

Issue of Aboriginal Heritage Impact Permit

National Parks and Wildlife Act 1974



Office of
Environment
& Heritage

Your reference: Edmondson Park South AHIP
Our reference: AHIMS No.3849 / SF15/19391
Notice number: C0001136
Contact: Felicity Barry (02) 9995 6914

NOTICE ISSUED TO
Landcom trading as UrbanGrowth NSW
ABN:79 268 260 688
Attn: Mr. Paul Neville, Senior Development Manager
Level 14/60 Station Street
Parramatta, NSW 2124

NOTICE OF THE ISSUE OF ABORIGINAL HERITAGE IMPACT PERMIT C0001134

Issued pursuant to section 90C(4) of the *National Parks and Wildlife Act 1974*

BACKGROUND

- A. Landcom, trading as UrbanGrowth NSW (the applicant) applied to the Office of Environment and Heritage (OEH) under section 90A of the *National Parks and Wildlife Act 1974* (NPW Act) for an Aboriginal Heritage Impact Permit (AHIP). The AHIP application was in relation to the mixed land use re-development of Edmondson Park South within the Southwest Growth Centre.
- B. OEH received the application on 5 May 2015.
- C. OEH met with the Applicant on 24 February 2014 to discuss the approval process necessary to accompany to this AHIP. This AHIP contains no approved development consent. However OEH has considered the level of early and detailed archaeological assessment of this land with Aboriginal stakeholder consultation and the subsequent incorporation into the State Government approved land zoning and development control plan for this precinct. On this basis, OEH has accepted the existing and detailed planning provisions which have confirmed the level of avoidance and harm to Aboriginal sites under this AHIP.
- D. OEH further notes that an important outcome of the early, detailed archaeological assessment and Aboriginal community consultation has resulted in avoidance and conservation of significant archaeological sites. These measures were achieved prior to the lodgement of this AHIP.
- E. OEH considered the application and supporting information provided, and matters under section 90K of the Act and decided to issue an AHIP subject to conditions.

ISSUE OF ABORIGINAL HERITAGE IMPACT PERMIT

- 1. OEH has considered the application and supporting information provided, and matters under section 90K of the NPW Act and has decided to issue an **AHIP C0001134** subject to conditions.

Issue of Aboriginal Heritage Impact Permit

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2. The AHIP is attached.
3. You should read the AHIP carefully and ensure you comply with its conditions. It is an offence under section 90J NPW Act to fail to comply with the conditions of the AHIP. The maximum penalty that a court may impose on a corporation for failing to comply with this AHIP is \$1.1m. OEH can also issue penalty notices for this offence.

SUSAN HARRISON

Senior Team Leader, Planning

Greater Sydney Region

Regional Operations

(by Delegation)

Date: 25 June 2015

INFORMATION ABOUT THIS NOTICE

- Details provided in this notice will be available on OEH's Public Register in accordance with section 188F of the NPW Act.

Variation of this AHIP

- This AHIP may only be varied on application by the AHIP holder or by OEH to correct typographical errors or resolve inconsistencies between conditions of the AHIP. A permit can only be varied by subsequent variation notices.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

Aboriginal Heritage Impact Permit

Section 90 of the *National Parks and Wildlife Act 1974*



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AHIP number: C0001134

(AHIMS Permit ID: 3849)

AHIP Issued To:

NOTICE ISSUED TO
Landcom trading as UrbanGrowth NSW
ABN:79 268 260 688
Attn: Mr. Paul Neville, Senior Development Manager
Level 14/60 Station Street
Parramatta, NSW 2124

OEH Office issuing this AHIP

Office of Environment and Heritage
Regional Operations
Greater Sydney Region
PO Box 644
PARRAMATTA NSW 2124
Telephone number: (02) 9995 6864

Additional details for public register

a) Name of development or project	Edmondson Park South, South West Growth Centre
b) Location	Edmondson Park South, South West Growth Centre, within the suburbs of Edmondson Park and Bardia, NSW
c) Local Government Area(s)	Campbelltown and Liverpool LGA
d) Description of harm authorised	<ul style="list-style-type: none">• Salvage excavations• Community collection• Harm to certain Aboriginal objects through the proposed works
e) AHIP commencement date and duration	<i>Commencement: 25 June 2015</i> <i>Duration: 15 years</i>

AHIP TO HARM ABORIGINAL OBJECTS

A. Background

- (i) On 5 May 2015 an application was made to the Chief Executive of the Office of Environment and Heritage (OEH) for an Aboriginal Heritage Impact Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974* (the Act).
- (ii) OEH met with the Applicant on 24 February 2014 to discuss the approval process necessary to accompany to this AHIP. This AHIP contains no approved development consent. However OEH has considered the level of early and detailed archaeological assessment of this land with Aboriginal stakeholder consultation and the subsequent incorporation into the State Government approved land zoning and development control plan for this precinct. On this basis, OEH has accepted the existing and detailed planning provisions which have confirmed the level of avoidance and harm to Aboriginal sites under this AHIP.
- (iii) OEH further notes that an important outcome of the early, detailed archaeological assessment and Aboriginal community consultation has resulted in avoidance and conservation of significant archaeological sites. These measures were achieved prior to the lodgement of this AHIP.
- (iv) OEH considered the application and supporting information provided, and matters under section 90K of the Act and decided to issue an AHIP subject to conditions.

B. AHIP issued subject to conditions

An AHIP is issued to harm Aboriginal objects identified in **Schedules B and C**, in accordance with the conditions of this AHIP.

This AHIP is issued pursuant to section 90 of the Act.

C. Commencement and duration of AHIP

This AHIP commences on the date it is signed unless otherwise provided by this AHIP.

Unless otherwise revoked in writing, this AHIP remains in force for:

- (i) **15 years** from the date of commencement, that is, until **25 June 2030**.

D. Proposed Works

This will involve the redevelopment of the Edmondson Park South Precinct of the South-West Growth Centre. The works will involve excavation and construction for mixed use residential and commercial activities. Areas are also designated for open space and environmental conservation in addition to the establishment of associated infrastructure, services/utilities and landscaping.

Note: A Dictionary at the end of the AHIP defines terms used in this document. Further information about this AHIP is also set out after the Dictionary.

.....*S. Harrison*.....

Susan Harrison
Senior Team Leader, Planning
Greater Sydney Region
Regional Operations

(by Delegation) DATED: **25 June 2015**

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LAND TO WHICH THIS AHIP APPLIES

The Land to which the AHIP applies is **shaded orange in Attachment 1 of this AHIP** being the land marked by a series of GPS coordinate points in the datum GDA94, zone 56 and shown on this map in two sheets. **This map is titled “Figure 15: AHIP application area”.**

This land is located within the suburb of Edmondson Park South, in the Campbelltown and Liverpool Local Government Areas and is situated in the Parish of Minto, County of Cumberland.

Attachment 2 of this AHIP (in two sheets)

Sheet 1 of 2 shows where salvage excavation will occur in accordance with the conditions of this AHIP. These areas are **shaded yellow and labelled as sites “DD2” and “EPSW5”** and are included as **Attachment 2 of this AHIP C0001134 (Sheet 1 of 2)**. The location of the Phase 1 Transect locations are shown on this figure.

Sheet 2 of 2 shows where Community Collection will occur in accordance with the conditions of this AHIP. These areas are **shaded blue and labelled as sites “CR01”; “CR08”; “ED1”; “EPCS 10” “EPS ISF 1” and “SW 2”** and are included as **Attachment 2 of this AHIP C0001134 (sheet 2 of 2)**.

CONDITIONS

The conditions of this AHIP specify the actions that are permitted and/or required in relation to areas and Aboriginal objects, which are detailed in the Schedules that follow.

Administrative Conditions

Responsibility for compliance with conditions of AHIP

1. The AHIP holder must ensure that all persons involved in actions or works covered by this AHIP (whether employees, contractors, sub-contractors, agents or invitees) are made aware of and comply with the conditions of this AHIP.

Project manager to oversee the actions relating to this AHIP

2. A suitably qualified and experienced individual must be appointed as a project manager who is responsible for overseeing, for and on behalf of the AHIP holder, all the actions relating to this AHIP.
3. The individual appointed as project manager must be the project manager nominated in the application form.
4. If an alternative to the nominated project manager is appointed, OEH must be notified of their contact details within **14 days** of this appointment.

Actions must be in accordance with AHIP application

5. All actions on the land must be carried out in accordance with the application except as otherwise expressly provided by a condition of this AHIP.

Operational Conditions

Certain Aboriginal objects must not be harmed

6. All human remains in, on or under the land must not be harmed, other than any human remains identified in **Schedule B4**.
7. The Aboriginal objects described in **Schedule A** must not be harmed.

Salvage excavations

8. Salvage excavations may be carried out in, on or under each Salvage excavation area described in **Schedule B2**.
9. Aboriginal objects that are recovered during the excavations may be analysed on-site and/or may be taken off-site for further analysis.
10. The excavations and analysis of Aboriginal objects must be carried out in accordance with **Appendix D: Salvage Excavation Methodology attached to the Edmondson Park South: Aboriginal Cultural Heritage Assessment Report** dated March 2015 prepared by Kelleher Nightingale Consulting for UrbanGrowth NSW that was provided with the application.

Community collection

11. The Registered Aboriginal Parties must be provided with an opportunity to collect Aboriginal objects within the 'community collection area' described in **Schedule B3**.
12. The opportunity for community collection must be provided:
 - (a) in accordance with **Appendix D: Salvage Excavation Methodology attached to the Edmondson Park South: Aboriginal Cultural Heritage Assessment Report** dated March 2015 prepared by Kelleher Nightingale Consulting for UrbanGrowth NSW that was provided with the application, and
 - (b) before any harm of Aboriginal objects described in **Schedule C** can commence in the area.
13. Aboriginal objects that are recovered during the community collection may be analysed on-site and/or may be taken off-site for further analysis as decided by the Registered Aboriginal Parties.
14. If an opportunity for community collection has been provided and this collection does not occur, the AHIP holder may proceed with any actions to harm Aboriginal objects described in **Schedule C**, in accordance with the conditions of this AHIP.

Harm of certain Aboriginal objects through the proposed works

15. The Aboriginal objects described in **Schedule C** may be harmed. Nothing in this condition authorised harm to Aboriginal objects described in **Schedule A** (whether human remains, Aboriginal objects or 'no-harm areas').
16. Aboriginal objects described in **Schedule C** must not be harmed unless:
 - (a) all excavations described in **Schedule B2** have been completed in the area, and
 - (b) all opportunities for community collection of Aboriginal objects described in **Schedule B3** have been provided in the area.

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Temporary storage of certain Aboriginal objects

17. Any Aboriginal objects that are removed from the land by actions authorised by this AHIP, must be moved as soon as practicable to the temporary storage location in the table below, pending any agreement reached about the long term management of the Aboriginal objects.
18. The temporary storage location is as follows:

Location name:	Kelleher Nightingale Consulting Pty Ltd Offices
Address:	Level 10, 25 Bligh Street, Sydney NSW 2000
Storage particulars:	Secure storage location in locked office

19. Any Aboriginal objects stored at the temporary storage location must not be further harmed, except in accordance with the conditions of this AHIP.

Long term management of certain Aboriginal objects

20. Any Aboriginal objects recovered from this salvage excavation shall be deposited with the Australian Museum. In the event that an alternative option is preferred, a variation to the condition must first be obtained from the Office of Environment and Heritage.
21. Requirement 26 "Stone artefact deposition and storage" in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (24 September 2010, available online at: <http://www.environment.nsw.gov.au/licences/archinvestigations.htm>) must be complied with.

Notification and Reporting Conditions

Notification of commencement and completion of actions

22. Written notice must be provided to the OEH office at least 7 days prior to the commencement of actions authorised by this AHIP.
23. Written notice must be provided to the OEH office within 7 days of the completion of actions authorised by this AHIP.

Copy of this AHIP and notices to be provided to Registered Aboriginal Parties

24. A copy of this AHIP must be provided to each Registered Aboriginal Party, within 14 days of receipt of the AHIP from OEH.
25. Where this AHIP is varied or transferred, a copy of the AHIP variation or transfer notice must be provided to each Registered Aboriginal Party, within 14 days of receipt of the notice.

Human remains

26. If any human remains (other than any human remains described in **Schedule B4**) are discovered and/or harmed in, on or under the land, the AHIP holder must:
 - (a) not further harm these remains
 - (b) immediately cease all work at the particular location
 - (c) secure the area so as to avoid further harm to the remains
 - (d) notify the local police and OEH's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location, and
 - (e) not recommence any work at the particular location unless authorised in writing by OEH.

Incidents which may breach the Act or AHIP

27. The AHIP holder must notify the OEH office in writing as soon as practicable after becoming aware of:
- (a) any contravention of s.86 of the Act not authorised by an AHIP, and/or
 - (b) any contravention of the conditions of this AHIP.

Reports about incidents which may breach the Act or AHIP

28. Where OEH suspects that an incident has occurred which may have breached the Act or AHIP, OEH may request a written incident report, which includes the following:
- (a) the nature of the incident
 - (b) the actual or likely impact of the incident on Aboriginal objects and/or Aboriginal places
 - (c) the nature and location of these Aboriginal objects and/or Aboriginal places, referring to and providing maps and photos where appropriate
 - (d) any conditions of an AHIP which may have been breached, and
 - (e) the measures which have been taken or will be taken to prevent a recurrence of the incident.
29. The incident report must be provided to the OEH office within the timeframe specified in the request.

Provision of Aboriginal Site Impact Recording Form

30. An Aboriginal Site Impact Recording Form must be completed and submitted to the AHIMS Registrar, for each AHIMS site identified in **Schedules B and C**, within 4 months of the completion of the actions authorised by this AHIP.

Note:

- (i) The Aboriginal Site Impact Recording Form can be found on the OEH website:
<http://www.environment.nsw.gov.au/licences/DECCAHISSiteRecordingForm.htm>
- (ii) Contact details for the AHIMS Registrar can be found on the OEH website:
<http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm>

Report about harm to Aboriginal objects (Salvage Excavation Report)

31. A **Salvage Excavation Report** must be prepared about the actions relating to the harm of Aboriginal objects (as permitted by this AHIP). The report must:
- (a) include a short summary of the **Salvage Excavation report** (Executive Summary);
 - (b) describe any ongoing consultation with or involvement of representatives of Registered Aboriginal Parties in relation to this AHIP;
 - (c) provide details of the Aboriginal objects which were fully or partially harmed in the course of undertaking the actions;
 - (d) if any salvage excavations were authorised by this AHIP, provide a description of the methods and results of the salvage excavation;
 - (e) detail any community collection of Aboriginal objects undertaken by the Registered Aboriginal Parties;
 - (f) provide a description of the methods and results of the salvage excavation approved under this AHIP. This section should also demonstrate whether triggers were satisfied to enable Phase 2 and Phase 3 salvage excavation within the subject land and is so, what they included;

- (g) comment on the effectiveness of any mitigation measures that were implemented;
 - (h) comment on the effectiveness of any management plan which was in place;
 - (i) response to research design questions (as outlined in **Condition 10**);
 - (j) a final revised assessment of significance of the Aboriginal objects and sites which the subject land and how this relates to the other relevant sites in the local area;
 - (k) all relevant excavation records shall be included as appendices of this report including a plan showing the location of all trenches excavated;
 - (l) detail the results of any analysis of Aboriginal objects that have been recovered with a concluding summary of results written in plain English;
 - (m) if any Aboriginal objects were moved to a temporary storage location, a description of the nature and types of Aboriginal objects which are now at that location;
 - (n) detail the long term management arrangements for any Aboriginal objects, and
 - (o) include a statement confirming that all Aboriginal Site Impact Recording Forms have been completed and submitted to the AHIMS Registrar.
32. The **Salvage Excavation Report** must be submitted to the OEH office within **12 months** of the completion of the actions authorised by this AHIP.
33. A copy of the **Salvage Excavation Report**, including a summary of the report in plain English, must be sent by registered post to each Registered Aboriginal Party within **14 days** of the report being submitted to OEH

General Conditions

Indemnity

34. The AHIP holder agrees to indemnify and keep indemnified, the Crown in right of NSW, the Minister administering the Act, the Chief Executive of OEH, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from and against all actions, demands, claims, proceedings, losses, damages, costs (including legal costs), charges or expenses suffered or incurred by them resulting from:
- (a) any damage or destruction to any real or personal property; and
 - (b) injury suffered or sustained (including death) by any persons arising out of or in connection with any actions undertaken pursuant to this AHIP.

Release

35. The AHIP holder agrees to release to the full extent permitted by law, the Crown in right of NSW, the Minister administering the Act, the Chief Executive of OEH, and their employees, agents and contractors, in the absence of any willful misconduct or negligence on their part, from all suits, actions, demands and claims of every kind resulting from:
- (a) any damage or destruction to any real or personal property; and
 - (b) injury suffered or sustained (including death) by any persons arising from or in connection with any actions undertaken pursuant to this AHIP.

Written notice

36. Any requirement to provide written notice to the OEH office in this AHIP may be complied with by sending by registered post to the OEH office's address. The OEH office's contact details are specified at the front of this AHIP.

SCHEDULES

The following schedules identify the areas and Aboriginal objects that are subject to the conditions of this AHIP.

Schedule A: Aboriginal objects which must not be harmed

A1 Human remains

All human remains in, on or under the land must not be harmed, other than any human remains identified in **Schedule B4**, as specified by the conditions of this AHIP.

A2 Aboriginal objects that are identified on AHIMS

N/A

A3 No-harm areas

N/A

Schedule B: Aboriginal objects that may be harmed through the certain actions

B1 Movement only

N/A

B2 Salvage excavations

Salvage excavations may be carried out in the areas **shaded yellow**, are labelled as sites **"DD2"** and **"EPSW5"** and are included as **Attachment 2 of this AHIP C0001134 (Sheet 1 of 2)**. The location of the Phase 1 Transect locations are shown on this figure, but only in accordance with the conditions of this AHIP.

The **salvage excavation** area comprises the following known Aboriginal objects, as identified on AHIMS (excluding any Aboriginal objects described in **Schedule A**):

Portion of Site (whole or part)	AHIMS Site ID	Site Feature	Site Name	Information access restriction? (Y/N)	Easting	Northing	Datum
Whole	45-5-2456	Artefact Scatter	DD 2	N	302200	6237550	AGD 66 Zone 56
Whole	45-5-3988	Artefact Scatter	EPSW 5	N	302361	6238116	GDA 94 Zone 56

B3 Community collection

Community collection may be carried out in the areas **shaded blue** and labelled as sites **"CR01"**; **"CR08"**; **"ED1"**; **"EPCS 10"** **"EPS ISF 1"** and **"SW 2"** and are included as **Attachment 2 of this AHIP C0001134 (sheet 2 of 2)**, but only in accordance with the conditions of this AHIP.

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The community collection areas include the following known Aboriginal objects, as identified on AHIMS (excluding any Aboriginal objects described in **Schedule A**):

Portion of Site (whole or part)	AHIMS Site ID	Site Feature	Site Name	Information access restriction? (Y/N)	Easting	Northing	Datum
Whole	45-5-4245	Artefact Scatter	CR01	N	303158	6239199	GDA 94 Zone 56
Whole	45-5-4252	Isolated Find	CR08	N	301768	6238524	GDA 94 Zone 56
Whole	45-5-3570	Artefact Scatter	ED 1	N	301922	6238801	GDA 94 Zone 56
Whole	45-5-3911	Artefact Scatter	EPCS 10	N	301503	6239403	GDA 94 Zone 56
Whole	45-5-4548	Isolated Find	EPSISF 1	N	302660	6238993	GDA 94 Zone 56
Whole	45-5-3989	Isolated Find	SW 2	N	302124	6239332	GDA 94 Zone 56

B4 Other

N/A

Schedule C: Aboriginal objects which may be harmed through the proposed works

The Aboriginal objects described in this schedule may be harmed, but only in accordance with the conditions of this AHIP (excluding any Aboriginal objects described in **Schedule A**).

C1 Harm of Aboriginal objects identified on AHIMS

Portion of Site (whole or part)	AHIMS Site ID	Site Feature	Site Name	Information access restriction? (Y/N)	Easting	Northing	Datum
Whole	45-5-4245	Artefact Scatter	CR01	N	303158	6239199	GDA 94 Zone 56
Whole	45-5-4252	Isolated Find	CR08	N	301768	6238524	GDA 94 Zone 56
Whole	45-5-3570	Artefact Scatter	ED 1	N	301922	6238801	GDA 94 Zone 56
Whole	45-5-3911	Artefact Scatter	EPCS 10	N	301503	6239403	GDA 94 Zone 56
Whole	45-5-3916	Artefact Scatter	EPCS 15	N	301915	6238088	GDA 94 Zone 56

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Whole	45-5-3984	Isolated Find	EPSW 1	N	302803	6238254	GDA 94 Zone 56
Whole	45-5-3987	Artefact Scatter	EPSW 4	N	302124	6239327	GDA 94 Zone 56
Whole	45-5-4548	Isolated Find	EPSISF 1	N	302660	6238993	GDA 94 Zone 56
Whole	45-5-3989	Isolated Find	SW 2	N	302124	6239332	GDA 94 Zone 56
Whole	45-5-4551	Artefact Scatter	SW 5	N	302759	6238518	GDA 94 Zone 56
Whole	45-5-4552	Isolated Find	SW 6	N	302584	6238657	GDA 94 Zone 56
Whole	45-5-3535	Artefact Scatter	SWRL 5	N	302757	6239032	GDA 94 Zone 56
Whole	45-5-3990	Artefact Scatter	SWRL 14	N	302406	6239226	GDA 94 Zone 56
Whole	45-5-4254	Artefact Scatter	SWRL 16	N	302792	6239029	GDA 94 Zone 56
Whole	45-5-2456	Artefact Scatter	DD 2	N	302200	6237550	AGD 66 Zone 56
Whole	45-5-3988	Artefact Scatter	EPSW 5	N	302361	6238116	GDA 94 Zone 56

C2 Areas where harm of Aboriginal objects is authorised

All Aboriginal objects in, on or under the land which are shown in **Attachment 1 of this AHIP C0001134** being the **land shaded orange and marked** by a series of GPS Coordinate points in the datum GDA94, zone 56 and shown on this map in two sheets. **This map is titled "Figure 15: AHIP application area". These activities may only occur in accordance with the conditions of this AHIP.**

DICTIONARY

In this AHIP, unless the contrary is indicated the terms below have the following meanings:

Aboriginal object	has the same meaning as in the Act.
Act	means the <i>National Parks and Wildlife Act 1974</i> .
AHIMS	means the Aboriginal Heritage Information Management System maintained by OEH, as defined in s.90Q of the Act.
AHIP	means Aboriginal Heritage Impact Permit
AHIP holder	means the entity or person listed on the cover page under the heading "AHIP issued to".
Application	means the completed application form and all other documents in written or electronic form which accompanied the application when it was lodged or which were subsequently submitted in support of the application.
Community collection	means the collection of Aboriginal objects by one or all Registered Aboriginal Parties or their representatives.
Community collection area	means an area described as a community collection area in Schedule B3
Harm	has the same meaning as in the Act. In relation to Aboriginal objects, harm means the movement, damage, defacement and/or destruction of Aboriginal objects. In relation to an Aboriginal place, harm means the damage, defacement and/or destruction of the Aboriginal place.
Land	means the land described under the heading "Land to which this AHIP applies".
No-harm areas	means those areas described in Schedule A3.
OEH	Office of Environment and Heritage (NSW).
OEH office	means the office listed on the cover page of this AHIP.
Proposed works	means the works described under the heading "D. Proposed Works" at the front of this AHIP.
Public register	means the public register established under s.188F of the Act, that contains details of AHIPs issued by the Chief Executive of OEH, as described under the heading "Information about this AHIP".
Registered Aboriginal Parties	means the Registered Aboriginal Parties listed in the application.
Salvage excavation	means an archaeological excavation carried out in accordance with the methodology accompanying the application, as modified by the conditions of this AHIP. The purpose of salvage excavation is to recover a sample of Aboriginal objects as an archival record of Aboriginal life from a site that will be destroyed.
Salvage excavation area	means any area described as a salvage excavation area in Schedule B2.
Test excavation	means an archaeological excavation carried out in accordance with

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methodology accompanying the application, as modified by the conditions of this AHIP. The purpose of test excavation is to collect a sample of Aboriginal objects, in order to establish the nature and extent of sub-surface Aboriginal objects and to assist in the assessment of management options for the site.

Test excavation area means any area described as a test excavation area in Schedule B2

INFORMATION ABOUT THIS AHIP

Public Register

Under section 188F of the Act, the Chief Executive of OEH is required to keep a public register containing the details of each AHIP issued. The details of this AHIP that will be published on the public register are outlined on the front page of this AHIP.

The public register is available online at www.environment.nsw.gov.au

Appeals

Under section 90L of the Act, the AHIP holder may appeal to the Land and Environment Court if they are dissatisfied with any condition of this AHIP. The appeal must be lodged within 21 days of the date this AHIP was issued.

Penalties for breach of the Act or AHIP condition

Significant penalties can be imposed by the Land and Environment Court for harm to an Aboriginal object or Aboriginal Place other than as authorised by a condition of an AHIP, or for a breach of an AHIP condition. OEH can also issue penalty notices for a breach of the Act or AHIP condition.

Responsibility for obtaining all approvals and compliance with applicable laws

The AHIP holder is responsible for obtaining and complying with all approvals necessary to lawfully carry out the work referred to in this AHIP, including but not limited to development consents.

Other relevant provisions of the *National Parks and Wildlife Act*

Newly identified Aboriginal objects must be notified to the Chief Executive of OEH under s.89A of the Act using the form available online at www.environment.nsw.gov.au

Stop work orders, interim protection orders and remediation directions may be issued in certain circumstances to protect Aboriginal objects or places.

Obligation to report Aboriginal remains under Commonwealth laws

The AHIP holder may have additional obligations to report any discovery of Aboriginal remains under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

Exercise of investigation and compliance powers

Officers appointed or authorised under the Act may exercise certain powers and functions, including the power to enter land.

Duration of AHIP

This AHIP remains in force for the period specified in the AHIP.

Variation of AHIP

The AHIP holder may apply to the OEH office for a variation of any conditions of an AHIP, using the AHIP variation application form available online at www.environment.nsw.gov.au. Requests for significant variations must be accompanied by evidence of further consultation with Registered Aboriginal Parties and may include payment of fees.

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The conditions of an AHIP may be varied at any time by the Chief Executive of OEH in order to correct a typographical error or to resolve an inconsistency between conditions. The AHIP holder may appeal a decision of the Chief Executive of OEH to vary the conditions of the AHIP.

Transfer of AHIP

The AHIP holder may apply to transfer this AHIP to another person by using the AHIP transfer application form available online at www.environment.nsw.gov.au.

Surrender of AHIP

The AHIP holder may apply to surrender this AHIP by using the AHIP surrender application form available online at www.environment.nsw.gov.au. The surrender must be approved by the Chief Executive of OEH and may be subject to conditions.

Suspension and revocation of AHIP

An AHIP may be suspended or revoked at any time at the discretion of the Chief Executive of OEH. Prior to suspending or revoking the AHIP, the AHIP holder will be given notice and an opportunity to make submissions. The AHIP holder will be notified in writing of the final decision. The AHIP holder may appeal a decision to revoke the AHIP.

Entry to land

An AHIP does not automatically entitle its holder to enter land for the purpose of conducting work related to the AHIP. The AHIP holder is responsible for obtaining permission to enter land from the owner and/or occupier of the land.

Disclosure of information pursuant to lawful requirement

This AHIP does not prevent the disclosure of any information or document in OEH's possession in accordance with any lawful requirement.

Making copies of reports

By providing a report, the AHIP holder acknowledges that OEH can use the information in that report to inform its regulatory functions, note details of that report in AHIMS and include a copy of the report in its library which may be available to members of the public.

OEH is able to make copies of any reports provided to OEH under this AHIP.

APPENDIX A: Restricted AHIMS Sites

There are no restricted sites relevant to this AHIP.

Attachment 1 of AHIP C0001134: Land to which the AHIP applies (shown shaded orange), in two sheets
Sheet 1/2.

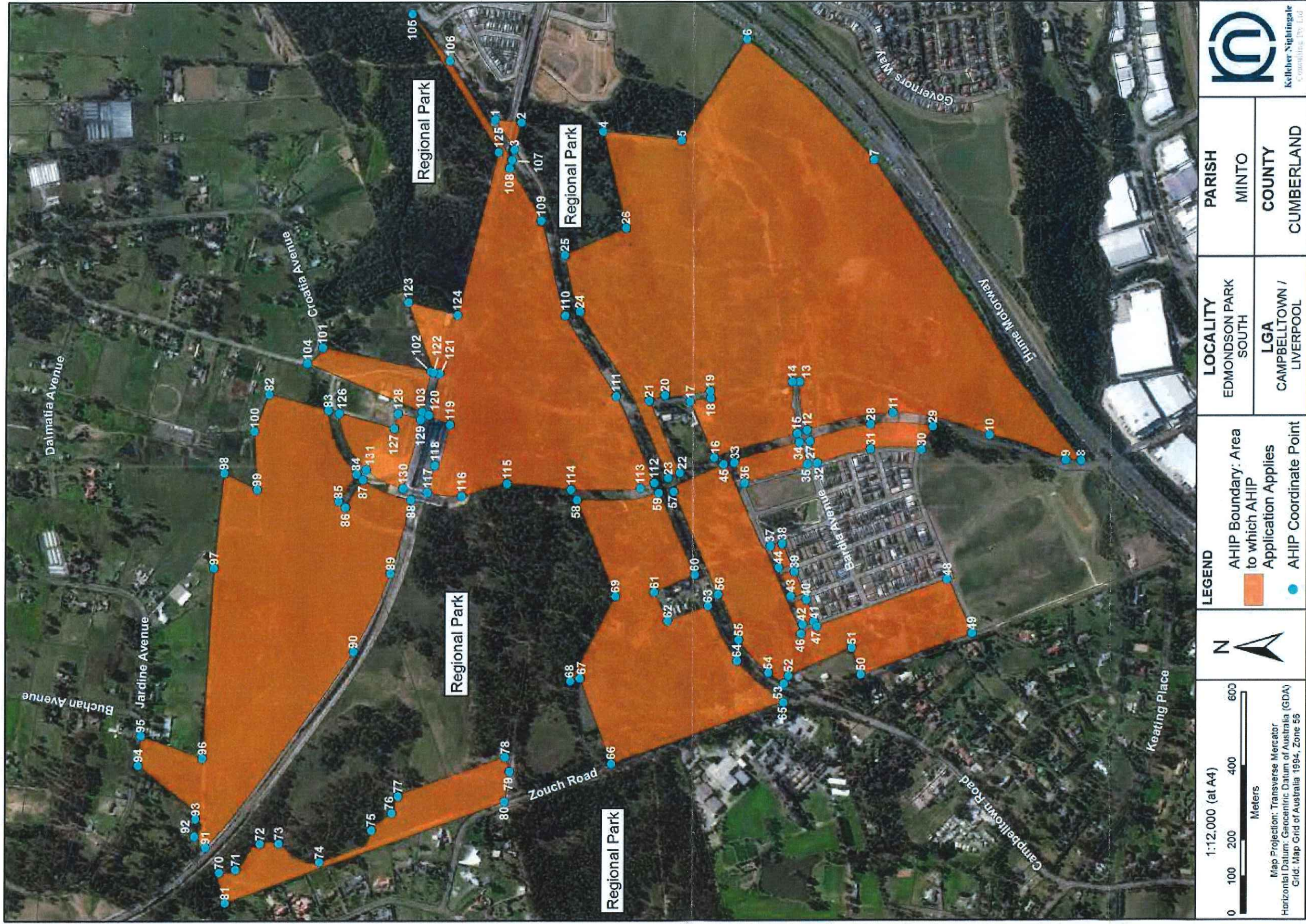


Figure 15. AHIP application area

Table 14. AHIP application coordinate points

Point ID	Easting	Northing	Point ID	Easting	Northing	Point ID	Easting	Northing
1	302968	6239036	45	302030	6238410	89	301735	6239315
2	302961	6238965	46	301569	6238198	90	301523	6239415
3	302886	6238984	47	301590	6238155	91	300992	6239816
4	302936	6238741	48	301717	6237799	92	301022	6239846
5	302912	6238528	49	301570	6237732	93	301069	6239843
6	303185	6238351	50	301459	6238034	94	301215	6240001
7	302858	6238004	51	301531	6238059	95	301295	6239994
8	302041	6237438	52	301456	6238232	96	301235	6239825
9	302041	6237480	53	301434	6238244	97	301751	6239794
10	302109	6237687	54	301464	6238287	98	302009	6239767
11	302170	6237949	55	301554	6238367	99	301964	6239678
12	302123	6238184	56	301677	6238424	100	302122	6239686
13	302255	6238204	57	301957	6238546	101	302350	6239501
14	302255	6238224	58	301934	6238809	102	302284	6239207
15	302114	6238211	59	301953	6238586	103	302174	6239231
16	302049	6238435	60	301731	6238488	104	302308	6239542
17	302201	6238502	61	301684	6238597	105	303256	6239262
18	302211	6238446	62	301605	6238561	106	303129	6239160
19	302230	6238447	63	301646	6238451	107	302858	6238990
20	302219	6238570	64	301497	6238372	108	302836	6238996
21	302204	6238613	65	301384	6238245	109	302694	6238910
22	302008	6238529	66	301218	6238714	110	302436	6238842
23	301993	6238561	67	301450	6238799	111	302216	6238704
24	302446	6238803	68	301442	6238825	112	301981	6238598
25	302600	6238844	69	301672	6238704	113	301966	6238636
26	302673	6238678	70	300923	6239778	114	301963	6238825
27	302093	6238176	71	300932	6239733	115	301979	6238999
28	302139	6238010	72	301001	6239667	116	301946	6239123
29	302132	6237839	73	301003	6239616	117	301956	6239215
30	302070	6237871	74	300952	6239506	118	302029	6239196
31	302072	6238010	75	301038	6239365	119	302140	6239155
32	302035	6238156	76	301085	6239310	120	302166	6239212
33	302035	6238381	77	301131	6239293	121	302278	6239184
34	302090	6238204	78	301236	6239002	122	302282	6239201
35	302030	6238183	79	301197	6238990	123	302472	6239270
36	301980	6238352	80	301115	6239003	124	302437	6239136
37	301808	6238281	81	300841	6239762	125	302879	6239026
38	301815	6238249	82	302223	6239646	126	302171	6239456
39	301739	6238216	83	302179	6239485	127	302130	6239306
40	301662	6238184	84	302005	6239408	128	302170	6239296
41	301602	6238164	85	301931	6239457	129	302154	6239234
42	301595	6238194	86	301915	6239438	130	301967	6239281
43	301673	6238226	87	301990	6239391	131	302018	6239381
44	301750	6238260	88	301935	6239260			

These areas are shaded yellow and labelled as sites "DD2" and "EPSW5".

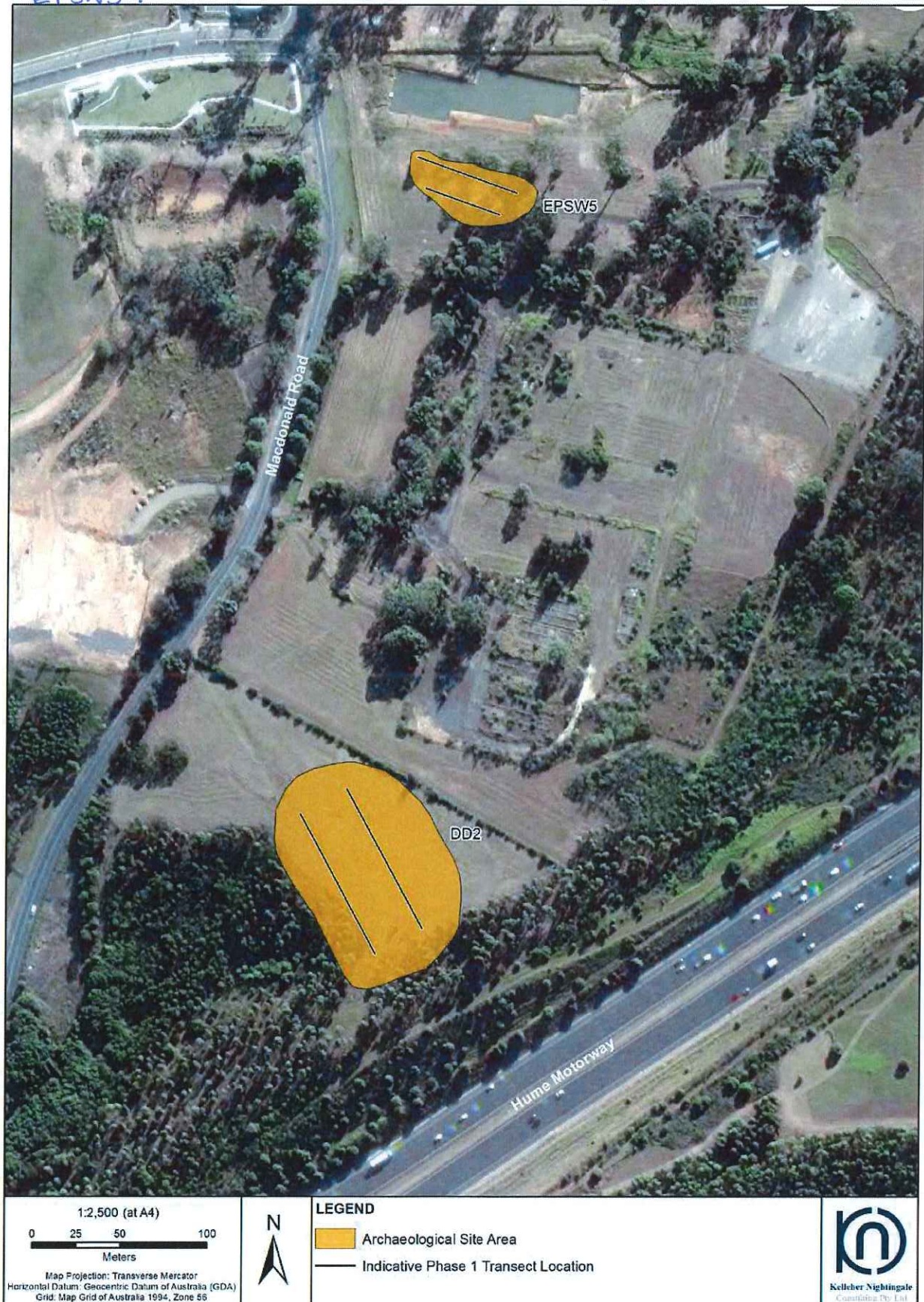


Figure 17. Aboriginal archaeological sites and indicative phase 1 transect locations

Attachment 2 of AHIP C0001134 (sheet 2 of 2): Locations where Community Collection will occur in accordance with the conditions of this AHIP. These areas are shaded blue and labelled as sites “CR01”; “CR08”; “ED1”; “EPCS 10” “EPS ISF 1” and “SW 2”.



1:10,523 (at A4)

0 100 200 400

Meters

Map Projection: Transverse Mercator
Horizontal Datum: Geocentric Datum of Australia (GDA)
Grid: Map Grid of Australia 1994, Zone 56

LEGEND

AHIP Application Boundary	Artefact Scatter Mitigation	Isolated Find Mitigation	No Mitigation Required
Surface Collection	Surface Collection		
Salvage Excavation			

N

Kelleher Nightingale
Consulting Pty Ltd