and loss of Aboriginal cultural heritage values.	100% compliance with all Aboriginal heritage mitigation measures, as verified through internal and independent audits.	<ul style="list-style-type: none"><li>▪ CEMP</li><li>▪ Environmental control map (ECM)</li><li>▪ Training Records</li><li>▪ Audit Report</li></ul>
Protect and conserve in situ Aboriginal cultural heritage items and sites located in the Oaky Creek riparian corridor.	Zero unauthorised disturbances to the Oaky Creek riparian corridor, verified through weekly inspections	<ul style="list-style-type: none"><li>▪ CEMP</li><li>▪ Environmental control map (ECM)</li><li>▪ Training Records</li><li>▪ Audit Report</li></ul>
Seek Aboriginal stakeholder participation during the development of this plan and incorporate Aboriginal cultural heritage measures.	Complete consultation with all identified Aboriginal stakeholders within 60 days of project commencement, with feedback incorporated into the ACHMP.	<ul style="list-style-type: none"><li>▪ ACHA</li><li>▪ ECM</li><li>▪ CEMP</li></ul>
Contribute to the greater understanding of the	Ensure that all identified Aboriginal cultural values are	<ul style="list-style-type: none"><li>▪ ACHA</li><li>▪ ECM</li></ul>

Objective	Target	Document reference
archaeological record within Western Sydney.	integrated into the detailed design of the ARRC. Additionally, finalise the storage/Care Agreement for all salvaged items with traditional owners by the end of Q2 2025	<ul style="list-style-type: none"> <li>▪ CEMP</li> </ul>
Treat Aboriginal cultural heritage items with respect having regard to their identified values and avoid any unnecessary impacts.	Ensure 100% of employees and contractors complete Aboriginal cultural awareness training before commencing work on site.	<ul style="list-style-type: none"> <li>▪ Induction and training</li> <li>▪ Training records</li> <li>▪ Audit report</li> </ul>
Comply with legislation and other requirements.	Maintain zero non-compliances with the CEMP throughout the project lifecycle, verified through independent environmental audits.	<ul style="list-style-type: none"> <li>▪ CEMP audit report</li> </ul>



## 3 LEGAL AND OTHER REQUIREMENTS

Aboriginal cultural heritage (places, sites and objects) in NSW are protected by the NSW *National Parks and Wildlife Act 1974*, which is overseen by Heritage NSW, Department of Climate Change, Energy, the Environment and Water. The NSW *Environmental Planning and Assessment Act 1979*, along with other environmental planning instruments, trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

### 3.1 Legislation

There are several Commonwealth and State Acts (and associated regulations) that manage and protect Aboriginal cultural heritage. These are summarised in Table 3-1 (refer to EMM ACHA).

**Table 3-1 Legislation relevant to the project.**

Legislation	Description	Relevant to the project?	Details
<b>Commonwealth</b>			
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Recognises sites with universal value on the World Heritage List (WHL). Protects Indigenous heritage places with outstanding heritage value to the nation on the National Heritage List (NHL), and significant heritage value on the Commonwealth Heritage List (CHL).	No	There are no Indigenous heritage places within the project area that are listed on the WHL, NHL, or the CHL.
<i>Native Title Act 1993</i>	Administers rights and interests over lands and waters by Aboriginal people. Provides for negotiation and registration of Indigenous Land Use Agreements (ILUAs). Often used in NSW to identify relevant stakeholders for consultation.	No	There are no ILUAs within the project area.
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Preserves and protects areas and objects of particular significance to Aboriginal people that are under threat from injury or desecration.	No	There are no areas or objects within the project area subject to a Declaration under the Act
<b>State</b>			
<i>Environmental Planning and Assessment Act 1979</i>	Requires environmental impacts, including to Aboriginal heritage, to be considered in land use planning. Provides for the development of environmental planning instruments, including State Environmental Planning Policies and Local Environmental Plans.	Yes	The proposed development has been assessed as an SSD project under Part 4, Division 4.7, of this Act, and is subject to project-specific environmental assessment and reporting requirements. These requirements (SEARs) stipulate that Aboriginal heritage impact assessment is required (in accordance with standard Heritage NSW procedures and guidelines) to assess whether the project has the potential to impact on Aboriginal objects, sites, or places of Aboriginal heritage significance.

Legislation	Description	Relevant to the project?	Details
<i>National Parks and Wildlife Act 1974</i>	Provides blanket protection for all Aboriginal objects and declared Aboriginal places. Includes processes and mechanisms for development where Aboriginal objects are present, or where Aboriginal Places are proposed for harm.	Yes	While elements of this Act do not apply to SSD projects (such as the requirement for Aboriginal heritage impact permits [AHIPs]), the potential impact on Aboriginal objects generally still requires consideration as a part of the assessment needs of such projects.
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Chapter 4 – Western Sydney Aerotropolis provides planning controls for development within the Western Sydney Aerotropolis. The Aerotropolis SEPP overrides any LEP provisions that apply to that land.	Yes	The SEPP includes a requirement to recognise the physical and cultural connection of the local Aboriginal community to the land and to incorporate local Aboriginal knowledge, culture and tradition into development.

## 3.2 Guidelines and standards

Guidelines and standards that are relevant to the management of Aboriginal items and places of cultural heritage significance are summarised in Table 3-2.

**Table 3-2 Relevant guidelines and standards**

Guidelines and Standards
Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW 2010)
Ask First: A guide to respecting Indigenous heritage places and values (Australian Heritage Commission, 2002)
Charter for Places of Cultural Significance ('the Burra Charter') (Australia ICOMOS, 2013)
Western Sydney Aerotropolis Development Control Plan Phase 2
Connecting with Country (NSW Department of Planning and Environment 2023)
Interpreting Heritage Places and Items Guidelines (NSW Heritage Office, 2005)

## 3.3 Consent conditions

This Aboriginal Cultural Heritage Management Plan (ACHMP) has been prepared following the requirements set out in SSD-10446 as summarised in Table 3-3 and Table 3-4.

**Table 3-3 Compliance with SSD-10446**

Condition no.	Condition	Section in ACHMP
B94	Before the commencement of any clearing or construction works for the Development, the Applicant must prepare an ACHMP for the Development. The plan must form part of the CEMP required by condition C2 and must: <ul style="list-style-type: none"> <li>a. be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties;</li> <li>b. be submitted to the satisfaction of the Planning Secretary prior to construction of any part of the Development;</li> </ul>	Section 1.5 Section 1.5

Condition no.	Condition	Section in ACHMP
	c. describe the measures to protect the AHIMS site #45-5-2280 in perpetuity;	Section 7.1
	d. describe the measures to salvage the artefacts at AHIMS site #45-5-5360, including mapping, analysis and collection, and protect them in perpetuity;	Section 5.2 Section 7.5
	e. include:	
	i. details of an Aboriginal cultural heritage interpretation strategy; and	Section 8
	ii. the Management and Mitigation Measures included in Appendix 2 of this consent.	Section 6
B95	The Applicant must:	
	a. not commence construction until the ACHMP is approved by the Planning Secretary; and	Refer to sign off page
	b. implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the Development.	
B96	If any item or object of Aboriginal heritage significance is identified on site:	Section 7
	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. Heritage NSW must be contacted immediately.	
B97	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> .	Section 7
C1	Management plans required under this consent must be prepared in accordance with relevant guidelines and include:	
	a. detailed baseline data	Section 4
	b. details of:	
	i. the relevant statutory requirements (including any relevant approval, licence of lease conditions);	Section 3
	ii. any relevant limits of performance measures and criteria; and	Section 2
	iii. the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures	Section 2
	c. a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria	Section 6 and Section 7
	d. a program to monitor and report on the:	Section 9
	i. impacts and environmental performance of the Development; and	
	ii. effectiveness of the management measures set out in pursuant to paragraph c above	
	e. a contingency plan to manage any unpredicted impacts and their consequences and the ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible	Section 9.7
	f. a program to investigate and implement ways to improve the environmental performance of the Development over time	Section 10
	g. a protocol for managing and reporting any:	Section 9
	i. incident and any non-compliance (specifically including and exceedance of the impact assessment criteria and performance criteria;	
	ii. complaint;	
	iii. failure to comply with statutory requirements; and	
	h. a protocol for periodic review of the plan.	Section 10

**Table 3-4 Statement of Commitments**

Commitment	Addressed
<b>Aboriginal Heritage</b>	
<i>During Construction</i>	
<p>In the event that unexpected Aboriginal objects, sites, or places are discovered in the project area, it is a requirement that Heritage NSW is notified of the existence of Aboriginal objects as soon as practicable after they are first identified. This is done through the completion of an Aboriginal Site Card which is submitted to the Registrar of AHIMS for inclusion on the Aboriginal site database. Under s85A of the NPW Act, Aboriginal objects remain the property, and under the protection of, the Crown until formal transfer to a person or persons of a class prescribed by the regulations occurs.</p>	Section 7.3
<p>In the event that known or suspected human skeletal remains are encountered within the project area, the following procedure should be followed:</p> <ul style="list-style-type: none"> <li>▪ the immediate vicinity will be secured to protect the find and the find will be immediately reported to the work supervisor who will immediately advise the site supervisor or other nominated senior staff member;</li> <li>▪ the environmental manager or other nominated senior staff member will notify the police and the state coroner on the same day of the find (as required for all human remains discoveries);</li> <li>▪ the environmental manager or other nominated senior staff member will contact Heritage NSW for advice on identification of the skeletal material as Aboriginal and if so, management of the material;</li> <li>▪ if it is determined that the skeletal material is ancestral Aboriginal remains, the Aboriginal community will be contacted, and consultative arrangements will be made to discuss ongoing care of the remains;</li> <li>▪ the site will be recorded in accordance with the NPW Act and Heritage NSW guidelines; and</li> <li>▪ if the remains are historical and not of Aboriginal origin, the Heritage Division of Heritage NSW will be notified for further instruction.</li> </ul>	Section 7.4

## 4 EXISTING ENVIRONMENT

The ACHA (EMM 2020) prepared for SSD-10446 provides a comprehensive report on the assessments undertaken to determine known and predicted Aboriginal cultural heritage values relating to the project area. The ACHA identified the following four key findings;

- The project area is characterised by undulating Cumberland Plain topography that is widely documented to have been used by Aboriginal people in the past. There is no evidence of significant elevation, escarpments or exposed sandstone, which prevents a range of archaeological site types from being present.
- The subject property is bounded to the east by Oaky Creek, a third order stream, that would have been attractive to Aboriginal people in the past.
- Historical land use and disturbance has occurred over the last 200 years which has resulted in de-vegetation and modification of waterways (usually in the form of dams). Much of the subject property is disturbed by the quarry and stockpiles; however, the project area, to the north of the quarry, has primarily been used as a paddock and has experienced less disturbance.
- There is limited evidence of remnant vegetation present, with the possible exception of the riparian corridors of Oaky Creek.

The following sections provide a brief overview of the ACHA contextual information.

### 4.1 Landform and topography

The project area is situated within the Sydney Basin bioregion and Cumberland Lowlands region.

The project area is located on Wiannamatta Group shales formed on the Ashfield and Bringelly Shales. There is no outcropping of the underlying rock; therefore, Aboriginal site types which are commonly found on sandstone formations, such as grinding grooves and rockshelters, are unlikely to occur.

### 4.2 Hydrology

The project area is located within the upper reaches of the Hawkesbury River catchment, adjacent the Nepean catchment boundary. The eastern boundary of the subject property follows Oaky Creek, a third order stream, which runs from south to north to join Cosgroves Creek outside the project area, to the north of Elizabeth Drive.

There are no distinct channels or drainage lines in the project area with rainfall runoff occurring as sheet flow which runs to the north-east corner of the subject property into Oaky Creek following the natural slope. Oaky Creek at the subject property location is ephemeral and only flows because of prolonged rainfall in the upper catchment (EMM 2020). A dam has been constructed on Oaky Creek in the north-east corner of the subject property and collects surface water runoff from the property.

Hydrological features are the most likely indicator of archaeological potential within the project area. Access to water and the natural resources associated with it will have dominated the distribution of Aboriginal habitation throughout the area.

### 4.3 Geology and soils

The project area is situated on the Blacktown (bt) soil and Second Ponds Creek (spz) soil landscapes which are defined in the Soil and Land Resources of the Hawkesbury-Nepean Catchment (DECCW 2008).



Low relief and low slope areas would have originally presented as favourable for Aboriginal occupation; however, for the same characteristics these areas have been targeted for agricultural land use and as such exhibit extensive levels of disturbance.

## 4.4 Vegetation

The project area is within the Sydney Basin, Cumberland Interim Biogeographic Regionalisation of Australia region. The locality is considered highly fragmented with native vegetation often occurring in isolated patches surrounded by a matrix of agricultural land.

Prior to agricultural and subsequent quarrying land use, the area would have comprised cleared open forest and woodland. Remnants of Cumberland Plain Woodland occur on the eastern margin of the project area. This plant community type was dominated by Eucalyptus trees including *Eucalyptus tereticornis* (forest red gum), *E. crebra* (narrow-leaved ironbark), *E. moluccana* (grey box) and *E. maculata* (spotted gum).

Today the project area has been heavily impacted by pastoral activities, particularly land clearance and grazing. It is characterised by a grassy paddock, dominated by exotic plant species, and a small grove of Swamp Oak. This group of trees is visible in aerial photography from the mid-twentieth century but may not represent remnant vegetation old enough to have the potential for cultural scarring. The remaining vegetation along Oaky Creek forms a riparian corridor of Swamp Oak Floodplain Forest along the eastern boundary of the subject property.

Figure 4.1  
Ponds and existing vegetation

Luddenham Advanced Resource Recovery Centre  
ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN

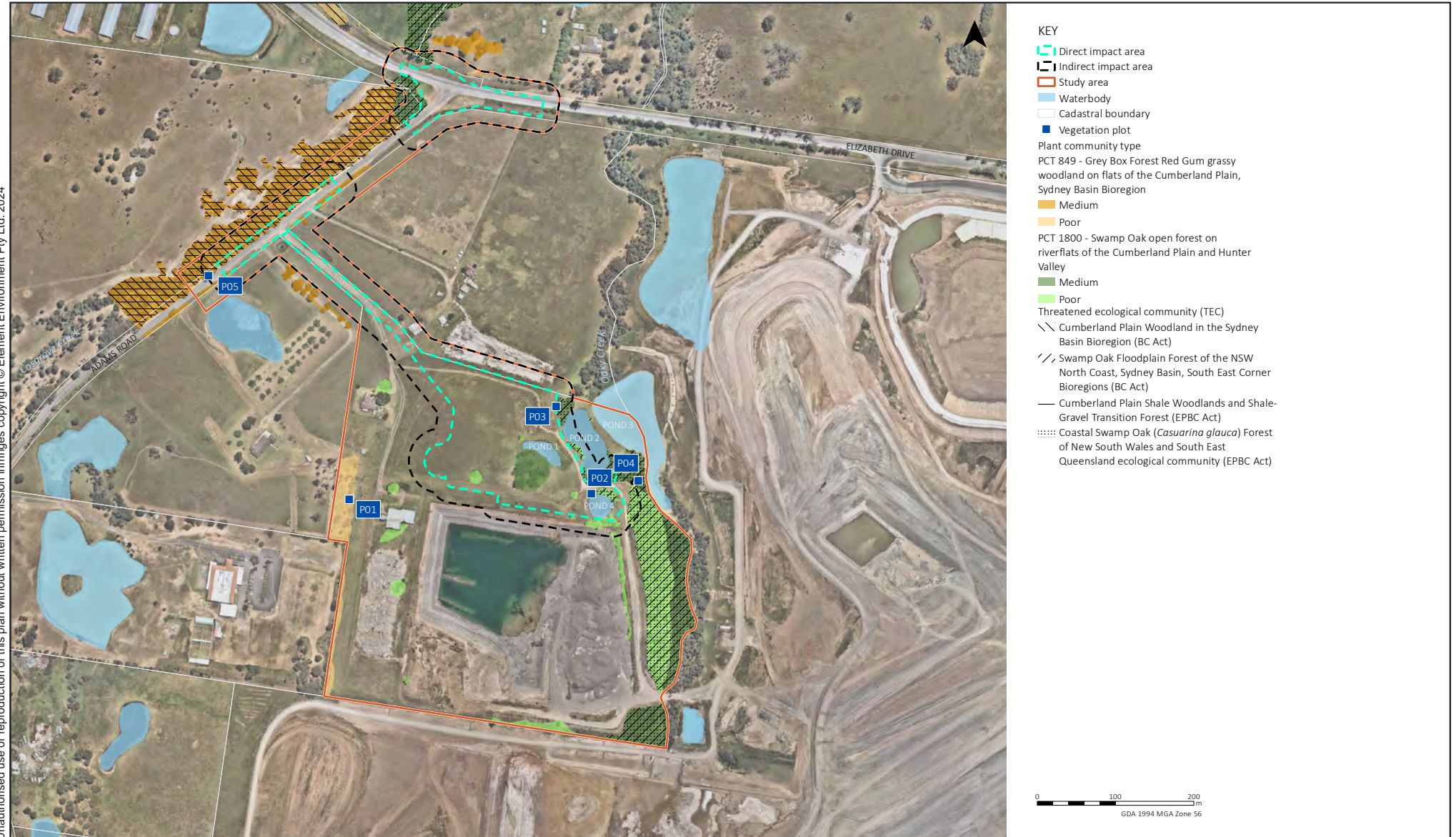
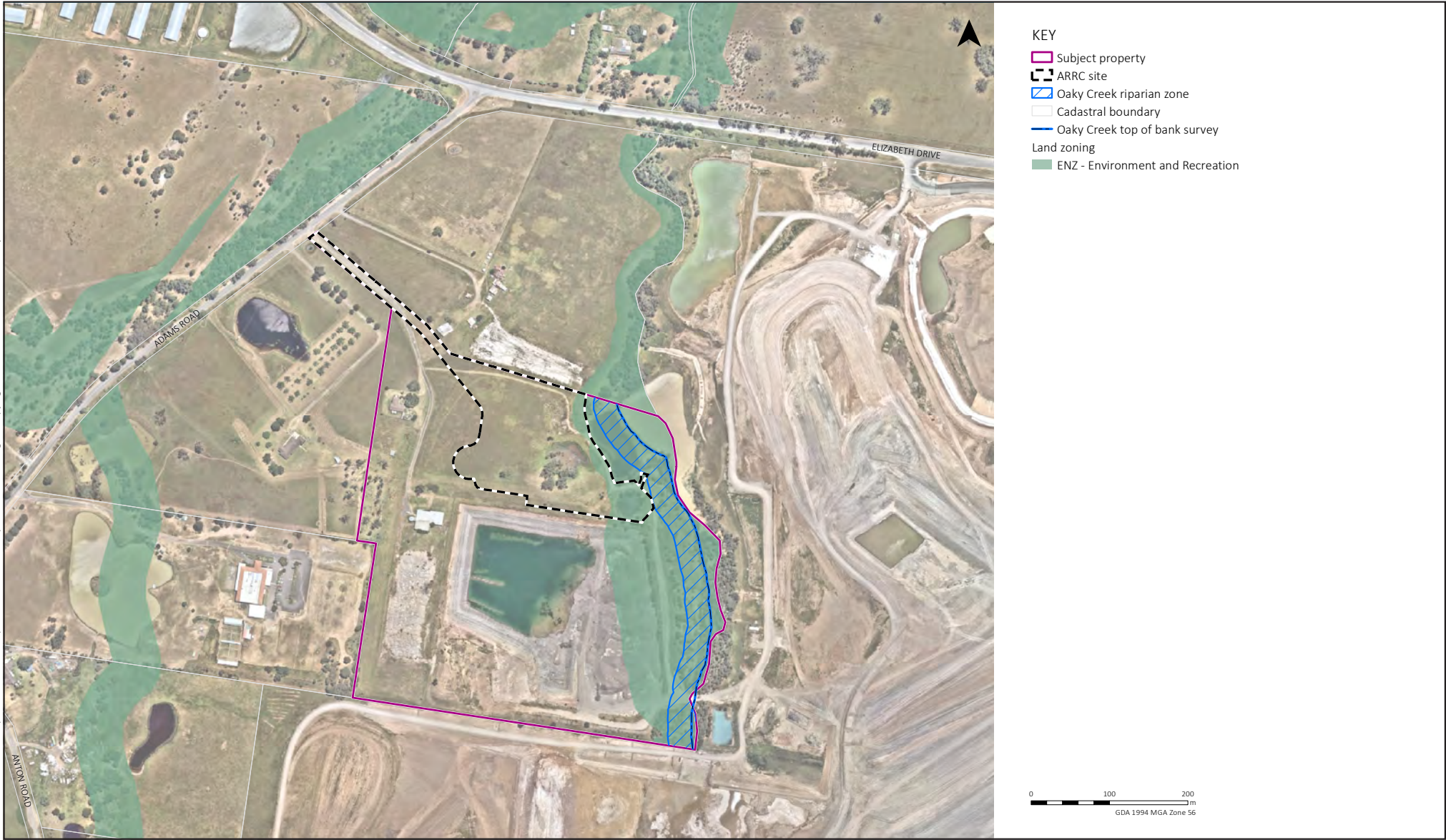




Figure 4.2  
**Oaky Creek riparian corridor**

Luddenham Advanced Resource Recovery Centre  
 ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN



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Source: Luddenham ARRC Submissions Report, EMM, 2021

## 4.5 Land use history and disturbance

Prior to European occupation, Darug people cared for the land for thousands of years. Following settlement, early land use consisted of forestry and grazing in the wood and scrubland of the Cumberland Plain.

Settlement expansion and the search for suitable agricultural land soon led to the establishment of Parramatta and Liverpool townships, driving the development of Sydney's west as a key area for pastoral and agricultural exploitation. Land use and associated disturbance of the project area has accelerated from the early nineteenth century onwards, with the project area included in an initial land grant to John Blaxland of 6,710 acres in 1813.

In summary, the main disturbance to the project area has been through land clearance and de-vegetation, along with some water management strategies to the east of the project area and the addition of introduced fill for road base.

## 4.6 Recorded Aboriginal sites

The ACHA identified one registered AHIMS site (#45-5-2280), an artefact scatter, within the subject property, however survey confirmed that the registered coordinates were incorrect. The location of AHIMS site #45-5-2280 is approximately 40 m from the works boundary, within the Oaky Creek riparian corridor. The item is currently protected by exclusion fencing.

The RAPs agreed that the corridor along the creek has high potential for cultural heritage and therefore needs to be avoided and protected. Riparian protection and management is included in the Biodiversity Management Plan (BMP) and the CEMP; this area will be avoided and clearly marked as a no-go zone in the CEMP.

The ACHA included a test excavation programme within the project area. Seven stone artefacts were recovered during the test excavation, comprising silcrete and IMT (indurated mudstone/tuff) flakes and flake fragments, distributed unevenly across the project area. Each artefact was from a different test excavation unit and all but one were recovered from the top 10 cm of soil.

The average artefact density for the site was 0.7 artefacts/m<sup>2</sup>. One artefact displayed dorsal retouch along its distal margin. The silcrete flake had been backed at an angle to create a wedge shape (Figure 4.3). Backed artefacts were more common in the late Holocene period (c.2,500BP). They were “multi-functional and multi-purposed components in a range of different tools” (Attenbrow 2010, p.154) and represent investment of time to shape and create a specific shape.

These artefacts have been retained at the GLALC Keeping Place.

The ACHA determined that there is a low-density artefact scatter across the site, which has been labelled as Luddenham Quarry 1 (LQ1).

Figure 4.5 shows the locations of the confirmed Aboriginal heritage sites.



Figure 4.3 Silcrete flakes recovered from test excavation (source: ACHA)

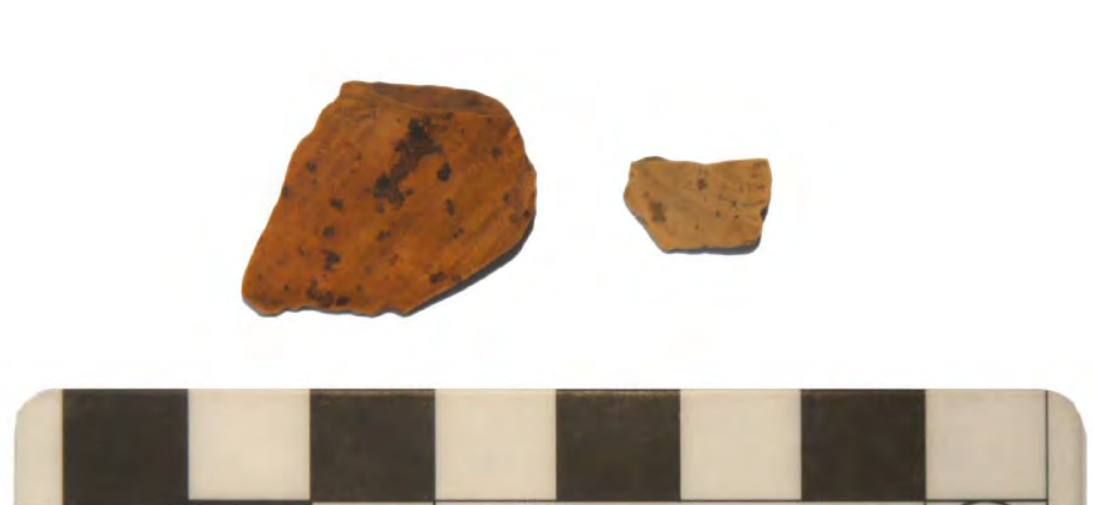


Figure 4.4 IMT flakes, complete and distal recovered from test excavation (source: ACHA)



Figure 4.5  
Known Aboriginal heritage sites

Luddenham Advanced Resource Recovery Centre  
ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN



## 5 ASPECTS AND IMPACTS

The potential impacts of the proposed construction activities on Aboriginal heritage have been identified and assessed in the ACHA. Below is a summary of the key risks and impacts.

### 5.1 Aspects

The main impacts during construction of the ARRC include:

- Sub-surface excavation to:
  - level the site;
  - install water tanks;
  - provide for building footings; and
  - install services;
- upgraded access road to be primarily constructed in the same location as the existing gravel road, with a new road base and sealed surface.

It is assumed that the entire project area will be disturbed. Disturbance does not extend to the Oaky Creek riparian corridor, this area will be avoided and clearly marked as a no-go zone in the CEMP.

### 5.2 Impacts

There are no previously registered Aboriginal sites within the project area. The location of AHIMS site #45-5-2280 was incorrectly recorded on AHIMS and its actual location (now corrected) is outside the project area and protected by fencing.

An Aboriginal cultural heritage assessment (ACHA) was prepared for the development application to accompany the EIS for the ARRC. As part of this assessment an archaeological survey and meeting with RAPs was held on 29 June 2020 to discuss the project and the potential impacts to Aboriginal cultural heritage values.

A test excavation program was undertaken over three days (25 to 27 August 2020) with four archaeologists and up to four RAP representatives per day. The program aimed to characterise the nature and potential of Aboriginal artefacts in the project area.

The test excavation determined that the site contains a low-density and uneven artefact scatter, now recorded as Luddenham Quarry 1 (LQ1 – AHIMS #43-4-5360).

- 42 test excavation units (50 cm x 50 cm) were excavated.
- Seven Aboriginal artefacts were recovered, confirming an uneven, low-density artefact scatter.
- The site was assessed as having low archaeological significance and did not warrant conservation.

The development footprint will not result in a significant loss to Aboriginal cultural heritage values, even considering the widespread development of the area.

Following consultation, RAPs requested to retain the salvaged artefacts, and DPIE supported this request (ref: DOC21/448004-7, dated 16/06/2021).

The artefacts were removed by RAPs from the site and retained at the GLALC Keeping Place.

**Table 5-1 Site significance, impact and management summary**

AHIMS#	Site name	Site type	Significance rating	Type of harm	Degree of harm	Consequence of harm	Management strategy
45-5-2280	Oaky Creek 1	Artefact scatter	Low	None	None	No loss of value	Avoidance (no-go zone, protective fencing)
45-5-5360	LQ1	Artefact scatter	Direct	Direct	Total	Total loss of value	No management strategy is required, as LQ1 has been removed by RAPs and retained at the GLALC Keeping Place.

## 6 MITIGATION MEASURES

The specific measures and requirements to address impacts on Aboriginal cultural heritage during construction are outlined in Table 6-1. These measures and requirements take into account the mitigation measures in the ACHA (Appendix 2 of SSD-10446), the statement of commitments and SSD-10446.

### 6.1 Aboriginal heritage awareness

A project-specific Aboriginal Heritage Induction will be prepared and implemented for the project. The induction will consist of a short presentation to be delivered as part of the standard project induction and utilised throughout the life of the project. A register of all persons having completed the induction will be maintained throughout the life of the project.

The induction is mandatory for all staff and contractors whose roles may reasonably bring them into contact with Aboriginal sites and/or involve consultation with local Aboriginal community members. At a minimum, the induction will outline current protocols and responsibilities with respect to the management of Aboriginal cultural heritage components of the construction footprint and wider site area, provide an overview of the sites identified within this area, diagnostic features of potential Aboriginal site types (e.g., stone artefacts, scarred trees) and procedures for reporting the identification of Aboriginal archaeological sites and suspected skeletal remains.

Aboriginal heritage constraints will be discussed in daily toolbox talks as needed and relevant.



**Table 6-1 Mitigation measures**

ID	Measure	Timing	How	Responsibility
AH1	Item AHIMS #45-5-2280 will be conserved in situ within the Oaky Creek riparian corridor. A barrier fence has already been erected around the item, to demarcate the area as a no-go zone.	Preconstruction Construction	Fencing in place. Include details on the ECM. Project induction to identify the site as a no-go area.	Project Environmental Manager
AH2	The Oaky Creek riparian corridor will be managed for the protection and conservation of known and predicted Aboriginal heritage sites and values consistent with the objectives of that zone to enhance, restore and protect the values of the land.	Preconstruction Construction	The importance of the riparian corridor will be included in toolbox talks and the site induction. Project induction to identify the riparian corridor as a no-go area. Include details on the ECM and access requirements.	Project Environmental Manager
AH3	Sensitive areas must be delineated on environmental constraints plans and ensure they are not subject to disturbance during construction.	Preconstruction Construction	Identify no-go zones in ECM and site inductions. Establish barrier fencing along the entire boundary of the Oaky Creek Corridor and an additional barrier fence protecting a 10m buffer around item #45-5-2280.	Project/Site Engineers Foreman Project Environmental Manager
AH4	Protocols for unexpected discovery of Aboriginal objects and discovery of any suspected human remains for all main construction works involving ground disturbance.	Preconstruction Construction	Protocols for the discovery of suspected human remains and artefacts have been developed – refer to section 7.3 and 7.4 of this ACHMP.	All personnel and contractors
AH5	Training in identification of Aboriginal sites/artefacts and management of Aboriginal heritage values will be included in compulsory induction courses for site workers.	Preconstruction Construction	An Aboriginal heritage induction will be included in the project site induction which is mandatory for all employees and contractors working on site. Additional specific training will be included for the management of aspects of this plan (e.g. artefact identification – refer to Figure 4.3 and Figure 4.4)	Project Environmental Manager
AH6	Aboriginal cultural heritage values of the area will be commemorated through interpretation works, e.g. interpretive signage at Oaky Creek riparian corridor and/or within landscape plan.	Preconstruction Construction Operation	Implement interpretation options developed in conjunction with RAPs (refer to section 8 of this ACHMP).	Project Environmental Manager
AH7	Artefacts recovered during test excavation will be retained at the Gandangara Local Aboriginal Land	Preconstruction	Develop and lodge Care Agreement with Heritage NSW in coordination with RAPs.	Project Environmental Manager



ID	Measure	Timing	How	Responsibility
	Council Keeping Place. A Care Agreement will be lodged with Heritage NSW.			
AH8	If human skeletal remains are encountered, works will cease, and the procedures outlined in the NPW Act and Heritage NSW guidelines will be followed.	Construction Operation	Implement immediate notification and site protection measures. Notify Heritage NSW and law enforcement.	All personnel & Project Environmental Manager

## 7 MANAGEMENT

### 7.1 Protection of Aboriginal Heritage sites

The known Aboriginal heritage item (AHIMS #45-5-2280) within the Oaky Creek riparian corridor has already been fenced to ensure that no impact can occur to the area. Appropriate signage will be displayed on fencing along both the riparian corridor and the item. The location of the no-go areas will be identified on the ECM where work will be occurring adjacent to or near the areas. The location of AHIMS site #45-5-2280 will be included in the site induction to ensure all personnel are aware of its significance and protection measures. The environmental advisor will monitor the no-go areas during daily and weekly inspections.

### 7.2 Impact to Aboriginal sites

If the Aboriginal heritage site is disturbed or harmed, works are to cease in proximity to the site. The site supervisor is to be advised immediately and advice sought from the site environment officer and Heritage NSW on how to proceed.

### 7.3 Unexpected finds protocol

If any unexpected item or object of Aboriginal heritage significance is identified on site:

- All work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
- A 10 m wide buffer area around the suspected item or object must be cordoned off.
- Heritage NSW must be contacted immediately. It is a requirement that Heritage NSW is notified of the existence of Aboriginal objects as soon as practicable after they are first identified. Under s85A of the *National Parks and Wildlife Act 1974* (NPW Act), Aboriginal objects remain the property, and under the protection of, the Crown until formal transfer to a person or persons of a class prescribed by the regulations occurs.
- 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*.

### 7.4 Discovery of human remains

In the event that known or suspected human skeletal remains are encountered within the project area all work in the immediate vicinity shall cease. The following process should be undertaken:

- Immediately cease all work at that location and do not move or disturb remains.
- Notify the environment manager as soon as practicable who will in turn immediately notify the Police, providing details of the remains and their clear location.
- Establish an appropriate no-go area. This will need to be established in consultation with Police.
- Works will not be able to recommence within the location of the find until the confirmation from the Police is obtained. If the remains are confirmed as not being human, then works may recommence. If remains are human then consultation with Police will need to be undertaken to determine whether the area is a crime scene. If it is not a crime scene, and the remains are determined to be Aboriginal ancestral remains, Heritage NSW is to be notified via the Environment Line on 131 555, and consultation should be undertaken with relevant parties which may include Aboriginal stakeholders to establish a plan of management.
- Works will only be able to recommence in the area once the plan of management has been established and approval has been obtained from relevant authorities.

- Should any Aboriginal ancestral human remains be identified, unless otherwise agreed by the Approver, this will trigger a review of this plan and the CEMP.

## 7.5 Test excavation artefact management

The EIS (EMM, 2020) detailed measures undertaken during the salvage process for AHIMS site #45-5-5360, including mapping, artefact analysis and collection methods. The test excavation program, conducted between 25–27 August 2020, involved four archaeologists and up to four RAP representatives per day.

During this program:

- 42 test excavation units (50 cm x 50 cm) were excavated.
- Seven Aboriginal artefacts were recovered, confirming a low-density, uneven artefact scatter at the site.
- The site was determined to be of low archaeological significance, and further conservation was not required.

In alignment with Condition B94(d), the salvaged artefacts were removed from the site by RAPs and retained at the GLALC Keep Place. DPIE formally supported the RAPs request to retain the salvaged Aboriginal objects at the GLALC Keeping Place (ref: DOC21/448004-7 dated 16/06/2021).

The GLALC is responsible for lodging a Care Agreement with Heritage NSW for the recovered objects, ensuring their protection in perpetuity. No further archaeological investigation or salvage is required for AHIMS site #45-5-5360.

## 7.6 Long term management

The Oaky Creek riparian corridor and site #45-5-2280 will be set aside and protected from impact during operation of the ARRC. As the closure of the quarry progresses ongoing management of the corridor will be updated in the site BMP. The BMP currently prescribes natural regeneration and monitoring only, with weed control as required. Site #45-5-2280 will be identified in the operational BMP and controls in place to ensure any works in proximity to the site will avoid adverse impacts e.g. minimal ground disturbance, hand tools only, all restoration staff to be inducted and trained in site specific requirements.

Based on the results of test excavation at LQ1 (AHIMS #45-5-5360), the ACHA identified that no further archaeological investigation or salvage is warranted within the direct impact areas of the site. The likelihood that more artefacts will be discovered during works is low. In the case of any unexpected finds, the protocol will be followed (see section 7.3 of this ACHMP) and the GLALC will be contacted to store the items at their Keeping Place.

Refer to Appendix A for DPIE advice supporting the conclusions of the ACHA.

## 8 INTERPRETATION STRATEGY

An Aboriginal Cultural Heritage Interpretation Plan (ACHIP) is a strategic document designed to identify, interpret, and communicate the cultural significance of Aboriginal heritage sites affected by development or infrastructure projects. These plans ensure that Aboriginal cultural values, histories, and connections to the land are appropriately recognised and respected throughout a project's lifecycle.

An ACHIP is not required during the construction stage of the ARRC. However, the following objectives and principles provide strategic guidance for the development of the future ACHIP.

As required under Condition B94(e)(i) of SSD-10446, this section provides an Aboriginal Cultural Heritage Interpretation Strategy, which outlines the process for developing an ACHIP for the ARRC's operational stage.

This strategy ensures that Aboriginal cultural values, histories, and connections to the land are appropriately identified, interpreted, and communicated as part of the project. It establishes the framework and consultation process that will guide the development of the full ACHIP.

### 8.1 Objectives

Key objectives of the ACHIP are to:

- create a cohesive interpretation framework for detailed content development within the site prior to operation;
- explore and identify potential interpretive media including signage, landscape and design responses and installations; and
- identify the appropriate use of Aboriginal language including an approach to agreeing on language use and seeking cultural permissions for its use.

### 8.2 Principles

The principles to underpin the ACHIP must mirror those specified in the document Interpreting Heritage Places and Items Guidelines (NSW Heritage Office, 2005). These principles or 'ingredients for best practice in interpretation' include:

- respect for the special connections between people, items and places;
- understand the item and convey its significance;
- use existing records of the item, research additional information, and make these publicly available (subject to security and cultural protocols);
- explore, respect and respond to the identified audience;
- make reasoned choices about themes, stories and strategies;
- stimulate thought and dialogue, provoke response and enhance understanding;
- research the physical, historical, spiritual and contemporary context of the item, including related items, and respect local amenity and culture;
- develop interpretation methods and media that sustain the significance of the items, their character and authenticity;
- integrate interpretation in conservation planning, and in all stages of the project;
- include interpretation in the ongoing management of an item; provide for regular maintenance, evaluation and review;
- involve people with relevant skills, knowledge and experience; and
- collaborate with Aboriginal organisations, individuals, knowledge holders and the local community.

## 8.3 Interpretation strategy process

The following steps will be undertaken to develop the ACHIP:

1. Consultation with RAPs to identify culturally appropriate interpretation themes and methods.
2. Review of existing cultural heritage documentation to ensure accuracy and relevance.
3. Identification of suitable interpretive media, such as signage, landscaping, and storytelling elements.
4. Determination of cultural language use and permissions in collaboration with RAPs.
5. Finalisation and approval of the ACHIP, incorporating RAP feedback and expert recommendations.
6. The staged development of the ACHIP will be discussed with DPIE to confirm alignment with regulatory expectations. This process ensures that the final interpretation plan appropriately reflects Aboriginal cultural heritage values and is implemented effectively during the operational phase of the ARRC.

This approach ensures that the ACHIP appropriately reflects Aboriginal cultural heritage values and is effectively implemented during the operational phase of the ARRC.



## 9 COMPLIANCE MANAGEMENT

Monitoring, inspection and auditing will be undertaken to measure effectiveness and facilitate continuous improvement of Aboriginal cultural heritage management and mitigation. General environmental monitoring, inspection and auditing requirements will be undertaken in accordance with the CEMP and as detailed in this plan.

### 9.1 Site inspections

Project activities will be regularly reviewed to ensure compliance with this plan. A regular inspection program will be conducted, including:

- daily observations undertaken by the Principal Contractor's Site Supervisor which will be logged in their respective site diaries;
- routine weekly inspections will be conducted to monitor heritage management and implementation of this ACHMP at active worksites. Weekly inspections will be documented to maintain compliance and effectiveness of controls;
- items that require action will be documented on the Site Environmental Inspection Checklist; and
- items that require specific and detailed action will be recorded on the Project's Corrective Action Register, maintained by the Principal Contractor's Environmental Manager.

The findings of site inspections will be recorded on a Site Environmental Inspection Checklist.

Regular site inspections will be completed by the independent Environmental Representative (ER) and Principal Contractor. These will be conducted at a frequency to match the CEMP schedule.

### 9.2 Roles and responsibilities

The ACHMP and supporting documentation will require endorsement by CPG and the Environmental Representative prior to commencement of construction. The ACHMP will be included in the Construction Environmental Management Plan (CEMP) and made available to all personnel and sub-contractors via the project document control management system.

The document is uncontrolled when printed. One controlled hard copy of the CEMP and supporting documentation will be maintained at the project site and be electronically available at the site office.

Registered copies of the ACHMP will also be distributed to:

- Independent ER;
- Project Director;
- Contractor's Construction Manager;
- Site Manager; and
- Project Environmental Manager.

### 9.3 Training

All employees, subcontractors and utility staff working on site will undergo site induction training relating to Aboriginal and non-Aboriginal heritage management issues, including:

- requirements of this ACHMP;

- relevant legislative obligations, including under the Heritage Act and the Aboriginal Heritage provisions of the NPW Act;
- roles and responsibilities for heritage management, including responsibilities under the Heritage Act and the Aboriginal Heritage provisions of the NPW Act;
- location and management requirements for identified heritage items within the vicinity of the project;
- identification of potential heritage finds and human remains;
- the TfNSW Standard Management Procedure – Unexpected Heritage Items; and
- exclusion or ‘no-go’ zones.

Further details regarding staff induction and training are outlined in the CEMP.

## 9.4 Non-compliances

Non-compliance will be dealt with and documented in accordance with Chapter 6 of the CEMP

## 9.5 Complaints

Complaints will be recorded and managed in accordance with the Community Consultation Plan.

## 9.6 Audits

Auditing will be undertaken in accordance with the CEMP and Conditions of Approval.

## 9.7 Contingency Plan

The table below lists the actions to be implemented if inspections, monitoring and/or auditing indicate that the mitigation measures are ineffective in managing environmental impacts.

All Condition Amber and Condition Red occurrences will be recorded and discussed during the toolbox talks.

**Table 9-1 Contingency Management Plan**

Item	Trigger/ response	Condition		
		Green	Amber	Red
Aboriginal Heritage	Trigger	No disturbance or riparian corridor or the 10m no-go zone of item 45-5-2280.	Minor disturbance in riparian corridor and/or the 10m no-go zone of item 45-5-2280. Evidence of ground cover impacts e.g. traffic, personnel access, stockpiling, erosion of sediment deposition.	Significant disturbance in riparian corridor and/or the 10m no-go zone of item 45-5-2280. Evidence of clearing within no-go areas, significant erosion, contaminated material, or trampling.
	Response	Continue CEMP and BMP implementation.	A suitably qualified specialist to inspect the site. Review of site management and erosion and sediment control. Remediate as appropriate. Revise ACHMP if required.	Stop work in vicinity of the impact. A suitably qualified specialist to inspect the site. Review of impacts. Follow non-compliance procedure.
Aboriginal Heritage	Trigger	No known Aboriginal Heritage items uncovered.	Potential Aboriginal Heritage Item uncovered.	Destruction of an unknown Aboriginal Heritage Item on site caused by site works.
	Response	Continue CEMP and ACHMP implementation.	Stop work. Implement unexpected find protocol.	Stop work. Implement unexpected find protocol and non-compliance procedure.

## 10 REVIEW AND IMPROVEMENT

A review of this ACHMP is to be conducted by a suitably qualified person in the following instances:

- at least every 12 months;
- if recommended by an independent audit
- within one month of changes to Project Approval, license conditions or relevant legislation relating to Aboriginal heritage
- within one month of any reportable Aboriginal heritage related incidents within the Project's construction footprint.

The review will provide an opportunity to assess the effectiveness of the ACHMP. The inputs to the management review process include (but not be limited to):

- Internal and external audits findings;
- Incidents management and investigation of non-conformance events, incidents, near misses and management of complaints received;
- Implementation of all compliance and legislative changes as identified at a corporate level; and
- Training and awareness;
- Monitoring results of the previous year; and
- Analysis of potential cause of any significant discrepancies between the predicted and actual impacts of the Project construction phase.

The review will be documented and will rate the effectiveness of the ACHMP as a management tool against the above criteria. If the review finds effectiveness can be improved in any areas, this will be addressed in a revision to the ACHMP.

Any updates to the plan will be approved internally by the project management team and, if necessary, forwarded to the RAP for consultation. The updated ACHMP will be submitted to the ER for review and will then be submitted to the Planning Secretary for approval.

The most recent version of the ACHMP approved by the Planning Secretary will be implemented on site

Revised versions of the ACHMP will be made available and distributed to RAPs. Changes will also be communicated through toolbox talks to existing onsite personnel and incorporated into environmental induction materials.



## 11 REFERENCES

Department of Environment Climate Change and Water (DECCW) 2008, Soil and Land Resources of the Hawksbury-Nepean Catchment.

Department of Environment Climate Change and Water (DECCW) 2010, Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.

Department of Environment Climate Change and Water (DECCW) 2010b, Aboriginal Consultation Requirements for Proponents.

EMM 2020, Aboriginal Cultural Heritage Assessment for Luddenham Advance Resource Recovery Centre, report prepared for Coombes Property Group and KLF Holding Pty Ltd.

EMM 2021a, Biodiversity Management Plan for Luddenham Quarry, report prepared for Luddenham Operations Pty Ltd.

EMM 2021b, Submissions Report for Luddenham Advanced Resource Recovery Centre, report prepared for Coombes Property Group and KLF Holding Pty Ltd.

NSW Heritage Office 2005, Interpreting Heritage Places and Items Guidelines.

Transport for NSW (TNSW) 2024, Biodiversity Management Guideline: Protecting and Managing Biodiversity on Transport for NSW projects.

## APPENDIX A HERITAGE NSW RESPONSE TO SUBMISSIONS REPORT

Jeffrey Peng  
Senior Environmental Assessment Officer  
Energy Resource Assessment  
Department of Planning, Industry and Environment  
email: [jeffrey.peng@planning.nsw.gov.au](mailto:jeffrey.peng@planning.nsw.gov.au)

Advice provided via the Major Project Portal

Dear Mr Peng

**Response to Submissions Report - Luddenham Resource Recovery Facility (SSD-10446)**

Thank you for your referral dated 1 June 2021 inviting comment from Heritage NSW on the Response to Submissions (RTS) report for the above state significant development.

Heritage NSW has reviewed the following documents as part of providing our comments in relation to Aboriginal cultural heritage matters:

- Luddenham Advanced Resource Recovery Centre: Submissions Report (RTS) prepared by EMM, dated 27 May 2021
- Luddenham Advanced Resource Recovery Centre: Aboriginal Cultural Heritage Assessment (ACHA) prepared by EMM, dated December 2020

We note test excavations have now been undertaken to characterise the subsurface potential for Aboriginal objects to occur within the project area. One Aboriginal site will be avoided by the project. Another Aboriginal site, identified during the test excavations, will be impacted. Ongoing consultation with the Registered Aboriginal Parties (RAPs) has re-emphasised the high cultural significance and connection Aboriginal people have with the area. We note RAP comments have been incorporated into the ACHA.

We support the results of the December 2020 ACHA and recommend the mitigation measures now outlined in this ACHA form the basis of any subsequent conditions of approval.

We support and recommend ongoing consultation with the RAPs as part of construction works and design and recommend a Heritage Interpretation Strategy be prepared that acknowledges and incorporates Aboriginal history and cultural heritage.

We support the request of the RAPs to retain Aboriginal objects retrieved during the test excavations and await the submission of a Care Agreement application under s85A of the *National Parks and Wildlife Act 1974*.

If you have any questions regarding the above advice please contact me on (02) 6229 7089 or via email at [jackie.taylor@environment.nsw.gov.au](mailto:jackie.taylor@environment.nsw.gov.au).

Yours sincerely



**Jackie Taylor**  
**Senior Team Leader, Aboriginal Cultural Heritage Regulation - South**  
**Heritage NSW**  
16 June 2021



SYDNEY NEWCASTLE CENTRAL COAST TOWNSVILLE  
[elementenvironment.com.au](http://elementenvironment.com.au)





