



**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development, Communications and the Arts**

Cath Snelgrove  
Director Environment  
Sydney Metro  
PO Box K659  
Haymarket NSW 1240

Dear Ms Snelgrove

I write to notify you that, in accordance with Condition 39 of the Airport Plan, I have today approved the Construction (Rail) Plan and nine CEMPs submitted by Sydney Metro on 13 July 2023, namely:

- Noise and Vibration CEMP
- Biodiversity CEMP
- Soil and Water CEMP
- Traffic and Access CEMP
- Air Quality CEMP
- Aboriginal Cultural Heritage CEMP
- European and Other Heritage CEMP
- Waste and Resources CEMP
- Visual and Landscape CEMP

The requirements set out with the original notice of approval of the nine CEMPs continue to apply to the revised approved CEMPs. Sydney Metro is required:

- a. To take reasonable steps to ensure that each person involved in carrying out a development that is part of the Rail Development is informed of, and complies with, the CEMP (Condition 45(3) of the Airport Plan).
- b. To maintain accurate records demonstrating implementation of, and compliance with, the approved CEMPs, and other applicable conditions contained in Section 3.11.6 of the Airport Plan. Records must be made available to the Infrastructure Department on request (Condition 46 of the Airport Plan).
- c. To publish information in a report about its compliance with the conditions set out in section 3.11.6 of the Airport Plan (Rail Conditions) and its implementation of the approved CEMPs (Condition 47 of the Airport Plan).



## Australian Government

---

### Department of Infrastructure, Transport, Regional Development, Communications and the Arts

- d. To ensure that an independent audit of its compliance with the conditions set out in section 3.11.6 (except Condition 44), and condition 46 of the Airport Plan (Rail Conditions) is conducted, by an approved independent auditor, in respect of the 12-month period commencing with commencement of Rail Construction Works. The independent audit report must be submitted to the Infrastructure Department, with a copy provided to the Environment Department, within six months of the end of the period in respect of which the audit was conducted (Condition 48 of the Airport Plan).
- e. To ensure that any Rail Development is not carried out inconsistently with any of the approved Rail CEMPs (Condition 39 of the Airport Plan).
- f. Unless otherwise agreed by an Approver, to publish the approved plans on its website (Condition 50 of the Airport Plan).

If you have any queries in relation to this letter, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Jansen', written over a horizontal line.

David Jansen

Assistant Secretary

Western Sydney Airport Regulatory Policy Branch

14 August 2023



# Sydney Metro Western Sydney Airport Aboriginal Cultural Heritage Construction Environmental Management Plan

Sydney Metro Integrated Management System (IMS)

<b>Applicable to:</b>	Airport Rail Development
<b>Document Owner:</b>	Sydney Metro
<b>System Owner:</b>	-
<b>Status:</b>	Final
<b>Version:</b>	Rev06
<b>Date of issue:</b>	13 July 2023
<b>Review date:</b>	-
© Sydney Metro 2023	

## Table of contents

<b>1.</b>	<b>Introduction .....</b>	<b>9</b>
1.1.	Sydney Metro .....	9
1.2.	Sydney Metro Western Sydney Airport .....	11
1.3.	Background/Context .....	11
1.4.	Document purpose .....	13
1.5.	Consistency .....	14
1.6.	Sydney Metro environmental management system overview .....	15
1.7.	Consultation requirements of this document .....	17
1.8.	Consultation to inform Revision 3 of the WSA CEMP .....	17
1.9.	Ongoing consultation .....	18
1.10.	Certification and approval .....	19
1.11.	Distribution.....	20
<b>2.</b>	<b>Scope of works.....</b>	<b>21</b>
2.1.	Overall Project scope.....	21
2.2.	Preparatory activities .....	24
2.3.	Construction sites .....	24
<b>3.</b>	<b>Objectives and targets .....</b>	<b>26</b>
3.1.	Objectives.....	26
3.2.	Targets and performance criteria .....	26
<b>4.</b>	<b>Legal and other requirements .....</b>	<b>28</b>
4.1.	Relevant legislation and guidelines .....	28
4.1.1.	Legislation .....	28
4.1.2.	Guidelines and standards .....	30
4.2.	Approvals and other specifications .....	30
4.3.	Airport Plan conditions.....	31
4.4.	Environmental Impact requirements.....	37
4.4.1.	WSA EIS requirements .....	37
4.4.2.	SMWSA EIA requirements.....	37
<b>5.</b>	<b>Existing environment.....</b>	<b>40</b>
5.1.	Background .....	40
5.2.	Cultural context.....	40
5.3.	Archaeological context.....	40
5.4.	Landscape and landforms.....	41
5.5.	Recorded Aboriginal sites .....	41
	<b>42</b>	
5.6.	Nature and distribution of sites.....	43
<b>6.</b>	<b>Aboriginal cultural heritage aspects and impacts .....</b>	<b>47</b>
6.1.	Aboriginal cultural heritage aspects .....	47
6.2.	Aboriginal cultural heritage impacts .....	47
6.3.	Environmental Risk Assessment.....	49

6.3.1.	Risk Assessment process .....	49
<b>7.</b>	<b>Environmental Control measures .....</b>	<b>60</b>
<b>8.</b>	<b>Aboriginal cultural heritage management .....</b>	<b>67</b>
8.1.	Protection of Aboriginal heritage sites .....	67
8.2.	Impact to Aboriginal sites .....	67
8.3.	Unexpected finds protocol .....	67
8.4.	Discovery of human remains protocol .....	67
8.5.	Survey and salvage .....	68
8.6.	Long term management of Aboriginal heritage items .....	68
<b>9.</b>	<b>Environmental roles and responsibilities .....</b>	<b>69</b>
<b>10.</b>	<b>Environmental inspection, monitoring, auditing and reporting .....</b>	<b>70</b>
10.1.	Environmental inspections .....	70
10.1.1.	Sydney Metro environmental site inspections .....	70
10.1.2.	Contractor environmental inspections .....	70
10.1.3.	Pre-start inspection .....	71
10.2.	Aboriginal cultural heritage monitoring .....	71
10.3.	Environmental auditing .....	71
10.4.	Environmental reporting .....	72
10.5.	Review of approved plans .....	73
10.6.	Environmental Incidents and complaints management .....	73
<b>11.</b>	<b>Competence, training and awareness .....</b>	<b>74</b>
<b>12.</b>	<b>References .....</b>	<b>75</b>

## Figures

Figure 1-1 Sydney Metro network	10
Figure 1-2 SMWSA Environmental Management System and CEMP context	16
Figure 2-1 Construction footprint and key construction sites	<b>Error! Bookmark not defined.</b>
Figure 2-2 Indicative main construction program for the project	24
Figure 2-3 Indicative construction activities at proposed action construction sites	25
Figure 5-1 All known Aboriginal sites recorded at the Airport site	42
Figure 5-2 Aboriginal heritage transects	46
Figure 6-1 Areas of Archaeological survey for Stage 1 Development	48

## Tables

Table 1-1 Aboriginal Cultural Heritage CEMP relationship with other CEMP documentation	13
<b>Table 1-2: WSA ACH CEMP consultation summary .....</b>	<b>17</b>
<b>Table 1-3: Historical and ongoing consultation summary .....</b>	<b>18</b>
Table 3-1 Objectives and targets .....	26
Table 4-1 Principal legislation and relevance .....	28
Table 4-2 relevant guidelines and standards .....	30
Table 4-3 Airport Plan Conditions relevant to Aboriginal cultural heritage management and mitigation .....	31

Table 4-5 Summary of Aboriginal Cultural Heritage management requirements from the SMWSA EIA .....	37
Table 5-1 Summarises the proportion of various landforms within the Airport Site .....	41
Table 5-2 AHIMS sites within the on-airport construction footprint.....	42
Table 6-1 Likelihood descriptor .....	49
Table 6-2 Consequence descriptor .....	49
Table 6-3 Risk severity and management response.....	50
Table 6-4 Aboriginal Cultural Risk Assessment.....	52
Table 7-1 Aboriginal Cultural Heritage management and mitigation measures .....	60
Table 10-1 Aboriginal cultural heritage reporting .....	71

## Appendices

Appendix A Topsoil management protocol

Appendix B Aboriginal stakeholder consultation and engagement plan

Appendix C Survey and Salvage Plan and Addenda

Appendix D Oral History Plan

Appendix E Identifying Aboriginal objects and site types

## Document Control

<b>Title</b>	Sydney Metro Western Sydney Airport Aboriginal Cultural Heritage Construction Environmental Management Plan
<b>Document No/Ref</b>	SM-21-00033333

### Version Control

Revision	Date	Description
01	18 March 2021	Draft for Tender
02	15 August 2021	Draft for WSA review
03	1 November 2021	Issued for DITRDC
04	25 January 2022	Final for DITRDC
05	18 February 2022	Final
06	11 July 2023	Draft for WSA Review
06	13 July 2023	Issued for DITRDC

## Terms and Definitions

Terms	Definitions
<b>AARD</b>	Archaeological Assessment and Research Design report
<b>AEPR</b>	Airports (Environment Protection) Regulations 1997
<b>AEW</b>	Advanced and Enabling Works
<b>ACHCEMP</b>	Aboriginal Cultural Heritage Construction Environmental Management Plan
<b>Airport</b>	Western Sydney International (Nancy-Bird Walton) Airport (WSI) located at the Airport Site. Note: The Airport is referred to in the Act as Sydney West Airport and is commonly known as Western Sydney International (Nancy-Bird Walton) Airport
<b>Airport Lease</b>	An airport lease for the Airport granted under section 13 of the Act
<b>Airport Lessee Company</b>	The company that is granted a lease over the Airport Site
<b>Airport Plan</b>	Means the September 2021 approved Airport Plan which includes the Variation for the SM-WSA Rail Development on the WSI airport and which otherwise means airport plan for the Airport Site as determined by the Infrastructure Minister under section 96B of the Airports Act in December 2016 as varied from time to time in accordance with the Airports Act.
<b>Airport Site</b>	The site for Sydney West Airport as defined by the Airports Act.
<b>AS</b>	Australian Standard
<b>CCS</b>	Community Communication Strategy
<b>CEMF</b>	Construction Environmental Management Framework
<b>CEMP</b>	Construction Environmental Management Plan
<b>CIZ</b>	Construction Impact Zone
<b>CNVIS</b>	Construction Noise and Vibration Impact Statement
<b>CoA</b>	Conditions of Approval
<b>CSSI</b>	Critical State Significant Infrastructure
<b>Cth</b>	Commonwealth
<b>DAWE</b>	Department of Agriculture, Water and the Environment (Cth)
<b>DECC</b>	NSW Department of Environment and Climate Change
<b>DITRDC</b>	Department of Infrastructure, Transport, Regional Development and Communications
<b>DPIE</b>	Department of Planning, Industry and Environment
<b>ECM</b>	Environmental Control Map
<b>ECZ</b>	Environmental Conservation Zone
<b>EESG</b>	NSW Environment, Energy and Science Group (formerly OEH)
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environment Planning and Assessment Act 1979 (NSW)</i>
<b>EPA</b>	NSW Environment Protection Authority
<b>EPBC Act</b>	<i>Environment Protection and Conservation Act 1999 (Cth)</i>
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>EPO</b>	Environmental Performance Outcome



Terms	Definitions
<b>ER</b>	Environmental Representative
<b>EWMS</b>	Environmental Works Method Statement
<b>E&amp;SMS</b>	Environment and Sustainability Management System
<b>HMP</b>	Heritage Management Plan
<b>ICNG</b>	Interim Construction Noise Guideline
<b>IMS</b>	Sydney Metro Integrated Management System
<b>Infrastructure Department</b>	The department responsible for administering the Airports Act, currently the Australian Government Department of Infrastructure, Transport Regional Development and Communications (DITRDC)
<b>ISO</b>	International Standardization Organisation
<b>KPI</b>	Key Performance Indicator
<b>OCCS</b>	Overarching Community Communication Strategy
<b>OEH</b>	NSW Office of Environment and Heritage (formerly DECC)
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i> (NSW)
<b>Preparatory Activities</b>	<p>Preparatory Activities mean the following:</p> <ul style="list-style-type: none"> <li>a. day to day site and property management activities;</li> <li>b. site investigations, surveys (including dilapidation surveys), monitoring, and related works (e.g. geotechnical or other investigative drilling, excavation, or salvage);</li> <li>c. establishing construction work sites, site offices, plant and equipment, and related site mobilisation activities (including access points, access tracks and other minor access works, and safety and security measures such as fencing but excluding bulk earthworks);</li> <li>d. enabling preparatory activities such as: <ul style="list-style-type: none"> <li>i. demolition or relocation of existing structures (including buildings, services, utilities and roads);</li> <li>ii. the disinterment of human remains located in grave sites identified in the European and other heritage technical report in volume 4 of the EIS; and</li> <li>iii. application of environmental impact mitigation measures; and</li> </ul> </li> <li>e. any other activities which an Approver determines are Preparatory Activities for this definition</li> </ul>
<b>Project</b>	The Sydney Metro Western Sydney Airport Construction and operation as approved by the EPBC and Airport Plan as the Action or Rail Development within the Rail Construction Impact Zone on-airport, being the WSI airport, in agreeance with the Deed between SM-WSA and WSA Co.
<b>Proponent</b>	The person or organisation identified as the proponent in Schedule 1 of the planning approval. In this case Sydney Metro Authority
<b>RCIZ</b>	Rail Construction Impact Zone
<b>REMM</b>	Revised Environmental Mitigation Measure
<b>RMS</b>	NSW Roads and Maritime Services
<b>SBT</b>	Station Boxes and Tunnelling Works
<b>SCAW</b>	Surface and Civil Alignment Works
<b>SCO</b>	Sydney Coordination Office
<b>SEMF</b>	Site Environmental Management Framework

Terms	Definitions
<b>Site Occupier</b>	Site Occupier means: (a) before an Airport Lease is granted – the Commonwealth; and Note: Where a condition specifies an activity to be carried out by the Commonwealth, the Infrastructure Department will be responsible for carrying out the activity on behalf of the Commonwealth (unless stated otherwise). (b) after an Airport Lease is granted – the ALC.
<b>SM</b>	Sydney Metro
<b>SM - WSA</b>	Sydney Metro - Western Sydney Airport
<b>SM - WSA EIA</b>	SMWSA EPBC Act Final Environmental Impact Assessment of On-airport proposed action (EPBC 2019/8541)
<b>SMP</b>	Sustainability Management Plan
<b>SSI</b>	State Significant Infrastructure
<b>SSTOM</b>	Stations, Systems, Trains, Operations & Maintenance
<b>SWMS</b>	Safe Works Method Statement
<b>TfNSW</b>	Transport for New South Wales
<b>The Act</b>	Airports Act 1996 (Cth) (Airports Act)
<b>WSA</b>	Western Sydney Airport Co
<b>WSI airport</b>	Western Sydney International (Nancy-Bird Walton) (WSI) Airport

# 1. Introduction

## 1.1. Sydney Metro

Sydney Metro is Australia's biggest public transport project. Services between Rouse Hill and Chatswood started in May 2019 on the new stand-alone metro railway system. The Sydney Metro network and program of work includes the Metro North West Line (which opened in May 2019), Sydney Metro City & Southwest (which is currently under construction and due to open in 2024), Sydney Metro West (with construction due to start in 2020) and Sydney Metro – Western Sydney Airport (SM – WSA) (Project). Potential future extensions to Schofields/Tallawong in Rouse Hill in the north and to Macarthur in the south are under consideration and are being safeguarded but do not form part of the Project.

The Project is shown in Figure 1-1 and would become the transport spine for Greater Western Sydney, connecting communities and travellers with the new Western Sydney International (Nancy-Bird Walton) Airport (referred to as Western Sydney International) (WSI airport) and the growing region.

The Project is being delivered under the Western Sydney City Deal, a partnership between the NSW Government, Australian Government and eight councils of the Western Parkland City. The NSW and Australian Governments have a shared objective of having the rail line operational when WSI airport is planned to open for passenger services.

The new railway line will service Greater Western Sydney and the new WSI airport. It will become the transport spine for the Western Parkland City's growth for generations to come, connecting communities and travellers with the rest of Sydney's public transport system with a fast, safe and easy metro service. The Project will link residential areas with job hubs from St Marys through to the new airport and the Western Sydney Aerotropolis.

It will provide a major economic stimulus for Western Sydney, supporting more than 14,000 jobs during construction for the NSW and national economies, including more than 250 new apprenticeships. The Project comprises components that are located outside WSI airport (off-airport) and components that are located within WSI airport (on-airport).

The approval process for the off-airport and on-airport components of the project are different and are outlined below. One outcome of the on-airport approval is that a condition of working on the WSI airport site will require the Project to produce and have approved, a series of Construction Environmental Management Plans (CEMP) prior to the SM - WSA commencing construction on-airport. This Aboriginal Cultural Heritage CEMP (ACHCEMP) is one of a series of nine CEMPs for the Project which will be consistent with the WSI airport CEMPs and address all on-airport environmental components of the Project.

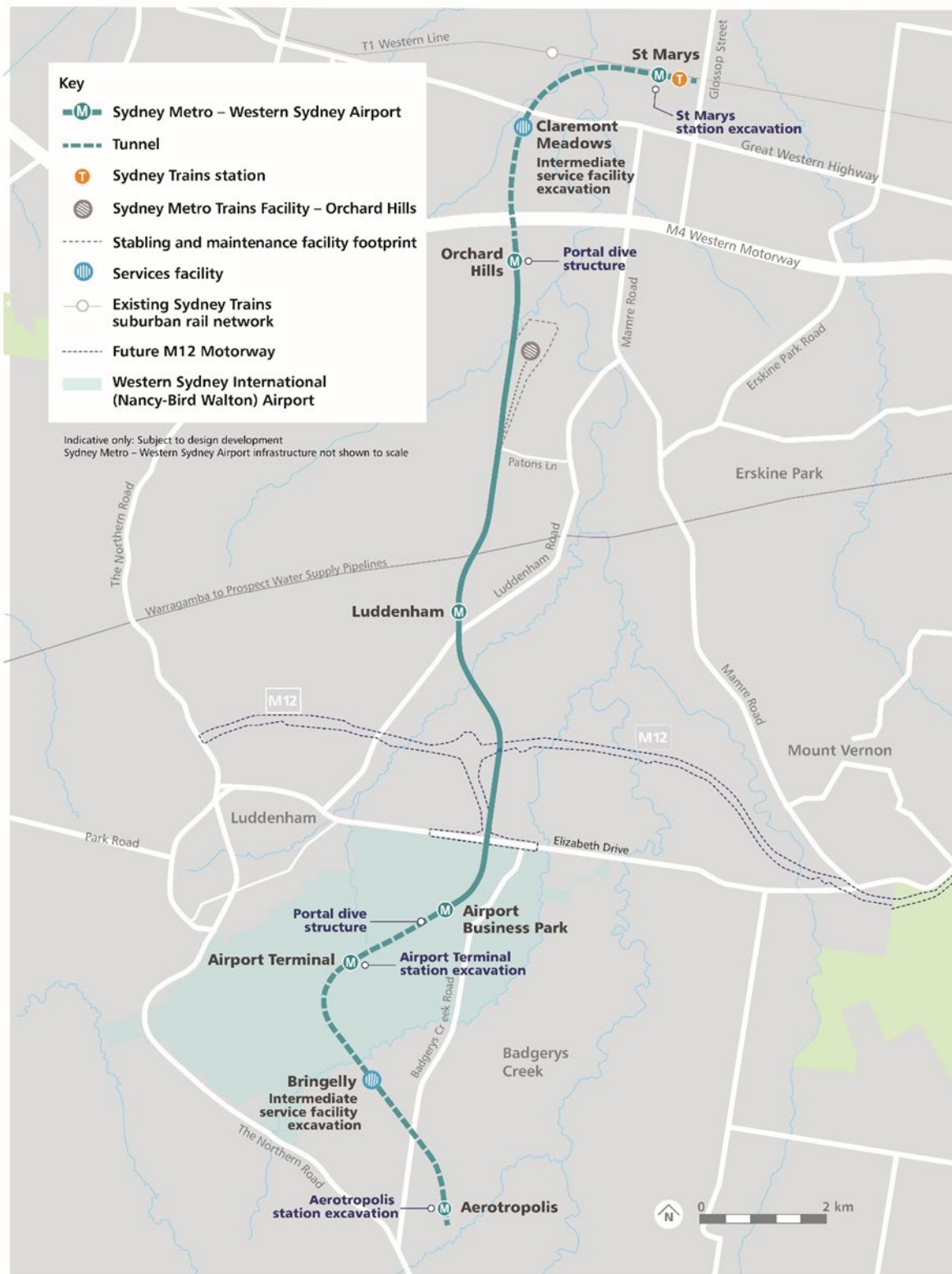


Figure 1-1 Sydney Metro network

## 1.2. Sydney Metro Western Sydney Airport

The Western Sydney Airport Plan sets out the vision for the development and operation of Western Sydney International and provides authorisation for Stage 1 of the airport. The construction of Stage 1 of the airport is expected to be completed to enable operations to commence in 2026 and will comprise a single runway, a terminal and other relevant facilities to accommodate around 10 million passengers annually as well as air freight traffic. Interface with Western Sydney International Rail access to Western Sydney International Airport will contribute to the success of the airport and the Western Parkland City, as it would facilitate passengers' and workers' journeys, reduce road congestion and support the economic viability of the airport.

The Project is proposed to enter the WSI airport site from the north and would include the Airport Business Park Stations and the Airport Terminal Station. The rail line will travel through the airport, before exiting the airport site beneath Badgerys. Sydney Metro has been, and will continue, working closely with WSI airport to ensure design development and Construction (Rail) Planning of the Project is coordinated with the construction and operation of WSI airport.

## 1.3. Background/Context

The Airport Plan for the WSI airport was determined in December 2016, following preparation and exhibition of an Environmental Impact Statement (EIS), and incorporates the conditions specified by the Commonwealth Environment Minister. The delivery of the Project on the WSI airport site has been authorised through a variation of the Airport Plan by the Commonwealth Infrastructure Minister, taking into account advice from the Commonwealth Environment Minister.

In September 2019, the Commonwealth Infrastructure Minister referred the on-airport components of the Project to the Commonwealth Environment Minister. In December 2019, the delegate of the Commonwealth Environment Minister decided that advice is required under section 160 of the EPBC Act as the proposed action is likely to have a significant impact on the environment and will require further assessment (EPBC 2019/8541).

The following documents were prepared as part of the SMWSA EIA, to respond to the Request for Further Information, and were published, in accordance with the Direction to Publish, from 21 October to 18 November 2020:

- SMWSA EPBC Act Final Environmental Impact Assessment of On-airport proposed action (EPBC 2019/8541)
- SMWSA EIA Appendix F: Construction Environmental Management Framework.

An EPBC Act Final Environmental Impact Assessment of on-airport proposed action (EPBC 2019/8541) was approved by the Commonwealth Department of Agriculture, Water and the Environment (DAWE) and formed part of the conditions of the Airport Plan Variation which was lodged with the Infrastructure Department and approved by the Commonwealth Environment Minister.

After considering the final environmental assessment and variation to the Airport Plan, the Commonwealth Environment Minister provided advice to the Commonwealth Infrastructure Minister. WSA submitted a formal application to the Commonwealth Infrastructure Minister to vary the Airport Plan who approved the variation to the Airport Plan in September 2021.

This ACHCEMP (this Plan) has been prepared to satisfy the requirements of the ACHCEMP set out in the Conditions for the Project of the Western Sydney International (Nancy-Bird Walton) (WSI airport) Airport detailed in Section 3.11.6 of the Airport Plan. Condition 39 (2(f)) of the Airport Plan requires that a Sydney Metro Aboriginal Cultural Heritage CEMP be approved under the Airport Plan prior to the commencement of Main Construction Works.

This ACHCEMP provides the management approach and requirements (including environmental mitigation measures, controls, monitoring and reporting) for managing Aboriginal related matters during construction of the Project. This Plan forms one of nine CEMPs which are collectively covered by the Sydney Metro Construction Environmental Management Framework (SM CEMF). To ensure the environmental resources, responsibilities and management measures are implemented during the construction activities, the SM CEMF will be included within the Sydney Metro Construction (Rail) Plan.

The integration of the WSA CEMPs with the SMWSA CEMPs is required to meet the requirements of the Project within the areas of WSA CIZ (Stage 1) which will be required for the continuation of the SCAW component of the Project, the TBM launch site, and the construction of the metro station precincts at International Terminal and Airport Business Park.

The implementation of the Sydney Metro Construction (Rail) Plan and the CEMF are aligned with Project level management plans including the Community Communications Strategy and the Sustainability Plan as illustrated in Figure 1-2.

The Sydney Metro Construction (Rail) Plan, including the SM CEMF and nine CEMPs provide the environmental management approach and requirements and therefore should not be read in isolation to each other due to interconnecting management outcomes and objectives. Specifically, for the ACHCEMP, it is considered that the following management plan linkages can be made:

- Biodiversity CEMP – For example: The management of the Environment Conservation Zone (EC) and the protection and conservation of known and predicted Aboriginal heritage sites within the EC that need to be managed for their cultural heritage values.
- Soil and Water CEMP – Salvage practices of wet sieving will need ESCP to control sedimentation and Topsoil management.
- Visual and Landscape CEMP – Aboriginal Cultural heritage values may be potentially impacted by changes in visual amenity and landscaping.
- Community Communications Strategy – The Aboriginal Stakeholder Consultation and Engagement Plan has been developed in conjunction with this broader plan recognising that Aboriginal stakeholders are a key stakeholder group within the Western Sydney community and that stakeholders are highly engaged and involved in the management of Aboriginal Cultural Heritage values on the Sydney Metro site.
- Sustainability Plan – Management of Aboriginal Cultural heritage values relates to the general health, wellbeing, employment and quality of life for surrounding communities.

Where relevant, linkages to other CEMPs and management objectives have been included in the risk assessment and the environmental control measures in Section 6 and 7 of this CEMP respectively.

This Plan is to be read in conjunction with the Sydney Metro Construction (Rail) Plan and any relevant CEMP documents as indicated in Table 1-1 below, which highlights relationships and linkages of this AHCEMP with other CEMPs and management plans within the environmental management framework, including key cross-referencing to Airport Plan and Sydney Metro Western Sydney Airport (SMWSA) EIS requirements.

**Table 1-1 Aboriginal Cultural Heritage CEMP relationship with other CEMP documentation**

CEMP	Airport Plan (3.11.6)	SMWSA EIA Table 8-1: On-airport environmental management framework requirements and Table 8-2 Performance outcomes	SMWSA EIA Table 8-3: Mitigation measures
Aboriginal Cultural Heritage	39 2(f)	CEMF5	AH8
Air quality	39 2(e)	CEMF10	AQ1-3
Biodiversity	39 2(b)	CEMF6	FF1, FF3, FF5 FF6 FF9-11 HR2
Community Communications Strategy	40	N/A	
European and other heritage	39 2(g)	CEMF5	NAH9
Noise and vibration	39 2(a)	CEMF4	NV1
Soil and water	39 2(c)	CEMF3 CEMF8	HYD1, WQ1-2, GW4-6 SC1, SC5-9, SC11 HR1, HR3
Sustainability plan	41	N/A	SUS1-3 GHG1
Traffic and access	39 2(d)	CTMF2	T1, T3, T4, T6
Visual landscape	39 2(i)	CEMF7	LV1-3
Waste and resources	39 2(h)	CEMF9 CEMF11	WR1-3

**Key**

Moderate to high relevance to this CEMP

Some relevance to this CEMP

## 1.4. Document purpose

The purpose of this Plan is to minimise the disturbance or loss of Aboriginal cultural values related to the Sydney Metro site and to provide for consultation and engagement with Aboriginal stakeholders on the management of Aboriginal cultural heritage in accordance with the Airport Plan requirements (including cultural heritage mitigation measures, controls, monitoring and reporting) during the construction phase of the Project.

This Plan details the Aboriginal cultural heritage management requirements that must be addressed in order to demonstrate compliance with Condition 11 (1), (2) and (3) of Section 3.11.2 of the Airport Plan for the construction of the Project of the Western Sydney Airport.

Legal and other requirements are identified and maintained in a register within the SM CEMF (refer to CEMF Chapter 2 – Appendix C of the SEMF). Mitigation measures specific to Aboriginal Cultural Heritage required to satisfy these requirements are derived from the SMWSA EIA Chapter 27 Table 27-5, and through risk assessment processes (refer to the SMWSA EIS Chapter 26) and included within this CEMP (refer to Section 7).

Implementation of these measures is ensured through monitoring of control measures by Sydney Metro, consultation and engagement with Aboriginal stakeholders, survey and salvage programs (including participation of Aboriginal stakeholders), training and competence, inspection, audit and reporting actions detailed in Sections 10 and 11. Responsibilities for implementation is identified in Section 9.

Continual improvement processes in relation to compliance and Environment and Sustainability Management Systems are detailed in the Sydney Metro CEMF Section 3.18 (Section 10 of SEMF).

In summary, this Plan sets out to achieve the following:

- Provision of details for the management and mitigation measures to be implemented, including timing and responsibilities.
- Ensuring the commitments of the Conditions (as set out in the Airport Plan) and regulatory requirements are met and satisfied by both Sydney Metro and contractors.
- Provision of process for monitoring implementation, reporting, and auditing of Aboriginal cultural heritage management and compliance related issues.
- Commitment to meeting the requirements of AS/NZS ISO 14001:2016 Environmental Management Systems including the need for continual improvement.
- Provision of a process to be implemented for the management of complaints, for stakeholder engagement, and for the management of emerging cultural heritage and related Aboriginal stakeholder issues as they arise.
- Provision of a system including procedures, plans and documentation for implementation by Sydney Metro personnel and contractors to enable project completion in accordance with the environmental requirements.

Effective implementation of this Plan will assist Sydney Metro and relevant contractors to achieve compliance with necessary environmental regulatory and policy requirements in a systematic manner with an outcome of continual environmental management performance.

## 1.5. Consistency

A major requirement of these plans is for Sydney Metro to maintain consistency with the already approved WSA CEMPs. This consistency requirement results in SM not needing to undertake consultation as is the requirement of WSA for their plans.

SM approached the development of these plans to meet the requirements of the Airport Plan, ensure compliance with Tables 8-1, 8-2 and 8-3 of the EPBC 2019/8541 and remain consistent with the WSA CEMPs.

SM have achieved this consistency through the following:



- Consistent format
- Consistent language
- Consistent existing environment with the addition of the SM – WSA RCIZ existing environment
- Consistent aspects and impacts but removing those not applicable and adding specific SM – WSA aspects and impacts
- Consistent risk assessment but removing those not applicable and adding specific SM – WSA risks
- Consistent mitigation measures but removing those not applicable and adding SM – WSA specific mitigation measures
- Consistent monitoring with the addition of any SM – WSA specific monitoring requirements
- Consistent auditing and reporting
- References to SEMF replaced with consistent CEMF requirements.

## 1.6. Sydney Metro environmental management system overview

Sydney Metro operates in general accordance with AS/NZS ISO 14001 – Environmental management systems. A copy of the Sydney Metro environmental policy is provided in Appendix A of the CEMF.

The Project will be undertaken in accordance with the Sydney Metro Construction (Rail) Plan, including the SM CEMF and the associated CEMPs (including this Plan). The SM CEMF will form an appendix to the Construction (Rail) Plan and is the overarching environmental plan for the implementation of the nine CEMPs. It provides a structured and systematic approach to environmental management and provides Sydney Metro's expectation and guidance with regards to environmental management for the overall construction of the Project

The structure of the environmental management system for the Project is shown in Figure 1-2.

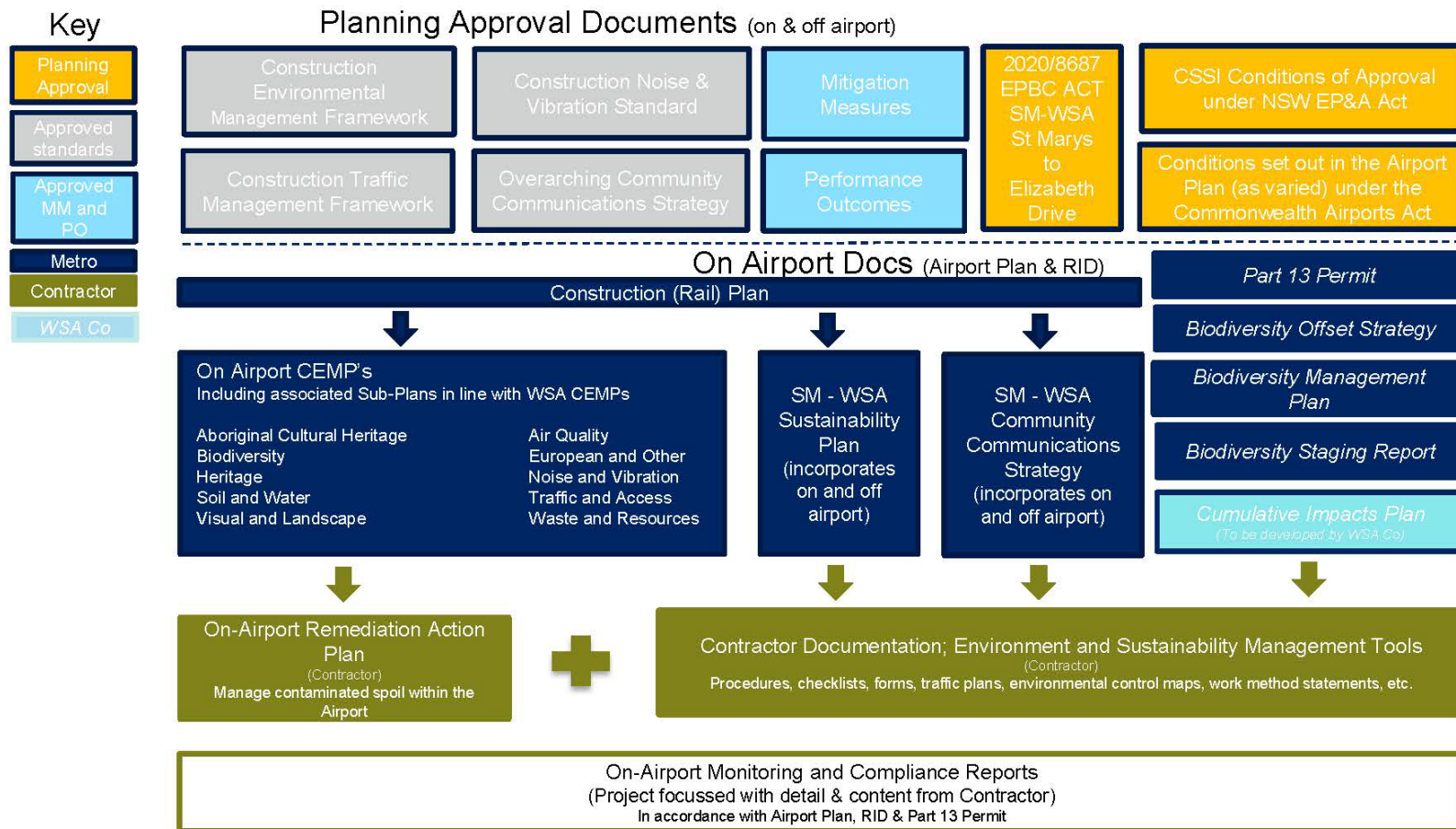


Figure 1-2 SMWSA Environmental Management System and CEMP context

## 1.7. Consultation requirements of this document

There is no direct consultation condition requirement for the Project, due to the SM CEMPs being consistent with the WSA CEMPs in accordance with the Airport Plan. However, in regards to this ACHCEMP, SM have needed to update the Survey and Salvage to account for the change in scope and footprint not addressed in the WSA ACHCEMP.

SM engaged Navin Officer to develop the Survey and Salvage Plan for this ACHCEMP. Navin Officer followed the requirements of the Aboriginal Stakeholder consultation and engagement plan (Appendix B) which they developed for WSA in 2018. As part of the process, Navin Officer sent out drafts of the plan in December 2021 to the 85 registered Aboriginal parties (RAPs) and a follow-up virtual forum was conducted on January 12 2022.

SM will consult with Aboriginal stakeholders in accordance with the Aboriginal Stakeholder and Engagement Plan in relation to the Survey and Salvage Plan.

Consultation has been completed during the development of the latest WSA ACHCEMP and during teview and update of Revision 0 and 1 in 2018 and Revision 2 in. A summary of the stakeholder and government authority consultation was completed by WSA and used to inform the review of Revision 1 and finalisation of Revision 3 is presented in Table 1-2.

Consultation will continue with agencies, councils and other relevant stakeholders throughout the Project where there is a change to a CEMP. The outcomes of this consultation will be documented in subsequent revisions of the relevant CEMPs, with details of such consultation included in the applicable document. If SMWSA were to deviate from the negotiated plans of WSA, then SMWSA will conduct its own consultation as and if required.

## 1.8. Consultation to inform Revision 3 of the WSA CEMP

A consultation plan outlining the process for engaging with stakeholders was prepared by the WSA Community and Engagement team. The plan and a scoping document outlining the works in the Construction Plan and potential modification of the CEMPs was provided to the stakeholders as required by the Airport Plan Conditions.

Details of the construction phases were described in the correspondence to provide context to the stakeholders on the level of impact that would result from the next phase of construction activities. Following WSA’s Terminal contract award, the CEMPs were updated to reflect the next stage of construction. Stakeholders were invited to attend a site visit (due to Covid this became a video conference) and briefing presentation on 15 July 2021 to assist the stakeholders to understand the size and scale of the site elements. On 16 July 2021, stakeholders were provided with the WSA Construction Plan and the nine draft CEMPs to review and were requested to provide comment. A summary of the consultation is provided in Table 1-2.

Table 1-2: WSA ACH CEMP consultation summary

Activity	Date	Invitees	Summary
Consultation Summary			
Site visit and briefing	15 July 2021	<ul style="list-style-type: none"> <li>Liverpool City Council</li> </ul>	As part of the continuous improvement of the

presentation for stakeholders		<ul style="list-style-type: none"> <li>• Penrith City Council</li> <li>• NSW Health</li> <li>• NSW Aboriginal Affairs</li> <li>• Transport for NSW (RMS)</li> <li>• Western Sydney Unit</li> <li>• Department of Energy and Environment</li> <li>• South Western Sydney Local Health District</li> <li>• Rural Fire Service</li> <li>• DFSI Waste Assets Management Corporation</li> <li>• NSW Government Architect</li> <li>• Heritage NSW</li> <li>• Western Sydney Planning Partnership (DPE/GSC/Councils)</li> <li>• Department of Primary Industries – Water</li> <li>• Greater Sydney Commission</li> <li>• City Deal Alliance (Councils)</li> <li>• NSW Department of Planning, Industry and Environment (DPIE)</li> <li>• Environment, Energy and Science (within DPIE)</li> </ul>	consultation process, a site visit (video conference due to Covid) and briefing presentation for stakeholders was organised. It is a useful element to assist stakeholders to understand size and scale and also have discussions related to site elements as they are seen during the site visit.
CEMPs provided to stakeholders for comment	16 July 2021		

### 1.9. Ongoing consultation

The environmental mitigation and management measures outlined in Section 8 provide commitments for ongoing consultation and engagement to continue to minimise impacts relating to Aboriginal cultural heritage. These commitments are fully addressed in the Aboriginal Stakeholder Consultation and Engagement Plan (refer to Appendix B). The aims of the consultations are to:

- Inform on, and provide an opportunity for feedback regarding, all matters relating to the mitigation and management of Aboriginal cultural heritage values across the Airport Site.
- Provide a forum for organising future stakeholder participation in mitigation and management activities.
- Provide opportunities to comment on all policy and documentation regarding the mitigation and management of Aboriginal cultural values.
- Provide an opportunity for Aboriginal stakeholders to participate in field actions involving the mitigation and management of Aboriginal cultural values.

Historical and ongoing consultation with regards to the preparation of the EIS and the development and revision of this CEMP is included below in Table 3.

Table 1-3: Historical and ongoing consultation summary

Activity	Date	Invitees
Identification of Aboriginal stakeholders	February 2015 - December 2015 EIS	Consultation for the Aboriginal cultural heritage assessment undertaken for the EIS commenced on the 13 February 2015 and ended on the 18 December 2015. A total of 34 Aboriginal stakeholders registered their interest in the project.
CEMPs provided to Aboriginal stakeholders	August 2018 – CEMP	CEMP consultation at the WSI Aboriginal Stakeholder Forum No. 8.

for comment		The forum was undertaken at the Twin Creeks Golf and Country Club. Agenda item number 6 of the forum included discussion / consultation with regards to the Aboriginal Cultural Heritage CEMP, including relevant sub-plans as follows: Aboriginal Stakeholder Consultation and Engagement Plan Aboriginal Heritage Oral History Plan Survey and Salvage Plan Topsoil Management Plan Agenda item 12 of the forum included the provision of the next steps with regards to the project environmental management documentation and the intention of WSA to seek approval of the CEMP prior to commencement of the Early Earthworks.
Aboriginal stakeholders forum or meeting	February 2019	Aboriginal stakeholder forum
Aboriginal stakeholders forum or meeting	March 2019	Formal meeting of Aboriginal Stakeholders to discuss Aboriginal Cultural Heritage CEMP, in particular Site Survey and Salvage for WSI Stage 1
Aboriginal stakeholders forum or meeting	June 2019	Aboriginal Engagement Manager introduction and Aboriginal Stakeholder Engagement Survey distributed to all Aboriginal stakeholders to identify areas of interest, including stakeholders with an interest in site survey and salvage
Aboriginal stakeholders forum	March – Ongoing	Presentation roadshow and discussions with Aboriginal stakeholders
Aboriginal stakeholders forum or meeting	Ongoing	Ongoing engagement and consultation with Aboriginal Stakeholders, local Aboriginal community groups and Aboriginal community organisations as part of a broader engagement program
Aboriginal stakeholders	July and October 2019	Presentations and panel discussions at various forums
Aboriginal stakeholders	September 2019	Introductory communications distributed to all Aboriginal stakeholders introducing the Bulk Earthworks contractor and their engaged Heritage Consultant. Introduction also advised stakeholders of the intended dates and timeframes for Site Survey and Salvage
Aboriginal stakeholders	July 2021	CEMP distributed to Aboriginal stakeholders for review as part of the consultation process.
Aboriginal stakeholders	December 2021	Survey and Salvage Plan distributed to Aboriginal stakeholders for review as part of the consultation process.
Aboriginal stakeholders	January 2022	Forum held with Aboriginal stakeholders on Survey and Salvage Plan as part of the consultation process.

### 1.10. Certification and approval

This ACHCEMP has been reviewed and approved for issue by the SMWSA Environment Manager prior to submission to the Infrastructure Department.

## 1.11. Distribution

All Sydney Metro personnel and contractors will have access to this ACHCEMP via the project document control management system. Unless otherwise agreed by the Approver, the Approved Plan must be published on Sydney Metro’s website within one month of being approved and be available until the end of the Construction Period. An electronic copy can be found on the Project website.

This document is uncontrolled when printed. One controlled hard copy will be maintained by the quality manager at the project office.

## 2. Scope of works

### 2.1. Overall Project scope

The Sydney Metro Construction (Rail) Plan details the construction staging of the Airport Railway Development.

The delivery of the Project will be through a packaging strategy with a wide variety of package sizes, risk profiles and contracting entities. Each package will have different levels of environmental risk and environmental obligations, depending on the scope of works, location of works and sensitivity of the receiving environment and cultural heritage issues and relevant statutory requirements and obligations.

The packages have been divided into:

- AEW – Advanced and Enabling Works
- SCAW – Surface and Civil Alignment Works
- SBT – Station Boxes and Tunnelling Works
- SSTOM – Stations, Systems, Trains, Operations and Maintenance

The On-Airport Railway Development of the Project comprises the following key features as described in the Sydney Metro Construction (Rail) Plan (which is consistent with the Airport Plan and EIA Chapter 4):

- Around two kilometres of surface rail alignment within Western Sydney International (SCAW)
- Around 3.3 kilometres of twin rail tunnels (including tunnel portal) within Western Sydney International (SBT)
- Around three kilometres of twin rail tunnels between Western Sydney International and the Aerotropolis Station (SBT)
- Two new metro stations, Airport Business Park Station and Airport Terminal Station (STOM);
- All operational systems and infrastructure (SSTOM)
- A rail segment factory comprising a concrete batch plant and stockpile area (SBT, SCAW and SSTOM)
- A spoil stockpile area (SBT and SCAW)

Details of the Project construction activities, staging and programming including the phases of works is described in the Sydney Metro Construction (Rail) Plan (2021) as required by the Airport Plan Variation.

The proposed construction activities that would be undertaken for the Project include:

- preparatory activities (AEW)
- main construction works including:
  - tunnelling and associated works (SBT)
  - corridor and associated works (SCAW)
  - stations and associated works (SSTOM)
- rail systems fitout (SSTOM)
- activities required for tunnel and viaduct segment manufacture and storage and temporary haulage roads (SBT and SCAW)
- finishing works and testing and commissioning (FAW)

The Project would also include the potential permanent placement of spoil at two sites to support the development of future stages of the airport. The Rail Construction Impact Zone (RCIZ) including the construction footprint and key construction sites proposed for use during the construction of the Project are shown in Figure 2-1. This figure also indicates the Western Sydney International Stage 1 CIZ and the Environmental Conservation Zone within Western Sydney International.



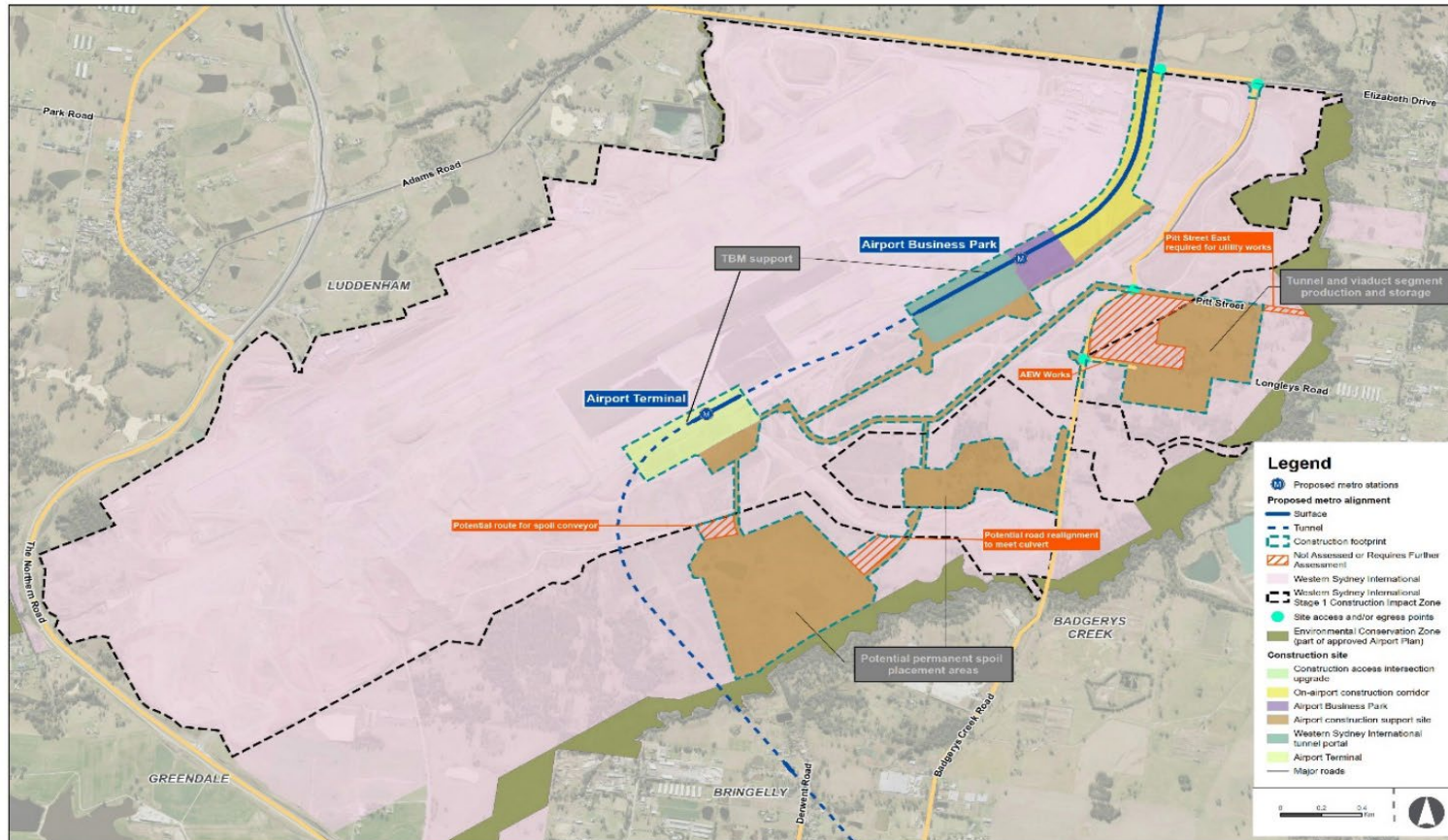


Figure 2-1 Construction footprint and key construction sites

It is anticipated that the Project construction works would commence in 2021 and take about five years to complete, subject to planning approval. The Operational SM - WSA opening is anticipated to align with the opening of passenger services for Western Sydney International in 2026. An indicative main construction program for the project is shown in Figure 2-2 below.

Construction Activities	Overview of Program																											
	Start	Finish	2021				2022				2023				2024				2025				2026					
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
Enabling Work	25-Jan-21	19-Sep-22	█																									
SBT Enabling Works	27-Apr-22	23-Jan-23					█																					
SBT Station & Tunnel Portal Excavation	23-Jun-22	17-Jun-23					█																					
SBT Tunnel Construction	20-Apr-23	20-Dec-24									█																	
SCAW Surface work	14-Feb-23	19-Jun-24									█																	
SCAW Station works	14-Feb-23	13-Jul-23									█																	
SSTOM Station Construction and fitout	17-Jul-23	29-Aug-25													█													
SSTOM Rail System fitout	18-Jun-24	3-Oct-25													█													
SSTOM Systems Testing and commissioning (incl integrated)	31-Jan-25	15-Dec-26																	█									

Figure 2-2 Indicative main construction program for the project

## 2.2. Preparatory activities

Preparatory activities for the proposed action are required to establish key construction sites and facilitate construction activities.

The majority of the preparatory activities are expected to commence in advance of main construction works, such as tunnelling and station excavation, while some preparatory activities would continue concurrently with the main construction works. Preparatory activities would include:

- detailed site investigations and subsequent clearance works;
- provision of construction haul roads;
- relocating, adjusting and protecting utilities and services affected by the proposed action;
- supplying power, water and other utilities to construction sites and other areas within the construction footprint;
- vegetation clearance (as required); and
- establishment of construction sites.

## 2.3. Construction sites

The Project’s construction activities will be carried out within and to the south-west of the WSI airport Stage 1 CIZ. The indicative works at proposed construction sites required for the construction of the Project are shown in Figure 2-3. The use of these sites will be confirmed by the construction contractor(s) (when appointed) in consultation with Western Sydney Airport.

Location	Preparatory activities	TBM launch	TBM support	TBM retrieval	Spoil handling and removal	Roadheader launch/support	Ancillary facility construction	Stabling and maintenance facility construction	Major earthworks	Bridge and viaduct construction	General civil works	Concrete batch plant	Equipment and material laydown	Rail system fitout	Site offices and worker amenities	Water treatment plant	Potential acoustic shed	Vehicle parking
<b>On-airport</b>																		
On-airport construction corridor	✓				✓		✓		✓	✓	✓		✓	✓	✓			✓
Airport Business Park	✓				✓		✓		✓		✓		✓	✓	✓			✓
Western Sydney International tunnel portal	✓	✓	✓		✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓
Airport Terminal	✓		✓		✓	✓	✓		✓		✓	✓	✓	✓	✓	✓	✓	✓
Airport construction support site	✓				✓				✓		✓	✓	✓	✓	✓			✓

Figure 2-3 Indicative construction activities at proposed action construction sites

Note: TBM retrieval would occur outside the proposed action at the Aerotropolis core station

### 3. Objectives and targets

#### 3.1. Objectives

The key objective of this Plan is to ensure that Aboriginal Cultural Heritage is appropriately managed in accordance with the AEPR general duty to preserve heritage and Conditions of the Airport Plan during the construction phase. To achieve this objective, the following will be undertaken:

- minimising disturbance and loss of Aboriginal cultural heritage values;
- minimise impacts on items or places of heritage value;
- avoid accidental impacts on heritage items;
- maximise worker’s awareness of indigenous and non-indigenous heritage; and
- protecting and conserving in situ where appropriate those Aboriginal cultural items and sites located within the Environmental Conservation Zone (ECZ);
- implementing Aboriginal cultural heritage management measures as agreed with Aboriginal stakeholders;
- contributing to a greater understanding of the archaeological record within Western Sydney;
- ensure the project does not diminish the story and cultural understanding associated with the objects and places of Aboriginal people in New South Wales;
- seeking Aboriginal stakeholder participation in the development of the Aboriginal Cultural Heritage Management Plan and in the implementation of the measures and strategies contained within it;
- detail all the heritage management objectives and be consistent with the WSA Aboriginal Cultural Heritage CEMP including all appendices to these CEMP documents; and
- Treating all Aboriginal cultural heritage items with respect, having regard to their identified values and avoiding any unnecessary impacts.

#### 3.2. Targets and performance criteria

The following targets have been established for the management of Aboriginal cultural heritage impacts during the construction phase of the works which have been derived in part from the performance criteria identified in the WSA EIS Table 28-12, as well as the performance outcomes detailed in in Table 27-4 and the mitigation measures detailed in Table -3 from the SMWSA EIA as presented in Table 3-1.

Table 3-1 Objectives and targets

Objective	Target	Document Reference
Minimise disturbance and loss of Aboriginal cultural heritage values	Comply with the objective to manage heritage values in the ECZ as outlined in the Land Use Plan in the Airport Plan	<ul style="list-style-type: none"> <li>• CEMP (including appendices)</li> <li>• Environmental Control Map (ECM)</li> <li>• Training records</li> <li>• Audit report</li> </ul>
Protect and conserve in situ where appropriate those Aboriginal cultural items and sites located within the ECZ	Comply with the objective to manage heritage values in the ECZ as outlined in the Land Use Plan in the Airport Plan	<ul style="list-style-type: none"> <li>• CEMP (including appendices)</li> <li>• ECM</li> <li>• Training records</li> <li>• Audit report</li> </ul>

Objective	Target	Document Reference
Seek Aboriginal stakeholder participation during the development of this CEMP and incorporate Aboriginal cultural heritage management measures	Aboriginal stakeholders contribute to the development of this CEMP and related mitigation and management plans, participate in archaeological surveys and are consulted about the management, storage and curation of cultural materials salvaged at the Airport site Implementing Aboriginal cultural heritage management measures as agreed with Aboriginal stakeholders	<ul style="list-style-type: none"> <li>• CEMP (including appendices)</li> <li>• Community Communications Strategy</li> <li>• ECM</li> </ul>
Contribute to a greater understanding of the archaeological record within Western Sydney	Aboriginal cultural heritage values of the Airport site are commemorated in the detailed design of the airport	<ul style="list-style-type: none"> <li>• CEMP (including appendices)</li> <li>• Community Communications Strategy</li> <li>• Design report</li> </ul>
Treat Aboriginal cultural heritage items with respect having regard to their identified values and avoid any unnecessary impacts	Employees and contractors to complete Aboriginal cultural awareness training prior to working in areas of cultural significance. Compliance with the general duty to preserve heritage under the AEPR	<ul style="list-style-type: none"> <li>• Induction and training package</li> <li>• Training records</li> <li>• Audit report</li> </ul>
Comply with legislation and other requirements	No non-conformance with the requirements of the CEMP	<ul style="list-style-type: none"> <li>• CEMP Audit report</li> </ul>

The above targets in Table 3-1 have been set to provide a benchmark performance objective to which Sydney Metro will endeavour to achieve. Failure to achieve the targets will not necessarily be considered a non-conformance for this CEMP, however it will prompt internal review of Aboriginal cultural heritage management and assessment of potential improvement opportunities.

## 4. Legal and other requirements

Relevant environmental legislation and other requirements are identified below.

### 4.1. Relevant legislation and guidelines

As WSI is to be developed under the Airport Plan determined under the Airports Act 1996, some state laws will not be applicable to the Project (s112 of this Act). Where state law is applicable, this Plan will set out the relevant applicable state legislation and requirements demonstrate how compliance with those laws including obtaining relevant permits will be achieved. Where state laws are not applicable, there may nonetheless be a requirement to have regard to those laws, for example, through mitigation measures to be incorporated in CEMPs to satisfy conditions under the Airport Plan.

#### 4.1.1. Legislation

Relevant legislation and regulations are summarised in table 4-1

Table 4-1 Principal legislation and relevance

Legislation or regulation	Relevance	CEMP compliance provisions
<b>Commonwealth</b>		
<b>Airports Act 1996</b>	The Act and AEPRs set out the framework for the regulation and management of activities at airports that could have potential to cause environmental harm. This includes offences related to environmental harm, environmental management standards, monitoring and incident response requirements. The Airport Plan prepared under the Act covers several environmental matters and, in particular, details specific measures to be carried out for the purposes of preventing, controlling or reducing the environmental impact associated with the airport including impacts on aboriginal heritage values. Criminal offences are applicable if these measures are not complied with.	This CEMP forms part of the overall Sydney Metro environmental management system which has as a target, full compliance with the Airport Plan. Relevant mechanisms within this CEMP that will contribute to this include but are not limited to: <ul style="list-style-type: none"> <li>- Section 3.1 – Objectives</li> <li>- Section 4.3 – Airport Plan Conditions</li> <li>- Section 4.3.1 – Environmental Impact Statement Requirements</li> <li>- Section 6.3 – Risk Assessment</li> <li>- Section 7 – Environmental Control Measures</li> <li>- Section 9 – Roles and Responsibilities</li> <li>- Section 10 – Environmental Inspection, Monitoring and Auditing</li> <li>- Section 10.4 – Environmental Reporting</li> </ul>
<b>Airports (Environment Protection) Regulations 1997 (AEPRs)</b>	Imposes various duties including a general duty to take all reasonable and practicable steps to ensure there is no adverse consequences for sites of indigenous significance on the airport site and a duty to give notice of unexpected finds.	Refer to commentary on Airport Plan above.
<b>Airport (Building Control) Regulations 1996</b>	Any condition imposed on the ABC and ALC consent are to inform the relevant CEMPs (where appropriate).	This document.
<b>Environment Protection and Biodiversity Conservation Act 1999</b>	National environment law that provides a legal framework to protect and manage nationally and internationally important flora, fauna,	Section 6 – Aboriginal Cultural Heritage Aspects and Impacts Section 7 – Environmental Control Measures Section 10 – Environmental Inspection, Monitoring and Auditing

Legislation or regulation	Relevance	CEMP compliance provisions
	ecological communities and heritage places, defined in the Act as matters of national environmental significance. Relevant heritage items listed on the National Heritage List include the Greater Blue Mountains Area.	
<p><b>NSW</b> As the Airport is to be developed under the Airport Plan determined under the Airports Act, 1996 (Cth), some state laws will not be applicable to the Project or to parts of the Project (see for example S 112 of that Act). Where state laws are not applicable, it is still intended to have regards to relevant laws for example through inclusion of mitigations measures incorporated into this CEMP. These laws are identified below.</p>		
<p><b>National Parks and Wildlife Act 1974 (NPW Act)</b></p> <p><b>National Parks and Wildlife Regulation 2009</b></p>	Main piece of NSW legislation for managing and protecting Aboriginal cultural heritage. The NPW Act is complemented by the National Parks and Wildlife Regulation which provides for the management of Aboriginal land and objects. Any finds of Aboriginal heritage significance would be notified to EES for recording on AHIMS database.	Section 7 – Environmental Control Measures
<p><b>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</b></p>	Objects of the Act include the encouragement of proper management and conservation of natural and artificial resources and the promotion of the orderly and economic use and development of land in NSW. The EP&A Act also provides for the making of environmental planning instruments including State Environmental Planning Policies (SEPPs) and Local Environmental Plans (LEPs), which include land use controls, such as development standards applicable to the land within the area covered by each instrument	This Project has been authorised under the Airports Act; however, a range of matters arising from the EP&A Act have been considered. Section 7 – Environmental Control Measures
<p><b>Work Health and Safety Act 2011</b></p> <p><b>Work Health and Safety Regulation 2017.</b></p>	<p>The <i>Work Health and Safety Act 2011</i> (NSW) (the Act) provides a framework to protect the health, safety and welfare of all workers and others in relation to NSW workplaces and work activities.</p> <p>The Work Health and Safety Regulation 2017 set out specific requirements for particular hazards and risks, such as noise, machinery and manual handling.</p>	Addressed by Safety documentation
<p><b>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP)</b></p>	<p>The Aerotropolis SEPP was made in accordance with division 3.3 of the EP&amp;A Act and provides planning controls for development within the Western Sydney Aerotropolis. The Aerotropolis SEPP overrides any LEP provisions that apply to that land.</p> <p>The SEPP includes a requirement to recognise the physical and cultural connection of the local Aboriginal</p>	Section 7 – Environmental Control Measures

Legislation or regulation	Relevance	CEMP compliance provisions
	community to the land and to incorporate local Aboriginal knowledge, culture and tradition into development.	
<b>Liverpool Local Environmental Plan 2008 (Liverpool LEP)</b>	The Liverpool LEP provides local environmental planning controls and standards for land in the Liverpool LGA in accordance with the standard environmental planning instrument under section 33A section 3.20 of the EPA Act.	Section 7 – Environmental Control Measures
<b>Penrith Local Environmental Plan 2010 (Penrith LEP)</b>	The Penrith LEP provides local environmental planning controls and standards for land in the Penrith LGA in accordance with the standard environmental planning instrument under section 33A3.20 of the EPA Act.	Section 7 – Environmental Control Measures

#### 4.1.2. Guidelines and standards

Guidelines and standards that are relevant to the management of Aboriginal items and places of cultural heritage significance are summarised in Table 4-2.

Table 4-2 relevant guidelines and standards

Guidelines and standards
Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW 2010)
Ask First: A guide to respecting Indigenous heritage places and values (Australian Heritage Commission, 2002)
Charter for Places of Cultural Significance ('the Burra Charter') (Australia ICOMOS, 2013)
Western Sydney Aerotropolis Development Control Plan 2020 Phase 1
Draft Connecting with Country (Government Architect 2020)

#### 4.2. Approvals and other specifications

- Functional Specifications
- Western Sydney Airport Plan
- Western Sydney Airport Environmental Impact Statement; Chapter 28 Table 28-12 and Table 28-13
- Sydney Metro Western Sydney Airport Environmental Impact Statement
- Sydney Metro Sustainability Plan
- Sydney Metro Community Communications Strategy
- Sydney Metro Construction (Rail) Plan, including the CEMF



### 4.3. Airport Plan conditions

Conditions relevant to Aboriginal cultural heritage management and mitigation during construction of the Project are provided in Section 3.11.6 of the Airport Plan and summarised in Table 4-3 below. Compliance with the Airport Plan conditions is a statutory requirement and as such, failure to comply may constitute a criminal offence liable to criminal prosecution under the relevant legislation.

Table 4-3 Airport Plan Conditions relevant to Aboriginal cultural heritage management and mitigation

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
5	<p>Preparatory Activities</p> <p>(1) If the Site Occupier proposes to commence the Aboriginal survey and salvage programmes described in Table 28–13 in Chapter 28 of the EIS before there is an approved Aboriginal Cultural Heritage CEMP, the Site Occupier must prepare a plan addressing those programmes and submit it for approval by an Approver before commencing the survey and salvage programmes.</p> <p>(2) If an Approver determines that an activity for the Airport Stage 1 Development is a Preparatory Activity for paragraph (e) of the definition of ‘Preparatory Activities’, the Approver may require the Site Occupier to prepare and submit for approval a plan in relation to the carrying out of that Preparatory Activity.</p> <p>(3) In carrying out a Preparatory Activity for the Airport Stage 1 Development, the Site Occupier must:</p> <p>(a) implement any plan approved in accordance with sub condition (1) or (2), except to the extent that the plan is inconsistent with any subsequently approved CEMP or the approved Construction Plan; and</p> <p>(b) not act inconsistently with any approved CEMP or the approved Construction Plan.</p> <p>Note: Preparatory Activities can generally commence before all CEMPs are approved. If a CEMP has been approved, however, Preparatory Activities must not be carried out inconsistently with the approved CEMP. Some conditions require a specific plan for the preparatory activity to be approved prior to the activity occurring (for example a plan required under sub condition (1) or the Cemeteries Relocation Management Plan required under condition 3).</p>	Prior to Main Construction Works	Sydney Metro	Section 2.1

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
39.1	The Rail Authority must not: (a) commence Rail Construction Works until each and all of the CEMPs specified in paragraph (2) have been prepared and approved in accordance with this condition; or (b) carry out any Rail Development inconsistently with any of the approved Rail CEMPs.	Prior to Main Construction Works	Sydney Metro	CEMP Sections 6, 7, 8, 9 and 10
39.2	(2) The Rail Authority must prepare and submit to an Approver for approval; (f) an Aboriginal Cultural Heritage CEMP. In relation to the carrying out of the Rail development.	Prior to Main Construction Works	Sydney Metro	This document (Aboriginal Cultural Heritage CEMP)
39.3	The criteria for approval of each of the Rail CEMPs are that an Approver is satisfied that: (a) the CEMP complies with the mitigation measures and other requirements set out in Table 8-1 and Table 8-3 of the EIA which are relevant to that CEMP; (b) the Rail Authority, in preparing the CEMP has taken into account any performance outcomes specified in Table 8-2 of the EIA relevant to the CEMP; and (c) the CEMP is otherwise appropriate.	Prior to Main Construction Works	Sydney Metro All Contractors	This document (ACH CEMP) Table 4.6
39.4	4) The Rail Authority must ensure that: (a) a Rail CEMP is to the extent possible, consistent with a CEMP of the Site Occupier; and (b) no Rail CEMP is inconsistent with the approved Construction (Rail) Plan; and (c) if a CEMP of the Site Occupier is varied or replaced and results in inconsistencies with a Rail CEMP, the relevant Rail CEMP is updated or replaced as soon as practicable to ensure compliance with sub condition (4)(a).	CEMP preparation	Sydney Metro	This document Section 1.3 Section 4.7 Section 7

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
45.3	<p>The Rail Authority must take reasonable steps to ensure that:</p> <p>(a) each person involved in carrying out a development which is part of the Rail Development:</p> <p>(i) is informed of the conditions that are relevant to the carrying out of the Rail Development; and</p> <p>(ii) in carrying out the Rail Development, complies with those conditions as if they applied to the person in the same way as they apply to the Rail Authority; and</p> <p>(b) each person involved in operating a development described in section 3.10 of Part 3 of the Airport Plan:</p> <p>(i) is informed of the conditions that are relevant to the operation of the development; and</p> <p>(ii) in operating the development, complies with those conditions as if they applied to the person in the same way as they apply to the Rail Authority.</p>	Prior to construction	Sydney Metro	Section 10.6
46	<p>Site Occupier and Plan Owner to maintain records about compliance with conditions</p> <p>Each Site Occupier, the Rail Authority and each Plan Owner must maintain accurate records which demonstrate its compliance with the conditions, including measures taken to implement the Approved Plans, and must make the records available upon request to the Infrastructure Department.</p>	During construction	Sydney Metro	Section 10.5 Section 10.4
47.4	<p>Unless otherwise agreed in writing by an Approver, the Rail Authority must prepare a report addressing its compliance with each condition set out in section 3.11.6, including implementation of any Approved Plan, in respect of:</p> <p>(a) the 12-month period commencing with the commencement of Rail Construction Works; and</p> <p>(b) each subsequent 12-month period until the end of the Rail Construction Period; and</p> <p>(c) any period between the commencement of Rail Construction Works and the end of the Rail Construction Period that is not covered by paragraph (a) or (b).</p>	During construction	Sydney Metro	Section 10.4

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
47.5	<p>Unless otherwise agreed in writing by an Approver, the Rail Authority must publish each report prepared under sub condition (4) on its website within three months of the end of the period in respect of which the report was prepared.</p> <p>Documentary evidence providing proof of the date of publication must be provided to the Infrastructure Department at the same time as each report is published (with a copy to be provided to the Environment Department). Each report must remain on the Rail Authority's website for a minimum of 12 months (beginning on the date of publication).</p>	During construction	Sydney Metro	Section 10.4
48.4	The Rail Authority must ensure that an independent audit of its compliance with the conditions set out in section 3.11.6 (except condition 44) is conducted in respect of the 12-month period commencing with the commencement of Rail Construction Works.	During construction	Sydney Metro	Section 10.4
48.5	The Rail Authority must ensure that an independent audit of its compliance with condition 46 is conducted in respect of the 12-month period from commencement of Rail Operations.	During construction	Sydney Metro	Section 10.4
48.6	The Rail Authority must submit the report of each audit conducted under sub condition (4) or (5) to an Approver (with a copy to the Environment Department) within six months of the end of the period in respect of which the audit was conducted. For each audit, the independent auditor must be approved by an Approver prior to the commencement of the audit. Audit criteria must be agreed by an Approver and the report of the audit must address the criteria to the satisfaction of an Approver.	During construction	Sydney Metro	Section 10.4
49.1	The Plan Owner may seek approval for a variation of an Approved Plan by submitting to an Approver a version of the plan with the proposed variation clearly marked in it (varied plan).	During construction	Sydney Metro	Section 12.2
49.2	The criteria for approval of the varied plan are the same as those in the Approval Condition, but only to the extent that they are relevant to the proposed variation.	During construction	Sydney Metro	Section 12.2

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
49.3	If an Approver approves a varied plan prepared under sub condition (1) or paragraph (5)(b), or the Infrastructure Minister varies an Approved Plan under paragraph (5)(a), then, from the date when it is approved or varied (as the case may be), the plan as varied is taken to be the Approved Plan for the purposes of the conditions.	During construction	Sydney Metro	Section 12.2
49.6	The Infrastructure Minister may: (a) vary an Approved Plan; or (b) request in writing that the Plan Owner prepare and seek approval for a specified variation of an Approved Plan in accordance with sub condition (1), if the Infrastructure Minister believes on reasonable grounds that: (c) a condition has been contravened and the nature of the contravention is relevant to the subject matter of the Approved Plan; and (d) the variation or the request for a specified variation (as the case may be) will address the contravention.	During construction	Sydney Metro	Section 12.2
49.7	The Plan Owner must comply with a request made by the Infrastructure Minister in accordance with sub condition (5) within three months of the date of the request.	During construction	Sydney Metro	Section 12.2
49.8	Sub conditions (5) and (6) do not apply in relation to the Biodiversity Offset Delivery Plan.	During construction	Sydney Metro	Section 12.2
49.9	Within two months of the grant of an Airport Lease, the ALC must prepare and submit for approval, in accordance with sub condition (1), a variation of each plan that was approved under a condition before the lease was granted, and for which the ALC is the Plan Owner, to reflect the change in Site Occupier resulting from the grant of the Airport Lease.	During construction	Sydney Metro	Section 12.2
50.1	Unless otherwise agreed in writing by an Approver, the Plan Owner must publish all Approved Plans on its website.	During construction	Sydney Metro	Section 12.2

Condition No.	Condition	Timing	Responsibility	Reference within this CEMP
50.2	Each Approved Plan must be published on the Plan Owner’s website within one month of being approved and remain so published: (a) for CEMPs – until the end of the Airport Construction Period or Rail Construction Period as relevant; (b) for the Biodiversity Offset Delivery Plan – until all biodiversity offsets (including Other Compensatory Measures) required by the plan have been secured or implemented; (c) for the TransGrid Relocation Plan – until all of the actions required by the plan have been completed (d) the Rail OEMP; (e) the Community Communications Strategy – on commencement and each time there is a variation to the Strategy; and (f) for all other plans – until there is a Master plan for the Airport.	During construction	Sydney Metro	Section 12.2

## 4.4. Environmental Impact requirements

### 4.4.1. WSA EIS requirements

The requirements of Aboriginal cultural heritage management to be taken into account and addressed during the construction phase of the Railway Development on the Stage 1 CIZ area are included in the WSA EIS, specifically Table 28-12. In line with the requirement of the SMWSA CEMPs to be consistent with the WSA CEMPs, Sydney Metro have ensured that the implementation, risk assessment, management measures, monitoring, auditing, reporting and responsibility for Aboriginal cultural heritage management by the Project is aligned with the requirements of the WSA ACH CEMP.

### 4.4.2. SMWSA EIA requirements

The requirements of Aboriginal Cultural Heritage management to be taken into account and addressed during the construction phase of the Railway Development are included in the SMWSA EIA Table 8-1 and Table 8-2 CEMF 5. A summary of these requirements and how they have been addressed in this Aboriginal Cultural Heritage CEMP is presented in Table 4-5.

Table 4-4 Summary of Aboriginal Cultural Heritage management requirements from the SMWSA EIA

EIS reference	Topic	Summary	Aboriginal Cultural Heritage CEMP Reference
Table 8-1 CEMF 5	Framework Requirements	The on-airport Aboriginal Cultural Heritage CEMP and the European and Other Heritage CEMP would detail the Sydney Metro – Western Sydney Airport heritage management objectives, including:	
		<ul style="list-style-type: none"> <li>embed significant heritage values through any architectural design, education or physical interpretation</li> </ul>	Section 7 - Environmental control measures Section 8
		<ul style="list-style-type: none"> <li>minimise impacts on items or places of heritage value</li> </ul>	Section 7 - Environmental control measures Section 8
		<ul style="list-style-type: none"> <li>avoid accidental impacts on heritage items and</li> <li>maximise worker's awareness of Indigenous and non-indigenous heritage.</li> </ul>	Section 7 - Environmental control measures Section 8  Section 3.11 of the CEMP

EIS reference	Topic	Summary	Aboriginal Cultural Heritage CEMP Reference
		<p>The on-airport Aboriginal Cultural Heritage CEMP and the European and Other Heritage CEMP would be consistent with the WSA Aboriginal Cultural Heritage CEMP and European and Other Heritage CEMP, including all appendices (and sub plans) to these CEMPs. The plans that should be included as a minimum:</p>	
		<ul style="list-style-type: none"> <li>evidence of consultation with Registered Aboriginal Parties and the NSW Heritage Council where relevant</li> </ul>	<p>Section 1 - Introduction, Section 7- Environmental Control Measures Appendix C -Survey and Salvage Plan</p>
		<ul style="list-style-type: none"> <li>procedures for interpretation of heritage values uncovered through salvage or excavation during detailed design</li> </ul>	<p>Section 7 - Environmental Control Measures</p>
		<ul style="list-style-type: none"> <li>procedures for undertaking salvage or clearance works</li> </ul>	<p>Section 7 - Environmental Control Measures</p>
		<ul style="list-style-type: none"> <li>details for the short and/or long term management of artefacts</li> </ul>	<p>Section 7 - Environmental Control Measures Section 8.6 - L-T Management of Aboriginal Heritage items</p>
		<ul style="list-style-type: none"> <li>details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and/or measures to protect unaffected sites during construction works in the vicinity)</li> </ul>	<p>Section 7 - Environmental Control Measures Section 8.6 - L-T Management of Aboriginal Heritage items</p>
		<ul style="list-style-type: none"> <li>procedures for unexpected heritage finds, including procedures for dealing with human remains</li> </ul>	<p>Section 8.3 - Unexpected Finds Procedure</p>
		<ul style="list-style-type: none"> <li>heritage monitoring requirements</li> </ul>	<p>Section 10 - Environmental inspection, monitoring, auditing and reporting</p>
		<ul style="list-style-type: none"> <li>compliance record generation and management, including:                             <ul style="list-style-type: none"> <li>- Inspections undertaken in relation to heritage management measures</li> <li>- archival recordings undertaken of any heritage item;</li> <li>- unexpected finds and stop work orders; and</li> <li>- records of any impacts avoided or minimised through design or construction methods.</li> </ul> </li> </ul>	<p>Section 7 - Environmental control measures Section 8 - Aboriginal cultural heritage management Section 10 - Environmental inspection, monitoring, auditing and reporting</p>
		<p>The on-airport Aboriginal Cultural Heritage and European and Other Heritage CEMPs would include the following mitigation measures:</p>	



EIS reference	Topic	Summary	Aboriginal Cultural Heritage CEMP Reference
		<ul style="list-style-type: none"> <li>induction courses for site workers will include training in the identification of Aboriginal artefacts and management of Aboriginal Cultural Heritage values</li> <li>any heritage item not affected by the works will be retained and protected throughout construction</li> <li>implement unexpected heritage find procedures for Indigenous and non-Indigenous heritage items.</li> </ul>	<p>Section 7 - Environmental Control Measures</p> <p>Section 7 - Environmental Control Measures</p> <p>Section 10 - Environmental inspection, monitoring, auditing and reporting</p>
Table 8-2	Performance outcomes	The heritage significance of Aboriginal objects and places are protected, conserved and/or managed in order to ensure the project does not diminish the story and cultural understanding of Aboriginal people in New South Wales.	

## 5. Existing environment

The 2016 WSA EIS Volume 4 Technical Report Appendix M1 Aboriginal cultural heritage provides a comprehensive report on the assessments undertaken to determine the known and predicted Aboriginal cultural heritage values relating to the WSA site. Chapter 19 of EIS Volume 2A summarises the historical context and the 2016 WSA EIS assessment of the known sites and cultural heritage values at that time. The final SMWSA EPBC EIA, Technical Paper 5 - Aboriginal Cultural Heritage and Chapter 13 of the SMWSA EIA were also referred to.

### 5.1. Background

Since the early 1800's, land use at the Airport Site has consisted of varying phases of stock grazing, cropping, orcharding, dairying, market gardening, poultry farming and some light industrial functions. Consequently, most of the original native vegetation has been cleared and the Airport Site is now dominated by agricultural grasslands or cultivated fields with small pockets of open eucalypt woodland or shrub land. These activities are expected to have had a substantial impact on the Aboriginal archaeological resource, especially in the top soil and the plough zone at the Airport Site.

The Airport Site has been the subject of a number of previous archaeological assessments as part of the search for an appropriate site for a second Sydney airport. Previous EIS related assessments date between 1978 to 2015. Some of the earlier assessment areas were outside the current Western Sydney Airport site.

### 5.2. Cultural context

The Darug peoples bore the first impact of Sydney's European settlement, because their lands were situated on the Sydney peninsula and the adjoining hinterlands of the Cumberland Plain (EIS Volume 4 Technical Report Appendix M1 (2016)). The peninsula and its embayments became the residential and commercial focus of the settlement, while the fertile lowlands and woodland of the hinterland were developed for agricultural production and the granting of freehold lands. The Cumberland Plain was an integral component of Darug territory and cultural identity, from which they were incrementally excluded and dispossessed by European land-use and occupation (EIS Volume 4 Technical Report Appendix M1 (2016)).

EIS Volume 4 Technical Report Appendix M1 states in the five decades following the establishment of the Sydney Cove colony, the impact of European incursion saw a steep decline in the Darug population, along with loss of economic autonomy, and a break-down in traditional social organisation and practice. Despite this, the Darug and their descendants maintained their local presence and adapted as necessary to survive as a minority in a drastically changed cultural and social landscape.

### 5.3. Archaeological context

The Sydney region has been the subject of detailed archaeological survey and assessment since the passing of legislation protecting Aboriginal sites in 1974. The focus of this assessment has shifted in the last two decades to Western Sydney and to the new urban and industrial developments across the Cumberland Plain. Such research has resulted in thousands of site recordings and a wide range of site types and features. The most prevalent recordings comprise surface occurrences of stone artefacts (ranging from single items to hundreds of artefacts), shell middens, rock shelters containing occupation evidence (including deposits and rock art), grinding groove sites and open context engraving sites. Rare site types include culturally modified trees, quarry and procurement sites, burials, stone arrangements, and traditional story or other ceremonial places.

## 5.4. Landscape and landforms

The Airport Site is located on the central western margin of the Cumberland Plain. This section of the Cumberland Plain is where the creek lines drain north and west to the Hawkesbury River. The Cumberland Plain comprises three broad physiographic units (Department of Environment and Planning 1984):

- The River Plain, comprising the alluvial flats associated with the Nepean-Hawkesbury River, and the Eastern, South and Ropes Creeks (approximately 11 percent of the plain).
- The Dissected Plateau, where stream incision into the underlying sandstone has occurred, particularly around the margins of the Plain (approximately 33 percent of the plain).
- The Shale Slopes formed on the Ashfield and Bringelly Shales (approximately 56 percent of the plain). The Airport Site falls within the Shales Slopes unit.

The Airport Rail Site, which covers approximately 1,780 hectares, comprises around 1.2 percent of this unit. Some characteristics of the Shale Slopes unit include (Department of Environment and Planning 1984):

- Gently undulating, rounded hills and valleys with a low degree of vertical differentiation.
- Mature landforms.
- Deep texture contrast soils which are clayey and stiff.
- Surface hydrology characterised by a dendritic pattern of drainage lines.
- Native vegetation structures dominated by grassy woodland and open forests.
- Broad area flooding and associated aggradation of sediments across valley floor contexts.

**Table 5-1 Summarises the proportion of various landforms within the Airport Site**

Landform category or feature	Area within Airport Site (hectares)
Riparian corridor (100 metres either side of drainage line)	711
Ridge and spur crests	392.3
Broad scale landforms	
Valley floor	184
Basal slopes	214.2
Mid and upper slopes	1,324.4
Total area of 3rd, 4th and 4th order crests	122.5
Total broad scale landforms within Airport Site	1,845.1

## 5.5. Recorded Aboriginal sites

An AHIMS search was conducted and identified ten sites within the proposed action construction footprint as outlined in Table 5-2. AHIMS sites and areas where field investigations were undertaken (transects) for the SMWSA EPBC Final Environmental Impact Assessment are shown on Figure 5-2.

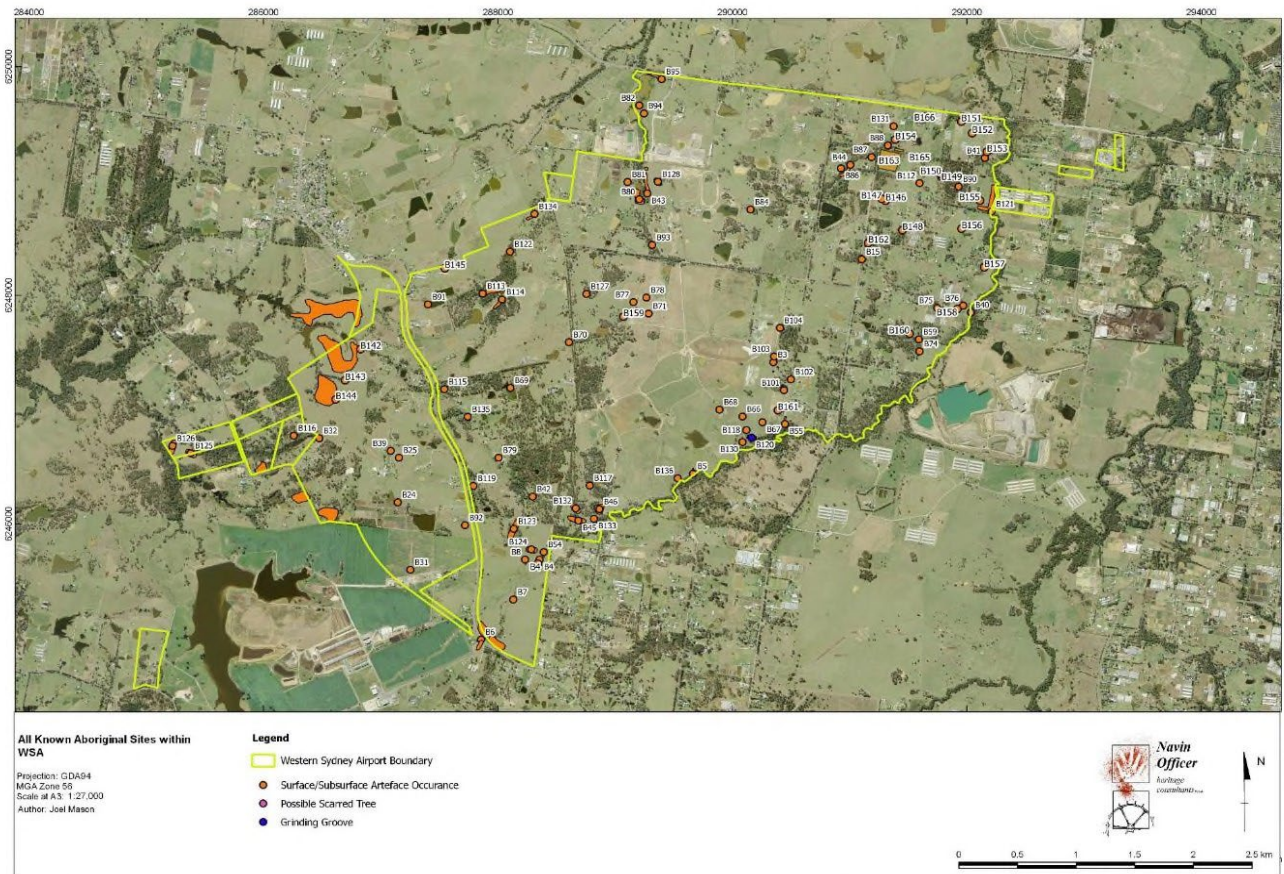


Figure 5-1 All known Aboriginal sites recorded at the Airport site

Table 5-1 AHIMS sites within the on-airport construction footprint

Site ID	Site name	Site type	On-airport construction site
45-5-2637	B5	Artefact scatter	Airport construction support site
45-5-2665	B88	Artefact scatter	On-airport construction corridor
45-5-2586	B3	Isolated artefact	Airport construction support site
45-5-2687	B71	Artefact scatter	Airport Terminal
45-5-5068	B131	Isolated artefact	On-airport construction corridor
45-5-5078	B136	Isolated artefact	Airport construction support site
45-5-5085	B162	Artefact scatter	Airport construction support site
45-5-5089	B163	Artefact scatter	On-airport construction corridor
45-5-5094	B154	Artefact scatter	On-airport construction corridor
45-5-5100	B147	Artefact scatter	Airport construction support site

Of the ten sites listed above, three sites (listed as 45-5-5078, 45-5-2637 and 45-5-2586) are located outside of the Western Sydney International Stage 1 Construction Impact Zone. Only one of these sites was able to be found during archaeological field investigations (listed as 45-5-5078) in 2021 during the preparation of the SM – WSA EIS.

## 5.6. Nature and distribution of sites

Surface artefact occurrences occur across the Sydney Metro site. The ECZ includes the site of the possible scarred tree and grinding grooves. Subsurface site has also been identified through salvage excavations in selected areas. None of the sites are registered on National or Commonwealth Heritage Lists, however, all have been included in the inventory for the Sydney Metro site and have been registered on the Heritage NSW Aboriginal Heritage Information Management Systems (AHIMS) database.

Figure 5-1 shows the general locations and distribution of known sites within the Sydney Metro site.

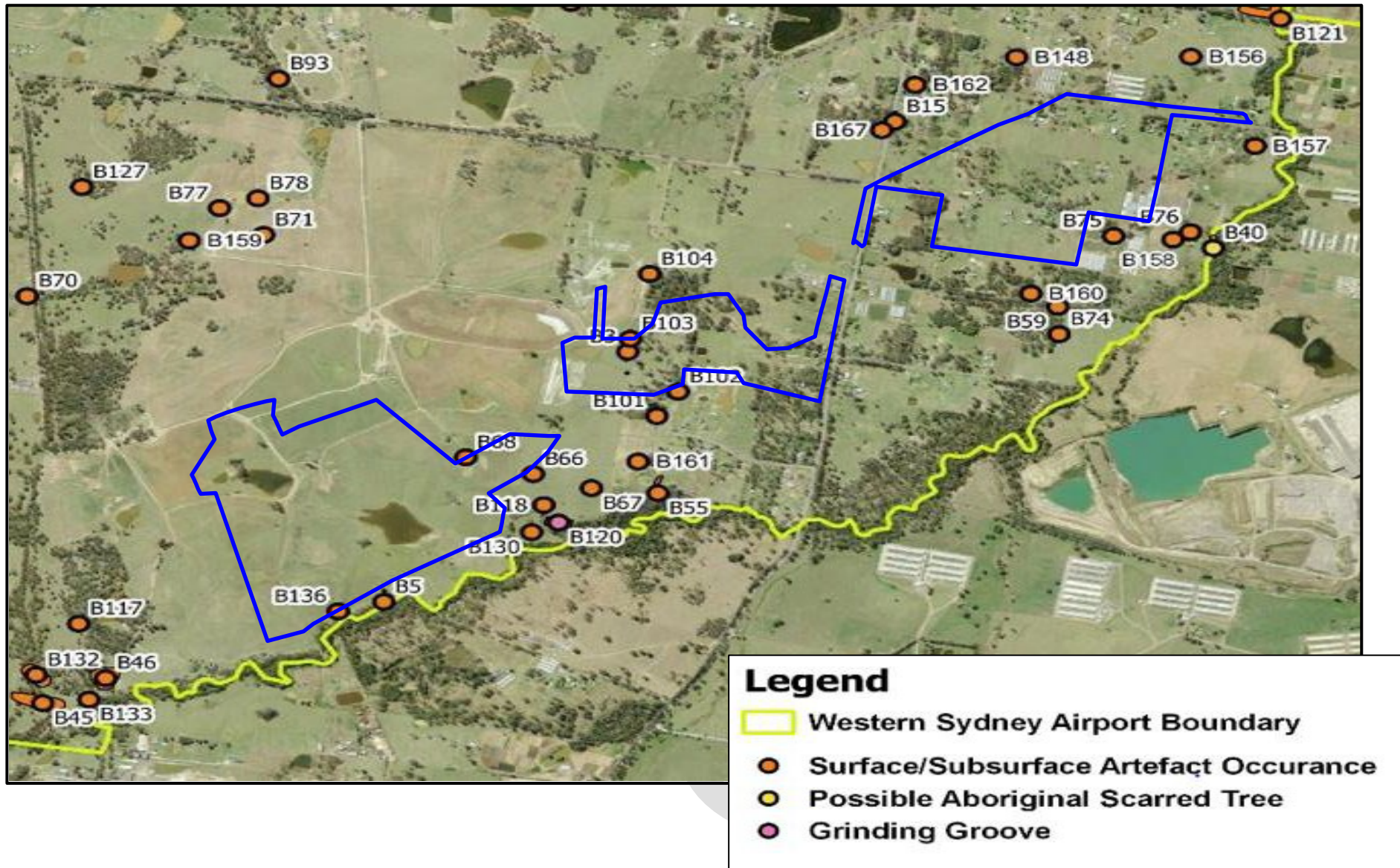
Unclassified

Sydney Metro – Integrated Management System (IMS)

(Uncontrolled when printed)

---









## 6. Aboriginal cultural heritage aspects and impacts

The potential for Aboriginal cultural heritage impacts was considered in Chapter 19 of the Western Sydney Airport EIS and in Chapter 13 and Technical Paper 5 of the SMWSA EIS. It has also been summarised in Section 6 of this CEMP. A risk assessment has been undertaken for the associated risks, with appropriate mitigation measures and controls included in Section 7.

### 6.1. Aboriginal cultural heritage aspects

Construction of the Project will require ground disturbance and excavation throughout the construction impact zone, with the potential to disturb both known and unknown sites and places of Aboriginal cultural significance. Key construction activities that have the potential to disturb or impact on sites of Aboriginal cultural heritage sensitivity include the following:

- Detailed site investigations and subsequent clearance works;
- Provision and use of construction haul roads to support construction;
- Relocating, adjusting and protecting utilities and services affected by the proposed action;
- Supplying power, water and other utilities to construction sites and other areas within the construction footprint;
- Vegetation clearance and grubbing (as required)
- Establishment of construction sites.
- Excavations and earthworks;
- Construction of the rail alignment including earthworks for the transition of the rail alignment from surface to in-cutting to in-tunnel;
- Tunnel boring machine (TBM) launch
- TBM support including maintenance and spoil handling
- Construction of the tunnel portal
- Construction of Airport Terminal and Business Park Station structures, finishes and fitout;
- Construction of an access road to Airport Business Park Station from Badgerys Creek Road;
- Finishing works;
- Activities required for the production and storage of viaduct and tunnel lining segments, including concrete batching, site offices and construction worker car parking;
- Potential permanent placement of spoil.

### 6.2. Aboriginal cultural heritage impacts

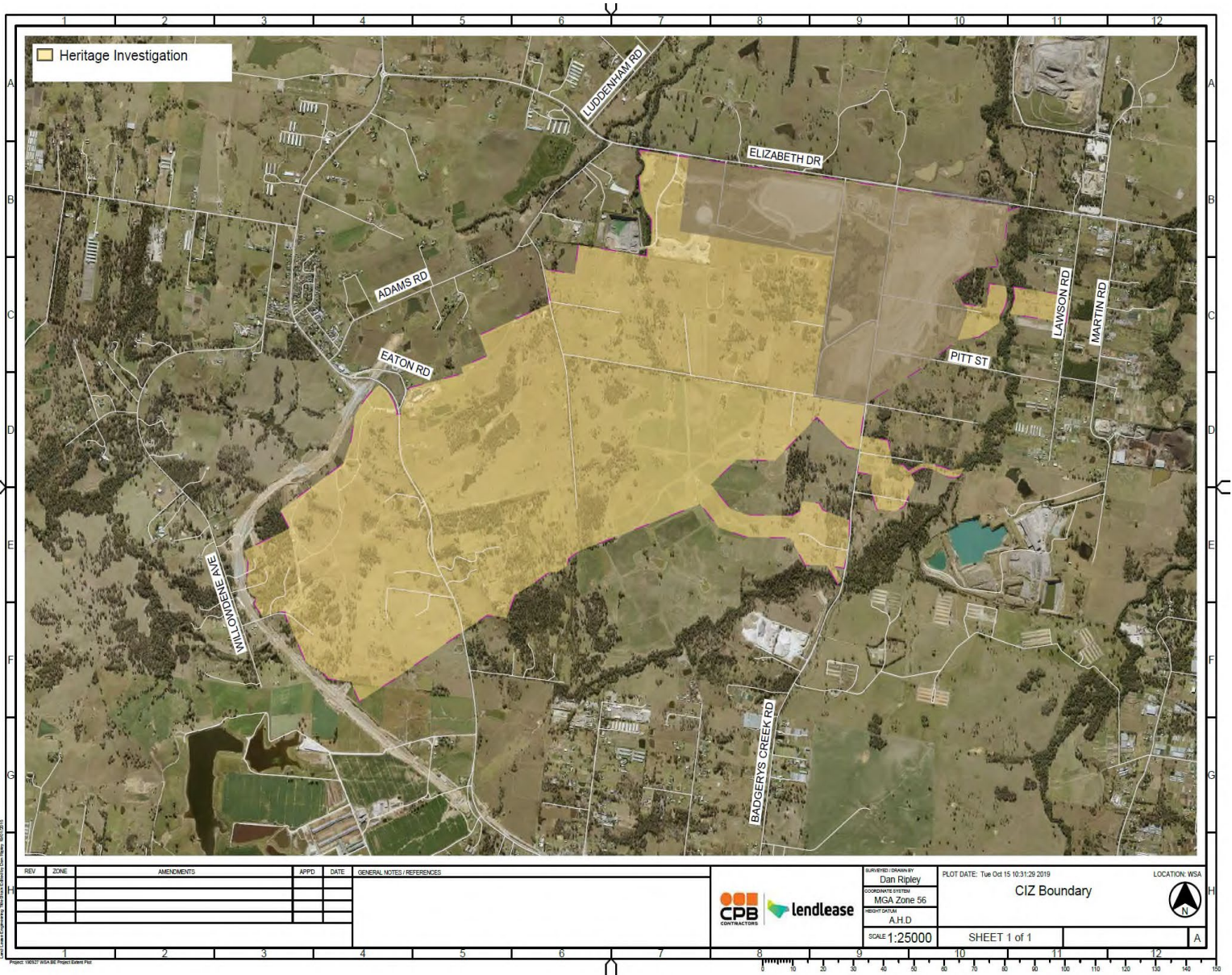
The topography of the WSA CIZ Stage 1 Airport Site has been transformed into a level and graded platform for construction of airport facilities during the Rail Development. This will alter and remove the natural topography of the land that acts as a medium for Aboriginal people to 'read' and experience the Aboriginal cultural values of the land.

The Survey and Salvage Plan (SSP) (Appendix B) outlines the requirements for the evaluation of areas within the construction footprint for works covered by this CEMP to determine the extent of known and potential sites

and the salvage of material prior to construction. In addition, a Topsoil Protocol has been developed in consultation with the Aboriginal stakeholders for the management of topsoil containing relatively high artefact density, refer Appendix A.

This ACHCEMP will only address those RCIZ on-airport sites which are not included within the WSA Stage 1 CIZ, as all of these sites have already been cleared during Stage 1 works which is shown in Figure 6-1.

Figure 6-1 Areas of Archaeological survey for Stage 1 Development



### 6.3. Environmental Risk Assessment

A risk assessment has been undertaken as part of the review and development of this CEMP and in accordance with the Environmental risk analysis process in Chapter 26 of the SMWSA EIA. The parts of the overall risk assessment relevant to Aboriginal Cultural Heritage have been extracted and summarised in Table 6-1 applies to all phases of works that the Construction (Rail) Plan authorises.

The identification of construction activities and associated impacts that could eventuate during construction of the Project is central to the selection of appropriate environmental safeguards.

The risk management process involved an assessment of all specific Project activities/aspects in or near environmentally sensitive areas and resulted in the development of a list of environmental risks (effects and impacts) and a corresponding risk mitigation strategy and risk ranking.

The identification of risks included a review of the works, and review of the environmental risks identified by the WSA EIS. The mitigations in the risk assessment are in line with the WSA EIS mitigation measures in Chapter 7, Table 7-1.

#### 6.3.1. Risk Assessment process

The following tables outline the risk assessment process using 3 steps to identify the appropriate management measures required.

Table 6-1 is used to determine the likelihood that the aspect will have an impact on the environment. Table 6-2 is used to determine the potential consequence rating of the risk identified.

From these two tables, a risk rating can then be assigned using Figure 6-1 to determine the potential severity of the risk and the appropriate management response as per Table 6-4.

Table 6-1 Likelihood descriptor

Rating	Likelihood	Description
<b>A</b>	Rare / improbable	<ul style="list-style-type: none"> <li>The event may only occur in exceptional circumstances.</li> </ul>
<b>B</b>	Unlikely / remote	<ul style="list-style-type: none"> <li>The event may occur at some time (about once every five years).</li> </ul>
<b>C</b>	Possible	<ul style="list-style-type: none"> <li>The event is likely to occur at some time (about once every year).</li> </ul>
<b>D</b>	Likely	<ul style="list-style-type: none"> <li>The event will probably occur in most circumstances (at least once every six months).</li> </ul>
<b>E</b>	Almost certain	<ul style="list-style-type: none"> <li>The event is expected to occur in most circumstances (at least once every month).</li> </ul>

Table 6-2 Consequence descriptor

Rating	Consequence (impact)	Description
<b>1</b>	Insignificant/ Negligible	<ul style="list-style-type: none"> <li>Short-term disturbance with minor environmental release or damage that is non-reportable.</li> </ul>

Rating	Consequence (impact)	Description
	(1-3)	<ul style="list-style-type: none"> <li>No impact outside site boundary.</li> <li>No community complaints or media reports.</li> </ul>
2	Minor/low (4-10)	<ul style="list-style-type: none"> <li>Minor violation of regulation or guideline with minimal damage to the environment and small clean-up.</li> <li>Immediately contained on site.</li> <li>Local government action, minor community complaints.</li> <li>Potential or actual breach of legislation.</li> </ul>
3	Moderate (11-15)	<ul style="list-style-type: none"> <li>Violation of regulation or guideline with moderate temporary damage to the environment and significant clean-up costs.</li> <li>Release of pollution off site.</li> <li>Detrimental media reports, community concerns and complaints.</li> </ul>
4	Major / High (16-22)	<ul style="list-style-type: none"> <li>Major environmental damage with potentially permanent consequences.</li> <li>Release of pollution off site. Significant loss of environmental resources.</li> <li>Detrimental media reports in the national or state media, organised community concern.</li> <li>High likelihood of fine or court action.</li> </ul>
5	Catastrophic / Priority (23-25)	<ul style="list-style-type: none"> <li>Long-term environmental harm.</li> <li>Permanent irreparable damage to the environment.</li> <li>Sustained detrimental state and national media reports. Sustained community outrage.</li> <li>Penalty Infringement Notice/court action.</li> </ul>

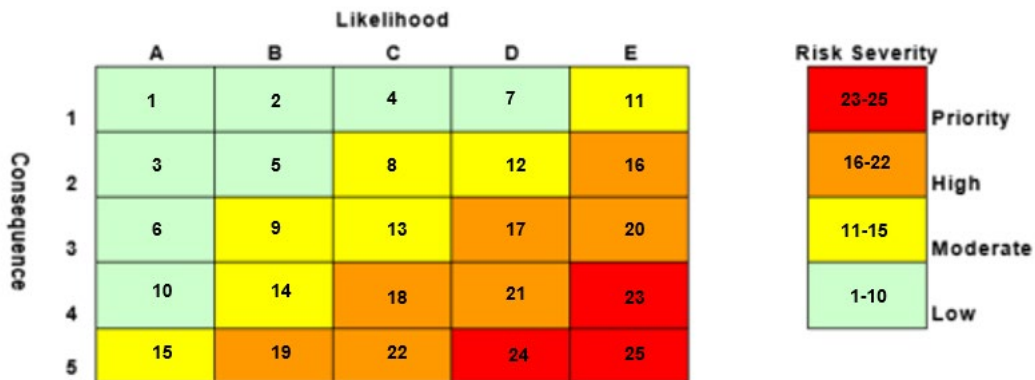


Figure 6-1 Risk severity ranking

Table 6-3 Risk severity and management response

Risk severity	Management response
---------------	---------------------

<b>Priority</b>	<ul style="list-style-type: none"><li>• Immediate and detailed management action required. (e.g. stop or change activity)</li></ul>
<b>High</b>	<ul style="list-style-type: none"><li>• Priority management action warranted</li></ul>
<b>Moderate</b>	<ul style="list-style-type: none"><li>• Management action warranted</li></ul>
<b>Low</b>	<ul style="list-style-type: none"><li>• Management action should be considered, particularly for low-level impacts that nevertheless occur on a continual basis</li></ul>

Table 6-4 Aboriginal Cultural Risk Assessment

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup>	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup>	Management tools
					pre-mitigation		post-mitigation	
01	Preconstruction Aboriginal Heritage Investigations and recordings	Preconstruction works	Surface sandstone outcrops	Damage / loss of unknown heritage items, loss of history	(Low) (9)	AH_09 AH_10	(Low) (6)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> </ul>
02			Subsurface objects/sites/human remains	Damage of unknown heritage items, loss of history, cultural value loss and generational sensitivities	(Low) (9)	AH_09 AH_13 AH_14 AH_15 AH_16	(Low) (6)	<ul style="list-style-type: none"> <li>European and other Heritage CEMP</li> <li>Aboriginal Cultural Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> </ul>

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup>	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup>	Management tools
					pre-mitigation		post-mitigation	
03	Preconstruction Aboriginal Heritage Investigations and recordings (continued)	Preconstruction works (continued)	Understanding of the Aboriginal history and use of the area	Loss of Aboriginal history	(Low) (9)	AH_12	(Low) (6)	<ul style="list-style-type: none"> <li>• European and other Heritage CEMP</li> <li>• Aboriginal Cultural Heritage CEMP</li> <li>• Biodiversity CEMP</li> <li>• EWMS</li> <li>• Complaints Procedure</li> <li>• Induction</li> <li>• ESCPs</li> <li>• ECM</li> </ul>
04	Site Compound establishment	Site construction staff / visitors	Damage to cultural heritage or values	Damage to known Aboriginal heritage areas, loss of cultural heritage values	(Low) (9)	AH_01 AH_15 AH_18	(Low) (6)	<ul style="list-style-type: none"> <li>• Aboriginal Cultural Heritage CEMP</li> <li>• European and other Heritage CEMP</li> <li>• Biodiversity CEMP</li> <li>• EWMS</li> <li>• Soil and Water CEMP</li> <li>• Complaints Procedure</li> <li>• Induction</li> <li>• Erosion and Sedimentation Control Plans (ESCPs)</li> <li>• Environmental Control Map (ECM)</li> <li>• Topsoil protocol</li> </ul>

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
05		Topsoil stripping	Damage to cultural heritage or values	Damage/loss to previously unknown heritage items, loss of history	(Low) (9)	AH_09 AH_13 AH_14 AH_15 AH_16 AH_17	(Low) (6)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected finds protocol</li> <li>Topsoil protocol</li> </ul>
06		Potholing / service locating and trenching	Unexpected heritage finds	Damage/loss to previously unknown heritage items, loss of history	(Low) (9)	AH_09 AH_13 AH_14 AH_15 AH_16	Low (6)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected finds protocol</li> </ul>



Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
07	Clearing and grubbing	Topsoil stripping throughout main alignment	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (9)	AH_09 AH_13 AH_14 AH_15 AH_16 AH_17	Low (6)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected finds protocol</li> <li>Topsoil protocol</li> </ul>

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
08	Earthworks	Excavation	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (9)	AH_09 AH_13 AH_14 AH_15 AH_16	Low (6)	<ul style="list-style-type: none"> <li>• Aboriginal Cultural Heritage CEMP</li> <li>• European and other Heritage CEMP</li> <li>• Biodiversity CEMP</li> <li>• EWMS</li> <li>• Soil and Water CEMP</li> <li>• Complaints Procedure</li> <li>• Induction</li> <li>• ESCPs</li> <li>• ECM</li> <li>• Unexpected finds protocol</li> </ul>
09		Stockpiling materials	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (9)	AH_16	Low (6)	<ul style="list-style-type: none"> <li>• Aboriginal Cultural Heritage CEMP</li> <li>• European and other Heritage CEMP</li> <li>• Biodiversity CEMP</li> <li>• EWMS</li> <li>• Soil and Water CEMP</li> <li>• Complaints Procedure</li> <li>• Induction</li> <li>• ESCPs</li> <li>• ECM</li> <li>• Unexpected Finds Protocol</li> </ul>

Unclassified

Sydney Metro – Integrated Management System (IMS)

(Uncontrolled when printed)



Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
10	Construction of environmental controls	Sediment basin construction	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Med (14)	AH_15 AH_16	Low (10)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected Finds Protocol</li> </ul>
11		Installation of sediment fences	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Med (14)	AH_15 AH_16	Low (10)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected Finds Protocol</li> </ul>

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
12	Utility works (Gas, water, power)	Potholing and trenching	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (5)	AH_09 AH_13 AH_14 AH_15 AH_16	Very Low (3)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected Finds Protocol</li> </ul>
13	Tunnelling	TBM launch dive Excavation to tunnel depth Cross passage works Stub tunnel excavation	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (5)	AH_09 AH_13 AH_14 AH_15 AH_16	Very Low (3)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected Finds Protocol</li> </ul>

Ref	Activity	Construction aspect	Environmental aspect	Potential impact	Risk level <sup>2</sup> pre-mitigation	Mitigation measure <sup>1</sup>	Risk level <sup>2</sup> post-mitigation	Management tools
14	Tunnelling	Spoil transport from tunnel to permanent spoil placement Conveyor	Unexpected heritage finds	Damage / loss of unknown heritage items, loss of history	Low (5)	AH_09 AH_13 AH_14 AH_15 AH_16	Very Low (3)	<ul style="list-style-type: none"> <li>Aboriginal Cultural Heritage CEMP</li> <li>European and other Heritage CEMP</li> <li>Biodiversity CEMP</li> <li>EWMS</li> <li>Soil and Water CEMP</li> <li>Complaints Procedure</li> <li>Induction</li> <li>ESCPs</li> <li>ECM</li> <li>Unexpected Finds Protocol</li> </ul>

1 Refer to Table 7-1 for mitigation measures and controls

2 Derived from risk assessment process detailed in the SEMF Appendix G

## 7. Environmental Control measures

A range of environmental requirements and control measures are identified in various environmental documents, including the WSA EIS, SMWSA EIA and the Airport Plan Conditions. The specific measures and requirements to address impacts on Aboriginal cultural heritage during construction are outlined in Table 7-1. These measures and requirements take into account the mitigation measures in Table 28-13 in Chapter 28 of the WSA EIS as well as the mitigation measures in Table 8-3 in the SMWSA EIA.

The relevant control measures will be included in the site-specific Environmental Work Method Statement (EWMS) and Environmental Control Map (ECM) – refer to Section 3.6 of the CEMF for further detail.

**Table 7-1 Aboriginal Cultural Heritage management and mitigation measures**

Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
<b>Aboriginal stakeholder consultation</b>					
AH01	The Aboriginal Cultural Heritage CEMP will contain an Aboriginal stakeholder consultation and engagement plan that specifies the nature and frequency of consultation throughout the design and construction phase for the proposed airport. The aims of the consultation are to:	Preconstruction Construction	The Aboriginal Stakeholder Consultation and Engagement Plan prepared in consultation with Aboriginal stakeholders for the WSA Stage 1 development will be followed	WSA Co SMWSA as required	WSA EIS Table 28-12
AH02	Inform on, and provide an opportunity for feedback regarding, all matters relating to the mitigation and management of Aboriginal cultural heritage values across the Airport Site;	Preconstruction Construction	Aboriginal Stakeholder Consultation and Engagement Plan to be followed		WSA EIS Table 28-12
AH03	Provide a forum for organising future stakeholder participation in mitigation and management activities;	Preconstruction Construction	Aboriginal Stakeholder Consultation and Engagement Plan to be followed		WSA EIS Table 28-12
AH04	Provide opportunities to comment on all policy and documentation drafted regarding the mitigation and management of Aboriginal cultural values;	Preconstruction Construction	CEMP preparation with the review of the SSP in accordance with the Aboriginal Stakeholder Consultation and Engagement Plan		WSA EIS Table 28-12

Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
AH05	Provide an opportunity for Aboriginal stakeholders to participate in field actions involving the mitigation and management of Aboriginal cultural values.	Preconstruction Construction	Implementation of the SSP with Aboriginal stakeholders in accordance with the Aboriginal Stakeholder Consultation and Engagement Plan		WSA EIS Table 28-12
AH06	The Aboriginal stakeholder consultation and engagement plan will be developed in conjunction with the broader Community and Stakeholder Engagement CEMP as outlined below.	Preconstruction	The Aboriginal Stakeholder Consultation and Engagement Plan was prepared in consultation with Aboriginal stakeholders for the WSA Stage 1 development		WSA EIS Table 28-12
<b>Conservation of heritage sites</b>					
AH07	The possible scarred tree (B40) and the grinding groove site (B120) will be conserved in situ within an Environmental Conservation Zone at the Airport Site. A low barrier fence, which does not obstruct pedestrian traffic, will be erected around specific heritage sites as necessary to demarcate the area as a no-go zone for vehicles. The barrier will be situated so that it does not intrude upon the immediate visual and landscape quality of the heritage sites and their surrounds.	Preconstruction Construction	Fencing in place. Include details on the ECM and access requirements (e.g. Permit to enter). Project induction to identify the ECZ as a no go area.	AEW, SCAW, SBT, SSTOM	WSA EIS Table 28-12
AH08	The Environmental Conservation Zone will be managed for the protection and conservation of known and predicted Aboriginal heritage sites and values consistent with the objectives of that zone to enhance, restore and protect the cultural values of the land.	Preconstruction Construction	The importance of the ECZ will be included in toolboxes and the site induction. Project induction to identify the ECZ as a no go area. Include details on the ECM and access requirements (egg. Permit to enter).	AEW, SCAW, SBT, SSTOM	WSA EIS Table 28-12
<b>Recording and salvage of heritage sites</b>					
AH09	A targeted and selective archaeological surface survey will be conducted within those areas of the construction impact zone not previously subject to surface survey (and excluding highly disturbed areas) before commencement of Main Construction Works. The aim of this survey is to	Preconstruction	A targeted archaeological survey and salvage has been completed in relation to the WSA area (stage 1). For works within SMWSA construction support sites survey and salvage will be conducted in accordance with the SSP (Appendix B).	Sydney Metro	WSA EIS Table 28-12

**Unclassified**

**Sydney Metro – Integrated Management System (IMS)**

(Uncontrolled when printed)



Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
	identify all visible surface Aboriginal sites for recording and management prior to commencement of Main Construction Works.				
<b>AH10</b>	A comprehensive archaeological inspection of surface sandstone outcrops across the construction impact zone will be conducted before activities related to Main Construction Works. This action has the aim of appropriately recording and salvaging stone surfaces with evidence of Aboriginal markings.	Preconstruction	The requirement for the archaeological inspection of surface sandstone outcrops will be addressed in the SSP (Appendix B). Where required, surface sandstone outcrops with Aboriginal markings will be recorded and salvaged. .	Sydney Metro	WSA EIS Table 28-12
<b>AH11</b>	Archival recording of the possible scarred tree (B40) and grinding groove site (B120) will occur before the start of any ground disturbance works within the area of these Aboriginal heritage sites or before Main Construction Works commence, whichever occurs first. This has the objective of providing a baseline record and information upon which to develop a conservation management plan for these sites.	Preconstruction	Archival recording of B40 and B120 completed. A Conservation Management Plan will be developed by WSA in consultation with Aboriginal stakeholders.	WSA – Conservation Management Plan	WSA EIS Table 28-12
<b>AH12</b>	An oral history will be recorded with the aim of preserving memories and stories from Aboriginal people relating to the Airport Site and its district. It is intended that this record would serve as an archive and a resource for future interpretation of the Aboriginal heritage values of the site.	Preconstruction	An Oral History Plan has been prepared in consultation with Aboriginal stakeholders by WSA.	WSA	WSA EIS Table 28-12



Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
<b>AH13</b>	<p>A selective salvage programme will be conducted of surface artefacts recovered across known Aboriginal artefact occurrences in the construction impact zone, with the aim of avoiding damage from activities related to the Main Construction Works. This action would address strongly held concerns of Aboriginal stakeholders about the protection of artefacts from construction impacts.</p> <p>The collection programme will be conducted using an archaeological methodology and the resulting assemblage will be integrated into the archaeological analysis of salvaged material where appropriate.</p>	Preconstruction	A surface salvage program has been conducted for SM - WSA RCIZ. Where required, a salvage programme will be conducted by SMWSA contractors in accordance with the SSP (Appendix B).	Sydney Metro	WSA EIS Table 28-12
<b>AH14</b>	<p>A selective archaeological salvage programme will be conducted in the construction impact zone. The objective of the programme is to manage impacts to archaeological or scientific values by recovering and analysing a representative sample of surface and subsurface archaeological material from the areas subject to construction impact. The programme will aim to:</p> <ul style="list-style-type: none"> <li>• recover archaeological material from all landform types based on a systematic and representative sampling matrix;</li> <li>• recover additional archaeological material from areas with assessed relatively higher archaeological value, with the objective of providing a large enough artefact population for statistical analysis and from which robust results can be derived; and</li> </ul>	Preconstruction	A selective archaeological salvage program has been conducted for the WSA Stage 1 development. Prior to ground disturbance by SMWSA in other areas of the Project, for a selective archaeological salvage programme will be carried out in accordance with the SSP (Appendix B). SMWSA will meet WSA requirements.	Sydney Metro	WSA EIS Table 28-12

## Unclassified

### Sydney Metro – Integrated Management System (IMS)

(Uncontrolled when printed)



Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
	<ul style="list-style-type: none"> <li>• apply archaeological excavation methodologies which are appropriate to the expected archaeological resource and the objectives of the salvage. As part of designing the salvage programme, consideration will be given to the feasibility of integrating relevant and existing geotechnical data into the process of determining the location and scope of the salvage programme</li> </ul>				
<b>No-go zones</b>					
<b>AH15</b>	Sensitive areas must be delineated on environmental constraints plans and EWMSs and to ensure they are not subject to disturbance during construction.	Preconstruction Construction	Identify no-go zones in ECM, EWMSs and site inductions. Establish low barrier fencing with buffer around no-go zones.  This will be particularly important for the permanent spoil placement area adjacent to the ECZ	All Contractors	Good practice
<b>Protocols for discovery of artefacts and human remains</b>					
<b>AH16</b>	Protocols will be developed and implemented for the unanticipated discovery of Aboriginal objects, and for the discovery of any suspected human remains for all Main Construction Works involving ground disturbance.	Preconstruction Construction	Protocols for the discovery of human remains and artefacts have been developed – Refer to the WSA Unexpected Finds Protocols Procedure (Appendix E).	All Contractor	WSA EIS Table 28-12  SMWSA EIA- Table 8-3 AH8
<b>AH17</b>	A protocol will be developed for the management of topsoil assessed as likely to contain a relatively high density of Aboriginal artefacts, and which would otherwise be impacted by construction activities. The aim of this protocol is to manage excavation, storage and placement of this material in a culturally appropriate manner that minimises potential impact to the Aboriginal cultural values resident in these artefacts from activities related to Main Construction Works. Any excavated material will be placed within the Environmental	Preconstruction Construction	A protocol for the management of topsoil assessed as likely to contain a relatively high density of Aboriginal artefacts has been developed in consultation with Aboriginal Stakeholders, refer to Appendix B.  Whether topsoil recovery is required will be determined by the SM - WSA heritage specialist in accordance with the protocol.	AEW SCAW	EIS Table 28-12

Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
	Conservation Zone where possible, until a long-term care and control agreement. The protocol will be developed in consultation with Aboriginal stakeholders				
<b>Induction training</b>					
<b>AH18</b>	Training in the identification of Aboriginal artefacts and management of Aboriginal heritage values will be included in compulsory induction courses for site workers. The content of this component will vary according to the stage of construction. After the completion of major cut and fill actions, raining may focus on the management of spoil where there is a risk of impacting artefacts, and on no-go areas, where relevant.	Preconstruction Construction	Site induction training will be included in the project site induction which is mandatory for all employees and contractors working on site. Additional specific training will be conducted for the management of aspects of this CEMP (e.g. Artefact identification) (refer to Section 11).	All Contractors	WSA EIS Table 28-12
<b>Commemoration of Aboriginal heritage</b>					
<b>AH19</b>	The Aboriginal cultural heritage values of the Airport Site will be commemorated. Options for consideration may include: <ul style="list-style-type: none"> <li>• The use of Darug words and language in the naming of places and infrastructure;</li> <li>• The dedication of various spaces and places for the placement of art and interpretive elements, storage and display of cultural items, and/or the conduct of cultural activities; and</li> <li>• The provision of public access and interpretive facilities at Aboriginal sites conserved in situ within the Environmental Conservation Zone (such as for sites B40 and B120), subject to safety and security requirements.</li> </ul>	Preconstruction Construction	Aboriginal Stakeholder Consultation and Engagement Plan (Appendix B). Implement commemoration options developed in conjunction with the Aboriginal Stakeholders groups.	SSTOM Design Team	WSA EIS Table 28-12
<b>Curation and repatriation of heritage items</b>					

**Unclassified**

**Sydney Metro – Integrated Management System (IMS)**

(Uncontrolled when printed)



Ref	Measure / Requirement	When to Implement	How to Implement	Responsibility for Implementation	Reference
<b>AH20</b>	One or more areas of open ground will be reserved within the Environmental Conservation Zone, as required, and managed for the primary purpose of repatriation of salvaged Aboriginal cultural material through reburial. The area(s) will be selected and managed in consultation with Aboriginal stakeholders. This provision is to accommodate the repatriation of cultural material for which it is not considered necessary by Aboriginal stakeholders to store above-ground, or to retain access for cultural purposes, interpretation, education or research.	Preconstruction Construction		Sydney Metro in consultation with WSA	WSA EIS Table 28-12
<b>AH21</b>	Following the completion of archaeological description and analysis, Aboriginal cultural material salvaged from the Airport Site will, in the first instance, be stored at an appropriate place to be determined in consultation with Aboriginal stakeholders and relevant government agencies.	Preconstruction construction	Storage facility on site for secure temporary storage of found or recovered artefacts. Aboriginal Stakeholder Consultation and Engagement Plan (Appendix B)	Sydney Metro in consultation with WSA	WSA EIS Table 28-12
<b>AH22</b>	The longer term storage of material not to be repatriated through reburial, and potentially material salvaged from other developments in Western Sydney and the Cumberland Plain, will be managed in consultation with Aboriginal stakeholders, the NSW Office of Environment and Heritage, and relevant Australia and local government agencies, with the aim of establishing, with the support and collaborative action of government and other stakeholders, an Aboriginal cultural heritage ‘keeping place’ that would provide secure, above ground storage of artefacts and enable future access for cultural purposes, interpretation, education or research.	Construction Post-Construction	Develop a long-term curation and storage plan with Aboriginal stakeholders, Heritage NSW and relevant Australia and local government agencies – Refer to Section 8.6.  WSA will work collaboratively with the Infrastructure Department during consultation on a potential Aboriginal cultural heritage Keeping Place.  SMWSA will liaise with WSA.	Sydney Metro in consultation with WSA	Condition 11 (4) Airport Plan)

## 8. Aboriginal cultural heritage management

### 8.1. Protection of Aboriginal heritage sites

Known Aboriginal heritage sites will be clearly marked with an appropriate buffer area of star pickets and high visibility flagging tape to ensure that no impacts can occur to these sites. Appropriate signage (e.g. no-go signs) will be displayed on the fencing and a permit to enter the area will be required to be issued by the Sydney Metro Environment Manager. The location of the no-go area will be identified on ECM where work will be occurring adjacent to, or near the area. The contractor environmental advisor will monitor the sites during the weekly inspections.

### 8.2. Impact to Aboriginal sites

If Aboriginal heritage sites or objects are disturbed or harmed, the Sydney Metro Environment Manager will advise the WSA Environment Manager, the Infrastructure Department and the Airport Environment Officer as per the AEPR Section 4.05 requirement. A no-go zone will be established until the area can be inspected and advice sought from the Infrastructure Department on how to proceed.

### 8.3. Unexpected finds protocol

All Contractors will be responsible for implementing the WSA Unexpected Finds Protocol (SEMF Appendix I (WSA00-WSA-00000-EN-PRO-000001)) which details measures to be undertaken if Aboriginal heritage not previously recorded at the airport site are detected during Project Construction Works.

### 8.4. Discovery of human remains protocol

If any suspected human remains are discovered within the Project, all work in the immediate will cease. The following process will be undertaken:

- Immediately cease all work at that location and do not move or disturb the remains.
- Notify the Sydney Metro Environment Manager as soon as practicable who in turn will immediately notify the Infrastructure Department and the Federal Police, providing details of the remains and their location.
- Establish an appropriate no-go area. This will need to be established in consultation with Federal Police and the Infrastructure Department, and if necessary, a qualified archaeologist.
- Works will not be able to recommence within the location of the find until confirmation from the Federal Police and the Infrastructure Department is obtained. If the remains are confirmed as not being human, then works may recommence. If remains are human then consultation, with the Federal Police, the Infrastructure Department and relevant parties which may include Aboriginal stakeholders to establish a plan of management.
- Works in the vicinity of the find will only be able to commence once the plan of management has been established and approval has been obtained from all relevant authorities.
- Should any human remains be identified, unless otherwise agreed by the Approver, this will trigger a review of this CEMP in accordance with CEMF Section 9.2.

## 8.5. Survey and salvage

Relevant survey and salvage requirements set out in the Survey and Salvage Plan are to be completed prior to construction. This occurred for the early earthworks area and will occur for Bulk Earthworks prior to ground disturbance.

## 8.6. Long term management of Aboriginal heritage items

As per the works completed for WSA CIZ Stage 1, following the completion of archaeological description and analysis, Aboriginal cultural material salvaged from the Airport Site will, in the first instance, be stored at an appropriate place to be determined in consultation with Aboriginal stakeholders and relevant government agencies. The longer term storage of material not to be repatriated through reburial, and potentially material salvaged from other developments in Western Sydney and the Cumberland Plain, will be managed in consultation with Aboriginal stakeholders, Heritage NSW, and relevant Australia and local government agencies, with the aim of establishing, with the support and collaborative action of government and other stakeholders, an Aboriginal cultural heritage 'keeping place' that would provide secure, above ground storage of artefacts and enable future access for cultural purposes, interpretation, education or research. Consultation on with stakeholders will be conducted in accordance with the SM - WSA Aboriginal Stakeholder Consultation and Engagement Plan and the Community Communications Strategy.

## 9. Environmental roles and responsibilities

The key environmental management roles and responsibilities for the construction phase of the work are detailed in both Section 4.5 of the SM CEMF.

Sydney Metro will ensure enough resources are allocated on an ongoing basis to ensure effective implementation by both Sydney Metro and the responsible contractors.

### **Aboriginal Engagement Manager**

The Aboriginal Engagement Manager will act as the main point of contact between Aboriginal Stakeholders and Contractors. They will coordinate and administer fieldwork participation adhering to the requirements of the Aboriginal stakeholder consultation and engagement plan and the Aboriginal Cultural Heritage CEMP.

### **Heritage Consultant**

The Heritage Consultant will undertake survey and salvage works required as part of the Aboriginal Cultural Heritage CEMP and Survey and Salvage Plans.

## 10. Environmental inspection, monitoring, auditing and reporting

Monitoring, inspection and auditing will be undertaken to measure effectiveness and facilitate continuous improvement of Aboriginal cultural heritage management and mitigation. General environmental monitoring, inspection and auditing requirements are summarised in Section 3.16 of the SM CEMF.

A summary of the environmental inspection, monitoring and auditing requirements is provided below, with details of how they apply to Aboriginal cultural heritage management where applicable.

### 10.1. Environmental inspections

#### 10.1.1. Sydney Metro environmental site inspections

Environmental site inspections at active, exposed work sites will be undertaken by the Sydney Metro Environment Manager (or delegate) on a monthly basis with relevant construction personnel to evaluate the effectiveness of environmental controls implemented by the contractor.

The monthly site inspection is to include a visual inspection of general construction activities and any Aboriginal cultural heritage management mitigation measures and or controls, including but not limited to the following:

- Observation of Aboriginal cultural heritage management and mitigation measures and controls, including exclusion fencing and site protection.
- Observation that works remain within the designated construction impact zone to ensure there is no deliberate or inadvertent harm to cultural heritage.
- Ensure that site personnel are aware of the measures and requirements under the unexpected finds protocol.

Personnel undertaking inspections will be made aware of sensitivities regarding taking photographs of areas and items of archaeological significance. The findings of the SMWSA site environmental inspection will be recorded on a SMWSA Site Environmental Inspection Checklist with an accompanying photographic style inspection report. Personnel undertaking inspections will be made aware of sensitivities regarding taking photographs of areas and items of archaeological significance.

#### 10.1.2. Contractor environmental inspections

Regular site inspections will be undertaken to monitor compliance with this Plan at active, exposed work sites. Inspection results will be recorded, and the inspection log made available to the Infrastructure Department upon request. Any non-conformance or improvement opportunities associated with Aboriginal cultural heritage matters will be reported in the monthly report and discussed at the Environmental Coordination meeting.

More frequent site inspections by the person accountable for Aboriginal cultural heritage issues will be conducted onsite following the identification of any actual or potential unexpected finds. The Contractor's Environmental Manager and/or Environmental Coordinators will undertake inspections in accordance with the Contractor Environmental Management Framework. The Contractor's Environmental Coordinators will record inspection findings on an inspection checklist form.



If any maintenance and/or deficiencies in environmental controls or in the standard of environmental performance are observed, they will be recorded on the checklist form. Records will also include details of any maintenance required, the nature of the deficiency, any actions required and an implementation priority.

### 10.1.3. Pre-start inspection

Prior to the commencement of works on each shift, an informal inspection will be carried out by the relevant contractor and will include a check of relevant environmental and cultural heritage controls and resources required to ensure effective operation and maintenance. This is to include an inspection of relevant Aboriginal cultural heritage management mitigation measures and controls where applicable. Works are not to commence unless inspections are found to be satisfactory.

The foreman will undertake the pre-work inspections.

## 10.2. Aboriginal cultural heritage monitoring

The following general environmental monitoring will be implemented:

- During the site inspections identified in Section 10.1, monitoring of no-go areas will be conducted and any maintenance or disturbance to the area notified to the Sydney Metro Environment Manager and any other appropriate person for action.
- Where survey and/or salvage is required monitoring will take place under the direction of an appropriately qualified person. The results of the monitoring must be kept in a written record.
- During the implementation of the topsoil protocol, monitoring will be completed under the direction of an appropriately quality person.
- The project site induction will inform all site personnel and contractors of the potential for unexpected finds. The compliance with the protocol will be managed by the Sydney Metro Environment Manager.

## 10.3. Environmental auditing

Refer to Section 3.16 of the SM CEMF for environmental auditing requirements, including Sydney Metro audits, independent audits and audits to be undertaken by contractors.

Auditing and subsequent reporting will be undertaken annually to ensure compliance with:

- this ACHCEMP;
- Airport Plan Conditions of Approval; and
- Condition 40.4, 40.5, 40.6 Independent audits about compliance with conditions as identified in Section 4 of this CEMP.

Sydney Metro will also undertake periodic audits of the Principal Contractor’s Environment and Sustainability Management Systems (E&SMS) and compliance with the environmental aspects of contract documentation, including this ACHCEMP.

**Table 10-1 Aboriginal cultural heritage reporting**

Action	Scope	Timing / frequency	Responsibility
<b>Annual reporting</b>	Unless otherwise agreed in writing by an Approver, an annual report will be prepared in relation to compliance with this Aboriginal Cultural Heritage CEMP (Condition 39). In accordance with Condition 39 (2) WSA will publish each of the annual reports on its website within three months of the end of the period in respect of which the report was prepared, with evidence providing proof of the date of publication to the Infrastructure Department with a copy to the Environment Department.	Annually	Sydney Metro Environment Manager
<b>Monthly compliance reporting</b>	Provide WSA with a monthly summary of the weekly inspection outcomes with regards to the management and compliance with the relevant Aboriginal cultural heritage management mitigation measures and controls.	Monthly	Contractor
<b>General environmental inspection</b>	Inspection of environmental management controls on site and sighting of site documentation as required by the contractor's CEMP.	Weekly	Sydney Metro
<b>General environmental inspection</b>	Inspection of environmental management controls and site documentation for contractor works (as required by the contractor's CEMP).	As per Contractor environmental management system (at least weekly)	Contractor
<b>Complaints reporting</b>	Recording of complaints and stakeholder interactions in accordance with Community and Stakeholder Management Plan.	As required	Sydney Metro Environment Manager  Sydney Metro Community and Stakeholder Manager and Contractor
<b>Reporting of non-conformances and improvement opportunities</b>	The management and reporting requirements of environmental non-conformances and improvement opportunities will be in accordance with Section 3.17 of the CEMP.	As required	Sydney Metro and Contractor

On-airport works approved under the Airport Plan will be subject to environmental audits and compliance audits, noting unscheduled audits may also be undertaken. The environmental audits would audit the environmental systems and on-site performance of the on-airport works of SMWSA and be undertaken on a 6 monthly basis.

## 10.4. Environmental reporting

General environmental reporting requirements are detailed in Section 3.18 of the SM CEMP.

In addition, a summary of reporting requirements required under this Aboriginal Cultural Heritage CEMP (including environmental reporting requirements under the Airport Plan specific to this Aboriginal Cultural Heritage CEMP) is provided below in Table 10-1.

## 10.5. Review of approved plans

Sydney Metro will review each approved plan at least every five years (from the date of approval) as required by the Airport Plan. A review will also be completed annually to ensure that it continues to meet the approval criteria. If the review identifies areas where the plan does not continue to meet the approval criteria for that plan, a variation to the approved plan will be prepared and submitted for approval. Once the reviewed plan is approved by the Approver, this reviewed plan will be the Approved Plan.

Sydney Metro may initiate reviews of Approved Plans at other times in response to improvement opportunities, non-conformances, and changes to scope of work or construction methodology or alterations to legal or contractual requirements.

If there is a material change to a WSA CEMP which impacts on an area of the Rail RCZI, then SMWSA will review their CEMPs to reflect that change addressed by the WSA review.

Any changes identified and implemented through the variation and review process identified above will be communicated to relevant contractors through re-issue of the revised Sydney Metro Approved Plan and subsequent training and awareness.

## 10.6. Environmental Incidents and complaints management

The management and reporting of environmental incidents shall be undertaken by the appropriate person as detailed in Section 3.17 of the SM CEMF.

All communications and complaints management will be implemented and managed in accordance with Section 4.2 and 4.3 of the SM CEMF and the Community Communications Strategy.

## 11. Competence, training and awareness

To ensure this Aboriginal Cultural Heritage CEMP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements within. The Sydney Metro Environment Manager will coordinate cultural heritage training in conjunction with other training and development activities.

All competence, training and awareness requirements will be implemented as detailed in Section 3.11 the SM CEMF.

## 12. References

- Artefact Heritage, 2018. *Western Sydney Airport Visitors Centre and Site Accommodation: Aboriginal Heritage Desktop Assessment*
- Bannerman S. and Hazelton P., 1990. *Soil Conservation Service of NSW, Sydney, Soil Landscapes of the Penrith Area 1:100,000 Sheet.*
- Commonwealth Department of Infrastructure and Regional Development, 2016. *Airport Plan (December 2016)*
- Commonwealth Department of Infrastructure and Regional Development, 2016. *Western Sydney Airport Environmental Impact Statement, 2016*
- Department of Environment and Planning, 1984. *Sydney Region North West Sector – Regional Environmental Study Volumes 1 and 2.* Dept of Environment and Planning, Sydney.
- Inventory - Known and Predicted Aboriginal Cultural Heritage Sites and Deposits, Issue 1 (as of 19 July 2018) Aboriginal Cultural Heritage Management Program Western Sydney Airport
- Navin Officer, 2017. Initial Survey and Salvage Plan, Western Sydney Airport - Enabling Activities, Aboriginal Cultural Heritage Management Program,
- Navin Officer, 2016. Western Sydney Airport: Aboriginal Cultural heritage assessment. Report to GHD.
- Standards Australia 2001. *Australian and New Zealand environmental management international standard (AS/NZS ISO 14001)*

# Appendix A Topsoil management protocol

# Appendix B Aboriginal stakeholder consultation and engagement plan

# Appendix C Survey and Salvage Plan addenda

---

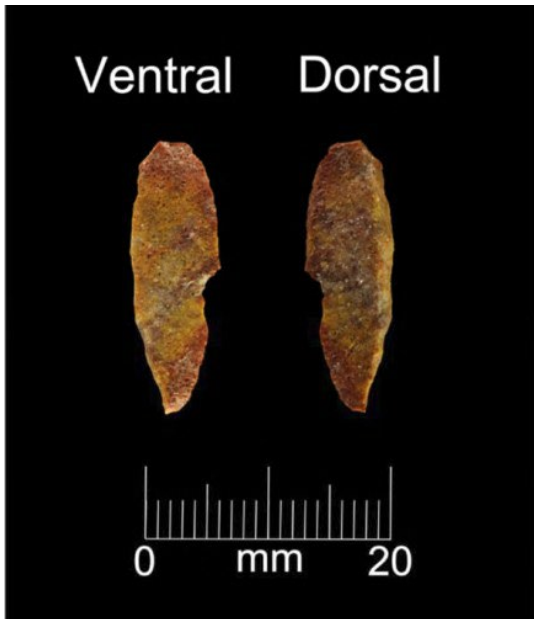


# Appendix D Oral History Plan

---

# Appendix E Identifying Aboriginal objects and site types

---



**stone artefact**



**Stone artefact scatter**



**Stone quarry**



**Scarred tree**



**Earth mound**



**Burial**



**Waterhole**



**Aboriginal  
gathering and  
resource  
location**