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Heritage Management Plan

for the

Howlong Sand and Gravel Quarry

LSQMS-595106899-63

Prepared by:



RWCorkery&co

April 2024



Howlong Sand and Gravel Quarry

Heritage Management Plan

IMS.600.c.02

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RWC Ref No. 1019/05g

April 2024



Document Control

Document Title	Heritage Management Plan		
Document No.	IMS.600.c.02		
Version	Issued by – Date	Distributed to	Comments Rec'd from – Date
Version 1.1	G Scullett-Dean – 19/04/2024	A McKimmie	A McKimmie – 30/04/2024
Final	Approved by:		Date:

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1. Introduction

1.1 Scope

This Heritage Management Plan (HMP) has been prepared for the Howlong Sand and Gravel Quarry (the Quarry) operated by Lima South Quarry Pty Ltd (the Company).

The Quarry Site is located approximately 2.5km to the south-east of Howlong and approximately 25km west of Albury (**Figure 1**). State Significant Development Consent (SSD-8804) was granted on 16 December 2022 for the expansion of extraction, processing, and product transport operations within the Quarry Site (the Quarry Expansion). Once commenced, SSD-8804 will supersede the development consent under which the Quarry is currently operated.

The purpose of the HMP is to outline procedures to manage and protect known Aboriginal objects and sites, monitor surface disturbance for unidentified Aboriginal objects and prevent removal or destruction of sites of heritage significance due to Quarry-related activities.

1.2 Objectives and Outcomes

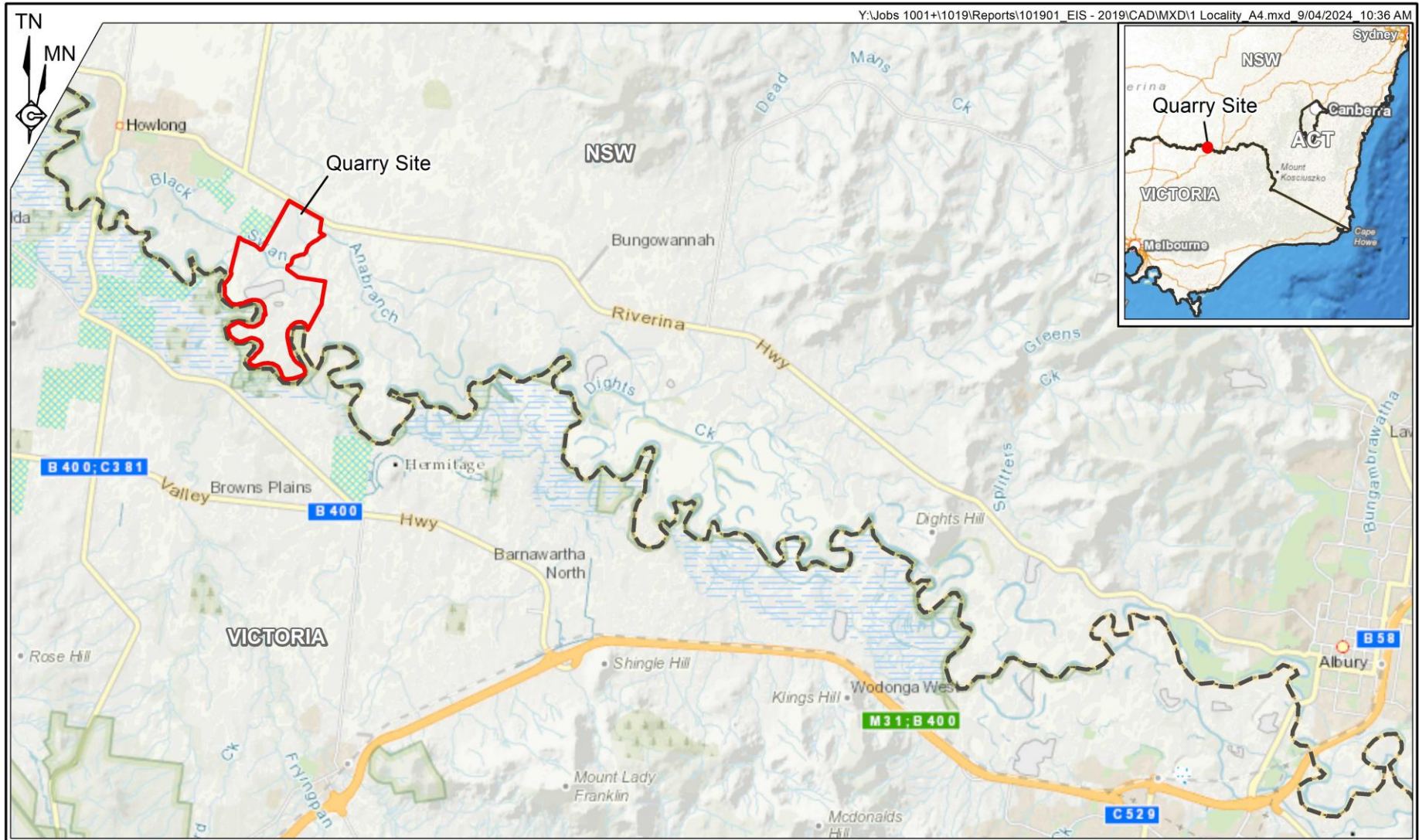
Table 1 presents the objectives and key performance outcomes for heritage management at the Quarry.

Table 1
Objectives and Key Performance Outcomes

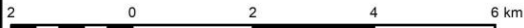
Ref No.	Objective	Key Performance Outcome/s
ENV-1000-15	Unauthorised destruction of known Aboriginal and historic heritage sites.	<ul style="list-style-type: none"> Fences are maintained; repairs undertaken as soon as practicable following identification of damage. No damage is sustained to a known heritage area. Relevant approvals are sought and granted prior to any works taking place outside approved disturbance areas. Records kept and maintained for access and monthly audits.
ENV-1000-15	Unauthorised destruction of unknown Aboriginal and historic heritage sites within approved disturbance areas.	<ul style="list-style-type: none"> Unexpected finds protocol is reviewed and updated if required in accordance with Section 9. Relevant approvals are sought and granted prior to any works taking place outside approved disturbance areas. Training provided to employees and contractors through inductions and toolbox training sessions or as circumstances change.
ENV-1000-15	Removal or destruction of sites of heritage significance due to approved activities.	<ul style="list-style-type: none"> Unexpected finds protocol is reviewed and updated if required in accordance with Section 9. Relevant approvals are sought and granted prior to any works taking place outside approved disturbance areas. Training provided to employees and contractors through inductions and toolbox training sessions or as circumstances change. Fences are maintained; repairs undertaken as soon as practicable following identification of damage. No damage is sustained to a known heritage area. Records kept and maintained for access and monthly internal audits.

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SCALE 1:125 000 (A4)



Source: Open Street Map

REFERENCE

- Quarry Site Boundary
- - - State Border

Figure 1
 LOCALITY PLAN

1.3 Consultation

Local Aboriginal Parties were consulted throughout the development of the Environmental Impact Statement (EIS) as part of SSD-8804. As a result of this consultation, the below Registered Aboriginal Parties were identified (see **Table 2**).

Table 2
Registered Aboriginal Parties

Year of Registration	Registered Aboriginal Party	Organisation	Contact
2018	Mr Sam Kirby	Albury and District Local Aboriginal Land Council	02 6025 7075
	Mr Troy McGrath	Albury and District Local Aboriginal Land Council	02 6025 7075
2020	Mr Mark Saddler	Bundy Aboriginal Cultural Knowledge	0412 693 030
	Mr Andom Rendell	Albury and District Local Aboriginal Land Council	02 6025 7075

1.4 Environmental Management Training and Responsibilities

Employees and contractors working at the Quarry are to undergo site induction training and Toolbox Training which covers issues relating to Environmental and Aboriginal heritage management issues, including:

- existence and requirements of this HMP;
- relevant legislation, including legal obligations in relation to Aboriginal cultural heritage under the *National Parks and Wildlife Act 1974*;
- location of identified heritage sites;
- heritage management and protection measures, and
- protocol in the event of an unexpected heritage find.

All personnel planning works in this field are required to consult the Company Legal Register.

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2. Environmental Management Context

2.1 Legal and Other Requirements

2.1.1 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) is the primary legislation for the protection of Aboriginal heritage in NSW. One of the objectives of the NPW Act is:

“the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people ...” (s.2A(1)(b))

Part 6 of the NPW Act provides specific protection for Aboriginal objects and places by making it an offence to harm them. Section 86 of the NPW Act outlines the penalty with respect to harming or desecrating Aboriginal objects and Aboriginal places without a relevant permit. Specifically:

- a person must not harm or desecrate an object that the person knows is an Aboriginal object;
- a person must not harm an Aboriginal object; or
- a person must not harm or desecrate an Aboriginal place.

Penalties of up to \$1,100,000 and/or 2 years imprisonment can apply for offences under Part 6.

Section 87(2) of the NPW Act provides for further defence against prosecution if due diligence in determining whether activities would harm an Aboriginal object can be demonstrated (and it has been reasonably determined that no Aboriginal object would be harmed).

2.1.2 Development Consent

State Significant Development Consent (SSD-8804) was granted on 16 December 2022 for the expansion of extraction, processing, and product transport operations within the Quarry Site (the Quarry Expansion). Once commenced, SSD-8804 will supersede the development consent under which the Quarry is currently operated. **Table 3** identifies the conditional requirements of SSD-8804 relevant to this HMP and where they are addressed.

Table 3
SSD-8804 Requirements Relating to Heritage

Page 1 of 2

Cond No.	Requirement	Plan Section
B46	The Applicant must ensure that the development does not cause any direct or indirect impact on any identified Aboriginal object located outside the approved disturbance areas, beyond those predicted in the document/s listed in condition A2(c).	6
B47	If any previously unknown Aboriginal object or Aboriginal place is discovered on the site, or suspected to be on the site: (a) All work in the immediate vicinity of the object or place must cease immediately, (b) A 10 metre buffer area around the object or place must be cordoned off, and (c) Heritage NSW and the Department must be contacted immediately.	7.1

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Table 3 (Cont'd)
SSD-8804 Requirements Relating to Heritage

Page 2 of 2

Cond No.	Requirement	Plan Section
B48	Work in the immediate vicinity of any newly discovered Aboriginal object or place may only recommence if: (a) The potential Aboriginal object or place is confirmed by Heritage NSW, in consultation with the Registered Aboriginal Parties not to be an Aboriginal object or Aboriginal place; or (b) The Planning Secretary is satisfied as to the measures to be implemented in respect of the Aboriginal object or place and makes a written direction in that regard.	7.1
B49	The Applicant must ensure: (a) That all known Aboriginal objects or Aboriginal places on the site are properly recorded, those records are kept up to date and are reported to the Aboriginal Heritage Information Management System; (b) Ensure all workers receive suitable Aboriginal cultural heritage training/inductions prior to carrying out any activities which may cause impacts to Aboriginal objects or places, and that suitable records are kept of these inductions; and (c) Facilitate ongoing consultation and involvement of Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.	2.2.1, 7.1 1.4 1.3, 5.5

2.1.3 Statement of Commitments

The Company's commitments to environmental management at the Quarry are presented in the *Summary of Management and Mitigation Measures* appended to the *Submissions Report* (RWC, 2022).

Table 4 identifies the Quarry's commitments relevant to this HMP and where they are addressed. In accordance with Condition A4 of SSD-8804, where there is any inconsistency, ambiguity or conflict between these commitments and the conditions of SSD-8804, the conditions of SSD-8804 prevail.

Table 4
Statement of Commitments – Heritage

Measure	Timing	Document Reference
Fence off the Howlong 1 artefact scatter to avoid inadvertent disturbance.	Prior to the commencement of operations	5.2
Prepare and implement an unexpected find protocol.		7.1
Educate all relevant personnel, contractors and subcontractors regarding their legal obligations in relation to Aboriginal cultural heritage under the <i>National Parks and Wildlife Act 1974</i> through an on-site toolbox talk or induction.		1.4

2.2 Cultural Heritage Context

2.2.1 Known Aboriginal Heritage Sites

During surveys conducted for the EIS, no artefacts, sites or areas of Aboriginal cultural value were identified within Quarry disturbance areas.

However, one Aboriginal heritage site (Howlong 1) was located during the archaeological survey 200m north of the Stage 4 extraction area of the Quarry Expansion (see **Figure 2**). This site has been registered in the Aboriginal Heritage Information Management System (AHIMS) as site number 60-3-0134. The site is an open campsite represented by a scatter of eight quartz artefacts and a ‘meta/sed’ core recorded on the bank of a flood channel. The distribution of artefacts follows the north-south orientation of the dune crest over a distance of 70m. The eight artefacts were all flakes or flaked pieces <2cm.

The site would not be disturbed under the Quarry Expansion and has been fenced off to provide protection from heavy vehicles and equipment accidentally entering the site. Fencing for the site is audited under the monthly Quarry Audit IMS-1000-09 Internal Audit and Review.

2.2.2 Known Historic Heritage Sites

At present there are no known historic heritage sites within the Quarry Site.

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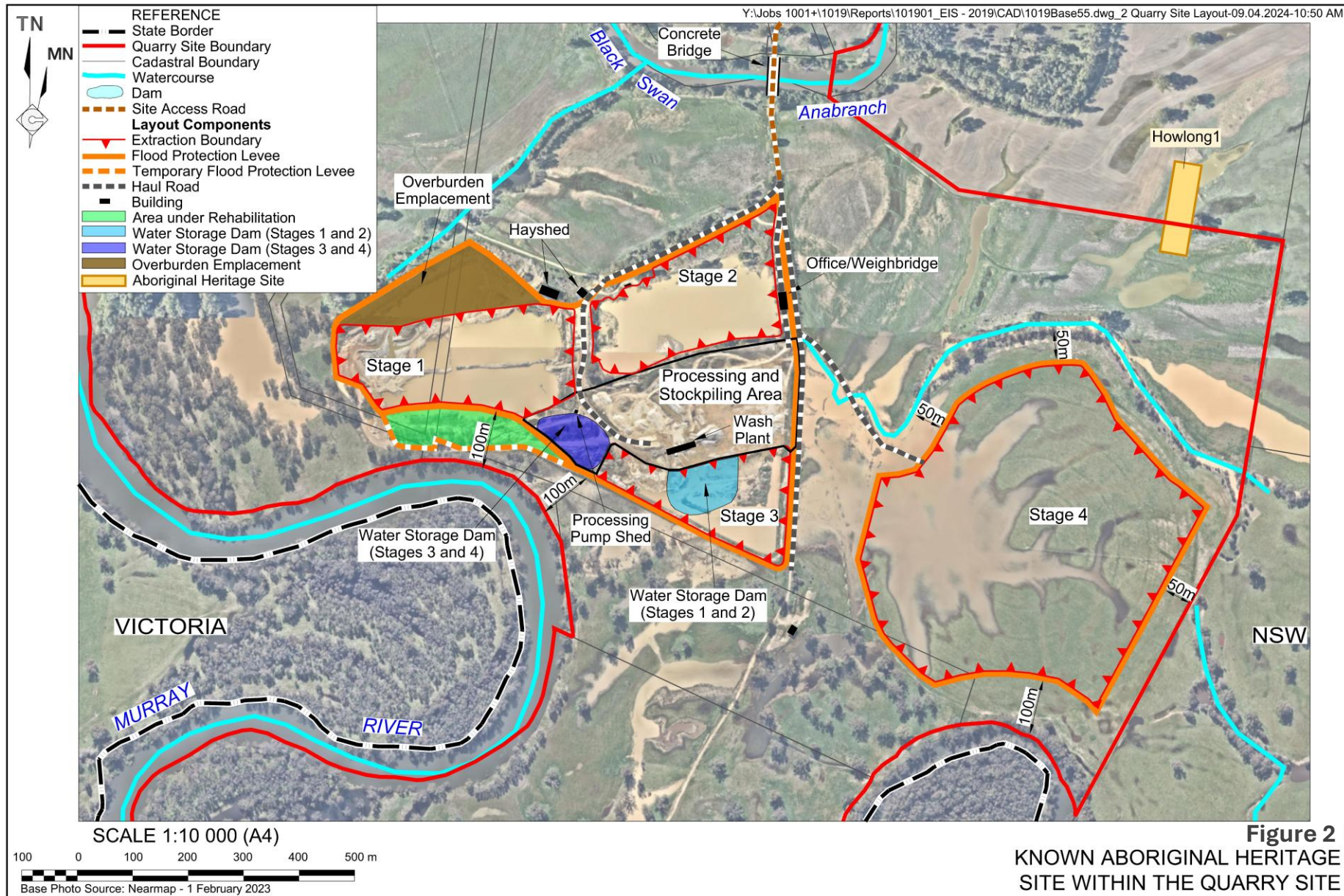


Figure 2
 KNOWN ABORIGINAL HERITAGE
 SITE WITHIN THE QUARRY SITE

4. Approved Activities

SSD-8804 approves the processing of up to 300,000tpa of Quarry products over a period of 30 years. Quarrying operations will occur within the Quarry Site (see **Figure 2**) over four stages of development and include the following approved activities.

- Extraction of sand and gravel resource using free dig or dredging techniques within existing (Stage 1, 2) and new (Stage 3, 4) Extraction Areas.
- Use of the existing screening equipment and wash plant to process raw materials to meet client specifications. Occasional use of a mobile crushing plant (up to four times per year) to provide primary shaping of the select material before screening.
- Road transportation of Quarry products via Howlong, to a maximum of 40 laden trucks per day.
- Progressive emplacement of overburden or fine materials in completed Extraction Areas and rehabilitation areas.
- Progressive and final rehabilitation of the Quarry Site in accordance with the *Rehabilitation Management Plan* to develop a landform suitable for native vegetation conservation and as a wetland.

Approved activities relevant to this HMP include the following.

- Fencing of one Aboriginal heritage site (Howlong 1, see Section 5.2) to provide protection from inadvertent disturbance.
- An Unexpected Finds Protocol (Section 7.1) will be in place should any previously unidentified item of heritage significance be located within disturbance areas.

4.1 Site Establishment and Construction

No works are to take place outside the approved disturbance area of the Quarry.

Approved extraction areas have been determined by a licenced surveyor (Spiire Surveying and Spatial). All drawings produced during this process are held within the Company's Management System. Approved extraction areas have barber poles installed to delineate the extent of area of Pits 1, 2 and 3. Pit 4 will also be delineated prior to any physical works related to the Quarry Expansion.

5. Potential Heritage Impacts and Risks

The Assessment of Environmental Risk was prepared as part of the Environmental Impact Statement (RWC, 2020) for the Quarry Expansion. In summary, risk sources are identified and the potential consequences of the identified risk and the risk rankings are presented assuming standard controls together with the management and control measures identified in Section 6. The Assessment of Environment Risk was developed generally in accordance with Standards Australia ‘HB 203:2012 Managing environment-related risk’.

The four risk rankings are defined as follows.

Low (L): requiring a basic level of control for potential residual impacts. Any residual impacts are unlikely to have any major impact on the local environment or stakeholders.

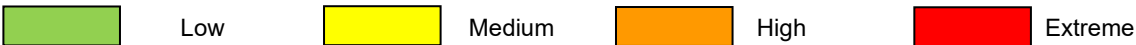
Medium (M): requiring a medium level of management controls for potential residual impacts. It may result in impacts deemed unacceptable to some local or government stakeholders.

High (H): requiring high-level documentation of the controls and mitigation measures.

Extreme (E): requiring high-level documentation of the controls and mitigation measures and preparation of a specialised management plan.

A summary of the risk analysis for heritage is presented in **Table 4**, showing all heritage-related risks are classified as ‘Low’.

Table 5
Heritage Risk Assessment

Risk Source(s)	Receiver / Surrounding Environment	Potential Consequence	Potential Impact (Assuming Management Measures Adopted [^])	Risk
Removal or destruction of known Aboriginal sites and /or artefacts	Local archaeological setting	Damage or destruction of Aboriginal artefacts or site	Damage or destruction of known Aboriginal artefacts or site.	L
			Destruction of site not yet identified on archaeological record.	L
			Cumulative reduction of the <i>in-situ</i> archaeological record.	L
Removal or destruction of currently unidentified Aboriginal sites and /or artefacts				L
Removal or destruction of sites of historic heritage significance due to Quarry-related activities		Loss or damage to historic heritage sites	Loss or destruction of items of heritage significance	L
				
[^] See Section 5				

5.1 Performance Indicators and Criteria

SSD-8804 does not provide any specific performance indicators or criteria for the management of Aboriginal cultural and historic heritage at the Quarry. Therefore, the heritage-related environmental performance of the Quarry will be measured by evaluating achievement of the objectives and key performance outcomes presented in Section 1.2, as well as the following Key Performance Indicators (KPI).

- No damage to fencing installed surrounding the known Aboriginal heritage site.
- Access to at-risk areas is prevented for heavy vehicles and earthmoving equipment.
- Unexpected Finds Protocol is implemented when required (see Section 7.3).
- Relevant approvals are sought and granted prior to any works taking place outside approved disturbance areas.
- All breaches or near misses are reported and documented.
- Monthly audits are carried out by Quarry Management.
- Training is provided to all employees and contractors.

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6. Management Measures

6.1 Site Security and Access

There are two levels of access provided for the Quarry Site. The first being a security gate on the access road when entering from the Riverina Highway, the second being the fenced off Quarry Site. This area is locked outside normal operating hours.

All known heritage areas are located outside the approved disturbance areas of the Quarry Site. Access to these areas requires approval from the Quarry Manager and the relevant landowner. Access without both approvals in place will invoke disciplinary action.

6.2 Avoidance of Known Aboriginal Heritage Site

As identified in Section 2.2.1, one Aboriginal heritage site (Howlong 1) was located on the boundary of the Quarry Site more than 200m north of the Stage 4 area of the Quarry Expansion. The site has been fenced off to provide protection from inadvertent disturbance.

Employees and contractors will be made aware of any known heritage sites and their relevant legal obligations under the *National Parks and Wildlife Act 1974* during the site induction for the Quarry (see Section 1.4).

6.3 Disturbance Limits

Approved disturbance areas have been determined by a licenced surveyor (Spiire Surveying and Spatial). All drawings produced during this process are held within the Company's Management System.

Approved extraction areas have barber poles installed to delineate the extent of area of Pits 1, 2 and 3. Pit 4 will also be delineated prior to any physical works related to the Quarry Expansion. Barber poles will be monitored as part of the monthly audit program (see Section 6) to ensure poles remain visible and no structural damage has occurred.

Disturbance is to be contained within the delineated areas, and limited to a depth of 119 metres AHD. Relevant approvals must be sought and granted prior to any works taking place outside approved disturbance areas.

6.4 Reporting

In accordance with Condition B49 of SSD-8804, the Quarry will ensure all known Aboriginal objects or Aboriginal places on the site are properly recorded, those records are kept up to date and are reported to the Aboriginal Heritage Information Management System.

Instances of KPIs not being met are reported through Workmetrics to Quarry management.

Monitoring of KPIs is conducted by Quarry management who report monthly to the senior leadership team. Performance against KPIs is an agenda item during the senior leadership team meetings held on a monthly basis.

If required, Quarry management will immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident in accordance with Section 8.1.

6.5 Ongoing Consultation with Registered Aboriginal Parties

Consultation with the RAPs identified in Section 1.3 will be undertaken on an as required basis or as deemed necessary to meet commitments.

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7. Monitoring

Monitoring is undertaken within the Quarry Site to meet the requirements of agencies such as the Resources Regulator, EPA, DPHI, BCD, and Council.

Auditing is also carried out to meet the requirements of the Company's Quality, Environmental and Safety certifications.

SSD-8804 does not provide any specific requirements for monitoring of Aboriginal cultural and historic heritage sites at the Quarry. Notwithstanding, on-site monitoring relevant to heritage sites consists of the following,

- Informal monitoring is carried out on a daily basis by Quarry employees.
- Formal monitoring and auditing is carried out on a monthly basis by Quarry management. Barber poles surrounding the identified Aboriginal heritage site (see Section 5.2) will be monitored as part of the monthly audit program to ensure poles remain visible and no structural damage has occurred.

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8. Reactive Management

8.1 Unexpected Finds Protocol

Should any unanticipated Aboriginal object or skeletal remains be encountered during construction or operation of the Quarry, the protocol described in **Table 6** will be implemented immediately. Work will not recommence in the location of the site until Heritage NSW and/or the NSW Police has confirmed the proposed management and consultation is acceptable. In accordance with Condition B49 of SSD-8804, the Quarry will ensure all known Aboriginal objects or Aboriginal places on the site are properly recorded, those records are kept up to date and are reported to the Aboriginal Heritage Information Management System.

Similarly, should a previously unidentified historic heritage site be encountered during construction or operation of the mine, work will stop immediately in the vicinity and the site protected from any further inadvertent impact. The find will be reported to Heritage NSW and a suitably qualified archaeologist who will assess the significance of the site and provide recommendations for management.

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Table 6
Unexpected Finds Protocol

Action / Observation	Notification / Reporting	Timing
Identification		
Material observed, and work ceased in the vicinity of the object.	Quarry Manager notified.	Immediately upon identification.
A 10m buffer area around the object is cordoned off to prevent access.	None	Immediately upon identification.
Skeletal Remains		
Material is human remains	Notification given via phone to: NSW Police (000) Heritage NSW Environment Line (131 555, (02) 9873 8500)	Immediately upon identification.
Commission an archaeologist to assess remains in consultation with RAPs.	Notification given via phone/letter/email to RAPs.	Once remains are identified as of Aboriginal origin.
	Management strategy and reporting prepared in consultation with Heritage NSW and RAPs if remains are of Aboriginal origin.	As agreed with relevant parties.
Artefactual Material		
Material is artefactual	Notification given via phone to Heritage NSW (131 555, (02) 9873 8500)	Immediately upon identification.
Commission an archaeologist to undertake an assessment of the material in consultation with the RAPs.	Notification given via phone/letter/email to RAPs,	Once material is confirmed to be of Aboriginal origin.
	Outcomes to be notified to Heritage NSW.	To be confirmed with Heritage NSW.
Implement recommendations of assessment in consultation with the RAPs.	Documentation to be prepared by archaeologist describing the outcomes of assessment.	To be confirmed with authorities and RAPs.
	Outcomes to be notified to Heritage NSW.	
Re-Commence Extraction Works		
Approval in writing is given by the NSW Police or Heritage NSW to recommence works in the affected area.	Notification given to the following groups: <ul style="list-style-type: none"> • RAPs • Heritage NSW 	Once outcomes of management strategies or assessment are resolved, or material is formally identified to not be artefactual.

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9. Management of Compliance

9.1 Incident and Non-compliance Management

All incidents or non-compliance matters will be raised through the Quarry Safety Culture system. The Quarry Manager is responsible for ensuring issues raised are identified and submitted as required through the Safety Culture system.

In accordance with Condition C7 of SSD-8804, the Company will immediately notify the Department and any other relevant agencies immediately after it becomes aware of an incident. The notification must be in writing through the Department's Major Projects website and identify the development (including the development application number and name) and set out the location and nature of the incident.

Issues of regulatory non-compliance must also be reported in the appropriate time frames and consultation with the relevant regulatory body commenced as required.

An investigation into the cause of the non-compliance will be undertaken involving the personnel involved, supervisory personnel, relevant Manager and/or Environment Manager.

The investigation will review all reasonable and feasible steps which may be taken to:

- correct the activity resulting in the non-compliance; and
- prevent recurrence.

Within seven days of becoming aware of a non-compliance, a report will be prepared and submitted to the DPHI and EPA summarising the investigation and proposed corrective and preventative measures.

If the incident was identified following receipt of complaint, the complainant will be provided with a report confirming the incident, source or cause of the incident, actions taken and ongoing management to prevent subsequent incident at the earliest opportunity.

9.2 Annual Review, Reporting and Publishing

In accordance with Condition C9 of SSD-8804, by the end of March in each year after the commencement of Project, or other timeframe agreed with the Planning Secretary, an Annual Review will be submitted to DPHI reviewing the environmental performance of the development.

The approach to preparing and the contents of the Annual Review are described in the *Environmental Management Strategy* and are not repeated here.

Heritage-related matters that will be reported in the Annual Review include the following as relevant for the reporting period.

- Any changes to heritage management that occurred as part of operations during the reporting period and any proposed for the next reporting period.

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- A review of any incidents or complaints that relate to heritage management during the reporting period.
- A statement regarding compliance with heritage-related conditions of consent for the reporting period.

The Annual Review will be submitted to Council and the NSW DCCEE – Water and made available on the Company website. This HMP and any other relevant assessment documents relating to heritage will be published on the Company website. The Environmental Superintendent will be responsible for ensuring information on the website is kept up to date on a regular basis.

9.3 Independent Environmental Audit

In accordance with Condition C11 of SSD-8804, the Company will commission an Independent Environmental Audit of the Quarry within one year of physical commencement under SSD-8804, and every three years after, unless the Planning Secretary directs otherwise.

The audit process is described in detail in the *Environmental Management Strategy* and is not repeated here.

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10. Plan Review and Continual Improvement

This HMP provides specific management measures to ensure that Quarry works are carried out to manage the heritage components of this quarrying operation in a responsible and sensitive manner.

Implementing the HMP effectively will ensure that the Quarry meets Regulatory and Company requirements in a systematic manner and continually improves its performance.

Review of this HMP is to take place following any incidents, Independent Environmental Audits, or modifications to the Quarry.

As part of the continual improvement of the Quarry any major changes to this HMP are to involve consultation with the RAPs identified in Section 1.3.

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11. References

R.W. Corkery & Co. Pty Limited (RWC) (2020). *Environmental Impact Statement*. Prepared for Fraser Earthmoving Construction Pty Ltd, March 2020

R.W. Corkery & Co. Pty Limited (RWC) (2022). *Submissions Report*. Prepared for Fraser Earthmoving Construction Pty Ltd, February 2022

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