



NGH

CULTURAL HERITAGE MANAGEMENT PLAN

Avonlie Solar Farm

July 2021

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ACRONYMS AND ABBREVIATIONS

ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRP	Aboriginal cultural heritage consultation requirements for proponents
AS	Artefact Scatter
BCS	Biodiversity, Conservation and Science Directorate within the Department (formally Biodiversity and Conservation Division (formally OEH))
CEMP	Construction Environmental Management Plan
CHMP	Cultural Heritage Management Plan
CoC	Conditions of Consent
Code of Practice	Code of Practice for Archaeological investigation of Aboriginal Objects in NSW
DPIE	(NSW) Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EMS	Environmental Management System
EPC	Engineering, Procurement & Construction
Heritage NSW	The current NSW authority for cultural heritage
HSEQ	Health Safety and Environment and Quality
IF	Isolated Find
LGA	Local Government Area
NPW Act	National Parks and Wildlife Act
NSW	New South Wales
OEH	Office of Environment and Heritage (now BCS)
RAPs	Registered Aboriginal Parties
RMM	Revised Mitigation Measures
SEO	Site Environmental Officer
The Project	Avonlie Solar Farm

1 INTRODUCTION

Planning approval was issued on the 8th of August 2019 for the construction and operation of the Avonlie Solar Farm, located approximately 20 km south-east of the township of Narrandera in the Narrandera Local Government Area (LGA). Modification 1 to the approval was issued on 5 November 2020 and a subsequent Modification 2 was issued on 10 March 2021. The Avonlie Solar Farm ('the Project') is a State Significant Development that represents an important contribution to renewable energy generation in New South Wales (NSW). The approved development footprint layout of Avonlie Solar Farm is shown in Appendix A.

The purpose of this Cultural Heritage Management Plan (CHMP) is to describe how impacts on Aboriginal heritage will be minimised and managed during construction, operation and decommissioning of the Project.

An Aboriginal Cultural Heritage Assessment Report (ACHAR) and addendum to the ACHAR were prepared for the Project which was included as part of the Avonlie Solar Farm Environmental Impact Statement (EIS) (NGH 2018). The EIS summarised the key findings of the ACHAR and addendum ACHAR including impacts to Aboriginal Heritage and any proposed mitigation measures to minimise impacts. Following review and comment on the EIS the Response to Submissions, Revised Mitigation Measures (RMM) detailed the proposed mitigation measures which incorporated any comments from government departments to minimise impacts on Aboriginal heritage for the Project.

1.1 CONTEXT

An Environmental Management Strategy (EMS) has been prepared to comply with the Conditions of Consent (CoC) from the NSW Minister for Planning and all applicable legislation, during the construction, operation and decommissioning of the Project.

This CHMP is part of the Project Owner' and their contractor's environmental management framework for the Project, as described in the overall EMS. This CHMP has been prepared to address the requirements of the mitigation and management measures listed in the CoC from the NSW Minister for Planning and all other applicable legislation during the construction, operation and decommissioning of the Project.

This CHMP has been prepared by suitably qualified, independent and experienced archaeologists Kirsten Bradley and Matthew Barber from NGH who have been endorsed by the Secretary.

1.2 ENVIRONMENTAL MANAGEMENT STRATEGIC FRAMEWORK

The CHMP is part of the Project Owners' and their contractor's environmental management framework for the Project, as described in the Environmental Management System (EMS) and the Construction Environmental Management Plan (CEMP). Mitigation and management measures identified in this Plan will be incorporated into the site induction and work method statements where applicable.

All Project personnel, contractors and sub-contractors will undertake a site induction prior to commencing work on the project site and will sign to acknowledge they have understood the contents of the induction. Additionally, all personnel undertaking a task governed by a work method statement must have signed that they have participated in a toolbox training on the work method statement, and that they have read and understood their obligations prior to commencing work.

Used together, the EMS, CEMP, management measures, procedures, site inductions and work method statements form the management guides that clearly identify required environmental management actions for reference by Project personnel, contractors and sub-contractors for the Project.

As a subplan of the EMS, the review and document control processes for this plan will be undertaken in line with standard document control policy and procedures.

2 PURPOSE AND OBJECTIVES

2.1 PURPOSE AND OBJECTIVES

The purpose of this CHMP is to describe how impacts to Aboriginal heritage will be minimised and managed during construction, operations and decommissioning of the Project.

The key objective of the CHMP is to ensure that impacts to Aboriginal heritage are minimised and are within the scope permitted by the planning approval. To achieve this objective, the following will be undertaken:

- Ensure appropriate controls and procedures are implemented during construction, operation and decommissioning activities to avoid (where necessary) or minimise potential adverse impacts to Aboriginal heritage in the Project footprint.
- Ensure appropriate measures are implemented to address the mitigation measures detailed in the EIS, CoC and RMM.
- Ensure appropriate measures are implemented to comply with all relevant legislation and other requirements as described in Section 3 of this plan.
- Facilitate engagement with the local Aboriginal community in partnership to appropriately manage the Aboriginal cultural heritage values associated with the Project.

2.2 TARGETS

The following targets have been established for the management of Aboriginal heritage impacts during the construction, operations and decommissioning of the Project:

- Ensure full compliance with the relevant legislative requirements.
- Ensure full compliance with relevant requirements of the EIS, RMM and CoC.
- Minimise or avoid impacts, including inadvertent impacts, on known Aboriginal heritage.
- Follow correct procedure and ensure notification of any previously unidentified Aboriginal objects/places uncovered during construction.
- Ensure Aboriginal Cultural Heritage Awareness Training is provided to all personnel in the form of induction before they begin work on site.

3 ENVIRONMENTAL REQUIREMENTS

3.1 LEGISLATIVE AND OTHER ENVIRONMENTAL MANAGEMENT REQUIREMENTS

Legislation

Legislation relevant to heritage management includes:

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*

- *National Parks and Wildlife Act 1974 (NPW Act)*
- *National Parks and Wildlife Amendment (Aboriginal Objects and Places) Regulation 2010*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)*

Guidelines and Standards

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

- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH 2011);*
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (OEH 2010a);*
- *Aboriginal cultural heritage consultation requirements for proponents 2010 (ACHCRP) (OEH 2010b).*

3.2 CONDITIONS OF CONSENT

The CoC were issued by the NSW Minister for Planning on the 8th of August 2019, further to this MOD 1 and MOD 2 have subsequently been issued in November 2020 and March 2021 respectively. Details of the CoC in relation to Heritage are summarised in Table 1. A detailed list of heritage control measures to be implemented to ensure compliance with the CoC, EIS, RMM, ACHAR and addendum ACHAR is also detailed in Section 6 of this document.

Table 1 Location of information in this plan addressing the heritage requirements of the CoC

Condition #	Condition of Consent	Location of relevant information
17	<p>The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 4 or located outside the approved development footprint.</p> <p>Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 2 of Appendix 4, the Applicant must salvage and relocate the item/s that would be impacted to a suitable alternative location on site, in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), or its latest version.</p> <p><i>Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 4.</i></p>	<p>-CoC Table 1 and Table 2 of Appendix 4</p> <p>- CHMP Table 1, Table 2, Section 3.2, Section 6, Appendix A and Appendix B.</p>
18	<p>Prior to commencing construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:</p> <ol style="list-style-type: none"> a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; b) be prepared in consultation with Heritage NSW and Aboriginal Stakeholders; c) include a description of the measures that would be implemented for: <ul style="list-style-type: none"> • protecting the Aboriginal heritage items identified in Table 1 of Appendix 4 or outside the approved development 	-This document

Condition #	Condition of Consent	Location of relevant information
	<p>footprint, including fencing off the Aboriginal heritage items prior to commencing construction;</p> <ul style="list-style-type: none"> • salvaging and relocating the Aboriginal heritage items located within the approved development footprint; as identified in Table 2 of Appendix 4, • a contingency plan and reporting procedure if: <ul style="list-style-type: none"> - previously unidentified Aboriginal heritage items are found; or - Aboriginal skeletal material is discovered; • ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and • ongoing consultation with Aboriginal stakeholders during the implementation of the plan; <p>d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.</p> <p>Following the Secretary’s approval, the Applicant must implement the Heritage Management Plan.</p>	

The Aboriginal heritage items referred to in Condition 17 of the CoC to be avoided by the development of the Avonlie Solar Farm are listed below for easy reference. Given the duplication of sites within the Project area the AHIMS numbers have been consolidated in Table 2 below for easy reference and to reflect the AHIMS database records. No harm must occur to these Aboriginal heritage sites. The sites and portions of sites to be avoided and the heritage exclusion zones within the Project area are shown in Figure 1.

Table 2 Aboriginal heritage items listed in Condition 17 of the CoC to be avoided.

AHIMS #	Site Name	Site Type
49-6-0148	Avonlie Scarred Tree 1	Modified Tree
Forms part of 49-6-0199	Avonlie Scarred Tree 2	Possible Modified Tree
49-6-0199 * (Includes duplicate sites: 49-6-0152; 49-6-0153; 49-6-0154; 49-6-0155 which must also be avoided)	Avonlie Artefact Scatter 1	Artefact Scatter with possible Modified Tree
49-6-0200 (Includes duplicate sites: 49-6-0144; 49-6-0145; 49-6-0146; 49-6-0147 which must also be avoided)	Avonlie Artefact Scatter 3	Artefact Scatter
49-6-0198	Avonlie Artefact Scatter 4	Artefact Scatter
49-6- 0167	Avonlie Solar Farm IF1	Isolated Find
49-6-0202	Avonlie Solar Farm IF2	Isolated Find

* Only items within the exclusion zones are to be avoided (refer to the Figure in the CoC Appendix 4 to identify exclusion zones)

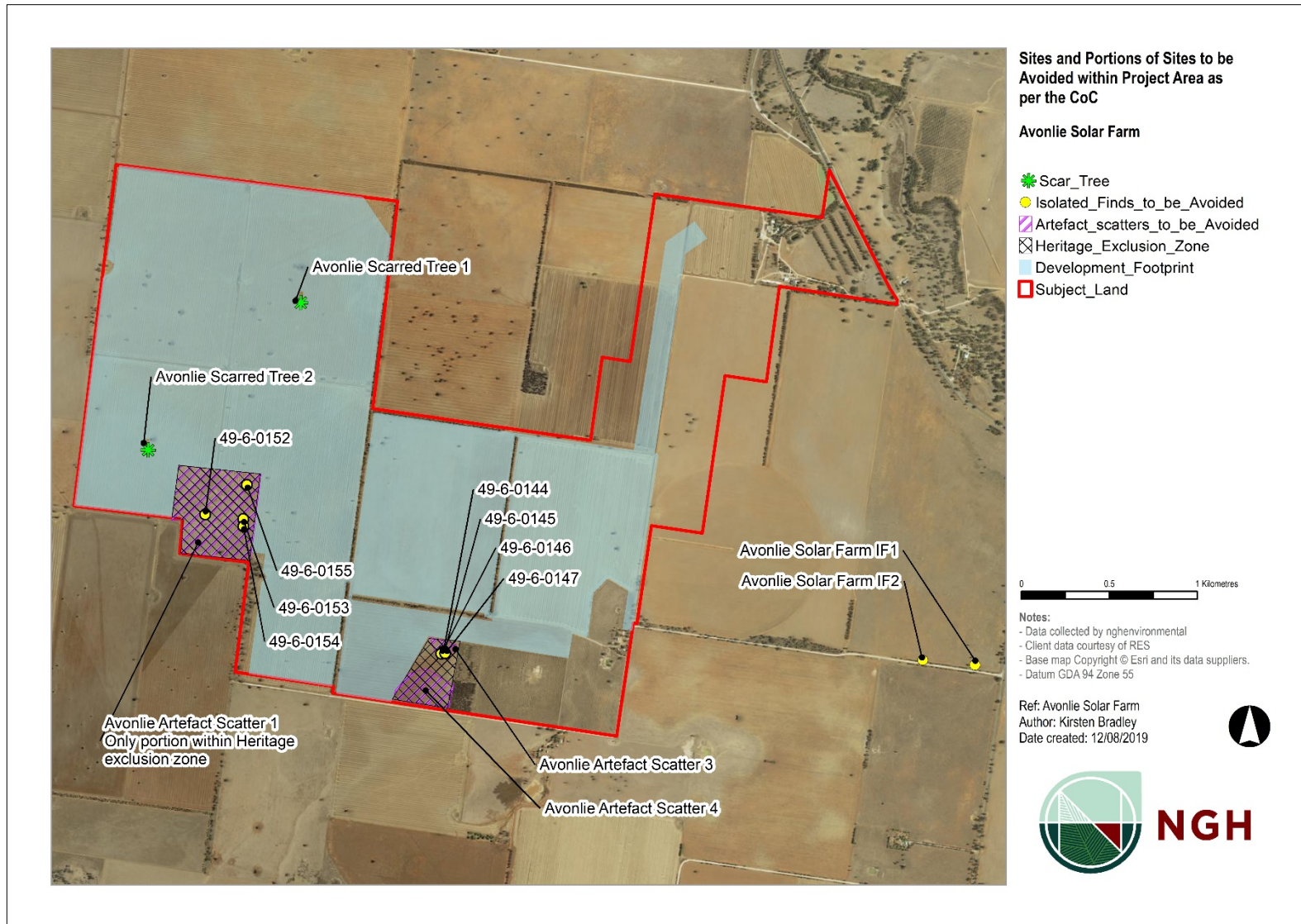


Figure 1. Location Aboriginal sites and heritage exclusion zones to be avoided as per the CoC within the Project.

The Aboriginal heritage items listed in Condition 17 of the CoC to be salvaged and relocated if impacts to them cannot be avoided by the development footprint are listed below for easy reference and also shown in Figure 2.

Table 3 Aboriginal heritage items listed in Condition 17 of the CoC to be salvaged if they cannot be avoided by the development footprint.

AHIMS #	Site Name	Site Type
49-6-0199 * (Includes duplicate site: 49-6-0157)	Avonlie Artefact Scatter 1	Artefact scatter with possible modified tree
49-6-0201	Avonlie Artefact Scatter 2	Artefact scatter
49-6-0230	Avonlie Solar Farm IF 3	Isolated Stone Artefact
49-6-0203	Avonlie Solar Farm IF 4	Isolated Stone Artefact
49-6-0204	Avonlie Solar Farm IF 5	Isolated Stone Artefact
49-6-0176	Avonlie Solar Farm IF 6	Isolated Stone Artefact
49-6-0205	Avonlie Solar Farm IF 7	Isolated Stone Artefact
49-6-0206	Avonlie Solar Farm IF 8	Isolated Stone Artefact
49-6-0207	Avonlie Solar Farm IF 9	Isolated Stone Artefact
49-6-0211	Avonlie Solar Farm IF 10	Isolated Stone Artefact
49-6-0208	Avonlie Solar Farm IF 11	Isolated Stone Artefact
49-6-0209	Avonlie Solar Farm IF 12	Isolated Stone Artefact
49-6-0212	Avonlie Solar Farm IF 13	Isolated Stone Artefact
49-6-0141	Avonlie Solar Farm IF 14	Isolated Stone Artefact
49-6-0210	Avonlie Solar Farm IF 15	Isolated Stone Artefact
49-6-0213	Avonlie Solar Farm IF 16	Isolated Stone Artefact
49-6-0214	Avonlie Solar Farm IF 17	Isolated Stone Artefact
49-6-0215	Avonlie Solar Farm IF 18	Isolated Stone Artefact
49-6-0216	Avonlie Solar Farm IF 19	Isolated Stone Artefact
49-6-0217	Avonlie Solar Farm IF 20	Isolated Stone Artefact
49-6-0218	Avonlie Solar Farm IF 21	Isolated Stone Artefact
49-6-0219	Avonlie Solar Farm IF 22	Isolated Stone Artefact
49-6-0220	Avonlie Solar Farm IF 23	Isolated Stone Artefact
49-6-0221	Avonlie Solar Farm IF 24	Isolated Stone Artefact
49-6-0156	Avonlie Solar Farm IF 25	Isolated Stone Artefact
49-6-0222	Avonlie Solar Farm IF 26	Isolated Stone Artefact
49-6-0223	Avonlie Solar Farm IF 27	Isolated Stone Artefact
49-6-0224	Avonlie Solar Farm IF 28	Isolated Stone Artefact
49-6-0225	Avonlie Solar Farm IF 29	Isolated Stone Artefact
49-6-0226	Avonlie Solar Farm IF 30	Isolated Stone Artefact
49-6-0227	Avonlie Solar Farm IF 31	Isolated Stone Artefact

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AHIMS #	Site Name	Site Type
49-6-0168	Avonlie Solar Farm IF 32	Isolated Stone Artefact
49-6-0169	Avonlie Solar Farm IF 33	Isolated Stone Artefact
49-6-0171	Avonlie Solar Farm IF 34	Isolated Stone Artefact
49-6-0170	Avonlie Solar Farm IF 35	Isolated Stone Artefact
49-6-0172	Avonlie Solar Farm IF 36	Isolated Stone Artefact
49-6-0173	Avonlie Solar Farm IF 37	Isolated Stone Artefact
49-6-0174	Avonlie Solar Farm IF 38	Isolated Stone Artefact
49-6-0175	Avonlie Solar Farm IF 39	Isolated Stone Artefact
49-6-0177	Avonlie Solar Farm IF 40	Isolated Stone Artefact
49-6-0178	Avonlie Solar Farm IF 41	Isolated Stone Artefact
49-6-0142	Avonlie Solar Farm IF 42	Isolated Stone Artefact
49-6-0179	Avonlie Solar Farm IF 43	Isolated Stone Artefact
49-6-0180	Avonlie Solar Farm IF 44	Isolated Stone Artefact
49-6-0181	Avonlie Solar Farm IF 45	Isolated Stone Artefact
49-6-0182	Avonlie Solar Farm IF 46	Isolated Stone Artefact
49-6-0183	Avonlie Solar Farm IF 47	Isolated Stone Artefact
49-6-0184	Avonlie Solar Farm IF 48	Isolated Stone Artefact
49-6-0185	Avonlie Solar Farm IF 49	Isolated Stone Artefact
49-6-0186	Avonlie Solar Farm IF 50	Isolated Stone Artefact
49-6-0187	Avonlie Solar Farm IF 51	Isolated Stone Artefact
49-6-0188	Avonlie Solar Farm IF 52	Isolated Stone Artefact
49-6-0189	Avonlie Solar Farm IF 53	Isolated Stone Artefact
49-6-0190	Avonlie Solar Farm IF 54	Isolated Stone Artefact
49-6-0191	Avonlie Solar Farm IF 55	Isolated Stone Artefact
49-6-0192	Avonlie Solar Farm IF 56	Isolated Stone Artefact
49-6-0193	Avonlie Solar Farm IF 57	Isolated Stone Artefact
49-6-0194	Avonlie Solar Farm IF 58	Isolated Stone Artefact
49-6-0195	Avonlie Solar Farm IF 59	Isolated Stone Artefact
49-6-0196	Avonlie Solar Farm IF 60	Isolated Stone Artefact
49-6-0197 (Duplicate of 49-6-0234)	Avonlie Solar Farm IF 61	Isolated Stone Artefact
49-6-0229	Avonlie Solar Farm IF 62	Isolated Stone Artefact
49-6-0228	Avonlie Solar Farm IF 63	Isolated Stone Artefact
49-6-0143	Avon463511	Isolated Stone Artefact
49-6-0150	Avon462418	Isolated Stone Artefact
49-6-0165	Avon462256	Isolated Stone Artefact

** Only items outside the exclusion zones are to be salvaged (refer to the Figure in the CoC Appendix 4 to identify exclusion zones; **AIF is an abbreviation for the site name Avonlie Solar Farm IF*

4 CONSULTATION

Condition 18 of the CoC requires the CHMP be prepared in consultation with OEH, who are now the Biodiversity, Conservation and Science Directorate (BCS) within the NSW Department of Planning, Industry and Environment (DPIE), and Aboriginal Stakeholders. Consultation was undertaken with BCS at the time the CHMP was prepared. However, it is noted that Heritage NSW is the current authority for cultural heritage.

The consultation process began in 2017 for the Aboriginal Cultural Heritage Assessment Report (ACHAR). The consultation with Aboriginal stakeholders was undertaken in accordance with clause 80C of the *National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010* following the consultation steps outlined in the ACHCRP guide.

As a result of this process, three Aboriginal groups registered their interest in the Project which included the Narrandera Local Aboriginal Land Council, Bundyi Aboriginal Cultural Knowledge and the Warrabinya Cultural Heritage and Assessment Group. No other party registered their interest, including the entities and individuals recommended by government departments. All Registered Aboriginal Parties (RAPs) were invited to participate in the fieldwork and a copy of the draft ACHAR and addendum ACHAR were provided to the RAPs for comment. Their responses indicated that the report was good with no issues raised.

For this CHMP additional consultation, as required by the CoC, was undertaken with BCS and the RAPs as detailed in Appendix C. The comments provided by BCS have been incorporated into this plan. The RAPs did not raise any issues with this plan.

5 EXISTING HERITAGE

NGH prepared an ACHAR and addendum ACHAR for the proposed Avonlie Solar Farm (NGH 2018). The findings of the ACHAR were summarised within the EIS and a brief summary is also included below (NGH 2018).

The assessment included a review of relevant information relating to the landscapes within the Project area. No Aboriginal sites had previously been recorded within the Project area. Based on the previous archaeological investigations in the region and knowledge of Wiradjuri cultural practices and traditional activities the Project area was noted to have the possibility of containing archaeological sites, especially given that Aboriginal people have lived in the region for tens of thousands of years. This was noted to most likely be in the form of stone artefacts and scarred trees. Assessment of Aboriginal site models for the region also suggested that there was a pattern of site location that relates to the presence of potential resources for Aboriginal use with archaeologically sensitive areas tending to occur in association with major water sources, including anabranches and ephemeral and relict lake systems and Grey Box fringed depressions.

Despite the variable visibility encountered during the surveys a number of stone artefacts and two modified trees were recorded within the Project area. The Aboriginal sites identified within the Project area were recorded by NGH archaeologist and Aboriginal community representatives as three artefact scatters, an artefact scatter with a possible modified tree, a modified tree and 66 isolated artefacts. Based on the land use history, an appraisal of the landscape, soil, level of disturbance and the results from the field survey it was concluded that there was negligible potential for the presence of intact subsurface deposits within the Project area.

Given the high density of stone artefacts recorded within three of the artefact scatters identified, two heritage exclusion zones were incorporated into the development design of the Project to ensure impacts to Aboriginal objects were minimised where possible. The placement of two heritage exclusion

zone within the Project area encompass a portion of the site Avonlie Artefact Scatter 1 and the whole of Avonlie Artefact Scatter 3 and 4.

It should be noted that both Avonlie Artefact Scatter 1 and 3 encompass a number of individual objects that were recorded as individual AHIMS sites by one of the Aboriginal community representatives onsite during the fieldwork. The AHIMS site cards have been updated by NGH to reflect that the sites AHIMS #49-6-0152, 49-6-0153, 49-6-0154, 49-6-0155 and 49-6-0157 are listed as duplicates of Avonlie Artefact Scatter 1 (AHIMS# 49-6-0199) and the sites AHIMS#49-6-0144 to 49-6-0147 listed as duplicates of Avonlie Artefact Scatter 3 (AHIMS# 49-6-0200).

The original development footprint was also redesigned to avoid any impact on the two possible modified trees located within the Project area. A comprehensive list of all the Aboriginal sites recorded within the Project area over the course of fieldwork is provided in Table 4.

Table 4 below lists the identified risks to known Aboriginal sites with the Project area and the mitigation measures as recommended in the ACHAR and addendum ACHAR (NGH 2018) and Figure 2 show the location of these Aboriginal sites within the Project. Salvage and relocation of Aboriginal heritage items that cannot be avoided by the development as approved in the CoC will be carried out in line with the Salvage Methodology outlined in Appendix D.

In response to submissions received for the EIS a number of safeguards and mitigation measures were detailed in the RMM for Aboriginal Heritage which incorporated the ACHAR and addendum ACHAR recommendations and comments received from government departments. These Aboriginal Heritage recommendations are detailed below and have been incorporated into the CoC (see Section 3.2) and the heritage control measures detailed in Section 6.

- The development must partially avoid Avonlie Artefact Scatter 1; and completely Avonlie Artefact Scatters 3 and 4 which are outside the development footprint, as per the agreed exclusion zones and development design plans detailed
- Partial salvage through artefact collection of Avonlie Artefact Scatter 1 must be undertaken where the artefact scatter extends beyond the agreed exclusion zone and development design plans this report. This can be done post project determination and prior to construction.
- The development must avoid the site Avonlie Scarred Tree 1. A minimum 10m buffer around the tree should be in place to protect the tree root zone.
- As complete avoidance of Avonlie Artefact Scatters 2 and the remaining isolated artefacts within the proposal area is not possible or warranted, the artefacts within the development footprint must be salvaged through collection prior to the proposed construction work commencing and moved to a safe area within the property that will not be subject to any ground disturbance.
- The collection and relocation of the artefacts should be undertaken by an archaeologist with representatives of the RAPs. An Aboriginal Site Impact Recording Form will be completed and submitted to AHIMS for each site harmed or destroyed from salvage and construction works. Artefact disposition and storage must be done in accordance with Requirement 26 of the Code of Practice.
- An unexpected find protocol (UFP) must be prepared and followed should there be an inadvertent discovery of Aboriginal objects. Notification of the discovery will be made to the Chief Executive of OEH in accordance with s89A of the National Parks and Wildlife Act 1974 (NSW).
- If the Archaeologist or RAPs find sites that are not part of the sites to be salvaged under the CoC then the Unexpected Finds Protocol must be followed.
- In the unlikely event that human remains are discovered during the construction, all work must cease in the immediate vicinity. Heritage NSW, the local police, the Coroner and the RAPs should be notified. Further assessment would be undertaken to determine if the remains were Aboriginal or non-Aboriginal. If the remains are Aboriginal, notification of the discovery will be

made to the Chief Executive of Heritage NSW in accordance with s89A of the National Parks and Wildlife Act 1974 (NSW).

The recommendations detailed in the EIS and the RMM for historic heritage are detailed below and have been incorporated into the heritage control measures detailed in Section 6 as part of the unexpected find protocol (UFP) (see Appendix E).

- Should a relic be located, all works in the immediate vicinity will cease, and the NSW Heritage Council will be notified prior to further work being carried out in the vicinity in accordance with s146 of the Heritage Act 1977. If the relic is human remains, then the local police and the Coroner will also be notified.

Table 4 Identified risks to known Aboriginal sites with the Project area as noted in the ACHAR and Addendum ACHAR.

AHIMS #	Site name*	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
49-6-0199 (Includes duplicate sites: 49-6-0151; 49-6-0152; 49-6-0153; 49-6-0154; 49-6-0155; and 49-6-0157)	AAS1	Artefact scatter and possible modified tree	Direct	Partial	Partial Loss of Value	Avoid the portion of the site within heritage exclusion zone and salvage of stone objects outside the heritage exclusion zone. Avoid impacts to the modified tree with a minimum 10 m buffer placed around the tree.
49-6-0201	AAS2	Artefact scatter	Direct	Direct	Total Loss of Value	Salvage objects prior to development.
49-6-0200 (Includes duplicate sites: 49-6-0144; 49-6-0145; 49-6-0146; 49-6-0147)	AAS3	Artefact scatter	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site. Within heritage exclusion area.
49-6-0198	AAS4	Artefact scatter	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site. Within heritage exclusion area.
49-6-0167	AIF 1	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
49-6-0202	AIF 2	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
49-6-0230	AIF 3	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0203	AIF 4	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0204	AIF 5	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0176	AIF 6	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0205	AIF 7	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0206	AIF 8	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.

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AHIMS #	Site name*	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
49-6-0207	AIF 9	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0211	AIF 10	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0208	AIF 11	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0209	AIF 12	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0212	AIF 13	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0141	AIF 14	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0210	AIF 15	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0213	AIF 16	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0214	AIF 17	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0215	AIF 18	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0216	AIF 19	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0217	AIF 20	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0218	AIF 21	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0219	AIF 22	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0220	AIF 23	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0221	AIF 24	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0156	AIF 25	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0222	AIF 26	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0223	AIF 27	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0224	AIF 28	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.

Cultural Heritage Management Plan
Avonlie Solar Farm

AHIMS #	Site name*	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
49-6-0225	A IF 29	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0226	AIF 30	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0227	AIF 31	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0168	AIF 32	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0169	AIF 33	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0171	AIF 34	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0170	AIF 35	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0172	AIF 36	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0173	AIF 37	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0174	AIF 38	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0175	AIF 39	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0177	AIF 40	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0178	AIF 41	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0142	AIF 42	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0179	AIF 43	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0180	AIF 44	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0181	AIF 45	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0182	AIF 46	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0183	AIF 47	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0184	AIF 48	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.

Cultural Heritage Management Plan
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AHIMS #	Site name*	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
49-6-0185	AIF 49	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0186	AIF 50	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0187	AIF 51	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0188	AIF 52	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0189	AIF 53	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0190	AIF 54	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0191	AIF 55	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0192	AIF 56	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0193	AIF 57	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0194	AIF 58	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0195	AIF 59	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0196	AIF 60	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0197 (Duplicate 49-6-0234)	AIF 61	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0229	AIF 62	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0228	AIF 63	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0143	Avon 463511	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0150	Avon 462418	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0165	Avon 462256	Isolated Find	Direct	Direct	Total Loss of Value	Salvage object prior to development.
49-6-0148	Avonlie Solar Farm Scarred Tree 1	Modified tree	Nil	Nil	Nil	Avoid impacts to the modified tree with a minimum 10 m buffer placed around the tree.

Cultural Heritage Management Plan
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** AIF is and abbreviation for the site name Avonlie Solar Farm IF and AAS is and abbreviation for the site name Avonlie Solar Farm Artefact Scatter.*

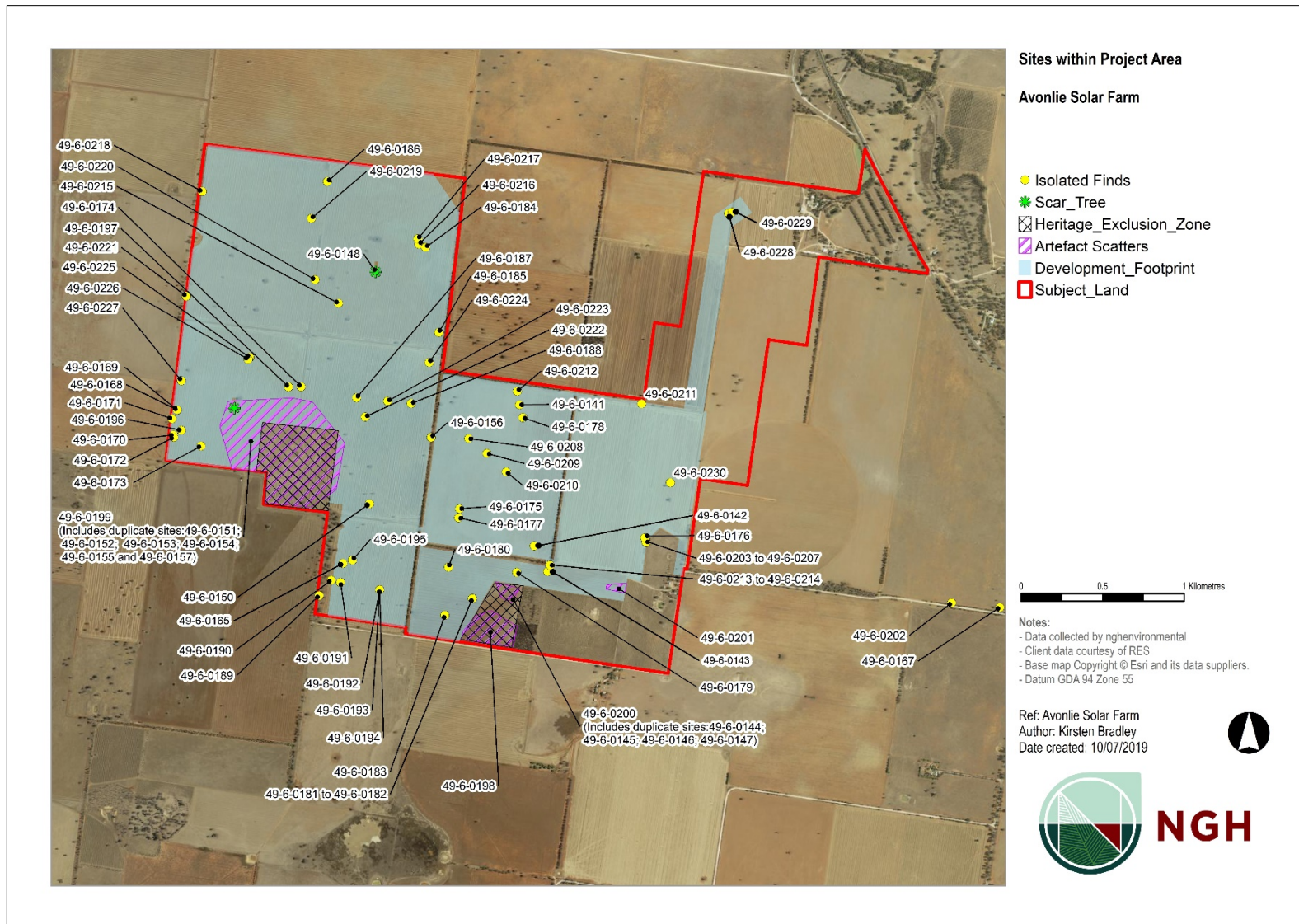


Figure 2. Location of known Aboriginal sites with the Project area.

6 HERITAGE CONTROL MEASURES

A range of mitigation requirements and control measures are identified in the CoC, EIS, ACHAR, addendum ACHAR and RMM. Specific measures and requirements to address impacts to heritage values are outlined in Table 5. The measures have been listed to cover broad activities and as such there may be some repetition of mitigation measures.

Table 5 Heritage control measure as required under the CoC, EIS and RMM in relation to the Project.

Measure / Requirement	Resources needed	When to implement	Responsibility	References
GENERAL				
Training will be provided to all personnel involved in construction and management phases of the Project, including relevant sub-contractors on heritage requirements from this plan through inductions, toolboxes and targeted training.	Induction package Toolbox training material Targeted training material	Pre-construction Construction Operation	Project Owner EPC Contractor Environmental Officer	This document Section 7.2 and EMS
A strategy for the long-term management of any items or material that are collected would be developed in consultation with the RAPs. The artefacts recovered during salvage collections would be reburied in a safe location within the Project area outside the development footprint.	CoC ACHAR Addendum ACHAR	Pre-construction Construction Operation	EPC Contractor Environmental Officer	This document Appendix D
Implementation of an approved Cultural Heritage Management Plan	This document	Pre-construction Construction Operation	EPC Contractor Project Manager	This document
DESIGN				
The design of the solar farm must avoid the heritage exclusion areas and the two modified trees sites as listed in CoC. A minimum 10 m buffer must be placed to protect the possible modified trees and a minimum 5 m buffer must be placed around the stone artefact sites that are outside the approved development footprint to ensure there are no inadvertent impacts to these sites.	ACHAR Addendum ACHAR CHMP CoC	Design Pre-construction Construction Operation	Project Owner EPC Contractor Project Manager	This document Section 3.2

Measure / Requirement	Resources needed	When to implement	Responsibility	References
The development must partially avoid Avonlie Artefact Scatter 1; and completely avoid Avonlie Scarred Tree 1, Avonlie Artefact Scatters 3 and 4 which are outside the development footprint as per the agreed exclusion zones and development design plans detailed	ACHAR Addendum ACHAR CHMP CoC RMM	Design Pre-construction Construction Operation Decommissioning	Project Owner EPC Contractor Project Manager	This document Section 3.2
Further archaeological assessment would be required if the Project activity extends beyond the area assessed in the ACHAR and addendum ACHAR. This would include consultation with the RAPs and may include further field survey. A formal modification to the development consent would be required if any activity were proposed to extend beyond the area assessed in the ACHAR and addendum ACHAR.	ACHAR Addendum ACHAR RMM	Design Pre-construction Construction Operation	Project Owner EPC Contractor Project Manager	This document, see Table 5, Section 5 and 6.
Ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in the CoC as sites to avoid impacting, sites within the heritage exclusion areas or other sites located outside the approved development footprint	ACHAR Addendum ACHAR CHMP CoC	Design Pre-construction Construction Operation	Project Owner EPC Contractor Project Manager	This document Section 3.2
Ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items	ACHAR Addendum ACHAR CHMP CoC	Design Pre-construction Construction Operation Decommissioning	Project Owner EPC Contractor Environmental Officer	This document Section 3.2
PRE-CONSTRUCTION				
Delineation and signage of Aboriginal sites and heritage exclusion areas that will not be impacted by the proposed development works as listed in the CoC will be put in place prior to construction works commencing. This includes around the modified tree sites which must have a minimum 10 m buffer placed around them. A minimum 5m buffer will be placed about stone artefact sites that will not be impacted by the proposed development. Continued periodic monitoring of these sites and the heritage exclusion areas will occur.	ACHAR Addendum ACHAR CHMP	Pre-construction Construction Operational	EPC Contractor Environmental Officer	This document Section 7.3

Measure / Requirement	Resources needed	When to implement	Responsibility	References
Salvage and relocate all Aboriginal heritage items located within the approved development footprint (as per the CoC list of Aboriginal sites to be salvaged if impacts cannot be avoided) to a suitable alternative location/s on site in accordance with the Code of Practice. Salvage would be conducted by an archaeologist with representatives of the RAPs.	Code of Practice ACHAR Addendum ACHAR CoC	Pre-construction	EPC Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix D
Partial salvage through artefact collection of Avonlie Artefact Scatter 1 must be undertaken where the artefact scatter extends beyond the agreed exclusion zone and development design plans this report.	Code of Practice ACHAR Addendum ACHAR CoC	Pre-construction	EPC Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix D
An Aboriginal Site Impact Recording Form will be completed and submitted to AHIMS for each site harmed or destroyed from salvage and construction works. Artefact disposition and storage must be done in accordance with Requirement 26 of the Code of Practice (DECCW 2010:35-6).	Code of Practice ACHAR Addendum ACHAR CoC	Pre-construction Construction	EPC Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix D
If the Archaeologist or RAPs find sites that are not part of the sites to be salvaged under the CoC (see CoC Appendix 4 Table 2) then the Unexpected Finds Protocol must be followed (CHMP Appendix E).	Code of Practice ACHAR Addendum ACHAR CoC	Pre-construction Construction Operation	EPC Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix D Appendix E
CONSTRUCTION				
Where any additional, unrecorded Aboriginal or non-Aboriginal objects are encountered during construction, the Unexpected Finds Procedure will be followed .	Unexpected Finds Procedure	Construction Operational Decommissioning	EPC Contractor Project Manager Environmental Officer All personal	This document Appendix E
If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Unexpected Finds Procedure will be followed to notify police and Heritage NSW as soon as possible. Work must not recommence in the area until this is authorised by Heritage NSW	Unexpected Finds Procedure	Construction Operational Decommissioning	EPC Contractor Project Manager Environmental Officer All personal	This document Appendix E
Monitoring of heritage sites and heritage exclusion area within the project area outside the development footprint to ensure no impacts or inadvertent impacts. This includes monitoring for the reburial location/s of Aboriginal objects collected during the salvage program as per the sites listed in the CoC.	CHMP	Construction Operational Decommissioning	EPC Contractor Environmental Officer	This document Section 7.3

7 COMPLIANCE MANAGEMENT

7.1 STRUCTURE AND RESPONSIBILITY

The organisational structure and overall roles and responsibilities, including those for contractors and sub-contractors, are outlined in the EMS. Specific responsibilities for the implementation of environmental controls will be detailed in the CEMP and are summarised in Table 5.

7.2 TRAINING

To ensure that this CHMP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this plan. The Health Safety Environment and Quality (HSEQ) personnel will coordinate the environmental training in conjunction with other training and development activities (e.g. safety). A record of this training will be maintained by the HSEQ personnel.

In particular, all employees, contractors, sub-contractors and utility staff working on site will receive Aboriginal Cultural Heritage Awareness Training. It will be provided to all personnel in the form of an induction before they begin work on site. This training will address obligations under the Project CoC, the *National Parks and Wildlife Act 1974* and Project specific site identification, heritage conservation and management measures. Targeted training in the form of toolbox talks or specific training will also be provided to personnel with a key role in heritage management. Further details regarding staff induction and training will be outlined in the CEMP.

7.3 INSPECTIONS AND MONITORING

Periodic inspection of the Aboriginal heritage sites and heritage exclusion zones located outside the approved development footprint, as per the CoC, within the Project area will occur for the duration of construction, operation and decommissioning of the Project. The Aboriginal sites and heritage exclusion zones will be identified by the project archaeologist and/or the Site Environmental Officer (SEO) and marked by fencing to ensure there are no inadvertent impacts during the construction, operation and decommissioning of the Project. Inspection of the sites and heritage exclusion zones will occur fortnightly during construction and monthly thereafter by the SEO.

Any stone artefacts collected during the salvage program will be reburied at a safe location outside the development footprint within the Project area. The reburial location/s of the salvaged stone artefacts will also be subject to fencing, monitoring and inspection to ensure there are no inadvertent impacts during the construction and operation of the solar farm. Inspection of the reburial site/s will occur fortnightly during construction and monthly thereafter by the SEO.

Any compliance issues will be recorded and raised with the relevant authorities as per the CoC Schedule 4 Conditions 4, 5 and 6 as outlined below in Table 6. Inspections will be undertaken following a reporting checklist.

Table 6 Compliance CoC as per Schedule 4 Conditions 4, 5 and 6.

CoC Schedule 4 Condition	Compliance Task	Compliance requirement
4	Incident Notification	The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 6.
5	Non-Compliance Notification	The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
5A	Non-Compliance Notification	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
5B	Non-Compliance Notification	A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.

7.4 AUDITING

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

Cultural heritage should be included within any environmental audit of impacts undertaken during the construction, operation and decommissioning phases of works for the Project.

Audit requirements are detailed in the EMS.

7.5 REPORTING

Reporting requirements and responsibilities are documented in the EMS.

8 REVIEW AND IMPROVEMENT

8.1 CONTINUOUS IMPROVEMENT

Continuous improvement of this plan will be achieved by the ongoing evaluation of heritage management performance against heritage policies, objectives and targets to identify opportunities for improvement.

The continuous improvement process will be designed to:

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

8.2 CHMP UPDATE AND AMENDMENT

The processes and plans described in the EMS may result in the need to update or revise this Plan. This will occur as needed. Only the SEO, or delegate, has the authority to change any of the CHMP documentation.

The Project Owners' will coordinate the preparation, review and distribution, as appropriate, of any update or revision of this Plan. During the Project, a copy of the most recent version of this plan will be stored at the main site compound.

The Project Owners' a will implement a document control policy and procedure to control the flow of documents within and between stakeholders, contractors and sub-contractors. A copy of the updated plan will be distributed to all relevant stakeholders in accordance with the document control policy and procedure.

9 REFERENCES

NGH 2018 Avonlie Solar Farm Environmental Impact Statement.

NGH 2018 Aboriginal Cultural Heritage Assessment, Avonlie Solar Farm.

NGH 2018 Addendum to Aboriginal Cultural Heritage Assessment, Avonlie Solar Farm.

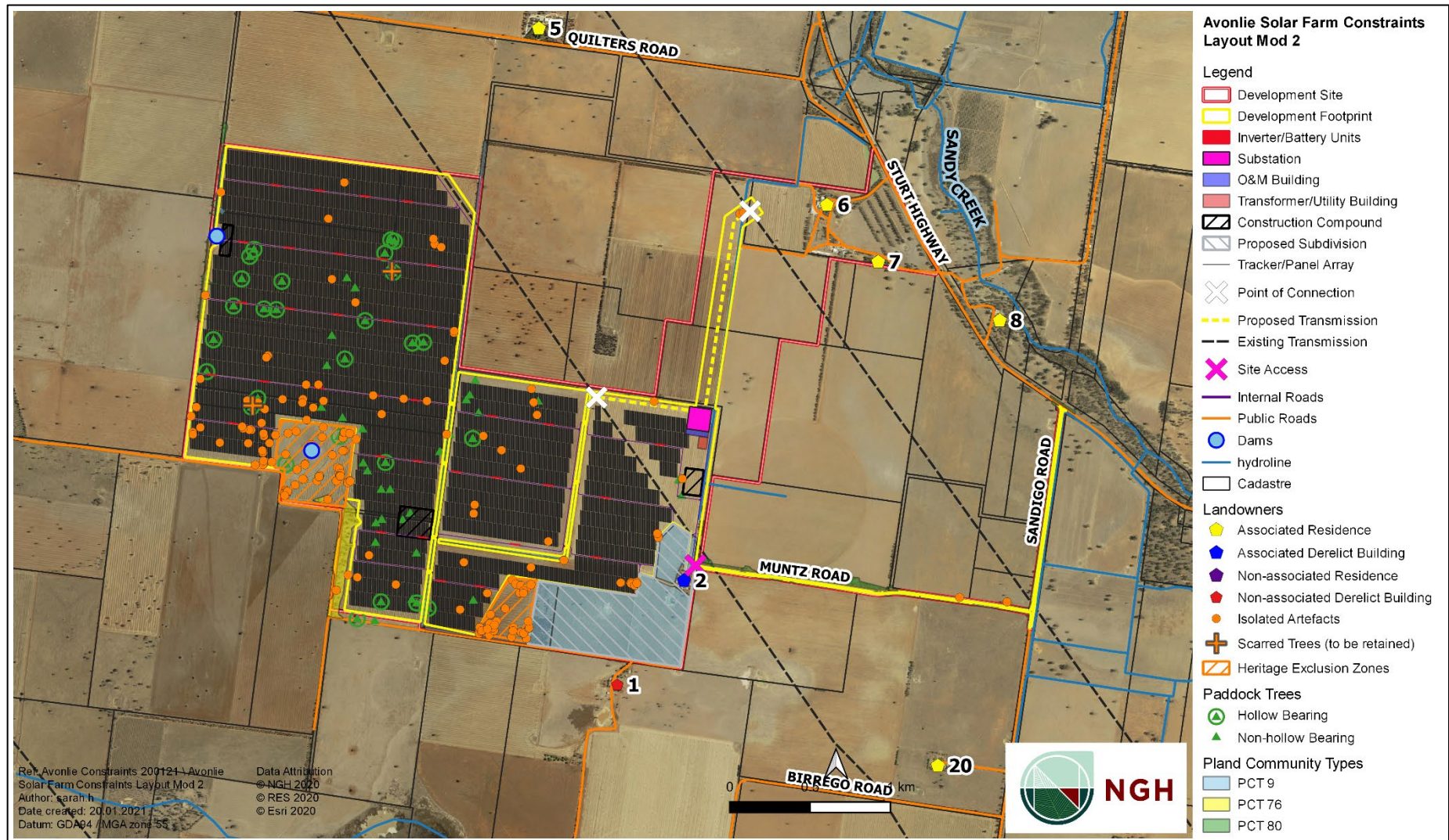
NGH 2018 Response to Submissions Avonlie Solar Farm.

OEH 2010a Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.

OEH 2010b Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.

OEH 2011 Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW.

APPENDIX A GENERAL LAYOUT OF APPROVED FOOTPRINT



APPENDIX B COPY OF CONDITIONS OF CONSENT APPENDIX 4

APPENDIX 4 ABORIGINAL HERITAGE ITEMS

Table 1: Aboriginal heritage items – avoid impacts

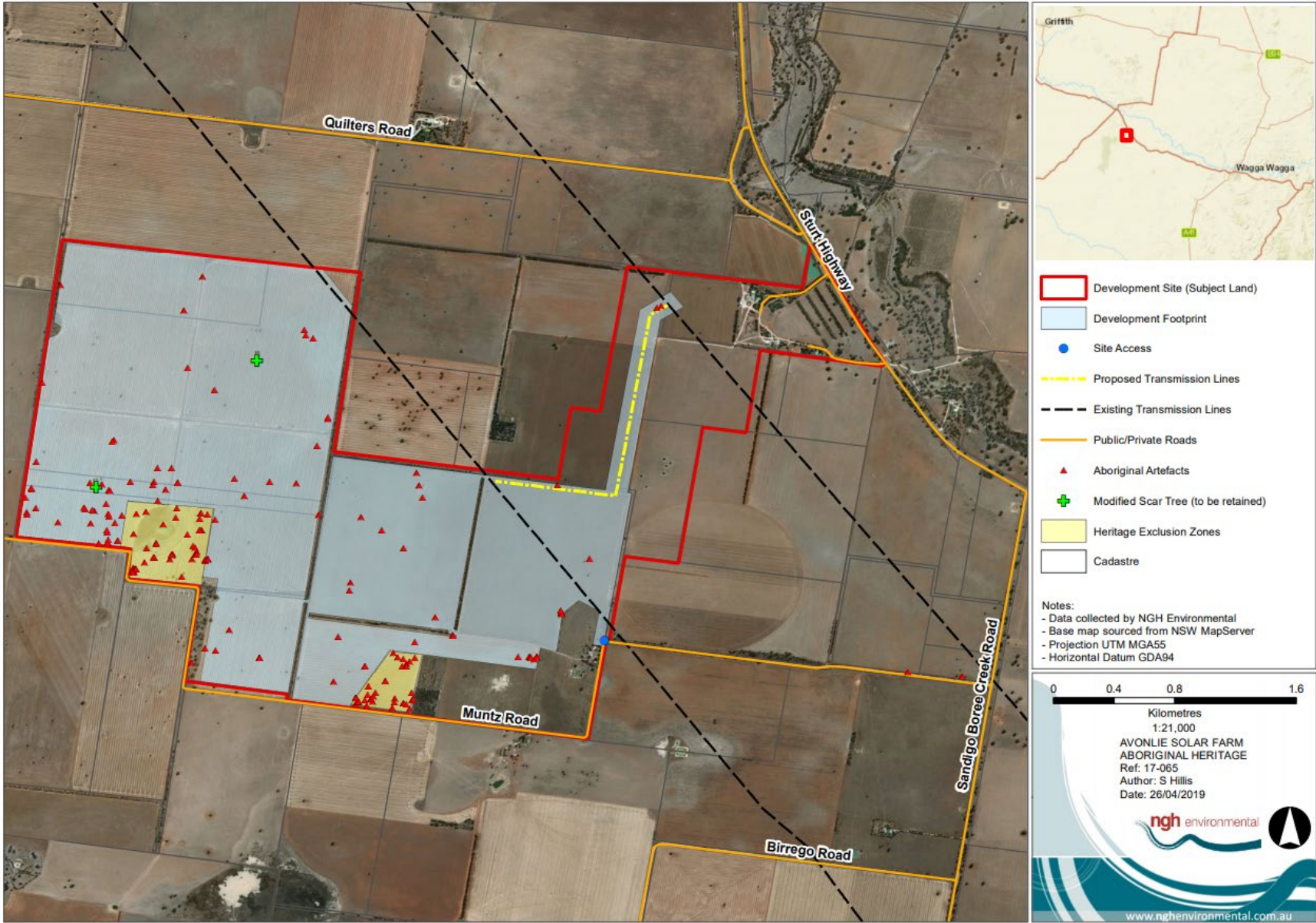
Item
Avonlie Scarred Tree 1 / 49-6-0148
Avonlie Scarred Tree 2
Avonlie Artefact Scatter 1 / 49-6-0199 *
Avonlie Artefact Scatter 3 / 49-6-0200
Avonlie Artefact Scatter 4 / 49-6-0198
49-6-0152
49-6-0153
49-6-0154
49-6-0155
49-6-0144
49-6-0145
49-6-0146
49-6-0147
AIF 1 / 49-6- 0167
AIF 2 / 49-6-0202

* Only items within the exclusion zones are to be avoided (refer to the Figure in this Appendix to identify exclusion zones)

Table 2: Aboriginal heritage items – surface collection salvage

Item
Avonlie Artefact Scatter 1 / 49-6-0199 *
Avonlie Artefact Scatter 2 / 49-6-0201
AIF 3 to 63 / 49-6-0141, 49-6-0142, 49-6-0156, 49-6-0168 to 49-6-0197, 49-6-0203 to 49-6-0230
49-6-0143
49-6-0150
49-6-0165

* Only items outside the exclusion zones are to be salvaged (refer to the Figure in the Appendix to identify exclusion zones)



APPENDIX C STAKEHOLDER CONSULTATION

There are three RAPs for the Project as listed below.

RAP	Contact Person	Contact Details
Narrandera Local Aboriginal Lands Council-	Michelle Mondo	Nlalc14@bigpond.com
Bundy Aboriginal Cultural Knowledge	Mark Saddler	marksad@live.com.au
Warrabinya Cultural Heritage and Assessment Group	Eddie Whyman	ECWhyman@hotmail.com

The following consultation has occurred in the preparation of this CHMP.

Organisation	Action	Date Sent	Reply Date	Replied by	Response/ Comments
BCS (formally OEH)	Draft CHMP sent via email	12/08/2019	14/08/2019	Via email	Email comments provided in full below.
Narrandera Local Aboriginal Land Council	Draft CHMP sent via email	12/08/2019	30/8/2019	Via phone	No comments provided.
Bundy Aboriginal Cultural Knowledge	Draft CHMP sent via email	12/08/2019	12/08/2019	Via email	All looks OK in your report.
Warrabinya Cultural Heritage and Assessment Group	Draft CHMP sent via email	12/08/2019	30/8/2019	Via phone	No comments provided
DPIE	Requested Secretary's endorsement of heritage experts for Project CHMP	22/08/2019	03/09/2019	Letter via email	Letter provided in full below. Department satisfied that archaeologist engaged are suitably qualified to prepare CHMP.

Comments provided by BCD on the 14th August 2019 for the draft CHMP

From: Andrew Fisher [REDACTED]
Sent: Wednesday, 14 August 2019 3:16 PM
To: Kirsten Bradley [REDACTED]
Cc: Lyndon Patterson [REDACTED]
Subject: DPIE BC Response RE: Avonlie Solar Farm - draft CHMP

Hi Kristen,

Thank you for the opportunity to provide comment on the Cultural Heritage Management Plan (CHMP) for Avonlie Solar Farm prepared by NGH in August 2019. The Biodiversity and Conservation Division of the Department of Planning, Industry and Environment has reviewed the draft CHMP and provides the following comments. These comments are to ensure the CHMP meets the Conditions of Consent (CoC) issued on 8 August 2019.

- In section 6 of the CHMP, Table 5: Heritage Control Measures on page 14 it states: "RAPs and an archaeologist should be provided an opportunity to collect artefacts from any proposed fencing or firebreak alignments on the boundary of the proposal area, particularly within the designated exclusion areas". This text is also on page 5 of the CHMP. This should be amended to state that if the Archaeologist or RAPs find sites that are not part of the sites to be salvaged under the CoC (see CoC Appendix 4 Table 2) then the Unexpected Finds Protocol must be followed (CHMP Appendix E).
- In Section 7.3 Inspection and Monitoring on page 15 of the CHMP regarding compliance issues, see CoC Schedule 4 Conditions 4, 5 and 6. This section should refer to these conditions:
 - **Incident Notification**
4. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.
 - **Non-Compliance Notification**
5. The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been done, or will be, undertaken to address the noncompliance.
 - **Compliance Reporting**
6. Prior to commencing the construction, upgrading and decommissioning of the development, the Applicant must submit a compliance report to the Department in accordance with the relevant Compliance Reporting Post Approval Requirements (DPE 2018), or its latest version.
- In Appendix D Salvage Methodology on page 22, we recommend a copy of the brief report on the salvage and reburial of objects, in addition to be provided to RES and the RAPs, also be provided to the Biodiversity and Conservation Division as well as Energy and Resource Assessments (post-approval team) of the Department of Planning Industry and Environment. A copy of the brief salvage report should be kept on site with a copy of the CHMP.
- Appendix E E6 under notification on page 25 replace Office of Environment and Heritage with the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment.

Let Lyndon Patterson or myself know if you have any questions about this.

Regards,

Andrew Fisher

Senior Team Leader, Planning – South West

Biodiversity and Conservation Division | Department of Planning, Industry and Environment

www.dpie.nsw.gov.au

Contact the South West Planning Team about biodiversity and Aboriginal cultural heritage planning and regulation matters by emailing rog.southwest@environment.nsw.gov.au.



The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.



Planning,
Industry &
Environment

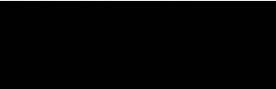
Planning & Assessment
Energy & Resources

Contact: Iwan Davies

Tel:

Email:

Laudie van den Bogaert
Project Development Assistant
RES Australia Pty Ltd



Via email:



Dear Laudie

SSD 9031 - Avonlie Solar Project - Endorsement of Heritage Expert

I refer to your letter dated 22 August 2019 seeking the Secretary's endorsement of heritage experts for the Avonlie Solar Project (SSD 9031).

The Department has reviewed the information you provided. The Department is satisfied that Matthew Barber and Kirsten Bradley are suitably qualified, independent and experienced. In accordance with Condition 18 of Schedule 3 of SSD 9031, the Secretary has endorsed Matthew Barber and Kirsten Bradley of NGH Environmental.

If you wish to discuss the matter further, please contact Iwan Davies on



Yours sincerely

A handwritten signature in blue ink, followed by the date '3/9/18'.

Nicole Brewer
A/Director – Energy Assessments
as nominee of the Secretary

APPENDIX D SALVAGE METHODOLOGY

Surface Collection

Each Aboriginal site with surface artefacts that cannot be avoided within the approved development footprint as listed in the CoC will need to be salvaged via surface collection prior to construction works commencing for the Project. We would also take the opportunity to examine the immediate surrounds of the recorded sites to identify any other artefacts that may be present within the approved development footprint. The salvage collection fieldwork would be carried out with representatives of the Aboriginal community.

The surface collection of the stone assemblage for each Aboriginal site within the approved development footprint as per the CoC would be undertaken through the following process.

- Walk across the site area (within the construction footprint), use 'pin' flags to identify and mark artefacts.
- Photograph site area.
- If considered necessary, construct a collection grid of 2 m x 2 m or 5 m x 5 m or similar as appropriate to the size of the site, only larger sites or sites with higher densities of artefacts will have this strategy.
- As an alternative GPS plot artefacts if required, this is suitable for smaller sites (~<10).
- Collect artefacts. At each collection site the artefacts will be recorded, bagged and labelled in accordance with their collection position, that is either individual number and/or their collection grid.
- Recording of stone artefacts will be conducted in line with standard archaeological practice to include raw material, type, dimensions and any other characteristics considered relevant. Photos of particularly interesting items only would be taken.

All sites subject to surface collection salvage or harm, including any duplicate AHIMS sites, will require an Aboriginal Site Impact Recording Form to be completed and submitted to AHIMS. This will ensure a true record is made in AHIMS of which sites have been salvaged and which have been conserved, including duplicate sites.

The reburial location would need to be agreed with by the landowner, Project Owner, the archaeologists and the Aboriginal parties and be outside the proposed development footprint within the Project area. The location of the reburied artefacts would be noted with AHIMS site cards as legally required. An Aboriginal Site Impact Recording Form must be completed and submitted to AHIMS following harm for each site collected or destroyed from salvage and/or construction works. A representative from each of the RAPs would be provided with the opportunity to assist the archaeologist with the reburial of the salvaged objects.

The recording and reburial of artefacts will be compliant with the *Code of Practice for Archaeological Investigations* <http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf>

The reburial location/s will also be provided to the Project Owner to ensure that the site/s are fenced and protected during the construction, operation and decommissioning of the solar farm.

A brief report will be prepared outlining the steps taken above. A copy of the brief report on the salvage and reburial of objects for the Project in line with the CoC would be provided to the Project Owner and the RAPs. The report should also be provided to the Heritage NSW within Heritage Division of the Department of Premier and Cabinet as well as Energy and Resource Assessments (post-approval team) of the Department of Planning, Industry and Environment. A copy of the brief salvage report should be kept on site with a copy of the CHMP.

APPENDIX E UNEXPECTED FINDS PROTOCOL

E.1 Introduction

This unexpected find protocol has been developed to provide a method for managing unexpected non-Aboriginal and Aboriginal heritage items identified during the construction and maintenance of the Project. The unexpected find protocol has been developed to ensure the successful delivery of the Project while adhering to the NSW *National Parks and Wildlife Act 1974* (NPW Act) and the *Heritage Act 1977* (Heritage Act).

All Aboriginal heritage objects are protected under the NPW Act Under Part 6 of the Act, though in a State Significant Development Conditions of Consent (CoC) may be issued that allows for conditional harm to Aboriginal objects. There are some circumstances where despite undertaking appropriate heritage assessment prior to the commencement of works Aboriginal cultural heritage items or places are encountered that were not anticipated which may be of scientific and/or cultural significance.

Therefore, it is possible that unexpected heritage items may be identified during construction, operation and maintenance works. If this happens the following unexpected find protocol should be implemented to avoid breaching obligations under the NPW Act. This unexpected find protocol provides guidance as to the circumstances under which finds may occur and the actions subsequently required.

E.2 What is a Heritage Unexpected Find?

An unexpected heritage find is defined as any possible Aboriginal or non-Aboriginal heritage object or place, that was not identified or predicted by the Project's heritage assessment and may not be covered by appropriate permits or development consent conditions. Such finds have potential to be culturally significant and may need to be assessed prior to development impact.

Unexpected heritage finds may include:

- Aboriginal stone artefacts, shell middens, modified trees, mounds, hearths, stone resources and rock art;
- Human skeletal remains; and
- Remains of historic infrastructure and relics.

E.3 Aboriginal Heritage Places or Objects

All Aboriginal objects are protected under the NSW *National Parks and Wildlife Act 1974* (NPW Act).

An Aboriginal object is defined as:

Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with the occupation of that area by persons on non-Aboriginal extraction and includes Aboriginal remains.

All Aboriginal objects are protected and it is an offence to harm or desecrate an Aboriginal object or place.

E.4 Historic Heritage

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

Any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance.

E.5 Unexpected Find Management Procedure

In the event that any unexpected Aboriginal heritage places or objects or any substantial intact historic archaeological relics that may be of State or local significance are unexpectedly discovered during the Project, the following management protocols will be implemented. **Note: this process does not apply to human or suspected human remains. Follow Section E6 Human Skeletal Remains below if human remains or suspected human remains are encountered.**

1. Works within the immediate identified heritage location will cease. Personnel should notify their supervisor of the find, who will notify the project manager.
2. Establish whether the unexpected find is located within an area covered by approved Conditions of Consent or not.
3. **If the find it is determined to be covered under approved CoC undertake the following steps**
 - a. Establish an appropriate buffer zone of at least 20 metres to allow for the assessment and management of the find. All site personnel will be informed about the buffer zone with no further works to occur within the buffer zone.
 - b. A heritage specialist or the project archaeologist will be engaged to assess the Aboriginal place or object encountered and undertake appropriate salvage of the site in line with the mitigation methods and approval requirements of the CoC. An AHIMS site card will be completed on the discovery of the newly identified Aboriginal objects / Aboriginal heritage items. Should the object(s) / heritage items be salvaged under the Conditions of Consent, an Aboriginal Site Impact Recording Form (ASIRF) must be completed and submitted to AHIMS. Salvage of Aboriginal heritage items would not include scarred trees. If previously unidentified scarred trees are identified, further consultation with the Heritage NSW within Heritage Division of the Department of Premier and Cabinet and Aboriginal stakeholders would need to be undertaken regarding management.
 - c. Following appropriate salvage of the unexpected find works may continue at this location
4. **If the unexpected find is not covered under the existing approved CoC undertake the following steps.**
 - a. All works at this location must cease.
 - b. An appropriate buffer zone of at least 20 metres to allow for the assessment and management of the find must be established. All site personnel will be informed about the buffer zone with no further works to occur.
 - c. A heritage specialist or the project archaeologist will be engaged to assess the Aboriginal place or object encountered. The Registered Aboriginal Parties (RAPs) may also be engaged to assess the cultural significance of the place or object.
 - d. The discovery of an Aboriginal object will be reported to the local Heritage NSW office and works will not recommence at the heritage place or object until advised to do so by Heritage NSW. A site card will be completed and submitted to AHIMS for registration.
 - e. If the unexpected find can be managed *in situ*, works at the location will not recommence until appropriate heritage management controls have been implemented, such as protective fencing.
 - f. If the unexpected find cannot be managed *in situ*, works at the heritage location will not recommence until further assessment is undertaken and appropriate approvals to impact Aboriginal cultural heritage are confirmed.
5. For historic relics, work must cease in the affected area and the Heritage Council must be notified in writing. This is in accordance with section 146 of the *Heritage Act 1977*.
6. Depending on the nature of the discovery, additional assessment may be required prior to the recommencement of work in the area. At a minimum, any find should be recorded by an archaeologist.

E.6 Human Skeletal Remains

If any human remains or suspected human remains are discovered during any works, all activity in the immediate area must cease immediately. The following plan describes the actions that must be taken in instances where human remains, or suspected human remains are discovered. Any such discovery at the activity area must follow these steps.

Discovery:

- If any human remains or suspected human remains are found during any activity, works in the **immediate vicinity must** cease and the Project Manager must be contacted immediately.
- The remains must be left in place and protected from harm or damage.
- All personnel should then leave the immediate vicinity of the area.

Notification:

- The NSW Police must be notified immediately. Details of the location and nature of the human remains must be provided to the relevant authorities.
- If there are reasonable grounds to believe that the remains are Aboriginal, the following must also occur;
 - a. Heritage NSW within Heritage Division of the Department of Premier and Cabinet must be contacted as soon as practicable and provide any available details of the remains and their location. Heritage NSW's can be contacted on 131 555 or email info@environment.nsw.gov.au
 - b. The relevant project archaeologist may be contacted to facilitate communication between the police, Heritage NSW and Aboriginal community groups.

Process:

- If the remains are considered to be Aboriginal by the Police and Heritage NSW no work can recommence at the particular location of the find unless authorised in writing by Heritage NSW.
- Recording of Aboriginal ancestral remains must be undertaken by, or be conducted under the direct supervision of, a specialist physical anthropologist or other suitably qualified person.
- Archaeological reporting of Aboriginal ancestral remains must be undertaken by, or reviewed by, a specialist physical anthropologist or other suitably qualified person, with the intent of using respectful and appropriate language and treating the ancestral remains as the remains of Aboriginal people rather than as scientific specimens.

If the remains are considered to be Aboriginal by the Police and Heritage NSW, an appropriate management and mitigation, or salvage strategy will be implemented following further consultation with the Aboriginal community and Heritage NSW.