

SCHEDULE AR1

Permit, licence or approval taken to have been issued	Specific activities to be undertaken in relation to Aboriginal Relics and other Aboriginal Heritage Objects
Act pursuant to which the permit, licence or other approval is taken to have been issued in relation to the conditions contained in this schedule	<i>Aboriginal Relics Act 1975</i>
Person, body or State Service Agency responsible for the enforcement of the conditions contained in this schedule	Department of Tourism, Arts and the Environment

Part 1 – Definitions

Unless the contrary intention appears, an expression used in this schedule has the same meaning as it has in the *Aboriginal Relics Act 1975*, Section 2.

“Aboriginal Heritage Management Plan” means a plan, in a form approved by the Minister, identifying and detailing the procedures in relation to management of Aboriginal heritage objects to be followed during pre-construction, construction and operation of the project;

“Aboriginal Heritage Specialist” means a person recognised by the Aboriginal Heritage Office and the Tasmanian Aboriginal Land and Sea Council for the purposes of investigating, examining and reporting on Aboriginal heritage;

“Director” means the Director of National Parks and Wildlife;

“Minister” means the Minister administering the *Aboriginal Relics Act 1975*;

“re-identified” means a relic designated on the Tasmanian Aboriginal Site Index that is to be located again;

“relic” means, subject to the provisos:

- a any artefact, painting, carving, engraving, arrangement of stones, midden, or other object made or created by any of the original inhabitants of Australia or the descendants of any such inhabitants;
- b any object, site, or place that bears signs of the activities of any such original inhabitants or their descendants; or
- c the remains of the body of such an original inhabitant or of a descendant of such an inhabitant who died before the year 1876 that are not interred in –
 - i any land that is or has been held, set aside, reserved, or used for the purposes of a burial-ground or cemetery pursuant to any Act, deed, or other instrument; or
 - ii a marked grave in any other land.

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provisos

- a no object made or created after the year 1876 shall for the purposes of this Act be treated as a relic, and no activity taking place after that year shall for those purposes be regarded as being capable of giving rise to such a relic.
- b in any judicial proceedings in relation to an object alleged to be a relic, a court shall assume the object to be a relic if it is satisfied that there are reasonable grounds for believing that the object is, or may be, a relic.

“restricted area” means an area that must be maintained free from any impact by construction for the duration of construction activities and/or an area that must be subsequently maintained as a restricted area;

“Specific Activity” means

- a destroy, damage, deface, conceal, or otherwise interfere with a relic;
- b make a copy or replica of a carving or engraving that is a relic by rubbing, tracing, casting, or other means that involve direct contact with the carving or engraving;
- c remove a relic from the place where it is found or abandoned;
- d sell or offer or expose for sale, exchange, or otherwise dispose of a relic or any other object that so nearly resembles a relic as to be likely to deceive or be capable of being mistaken for a relic;
- e take a relic, or cause or permit a relic to be taken, out of this State; or
- f cause an excavation to be made or any other work to be carried out on Crown land for the purpose of searching for a relic.

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Part 2 – Conditions

The person responsible is to undertake specific activities in relation to Aboriginal Relics and other Aboriginal Heritage only in accordance with the following:

- 1 At least 1 month prior to the commencement of construction activities, or by a date specified in writing by the Minister, on the recommendation of the Director, an Aboriginal Heritage Management Plan in accordance with Annex 1 must be submitted to the Minister for approval.
- 2 Unless approved by the Minister, the person responsible is to keep confidential the specific locations of Aboriginal heritage contained in the Aboriginal Management Plan prepared in accordance with Annex 1.
- 3 Prior to commencing any clearing or construction activities related to the project the person responsible must undertake the activities stipulated in Annex 2 of this Schedule in relation to Aboriginal relics designated on the Tasmanian Aboriginal Sites Index (TASI) as TASI 7485, 7486, 7487, 9896, 9897, 9898, 9899, 9901, 9902, 9903, 9905, and 10008.
- 4 Only the activities stipulated in Annex 2, may be undertaken in relation to Aboriginal relics designated as TASI 7485, 7486, 7487, 9896, 9897, 9898, 9899, 9901, 9902, 9903, 9905, and 10008, unless another activity is expressly authorised by the Minister.
- 5 The person responsible must have no knowledge that a relic to which Annex 2 relates has been acquired or dealt with in contravention of the *Aboriginal Relics Act 1975*.
- 6 Any property or area of land associated with the project that was not assessed as part of the investigation of Aboriginal heritage conducted for the DIIS must be investigated in accordance with the Guidelines for the DIIS.
- 7 At least 90 days prior to the completion of commissioning activities related to the project, or by a date specified in writing by the Minister on the recommendation of the Director, an Operational Aboriginal Heritage Management Plan in accordance with the requirements in Annex 3 is to be submitted by the responsible person to the Minister for approval.
- 8 In the event that further Aboriginal heritage relics, not identified in Annex 2, are located during construction activities the person responsible must:
 - a cease construction activities immediately within 100 metres of the relic;
 - b notify the Aboriginal Heritage Office within 24 hours;
 - c assess the characteristics, condition and heritage value of the relics using suitably qualified specialists;
 - d arrange a field inspection with staff from the Aboriginal Heritage Office, if necessary, to identify regulatory implications and options for dealing with the Aboriginal heritage relic;
 - e engage with the Tasmanian Aboriginal Land and Sea Council on assessment and management options, as required;
 - f determine appropriate actions with regard to the continuation of works, including, as appropriate, gaining approval of a permitted action; and

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- g not recommence construction activities until approval is received from the Director.

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ANNEX 1

ABORIGINAL HERITAGE MANAGEMENT PLAN

- 1 The plan is to apply to the Aboriginal relics designated on the Tasmanian Aboriginal Sites Index (TASI) as TASI 7485, 7486, 7487, 9896, 9897, 9898, 9899, 9901, 9902, 9903, 9905, and 10008.
- 2 The Aboriginal Heritage Management Plan must be prepared in accordance with any reasonable guidelines provided by the Minister, on the recommendation of the Director.
- 3 The Aboriginal Heritage Management Plan must contain the commitments provided in Schedule AR1 and its Annexes, identifying and detailing the procedures to be followed during pre-construction, construction and operation of the project in relation to management of Aboriginal heritage.
- 4 The plan must include, but is not limited to, details of the following in relation to the protection and management of Aboriginal heritage:
 - a procedures for the identification and protection and future management of Aboriginal heritage sites;
 - b procedures to avoid impact to Aboriginal heritage when locating roads and other infrastructure, including provision for additional field studies of the preferred location of such facilities if not previously part of a field study;
 - c procedures that will be followed in the event that further Aboriginal heritage sites are located during construction activities, including a commitment to avoid impact on Aboriginal heritage to the greatest extent practicable; and
 - d procedures for ongoing engagement with the Aboriginal community, through the Tasmanian Aboriginal Land and Sea Council, in the identification, assessment, protection and ongoing management of identified Aboriginal heritage sites and any further Aboriginal heritage sites that are located.
 - e table containing all of the major commitments made in the plan;
 - f an implementation timetable for key aspects of the plan; and
 - g a monitoring and reporting program to regularly advise the Minister on compliance and adherence to the plan.
- 5 The Plan is to contain any additional management plan requirements for Aboriginal heritage as contained in any other schedules of the Pulp Mill Permit, if any.

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ANNEX 2

ABORIGINAL HERITAGE – STIPULATED ACTIVITIES

- 1 The person responsible is not to undertake any activity in relation to Aboriginal Heritage, except in accordance with the conditions set out in this Annex.
- 2 The activities permitted by this Annex may only be undertaken up to and including the 31 August 2010.
- 3 The area containing the Aboriginal relic designated as TASI 7485 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
 - a interference and removal of the Aboriginal relic designated as TASI 7485 is permitted for the identified Aboriginal heritage objects in association with the development of the solid waste disposal and quarry sites;
 - b interference and removal of the Aboriginal relic designated as TASI 7485 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 7485;
 - d interference and removal of the Aboriginal relic designated as TASI 7485 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 7485.
- 4 The area containing the Aboriginal relic designated as TASI 7486 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
 - a interference and removal of the Aboriginal relic designated as TASI 7486 is permitted for the identified Aboriginal heritage objects in association with the development of the solid waste disposal and quarry sites;
 - b interference and removal of the Aboriginal relic designated as TASI 7486 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal

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- heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 7486;
- d interference and removal of the Aboriginal relic designated as TASI 7486 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 7486.
- 5 The area containing the Aboriginal relic designated as TASI 7487 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 7487 is permitted for the identified Aboriginal heritage objects in association with the development of the solid waste disposal and quarry sites;
 - b interference and removal of the Aboriginal relic designated as TASI 7487 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 7487;
 - d interference and removal of the Aboriginal relic designated as TASI 7487 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 7487.
- 6 The area containing the Aboriginal relic designated as TASI 9896 must be subject to further investigation and mitigation actions prior to development of the mill site:
- a interference of the Aboriginal relic designated as TASI 9896 is permitted for the purpose of undertaking subsurface tests of the organic soil horizon within the approximate 300 m by 100 m area of TASI 9896;
 - b interference of the Aboriginal relic designated as TASI 9896 for the purpose of undertaking subsurface tests must be undertaken by an Aboriginal heritage specialist;

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- c if the subsurface tests identify additional Aboriginal heritage objects in a stratified or unstratified context:
 - i. interference and removal of the Aboriginal relic designated as TASI 9896 is permitted for the purpose of undertaking controlled archaeological excavation and retrieval of the contents of TASI 9896 within the area to be directly impacted by the development of the mill site;
 - ii. interference and removal of the Aboriginal relic designated as TASI 9896 for the purpose of undertaking controlled archaeological excavation and retrieval of the contents of TASI 9896 must be undertaken by Aboriginal heritage specialists;
 - iii. the results of the controlled archaeological excavation and retrieval of the contents of TASI 9896 must be fully documented to a professional standard; the documentation must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9897; all material derived from the controlled archaeological excavation must be professionally curated and documented, and supplied to the Aboriginal Heritage Office prior to return to the Aboriginal community; an appropriate standard of equipment for the ongoing storage and protection of all retained material derived from the controlled archaeological excavation must be provided;
 - iv. interference and removal of the Aboriginal relic designated as TASI 9896 for the purpose of undertaking controlled archaeological excavation and retrieval of the contents of TASI 9896 is not permitted for additional Aboriginal heritage objects located within the transmission line easement and the temporary construction phase car park;
- d The area containing the component of the Aboriginal relic designated as TASI 9896 in Vol 2: page 4 - 447 of the of the draft Integrated Impact Statement as located within the transmission line easement and the temporary construction car park, and any additional Aboriginal heritage objects identified within this area during further investigations of TASI 9896, must be maintained free from any impact by construction of a fenced area including a 1 m buffer zone around the object for the duration of construction activities.
 - i. this component of TASI 9896 must be subsequently maintained as a restricted area;
 - ii. a monitoring plan must be developed to report any transgression of the buffer zone and/or restricted area;
- e The area containing the components of the Aboriginal relic designated as TASI 9896 in Vol 2: page 4 - 447 of the of the draft Integrated Impact Statement as directly impacted by development of the mill site must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
 - i. interference and removal of these components of the Aboriginal relic designated as TASI 9896 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;

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- ii. interference and removal of these components of the Aboriginal relic designated as TASI 9896 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - iii. the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9896;
 - iv. interference and removal of these components of the Aboriginal relic designated as TASI 9896 must be undertaken by an Aboriginal heritage specialist;
 - v. if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with these components of the Aboriginal relic designated as TASI 9896.
- 7 The area containing the Aboriginal relic designated as TASI 9897 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 9897 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9897 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9897;
 - d interference and removal of the Aboriginal relic designated as TASI 9897 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9897.

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- 8 The area containing the Aboriginal relic designated as TASI 9898 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
 - a interference and removal of the Aboriginal relic designated as TASI 9898 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9898 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9898;
 - d interference and removal of the Aboriginal relic designated as TASI 9898 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9898.
- 9 The area containing the Aboriginal relic designated as TASI 9899 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
 - a interference and removal of the Aboriginal relic designated as TASI 9899 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9899 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9899;

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- d interference and removal of the Aboriginal relic designated as TASI 9899 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9899.
- 10 The area containing the Aboriginal relic designated as TASI 9901 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 9901 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9901 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9901;
 - d interference and removal of the Aboriginal relic designated as TASI 9901 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9901.
- 11 The area containing the Aboriginal relic designated as TASI 9902 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 9902 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9902 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;

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- c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9902;
 - d interference and removal of the Aboriginal relic designated as TASI 9902 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9902.
- 12 The area containing the Aboriginal relic designated as TASI 9905 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 9905 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;
 - b interference and removal of the Aboriginal relic designated as TASI 9905 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
 - c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 9905;
 - d interference and removal of the Aboriginal relic designated as TASI 9905 must be undertaken by an Aboriginal heritage specialist;
 - e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 9905.
- 13 The area containing the Aboriginal relic designated as TASI 10008 must be re-identified if possible and the Aboriginal heritage objects removed to the restricted area of the Aboriginal relic designated as TASI 9903:
- a interference and removal of the Aboriginal relic designated as TASI 10008 is permitted for the identified Aboriginal heritage objects in association with the development of the mill site;

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- b interference and removal of the Aboriginal relic designated as TASI 10008 must involve collection of the Aboriginal heritage objects and their relocation to a safe and distinct environment within the restricted area of the Aboriginal relic designated as TASI 9903;
- c the safe and distinct environment of the relocated Aboriginal heritage objects must be clearly identifiable; the number, characteristics and any other relevant information about the Aboriginal heritage objects must be recorded; the area and location of the safe and distinct environment of the relocated Aboriginal heritage objects must be identified as closely as possible by grid reference; the information about the Aboriginal heritage objects must be supplied to the Aboriginal Heritage Office for the purpose of updating the existing record of TASI 10008;
- d interference and removal of the Aboriginal relic designated as TASI 10008 must be undertaken by an Aboriginal heritage specialist;
- e if the Aboriginal heritage objects cannot be re-identified no further action is required in relation to dealings with the area containing the Aboriginal relic designated as TASI 10008.

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ANNEX 3

OPERATIONAL ABORIGINAL HERITAGE MANAGEMENT PLAN

- 1 An Operational Aboriginal Heritage Management Plan is to be submitted by the responsible person to the Minister for approval in accordance with the following.
 - a The plan must include details of proposed measures and procedures for the ongoing protection and management of Aboriginal heritage.
 - b The plan must include, but is not limited to, details of the following:
 - i procedures for the ongoing protection and management of Aboriginal heritage sites;
 - ii procedures that will be followed in the event that further Aboriginal heritage sites are located during future activities, including a commitment to avoid impact on Aboriginal heritage to the extent practicable;
 - iii procedures that will be followed for ongoing engagement with the Aboriginal community, through the Tasmanian Aboriginal Land and Sea Council, in the identification, assessment, protection and ongoing management of identified Aboriginal heritage sites and any further Aboriginal heritage sites that are located;
 - iv table containing all of the major commitments made in the plan;
 - v an implementation timetable for key aspects of the plan; and
 - vi a monitoring and reporting program to regularly advise the Minister on compliance and adherence to the plan.
 - c Activities associated with the operation of the Pulp Mill must not take place unless the plan and has been submitted to the Director.
 - d The activity must be undertaken in accordance with the plan, as amended from time to time with the approval of the Minister, on the recommendation of the Director, and must be implemented to the satisfaction of the Minister.
- 2 Specific locations of Aboriginal heritage contained in the Operational Aboriginal Heritage Management Plan must be maintained as confidential information.

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Permit, licence or approval taken to have been issued	Reserve Activity
Act pursuant to which the permit, licence or other approval is taken to have been issued in relation to the conditions contained in this schedule	<i>National Parks and Reserves Management Act 2002</i> (including the National Parks and Reserved Land Regulations 1999).
Person, body or State Service Agency responsible for the enforcement of the conditions contained in this schedule	Director of National Parks and Wildlife.

Part 1 – Definitions

“reserve activity” means any development or use, as defined under the *Land Use Planning and Approvals Act 1993*, on land managed under the *National Parks and Reserves Management Act 2002*;

“reserved land” means any land declared under the Nature Conservation Act 2002 to be reserved land; and any land taken to have been so declared

“Managing Authority” means the Director of National Parks and Wildlife or their delegate.

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Part 2 –Conditions

Prior to commencing any reserve activity associated with the project, the person responsible must comply with following:

- 1 At least 30 days prior to the commencement of any reserve activity, the person responsible must provide notification in writing to the Managing Authority confirming the final alignment, location, design and timeframe for undertaking any reserve activity.
- 2 Prior to the commencement of any reserve activity, the person responsible must enter into a lease or licence agreement prepared under Section 48 of the *National Parks and Reserves Management Act 2002*.
- 3 Reserve activity must not commence without
 - a The written approval of the Managing Authority; and
 - b Relevant leases for, or licences to occupy, reserved land being granted under Section 48 of the *National Parks and Reserves Management Act 2002*.
- 4 The extent of disturbance, including disturbance of flora, fauna, rocks, soil, groundwater and surface water movement regimes, on the subject land must be kept to an absolute minimum.

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Permit, licence or approval taken to have been issued	Approval to commence any clearing or construction activities associated with the project on a place entered in the Tasmanian Heritage Register
Act pursuant to which the permit, licence or other approval is taken to have been issued in relation to the conditions contained in this schedule	<i>Historic Cultural Heritage Act 1995</i>
Person, body or State Service Agency responsible for the enforcement of the conditions contained in this schedule	Tasmanian Heritage Council

Part 1 – Definitions

“construction activities” means activities on the land associated with the construction phase of the activity (which includes, but is not limited to, vegetation clearance, road construction, related infrastructure and rehabilitation);

“planning authority” means a council as defined in the *Local Government Act 1993* exercising jurisdiction in the locality to which the context relates;

“related infrastructure” includes, but is not limited to, roads, substations, cables, underground or overhead powerlines, control buildings, transformers, hazardous materials storage facilities and concrete batch plants;

“Stopwork Order” means a Stopwork Order under Part 8 of the *Historic Cultural Heritage Act 1995*;

“Works Application” means an application under Part 6 of the *Historic Cultural Heritage Act 1995* for approval to carry out works.

All other words have the same meaning as defined in the *Historic Cultural Heritage Act 1995*

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Part 2 –Conditions

The person responsible is to commence any clearing or construction activities associated with the project on a place entered in the Tasmanian Heritage Register only in accordance with the following:

- 1 Construction activities on a place entered in the Tasmanian Heritage Register must not take place unless:
 - a the Works Application has been approved in writing by the Tasmanian Heritage Council; or
 - b An exclusion of approval has been provided by the Tasmanian Heritage Council.
- 2 At least three (3) months prior to the commencement of construction activities on a place entered in the Tasmanian Heritage Register, a Works Application must be submitted to the Tasmanian Heritage Council via the relevant planning authority.
- 3 The Works Application must be prepared in accordance with the guidelines of the Tasmanian Heritage Council.
- 4 A Cultural Heritage Management Plan for the site, consistent with the commitment in Volume 2 (12- 725) of the DIIS, must be submitted with the Works Application.
- 5 Any activity on a place entered in the Tasmanian Heritage Register must be carried out in accordance with the commitments contained in Volume 2 (12-725), Volume 3 (5-205) and Volume 4 (3-54; 3-80; 3-103; 3-126; 3-178; 3-155) of the DIIS unless otherwise specified in these conditions or unless otherwise approved in writing by the Tasmanian Heritage Council.
- 6 Should any proposed construction activities be deemed to not affect the heritage values of the place, an exclusion from approval will be provided by the Tasmanian Heritage Council within four weeks of the receipt of an application.
- 7 Any construction activity on a place entered in the Tasmanian Heritage Register commenced prior to written approval, or exclusion from approval being given by the Tasmanian Heritage Council may be subject to a Stopwork Order.
- 8 In the event that a member of the public nominates a site purported to be of historic cultural heritage significance in or near the vicinity of the project or its associated infrastructure, the following will occur:
 - a Heritage Tasmania will assess the validity of the nomination; and
 - b In the event of all approvals being given, and the site being assessed as of minimal historic cultural heritage significance, the Tasmanian Heritage Council will not pursue any such nomination; or
 - c In the event that the site is deemed to be of exceptional historic cultural heritage significance, the person responsible, or their nominated representative, will be contacted to discuss the matter.