



View across the Stubbo Solar Project.

HERITAGE MANAGEMENT PLAN

STUBBO SOLAR PROJECT – STAGE 2A

Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

COPYRIGHT

© OzArk Environment & Heritage 2023 and © ACEN Australia Pty Limited 2023

All intellectual property and copyright reserved.

Apart from any fair dealing for private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without written permission.

Enquiries should be addressed to ACEN Australia Pty Limited.

ABBREVIATIONS AND GLOSSARY

ACH&HHAR	Aboriginal Cultural Heritage & Historic Heritage Assessment Report
ACHCRs	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010
HMP	Heritage Management Plan
HMP boundary	Approved project area
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit. Issued by HNSW to allow harm to Aboriginal objects.
ASIRF	Aboriginal Site Impact Recording Form
ATSIHP Act	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>
DPE	NSW Department of Planning and Environment
EP&A Act	<i>NSW Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EA	Environmental Assessment
EIS	Environment Impact Statement
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
HNSW	Heritage NSW. Government department tasked with ensuring compliance with the NPW Act. HNSW is advised by the Aboriginal Cultural Heritage Advisory Committee (ACHAC)
km	kilometres
LGA	Local Government Area
LALC	Local Aboriginal Land Council
m	metres
ha	hectares
NSW	New South Wales
NPW Act	<i>NSW National Parks and Wildlife Act 1974</i> . Primary legislation governing Aboriginal cultural heritage within NSW.

RAPs Registered Aboriginal Parties. An individual or group who have indicated through the ACHCR process that they wish to be consulted regarding the project.

CONTENTS

ABBREVIATIONS AND GLOSSARY	II
1 INTRODUCTION	7
1.1 Preamble	7
1.2 Purpose	10
1.3 Objectives	10
2 REGULATORY REQUIREMENTS OF THIS HMP	11
2.1 Development Consent conditions.....	11
2.2 Statement of Commitments / ACH&HHAR Recommendations.....	13
3 CONSULTATION	15
3.1 Consultation with government stakeholders	15
3.2 Aboriginal community consultation.....	15
3.2.1 Aboriginal parties consulted	15
3.2.2 RAP consultation on this HMP	16
3.2.3 Ongoing consultation protocols.....	16
3.2.4 Dispute/issue resolution	17
3.2.5 Long-term artefact management.....	17
4 ABORIGINAL AND HISTORIC CULTURAL HERITAGE VALUES.....	18
4.1 Identified Aboriginal cultural heritage	18
4.2 Aboriginal Socio-cultural values	22
4.2.1 Aboriginal cultural values	22
4.3 Historic heritage.....	22
5 HERITAGE MANAGEMENT MEASURES	23
5.1 Obligation to protect all Aboriginal cultural heritage.....	23
5.1.1 Obligation to avoid harm	23
5.1.2 Obligation to protect.....	23
5.1.3 Obligation to implement management measures	24
5.1.4 Obligation to minimise harm to the environment	24
5.2 Measures to protect known Aboriginal objects	24
5.3 Unanticipated heritage finds procedures.....	25
5.3.1 Potential skeletal remains	25
5.3.2 Discovery of unrecorded Aboriginal object(s).....	26
5.3.3 Aboriginal scarred trees	27
5.3.4 Other site types.....	27

5.3.5	Unanticipated historic heritage	28
5.4	Other measures	29
5.4.1	Performance measures.....	29
5.4.2	Aboriginal cultural heritage awareness training	29
5.4.3	Access to Aboriginal objects	30
5.4.4	Vehicle access.....	30
5.4.5	Erosion control.....	30
6	RECORD KEEPING AND REPORTING REQUIREMENTS.....	32
6.1	Record Keeping	32
6.1.1	Salvage records.....	32
6.1.2	Salvage reports.....	32
6.2	Reporting Requirements	32
6.2.1	Establishment of an Aboriginal archaeological sites database	32
6.2.2	Reporting of HMP non-compliance/incident	32
6.2.3	Access to this Plan and external reporting	33
6.2.4	Adaptive management	34
6.2.5	Compliance reporting	34
6.3	Statutory reporting requirements.....	34
6.3.1	Discovery of Aboriginal objects	34
6.4	Stubbo heritage records.....	35
7	REVIEW AND IMPROVEMENT	36
7.1	Plan review	36
7.1.1	Future updates to this Plan	36
7.2	Revision of strategies, plans and programs	36
7.3	Independent environmental audit.....	37
7.4	Accountabilities.....	38
7.4.1	HMP General.....	38
7.4.2	Specific per approval conditions.....	39
8	DOCUMENT INFORMATION	40
8.1	Relevant legislation.....	40
8.2	Reference information.....	40
	APPENDIX 1: CONSULTATION RECORDS	41
	APPENDIX 2: DEVELOPMENT CONSENT CONDITIONS	58
	APPENDIX 3: SALVAGE METHODOLOGY	59

APPENDIX 4: ABORIGINAL ARTEFACT IDENTIFICATION.....	60
DOCUMENT CONTROLS.....	61

FIGURES

Figure 1-1: Location of HMP boundary.....	9
Figure 4-1: Aboriginal heritage sites within the HMP boundary.	20
Figure 4-2: Location of Aboriginal site in relation to proposed infrastructure impacts	21

TABLES

Table 2-1: Aboriginal cultural heritage-related conditions.....	11
Table 2-2: Statement of commitments.....	13
Table 4-1: Aboriginal heritage sites within the HMP boundary.....	18
Table 7-1: Accountabilities.	38
Table 7-2: Approval conditions and responsibility.....	39

1 INTRODUCTION

1.1 PREAMBLE

This Heritage Management Plan (HMP) provides heritage management measures for Aboriginal & Historic heritage in relation to the Stubbo Solar Project (the project). The project is located approximately 10 kilometres (km) northeast of Gulgong, NSW, within the Mudgee Local Aboriginal Land Council (LALC) and Mid-Western Regional Council local government area (LGA) boundaries.

ACEN Australia Pty Ltd (ACEN Australia; formerly UPC/AC Renewables Australia), received development consent from the Minister for Planning and Public Spaces for the project, approved as State Significant Development (SSD) 10452, on 29 June 2021.

On 29 June 2021, the Executive Director, Energy, Resources and Industry Assessments granted consent to the development application for the Stubbo Solar Farm subject to conditions, under delegation from the Minister for Planning and Public Spaces and section 4.38 of the Environmental Planning and Assessment Act 1979 (the Act).

In a letter dated 24 August 2022, the Secretary approved the Applicant's proposal to develop the project in two stages, comprising:

Stage 1: Road upgrades including construction of the main site access; and

Stage 2: Construction of the solar farm.

In a subsequent letter dated 10 May 2023, the Secretary approved the Applicant's request dated 8 May 2023 seeking the Planning Secretary's approval to revise the staging of the Stubbo Solar Project under Condition 3 of Schedule 4 of SSD-10452, and to develop the project in four stages comprising:

- Stage 1: Road upgrades (Blue Springs Road) and construction of the main site access.
- Stage 2: Solar project construction and operation including:
 - Stage 2a: Construction and commissioning of the solar facilities including solar array, substation and all ancillary infrastructure, including the switchyard and transmission line connection to be constructed by TransGrid.
 - Stage 2b: Operation of the Stubbo Solar Project.
- Stage 3: Construction, commissioning and operation of the Battery Energy Storage System (BESS), including substation and switchyard expansion (within the development footprint).
- Stage 4: Decommissioning of the Stubbo Solar Project at end of life.

This management plan is for Stage 2a of Stubbo Solar, as approved by the Secretary in the letter dated 10 May 2023.

Key activities for Stage 2a include:

- Site compound
- Fencing works, including security fencing;
- Access roads including drainage and rehabilitation;
- Solar arrays that include:
 - General site wide cut to fill earthworks
 - Piling installation
 - Tracker installation
 - Above ground and below ground cable installation and termination
 - Module installation
- Substation, Switchyard and control buildings works that includes:
 - Earthworks
 - Structures and Footings
 - Gantries and HV Switchgear
 - Transformer installation and connection (Substation only)
 - Control building installations (both Substation and Switchyard)
- Operations & maintenance building, including warehouse facility;
- Cold Commissioning works;
- Hot Commissioning works including Hold Point testing for compliance to AEMO requirements;
- Site wide rehabilitation;
- All other associated infrastructure.

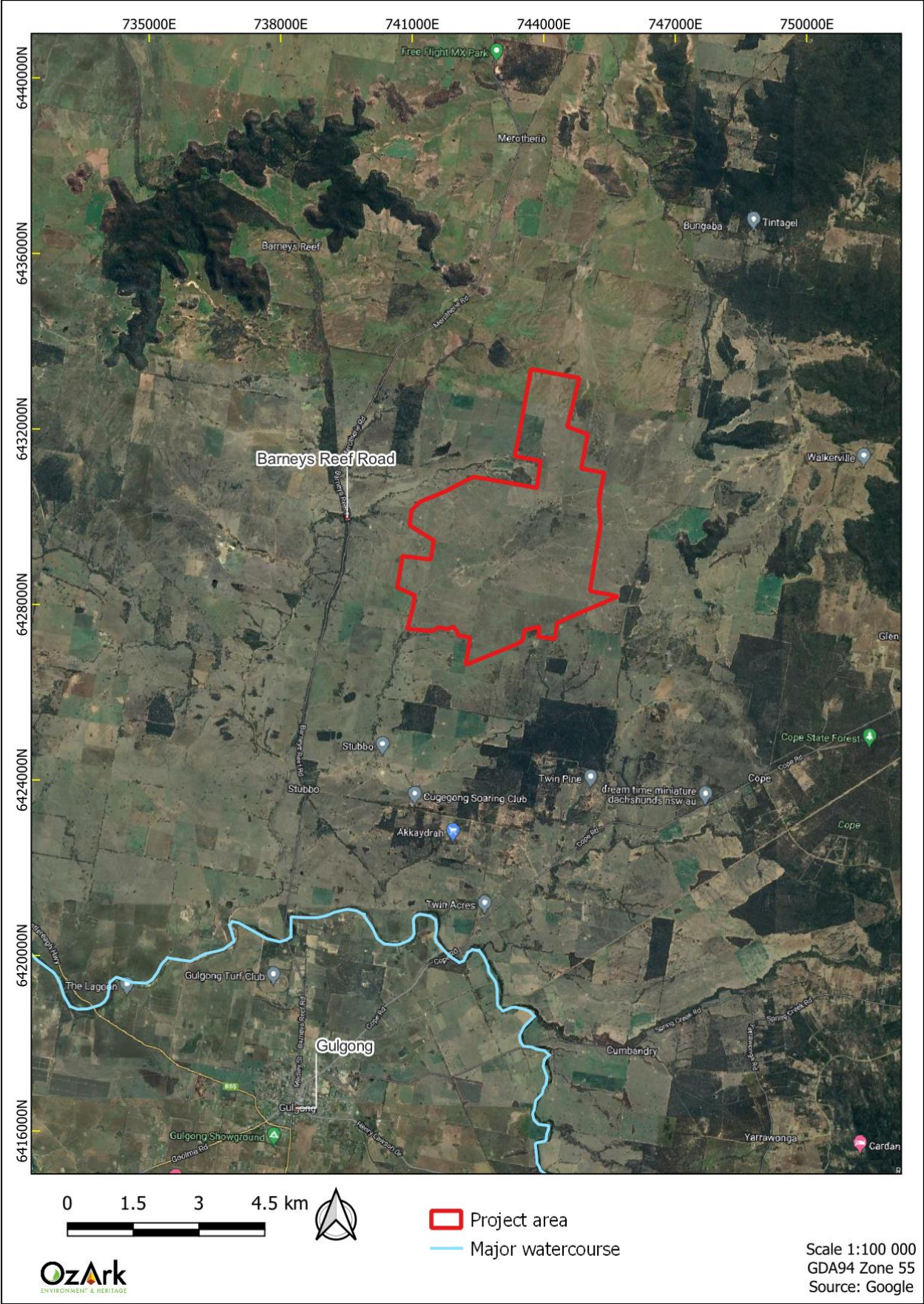
TransGrid will be involved in the establishment of the transmission line within the HMP boundary and ACEN must ensure TransGrid conform the to requirements of this HMP.

The HMP for stage 1 has been approved by the DPE.

As such, this HMP applies only to stage 2 of the project. The HMP boundary relevant to stage 2 is shown on **Figure 1-1**. There will be no impacts outside this boundary.

This HMP has been prepared by Dr Jodie Benton, OzArk Environment & Heritage Director and Principal Archaeologist. Dr Jodie Benton was endorsed to prepare this HMP by the Secretary of the DPE on 23 March 2023.

Figure 1-1: Location of HMP boundary.



1.2 PURPOSE

This HMP has been prepared as a tool to give consideration to and to manage Aboriginal heritage during the construction and operation of stage 2 of the project. There was no historic heritage identified within the HMP boundary, however some additional management measures for historic heritage are also provided, specifically in relation to unanticipated finds. This HMP will be used by all project employees, contractors, sub-contractors, and visitors as the first point of reference for Aboriginal cultural heritage related issues. This HMP forms part of a series of Environmental Management Plans that together form the Environmental Management System (EMS) for the project.

This HMP provides a description of the Aboriginal and historic cultural heritage management strategies, procedures, controls, and monitoring programs to be implemented within the HMP boundary for the construction and operation of the solar project and its ancillary infrastructure.

This HMP addresses the relevant requirements of the Development Consent. The Development Consent conditions and Environmental Assessment (EA) management recommendations relevant to this HMP are provided in **Section 0**.

1.3 OBJECTIVES

This HMP has been developed to satisfy the relevant conditions of the Development Consent and to ensure that Aboriginal and historic cultural heritage within the HMP boundary is managed in accordance with all relevant legislation and in consultation with relevant Aboriginal parties.

The objectives of this HMP are to set out controls and protocols for management of Aboriginal cultural heritage sites and to prevent unapproved impact to any identified and/or unidentified Aboriginal or historic cultural heritage sites and values within the HMP boundary.

This HMP:

- Details the management procedures for Aboriginal and historic heritage within the HMP boundary
- Details reporting requirements and further heritage assessment requirements
- Presents a detailed process for ongoing Aboriginal community consultation
- Outlines the obligations of project personnel to protect Aboriginal sites
- Describes the roles and responsibilities of personnel in managing Aboriginal heritage sites before and after salvage works
- Provides for continuous improvement through auditing and plan modification.

The way this HMP addresses the statutory requirements of the Development Consent is detailed in Section 0.

2 REGULATORY REQUIREMENTS OF THIS HMP

2.1 DEVELOPMENT CONSENT CONDITIONS

The Development Consent for SSD 10452 stipulates requirement related to this HMP. These are summarised in **Table 2-1**.

Table 2-2 summarises the Aboriginal Cultural Heritage & Historic Heritage Assessment Report (ACH&HHAR) statement of commitments.

Appendix 2: Development Consent Conditions includes a copy of the ‘relevant conditions’ for which this HMP provides measures to ensure compliance, namely Conditions 21 to 23.

Table 2-1: Aboriginal cultural heritage-related conditions.

Schedule	Condition	Description (NSW DPE 2021)	Section/s addressed
Schedule 2 – Terms of Consent	1	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	Section 5.1.4
	2	The Applicant must carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent.	Section 0
Schedule 3 - Specific Environmental Conditions (Heritage)	21	The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items or any Aboriginal heritage items located outside the approved development footprint.	Section 4.1 and Table 4-1 provide details on identified Aboriginal cultural heritage. Section 5 Details management measures.
	22	Prior to carrying out any development that could directly or indirectly impact the heritage item identified in Table 2 of Appendix 6, the Applicant must salvage and relocate the item/s that would be impacted to a suitable alternative location, in accordance with the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010), or its latest version.	Section 5.2 and Appendix 3: Salvage methodology. Note this item is no longer required to be impacted and will be conserved
	23	Prior to carrying out any development that could directly or indirectly impact the heritage items identified, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary; (b) be prepared in consultation with Heritage NSW and Aboriginal Stakeholders; (c) include a description of the measures that would be implemented for: protecting the Aboriginal heritage items identified in Table 1 of Appendix 6 or items located outside the approved development footprint, including fencing off the Aboriginal heritage items prior to carrying out any development that could directly or indirectly impact the heritage items identified;	(a) This HMP is authored by Dr Jodie Benton, OzArk Director and Principal Archaeologist. Dr Benton was endorsed by DPE as suitably qualified to prepare this Plan on 23 March 2023. (b) Section 3 (c) Sections 3, 5 and Appendix 3: Salvage methodology. (d) Section 7.2

Schedule	Condition	Description (NSW DPE 2021)	Section/s addressed
		- salvaging and relocating the Aboriginal heritage items located within the approved development footprint; - a contingency plan and reporting procedure if: - previously unidentified 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; and (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project. Following the Planning Secretary's approval, the Applicant must implement the Heritage Management Plan.	
Schedule 4 – Environmental Management and Reporting	2	The Applicant must: (a) update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the: - submission of an incident report under condition 4 of Schedule 4; - submission of an audit report under condition 7 of Schedule 4; or any modification to the conditions of this consent.	(a) Section 5.1.3, 5.1.4 and 7.2 (b) Section 7.2
	7	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 7.	Section 6.2.2
	8	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.	Section 6.2.2
	9	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.	Section 6.2.2
	11	Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) to the following frequency: (a) within 3 months of commencing construction; and (b) within 3 months of commencement of operations.	Section 7.2 and 7.3
	12	Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.	Section 7.2 and 7.3
	13	The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition 11 of Schedule 4 upon giving at least 4 weeks' notice to the	Section 7.2 and 7.3

Schedule	Condition	Description (NSW DPE 2021)	Section/s addressed
		Applicant of the date upon which the audit must be commenced.	
	14	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must: (a) review and respond to each Independent Audit Report prepared under condition 11 of Schedule 4 of this consent, or condition 13 of Schedule 4 where notice is given by the Planning Secretary; (b) submit the response to the Planning Secretary; and (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.	Section 7.2 and 7.3
	15	Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the <i>Independent Audit Post Approvals Requirements (2020)</i> unless otherwise agreed by the Planning Secretary.	Section 7.2 and 7.3
	17	The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the development: - the EIS; - the final layout plans for the development; - current statutory approvals for the development; - approved strategies, plans or programs required under the conditions of this consent; - the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; - how complaints about the development can be made; - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and - any other matter required by the Planning Secretary; and (b) keep this information up to date.	Section 6.2.3

2.2 STATEMENT OF COMMITMENTS / ACH&HHAR RECOMMENDATIONS

Several recommendations were made within the ACH&HHAR (OzArk 2020) following an assessment on potential impacts to heritage of the project. These are summarised below in the Statement of Commitments (**Table 2-2**) Further details of these recommendations can be found within the ACH&HHAR report.

Table 2-2: Statement of commitments.

Statement of Commitments	Section/s addressed
AH 1. <i>The proponent will develop the ACHMP which is to be agreed to by the RAPs and DPIE. The ACHMP will also include an unanticipated finds protocol, unanticipated skeletal remains protocol and long-term management of any artefacts</i>	Consultation in regards to this are detailed in Section 3.2 of this report. The recommendations and SOC of the ACH&HHAR are provided in Section 0 of this report.

Statement of Commitments	Section/s addressed
AH2. The Aboriginal site (Rosevale IF-01) within the development footprint for the project will be salvaged by a surface collection of visible artefacts. The recommended methodology for the salvage will be finalised after the approvals process has been completed in the ACHMP but will include the measures outlined in Section 9.3.1 of the ACHAR (Appendix D). The salvage works will include the mapping, analysis and collection of the surface artefact at the affected site. Results will be included in a brief report to preserve the data in a useable form and an Aboriginal Site Impact Recording Form (ASIRF) will be submitted to Aboriginal Heritage Information Management System (AHIMS).	As Rosevale IF-01 is no longer included in the impact footprint, this isolated find will <u>not</u> be salvaged either for construction or operation. The site will be afforded a 5 m buffer area protected by a high visibility barrier (such as barrier mesh or bunting fencing) during construction. If the impact footprint changes and will cause harm to the site, it will be salvaged as per the approved conditions. The Aboriginal community were glad that the artefact at this location could be conserved.
AH3. All land-disturbing activities will be confined to within the development footprint and associated tracks and/or crossings. Should the parameters of the proposed work extend beyond this, then further archaeological assessment may be required.	Section 0 and 5.2
AH4. The addendum survey area would be included in the Aboriginal cultural heritage management plan (ACHMP), which will detail the processes for managing unanticipated Aboriginal heritage items or potential human remains encountered during the life of the project.	There is no addendum survey area for this project. If one were required, the area would then be included in the HMP.
HH1. If items of historic heritage significance are uncovered during the project, then the Unanticipated Finds Protocol for Historic Heritage included in Appendix 5 of the Aboriginal cultural heritage and historic heritage assessment (Appendix D) will be enacted.	Section 5.3.5
HH2. To avoid the potential for harm to historic objects on unassessed adjacent landforms, all ground surface disturbing activities will be confined to the development footprint.	Section 1.1. All impacts inside HMP boundary
HH3. An unanticipated finds protocol for historic heritage will be developed and implemented as required during construction.	Section 5.3.5
HH4. The addendum survey area will be included in the Unanticipated Finds Protocol for Historic Heritage which will detail the processes for managing unanticipated historic heritage items during the life of the project.	N/A. No addendum area

3 CONSULTATION

3.1 CONSULTATION WITH GOVERNMENT STAKEHOLDERS

This HMP has been prepared in consultation with Heritage NSW as per Schedule 3 Condition 23(b) of the Development Consent.

To this end, the following consultation has occurred:

- On 2 March 2023, ACEN Australia wrote to DPE seeking the Secretary's endorsement for Dr Jodie Benton to prepare the HMP as per Schedule 4 Condition 3 of the Development Consent.
- On 23 March 2023 DPE replied that the Secretary endorsed Dr Jodie Benton of OzArk to prepare the HMP.
- On 26 April 2023 a draft of this HMP was sent to DPE for distribution to Heritage NSW
- On 4 May 2023 Heritage NSW responded noting that the HMP was suitable and required no amendment (**Appendix 1: Consultation records Figure 2**).
- On 9 May 2023 DPE responded with a table of minor additions / updates to be made to the HMP (**Appendix 1: Consultation records Figure 1**).

3.2 ABORIGINAL COMMUNITY CONSULTATION

In accordance with Schedule 3 Condition 23(b) of the Development Consent, this HMP has been prepared in consultation with the Registered Aboriginal Parties (RAPs).

3.2.1 Aboriginal parties consulted

Details of Aboriginal community consultation undertaken for the project are detailed in the *Aboriginal Cultural and Historic Heritage Assessment Report: Stubbo Solar Farm* (the ACH&HHAR) prepared by OzArk in 2020. The assessment followed the guidelines contained in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (ACHCRs) (DECCW 2010a). In summary, the following Registered Aboriginal Parties (RAPs) were identified and consulted with respect to proposed management of Aboriginal cultural heritage:

- Stakeholder 1
- Gallangabang Aboriginal Corporation (GAC)
- Stakeholder 2
- Mudgee Local Aboriginal Land Council (MLALC)
- Murong Gialinga
- North-Eastern Wiradjuri
- Paul Brydon

- Warrabinga Native Title Claimants Aboriginal Corporation
- Wellington Valley Wiradjuri Aboriginal Corporation (WVWAC)
- Girragirra Murun Aboriginal Corporation

3.2.2 RAP consultation on this HMP

All RAPs were invited to attend a workshop to discuss the management plan held on 23 February 2023. Four RAP representatives attended the workshop in which the HMP was reviewed in detail, and comments were immediately incorporated on screen.

Following the workshop, the amended HMP was provided to all RAPs on 16 March 2023 with comments due within 28 days. Three written responses were received (**Appendix 1** Figure 3) with the relevant comments being summarised as:

- Concurrence with the minutes of the workshop and that all comments and changes have been incorporated into the HMP
- Their support of the HMP

All RAP consultation regarding the HMP is recorded and provided in **Appendix 1**.

3.2.3 Ongoing consultation protocols

ACEN Australia will continue to consult with the RAPs identified in **Section 3.2.1** in compliance with Development Consent Condition 23 (c). Consultation with the RAPs will include, but not be limited to:

- This version of the draft HMP will have been reviewed by the RAPs and any applicable comments will be incorporated into the final version.
- Notification of new discoveries of Aboriginal objects (**Section 6.3.1**).
- Notification of new discoveries of Aboriginal skeletal material (**Section 6.4**).
- Review of the HMP, any modifications to the Development Consent in accordance with relevant requirements, as established by the regulatory authorities (currently Heritage NSW) (**Section 7**).
- Any archaeological salvage program.
- Significant changes to the project that may have implications for Aboriginal heritage management
- Significant land management actions are required in Aboriginal site protection areas not envisaged by this HMP
- Opportunities for RAPs to participate in employment, training and supply of goods and services

Meetings with RAPs should occur minimum annually for ACEN project updates and general consultation, allowing for regular and inclusive engagement so that ideas, aspirations and concerns can be raised at regular intervals. ACEN will be responsible for organising and running these meetings annually.

3.2.4 Dispute/issue resolution

Issues raised by RAPs in conversations whether by telephone or in person in the course of ongoing consultation will be documented in writing by ACEN Australia or the archaeologist involved in the correspondence and responded to in a timely fashion.

3.2.5 Long-term artefact management

As no artefacts are to be salvaged as part of this management plan, there was no requirement to nominate the long-term strategy. A preference was recorded in meetings with RAPs for artefacts to be reburied on site, in a safe location, should artefacts be encountered under the unanticipated finds protocol outlined in **Section 5.3.2**. As these protocol includes further Aboriginal community consultation, the long-term fate of any artefacts encountered can be further discussed at that time.

4 ABORIGINAL AND HISTORIC CULTURAL HERITAGE VALUES

4.1 IDENTIFIED ABORIGINAL CULTURAL HERITAGE

As a result of the Aboriginal cultural heritage assessment (OzArk 2020), 23 Aboriginal sites were identified within the HMP boundary. Two previously recorded Aboriginal sites are also located within the HMP boundary.

All sites within the HMP boundary are 'valid' and include nine isolated finds, nine artefact scatters with potential archaeological deposits (PADs), three isolated find with PADs, two artefact scatters, one PAD and one culturally modified tree.

Table 4-1 outlines the details of the Aboriginal sites within the HMP boundary, **Figure 4-1** shows the location of these sites and Figure 4-2

Detailed descriptions and images of each site are provided in **Section 6.4** of OzArk 2020.

Table 4-1: Aboriginal heritage sites within the HMP boundary.

AHIMS ID	Site Name	Site Details	GDA Zone 55 Easting	GDA Zone 55 Northing
36-3-2515	IF 23	Artefact scatter and PAD	██████	██████
36-3-3691	Rosevale IF-01	Isolated artefact	██████	██████
36-3-3685	Stubbo Creek IF-01	Isolated artefact	██████	██████
36-3-3686	Stubbo Creek IF-02	Isolated artefact	██████	██████
36-3-3687	Stubbo Creek IF-03	Isolated artefact	██████	██████
36-3-3688	Stubbo Creek IF-04	Isolated artefact	██████	██████
36-3-3689	Stubbo Creek IF-05	Isolated artefact	██████	██████
36-3-3690	Stubbo Creek IF-06	Isolated artefact	██████	██████
36-3-3675	Stubbo Creek OS-01	Artefact scatter and PAD	██████	██████
36-3-3676	Stubbo Creek OS-02	Artefact scatter and PAD	██████	██████
36-3-3677	Stubbo Creek OS-03	Artefact scatter	██████	██████
36-3-3678	Stubbo Creek OS-04	Artefact scatter and PAD	██████	██████
36-3-3679	Stubbo Creek OS-05	Artefact scatter and PAD	██████	██████
36-3-3680	Stubbo Creek OS-06	Artefact scatter and PAD	██████	██████
36-3-3681	Stubbo Creek OS-07	Artefact scatter and PAD	██████	██████
36-3-3682	Stubbo Creek OS-08	Artefact scatter and PAD	██████	██████

AHIMS ID	Site Name	Site Details	GDA Zone 55 Easting	GDA Zone 55 Northing
36-3-3670	The Pinnacle IF-01	Isolated artefact and PAD	██████	██████
36-3-3671	The Pinnacle IF-02	Isolated artefact and PAD	██████	██████
36-3-3672	The Pinnacle IF-03	Isolated artefact	██████	██████
36-3-3673	The Pinnacle IF-04	Isolated artefact and PAD	██████	██████
36-3-3674	The Pinnacle IF-05	Isolated artefact	██████	██████
36-3-3683	The Pinnacle OS-01	Artefact scatter	██████	██████
36-3-3684	The Pinnacle OS-02	Artefact scatter with PAD	██████	██████
N/A	The Pinnacle PAD-01	PAD	██████	██████
36-3-1423	TRE 21	Scarred tree	██████	██████

Figure 4-1: Aboriginal heritage sites within the HMP boundary.

Redacted

Figure 4-2: Location of Aboriginal site in relation to proposed infrastructure impacts

Redacted

4.2 ABORIGINAL SOCIO-CULTURAL VALUES

Socio-cultural values relate to the importance of a site or features to the relevant cultural group: in this case the Aboriginal and local community. Aspects of social value include the assessment of sites, objects and landscapes that are traditionally significant or that have contemporary importance to the Aboriginal community. This importance involves both traditional links with specific areas, as well as an overall concern by Aboriginal people for their sites generally and the continued protection of these. This type of value may not be in accord with interpretations made by the archaeologist. For example, a site may have low archaeological value but high social value, or vice versa.

4.2.1 Aboriginal cultural values

All recorded Aboriginal sites within the HMP boundary hold value to the local Aboriginal community.

During the ACHCRs and as documented in Section 8.2 of the ACHAR, WVVAC and GAC shared the following cultural information relating to the project area:

...to indicate that areas close by to this development area have known Cultural Heritage sites and that this Development area is known to be in our traditional information relating back to the Mudige or Mudigee Clan as the clan boundary is very close by.

WVVAC shared further cultural information relating to the project area:

WVVAC again would like to indicate that areas close by to this development area have known Cultural Heritage sites and that this Development area is a known to be in our traditional information relating back to the Mudigee Clan as the clan boundary is very close by. This is a boundary of three Clan areas and is highly culturally significant as meetings took place in and around this project development site.

4.3 HISTORIC HERITAGE

There are no listed historic sites present within the HMP boundary and no historic sites were recorded during the assessment. As such, there will be no impact to any historic sites from the proposed works.

Overall, there was limited potential for historic heritage to be present inside the HMP boundary. The heritage values associated with the study area are derived from practices which are unlikely to leave physical remains such as grazing. As such, potential remaining physical fabric such as cattle yards, fencing, etc. have been upgraded over time and no historic remnants were recorded during the assessment. In addition, no areas of potential historical deposits were identified.

5 HERITAGE MANAGEMENT MEASURES

As no historic heritage is present within the HMP boundary, the following sections will focus on Aboriginal heritage. Historic heritage will be covered in relation to unanticipated finds in the relevant sub-section.

5.1 OBLIGATION TO PROTECT ALL ABORIGINAL CULTURAL HERITAGE

5.1.1 Obligation to avoid harm

All employees, contractors, sub-contractors, and visitors to the project have an obligation to avoid harming Aboriginal heritage.

The definition of harm used in this HMP stems from the definition in Section 5 of *National Parks and Wildlife Act 1974* (NPW Act). The examples used below are for illustrative purposes and are not exhaustive.

Harm to an Aboriginal object or Aboriginal site includes:

- Moving or collecting stone artefacts (although picking up artefacts and inspecting them is acceptable if they are immediately returned to their original location).
- Disturbing the earth where stone artefacts are located, e.g., by earthworks for drains, roads, etc.
- Breaking stone artefacts, e.g., by running over them in a vehicle.
- Cutting down, disturbing or otherwise marking scarred trees.

Trivial or negligible impacts on Aboriginal objects are not regarded as harm.

5.1.2 Obligation to protect

All personnel, contractors and subcontractors having responsibility for land management, construction or operation inside the HMP boundary have an obligation to protect Aboriginal heritage within their area of work responsibility.

Protection means having accurate information on the location of known Aboriginal heritage objects on all applicable site plans and undertaking active measures to avoid harm to Aboriginal heritage. This may include fencing, mitigation of erosion effects, and/or modification of work plans to safeguard Aboriginal heritage such as changing design plans to avoid harm to known Aboriginal objects.

It should be noted information relating to the location and extent of Aboriginal heritage items must reflect the recorded extent of the site shown in the AHIMS site card map for that site, the single centralised location of a site is not acceptable unless that site is an isolated find.

The location of Aboriginal objects must be made clear to any future users or owners of an area. Moreover, implementation of an *Unanticipated Find Procedure* should be in place for all project activities (**Section 5.3**).

5.1.3 Obligation to implement management measures

All employees, contractors and sub-contractors of the project have a responsibility to ensure that the appropriate Aboriginal heritage management measures have been implemented prior to construction activities commencing.

Once the project is operational, management measures are required to be maintained throughout the life of the project.

5.1.4 Obligation to minimise harm to the environment

In meeting the specific environmental performance criteria established under this Development Consent, ACEN Australia will implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the project.

5.2 MEASURES TO PROTECT KNOWN ABORIGINAL OBJECTS

Potential measures to protect and manage Aboriginal objects within the HMP boundary are described below.

In accordance with the Development Consent, the project has received approval to impact one Aboriginal site 36-3-3691 (Rosevale IF-01). However, ACEN Australia have now committed to avoiding the site and it is no longer at risk of impact from the project. As such, all 25 Aboriginal sites within the HMP boundary will be conserved in the landscape.

24 recorded Aboriginal sites will be located within the environmental exclusion zone. The mapping provided includes polygon buffers around the recorded site extents, all of which are wholly within the exclusion zone. The buffer areas consist of 20 m for sites with PAD, 5 m for isolated finds and 10 m for 36-3-2515 (IF23). It is not envisaged that these sites be individually fenced, as the entire zone is an exclusion area.

Rosevale IF-01 is not included within the environmental exclusion zone and will be managed separately by ACEN Australia with a 5 m buffer area and high visibility fencing (such as barrier mesh or bunting) will be installed around this buffer area as a visible barrier during construction.

These measures must be maintained once the project moves from construction to operation and ACEN must ensure appropriate environmental supervision to this end.

5.3 UNANTICIPATED HERITAGE FINDS PROCEDURES

The following sections outline the management strategies to be adhered to if any new sites or Aboriginal ancestral remains are identified within the HMP boundary.

It is noted that all new sites or Aboriginal ancestral remains will be recorded in accordance with Heritage NSW requirements, including submission of a site card to Heritage NSW in accordance with Section 89A of the NPW Act.

If any unanticipated finds require salvaging, an Aboriginal Site Impact Recording Form (ASIRF) form must be completed after authorised impact to a site. ASIRFs will be submitted to Heritage NSW within a reasonable timeframe.

5.3.1 Potential skeletal remains

The procedure related to the discovery of suspected human skeletal material are based on Requirement 25 of the Code of Practice.

In the unlikely event that a potential burial site or potential human skeletal material is exposed within the HMP boundary, the following procedure should be followed:

- All work in the vicinity of the skeletal material will cease immediately and a minimum buffer of 10 m in all directions of the visible remains must be cordoned off with temporary construction fencing
- The find/s will be immediately reported to the work supervisor who will immediately advise ACEN Australia or other nominated senior staff member
- ACEN Australia will promptly notify the NSW Police Force (as required for all human remains discoveries) and Heritage NSW (02 9873 8500 (heritagemailbox@environment.nsw.gov.au) for advice on identification of the skeletal material as Aboriginal and management of the material.
- If the remains are suspected to be human, the NSW Police Force will engage a suitably qualified person to inspect the remains and decide of whether the remains are human, and if so, the likely ancestry (Aboriginal or non-Aboriginal) and antiquity (precontact, historical or forensic):
 - If the remains are identified as forensic the area is deemed as a crime scene and police instructions will be followed
 - If the remains are identified as Aboriginal, the site is to be secured and Heritage NSW and all RAPs are to be notified in writing. An appropriate methodology for possible exhumation will be developed in consultation with Heritage NSW and the RAPs
 - If the remains are non-Aboriginal (historical) remains, the site is to be secured and the Heritage NSW is to be contacted. An appropriate methodology for possible exhumation will be developed in consultation with Heritage NSW.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the remains is to be determined through liaison with the appropriate stakeholders (including the NSW Police Force, forensic anthropologist, Heritage NSW, and RAPs [if ancestral remains are being disturbed]).

Recommencement of work in the area surrounding the Aboriginal ancestral remains can only occur once the updated HMP for the project has been endorsed by the Secretary (or their delegate), or the Secretary is satisfied that the measures to be implemented in managing the remains have been undertaken and makes a written direction in that regard.

5.3.2 Discovery of unrecorded Aboriginal object(s)

5.3.2.1 Initial procedures

Should a previously unknown artefact scatter or isolated artefact be identified, all works in the vicinity of the site should cease and ACEN Australia will be informed of the presence of the site. The opportunity will then be provided to an archaeologist and RAP/s to inspect the newly identified artefact scatter/isolated find and confirm or not Aboriginal origin of the find(s).

If the site does comprise Aboriginal objects and has not been substantially subject to disturbance activities and is not required to be disturbed because of approved project activities, the location and extent of the site will be documented, and any relevant plans will note the location of the site and the requirement to avoid impact.

Where a risk is identified that approved activities may have the potential to indirectly interact with the site; it will be clearly demarcated prior to the commencement of works in the vicinity. Demarcation will be undertaken in accordance with the methodology provided below.

- The known site area and immediate surrounds will be inspected, and all surface artefacts flagged to allow clear identification of artefact distribution
- The distribution of surface artefacts will be considered to determine the minimum area around the site that should be fenced to ensure protection
- Demarcations will be installed around the identified site extent.

If the site has been substantially disturbed by approved activities or will be subject to impact and is located within the HMP boundary, the nature and significance of the site will be considered, and one of the two approaches outlined below will be adopted:

- If examination of the nature and significance of the new site determines it has low archaeological significance, a surface collection will be conducted in accordance with the methodology in **Appendix 3**.
- If examination of the nature and significance of the new site determines that it has moderate to high archaeological significance, ACEN Australia will consult with the RAPs

to develop an appropriate management strategy for the site. As an interim management measure, the site will be subject to protection measures as described above.

In the event of any unexpected, confirmed Aboriginal heritage finds, the protocols documented in **Sections 6.2.2** and **6.3** should be followed, including all agency notifications.

5.3.2.2 *New sites within non-impact areas*

If the site is not within or near to the approved impact area, there is no requirement to fence the sites. If the site is near the approved impact area and could be inadvertently harmed, the procedure set out in Section 5.3 should be followed. Recommencement of work may only take place once the required management measures are implemented.

Proposed impact by the Project or related activities to any site outside of the approved impact area will require an Aboriginal Heritage Impact Permit (AHIP) to be obtained from the Heritage NSW, unless it is part of a future modification to SSD-10452 and been granted the necessary approvals.

5.3.3 Aboriginal scarred trees

Should a previously unknown Aboriginal scarred tree be identified, all works in the vicinity of the site will cease and ACEN Australia will be informed of the presence of the site. The opportunity will then be provided to a qualified archaeologist, RAP/s and a qualified arborist (if required) to inspect the newly identified tree and evaluate whether the scarring is a result of Aboriginal cultural activities and, if this is the case, to assess the Aboriginal cultural and archaeological significance of the site.

If the site is confirmed as an Aboriginal scarred tree and is not required to be disturbed because of approved project activities, a fence should be erected around the site as a protection measure. The location and dimensions of the fence should be determined with reference to the size and condition of the tree.

If the site is confirmed as an Aboriginal scarred tree and is subject to impact because of approved project activities, it will be subject to temporary protection measures as described above until such time as an appropriate management strategy has been developed for the site. ACEN Australia will consult with the RAPs and a suitably qualified archaeologist to develop an appropriate management strategy for the site. If suitable, the methodology for scarred tree salvage provided in **Appendix 3** may be used.

5.3.4 Other site types

Should a previously unknown site of any other type (such as a hearth) be identified, all works in the vicinity of the site should cease and ACEN Australia will be informed of the presence of the site.

The opportunity will then be provided to an archaeologist and RAP/s representatives to inspect the newly identified site. The proprietor will then consult with the RAPs and Heritage NSW (if required) to develop an appropriate management strategy for the site with reference to its location within or outside the development footprint.

As an interim management measure, if a risk is identified that approved activities may have the potential to interact with the site, it will be clearly demarcated prior to the commencement of works being undertaken in the vicinity.

5.3.5 Unanticipated historic heritage

A historic artefact is anything which is the result of past activity not related to the Aboriginal occupation of the area. This includes pottery, wood, glass and metal objects as well as the built remains of structures, sometimes heavily ruined. Heritage significance of historic items is assessed by suitably qualified specialists who place the item or site in context and determine its role in aiding the community's understanding of the local area, or their wider role in being an exemplar of state or even national historic themes.

The following protocol should be followed if previously unrecorded or unanticipated historic objects are encountered:

1. All ground surface disturbance in the area of the finds should cease immediately, then:
 - a) The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted
 - b) The site supervisor will be informed of the find(s).
2. If finds are suspected to be human skeletal remains, then NSW Police must be contacted as a matter of priority.
3. If there is substantial doubt regarding the historic significance for the finds, then gain a qualified opinion from an archaeologist as soon as possible. This can circumvent proceeding further along the protocol for items which turn out not to be significant. If a quick opinion cannot be gained, or the identification is that the item is likely to be significant, then proceed to the next step.
4. Notify Heritage NSW as soon as practical on 131 555 providing any details of the historic find and its location.
5. If in the view of the heritage specialist or Heritage NSW that the finds appear not to be significant, work may recommence without further investigation. Keep a copy of all correspondence for future reference.
6. If in the view of the heritage specialist or Heritage NSW that the finds appear to be significant, facilitate the recording and assessment of the finds by a suitably qualified heritage specialist. Such a study should include the development of appropriate management strategies.

7. If the find(s) are determined to be significant historic items (i.e. of local or state significance), any re-commencement of ground surface disturbance may only resume following compliance with any legal requirements and gaining written approval from Heritage NSW

5.4 OTHER MEASURES

5.4.1 Performance measures

ACEN Australia will manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures (as per Schedule 3 Condition 23(d)) as follows:

1. That this HMP is used and adhered to in relation to the protection and management of Aboriginal and historic heritage
2. That all reasonable care is taken to ensure the conservation of all known Aboriginal heritage within the project area
3. That all new discoveries of Aboriginal and historic cultural heritage are appropriately managed
4. That all applicable plans show the location of known Aboriginal cultural heritage objects so that harm to the objects is prevented
5. That consultation is continued with the RAPs
6. That all workers and contractors engaged in works within the project are aware of the legislative requirement to conserve known Aboriginal cultural heritage objects
7. That ACEN Australia undertake consultation with the RAPs both in terms of assessing the significance of any new discoveries of Aboriginal objects and concerning any incident or update to this HMP.

Should any of these performance measures fail, ACEN Australia will, at the earliest opportunity:

1. Take all reasonable and feasible measures to ensure that the exceedance ceases and does not recur
2. Consider all reasonable and feasible options for remediation (where relevant) and submit a report to DPE describing those options and any preferred remediation measures or another course of action
3. Implement remediation measures as directed by the Planning Secretary, to the satisfaction of the Planning Secretary.

5.4.2 Aboriginal cultural heritage awareness training

ACEN Australia recognises that training and awareness is an important aspect of the Environmental Management System.

All employees, contractors, sub-contractors and visitors to the project area will be made aware of the obligation to avoid harm to Aboriginal heritage through an Aboriginal heritage component of a general site induction prior to them commencing work on the project. The induction will include notifying workers of any Aboriginal heritage objects in proximity to their work areas.

The induction will include the following points expressed in plain language:

- The project is located on Wiradjuri Country
- Aboriginal sites occur across the project
- Aboriginal sites are of great significance to the Aboriginal community, are important to the wider community and must be treated with respect
- Many Aboriginal artefacts are hidden within the topsoil and are not readily visible. The apparent absence of a site does not mean it is no longer in existence
- Aboriginal sites are protected by law. Should any sites not permitted to be impacted by the HMP by impacted by the project, relevant fines for non-compliance may be issued
- Protocols to be followed for unanticipated finds or skeletal remains.

An artefact identification sheet is provided in **Appendix 4** to assist employees, contractors, sub-contractors, and visitors to the project should they encounter a potential artefact.

A record will be kept of all personnel who have completed the general site induction.

5.4.3 Access to Aboriginal objects

ACEN Australia will provide access for RAPs to Aboriginal sites and any potential stored Aboriginal objects within the HMP boundary, subject to reasonable safety and security measures. These measures may include the location of hazardous areas and the availability of site personnel to enable safe access to relevant areas.

Any request to visit the site is to be made to ACEN Australia at least two weeks before the proposed visit to allow for adequate response time.

5.4.4 Vehicle access

Vehicle access must be restricted to approved access routes. If additional or alternative access is required, the proposed route should be inspected by a suitably qualified archaeologist and RAP/s to ensure Aboriginal objects will not be harmed.

5.4.5 Erosion control

Any erosion and sediment control measures will be undertaken in a manner that avoids disturbance to known Aboriginal objects unless an assessment is undertaken and the Secretary grants permission for disturbance.

If works are required within or near a known Aboriginal cultural heritage site, a suitably qualified archaeologist should inspect the site to advise on whether the proposed works are likely to harm Aboriginal objects. If harm is possible, a further archaeological assessment to inform the Secretary's permission to complete the works will be required.

Should erosion control take place near a known Aboriginal site, the following principles will be followed:

- Potential interactions between the remediation works and the cultural heritage sites will be managed. The potential for harm to Aboriginal cultural heritage objects should be assessed by a suitably qualified archaeologist
- Natural regeneration of vegetation in an area will be encouraged to return it to as near as possible its original form
- Soft engineering solutions such as the placing of hay bales or coir logs on the surface will be preferably implemented to minimise disturbance to the site.

The timing of audits will change through different project phases. It is recommended that auditing be more frequent, i.e. monthly, throughout the construction phase; while it may be six-monthly once the project is in normal operation. Should a significant wet weather event or site flooding occur, this would require additional auditing / Aboriginal site monitoring.

It is the responsibility of the ACEN Project Manager to ensure appropriate monitoring of known Aboriginal sites throughout the life of the project. This will be undertaken through regular environmental auditing by the ACEN Project Manager, who will monitor Aboriginal site condition and ensure appropriate implementation of this HMP. Results of these inspections may be presented in checklist format and will be included in the compliance reporting outlined in **Section 6.2.5**.

6 RECORD KEEPING AND REPORTING REQUIREMENTS

6.1 RECORD KEEPING

6.1.1 Salvage records

In event that a site is impacted (following approval from the Secretary, HNSW and the RAPs) then a record of the salvage process must be made. This will include a salvage report and updating the AHIMS site card using an ASIRF. Details of the temporary or permanent keeping place for those materials salvaged must be included in the salvage report and AHIMS site card update. Further conditions relating to the salvage of a site may be part of the approval and will be followed accordingly.

6.1.2 Salvage reports

If / when required, a technical report will be prepared documenting the results of the Aboriginal site salvage in accordance with the Code of Practice.

6.2 REPORTING REQUIREMENTS

6.2.1 Establishment of an Aboriginal archaeological sites database

To ensure that the location and management requirements for Aboriginal archaeological sites are understood and considered in the assessment and planning of ground disturbance, ACEN Australia will establish and maintain a database of recorded Aboriginal archaeological sites located within the HMP boundary.

This database will be supplemented and reviewed as required to include new sites, update the status of salvaged sites, and reflect the outcomes of any additional archaeological investigations. The database must be checked prior to the issuing of any on-site approval for ground disturbance works.

The management and update of this database do not preclude obligations to search the AHIMS register and maintain AHIMS site card registration.

6.2.2 Reporting of HMP non-compliance/incident

6.2.2.1 Reporting of HMP incident

Should any Aboriginal or historic cultural heritage site or area be impacted by works not authorised as described in this Plan, ACEN Australia will report the incident to DPE as per Schedule 4, Conditions 7 of the Development Consent, and with regard to reporting requirements documented in Appendix 7 of the Development Consent.

The Development Consent specifies that, within seven days of the date of the incident ACEN Australia must provide the DPE and any other relevant agencies with a detailed report on the exceedance, and such further reports as may be requested. The report must include:

- The time and date of the incident
- Details of the incident
- The correction measures undertaken
- Measures implemented to prevent re-occurrence.

Written notice will be submitted via the Major Projects website:

<https://www.planningportal.nsw.gov.au/major-projects>.

6.2.2.2 *Reporting of HMP non-compliance*

Should any non-compliance with this Plan be identified, ACEN Australia will report the incident to DPE as per Schedule 4, Conditions 8 to 10 of the Development Consent.

The Development Consent specifies that, within seven days of the date of the non-compliance, ACEN Australia must provide the DPE and any other relevant agencies with a detailed report on the exceedance, and such further reports as may be requested. The report must include:

- The development and the application number for it as set out the in the condition of consent
- Details of the condition of consent that the development is non-compliant with
- The manner in which way in which it does not comply
- The reasons for the non-compliance
- Measures to address the non-compliance and prevent re-occurrence.

Written notice will be submitted via the Major Projects website:

<https://www.planningportal.nsw.gov.au/major-projects>.

It is noted that a non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

6.2.3 Access to this Plan and external reporting

ACEN Australia will make a copy of this Plan available on its website (www.stubbosolar.com.au) and will ensure that this is kept up to date as per Schedule 4, Condition 17 of the Development Consent. A copy of this Plan will also be made available on the NSW State Significant Development portal. A draft copy will be provided to all RAPs for feedback.

As this is a state significant development, this Plan will be made available on the NSW Government major projects planning portal.

ACEN Australia must provide regular reporting on the environmental performance of Stubbo on its website, in accordance with the reporting arrangements of this Plan.

6.2.4 Adaptive management

In accordance with Schedule 4, Conditions 8 to 10 of the Development Consent, ACEN Australia will manage site activities to facilitate that the requirements of this CHMP are implemented on site. Where a non-compliance with this CHMP or an incident has occurred, ACEN Australia will, as soon as becoming aware of the non-compliance and to the satisfaction of the Secretary:

- Take all reasonable and feasible steps to ensure the non-compliance / incident ceases and does not reoccur
- Consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Secretary describing these remediation options and any preferred remediation measures or other course of action
- Implement remediation measures as directed by the Secretary.

6.2.5 Compliance reporting

Prior to commencing the construction, upgrading and decommissioning of the development, the Proponent will submit a compliance report to the Department in accordance with the relevant Compliance Reporting Post Approval Requirements (DPE 2018), or its latest version.

These compliance reports will include the results of environmental auditing (including visits to Aboriginal heritage sites to assess for erosion / fencing and checking induction registers, amongst other things) undertaken across the HMP boundary at regular intervals.

The timing of audits and their reporting will change through different project phases. It is recommended that auditing and reporting be more frequent, i.e. monthly, throughout the construction phase; while it may be six-monthly once the project is in normal operation. Should a significant wet weather event or site flooding occur, this would require additional auditing.

All compliance reporting is the responsibility of the ACEN Project Manager.

6.3 STATUTORY REPORTING REQUIREMENTS

There are several statutory reporting requirements associated with Aboriginal objects as detailed below.

6.3.1 Discovery of Aboriginal objects

Under Section 89A of the NPW Act, it is a requirement that the AHIMS Registrar is notified of the existence of Aboriginal objects as soon as practicable after they are first identified. This is done

through the completion of an Aboriginal site card which is submitted to AHIMS for inclusion on the Aboriginal objects database. See **Section 5.3** for the procedures related to newly discovered heritage objects and **Section 5.3.1** for skeletal material.

6.4 STUBBO HERITAGE RECORDS

Copies of all Stubbo heritage records will be kept by ACEN Australia. Stubbo heritage records include:

- This Plan
- A copy of the SSD 10452 Development Consent
- Maps showing heritage site locations
- Archaeological reports that have been produced for Stubbo
- All applicable Aboriginal site AHIMS and ASIRF cards.

7 REVIEW AND IMPROVEMENT

7.1 PLAN REVIEW

The HMP will be reviewed following any salvage activities, a change in legislation, or modification to Development Consent containing conditions relevant to Aboriginal or historic cultural heritage. This will include a review of performance and consideration of ongoing consultation. This will ensure the adequacy of the HMP and allow for opportunities of adaptive management and continual improvement.

Changes will be made to the HMP in the following circumstances:

- Following the completion of salvage activities within the Project Area
- Where new Aboriginal sites are discovered which require specific management approaches proportionate to their cultural significance and which are not otherwise covered in this HMP
- Where approved modifications to the Project introduce new impacts on Aboriginal heritage which are not generally covered by this HMP
- Where approved changes to the Project change or remove previously planned impacts on Aboriginal heritage where mitigation was proposed in the HMP but is no longer required

Where changes are made to the HMP, a draft will be subject to Aboriginal consultation in accordance with the HMP. Matters raised in consultation which are specific to the changes in the HMP may be acknowledged and addressed in the revised HMP.

Further, a report containing the monitored effectiveness of the measures in the HMP will also be completed following any of the circumstances listed above occurring. The report should outline whether improvements could be made to management measures throughout the HMP. Should the report find improvements could be made, the HMP should be updated.

7.1.1 Future updates to this Plan

Any future changes to the plan will be formatted to easily identify these changes.

Each version of these changes must be in **bold** font and in a distinct colour. A colour glossary will be included in the abbreviations and glossary of this plan, detailing the date of these changes

7.2 REVISION OF STRATEGIES, PLANS AND PROGRAMS

Ongoing monitoring and review of the performance and implementation of this Plan will be undertaken in accordance with Schedule 4, Condition 2(b) of the Development Consent. Schedule 4, Condition 2(b) states that a review of the Plan will occur within one month of:

- The submission of an incident report (as discussed in **Section 6.2.2**).

- The submission of an audit report, should it recommend a review of this HMP
- Any modifications to the conditions of this approval (unless the conditions require otherwise).

ACEN Australia will review, and if necessary, revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. Where this review leads to revisions in any such document, then within eight weeks of the review, unless the Secretary agrees otherwise, the revised document will be submitted to the Secretary for approval.

It is noted that the review of this HMP as detailed in the conditions of Project Approval will be undertaken by ACEN Australia to determine if the HMP remains consistent with the approved operations. If a review of this HMP is determined to be required, the review of the HMP will be undertaken by a suitably qualified person whose appointment has been approved by the Secretary in accordance with the Project Approval.

Any revision of this Plan must be approved by the Secretary, unless the revision is purely administrative in nature, in which case, with the agreement of the Planning Secretary, the a revised strategy, plan or program may be prepared without undertaking consultation with all the parties referred to under the relevant condition of this consent.

7.3 INDEPENDENT ENVIRONMENTAL AUDIT

As per Schedule 4, Condition 9 of the Development Consent, an Independent Audit will occur within three months of commencing construction and commencing operations. Four weeks' notice will be given to ACEN Australia by the Planning Secretary in the event an audit is required at a different time. ACEN Australia will commission and pay the full of the Independent Environmental Audit of the development.

The audit will:

- (a) be conducted in accordance with the *Independent Audit Post Approval Requirements* (2020).
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- (c) be carried out in consultation with the relevant agencies;
- (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
- (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

Within two months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report will be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.

Each make each Independent Audit Report, and response to it, will be made publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.

The recommendations of the Independent Environmental Audit will be implemented to the satisfaction of the Secretary.

7.4 ACCOUNTABILITIES

7.4.1 HMP General

Management at Stubbo will be the responsibility of all employees and contractors. Roles and responsibilities for personnel are outlined in **Table 7-1** below.

Table 7-1: Accountabilities.

Role	Accountabilities for this document
ACEN Project Manager	• Prepare, implement and review the HMP. • Provide adequate resources for the implementation of this HMP. • Report all HMP non-compliance and incidents to DPIE through the Major Projects website. • Comply with all requirements in this HMP. • Organise and continue consultation with RAPs. • Timely compliance reporting. • Organising training and inductions of all Project employees and contractors. • Undertake fence and site monitoring during Project construction. • Organise Subcontractor Project Archaeologist for site monitoring if changes to site condition occur.
Director, Planning Services	• Approve this Plan. • Provide adequate resources for the implementation of this Plan.
TransGrid management team	• Report all incidents, concerns and non-compliance to the ACEN Project Manager. • Ensure that their component of work complies with all requirements of this HMP.
Subcontractor Project Archaeologist	• Comply with the requirements of this HMP. • Consultation regarding the preparation, implementation and review of the HMP. • Inspect newly identified sites and subsequent reporting requirements. • If requested, partake in site monitoring during Project construction if changes to site conditions occur. • If required, undertake a salvage program of sites in consultation with RAPs following further analysis if sites will be impacted by Project activities.
All Project employees, visitors, and contractors	• Comply with all requirements in this HMP. • Report all incidents and non-compliance to the ACEN Project Manager.

7.4.2 Specific per approval conditions

It is noted that as no heritage sites will be impacted, no salvage is required and hence no specialist heritage inputs are required in terms of responsibilities.

Table 7-2: Approval conditions and responsibility.

Approval Condition	Timing	Responsibility
Condition 21	Pre-construction Construction Operation	- It is the ACEN Project Managers responsibility to ensure that the PCL HSE team have signed off on the implementation of the measures in this HMP. - Should TransGrid also have a role in the representatives-construction phase, then the ACEN Project Manager must ensure the TransGrid management team is aware of and signed off on this HMP - It is the PCL HSE team who must ensure the heritage management provisions of this HMP are enacted in a timely fashion. - Protective fencing must be erected prior to construction and maintained (ACEN Project Manager and PCL have responsibility for this, PCL HSE team before and during construction and ACEN Project Manager for operation).
Condition 22	N/A	As this Aboriginal site will no longer be impacted by the project, it will be managed as per all other sites as per Condition 21 above,
Condition 23	Pre-construction	ACEN Project Manager has the responsibility to prepare this HMP and ensure their contractor PCL commit to its requirements. The TransGrid management team are also required to Commit to the provisions of this HMP during the establishment of the transmission line within the HMP boundary.

8 DOCUMENT INFORMATION

8.1 RELEVANT LEGISLATION

The following legislation is relevant to this Plan:

- *Environmental Planning and Assessment Act 1979*
- *Heritage ACT 1977*
- *National Parks and Wildlife Act 1974*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

8.2 REFERENCE INFORMATION

Reference information, listed in below, is information that is related to the development of this document or referenced from within this document.

DECCW 2010a	DECCW 2010, <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> , Department of Environment, Climate Change and Water, Sydney.
DECCW 2010b	DECCW 2010, <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> , Department of Environment, Climate Change and Water, Sydney.
NSWDPIE 2021	NSW Department Planning, Industry and Environment. 2021. <i>Development Consent. Schedule 1. SSD 10452</i> .
OzArk 2020	OzArk EHM 2020. <i>Aboriginal Cultural Heritage & Historic Heritage Assessment Report: Stubbo Solar Farm</i> . Report to UPC/AC Renewables.
Ramboll 2020	Ramboll Australia Pty Ltd 2020. <i>Stubbo Solar Farm Environmental Impact Statement</i> . Report to the Department of Planning and Environment.

APPENDIX 1: CONSULTATION RECORDS

Appendix 1 Figure 1: Correspondence with DPE on this Plan.

Department of Planning and Environment



David McKay
Project Manager
ACEN Australia
Suite 2, Level 2
15 Castray Esplanade
Battery Point, TAS, 7004

09/05/2023

Dear Mr. McKay,

Stubbo Solar Project (SSD-10452-PA-17)
Heritage Management Plan - Request for Additional Information

I refer to the Heritage Management Plan submitted to the Department of Planning and Environment (the Department) as required under the conditions of the development consent for the Stubbo Solar Project. After careful consideration, the Department is requesting that you provide additional information.

Please submit a revised document that addresses the requirements detailed in the attached management plan review table and marked-up pdf.

You are requested to provide the information to the Department by Friday 26 May 2023. If this timeframe is not achievable, please provide and commit to an alternative timeframe for providing this information.

If you have any questions, please contact Katie Weekes on 02 4927 3223 or via email at katie.weekes@dpie.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "W Jones".

Wayne Jones
Team Leader - Post Approval
Energy Assessments

Appendix 1 Figure 2: Correspondence with Heritage NSW on this Plan.



Your reference: SSD-10452-PA-17
Our reference: DOC23/338961

Mr. David McKay
ACEN Australia Pty Ltd
david.mckay@acenrenewables.com.au

Dear Mr. McKay,

Advice on Heritage Management Plan - Stubbo Solar Farm – Stage 2 - State Significant Development (SSD-10452-PA-17) (Mid-Western Regional)

Thank you for your referral uploaded to the Major Projects Portal on 26 April 2023, seeking advice on the above State Significance Development (SSD) proposal, with respect to Aboriginal cultural heritage. In preparing this advice Heritage NSW has reviewed the following document:

- Heritage Management Plan - Stubbo Solar Farm – Stage 2, OzArk Environment & Heritage, 2023.

The Heritage Management Plan has been prepared in reference to the relevant Heritage NSW guidelines as required by the SEARs. Heritage NSW agrees with the management recommendations outlined and has no additional comments or concerns with respect to the proposed HMP for Stage 2 being implemented.

If you have any questions regarding this advice, please contact email Nicole.Davis@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'Nicole Davis'.

Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
(As Delegate under National Parks and Wildlife Act 1974)
Date: 4 May 2023

Appendix 1 Table 1: Aboriginal consultation log for Stubbo Solar Project.

Date	Organisation	Comment
07-Dec-22	Muronggialinga	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Wellington Valley Wiradjuri Aboriginal Corporation	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Gallanggabang Aboriginal Corporation	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Mudgee Local Aboriginal Land Council	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Paul Brydon	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Stakeholder 1	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Stakeholder 2	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	Warrabinga Native Title Claimants Aboriginal Corporation	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
07-Dec-22	North-Eastern Wiradjuri	ACEN Australia issued letter with project update and request for RAP involvement with HMP consultation.
09-Feb-23	Muronggialinga	Emailed invitation to Workshop for ACHMP
09-Feb-23	Wellington Valley Wiradjuri Aboriginal Corporation	Emailed invitation to Workshop for ACHMP
09-Feb-23	Gallanggabang Aboriginal Corporation	Emailed invitation to Workshop for ACHMP
09-Feb-23	Mudgee Local Aboriginal Land Council	Emailed invitation to Workshop for ACHMP
09-Feb-23	Paul Brydon	Emailed invitation to Workshop for ACHMP
09-Feb-23	Stakeholder 1	Emailed invitation to Workshop for ACHMP
09-Feb-23	Stakeholder 2	Emailed invitation to Workshop for ACHMP
09-Feb-23	Warrabinga Native Title Claimants Aboriginal Corporation	Emailed invitation to Workshop for ACHMP
09-Feb-23	North-Eastern Wiradjuri	Emailed invitation to Workshop for ACHMP
09-Feb-23	Warrabinga Native Title Claimants Aboriginal Corporation	received email back saying could not deliver to email addresses: - info@warrabinga.com.au - lance.syme@warrabinga.com.au
09-Feb-23	Warrabinga Native Title Claimants Aboriginal Corporation	Kylie Manson will attend on warrabinga behalf
09-Feb-23	Brad Bliss	Catherine received call from Brad saying will attend
11-Feb-23	Muronggialinga	Received decline to invite due to other commitments
16-Feb-23	Gallanggabang Aboriginal Corporation	CB received call from Melissa advising that she is to be the main contact now. CB redirected invitation to Melissa.
16-Feb-23	Gallanggabang Aboriginal Corporation	CB received email registering for the workshop
16-Feb-23	Gallanggabang Aboriginal Corporation	CB emailed reply with registration complete.
20-Feb-23	North-Eastern Wiradjuri	IC called all contacts to see if received invite to workshop. No response.

Date	Organisation	Comment
20-Feb-23	North-Eastern Wiradjuri	IC received call from Emma who said no one will attend as it is unpaid.
20-Feb-23	Mudgee Local Aboriginal Land Council	IC Said that they are booked out this week but asked for the invitation to be recent through
20-Feb-23	Mudgee Local Aboriginal Land Council	IC emailed invitation at LALC request
20-Feb-23	Gallangbang Aboriginal Corporation	called to confirm attendance. Still attending
20-Feb-23	Paul Brydon	IC called mobile no answer. Called landline and they asked for CEO to be sent email.
20-Feb-23	Paul Brydon	IC emailed CEO with invitation at LALC request
20-Feb-23	Stakeholder 1	Called to see if attending workshop. No response.
20-Feb-23	Stakeholder 1	Called to see if attending workshop. No response.
20-Feb-23	Stakeholder 2	Called to see if attending workshop. Notified no longer will be involved in project due to passing.
20-Feb-23	Paul Brydon	IC called. Unable to attend to due clashing mine meeting.
16-Mar-23	Muronggialinga	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Wellington Valley Wiradjuri Aboriginal Corporation	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Gallangbang Aboriginal Corporation	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Mudgee Local Aboriginal Land Council	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Paul Brydon	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Warrabinga Native Title Claimants Aboriginal Corporation	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	North-Eastern Wiradjuri	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Girragirra Murun Aboriginal Corporation	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
16-Mar-23	Stakeholder 1	OzArk emailed draft HMP and workshop summary notes of meeting provided by ACEN.
6.4.23	Brad Bliss	IC called to confirm receipt of HMP. Member asked for it to be recent and emailed to 2nd email address as well. Email resent.
6.4.23	Muronggialinga	IC called to confirm receipt of HMP. No response, voicemail left.
6.4.23	Girragirra Murun Aboriginal Corporation	IC called to confirm receipt of HMP. Will return comments in next couple of days. Wishes to know when they are looking to start the project.
6.4.23	Gallangbang Aboriginal Corporation	IC called to confirm receipt of the HMP. Member has received and currently working on it
6.4.23	Mudgee Local Aboriginal Land Council	IC called to confirm receipt of the HMP. Members have not run through the board yet but should be able to meet the deadline.
6.4.23	Paul Brydon	IC called to confirm receipt of the HMP. Member confirms all is okay and no comment on the HMP.
6.4.23	Stakeholder 1	IC called to confirm receipt of the HMP. Member is still reviewing

Date	Organisation	Comment
6.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	Follow up email to confirm receipt of HMP
6.4.23	North-Eastern Wiradjuri	IC called to confirm receipt of HMP. No response, voicemail left.
6.4.23	North-Eastern Wiradjuri	IC received call that HMP has not yet been reviewed.
6.4.23	Girragirra Murun Aboriginal Corporation	IC emailed member to inform timeline of when project will begin.
14.4.23	Brad Bliss	IC received email stating WVVAC happy with the ACHMP.
14.4.23	Brad Bliss	IC emailed thanks.
17.4.23	Girragirra Murun Aboriginal Corporation	IC called to say comment due today. RAP happy with document and says it is comprehensive and well written. Sent email but email undelivered.
17.4.23	Gallangabang Aboriginal Corporation	IC called to say comment due today. RAP said it is on its way today.
17.4.23	Mudgee Local Aboriginal Land Council	IC called to say comment due today. Have not looked at HMP and has not been put before the board. CEO will look at it today.
17.4.23	Stakeholder 1	IC called to say comment due today. Have not looked at HMP. IC asked for email today.
17.4.23	Muronggialinga	IC called to say comment due today. Have not looked at HMP. IC asked for email today.
17.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	IC received email stating contact information is out of date and only just received HMP.
17.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	IC responded saying comments due today.
17.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	IC received email asking for extension.
17.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	IC responded. Unable to give extension due to submission timeline.
17.4.23	Gallangabang Aboriginal Corporation	IC received email of comments.
17.4.23	Gallangabang Aboriginal Corporation	IC responded with thanks.
17.4.23	Warrabinga Native Title Claimants Aboriginal Corporation	IC and JB received call from Daryl saying HMP had not been forwarded to all board members and wanted run down of HMP.
17.4.23	Girragirra Murun Aboriginal Corporation	CB emailed written HMP comment that follows on from earlier verbal comment.

- o CB = Catherine Burrowes; IC = Imogen Crome, JB = Jodie Benton

Appendix 1 Figure 3: Sample letter to RAPs seeking review of the draft of this Plan.

	OzArk Environment & Heritage Dubbo T: 02 6882 0118 Queanbeyan enquiry@ozarkehm.com.au Newcastle www.ozarkehm.com.au	ABN 59 104 582 354 145 Wingewarra St PO Box 2069 DUBBO NSW 2830
---	--	---

16 March 2023

Xxx

xxx

***Aboriginal Cultural Heritage Management Plan:
Stubbo Solar Project Stage 2 (construction phase)***

Dear Members,

Thank-you for your continued engagement as a Registered Aboriginal Party (RAP) for the proposed Stubbo Solar Project. The project is located approximately 10 kilometres northeast of Gulgong, NSW within the Mid-Western Regional Council local government area. The project was approved as a State Significant Development (SSD-10452) on 29th June 2021.

The purpose of this letter is to invite you to comment on the enclosed draft Aboriginal Cultural Heritage Management Plan. This Plan has incorporated comments provided during the workshop on 23 February 2023. The summary notes of this workshop have also been provided.

OzArk Environment & Heritage is required to give you 28 days to supply feedback on the attached documents. This period closes 5pm on **Monday 17 April 2023**.

If you need any help supplying feedback or have any queries in relation to the enclosed information, please do not hesitate to contact our office.

Kind regards,



Catherine Burrowes
Customer Liaison

Appendix 1 Figure 4: Community responses to the draft of this Plan.

Re: Draft HMP and workshop minutes Stubbo Solar Project - Stage 2

BB

Bradley Bliss <brad4975@hotmail.com>

To

Imogen Crome; wwac@hotmail.com

👍

Reply

↩️

Reply All

➡️

Forward

⋮

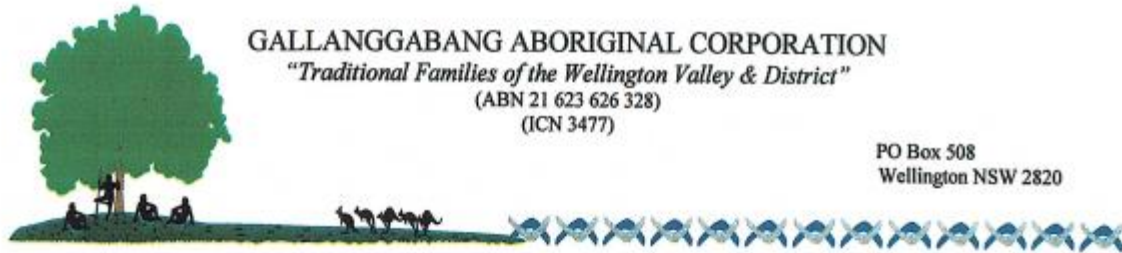
Thu 13/04/2023 11:10 PM

Hi Imogen,

WVWAC Field Officers and Executive officers have discussed the documents and agree that the minutes reflect the meeting held at Gulgong RSL Club and the ACHMP is consistent with the outcomes from the meeting and as such WVWAC agree to the ACHMP as presented.

Regards

Bradley R Bliss J.P.
WVWAC CEO and Contact Officer
P.O. Box 1583
Orange NSW 2800
M: 0427321016



OzArk Environment & Heritage
PO Box 2069
Dubbo NSW 2830
17.04.2023

Aboriginal Cultural Heritage Management Plan for the proposed Stubbo Solar Project

Gallanggabang Wiradjuri Aboriginal Corporation would like to thank you for your invitation to provide a response for This Aboriginal Cultural Heritage Management Plan for the proposed Stubbo Solar Project, and issues and Our obligations to protect our Heritage within our Traditional Lands.

Gallanggabang Wiradjuri represent traditional families with identified apical ancestry pre-European occupation with our known Traditional Lands. We know our culture, country and continue with our association with our traditional lands (Ngurangbang).

Gallanggabang object to any other non-traditional aboriginal organizations or people taking part in site surveys, consultation and assessments within our defined Traditional Lands. These non-traditional people and groups are outsiders under Traditional Lore and have no right to advise on or to be present during consultation or site visits as they do not possess the specific traditional knowledge in relation to these lands or sites. These participants may be indigenous and may live locally within the region however, this still does not give them the right to disregard Traditional Lore and values.

Gallanggabang Wiradjuri Aboriginal Corporation have through consultation with Traditional Elders and members of our Traditional Community who with cultural knowledge have the following comments and or recommendations:

- Gallanggabang agrees to the basic methodology as presented,
Any pedestrian field assessment survey should be conducted no further than 10m.
apart and closer where visibility is limited,
- Cultural Knowledge and values as indicated by Field Officers must be taken into account.

Gallanggabang look forward to further participating in the proposed Stubbo Solar Project, sharing our knowledge of county and to ensure our Heritage is protected. We trust our response meets your requirements.

Please contact Gallanggabang Directors should you require our assistance to address any Aboriginal issues to support your future plans.

Regards,

Melissa Chown J.P.
Gallanggabang Director and Contact Officer
Aboriginal Cultural Mentor and Educator
Traditional Owner Clan Descendant
Mobile: 0433510072



Girragirra Murun Aboriginal Corporation

Traditional Wiradjuri Families of Wellington Valley & Districts NSW

ABN: 84658252772

PO Box 148 Wellington NSW 2820

OzArk Environment & Heritage

PO Box 2069

Dubbo NSW 2830

11.04.2023

Aboriginal Cultural Heritage Management Plan for the proposed Stubbo Solar Project.

Girragirra Murun Wiradjuri Aboriginal Corporation would like to thank you for your invitation to provide a response for This Aboriginal Cultural Heritage Management Plan for the proposed Stubbo Solar Project.

Our obligations are to protect our Heritage within our Traditional Lands.

Girragirra Murun's Wiradjuri represent traditional families with identified apical ancestry pre-European occupation with our known Traditional Lands. We know our culture, Flora, Fauna and country and continue with our association with our traditional lands (Ngurangbang).

Girragirra Murun object's to any other non-traditional aboriginal organizations or people taking part in site surveys, consultation and assessments within our defined Traditional Lands.

These non-traditional people and groups are outsiders under Traditional Lore and have no right to advise on or to be present during consultation or site visits as they do not possess the specific traditional knowledge in relation to these lands or sites.

These participants may be indigenous and may live locally within the region however; this still does not give them the right to disregard Traditional Lore and values.

Girragirra Murun Wiradjuri Aboriginal Corporation has through yarns and consultation with our Traditional Elders and members of our Traditional Community who with cultural knowledge have the following comments and or recommendations:

Girragirra Murun agrees to the basic methodology as presented to RAP'S during the workshop on 23 February 2023. This Plan has incorporated all comments and changes made on the day and have been provided.

Any pedestrian field assessment survey should be conducted no further than 10m, apart and closer where visibility is limited.

Cultural Knowledge and values as indicated by Field Officers must be taken into account.

Girragirra Murun look forward to further participating in the proposed Stubbo Solar Project, sharing our knowledge of country and to ensure our Heritage is protected.

We trust our response meets your requirements.

Please contact Girragirra Murun's Directors should you require our assistance to address any Aboriginal issues to support your future plans.

Diana Astin Director - Contact Person
Girragirra Murun Aboriginal Corporation
PO Box 148
Wellington NSW 2820
ABN: 84658252772
MB: 0433837512



Girragirra Murun acknowledges the traditional owners of the waters and lands on which we live and work and pays respect to Elders past and present and emerging

Appendix 1 Figure 5: ACEN Australia email communications on impact to Rosevale IF-01 (from 19 December 2022).

Stubbo CHMP



Jodie Benton
To Michael Yeo; Cédric Bergé
Cc Imogen Crome; Stephanie



19/12/2022

Hi Michael and Cedric,

Just a quick email to let you know that Imogen will be assisting with drafting the background sections of the CHMP over Dec/Jan, under Steph's supervision, whilst Ben and myself are away.

We have discussed template etc. and the main thing we need to confirm from you is whether the IF will be impacted or not. As you know it is authorised under your approval, but if you do not plan to impact it, then we will write the CHMP to suit no impact.

If you could let us know that would be great.

Hope you both have a great break over Christmas 😊

Cheers Jodie



OzArk will be closed from 21 December 2022 to 9 January 2023. We wish you an enjoyable and safe break

Dr Jodie Benton
Director



OzArk Environment & Heritage
PO Box 2069 DUBBO 2830
02 6882 0118
Mobile: 0403 763 504
jodie@ozarkehm.com.au; www.ozarkehm.com.au







OzArk and staff respectfully acknowledge the Traditional Owners and Custodians of the Country on which we work.

LEGAL DISCLAIMER: The contents of this electronic communication and any attached documents are strictly confidential and they may not be used or disclosed by someone who is not a named recipient. If you have received this electronic communication in error please notify the sender by replying to this electronic communication inserting the word "misdirected" as the subject and delete this communication from your system. The recipient agrees not to disclose the confidential information obtained from the discloser to anyone unless required to do so by law.

From: Michael Yeo <Michael.yeo@acenrenewables.com.au>
Sent: Tuesday, 20 December 2022 9:32 AM
To: Jodie Benton <jodie@ozarkehm.com.au>; Cédric Bergé <cedric.berge@acenrenewables.com.au>
Cc: Imogen Crome <imogen@ozarkehm.com.au>; Stephanie <Stephanie@ozarkehm.com.au>
Subject: Re: Stubbo CHMP

You don't often get email from michael.yeo@acenrenewables.com.au. [Learn why this is important](#)

Thanks Jodie,

With reference to the "IF", I assume this stands for Identified Find or something similar that refers to the artifact identified within the Solar Farm?

We have been in discussions with the EPC Contractor and we will be fencing this previously identified area outside the Solar Farm security fence.

This being the case, are you able to provide some guidance on distances / buffer zones around the area where it would be appropriate to put the new fence line? (10, 20, 50m etc?)

Have a great Christmas and New Year break and I look forward to finalising the CHMP with OzArk in the New Year.

Regards

Michael Yeo
 Project Manager – Construction
 Stubbo Solar



M: +61 427 776 873
 E: Michael.yeo@acenrenewables.com.au
 Hobart: Suite 2, Level 2, 15 Castray Esplanade, Battery Point, TAS 7004
www.upc-ac.com

ACEN Australia acknowledges the resilience and knowledge of the Traditional Custodians of this nation. We pay our respects to elders past and present, the many Aboriginal people that did not make their elder status and to those that continue to care for country.

We're rebranding. ACEN has increased its ownership in UPC\AC Renewables in 2021 to be 100% by early 2023.

This e-mail and its contents is intended solely for the individual to whom it is specifically and originally addressed and may contain confidential or privileged information. If you are not the intended recipient, please notify me immediately by return email and delete the email from your system. Retaining, disclosing, distributing or taking any action in reliance on this email or its contents is strictly prohibited.

RE: Stubbo CHMP



Stephanie

To: Michael Yeo; Jodie Benton; Cédric Bergé
 Cc: Imogen Crome

Hi Michael,

The IF refers to isolated find site Rosevale IF-01.

Section 9.2 of the ACHAR states that all isolated finds will have a buffer zone of 5 m so it would be best to stay consistent with that.

Have a nice Christmas break!

Steph

.....
Stephanie Rusden
 OzArk Environment & Heritage
 Senior Archaeologist
 0438 700 041
 (02) 6882 0118

Appendix 1 Figure 6: Sample meeting invitation for workshop (09 Feb 2023).



Appendix 1 Figure 7: Workshop attendance.

Name	Organisation	Email
K. Manson	WNTCAC.	admin@narrabunga.com.au
Brad Bliss	WVWATC	wvwtac@hotmail.com
Raymond Maon	Gadlagganbung	lwnawoff2020@yahoo.com
Melissa Chown	Gallangabung	cobras2@bigpond.com
Sarah Hafez	ACEN Australia.	
Michael Yeo	ACEN Australia - PM.	

Appendix 1 Figure 8: Workshop summary notes.

	
Stubbo Solar Aboriginal Cultural Heritage Management Plan	
Meeting purpose:	Consultation with Registered Aboriginal Parties (RAPs) to develop the Aboriginal Cultural Heritage Management Plan for Stubbo Solar
Date:	10.00am, 23 February 2023
Location:	Club Mudgee
Attendance:	Jodie Benton (JB), OzArk Environment and Heritage Kylie Manson (KM), RAP Brad Bliss (BB), RAP Raymond Moon (RM), RAP Melissa Chown (MX), RAP Sarah Hafez (SH), ACEN Australia Michael Yeo (MY), ACEN Australia
Meeting notes issued	16 th March 2023
1. Attendance sheet circulated 2. Acknowledgment of Country- JB 3. Introductions 4. Project background- MY • Stubbo Solar development consent granted in June 2021 • Business approach to manage and deliver CHMP. • SH circulated Stubbo Solar factsheets a) ACEN Australia update- SH • UPC/AC transition now complete. • ACEN Australia's aim is to provide low cost, clean electricity in a socially and environmentally responsible way. SH circulated ACEN Australia's vision, mission, and values statement • ACEN Australia has several projects in the Central-West Orana region of NSW. SH circulated handout that outlines Birriwa Solar, Aquila Wind, Valley of the Winds information. • ACEN Australia's Social Participation and Communications Policy, commits to ensuring a foundation of trust and shared value. The business understands and values Aboriginal and Torres Strait Islander and <u>non-indigenous</u> cultures, rights and experiences and heritage as an integral part <u>if</u> our shared Australian identity. • Phoenix Pumped Hydro Project announced late December 2022. Project in early stages and yet to commence regulatory heritage processes. While registrations for interest yet to be addressed, SH provided update on project having first community information session 14 March 2023 in Mudgee. Details	

[of the Community Information session can be found here](#). SH circulated information on Phoenix Pumped Hydro Project that can be [found here](#).

5. Assessment background

- JB- Outlined objectives of the HMP are to set out controls and protocols for management of Aboriginal cultural heritage sites and presented a slide deck.
- JB- Statement of commitments: Management plan must be prepared in consultation with the design and finalise with every effort to conserve Aboriginal sites in the landscapes.
- MY- Confirmed that the Project will completely avoid the one heritage isolated find item. The current Solar design excluded the area around Rosedale IF-01. Discussion on how this artefact is best managed. Fenced inside or outside the development.
- BB- Suggested putting a 5-metre barrier around IF-01 during construction. MY confirmed that this barrier is already in place.
- MY confirmed the approach to fence Rosedale IF-01 inside the perimeter security fence, as all agreed it would be preferred that it is kept inside the solar project boundary, isolated with a visible barrier during construction (as per above). All agreed with this approach.
- BB - Long term management can still allow for grazing around IF-01, however will require delineation for vehicles and human traffic for the during final configuration & operations.

6. HMP review – JB

- Review and discussion on current DRAFT of the Management Plan

7. Management

- JB- Project includes an Unanticipated Heritage Finds procedure.
- BB- Request posting and identification
- MY- Confirmed that ACEN is seeking support to have cultural groups carry out site inductions and training.
- KM and BB- Advised they would be available to assist in putting a package together. All agreed to support.
- MY- Database will be maintained of recorded Aboriginal sites within boundary
- BB- Asked that ACEN Australia ensure that all checks and inspections of sites and locations will be logged and reported, not just carry out inspections. Agreed.

8. Discussion

- SH on Cultural Awareness training- played several videos from ACEN Australia's New England Solar project. The video ~~Coralia~~ [Coralia: A Collection of Cultural Stories from First Nations](#) was played and [can be found here](#).
- SH raised Acknowledgement of Country project signage at Stubbo Solar site – Discussion on wording. Agreed by attendees that wording should "acknowledge the Wiradjuri people who are the Traditional Custodians of the Land on which Stubbo Solar is operating". SH added that ACEN Australia would also like to include on signage that "ACEN Australia acknowledges the resilience and knowledge of the

Traditional Custodians of this nation. We pay our respects to elders past and present, the many Aboriginal people that did not make their elder status and to those that continue to care for country" – Agreed by all in attendance.

- Cultural Awareness Training – open discussion with all parties and encouragement for future involvement for site activities and inductions. Agreed by all in attendance.
- SH- Raised the commissioning of artwork by local Aboriginal artists, examples provided were for site signage, possible PPE clothing, vehicle artwork. BB and KM identified some contacts who might be suitable with further details to be provided to SH.

9. Meeting closed.

APPENDIX 2: DEVELOPMENT CONSENT CONDITIONS

HERITAGE

Protection of Heritage Items

21. 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 6 or any Aboriginal heritage items located outside the approved development footprint.
22. Prior to carrying out any development that could directly or indirectly impact the heritage item identified in Table 2 of Appendix 6, the Applicant must salvage and relocate the item/s that would be impacted to a suitable alternative location, in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010), or its latest version.

Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 6.

Heritage Management Plan

23. Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Appendix 6, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
 - (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary;
 - (b) be prepared in consultation with Heritage NSW and Aboriginal Stakeholders;
 - (c) include a description of the measures that would be implemented for:
 - protecting the Aboriginal heritage items identified in Table 1 of Appendix 6 or items located outside the approved development footprint, including fencing off the Aboriginal heritage items prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 2 of Appendix 6;
 - salvaging and relocating the Aboriginal heritage items located within the approved development footprint, as identified in Table 2 of Appendix 6;
 - a contingency plan and reporting procedure if:
 - previously unidentified 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; and
 - (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Planning Secretary's approval, the Applicant must implement the Heritage Management Plan.

APPENDIX 3: SALVAGE METHODOLOGY

- *To be implemented for previously unrecorded sites if identified during works*

Scarred Tree Salvage

Prior to impact, the scarred section of the tree will be removed by a qualified arborist using the following methodology:

- The scarred sections of the tree will be heavily padded prior to works commencing to prevent accidental damage.
- The limbs above the scar and the section of the trunk above the scar will be removed.
- The scarred section of the tree will be supported while the trunk is cut off below the scarred section leaving sufficient trunk above and below the scars to assist with scar preservation.
- The scarred section of the trunk will then be transported to a secure storage location at the project location as recommended by the RAPs.

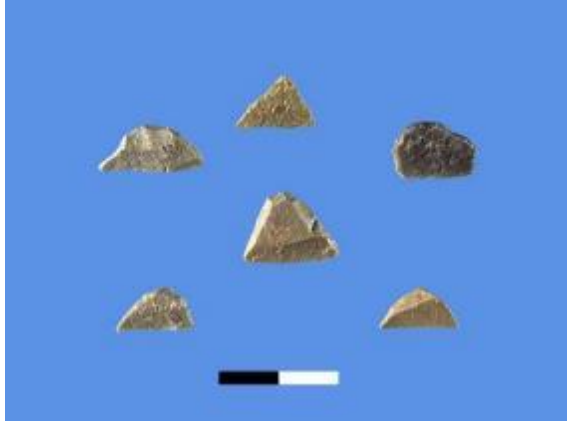
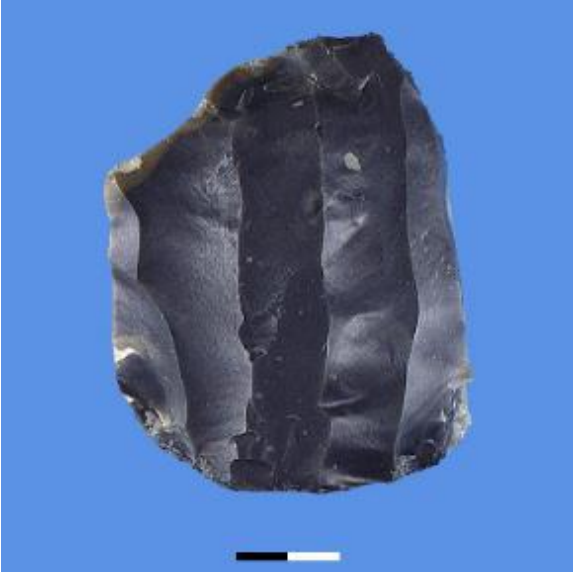
Surface Collection

The surface collection will include the following methodology:

- All visible artefacts at a site will be flagged in the field
- The site should be photographed after flagging and before recording
- All artefacts should have the following artefact information entered directly into a GPS unit:
 - Location
 - Artefact type
 - Size
 - Reduction level
 - Integrity
 - Raw material
 - Notes.
- A selection of indicative and / or unusual artefacts from each site will be photographed.

All salvaged Aboriginal stone artefacts will be temporarily stored at the offices of the archaeological consultant undertaking the works or at the project location. Following completion of the analysis and submission of a final report on salvage works to Heritage NSW, all artefacts will be returned to a secure storage location as recommended by the RAPs until a long-term management measure is agreed to. Consultation indicated reburial on site in a safe place was preferred.

APPENDIX 4: ABORIGINAL ARTEFACT IDENTIFICATION

	
Retouched blades (scale = 1cm)	Flakes
	
Microliths (scale = 1cm)	Scraper (scale = 1cm)
	
Flake characteristics (scale = 1cm)	Core from which flakes have been removed (scale = 1cm)

DOCUMENT CONTROLS

Proponent	ACEN Australia Pty Ltd (formerly UPC\AC Renewables Australia)
Document Description	Cultural Heritage Management Plan: Stubbo Solar Project.
File Location	OzArk Job No.
S:\OzArk EHM Data\Clients\ACEN Australia\Stubbo CHMP Oct 2022\Report	3675
Document Status: V3.4 FINAL	Date: 2 June 2023
OzArk internal edits	V1.0: IC author 19/12/2022 V1.2: SR edit; IC make edits V1.3: JB edit 14/2/2023
OzArk and client edits	V2.0 OzArk to Acen 14/2/2023 V2.1 OzArk edits 24/02/2023 V2.2 OzArk edits from Acen comments 16/03/2023
Final document	V3.0 OzArk to Acen 18/4/23 Comments from DPE received 9/05/23 V3.1 OzArk amends HMP (Aboriginal heritage) 10/5/23 V3.2 OzArk amends HMP to inc. historic heritage 11/5/23 V3.3 OzArk amends HMP 22/5/23 V3.4 Minor amendments 2/6/23
Prepared for	
ACEN Australia Pty Ltd Michael Yeo Suite 2, Level 2, 15 Castray Esplanade Battery Point, Tas 7004 Email: michael.yeo@acenrenewables.com.au Phone: +61 427 776 873	Dr Jodie Benton and Imogen Crome Director and Archaeologist OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 jodie@ozarkehm.com.au