



# APPENDIX B5

## Heritage Management Plan

### *The Northern Road Upgrade - Stage 3 North Project*

MARCH 2017


## Document control

File name	HMP Rev2 TNR3N.doc
Report name	The Northern Road Upgrade Stage 3 North Heritage Management Plan
Revision number	2

Plan approved by:

  
[signed] 29/3/17  
Adrian Pearse

  
[signed] 29/3/17  
Hari Corliss

  
[signed] 13/4/17  
Siva Sivasubramaniam

Contractor PD

Contractor Environment  
Manager

RMS representative

## Revision history

Revision	Date	Description	Approval
0	06/12/2016	Draft	HC
1	03/02/2017	Submission for RMS Review	HC
2	29/03/2017	Finalised following RMS Review	HC

## Distribution of controlled copies

Copy no.	Issued to	Version
1	Lorryn Williamson (Lendlease NSW/ACT Environment and Sustainability Manager)	Rev 2
2	Adrian Pearse – Project Director	Rev 2
3	Siva Sivasubramaniam – RMS Representative	Rev 2
4	Owen Clark – RMS Senior Environment Officer	Rev 2

# Contents

1	Introduction .....	1
1.1	Context .....	1
1.2	Background .....	1
1.3	Environmental management systems overview.....	1
2	Purpose and objectives .....	2
2.1	Purpose .....	2
2.2	Objectives .....	2
2.3	Targets.....	2
3	Environmental requirements .....	3
3.1	Relevant legislation and guidelines .....	3
3.2	REF Environmental Safeguards.....	4
4	Aboriginal consultation .....	6
4.1	Consultation undertaken to date .....	6
4.2	Ongoing consultation .....	6
5	Existing environment .....	7
5.1	Aboriginal cultural heritage .....	7
5.2	Non-Aboriginal heritage.....	7
6	Environmental aspects and impacts .....	8
6.1	Construction activities.....	8
6.2	Aboriginal cultural heritage impacts .....	8
6.3	Non-Aboriginal heritage impacts.....	8
6.4	Environmental mitigation and management measures .....	9
7	Compliance management.....	13
7.1	Roles and responsibilities .....	13
7.2	Training .....	13
7.3	Monitoring and inspections.....	13
7.4	Auditing.....	13
7.5	Reporting .....	14
8	Review and improvement .....	15
8.1	Continuous improvement .....	15
8.2	HMP update and amendment .....	15

## Tables

Table 3-1	REF Environmental Safeguards relevant to the HMP .....	4
Table 5-1	Archaeological sites (south to north) .....	7
Table 6-1	Aboriginal archaeology - impacts and management .....	8
Table 7-1	Heritage management and mitigation measures .....	10

## **Appendices**

### **Appendix A RMS Standard Management Procedure – Unexpected Heritage Items**

## Glossary / Abbreviations

CEMP	Construction Environmental Management Plan
DP&I	Department of Planning and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
EWMS	Environmental Work Method Statements
HMP	Heritage Management Plan
NPW Act	<i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
AHIP	Aboriginal Heritage Impact Permit
CHAR	Aboriginal Cultural Heritage Assessment Report
Project, the	The Northern Road Upgrade Stage 3 North
REF	Review of Environmental Factors
RMS	Roads and Maritime Services

# 1 Introduction

## 1.1 Context

---

This Heritage Management Plan (HMP or Plan) forms part of the Construction Environmental Management Plan (CEMP) for the Northern Road Upgrade Stage 3 North (the Project).

This HMP has been prepared to address the requirements of the Review of Environmental Factors (REF) and all applicable legislation.

## 1.2 Background

The REF assessed the impacts of construction and operation of the Project on Aboriginal and non-Aboriginal heritage.

As part of the REF development, a detailed Aboriginal Cultural Heritage Assessment Report (CHAR) was prepared by Kelleher Nightingale consulting Pty Ltd. The CHAR was included in the REF as Appendix J. The REF identified direct and indirect impacts on Aboriginal archaeological and cultural sites, but concluded that provided the proposed mitigation and management measures are implemented, no significant long-term impacts would be expected.

The REF also considered potential impacts to non-Aboriginal Heritage items/locations. It was concluded that no heritage items of significance were identified within the study area and that it is unlikely that the Project will impact on non-Aboriginal heritage.

## 1.3 Environmental management systems overview

The overall Environmental Management System for the Project is described in the Construction Environmental Management Plan (CEMP).

The HMP is part of the Lendlease environmental management framework for the Project, as described in *Section 4.1 of the CEMP*. Management measures identified in this Plan will be incorporated into site or activity specific Environmental Work Method Statements (EWMS).

Where required, EWMS will be developed and signed off by environment and management representatives prior to associated works and construction personnel will be required to undertake works in accordance with the identified mitigation and management measures.

Used together, the CEMP, strategies, procedures and EWMS form management guides that clearly identify required environmental management actions for reference by Lendlease personnel and contractors.

The review and document control processes for this Plan are described in *Chapter 10 of the CEMP*.

## 2 Purpose and objectives

### 2.1 Purpose

The purpose of this Plan is to describe how Aboriginal and non-Aboriginal heritage will be protected and managed during construction of the Project.

### 2.2 Objectives

The key objective of the HMP is to ensure that impacts to Aboriginal and non-Aboriginal heritage are minimised and within the scope permitted by the approval instruments, including the Aboriginal Heritage Impact Permit(s) (AHIP) applicable to the Project works. To achieve this objective, the following will be undertaken:

- Facilitate engagement with the local Aboriginal community in partnership with RMS to appropriately manage the Aboriginal cultural heritage values associated with the Project;
- Ensure appropriate controls and procedures are implemented during construction activities to avoid or minimise potential adverse impacts to Aboriginal and non-Aboriginal heritage along the Project corridor;
- Ensure Project staff are trained in Aboriginal Cultural Heritage Awareness;
- Ensure appropriate measures are implemented to address the relevant REF Environmental Safeguards in *Table 3.2*; and
- Ensure appropriate measures are implemented to comply with all relevant legislation and other requirements as described in *Section 3.1* of this Plan.

### 2.3 Targets

The following targets have been established for the management of Aboriginal cultural heritage and non-Aboriginal heritage impacts during the Project:

- 100% compliance with the relevant legislative requirements;
- No impacts to any known Aboriginal and non-Aboriginal heritage site;
- All unknown heritage finds notified and management in accordance with the RMS Standard Procedure – Unexpected Heritage Items; and
- Aboriginal Cultural Heritage Awareness Training will be provided to all personnel in the form of inductions before they begin work on-site.

## 3 Environmental requirements

### 3.1 Relevant legislation and guidelines

#### 3.1.1 Legislation

Legislation relevant to heritage management includes:

- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- *National Parks and Wildlife Act 1974* (NPW Act);
- *Heritage Act 1977* (Heritage Act);
- *Environment Protection Biodiversity Conservation Act, 1999* (EPBC Act) (Commonwealth); and
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Commonwealth).

Relevant provisions of the above legislation are explained in the register of legal and other requirements included in *Appendix A1* of the CEMP.

#### 3.1.2 Guidelines

The main guidelines, specifications and policy documents relevant to this Plan include:

- *RMS QA Specification G36 – Environmental Protection* (Management System);
- *RMS Standard Procedure – Unexpected Heritage Items* (March 2015);
- *Procedure for Aboriginal Cultural Heritage Consultation and Investigation* (RMS 2011);
- *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010) (for reference only);
- *Altering Heritage Assets* (Heritage Office and DUAP 1996);
- *Assessing Heritage Significance* (NSW Heritage Office 2001);
- *RTA Heritage Guidelines* (March 2004);
- *Archaeological Assessment Guidelines* (NSW Heritage Office and NSW Department of Urban Affairs and Planning 1996);
- NSW Government's *Aboriginal Participation in Construction Guidelines* (2007);
- *How to Prepare Archival Recording of Heritage Items* (Heritage Branch 1998); and
- *Photographic Recording of Heritage Items Using Film or Digital Capture* (Heritage Branch 2006).

#### 3.1.3 Permits

- Aboriginal Heritage Impact Permit (AHIP) No. C0002492 obtained on Wednesday 22<sup>nd</sup> February 2017 under the *National Parks and Wildlife Act 1974* (NPW Act); and
- Aboriginal Heritage Impact Permit (AHIP) No. C0002113 obtained on 5th September 2016 under the *National Parks and Wildlife Act 1974* (NPW Act).



## 3.2 REF Environmental Safeguards

The REF Environmental Safeguards relevant to this Plan are listed Table 3-1 below. A cross reference is also included to indicate where the condition is addressed in this Plan or other Project management documents.

**Table 3-1 REF Environmental Safeguards relevant to the HMP**

REF Environmental Safeguard.	Condition Requirements	Document Reference
AH1	<i>An Aboriginal Heritage Management Plan (AHMP) will be prepared in accordance with the Procedure for Aboriginal Cultural Heritage Consultation and Investigation (Roads and Maritime, 2012) and Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented for managing impacts on Aboriginal heritage. The AHMP will be prepared in consultation with all relevant Aboriginal groups.</i>	<i>This document</i>
AH2	<i>The Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) will be followed in the event that an unknown or potential Aboriginal object/s, including skeletal remains, is found during construction. This applies where Roads and Maritime does not have approval to disturb the object/s or where a specific safeguard for managing the disturbance (apart from the Procedure) is not in place. Work will only re-commence once the requirements of that Procedure have been satisfied.</i>	<i>Appendix A of this HMP</i>
AH3	<i>All personnel working on site will receive training to ensure awareness of requirements of the Aboriginal Heritage Management Plan and relevant statutory responsibilities. Site- specific training will be given to personnel when working in the vicinity of identified Aboriginal heritage items.</i>	<i>Section 7.2 of this HMP</i>
AH4	<i>An AHIP for the proposal area is required under Part 6 of the NPW Act, for all Aboriginal sites that will be directly or indirectly impacted, prior to any construction activities. Construction activities will not commence until the AHIP for the proposal area and the M4MM AHIP are in place.</i>	<i>Section 3.1.3 of this HMP</i>
H1	<i>A Non-Aboriginal Heritage Management Plan (NAHMP) will be prepared and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented to avoid and mitigate impacts on non-Aboriginal heritage.</i>	<i>This document</i>
H2	<i>The Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) will be followed in the event that any unexpected heritage items, archaeological remains or potential relics of non-Aboriginal origin are encountered. Work will only re-commence once the requirements of that Procedure have been satisfied.</i>	<i>Appendix A of this HMP</i>

REF Environmental Safeguard.	Condition Requirements	Document Reference
<i>H3</i>	<i>Non-Aboriginal heritage awareness training must be provided for all contractors and personnel prior to commencement of construction to outline the identification of potential heritage items and associated procedures to be implemented in the event of the discovery of non-Aboriginal heritage materials, features or deposits (that is, unexpected finds), or the discovery of human remains.</i>	<i>Section 7.2 of this HMP</i>

## **4 Aboriginal consultation**

### **4.1 Consultation undertaken to date**

Consultation and collaboration with registered Aboriginal stakeholders has been integral to the assessment and management of Aboriginal cultural heritage for the Project. Consultation is outlined in the REF.

This Heritage Management Plan will be provided to the registered Aboriginal Parties (RAP's) for review and comment. This HMP will be updated to include comments where applicable and to document the consultation undertaken.

### **4.2 Ongoing consultation**

In addition to consultation with RAP's around the development of the HMP, ongoing consultation will be undertaken in accordance with any conditions detailed within the AHIP's issued to the project and following the unexpected discovery of an Aboriginal heritage item in accordance with the RMS Unexpected Heritage Items Procedure (Appendix A).

## 5 Existing environment

The following sections summarise what is known about Aboriginal and non-Aboriginal heritage within and adjacent to the Project corridor.

The key reference document is the REF.

### 5.1 Aboriginal cultural heritage

#### 5.1.1 Aboriginal heritage sites

The Project would have direct, indirect and potential impacts on various identified archaeological sites – refer Table 5-1. Refer also to the Sensitive Area Maps included in Appendix A5 of the CEMP.

**Table 5-1 Aboriginal heritage sites (south to north)**

Name	Scientific Significance	Aboriginal Significance
<i>M4-17A Northern Road East</i>	<i>Low</i>	<i>Low</i>
<i>M4-17B Northern Road East</i>	<i>Low</i>	<i>Low</i>
<i>M4-17C Northern Road East</i>	<i>Low</i>	<i>Low</i>
<i>Mulgoa Mulgoa 1 Northern Road</i>	<i>Low</i>	<i>Low</i>

The Project alignment was changed to avoid impacting one known Aboriginal Heritage site of moderate significance (TNR AFT 32). TNR-32 will be protected throughout construction with sensitive area fencing and 'no-go' zone signage.

The locations of all known Aboriginal heritage sites are shown on the Sensitive Area Plans located in Appendix A5 of the CEMP.

#### 5.1.2 Cultural sites

No cultural sites were identified through the cultural assessment and consultation process undertaken for the REF.

### 5.2 Non-Aboriginal heritage

No Non-Aboriginal heritage items were identified during the assessments undertaken for development of the REF. However, one area identified as having potential heritage significance could not be accessed as part of this assessment. Survey Area 8 (refer REF) is required to be subject to further field investigation and significance assessment prior to construction works commencing.

## 6 Environmental aspects and impacts

### 6.1 Construction activities

Key aspects of the Project that could result in adverse impacts to Aboriginal and Non-Aboriginal heritage include:

- Early works including non-substantial construction activities such as services relocations;
- Initial clearing and/or grubbing of vegetation;
- Initial removal of topsoil;
- Construction of site compounds and spoil / mulch and / or equipment stockpile areas; and
- Temporary access roads during construction.

Refer to *Appendix A2 of the CEMP – Aspects and Impacts Register*.

### 6.2 Aboriginal cultural heritage impacts

Table 6-1 summarises identified impacts and management measures in relation to Aboriginal archaeological sites.

**Table 6-1 Aboriginal archaeology - impacts and management**

Name	Impact	Management
<i>M4-17A Northern Road East</i>	<i>Direct impact</i>	<i>AHIP</i>
<i>M4-17B Northern Road East</i>	<i>Direct impact</i>	<i>AHIP</i>
<i>M4-17C Northern Road East</i>	<i>Direct impact</i>	<i>AHIP</i>
<i>Mulgoa Mulgoa 1 Northern Road</i>	<i>Direct impact</i>	<i>AHIP</i>

### 6.3 Non-Aboriginal heritage impacts

Of the areas assessed and surveyed, there were no heritage items of significance identified within the study area. However, one area identified as having potential heritage significance could not be accessed as part of this assessment. Survey Area 8 (refer REF) is required to be subject to further field investigation and significance assessment prior to construction works commencing.

## **6.4 Environmental mitigation and management measures**

A range of environmental requirements and control measures are identified in the various environmental documents, including the REF and other RMS documents. Specific measures and requirements to address impacts on Aboriginal and non-Aboriginal heritage are outlined in Table 6-2.

**Table 6-2 Heritage management and mitigation measures**

ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
<b>ABORIGINAL HERITAGE MANAGEMENT / MITIGATION MEASURES</b>					
AH1	<i>An Aboriginal Heritage Management Plan (AHMP) will be prepared in accordance with the Procedure for Aboriginal Cultural Heritage Consultation and Investigation (Roads and Maritime, 2012) and Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented for managing impacts on Aboriginal heritage. The AHMP will be prepared in consultation with all relevant Aboriginal groups.</i>	<i>This Plan</i>	<i>Pre-construction Construction</i>	<i>Environment Manager</i>	<i>REF AH1</i>
AH2	<i>The Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) will be followed in the event that an unknown or potential Aboriginal object/s, including skeletal remains, is found during construction. This applies where Roads and Maritime does not have approval to disturb the object/s or where a specific safeguard for managing the disturbance (apart from the Procedure) is not in place.  Work will only re-commence once the requirements of that Procedure have been satisfied.</i>	<i>RMS Standard Management Procedure – Unexpected Archaeological Finds (November 2011) (refer Appendix A)</i>	<i>Pre-construction Construction</i>	<i>All personnel and subcontractors</i>	<i>REF AH2</i>
AH3	<i>All personnel working on site will receive training to ensure awareness of requirements of the Aboriginal Heritage Management Plan and relevant statutory responsibilities. Site- specific training will be given to personnel when working in the vicinity of identified Aboriginal heritage items.</i>	<i>Induction and training materials</i>	<i>Pre-construction Construction</i>	<i>All personnel and subcontractors</i>	<i>REF AH3</i>
AH4	<i>Roads and Maritime will apply for an AHIP for the proposal area under Part 6 of the NPW Act, for all Aboriginal sites that will be directly or indirectly impacted, prior to any construction activities. Construction activities will not commence until the AHIP for the proposal area and the M4MM AHIP are in place.</i>	<i>AHIP</i>	<i>Pre-construction Construction</i>	<i>Environment Manager</i>	<i>REF AH4</i>
AH5	<i>If suspected human skeletal remains are encountered,</i>	<i>RMS Standard</i>	<i>Construction</i>	<i>Foreman</i>	<i>Good Practice</i>

ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
	<i>works potentially affecting the find would cease immediately and the RMS Standard Management Procedure – Unexpected Archaeological Finds (August 2013) (refer Appendix A) would be followed.</i>	<i>Management Procedure – Unexpected Archaeological Finds (November 2011) (refer Appendix A)</i>		<i>Superintendent Environment Manager</i>	
AH6	<i>If any Project works (such as an ancillary facility or design and/or construction refinement) are proposed in an area beyond the extent of previous heritage survey and assessment, additional due diligence survey and assessment shall be undertaken (as required) in consultation with the Project archaeologist before proceeding.</i>	<i>Archaeologist</i>	<i>Construction</i>	<i>Environment Manager</i>	<i>Good Practice</i>
AH7	<i>Aboriginal heritage site TNR-32 will be protected with environmental protection area ‘no-go’ fencing to ensure project works do not impact on the item. The protective fencing will be regularly inspected to ensure it is in good working condition.</i>	<i>AHIP EWMS SAPs</i>	<i>Construction</i>	<i>Environment Manager/Foreman</i>	<i>Good practice</i>
<b>NON ABORIGINAL HERITAGE MANAGEMENT / MITIGATION MEASURES</b>					
H1	<i>A Non-Aboriginal Heritage Management Plan (NAHMP) will be prepared and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented to avoid and mitigate impacts on non-Aboriginal heritage.</i>	<i>This Document</i>	<i>Construction Operation</i>	<i>Environment Manager</i>	<i>REF H1</i>
H2	<i>The Standard Management Procedure – Unexpected Heritage Items (Roads and Maritime, 2015) will be followed in the event that any unexpected heritage items, archaeological remains or potential relics of non-Aboriginal origin are encountered  Work will only re-commence once the requirements of that Procedure have been satisfied.</i>	<i>RMS Standard Management Procedure – Unexpected Archaeological Finds (November 2011) (refer Appendix A)</i>	<i>Pre-construction Construction</i>	<i>Environment Manager Design Manager Project Archaeologist Project Engineers Forman / Leading Hands</i>	<i>REF H2</i>



ID	Measure / Requirement	Resources needed	When to implement	Responsibility	Reference
H3	<i>Non-Aboriginal heritage awareness training must be provided for all contractors and personnel prior to commencement of construction to outline the identification of potential heritage items and associated procedures to be implemented in the event of the discovery of non-Aboriginal heritage materials, features or deposits (that is, unexpected finds), or the discovery of human remains.</i>	<i>Induction and training materials</i>	<i>Pre-construction Construction</i>	<i>Environment Manager</i>	<i>REF H4</i>
H4	<i>If any Project works (such as an ancillary facility or design and/or construction refinement) are proposed in an area beyond the extent of previous heritage survey and assessment, additional due diligence survey and assessment shall be undertaken (as required) in consultation with the Project archaeologist before proceeding.</i>	<i>Archaeologist</i>	<i>Construction</i>	<i>Environment Manager</i>	<i>Good Practice</i>

## 7 Compliance management

### 7.1 Roles and responsibilities

The Lendlease Project Team's organisational structure and overall roles and responsibilities are outlined in *Section 4.2 of the CEMP*. Specific responsibilities for the implementation of environmental controls are detailed in *Section 7 of this Plan*.

### 7.2 Training

All employees, contractors and utility staff working on site will undergo site induction training relating to Aboriginal and non-Aboriginal heritage management issues. The induction training will address elements related to heritage management including:

- Existence and requirements of this Plan;
- Relevant legislation;
- Roles and responsibilities for heritage management;
- Location of identified heritage sites;
- Heritage management and protection measures;
- Procedure to follow in the event of an unexpected heritage item find during construction works (RMS Standard Management Procedure – Unexpected Archaeological Finds (November 2011) (*refer Appendix A*)); and
- Procedure to follow in the event of discovery of human remains during construction works (RMS Standard Management Procedure – Unexpected Archaeological Finds (November 2011) (*refer Appendix A*)).

Further details regarding staff induction and training are outlined in *Section 5 of the CEMP*.

### 7.3 Monitoring and inspections

Weekly Environmental Inspections undertaken across the site will assess compliance with this plan and include the review of sensitive areas and the effectiveness of protective measures in place (i.e. sensitive area fencing and signage).

Additional monitoring may be required following the discovery of an unexpected heritage item or where works are proposed outside the REF Assessment Area, in this case, the Project team will be guided by the Project Archaeologist and the NSW Office of Environment and Heritage (NSW OEH) as to the monitoring required.

Requirements and responsibilities in relation to monitoring and inspections are documented in *Sections 8.1 and 8.2 of the CEMP*.

### 7.4 Auditing

Audits (both internal and external) will be undertaken to assess the effectiveness of environmental controls, compliance with this plan other relevant approvals, licenses and guidelines.

Audit requirements are detailed in *Section 8.3 of the CEMP*.

## 7.5 Reporting

In the event of the discovery of an unexpected heritage item occurs, the process documented within Appendix A (Unexpected Heritage Items Procedure) would be followed.

Where OEH suspects an incident has occurred which may have breached the Act or AHIP, OEH may request a written report.

An Aboriginal Site Impact Recording Form must be completed and submitted to the AHIMS Registrar, for each AHIMS site listed within Schedules B and C of the AHIP(s), within 12 months of the commencement of the authorised actions.

Additional reporting requirements and responsibilities are documented in *Section 8.3 of the CEMP*.

## 8 Review and improvement

### 8.1 Continuous improvement

Continuous improvement of this Plan will be achieved by the ongoing evaluation of environmental management performance against environmental policies, objectives and targets for the purpose of identifying opportunities for improvement.

The continuous improvement process will be designed to:

- Identify areas of opportunity for improvement of environmental management and performance;
- Determine the cause or causes of non-conformances and deficiencies;
- Develop and implement a plan of corrective and preventative action to address any non-conformances and deficiencies;
- Verify the effectiveness of the corrective and preventative actions;
- Document any changes in procedures resulting from process improvement; and
- Make comparisons with objectives and targets.

### 8.2 HMP update and amendment

The processes described in Section 8 and Section 9 of the CEMP may result in the need to update or revise this Plan. This will occur as needed.

Any revisions to the HMP will be in accordance with the process outlined in Section 1.6 of the CEMP.

A copy of the updated plan and changes will be distributed to all relevant stakeholders in accordance with the approved document control procedure – refer to *Section 10 of the CEMP*.

**Appendix A**  
RMS Standard Management Procedure –  
Unexpected Heritage Items

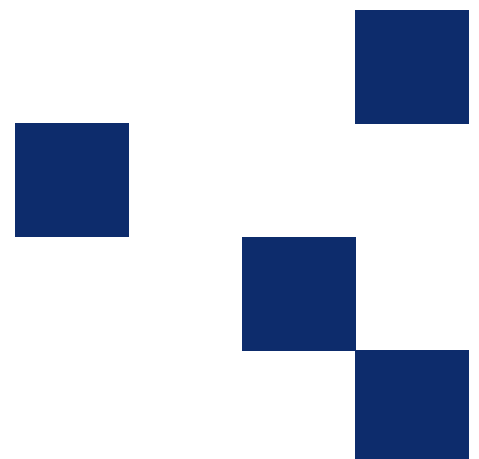


**Transport**  
Roads & Maritime  
Services

# STANDARD MANAGEMENT PROCEDURE

## Unexpected Heritage Items

March 2015



# About this release

<b>RMS/ISBN numbers</b>	RMS 12.003   ISBN 9781922040305
<b>Title</b>	Unexpected Heritage Items Procedure

Approval and authorisation		Name
Prepared by	Environmental Officer (Heritage)	Gretta Logue
Revised by	Environmental Officer (Heritage)	Daniel Percival
Approved by	Manager Environmental Policy	Michael Crowley

File location	File name
Objective - SF2013/153770	Unexpected heritage items procedure.doc

Document status	Date
Final	16 March 2015

Version	Date	Revision Description
Final	1 November 2011	First Draft
Revised	23 July 2012	Amended to reflect that (a) unexpected finds do not include items covered by a relevant approval; (b) Aboriginal people must be consulted where an unexpected find is likely to be an Aboriginal object; (c) the Department of Planning and Environment must be notified in accordance with Step 5 of this procedure for Part 3A and Part 5.1 projects.
Revised	09 October 2013	Amended to clarify that the procedure applies to all types of unexpected heritage items, not just archaeological items. The procedure introduces the term 'Historic Items' to cover both 'archaeological relics' and 'other historic items' such as works, structures, buildings and movable objects. The title of the document has been amended to better reflect this clarification.
Revised	16 March 2015	The procedure was streamlined to address all project types including maintenance works. The separate maintenance procedure (formerly Appendix B) was removed. Names and titles updated throughout.

Prepared by  
Environment Branch  
Roads and Maritime Services  
Level 17, 101 Miller Street  
North Sydney, NSW 2060  
T 02 8588 5726

**Please note**

This procedure applies to all development and activities concerning roads, road infrastructure and road related assets undertaken by Roads and Maritime.

For advice on how to manage unexpected heritage items as a result of activities related to maritime infrastructure projects, please contact the Senior Environmental Specialist (Heritage).



## Contents

About this release .....	2
1. Purpose .....	2
2. Scope.....	2
3. Types of unexpected heritage items and their legal protection .....	3
3.1 Aboriginal objects .....	3
3.2 Historic heritage items .....	4
3.3 Human skeletal remains .....	5
4. Responsibilities .....	7
5. Acronyms.....	8
6. Overview of the procedure .....	9
7. Unexpected heritage items procedure.....	10
8. Seeking advice.....	19
9. Related information .....	19
10. List of appendices.....	20
<b>Appendix A</b> .....	21
Identifying unexpected heritage items .....	21
<b>Appendix B</b> .....	27
Unexpected heritage item recording form 418.....	27
<b>Appendix C</b> .....	30
Photographing unexpected heritage items .....	30
<b>Appendix D</b> .....	32
Key environmental contacts .....	32
<b>Appendix E</b> .....	33
Uncovering bones .....	33
<b>Appendix F</b> .....	37
Archaeological/heritage advice checklist .....	37
<b>Appendix G</b> .....	39
Template notification letter .....	39

# Unexpected heritage items procedure

---

## 1. Purpose

This procedure has been developed to provide a consistent method for managing unexpected heritage items (both Aboriginal and non-Aboriginal) that are discovered during Roads and Maritime activities. This procedure includes Roads and Maritime's heritage notification obligations under the *Heritage Act 1977* (NSW), *National Parks and Wildlife Act 1974* (NSW), *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) and the *Coroner's Act 2009* (NSW).

This document provides relevant background information in Section 3, followed by the technical procedure in Sections 6 and 7. Associated guidance referred to in the procedure can be found in Appendices A-H.

## 2. Scope

This procedure assumes that an appropriate level of Aboriginal and non-Aboriginal heritage assessment has been undertaken prior to on site project work commencing. In some cases, such as exempt development, detailed heritage assessment may not be required.

Despite appropriate and adequate investigation, unexpected heritage items may still be discovered during maintenance and construction works. When this happens, this procedure must be followed. This procedure provides direction on when to stop work, where to seek technical advice and how to notify the regulator, if required.

**This procedure applies to all Road and Maritime construction and maintenance activities**

This procedure **applies to**:

- The discovery of any unexpected heritage item (usually during construction), where Roads and Maritime does not have approval to disturb the item or where safeguards for managing the disturbance (apart from this procedure) are not contained in the environmental impact assessment.
- All Roads and Maritime projects that are approved or determined under Part 3A (including Transitional Part 3A Projects), Part 4, Part 5 or Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), or any development that is exempt under the Act.

This procedure must be followed by Roads and Maritime staff, alliance partners (including local council staff working under Road Maintenance Council Contracts, [RMCC]), developers under works authorisation deeds or any person undertaking Part 5 assessment for Roads and Maritime.

This procedure **does not apply** to:

- The legal discovery and disturbance of heritage items as a result of investigations being undertaken in accordance with OEH's *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (2010); an Aboriginal Heritage Impact Permit (AHIP) issued under the *National Parks and Wildlife Act*

1974; or an approval issued under the *Heritage Act 1977*<sup>1</sup>.

- The legal discovery and disturbance of heritage items as a result of investigations (or other activities) that are required to be carried out for the purpose of complying with any environmental assessment requirements under Part 3A (including Transitional Part 3A Projects) or Part 5.1 of the EP&A Act.
- The legal discovery and disturbance of heritage items as a result of construction related activities, where the disturbance is permissible in accordance with an AHIP<sup>2</sup>; an approval issued under the *Heritage Act 1977*; the Minister for Planning's conditions of project approval; or safeguards (apart from this procedure) that are contained in the relevant environmental impact assessment.

All construction environment management plans (CEMPs) must make reference to and/or include this procedure (often included as a heritage sub-plan). Where approved CEMPs exist they must be followed in the first instance. Where there is a difference between approved CEMPs and this procedure, the approved CEMP must be followed. Where an approved CEMP does not provide sufficient detail on particular issues, this procedure should be used as additional guidance. When in doubt always seek environment and legal advice on varying approved CEMPs.

### 3. Types of unexpected heritage items and their legal protection

The roles of project, field and environmental staff are critical to the early identification and protection of unexpected heritage items. **Appendix A** illustrates the wide range of heritage discoveries found on Roads and Maritime projects and provides a useful photographic guide. Subsequent confirmation of heritage discoveries must then be identified and assessed by technical specialists (usually an archaeologist).

An 'unexpected heritage item' means any unanticipated discovery of an actual or potential heritage item, for which Roads and Maritime does not have approval to disturb<sup>3</sup> or does not have a safeguard in place (apart from this procedure) to manage the disturbance.

These discoveries are categorised as either:

- (a) Aboriginal objects
- (b) Historic (non-Aboriginal) heritage items
- (c) Human skeletal remains.

The relevant legislation that applies to each of these categories is described below.

#### 3.1 Aboriginal objects

The *National Park and Wildlife Act 1974* protects *Aboriginal objects* which are defined as:

---

<sup>1</sup> RMS' heritage obligations are incorporated into the conditions of heritage approvals.

<sup>2</sup> RMS *Procedure for Aboriginal cultural heritage consultation and investigation* (2011) recommends that Part 4 and Part 5 projects that are likely to impact Aboriginal objects during construction seek a whole-of-project AHIP. This type of AHIP generally allows a project to impact known and potential Aboriginal objects within the entire project area, without the need to stop works. It should be noted that an AHIP may exclude impact to certain objects and areas, such as burials or ceremonial sites. In such cases, the project must follow this procedure.

<sup>3</sup> Disturbance is considered to be any physical interference with the item that results in it being destroyed, defaced, damaged, harmed, impacted or altered in any way (this includes archaeological investigation activities).

*“any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non Aboriginal extraction, and includes Aboriginal remains”<sup>4</sup>.*

Examples of Aboriginal objects include stone tool artefacts, shell middens, axe grinding grooves, pigment or engraved rock art, burials and scarred trees.

### **IMPORTANT!**

#### **All Aboriginal objects, regardless of significance, are protected under law.**

If any impact is expected to an Aboriginal object, an Aboriginal Heritage Impact Permit (AHIP) is usually required from the Office of Environment and Heritage (OEH)<sup>5</sup>. Also, when a person becomes aware of an Aboriginal object they must notify the Director-General of OEH about its location<sup>6</sup>. Assistance on how to do this is provided in Section 7 (Step 5).

## 3.2 Historic heritage items

Historic (non-Aboriginal) heritage items may include:

- Archaeological ‘relics’
- Other historic items (i.e. works, structures, buildings or movable objects).

### 3.2.1 Archaeological relics

The *Heritage Act 1977* protects *relics* which are defined as:

*“any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance”<sup>7</sup>.*

Relics are archaeological items of local or state significance which may relate to past domestic, industrial or agricultural activities in NSW, and can include bottles, remnants of clothing, pottery, building materials and general refuse.

---

<sup>4</sup> Section 5(1) *National Park and Wildlife Act 1974*.

<sup>5</sup> Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

<sup>6</sup> This is required under s89(A) of the *National Park and Wildlife Act 1974* and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

<sup>7</sup> Section 4(1) *Heritage Act 1977*.

## IMPORTANT!

### **All relics are subject to statutory controls and protections.**

If a relic is likely to be disturbed, a heritage approval is usually required from the NSW Heritage Council<sup>8</sup>. Also, when a person discovers a relic they must notify the NSW Heritage Council of its location<sup>9</sup>. Advice on how to do this is provided in Section 7 (Step 5).

### 3.2.2 Other historic items

Some historic heritage items are not considered to be ‘relics’; but are instead referred to as works, buildings, structures or movable objects. Examples of these items that Roads and Maritime may encounter include culverts, historic road formations, historic pavements, buried roads, retaining walls, tramlines, cisterns, fences, sheds, buildings and conduits. Although an approval under the *Heritage Act 1977* may not be required to disturb these items, their discovery must be managed in accordance with this procedure.

As a general rule, an archaeological relic requires discovery or examination through the act of excavation. An archaeological excavation permit under Section 140 of the *Heritage Act 1977* is required to do this. In contrast, ‘other historic items’ either exist above the ground’s surface (e.g. a shed), or they are designed to operate and exist beneath the ground’s surface (e.g. a culvert).

Despite this difference, it should be remembered that relics can often be associated with ‘other heritage items’, such as archaeological deposits within cisterns and underfloor deposits under buildings.

### 3.3 Human skeletal remains

Human skeletal remains can be identified as either an Aboriginal object or non-Aboriginal relic depending on ancestry of the individual (Aboriginal or non-Aboriginal) and burial context (archaeological or non-archaeological). Remains are considered to be archaeological when the time elapsed since death is suspected of being 100 years or more. Depending on ancestry and context, different legislation applies.

As a simple example, a pre-contact archaeological Aboriginal burial would be protected under the *National Park and Wildlife Act 1974*, while a historic (non-Aboriginal) archaeological burial within a cemetery would be protected under the *Heritage Act 1977*. For these cases, the relevant heritage approval and notification requirements described in the above sections 3.1 and 3.2 would apply. In addition to the *National Park and Wildlife Act 1974*, finding Aboriginal human remains also triggers notification requirements to the Commonwealth Minister for the Environment under s20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

---

<sup>8</sup> Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

<sup>9</sup> This is required under s146 of the *Heritage Act 1977* and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

 **IMPORTANT!**

**All human skeletal remains are subject to statutory controls and protections.**

All bones must be treated as potential human skeletal remains and work around them must stop while they are protected and investigated urgently.

However, where it is suspected that less than 100 years has elapsed since death, the human skeletal remains come under the jurisdiction of the State Coroner and the *Coroners Act 2009* (NSW). Such a case would be considered a 'reportable death' and under legal notification obligations set out in s35(2); a person must report the death to a police officer, a coroner or an assistant coroner as soon as possible. This applies to all human remains less than 100 years old<sup>10</sup> regardless of ancestry (ie both Aboriginal and non-Aboriginal remains). Public health controls may also apply.

Guidance on what to do when suspected human remains are found is provided in **Appendix E**.

---

<sup>10</sup> Under s19 of the *Coroners Act 2009*, the coroner has no jurisdiction to conduct an inquest into reportable death unless it appears to the coroner that (or that there is reasonable cause to suspect that) the death or suspected death occurred within the last 100 years.

## 4. Responsibilities

The following roles and responsibilities are relevant to this procedure.

<b>Role</b>	<b>Definition/responsibility</b>
Aboriginal Cultural Heritage Advisor (ACHA)	Provides Aboriginal cultural heritage advice to project teams. Acts as Aboriginal community liaison for projects on cultural heritage matters. Engages and consults with the Aboriginal community as per the Roads and Maritime <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Aboriginal Sites Officer (ASO)	Is an appropriately trained and skilled Aboriginal person whose role is to identify and assess Aboriginal objects and cultural values. For details on engaging Aboriginal Sites Officers, refer to Roads and Maritime <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Archaeologist (A)	Professional consultant, contracted on a case-by-case basis to provide heritage and archaeological advice and technical services (such as reports, heritage approval documentation etc). Major projects with complex heritage issues often have an on call Project archaeologist.
Project Manager (PM)	Ensures all aspects of this procedure are implemented. The PM can delegate specific tasks to a construction environment manager, Roads and Maritime site representatives or regional environment staff, where appropriate.
Regional Environment Staff (RES)	Provides advice on this procedure to project teams. Ensuring this procedure is implemented consistently by supporting the PM. Supporting project teams during the uncovering of unexpected finds. Reviewing archaeological management plans and liaising with heritage staff and archaeological consultants as needed.
Registered Aboriginal Parties (RAPs)	RAPs are Aboriginal people who have registered with Roads and Maritime to be consulted about a proposed Roads and Maritime project or activity in accordance with OEH's Aboriginal cultural heritage consultation requirements for proponents (2010).
Senior Environmental Specialist (Heritage) (SES(H))	Provides technical assistance on this procedure and archaeological technical matters, as required. Reviewing the archaeological management plans and facilitating heritage approval applications, where required. Assists with regulator engagement, where required.
Team Leader - Regional Maintenance Delivery (TL-RMD)	Ensures Regional Maintenance Delivery staff stop work in the vicinity of an unexpected heritage item. Completes Unexpected Heritage Item Recording Form 418 and notifies WS-RMD.
Technical Specialist	Professional consultant contracted to provide specific technical advice that relates to the specific type of

	unexpected heritage find (eg a forensic or physical anthropologist who can identify and analyse human skeletal remains).
Works Supervisor - Regional Maintenance Delivery (WS-RMD)	Ensures Regional Maintenance Delivery staff are aware of this procedure. Supports the Team Leader - Regional Maintenance Delivery during the implementation of this procedure and ensures reporting of unexpected heritage items through environment management systems.

## 5. Acronyms

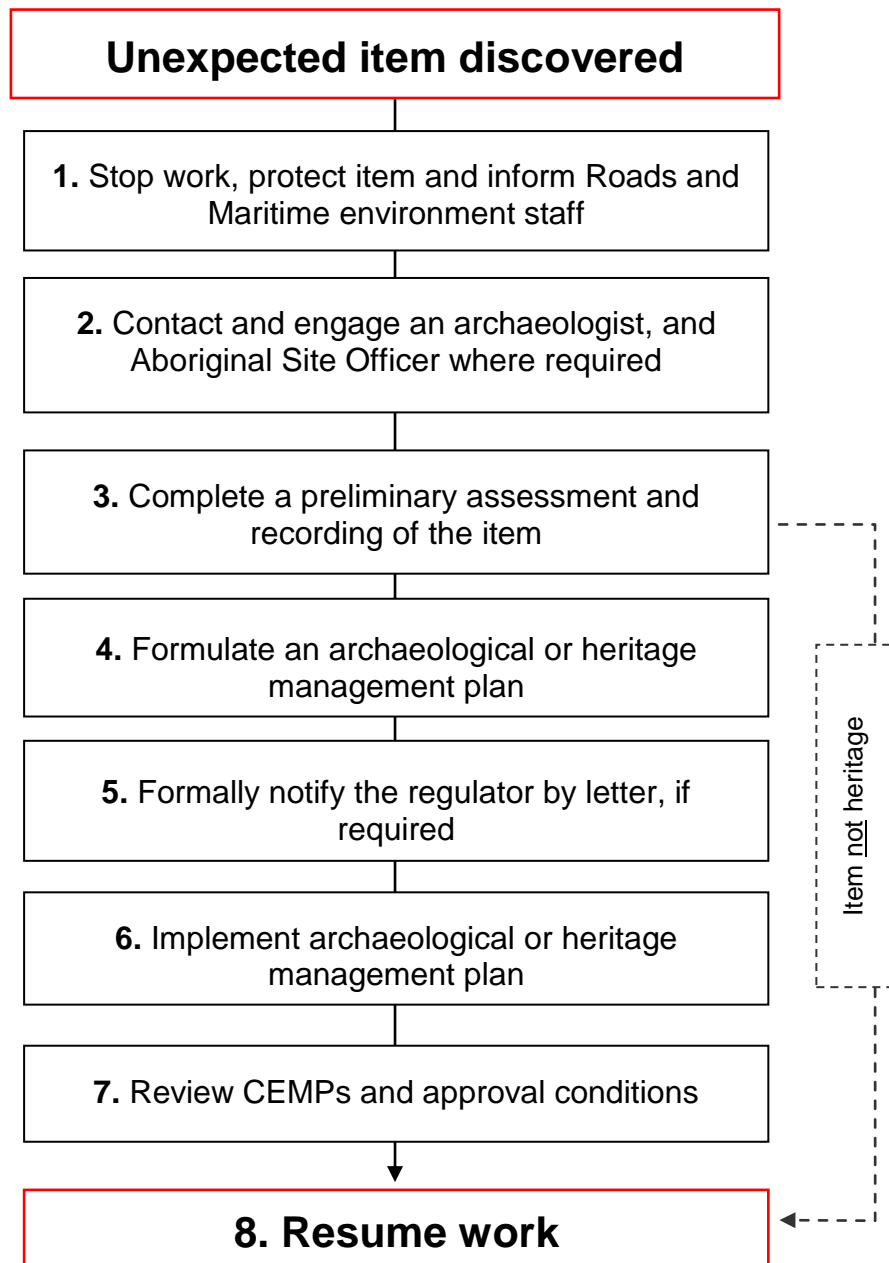
The following acronyms are relevant to this procedure.

<b>Acronym</b>	<b>Meaning</b>
A	Archaeologist
ACHA	Aboriginal Cultural Heritage Advisor
AHIP	Aboriginal Heritage Impact Permit
ASO	Aboriginal Site Officer
CEMP	Construction Environment Management Plan
OEH	Office of Environment and Heritage.
PACHCI	Procedure for Aboriginal Cultural Heritage Consultation and Investigation
PM	Project Manager
RAP	Registered Aboriginal Parties
RES	Regional Environmental Staff
SES(H)	Senior Environmental Specialist (Heritage)
TL-RMD	Team Leader – Regional Maintenance Division
RMD	Regional Maintenance Delivery
RMS	Roads and Maritime
WS-RMD	Works Supervisor - Regional Maintenance Division



## 6. Overview of the procedure

On discovering something that could be an unexpected heritage item ('the item'), the following procedure must be followed. There are eight steps in the procedure. These steps are summarised in **Figure 1** below and explained in detail in Section 7.



**Figure 1:** Overview of steps to be undertaken on the discovery of an unexpected heritage item.

### **IMPORTANT!**

RMS may have approval or specific safeguards in place (apart from this procedure) to impact on certain heritage items during construction. If you discover a heritage item and you are unsure whether an approval or safeguard is in place, STOP works and follow this procedure.

## 7. Unexpected heritage items procedure

**Table 1:** Specific tasks to be implemented following the discovery of an unexpected heritage item.

*Aboriginal Cultural Heritage Advisor (ACHA); Aboriginal Sites Officer (ASO); Archaeologist (A); Project Manager (PM); Regional Environment Staff (RES); Registered Aboriginal Parties (RAPs); Senior Environmental Specialist (Heritage) (SES(H)); Team leader – Roads and Maintenance Division (TL - RMD); Works supervisor – Roads and Maintenance Division (WS - RMD).*

Step	Task	Responsibility	Guidance & Tools
<b>1</b>	<b>Stop work, protect item and inform Roads and Maritime environment staff</b>		
1.1	Stop all work in the immediate area of the item and notify the Project Manager or Team Leader-RMD. (For maintenance activities, the Team Leader is to also notify the Works Supervisor-RMD)	All	<b>Appendix A</b> (Identifying Unexpected Heritage items)
1.2	Establish a 'no-go zone' around the item. Use high visibility fencing, where practical.	PM or TL-RMD	
1.3	Inform all site personnel about the no-go zone. No further interference, including works, ground disturbance, touching or moving the item must occur within the no-go zone.	PM or TL-RMD	
1.4	Inspect, document and photograph the item using 'Unexpected Heritage Item Recording Form 418'.	PM or TL-RMD	<b>Appendix B</b> (Unexpected Heritage Item Recording Form 418) <b>Appendix C</b> (Photographing Unexpected Heritage items)

Step	Task	Responsibility	Guidance & Tools
1.5	<p>Is the item likely to be bone?</p> <p>If <b>yes</b>, follow the steps in Appendix E – ‘Uncovering bones’. Where it is obvious that the bones are human remains, you must notify the local police by telephone immediately. They may take command of all or part of the site.</p> <p>If <b>no</b>, proceed to next step.</p>	PM or WS-RMD	<b>Appendix E</b> (Uncovering Bones)
1.6	<p>Is the item likely to be:</p> <p>a) A relic? (A relic is evidence of past human activity which has local or state heritage significance. It may include items such as bottles, utensils, remnants of clothing, crockery, personal effects, tools, machinery and domestic or industrial refuse) and/or</p> <p>b) An Aboriginal object? (An Aboriginal object may include a shell midden, stone tools, bones, rock art or a scarred tree).</p> <p>If <b>yes</b>, proceed directly to Step 1.8</p> <p>If <b>no</b>, proceed to next step.</p>	PM or WS-RMD	<b>Appendix A</b> (Identifying heritage items)
1.7	<p>Is the item likely to be a “work”, building or standing structure? (This may include tram tracks, kerbing, historic road pavement, fences, sheds or building foundations).</p> <p>If <b>yes</b>, can works avoid further disturbance to the item? (E.g. if historic road base/tram tracks have been exposed, can they be left in place?) If <b>yes</b>, works may proceed without further disturbance to the item. Complete Step 1.8 within 24 hours.</p> <p>If works cannot avoid further disturbance to the item, works must not recommence at this time. Complete the remaining steps in this procedure.</p>	PM or WS-RMD	<b>Appendix A</b> (Identifying heritage items)

Step	Task	Responsibility	Guidance & Tools
1.8	Inform relevant Roads and Maritime Regional Environmental Staff of item by providing them with the completed 'Form 418'.	PM or WS-RMD (RES)	<b>Appendix D</b> (Key Environmental Contacts)
1.9	<p>Regional Environmental Staff to advise Project Manager or Works Supervisor whether RMS has an approval or safeguard in place (apart from this procedure) to impact on the 'item'. (An approval may include an approval under the <i>Heritage Act</i>, the <i>National Parks and Wildlife Act</i> or the <i>Planning and Assessment Act</i>).</p> <p>Does RMS have an approval, permit or appropriate safeguard in place to impact on the item?</p> <p>If <b>yes</b>, work may recommence in accordance with the approval, permit or safeguard. There is no further requirement to follow this procedure.</p> <p>If <b>no</b>, continue to next step.</p>		
1.10	Liaise with Traffic Management Centre where the delay is likely to affect traffic flow.	PM or WS-RMD	
1.11	Report the item as a 'Reportable Event' in accordance with the Roads and Maritime <i>Environmental Incident Classification and Reporting Procedure</i> . Implement any additional reporting requirements related to the project's approval and CEMP, where relevant.	PM or WS-RMD	RMS Environmental Incident Classification and Reporting Procedure
<b>2</b>	<b>Contact and engage an archaeologist and, where required, an Aboriginal site officer</b>		
2.1	<p>Contact the Project (on-call) Archaeologist to discuss the location and extent of the item and to arrange a site inspection, if required. The project CEMP may contain contact details of the Project Archaeologist.</p> <p>OR</p>	PM or WS-RMD (A; RES; SES(H))	Also see <b>Appendix D</b> (Key Environmental Contacts)

Step	Task	Responsibility	Guidance & Tools
	Where there is no project archaeologist engaged for the works, engage a suitably qualified and experienced archaeological consultant to assess the find. A list of heritage consultants is available on the RMS contractor panels on the Buyways homepage. Regional environment staff and Roads and Maritime heritage staff can also advise on appropriate consultants.		<u>Buyways</u>
2.2	Where the item is likely to be an Aboriginal object, speak with your Aboriginal Cultural Heritage Advisor to arrange for an Aboriginal Sites Officer to assess the find. Generally, an Aboriginal Sites Officer would be from the relevant local Aboriginal land council. If an alternative contact person (ie a RAP) has been nominated as a result of previous consultation, then that person is to be contacted.	PM or WS-RMD (ACHA; ASO)	
2.3	If requested, provide photographs of the item taken at Step 1.4 to the archaeologist, and Aboriginal Sites Officer if relevant.	PM or WS-RMD (RES)	<b>Appendix C</b> (Photographing Unexpected Heritage items)
<b>3</b>	<b>Preliminary assessment and recording of the find</b>		
3.1	In a minority of cases, the archaeologist (and Aboriginal Sites Officer, if relevant) may determine from the photographs that no site inspection is required because no archaeological constraint exists for the project ( <i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i> ). Any such advice should be provided in writing (eg via email) and confirmed by the Project Manager or Works Supervisor - RMD.	A/PM/ASO/ WS-RMD	Proceed to Step 8
3.2	Arrange site access for the archaeologist (and Aboriginal Sites Officer, if relevant) to inspect the item as soon as practicable. In the majority of cases a site inspection is required to conduct a preliminary assessment.	PM or WS-RMD	
3.3	Subject to the archaeologist's assessment (and the Aboriginal Sites Officer's assessment, if relevant), work may recommence at a set distance from the item. This is to protect any other archaeological material that may exist in the vicinity, which has not yet been uncovered. Existing protective fencing established in Step 1.2 may need to be adjusted to	A/PM/ASO/ WS-RMD	

Step	Task	Responsibility	Guidance & Tools
	reflect the extent of the newly assessed protective area. No works are to take place within this area once established.		
3.4	The archaeologist (and Aboriginal Sites Officer, if relevant) may provide advice after the site inspection and preliminary assessment that no archaeological constraint exists for the project ( <i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i> ). Any such advice should be provided in writing (eg via email) and confirmed by the Project Manager or Works Supervisor - RMD.	A/PM/ASO/ WS-RMD	Proceed to Step 8
3.5	Where required, seek additional specialist technical advice (such as a forensic or physical anthropologist to identify skeletal remains). Regional environment staff and/or Roads and Maritime heritage staff can provide contacts for such specialist consultants.	RES/SES(H)	<b>Appendix D</b> (Key Environmental Contacts)
3.6	Where the item has been identified as a 'relic', 'heritage item' or an 'Aboriginal object' the archaeologist should formally record the item.	A	
3.7	The regulator can be notified informally by telephone at this stage by the archaeologist, Project Manager (or delegate) or Works Supervisor - RMD. Any verbal conversations with regulators must be noted on the project file for future reference.	PM/A/WS-RMD	
<b>4</b>	<b>Prepare an archaeological or heritage management plan</b>		
4.1	The archaeologist must prepare an archaeological or heritage management plan (with input from the Aboriginal Sites Officer, where relevant) shortly after the site inspection. This plan is a brief overview of the following: (a) description of the feature, (b) historic context, if data is easily accessible, (c) likely significance, (d) heritage approval and regulatory notification requirements, (e) heritage reporting requirements, (f) stakeholder consultation requirements, (g) relevance to other project approvals and management plans etc.	A/ASO	<b>Appendix F</b> (Archaeological/ Heritage Advice Checklist)
4.2	In preparing the plan, the archaeologist with the assistance of regional environment staff must review the CEMP, any heritage sub-plans, any conditions of heritage approvals, conditions of project approval (and or Minister's Conditions of Approval) and heritage assessment documentation (eg Aboriginal Cultural Heritage Assessment Report). This will outline if the unexpected item is consistent with previous heritage/project approval(s)	A/RES/PM	<b>Appendix F</b> (Archaeological/ Heritage Advice Checklist)

Step	Task	Responsibility	Guidance & Tools
	and/or previously agreed management strategies. The Project Manager and regional environment staff must provide all relevant documents to the archaeologist to assist with this. Discussions should occur with design engineers to consider if re-design options exist and are appropriate.		
4.3	The archaeologist must submit this plan as a letter, brief report or email to the Project Manager outlining all relevant archaeological or heritage issues. This plan should be submitted to the Project Manager as soon as practicable. Given that the archaeological management plan is an overview of all the necessary requirements (and the urgency of the situation), it should take no longer than two working days to submit to the Project Manager.	A	
4.4	The Project Manager or Works Supervisor must review the archaeological or heritage management plan to ensure all requirements can reasonably be implemented. Seek additional advice from regional environment staff and Roads and Maritime heritage staff, if required.	PM/RES/SES(H)/ WS-RMD	
<b>5</b>	<b>Notify the regulator, if required.</b>		
5.1	Review the archaeological or heritage management plan to confirm if regulator notification is required. Is notification required?  If <b>no</b> , proceed directly to Step 6  If <b>yes</b> , proceed to next step.	PM/RES/SES(H)/ WS-RMD	
5.2	If notification is required, complete the template notification letter.	PM or WS-RMD	<b>Appendix G</b> (Template Notification Letter)
5.3	Forward the draft notification letter, archaeological or heritage management plan and the site recording form to regional environment staff and Senior Environmental Specialist (Heritage) for review, and consider any suggested amendments.	PM/RES/SES(H)/ WS-RMD	

Step	Task	Responsibility	Guidance & Tools
5.4	Forward the signed notification letter to the relevant regulator (ie notification of relics must be given to the Heritage Division, Office of Environment and Heritage (OEH), while notification for Aboriginal objects must be given to the relevant Aboriginal section of OEH). Informal notification (via a phone call or email) to the regulator prior to sending the letter is appropriate. The archaeological management plan and the completed site recording form must be submitted with the notification letter. For Part 3A and Part 5.1 projects, the Department of Planning and Environment must also be notified.	PM or WS-RMD	<b>Appendix D</b> (Key Environmental Contacts)
5.5	A copy of the final signed notification letter, archaeological or heritage management plan and the site recording form should be kept on file by the Project Manager or Works Supervisor- RMD and a copy sent to the Senior Environmental Specialist (Heritage).	PM or WS-RMD	
<b>6</b>	<b>Implement archaeological or heritage management plan</b>		
6.1	Modify the archaeological or heritage management plan to take into account any additional advice resulting from notification and discussions with the regulator.	A/PM or WS-RMD (RES)	
6.2	Implement the archaeological or heritage management plan. Where impact is expected, this would include such things as a formal assessment of significance and heritage impact assessment, preparation of excavation or recording methodologies, consultation with registered Aboriginal parties, obtaining heritage approvals etc, if required.	PM or WS-RMD (RAPs and RES)	PACHCI Stage 3
6.3	Where heritage approval is required contact regional environment staff for further advice and support material. Please note time constraints associated with heritage approval preparation and processing. Project scheduling may need to be revised where extensive delays are expected.	PM/RES/WS-RMD	
6.4	For Part 3A/Part 5.1 projects, assess whether heritage impact is consistent with the project approval or if project approval modification is required from the Department of Planning and Environment. Seek advice from regional environment staff and Environment Branch specialist staff if unsure.	PM/RES	



Step	Task	Responsibility	Guidance & Tools
6.5	Where statutory approvals (or project approval modification) are required, impact upon relics and/or Aboriginal objects must not occur until heritage approvals are issued by the appropriate regulator.	PM or WS-RMD	
6.6	Where statutory approval (or Part 3A/Part 5.1 project modification) is not required and where recording is recommended by the archaeologist, sufficient time must be allowed for this to occur.	PM or WS-RMD	
6.7	Ensure short term and permanent storage locations are identified for archaeological material or other heritage material is removed from site, where required. Interested third parties (eg museums or local councils) should be consulted on this issue. Contact regional environment staff and Senior Environmental Specialist (Heritage) for advice on this matter, if required.	PM or WS-RMD	
<b>7</b>	<b>Review CEMPs and approval conditions</b>		
7.1	Check whether written notification is required to be sent to the regulator before re-commencing work. Where this is not explicit in heritage approval conditions, expectations should be clarified directly with the regulator.	PM	
7.2	Update the CEMP, site mapping and project delivery program as appropriate with any project changes resulting from final heritage management (eg retention of heritage item, salvage of item). Updated CEMPs must incorporate additional conditions arising from any heritage approvals, and Aboriginal community consultation if relevant. Include any changes to CEMP in site induction material and update site workers during toolbox talks.	PM	
<b>8</b>	<b>Resume work</b>		
8.1	Seek written clearance to resume project work from regional environment staff and the archaeologist (and regulator, if required). Clearance would only be given once all archaeological excavation and/or heritage recommendations (where required) are complete. Resumption of project work must be in accordance with the all relevant project/heritage approvals/determinations.	RES/A/PM/WS-RMD	
8.2	If required, ensure archaeological excavation/heritage reporting and other heritage	PM/A/WS-RMD	

Step	Task	Responsibility	Guidance & Tools
	approval conditions are completed in the required timeframes. This includes artefact retention repositories, conservation and/or disposal strategies.		
8.3	Forward all heritage/archaeological assessments, heritage location data and its ownership status to the Senior Environmental Specialist (Heritage). They will ensure all heritage items in Roads and Maritime ownership and/or control are considered for the Roads and Maritime S170 Heritage and Conservation Register.	PM/SES(H)/ WS-RMD	
8.4	If additional unexpected items are discovered this procedure must begin again from Step 1.	PM/TL-RMD	

## 8. Seeking advice

Advice on this procedure should be sought from Roads and Maritime regional environment staff in the first instance. Contractors and alliance partners should ensure their own project environment managers are aware of and understand this procedure. Regional environment staff can assist non-Roads and Maritime project environment managers with enquires concerning this procedure.

### IMPORTANT!

**Roads and Maritime Services staff and contractors are not to seek advice on this procedure directly from the Office of Environment and Heritage without first seeking advice from regional environment staff and heritage policy staff.**

Technical archaeological or heritage advice regarding an unexpected heritage item should be sought from the contracted archaeologist. Technical specialist advice can also be sought from heritage policy staff within Environment Branch to assist with the preliminary archaeological identification and technical reviews of heritage/archaeological reports.

## 9. Related information

**Contact details:** Senior Environmental Specialist (Heritage), Environment Branch, 02 8588 5754

**Effective date:** 01 February 2015

**Review date:** 01 February 2016

This procedure should be read in conjunction with:

- Roads and Maritimes' *Heritage Guidelines 2015*.
- Roads and Maritime Services *Environmental Incident Classification and Reporting Procedure*
- Roads and Maritime's *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*
- RTA *Environmental Impact Assessment Guidelines*.

This procedure replaces:

- Procedure 5.5 ("*unexpected discovery of an archaeological relic or Aboriginal object*") outlined in the RTA's *Heritage Guidelines 2004*.

Other relevant reading material:

- NSW Heritage Office (1998), *Skeletal remains: guidelines for the management of human skeletal remains*.
- Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal remains*.
- Department of Health (April 2008), *Policy Directive: Burials - exhumation of human remains*<sup>11</sup>.

---

<sup>11</sup> [http://www.health.nsw.gov.au/policies/pd/2008/pdf/PD2008\\_022.pdf](http://www.health.nsw.gov.au/policies/pd/2008/pdf/PD2008_022.pdf)

## 10. List of appendices

The following appendices are included to support this procedure.

Appendix A	Identifying Unexpected Heritage items
Appendix B	Unexpected Heritage Item Recording Form 418
Appendix C	Photographing Unexpected Heritage Items
Appendix D	Key Environment Contacts
Appendix E	Uncovering Bones
Appendix F	Archaeological Advice Checklist
Appendix G	Template Notification Letter

# Appendix A

## Identifying unexpected heritage items

The following images can be used to assist in the preliminary identification of potential unexpected items (both Aboriginal and non-Aboriginal) during construction and maintenance works. Please note this is not a comprehensive typology.



**Top left hand picture continuing clockwise:** Stock camp remnants (Hume Highway Bypass at Tarcutta); Linear archaeological feature with post holes (Hume Highway Duplication), Animal bones (Hume Highway Bypass at Woomargama); Cut wooden stake; Glass jars, bottles, spoon and fork recovered from refuse pit associated with a Newcastle Hotel (Pacific Highway, Adamstown Heights, Newcastle area).



**Wood stave water pipe**



**Tram tracks**



**Retaining wall**



**Cistern**

**Top left hand picture continuing clockwise:** Woodstave water pipe with tar and wire sealing (Horsley Drive); Tram tracks (Sydney); Brick lined cistern (Clyde); Retaining wall (Great Western Highway, Leura).



**Road pavement**



**Kerbing**



**Telford road base**



**Corduroy timber road base**



**Culvert**

**Top left hand picture continuing clockwise:** Road pavement (Great Western Highway, Lawson); Sandstone kerbing and guttering (Parramatta Road, Mays Hill); Telford road (sandstone road base, Great Western Highway, Leura); Ceramic conduit and sandstone culvert headwall (Blue Mountains, NSW); Corduroy road (timber road base, Entrance Road, Wamberai).



Alignment pin



Survey tree



Alignment stone



Survey tree



Milestone



**Top left hand corner continuing clockwise:** Alignment Pin (Great Western Highway, Wentworth Falls); Survey tree (MR7, Albury); Survey tree (Kidman Way, Darlington Point, Murrumbidgee); Survey tree (Cobb Highway, Deniliquin); Milestone (Great Western Highway, Kingswood, Penrith); Alignment Stone (near Guntawong Road, Riverstone). Please note survey marks may have additional statutory protection under the *Surveying and Spatial Information Act 2002*.

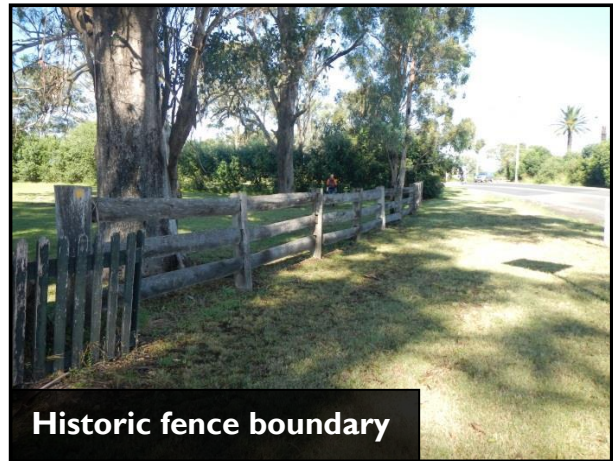




**Remnant Bridge Piers**



**Mine Shaft**



**Historic fence boundary**



**Dairy shed**

**Top left hand corner continuing clockwise:** Remnant bridge piers (Putty Road, Bulga); Wooden boundary fence (Campbelltown Road, Denham Court); Dairy shed (Ballina); Golden Arrow Mine Shaft.



**Top left hand corner:** Culturally modified stone discovered on Main Road 92, about two kilometres west of Sassafras. The remaining images show a selection of stone artefacts retrieved from test and salvage archaeological excavations during the Hume Highway Duplication and Bypass projects from 2006-2010.

## **Appendix B**

Unexpected heritage item recording form 418

**This form is to be filled in by a project manager (or their delegate) or a team leader – Road and Maintenance Division, on the discovery of an unexpected heritage item during construction or maintenance works.**

<b>Date:</b>		<b>Recorded by:</b> (Include name and position)	
<b>Project name:</b>			
<b>Description of works being undertaken</b> (eg Removal of failed pavement by excavation and pouring concrete slabs in 1m x 1m replacement sections).			
<b>Description of exact location of item</b> (eg Within the road formation on Parramatta Road, east bound lane, at the corner of Johnston Street, Annandale, Sydney).			
<b>Description of item found</b> (What type of item is it likely to be? Tick the relevant boxes).			
<b>A. A relic</b>	<input type="checkbox"/>	A 'relic' is evidence of a past human activity relating to the settlement of NSW with local or state heritage significance. A relic might include bottles, utensils, plates, cups, household items, tools, implements, and similar items.	
<b>B. A 'work, building or structure'</b>	<input type="checkbox"/>	A 'work' can generally be defined as a form infrastructure such as tram tracks, a culvert, road base, a bridge pier, kerbing, and similar items.	
<b>C. An Aboriginal object</b>	<input type="checkbox"/>	An 'Aboriginal object' may include stone tools, stone flakes, shell middens, rock art, scarred trees and human bones.	
<b>D. Bone</b>	<input type="checkbox"/>	Bones can either be human or animal remains. <b>Remember that you must contact the local police immediately by telephone if you are <u>certain</u> that the bone(s) are <u>human remains</u>.</b>	
<b>E. Other</b>	<input type="checkbox"/>		

<p><b>Provide short description of item</b> (eg Metal tram tracks running parallel to road alignment. Good condition. Tracks set in concrete, approximately 10cms (100 mm) below the current ground surface).</p>	
<p><b>Sketch</b> (Provide a sketch of the item's general location in relation to other road features so its approximate location can be mapped without having to re-excavate it. In addition, please include details of the location and direction of any photographs of the item taken).</p>	
<p><b>Action taken</b> (Tick either A or B)</p>	
<p><b>A. Unexpected item <b>would not</b> be further impacted on by works</b> <input type="checkbox"/></p>	
<p><b>Describe how works would avoid impact on the item.</b> (eg The tram tracks will be left <i>in situ</i>, and recovered with road paving).</p>	
<p><b>B. Unexpected item <b>would be</b> further impacted on by works</b> <input type="checkbox"/></p>	
<p><b>Describe how works would impact on the item.</b> (eg Milling is required to be continued to 200 mm depth to ensure road pavement requirements are met. Tram tracks will need to be removed).</p>	
<p><b>Important:</b> It is a statutory offence to disturb Aboriginal objects and historic relics (including human remains) without an approval. All works affecting objects and relics must cease until an approval is sought. Approvals may also be required to impact on certain works. Contact your regional environment staff for guidance.</p>	
<p><b>Project manager / works supervisor signature</b></p>	

## Appendix C

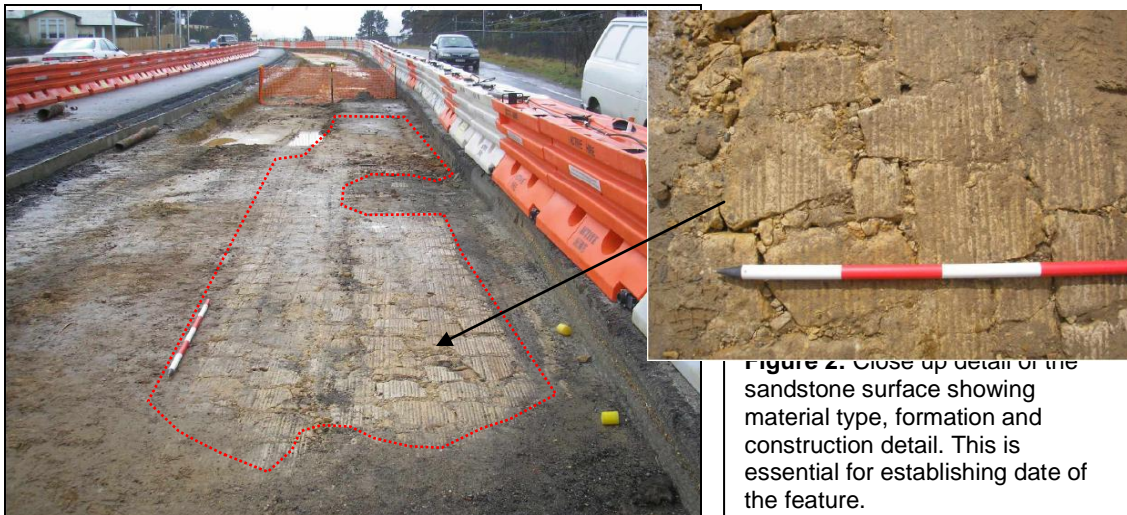
### Photographing unexpected heritage items

✋ Removal of the item from its context (e.g. excavating from the ground) for photographic purposes is not permitted.

Photographs of unexpected items in their current context (*in situ*) may assist heritage staff and archaeologists to better identify the heritage values of the item. Emailing good quality photographs to specialists can allow for better quality and faster heritage advice. The key elements that must be captured in photographs of the item include its position, the item itself and any distinguishing features. All photographs must have a scale (ruler, scale bar, mobile phone, coin) and a note describing the direction of the photograph.

#### Context and detailed photographs

It is important to take a general photograph (Figure 1) to convey the location and setting of the item. This will add much value to the subsequent detailed photographs also required (Figure 2).



**Figure 1:** Telford road uncovered on the Great Western Highway (Leura) in 2008.

#### Photographing distinguishing features

Where unexpected items have a distinguishing feature, close up detailed photographs must be taken of this, where practicable. In the case of a building or bridge, this may include diagnostic details architectural or technical features. See Figures 3 and 4 for examples.



**Figure 3:** Ceramic bottle artefact with stamp.

**Figure 4:** Detail of the stamp allows 'Tooth & Co Limited' to be made out. This is helpful to a specialist in gauging the artefact's origin, manufacturing date and likely significance.

## Photographing bones

The majority of bones found on site will those of be recently deceased animal bones often requiring no further assessment (unless they are in archaeological context). However, if bones are human, Roads and Maritime must contact the police immediately (see Appendix F for detailed guidance). Taking quality photographs of the bones can often resolve this issue quickly. Heritage staff in Environment Branch can confirm if bones are human or non-human if provided with appropriate photographs. Ensure that photographs of bones are not concealed by foliage (Figure 5) as this makes it difficult to identify. Minor hand removal of foliage can be undertaken as long as disturbance of the bone does not occur. Excavation of the ground to remove bone(s) should not occur, nor should they be pulled out of the ground if partially exposed. Where sediment (adhering to a bone found on the ground surface) conceals portions of a bone (Figure 6) ensure the photograph is taken of the bone (if any) that is not concealed by sediment.



**Figure 5:** Bone concealed by foliage.



**Figure 6:** Bone covered in sediment

Ensure that all close up photographs include the whole bone and then specific details of the bone (especially the ends of long bones, the *epiphysis*, which is critical for species identification). Figures 7 and 8 are examples of good photographs of bones that can easily be identified from the photograph alone. They show sufficient detail of the complete bone and the epiphysis.



**Figure 7:** Photograph showing complete bone.



**Figure 8:** Close up of a long bone's epiphysis.

## Appendix D

### Key environmental contacts

Hunter region	Environmental Manager (Hunter)	4924 0440
	Aboriginal Cultural Heritage Advisor	4924 0383
Northern region	Environment Manager (North)	6640 1072
	Aboriginal Cultural Heritage Advisor	6604 9305
Southern region	Environmental Manager (South)	6492 9515
	Aboriginal Cultural Heritage Advisor	4221 2767
South West region	Environment Manager (South West)	6937 1634
	Aboriginal Cultural Heritage Advisor	6937 1647
Sydney region	Environment Manager (Sydney)	8849 2516
	Aboriginal Cultural Heritage Advisor	8849 2583
Western region	Environment Manager (West)	6861 1628
	Aboriginal Cultural Heritage Advisor	6861 1658
Pacific Highway Office	Environment Manager	6640 1375
Regional Maintenance Delivery	Environment Manager	9598 7721
Environment Branch	Senior Environmental Specialist (Heritage)	8588 5754

### Heritage Regulators

Heritage Division Office of Environment and Heritage Locked Bag 5020 Parramatta NSW 2124 Phone: (02) 9873 8500	Department of the Environment (Clth) GPO Box 787 Canberra ACT 2601 Phone: (02) 6274 1111
Office of Environment and Heritage (Sydney Metropolitan) Planning and Aboriginal Heritage Section PO Box 668 Parramatta NSW 2124 Phone: (02) 9995 5000	Office of Environment and Heritage (North Eastern NSW) Planning and Aboriginal Heritage Section Locked Bag 914 Coffs Harbour NSW 2450 Phone: (02) 6651 5946
Office of Environment and Heritage (North Western NSW) Environment and Conservation Programs PO Box 2111 Dubbo NSW 2830 Phone: (02) 6883 5330	Office of Environment and Heritage (Southern NSW) Landscape and Aboriginal Heritage Protection Section PO Box 733 Queanbeyan NSW 2620 Phone: (02) 6229 7188

### Project-Specific Contacts

Position	Name	Phone Number
Project Manager		
Site/Alliance Environment Manager		
Regional Environmental Officer		
Aboriginal Cultural Heritage Advisor		
Consultant Archaeologist		
Local Police Station		
OEH: Environment Line		131 555



# Appendix E

## Uncovering bones

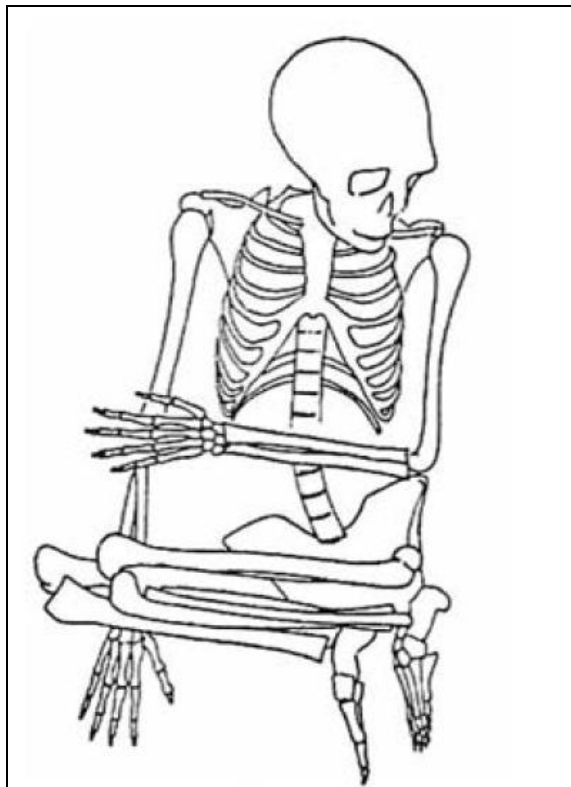
**Hand icon** All matters relating to uncovering bones and RMS' human remains notification obligations should involve RMS regional environment and heritage staff. They will guide Project Managers through occurrences of uncovering bones.

This appendix provides Project Managers with advice (1) on what to do on first uncovering bones (2) the range of human skeletal notification pathways and (3) additional considerations and requirements when managing the discovery of human remains.

### 1. First uncovering bones

Stop all work in the vicinity of the find. All bones uncovered during project works should be **treated with care and urgency** as they have the potential to be human remains. Therefore they must be identified as either human or non-human as soon as possible by a qualified forensic or physical anthropologist. These specialist consultants can be sought by contacting regional environment staff and/or heritage staff at Environment Branch.

On the very rare occasion where it is *instantly obvious* from the remains that they are human, the Project Manager (or a delegate) should **inform the police by telephone** prior to seeking specialist advice. It will be obvious that it is human skeletal remains where there is no doubt, as demonstrated by the example in Figure 1. Often skeletal elements in isolation (such as a skull) can also clearly be identified as human. Note it may also be obvious that human remains have been uncovered when soft tissue and clothing are present.



**Figure 1:** Schematic of a complete skeleton that is 'obviously' human<sup>12</sup>.



**Figure 2:** Disarticulated bones that require assessment to determine species.

<sup>12</sup> After Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal Remains*: 17.

This preliminary phone call is to let the police know that Roads and Maritime is undertaking a specialist skeletal assessment to determine the approximate date of death which will inform legal jurisdiction. The police may wish to take control of the site at this stage. If not, a forensic or physical anthropologist must be requested to make an on-site assessment of the skeletal remains.

Where it is not 'obvious' that the bones are human (in the majority of cases, illustrated by Figure 2), specialist assessment is required to establish the species of the bones. Photographs of the bones can assist this assessment if they are clear and taken in accordance with guidance provided in Appendix C. Good photographs often result in the bones being identified by a specialist without requiring a site visit; noting they are nearly always non-human. In these cases, non-human skeletal remains must be treated like any other unexpected archaeological find.

If the bones are identified as human (either by photographs or an on-site inspection) a technical specialist must determine the likely ancestry (Aboriginal or non-Aboriginal) and burial context (archaeological or forensic). This assessment is required to identify the legal regulator of the human remains so **urgent notification** (as below) can occur. Preliminary telephone or verbal notification by the Project Manager or regional environment staff is considered appropriate. This must be followed up later by Roads and Maritime's formal letter notification as per Appendix G when a management plan has been developed and agreed to by the relevant parties.

## 2. Range of human skeletal notification pathways

The following is a summary of the different notification pathways required for human skeletal remains depending on the preliminary skeletal assessment of ancestry and burial context.

### A. Human bones are from a recently deceased person (*less than 100 years old*).

#### Action

A police officer must be notified immediately as per the obligations to report a death or suspected death under s35 of the *Coroners Act 2009* (NSW). It should be assumed the police will then take command of the site until otherwise directed.

### B. Human bones are archaeological in nature (*more than 100 years old*) and are likely to be **Aboriginal** remains.

#### Action

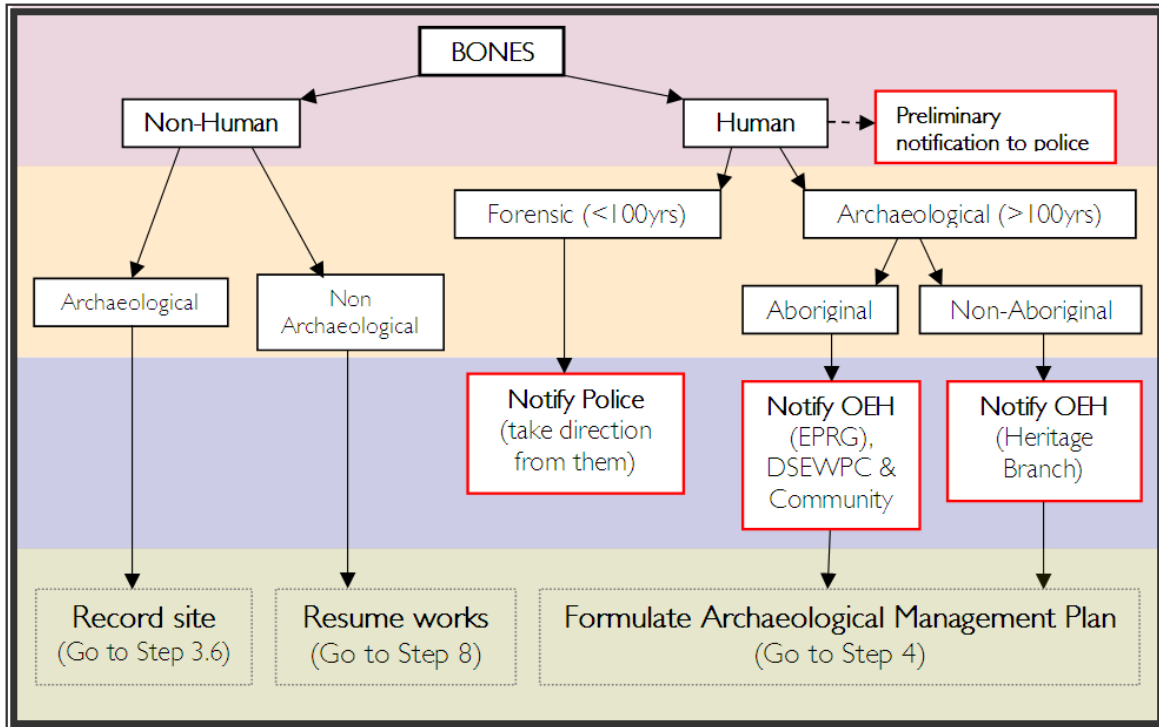
The OEH and the RMS Aboriginal Cultural Heritage Advisor (ACHA) must be notified immediately. The ACHA must contact and inform the relevant Aboriginal community stakeholders who may request to be present on site. Relevant stakeholders are determined by the RTA's *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*.

### C. Human bones are archaeological in nature (*more than 100 years old*) and likely to be **non-Aboriginal** remains.

#### Action

The OEH (Heritage Branch, Conservation Team) must be notified immediately.

The simple diagram below summarises the notification pathways on finding bones.



After the appropriate verbal notifications (as described in B and C), the Project Manager must proceed through the *Unexpected Heritage Items Procedure* to formulate an archaeological management plan (Step 4). Note no archaeological management plan is required for forensic cases (A), as all future management is a police matter. Non-human skeletal remains must be treated like any other unexpected archaeological find and so must proceed to recording the find as per Step 3.6.

### 3. Additional considerations and requirements

Uncovering archaeological human remains must be managed intensively and needs to consider a number of additional specific issues. These issues might include facilitating culturally appropriate processes when dealing with Aboriginal remains (such as repatriation and cultural ceremonies). Roads and Maritime's ACHA can provide advice on this and how to engage with the relevant Aboriginal community. Project Managers, more generally, may also need to consider overnight site security of any exposed remains and may need to manage the onsite attendance of a number of different external stakeholders during assessment and/or investigation of remains. Project Managers may also be advised to liaise with local church/religious groups and the media to manage community issues arising from the find. Additional investigations may be required to identify living descendants, particularly if the remains are to be removed and relocated.

If exhumation of the remains (from a formal burial or a vault) is required, Project Managers should also be aware of additional approval requirements under the *Public Health Act 1991* (NSW). Specifically, Roads and Maritime is required to apply to the Director General of NSW Department of Health for approval to exhume human remains as per Clause 26 of the *Public Health (Disposal of Bodies) Regulation 2002* (NSW)<sup>13</sup>. Further, the exhumation of such remains needs to consider health risks such as infectious disease control, exhumation procedures and reburial approval and registration. Further guidance on this matter can be found at the NSW Department of Health [website](#).

In addition, due to the potential significant statutory and common law controls and prohibitions associated with interfering with a public cemetery, project teams are

<sup>13</sup> This requirement is in addition to heritage approvals under the *Heritage Act 1977*.

advised, when works uncover human remains adjacent to cemeteries, to confirm the cemetery's exact boundaries.

## Appendix F

### Archaeological/heritage advice checklist

The archaeologist must advise the Project Manager of an appropriate archaeological or heritage management plan as soon as possible after site inspection (see Step 4). An archaeological or heritage management plan can include a range of activities and processes, which differ depending on the find and its significance. In discussions with the archaeologist the following checklist can be used by the Project Manager and the archaeologist as a prompt to ensure all relevant archaeological issues are considered when developing this plan. This will allow the project team to receive clear and full advice to move forward quickly and in the right direction. Archaeological and/or heritage advice on how to proceed can be received in a letter or email outlining all relevant archaeological and/or heritage issues.

	Required	Outcome/notes
<b>Assessment and investigation</b>		
• Assessment of significance	Yes/No	
• Assessment of heritage impact	Yes/No	
• Archaeological excavation	Yes/No	
• Archival photographic recording	Yes/No	
<b>Heritage approvals and notifications</b>		
• AHIPs, Section 140, S139 exceptions etc	Yes/No	
• Regulator relics/objects notification	Yes/No	
• Roads and Maritime's S170 Heritage and Conservation Register listing requirements	Yes/No	
• Compliance with CEMP or other project heritage approvals	Yes/No	
<b>Stakeholder consultation</b>		
• Aboriginal stakeholder consultation requirements and how it relates to RTA <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation (PACHCI)</i> .	Yes/No	
• Advice from regional environmental staff, Aboriginal Cultural Heritage Advisor, Roads and Maritime heritage team.	Yes/No	
<b>Artefact/ heritage item management</b>		
• Retention or conservation strategy (eg items may be subject to long conservation and interpretation) • Disposal strategy (eg former road pavement) • Short term and permanent storage locations (interested third parties should be	Yes/No	

#### Roads & Maritime Services

consulted on this issue).		
• Control Agreement for Aboriginal objects.	Yes/No	
<b>Program and budget</b>		
• Time estimate associated with archaeological or heritage conservation work.		
• Total cost of archaeological/heritage work.		

## **Appendix G**

Template notification letter

[Select and type date]

[Select and type reference number]

[Select and type file number]

[Insert recipient's name and address, see **Appendix D**]

[Select and type salutation and name],

**Re: Unexpected heritage item discovered during Roads and Maritime Services project works.**

I write to inform you of an unexpected [select: relic, heritage item or Aboriginal object] found during Roads and Maritime Services construction works at [insert location] on [insert date]. [Where the regulator has been informally notified at an earlier date by telephone, this should be referred to here].

This letter is in accordance with the notification requirement under [select: Section 146 of the *Heritage Act 1977* (NSW) or Section 89(A) of the *National Parks and Wildlife Act 1974* (NSW)] **NB:** There may be not be statutory requirement to notify of the discovery of a 'heritage Item that is not a relic or Aboriginal object].

**NB:** On finding Aboriginal human skeletal remains this letter must also be sent to the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities (SEWPC) in accordance with notification requirements under Section 20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

[Provide a brief overview of the project background and project area. Provide a summary of the description and location of the item, including a map and image where possible. Also include how the project was assessed under the *Environmental Planning and Assessment Act 1979* (NSW) (eg Part 5). Also include any project approval number, if available].

Roads and Maritime Services [or contractor] has sought professional archaeological advice regarding the item. A preliminary assessment indicates [provide a summary description and likely significance of the item]. Please find additional information on the site recording form attached.

Resulting from these preliminary findings, Roads and Maritime Services [or contractor] is proposing [provide a summary of the proposed archaeological/heritage approach (eg develop archaeological research design (where relevant), seek heritage approvals, undertake archaeological investigation or conservation/interpretation strategy). Also include preliminary justification of such heritage impact with regard to project design constraints and delivery program].

The proposed approach will be further developed in consultation with a nominated Office of Environment and Heritage staff member.

Please contact me if you have any input on this approach or if you require any further information.

Yours sincerely

[Sender name and position]



[Attach the archaeological/heritage management plan and site recording form].