



PUBLIC DISPLAY

APPENDIX Q TEST EXCAVATION METHODOLOGY



The Plains Wind Farm

Draft Archaeological Research Design
and Test Excavation Methodology

PREPARED FOR
ENGIE Australia and New Zealand

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The Plains Wind Farm

Draft Archaeological Research Design and Test Excavation Methodology

0667692



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ACRONYMS AND ABBREVIATIONS

Acronyms	Description
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
ARD	Archaeological Research Design
CMT	Culturally Modified Tree
Code of Practice	<i>Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010b)</i>
DECCW	Department of Energy, Climate Change and Water (former)
EIS	Environmental Impact Statement
Engie	Engie Australia and New Zealand
ERM	Environmental Resources Management Australia Pty Ltd
GPS	Global Positioning System
ICOMOS	International Council on Monuments and Sites
kV	Kilovolt
LALC	Local Aboriginal Land Council
m	Metres
MW	Megawatt
NSW	New South Wales
O&M	Operations and Maintenance
OEH	Office of Environment and Heritage (former)
OH&S	Occupational Health and Safety
PAD	Potential Archaeological Deposit
RAP	Registered Aboriginal Party
RTS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
SSD	State Significant Development
TEM	Test Excavation Methodology
TU	Test Unit
UFP	Unexpected Finds Procedure

ERM would like to acknowledge the Traditional Owners of the Hay region and pay respects to their Elders past, present, and emerging. We acknowledge and respect their Indigenous knowledge systems and recognise continuing connection to lands, waters, culture, and community.

1. INTRODUCTION

Engie Australia Pty Ltd ('ENGIE' or the 'Applicant') proposes to construct, operate, maintain and decommission The Plains Wind Farm (the 'Project') located south of Hay in the Riverina Murray Region of New South Wales (NSW). The Project will be assessed as a State Significant Development (SSD) application under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979*. In support of the SSD application (SSD-5062970), Environmental Resources Management Australia Pty Ltd (ERM) was engaged by ENGIE to complete an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of the Environmental Impact Statement (EIS) for the Project. The EIS was publicly exhibited between 8 May 2024 and 4 June 2024 by the NSW Department of Planning, Housing and Infrastructure (DPHI).

ERM was engaged by ENGIE to prepare this Test Excavation Methodology (TEM) report for the Project. This TEM has been prepared to respond to the Agency Advice Letter from Heritage NSW (dated 2 May 2024), as part of the response to submissions (RTS).

1.1 PROJECT AREA AND PROPOSED WORKS

The revised ACHAR defined the Project area as the Wind Farm boundary, illustrated in *Figure 1-1*. The Wind Farm development footprint, illustrated in *Figure 1-2*, is defined as the area within the Project area that will have project infrastructure or may be subject to disturbance during construction. The design and layout change provides benefits to the design of the project by improving electrical efficiencies using overhead lines and collector substations as well as maximising location for wind turbines in the prevailing wind direction and reducing the spacings between turbines to reduce the overall track length and associated project footprint.

Apart from a change in the location of the wind farm infrastructure within The Plains Renewable Energy Park boundary, all other aspects of the project description provided within the EIS remain unchanged. Importantly, no additional environmental aspects or additional sensitive receivers have been identified for assessment specific to the new proposed location.

The Project comprises up to 171 wind turbine generators (WTGs) providing a maximum installed capacity of up to approximately 1,230 megawatt (MW) based on a 7.2 MW turbine. The wind turbines will have a maximum hub height of 180 m and tip height of up to 270 m.

Table 1-1 lists the Project infrastructure, associated works and recent amendments, whilst the Project design is shown on *Figure 1-2*:

TABLE 1-1 WIND FARM PROJECT WORKS AND AMENDMENTS

Project Element	Project (EIS)	Project Amendment	Environmental Benefits
Project Area	53,894 ha	46,431 ha	Amendments to the Project elements maximise the use of existing public and internal access tracks and minimise vegetation clearance required where possible. The Project continues to avoid locations of raptor nesting sites, remnant woodland habitat and ephemeral wetlands.
Wind Turbines	188 WTGs 1,350 MW Hub height up to 180 m Tip height up to 270 m Blade length up to 90 m	171 WTGs 1,230 MW Hub height up to 180 m Tip height up to 270 m Blade length up to 90 m	

Project Element	Project (EIS)	Project Amendment	Environmental Benefits
Development Footprint	1,997 ha	1,887 ha	The Project also continues to largely avoid Plains-wanderer habitat. Changes to the Project design including ongoing design optimisation will avoid impacting Aboriginal sites, a buffer of 200 m will also be provided to recorded PADs, and a buffer of 100 m will be provided to recorded hearths.
Substation	At least 1 x 330 kV main substation and 2 x 132 kV collector substations	At least 1 x 330 kV main substation and 2 x 132 kV collector substations	
Site access road	Four (4) access points off Cobb Highway and a portion of West Burrabogie Road	Five access points off Cobb Highway and two off West Burrabogie Road. One dedicated emergency access location.	
Potential Ports	Port of Geelong for larger plant and equipment Port of Adelaide for wind turbine	Port of Geelong for larger plant and equipment Port of Adelaide for wind turbine	

1.2 PROJECT HISTORY

This section provides details on the history of the Project. In July 2022 ERM was engaged by ENGIE to develop an ACHAR for the Plains Wind Farm. The ACHAR was prepared to identify, assess, and develop management recommendations for any Aboriginal cultural heritage within the Project area. The ACHAR provided details of the proposed assessment and survey methodology for the Project. Preparation included Aboriginal community consultation with the Registered Aboriginal Parties (RAPs) who have expressed interest in the overall Project. RAPs were provided with the methodology, and the ACHAR, for review and comment. It was prepared in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (Consultation Requirements);
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010b) (Code of Practice);
- *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) (ACHAR Guide);
- *Leading Practice Principles: First Nations and Renewable Energy Projects* (Clean Energy Council 2024); and
- *The Australia International Council on Monuments and Sites, Charter for Places of Cultural Significance* (also known as the Burra Charter, Australia International Council of Monuments and Sites [ICOMOS] 2013) and relevant Practice Notes.

The following is a summary of the findings of the ACHAR:

- 49 previously registered Aboriginal Heritage Information Management System (AHIMS) sites are located within the Project area;
- A total of 130 new sites were discovered during the field surveys for the development of this ACHAR (comprising Artefacts, Hearths, Potential Archaeological Deposits [PADs], Culturally Modified Trees [CMTs], Burial and Earth Mounds). Several survey programs in 2023 recorded 93 new sites, and an additional 37 sites were identified in the 2024 survey programs;
- No mitigation measures are recommended for 85 recorded artefact sites within the Project area as they have low potential to be impacted by the current disturbance footprint.
- There are no PADs, burials or earth mounds whose recorded extents are within the current proposed disturbance footprint.
- Based on the current disturbance footprint, potential harm to 19 sites (both site extents and their buffer, if applied) has been identified. Detailed Figures of these sites are provided in Appendix P.
- Seven of these 19 sites will be directly impacted (High impact) by the disturbance footprint:
 - PREP SU2 01 – Artefact;
 - PREP SU6 04 – Artefact;
 - PREP SU7 05 – Artefact;
 - PREP SU5 03 – Artefact;
 - PREP SU5 04 – Artefact;
 - PREP SUG 03 – Artefact; and
 - PREP SUF 10 – Artefact.
- 12 of the 19 sites will be indirectly impacted (Moderate impact to buffer zone surrounding site extent) by the disturbance footprint. Nine of these sites are PADs which have unknown heritage significance, therefore, test excavation to the buffer zone is recommended to assess if the potential deposit extends into the buffer zone:
 - Buffer of PREP SU2 05 - PAD; Artefact; Hearth;
 - Buffer of PREP SU C 12 – Artefact, PAD;
 - Buffer of PREP SU C 13 – Artefact, Hearth, PAD;
 - Buffer of PREP SU D 08 – Artefact, PAD;
 - Buffer of PREP SU E 06 – Artefact, PAD;
 - Buffer of PREP SU E 11 – Artefact, PAD;
 - Buffer of PREP SU F 11 – Artefact, PAD;
 - Buffer of PREP SU D 04 – Artefact, Hearth, PAD; and
 - Buffer of PREP SU F 08 – Artefact, PAD.

Proposed key measures to manage and mitigate impacts by the Project to identified heritage sites will be prepared in accordance with any relevant condition of development consent including at least:

Project Redesign and Micro-siting:

The mitigation hierarchy is a widely used best practice framework that is used to limit the degree of impact that will result from an action or development. The following three steps should be followed in order and to the greatest extent possible before progressing to the next step:

1. Avoid;
2. Minimise; and
3. Mitigate.

It is recommended that avoidance is prioritised for highly significant archaeological sites and material, including the 19 Aboriginal heritage sites that are proposed to be impacted by the current development footprint. Once impacts have been avoided or minimised as much as possible through project redesign, remaining unavoidable impacts to sites should be assessed through test excavation. The final project design should be informed by the results of the test excavation. The mitigation hierarchy should be used to guide the final design of the project, informed by the potential results of the test excavation. Salvage would be implemented to mitigate harm to sites prior to unavoidable construction impacts.

- Preservation and management of Aboriginal sites and heritage values will form a key objective of development controls for the Project. It should be noted that substantial amendments to the project disturbance footprint in July and November 2024, as described above in *Section 1.1*, have reduced direct impact to 19 sites; eight sites from high to low impact and one site from moderate to low impact;
- Micro-siting of project elements should be used as a mitigation measure to avoid disturbing Aboriginal cultural heritage sites wherever possible. ERM recommends further changes to the Project design to avoid impacting the 19 Aboriginal sites identified above, in particular PAD, Hearth, and CMT sites. Micro-siting should occur within the boundary of the area previously surveyed; this area is referred to as the 'survey area' throughout the report. If micro-siting was to occur within any areas that have not been previously surveyed, additional survey will need to be undertaken.

Site Buffers:

- As per discussions and a request from Hay Local Aboriginal Land Council (LALC), a buffer of 200 m has been provided to recorded PADs and Earth Mounds, a buffer of 100 m has been provided to recorded hearths, and a buffer of 20 m has been provided to CMTs.

Further Assessment Works:

Test Excavation:

- Hay LALC, during the consultation process, requested that if sites cannot be avoided completely through redesign / micro-siting, test and/or salvage excavation should be completed under the authorisation of the Minister's Conditions of Approval, to avoid unnecessary impact to sites. This request was supported by ERM, in accordance with *Leading Practice Principles: First Nations and Renewable Energy Projects*, namely Principles 1 and 3, which focus on respectful engagement and the preservation and protection of cultural heritage. Should test excavation determine that sites are particularly significant, micro-siting of project elements should be the preferred management measure to avoid further impact to these sites;

- Nine recorded PADs are within the current proposed disturbance footprint and will be subject to moderate impact, meaning that infrastructure is present within the buffer of the site. These sites are already considered to have significance, as visible archaeological material associated with the site was identified on the ground surface. Test excavation to determine the presence and extent of subsurface material is recommended for these sites (*Appendix C*):
 - PREP SU C 12 – Artefact, PAD;
 - PREP SU C 13 - Artefact, Hearth, PAD;
 - PREP SU D 04 – Artefact, Hearth, PAD;
 - PREP SU D 08 - Artefact, PAD;
 - PREP SU E 06 - Artefact, PAD;
 - PREP SU E 11 - Artefact, PAD;
 - PREP SU F 08 - Artefact, PAD.
 - PREP SU F 11 - Artefact, PAD; and
 - PREP SU2 05 – Artefact, Hearth, PAD.
- Any artefacts uncovered during test excavation should be collected and stored by ERM or at Hay LALC’s office if requested (412 Belmore St, Hay NSW 2711) until the development of the Aboriginal Cultural Heritage Management Plan (ACHMP);
- Should test excavation uncover Aboriginal objects or other archaeological resources, a salvage excavation methodology will be applied to investigate and recover those resources in line with the Code of Practice. A detailed salvage excavation methodology would be included within the ACHMP and developed in consultation with the RAPs and Heritage NSW;
- Should excavation of the sites with known significance reveal no subsurface cultural material, the AHIMS site cards will be updated to remove the PAD.

Aboriginal Cultural Heritage Management Plan:

- An ACHMP should be developed to record and describe the processes and procedures required to be implemented regarding Aboriginal cultural heritage prior and during the construction and operational phases of the Project. It should include impacts and mitigation from the Transport Route ACHAR (ERM, 2024). This should be developed in partnership with the Traditional Owners and should at a minimum include:
 - Procedures for making changes to the location of infrastructure within the development footprint;
 - Where harm to sites is unavoidable through micro-siting of turbines and other infrastructure, archaeological test excavation and/or salvage excavation should be undertaken of site extents or buffers for PADs or earth mounds which may be subject to harm as part of clearing of the disturbance footprint. A detailed test and salvage excavation methodology would be included within the ACHMP;
 - Measures to manage archaeological material that needs to be relocated away from development activities;
 - Temporary and permanent protection measures such as fencing, or signage be installed during and possibly post the construction phase to protect and conserve archaeological material that will not be impacted by development activities;
 - The requirements regarding heritage training and inductions for employees and contractors;

- Any requirements regarding monitoring of ground disturbance activities by Traditional Owners;
- The development and provision of cultural awareness training by Traditional Owners; and
- An Unexpected Finds Procedure that includes mechanisms for managing the expected finds of additional Aboriginal cultural material being found during construction activities.
- ENGIE should liaise between the landholders and the Traditional Owners to develop appropriate stock management strategies to limit the further disturbance and damage to Aboriginal heritage sites; and
- ENGIE should consider the appointment and training of a Traditional Owner liaison/s to coordinate appropriately informed access for staff and contractors to culturally sensitive areas and provide cultural awareness training.

1.2.1 AGENCY ADVICE REQUIREMENTS

The SSD process follows a structured timeline, which includes several key stages from the Environmental Impact Statement (EIS) submission, a 28-day public exhibition period, and response to submissions. During public exhibition, relevant government agencies review the EIS and provide formal responses (agency letters) to the NSW Department of Planning, Housing and Infrastructure outlining their advice, concerns, and any recommended conditions or modifications. The Agency Advice Letter from Heritage NSW was received on 2 May 2024, and outlined seven requests for additional information (refer to *Table 1.2* for the request relevant to this report).

TABLE 1.2 AGENCY ADVICE REQUIREMENTS AND WHERE ADDRESSED IN THE CURRENT REPORT

Agency Advice (Heritage NSW)	Section addressed in this report
<p>3. Heritage NSW generally recommends that all assessment should be undertaken prior to the approval of impacts to Aboriginal cultural heritage. Without adequate and complete assessment, in this instance subsurface testing, to establish the cultural significance it cannot be demonstrated that more places of significance or places which may further enhance the significance of the known Aboriginal cultural heritage in the area will not be found. The RAPs could also not have provided informed comments on the project. However, in this instance Heritage NSW understands test excavations have not been undertaken prior to project approval at the request of RAPs.</p> <ul style="list-style-type: none"> a. Please provide detail of the features, location and extent of all PADs (including mapping of the extent and location of any features identified within them) that will be subject to test excavation post approval in the event they are proposed for impact. b. provide a methodology for the test excavation proposed post approval and the process that will be undertaken to assess the results of the test excavation developed in consultation with the RAPs. It should include: <ul style="list-style-type: none"> i. Detail of excavation procedure proposed. ii. Criteria/triggers for the significance assessment of sites considering the results of test excavation and determination of appropriate management and mitigation measures. 	<p>Whole report.</p>

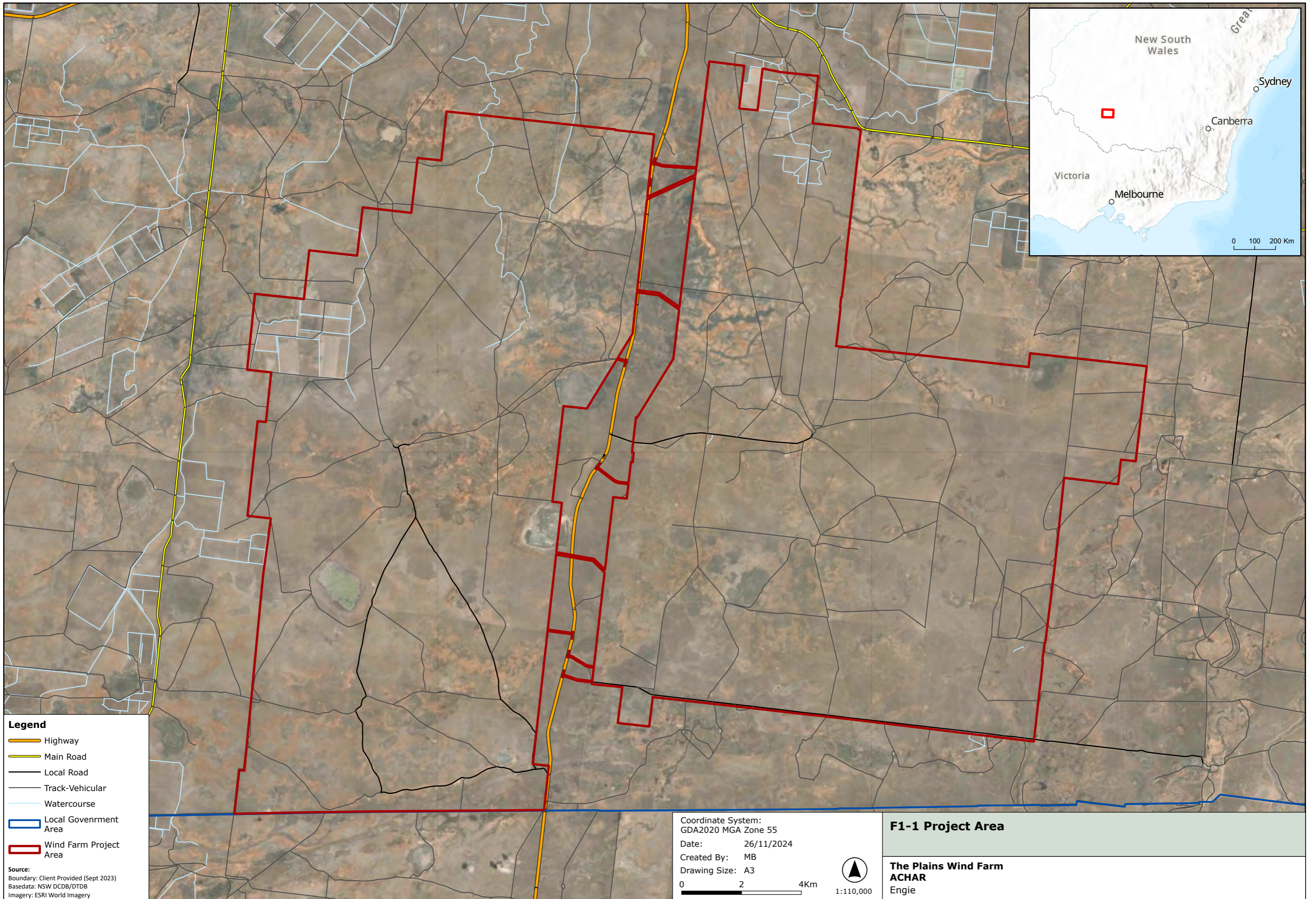
Agency Advice (Heritage NSW)	Section addressed in this report
iii. It must include provisions for the conservation and avoidance of highly significant Aboriginal Cultural heritage that may be identified during the test excavations. iv. It must include consideration and provisions for the presence of burials in subsurface contexts which were identified as a potential site type on the Hay Plain within the predictive model.	

1.3 AUTHORSHIP

A summary of the ERM staff involved in the preparation of this report and their relevant qualifications is provided in *Table 1.3* below.

TABLE 1.3 SUMMARY OF AUTHORS AND REVIEWER'S QUALIFICATIONS

Name	Title	Role	Relevant Qualifications and years of experience in cultural heritage management
Lorien Perchard	Managing Consultant - Heritage	Heritage Lead; Author	<ul style="list-style-type: none"> • Bachelor of Arts (Archaeology; Ancient History), University of Queensland, 2010 • Bachelor of Archaeology Honours, University of Queensland • Thirteen years' professional experience
Victoria Gleeson	Managing Consultant - Heritage	Author	<ul style="list-style-type: none"> • Bachelor of Archaeology (Anthropology), Macquarie University, 2017 • Six years' professional experience
Elspeth Mackenzie	Principal Technical Consultant - Heritage	Technical Review	<ul style="list-style-type: none"> • Bachelor of Arts (Hons) Anthropology & Archaeology, University of Queensland, 2002 • Post Graduate Diploma of Museum Studies, Deakin University, 2003 • Master of Cultural Heritage, Deakin University, 2005 • 20 years' professional experience
Mark Davey	Partner	Quality Assurance Review	<ul style="list-style-type: none"> • Bachelor of Applied Science (Biology), Central Queensland University, Australia, 1998 • Graduate Certificate (Marine Science), University of Queensland, Australia, 2001 • Doctor of Philosophy (Marine Ecology), University of Queensland, Australia, 2006 • 30 years of professional experience



- Legend**
- Highway
 - Main Road
 - Local Road
 - Track-Vehicular
 - Watercourse
 - Local Government Area
 - Wind Farm Project Area

Source:
 Boundary: Client Provided (Sept 2023)
 Basedata: NSW DCDB/DTDB
 Imagery: ESRI World Imagery

Coordinate System:
 GDA2020 MGA Zone 55
 Date: 26/11/2024
 Created By: MB
 Drawing Size: A3

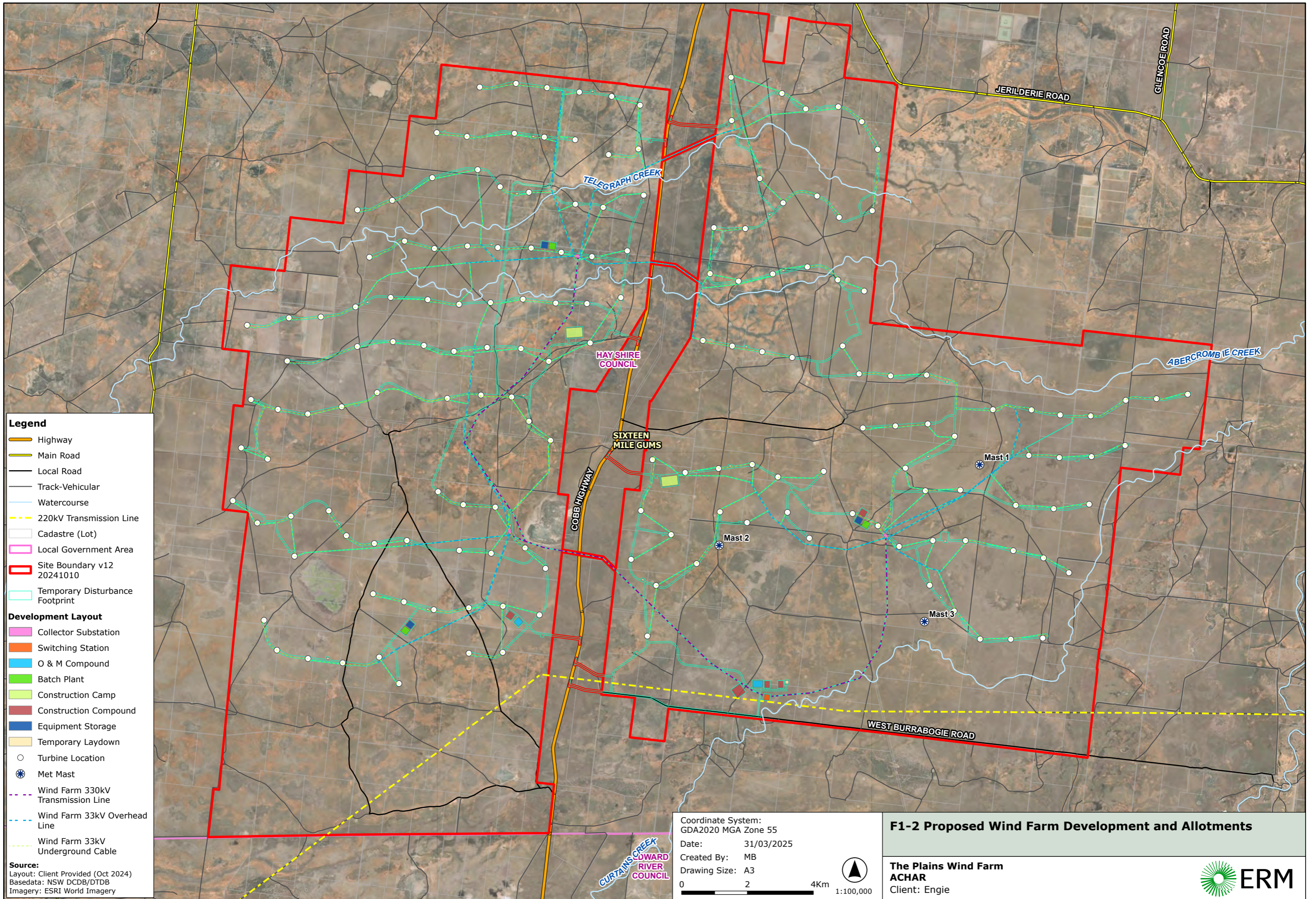
0 2 4Km



1:110,000

F1-1 Project Area

**The Plains Wind Farm
 ACHAR
 Engie**



Legend

- Highway
- Main Road
- Local Road
- Track-Vehicular
- Watercourse
- 220kV Transmission Line
- Cadastre (Lot)
- Local Government Area
- Site Boundary v12 20241010
- Temporary Disturbance Footprint

Development Layout

- Collector Substation
- Switching Station
- O & M Compound
- Batch Plant
- Construction Camp
- Construction Compound
- Equipment Storage
- Temporary Laydown
- Turbine Location
- ⊛ Met Mast
- Wind Farm 330kV Transmission Line
- Wind Farm 33kV Overhead Line
- Wind Farm 33kV Underground Cable

Source:
 Layout: Client Provided (Oct 2024)
 Basedata: NSW DCDB/DTDB
 Imagery: ESRI World Imagery

Coordinate System:
 GDA2020 MGA Zone 55

Date: 31/03/2025

Created By: MB

Drawing Size: A3

0 2 4Km

1:100,000

F1-2 Proposed Wind Farm Development and Allotments

The Plains Wind Farm
ACHAR
 Client: Engie



2. CONSULTATION

The consultation with RAPs has been carried out in accordance with the requirements of the Secretary's Environmental Assessment Requirements (SEARs) and the Consultation Guidelines and is recorded in the Appendices of the associated ACHAR (ERM 2024).

2.1 ACHAR CONSULTATION

Consultation with RAPs has been ongoing since January 2023 with the Wind Farm ACHAR finalised in December 2024. As per the guidelines during Stage 1 of the consultation process RAPs were identified, notified, and registered interest in the Project. A full list of the RAPs can be found in *Table 2.1*, and copies of relevant registrations can be found at *Appendix G* of the ACHAR (ERM 2024).

TABLE 2.1 REGISTERED ABORIGINAL PARTIES

Organisation/Individual
John Jackson
Wakool Indigenous Corporation
Pappin Family Aboriginal Corporation
Hay LALC
Deniliquin LALC
Neville Whyman
Patricia Winch
Bangerang Aboriginal Corporation
Yarkuwa Indigenous Knowledge Centre

During Stage 2 of the consultation process RAPs were provided with information about the scope of the Project and the proposed cultural heritage assessment process. The proposed survey and assessment methodology was sent to each of the RAPs on 6 March 2023 providing 28 days in which to respond, which can be found at *Appendix H* of the ACHAR (ERM 2024). No comments on the methodology or cultural values were received during the review period of the methodology.

Stage 3 of the consultation process involved discussion on cultural values and intangible elements of significance. Feedback on the cultural heritage significance of the Project area was requested as part of the survey and assessment methodology. A cultural heritage and LALC training workshop occurred in Hay on the 20 March 2023. This workshop was facilitated by IPS Management Consultants, and attended by representatives from Hay LALC, ENGIE, and ERM. The workshop involved two sessions in the first half of the day that were centred on meaningful engagement and benefit sharing; they allowed Hay LALC to present their expectations for the project as well as heritage values and knowledge prior to the heritage survey and reporting. A walk on Country led by Hay LALC was undertaken in the second half of the day and involved the sharing of cultural information around the types of sites that may be encountered during the heritage survey of the Project area. As part of the consultation process, discussions were had with Hay LALC during the 2023 survey, where they requested a buffer of 200 m should be provided to recorded PADs, a buffer of 100 m should be provided to recorded hearths, and a buffer of 20 m provided to CMTs. Hay LALC requested this to protect all sites, in particular PADs, as the full extents of these sites are unknown.

It is also noted that Hay LALC, Nari Nari Tribal Council, and Deniliquin LALC requested that no test excavations should occur prior to the authorisation of the Minister's Conditions of Approval of the Project, to avoid unnecessary damage to sites. This request was supported by ERM and the Applicant, in accordance with *Leading Practice Principles: First Nations and Renewable Energy Projects* (Clean Energy Council 2024), namely Principles 1 and 3 which focus on respectful engagement and the preservation and protection of cultural heritage.

As part of Stage 4 the draft ACHAR was provided to RAPs on 19 October 2023, via email, with the updated revised ACHAR provided to RAPs on 19 December 2024. Each of the RAPs was provided 28 days to provide comments on the report and any recommended management and mitigation measures, prior to finalisation. Two emails were received from RAPs during the review period. One email notified ERM of the new contact for Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation, and the second email received was from Yarkuwa Indigenous Knowledge Centre Aboriginal Corporation agreeing with all draft documents.

2.2 TEM CONSULTATION

The draft TEM was sent to the registered RAPs and Heritage NSW for comments on 18 December 2024 for a 28-day review period. All correspondence for the Plains Wind Farm and this TEM is recorded in the Aboriginal Heritage Consultation Log, included as *Appendix A*.

Following the finalisation of the TEM, correspondence with the RAPs should be ongoing for the duration of the Project to ensure the opportunity for continued community input. RAPs will be invited to participate in the development of the ACHMP, archaeological excavation program, and notification will be provided if any Aboriginal objects are identified during the construction activities in accordance with the ACHMP and Unexpected Heritage Finds Procedure.

3. STAGED APPROACH TO TEST EXCAVATION AND SALVAGE WORKS

3.1 RATIONALE

The rationale for the delay in archaeological excavation recommended in the ACHAR is based on Hay LALC, and Nari Nari Tribal Council's request that all archaeological excavation should be completed under the authorisation of the Minister's Conditions of Approval, to avoid unnecessary impact to sites. As such a staged test and salvage works (including excavation) is proposed, if required.

3.2 MITIGATION HIERARCHY – GUIDING PRINCIPLES

The mitigation hierarchy is a widely used best practice framework that is used to limit the degree of impact that will result from an action or development. The following three steps should be followed in order and to the greatest extent possible before progressing to the next:

1. Avoid;
2. Minimise; and
3. Mitigate.

It is recommended that avoidance is prioritised for highly significant archaeological sites and material, especially the nine Aboriginal archaeological sites that are proposed to be directly impacted by the current development footprint (identified as high impact). Once impacts have been avoided or minimised as much as possible through project redesign, remaining unavoidable impacts to sites should be assessed through test excavation.

The final project design should be informed by the results of the test excavation. The below *Table 3.1* identifies a mitigation hierarchy that should be used to guide the final design of the project, informed by the potential results of the test excavation. Salvage would be implemented to mitigate harm to sites prior to unavoidable construction impacts.

TABLE 3.1 MITIGATION HIERARCHY TO BE APPLIED TO FINAL PROJECT DESIGN

Assessed Significance of Sites	Example/Recorded Site Types	Project Risk if Impacted	Mitigation
High	<ul style="list-style-type: none"> • Aboriginal Ancestral Remains • Subsurface deposits (PADs) containing significant cultural objects/features (high research value) 	High	Avoidance is recommended. <ul style="list-style-type: none"> • Consideration should be made for project redesign
Moderate	<ul style="list-style-type: none"> • Subsurface deposits (PADs) with moderate research value • Medium to high density artefact scatters 	Moderate	Impacts should be minimised where possible. If impacts cannot be avoided, they should be mitigated through salvage including: <ul style="list-style-type: none"> • Salvage excavation of subsurface deposits • Collection of clay heat retainers • Surface collection of artefacts

Assessed Significance of Sites	Example/Recorded Site Types	Project Risk if Impacted	Mitigation
Low	<ul style="list-style-type: none"> Isolated artefacts Low density artefact scatters CMTs Hearths 	Low	Impacts should be minimised where possible. If impacts cannot be avoided, they should be mitigated through salvage including: <ul style="list-style-type: none"> Surface collection of artefacts

3.3 TEST EXCAVATION

The purpose of test excavation is to assess the nature, extent and archaeological significance of areas of PAD.

Table 3.2 provides a summary of the assessment of potential impact for the nine Aboriginal archaeological sites that will require test excavation based on the current development footprint (from Section 11.2 of the ACHAR). These sites are subject to moderate impact, meaning the buffer of site extent is within the disturbance footprint. Test excavation of these sites is required to determine the presence and extent of subsurface material.

Detailed mapping of the nine sites is presented in Appendix C.

TABLE 3.2 SUMMARY OF POTENTIAL IMPACTS TO ABORIGINAL CULTURAL HERITAGE SITES WITH POTENTIAL ARCHAEOLOGICAL DEPOSITS

Aboriginal heritage site	Site Type	Significance	Potential for impact based on disturbance footprint
PREP SU C 12	Artefact, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU C 13	Artefact, Hearth, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU D 04	Artefact, Hearth, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU D 08	Artefact, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU E 06	Artefact, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU E 11	Artefact, PAD	Low	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU F 08	Artefact, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)

Aboriginal heritage site	Site Type	Significance	Potential for impact based on disturbance footprint
PREP SU F 11	Artefact, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)
PREP SU2 05	Artefact, Hearth, PAD	Moderate	Moderate (Buffer of site extent is within disturbance footprint)

3.3.1 TEST EXCAVATION RESULTS AND MITIGATION MEASURES TO BE APPLIED TO FINAL PROJECT DESIGN

Following test excavation, significance assessments will be updated for each site. Further detail on the criteria for assessing significance is provided in *Section 4.4*.

The final design for the project should be informed by the results of test excavation. Should the test excavation reveal highly significant archaeological and cultural objects/remains, micro-siting of project elements should be used as a mitigation measure to avoid further impact to these Aboriginal cultural heritage sites.

3.4 SALVAGE

Salvage will be implemented to mitigate harm to impacted sites prior to proposed construction. Salvage will encompass:

- Surface collection of artefacts;
- Collection of clay heat retainers (associated with hearths);
- Detailed artefact analysis of Aboriginal objects;
- Archaeological salvage excavations; and
- When appropriate the reburial of Aboriginal objects at a location determined with the LALC.

The detailed methodology for salvage works, including salvage excavation and the management measures to be applied will be determined as part of the development of an ACHMP in consultation with the RAPs and Heritage NSW.

3.5 ARCHAEOLOGICAL RESEARCH DESIGN

3.5.1 INTRODUCTION

The purpose of an Archaeological Research Design (ARD) is to provide and direct a reasonable foundation for management decisions of an archaeological or cultural heritage site or place as well as satisfying regulatory requirements through a standardised process. All related future archaeological studies and analyses stand to benefit if guided by clear linkage of study goals, relevant theory, data and methods. Application of a research design is international best practice and plays a vital role in the planning process.

As explained above in *Section 3.2*, avoidance of highly significant cultural heritage sites should be prioritised during detailed project design. This ARD should be applied to both test and salvage excavation programs where relevant to each, should project impacts be unavoidable.

This ARD has been developed based on the following:

- The landscape of the Project area, which contains landforms including the Murrumbidgee River Floodplain, Palaeochannels, Alluvial Plains and Lakes, and the presence of a range of soil types, including scalded red earths, red brown earth, and siliceous sand associated with the bordering dunes and lunettes of palaeochannels; and
- The conclusions and recommendations of the ACHAR for the subject area (ERM 2024), provided above in *Section 1.2*.

3.5.2 OBJECTIVES

The objectives of the ARD are to:

1. Following detailed project design, investigate the nature, spatial and stratigraphical extent, condition and integrity of nine previously identified Aboriginal archaeological sites within the Project area comprising potential archaeological deposits. These sites are proposed to be subject to moderate impact (further detailed in *Section 3.3*); and
2. If Aboriginal archaeological deposits are identified during test excavation, apply relevant research questions to interpret the finds and results in the context of local and regional archaeological modelling.

3.5.3 RESEARCH QUESTIONS

The following research questions have been formulated as part of the ARD:

1. What is the spatial and vertical extent of the archaeological deposit?
2. What is the integrity and condition of the archaeological deposit? How has the deposit been impacted by historical land use?
3. What are the physical attributes and compositions of the archaeological deposit (e.g. stone artefacts, features, remains of the original environment)?
4. What are the characteristics of the stone artefact assemblage? What types of artefacts are present and what specialization, if any, can be detected in the assemblage?
5. Does the archaeological deposit have evidence of intra-site patterning or various occupational periods?
6. Should faunal and/or shell material be located, which species present were used by Aboriginal people? –
 - Is there evidence of any change over time in these preferences or species used?
 - Is there evidence for the transport of resources within the environment?
 - Can the presence of extinct watercourses in the area be inferred from shell material?
7. How does the deposit relate to our understanding of the environment at the time and/or is it consistent with predictive models for the area?
8. Can the archaeological deposit be interpreted in a local context? – Are there similarities or differences with nearby archaeological sites?
 - Is there evidence of a connection to nearby sites in terms of materials, composition and/or nature of the assemblage? – Where did the raw materials originate from?
 - Is there any indication of trade in connection with raw material procurement?
 - How does the assemblage compare to other archaeological sites within the region?
9. Can the archaeological deposit be interpreted in the regional context?

10. Do the results of the archaeological excavation change the scientific and cultural significance of the site?
11. What is the scientific and cultural value of the assemblage?
12. How do the Aboriginal stakeholders view the cultural value of the deposit and assemblage?
13. Is there any evidence of contact between Aboriginal people and the early European settlers of the Murrumbidgee region? If yes, what is the archaeological signature of this occupation? Are there any Aboriginal objects made from imported material such as glass, porcelain, or flint? If yes, are they in-situ or in a secondary or more disturbed context?

4. TEST EXCAVATION METHODOLOGY

4.1 OBJECTIVES

The objectives of the test excavation program are as follows:

1. Investigate the presence or absence of Aboriginal archaeological resources within the impact footprint of the proposed development;
2. If present, investigate the nature, spatial and stratigraphical extent, and integrity of the Aboriginal archaeological resources;
3. Answer the research questions outlined in *Section 3.5.3*;
4. Provide information on any archaeological resources identified by the excavation to the RAPs;
5. Provide opportunity for the RAPs to participate in the excavation works, including the provision of feedback and cultural heritage information throughout the process; and
6. Ensure that the development can proceed with minimised risk of harming Aboriginal objects, ensure that the Unexpected Finds Procedure will be informed and allow construction works to proceed.

4.2 CONTEXT

This TEM was informed by the *Code of Practice*. The TEM was developed with consideration of the specific environmental conditions of the Project area, including:

- Setting within the Riverina and Hay Plains, with landforms including floodplains, palaeochannels, alluvial plains and lakes;
- A predominantly flat landscape with small rises, generally adjacent to palaeochannels, identified as suitable for Aboriginal occupation and for the retention of a wide range of archaeological deposits; and
- The presence of a range of soil types, including scalded red earths, red brown earth and siliceous sand associated with the bordering dunes and lunettes of palaeochannels (prior streams), that are conducive to archaeological site development.

In the event that the TEM needs to be amended due to unforeseen circumstances, all necessary amendments will be discussed with the registered RAPs and the Applicant.

4.3 EXCAVATION TEAM

The Aboriginal archaeological excavation will be undertaken under the supervision of a suitably qualified archaeologist with support from additional archaeologists, along with registered RAPs.

4.4 TEST EXCAVATION METHODOLOGY

An initial inspection of the ground surface will be conducted for Aboriginal objects and other archaeological features. Should such Aboriginal archaeological resources be observed, they will be recorded using standard archaeological recording methods outlined below in *Section 4.7*. TUs (Test Units) will be excavated on a grid system across the subject area (part of the site or buffer that is within the development footprint), with additional TUs situated at the location of surface archaeological resources, should they be observed.

Indicative locations of initial TUs will be spaced at approximately 20 m intervals depending on the size of the site. The exact location of TUs will require an assessment of ground conditions and should it be considered necessary, further TUs will be excavated at approximately 10 m intervals, investigating the nature and extent of the archaeological deposit. TU locations will be further refined by the results of previous TUs as required to adequately assess the archaeological deposit.

Hand excavation will be undertaken within the initial 1 m x 1 m TUs in 100 mm spits unless a shallower depth is defined by natural soil profiles, or other stratigraphy/features identified. TUs must be excavated by hand (inclusive of trowels, spades, and other hand tools). Should a concentration of greater than 10 Aboriginal objects be recovered the 1 m x 1 m excavation pits will be further divided into quadrants of 50 cm x 50 cm for greater spatial resolution.

If any of the following are identified in a single TU, the excavation must be expanded via manual salvage of adjoining 1 m x 1 m TU:

- A significant number of artefacts per TU;
- Instances of formal tools (i.e. backed artefacts, retouched artefacts, scrapers, axes) within a single TU;
- An intact knapping floor or cultural layers, including charcoal, a heat treatment pit, hearths, or culturally deposited shells;
- Other features agreed by the lead archaeologist and RAPs present onsite as being rare in a local and/or regional context and warranting further investigation and salvage; and
- In accordance with Requirement 17 of the Code of Practice, the expansion of the TU should continue until enough information has been recovered to adequately characterise the objects present with regard to their nature and significance.

Hand test excavation of hearths within each of the nine sites will also be undertaken if they are located within the development footprint. The hearth will be sectioned and excavated in 100 mm or in a stratigraphic sequence as appropriate. Samples of charcoal in stratified deposits will be retained for dating purposes.

General excavation requirements are listed below in *Section 4.5* below. Excavation will continue to culturally sterile depths, or the excavation of two culturally sterile spits of natural soils, or the encountering of the water table. Cessation of TUs will be confirmed with RAPs on site.

As stated in *Section 3.3.1*, following test excavation, significance assessments will be undertaken for each site. The criteria for assessing significance will include an analysis of artefact finds (i.e., the number, type and significance of stone tools) and the presence of cultural features, such as charcoal layers, heat treatment pits, hearths, culturally deposited shells and burials. The significance assessments will follow the Aboriginal Cultural Heritage Significance Assessment Framework and Project area specific criteria for assessing cultural heritage sites outlined in the ACHAR (ERM 2024).

The predictive model developed in the ACHAR associated with the Project identified burials as potential site types on the Hay Plain. Burial sites are items of highly significant Aboriginal cultural heritage and require mechanisms for conservation and avoidance when identified during testing. If burials are discovered in subsurface contexts during excavation, all activities within the immediate vicinity must stop, and the Ancestral Human Remains Procedure outlined in the Unexpected Finds Procedure provided as *Appendix B* must be followed.

Should test excavation uncover Aboriginal objects or other archaeological resources, a salvage excavation methodology will be applied to investigate and recover those resources in line with the Code of Practice. A detailed salvage excavation methodology would be included within the ACHMP and developed in consultation with the RAPs and Heritage NSW.

4.5 GENERAL EXCAVATION REQUIREMENTS

The following general methodology will apply to works across the site:

- Excavation is to be undertaken by qualified archaeologists and the registered RAPs;
- Excavation will be conducted using only hand tools;
- Each unit will be kept in colour-coded buckets or with labeled buckets to avoid cross-contamination between excavation units;
- All excavated soils will be dry sieved through 3 mm or 5 mm sieved on site, as detailed in *Section 4.6* below;
- For each pit that is excavated, the following information will be recorded:
 - Unique unit identification number;
 - Global Positioning System (GPS) co-ordinate of each unit;
 - Munsell soil colour, texture and pH;
 - Amount and location of cultural material within the deposit;
 - Nature of disturbance, where present;
 - Stratigraphy – section drawings;
 - Archaeological features, if present;
 - Photographic records; and
 - Context records.
- Any archaeological material (including stone artefacts, animal bone, shell, charcoal, or other foreign material) found during the excavation or sieving will be bagged and labelled with a unique number based on the relevant square and stratigraphic layer or unit;
- Photogrammetry recording or other terrain survey should be considered for those units or open areas where significant features are uncovered, to assist in interpreting the site geomorphology if it would add value to the significance assessment;
- Where possible and appropriate, suitable samples for radiometric dating should be collected and submitted to an appropriate facility for dating;
- Excavation will proceed to the base of the artefact bearing soil profile, and slightly further as necessary to confirm culturally sterile soils below;
- Management of run-off water and sediment control will be discussed with the proponent according to site conditions if wet sieving is required;

- Archaeological excavations must cease immediately if suspected human remains are encountered at any point during the excavations. The area of these suspected remains should be immediately secured, and the Ancestral Human Remains Procedure outlined in the Unexpected Finds Procedure provided as *Appendix B* must be followed;
- Upon completion of the archaeological excavations, a Post-Excavation Report is to be prepared as an Addendum to the ACHAR. A copy of this post-excavation report must be provided to all registered RAPs;
- This post-excavation report is to explicitly detail the temporary storage policy for any recovered Aboriginal objects; and
- It is not anticipated that excavation would be required to extend to depths beyond 1.5 m (as determined from other excavations from other projects in the region) wherein shoring would be required. However, should excavation in a TU beyond a depth of 1.5 m be required, shoring and/or benching of the pits may present safety issues. Therefore, a site-specific review of the depth requirements would be undertaken on a case-by-case basis based on initial findings, aiming to limit deep excavation to areas with high potential for significant cultural material. To ensure the safety of excavators, the shoring and/or benching of the TUs would be undertaken in accordance with the methodology to be developed within the Health & Safety Plan.

4.6 SIEVING

The archaeological sieving of excavated soil will be done on predominantly 5 mm mesh sieves utilising dry sieving techniques. 3 mm mesh will be applied should substantial archaeological deposits be uncovered, or the size of artefacts found in the initial excavation trigger the use of finer mesh.

Wet sieving is preferred, as it makes the sieving process faster and allows for easier identification of artefacts and archaeological material. Wet sieving should be considered if practical, and if site conditions permit. However, wet sieving would require the management of run-off water and sediment control. Options would include the channeling of water into the stormwater system following appropriate sediment control or using skip bins that can be taken off-site to dispose water and sediment accumulated from the sieving. Options for the management of run-off water and sediment control will be discussed with the proponent according to site conditions if wet sieving is required.

4.7 ARCHAEOLOGICAL RECORDING

The archaeological excavations will be recorded using standard archaeological methods, including:

- Description of all excavation pits, archaeological features, contexts, and soil profiles on pro-forma archaeological recording sheets;
- Real-time Kinematic, GPS or manual plotting of all excavation plots, in situ artefacts and cultural layers;
- Photographic recording of all units, archaeological features and artefacts found in-situ, with accompanying scale and descriptive signage;
- Photogrammetry recording or other terrain survey should be considered for those units or open areas where significant features are uncovered, to assist in interpreting the site geomorphology if it would add value to the significance assessment;

- Section and plan drawings of selected excavation pits that show contextual change across the site and any encountered archaeological features; and
- Aboriginal objects found will be bagged and tagged with a unique identification number corresponding to the excavation unit, depth/position found and additional details of the find circumstances should they be critical.

4.8 ARTEFACT MANAGEMENT

4.8.1 ARTFEACT RECORDING

Aboriginal objects that are recovered during the excavations may be analysed on-site and/or may be taken off-site for further analysis.

Artefacts will be cleaned, measured and attributes recorded according to the relevant standards in line with the Code of Practice and guided by *A Record in Stone: The Study of Australia's Flaked Stone Artefacts* prepared by Holdaway and Stern (2004). All artefacts will then be individually bagged, labelled and packaged according to the Australian Museum Artefact cataloguing standards. Results of the artefact analysis will be provided in the Excavation Report.

4.8.2 TEMPORARY STORAGE

All recovered archaeological material including stone artefacts, animal bone, shell, charcoal, or other foreign material will be bagged either individually or according to the excavation unit, labelled according to the unit and spit/context number.

The artefacts will then be temporarily retained by ERM or by Hay LALC, if requested (at their office at 412 Belmore St, Hay NSW 2711), until long term storage arrangements are determined during the development of the ACHMP. Artefacts will be made available to ensure that RAPs have the opportunity to inspect and share information in relation to the artefacts.

At the end of the archaeological excavation, artefacts will be temporarily retained by ERM and placed into a lockable, secure place in ERM's Sydney offices at Level 14 207 Kent Street, Sydney, NSW 2000, subject to refinement via consultation with registered RAPs.

Consultation with the registered RAPs will be carried out in relation to the care and control of the recovered artefacts including the opportunity to carry out the cleaning and analysis of artefacts as detailed in *Section 4.8.3* below.

4.8.3 LONG TERM MANAGEMENT OF ABORIGINAL OBJECTS

Further consultation with the registered RAPs is required to determine the long-term care and control of all Aboriginal objects excavated, in accordance with Requirements 16b and 26 of the Code of Practice. Long term deposition of artefacts will be negotiated with the RAPs as part of the development of the ACHMP and a Care and Control Agreement will be drafted.

4.9 UNEXPECTED FINDS PROCEDURE

An Unexpected Finds Procedure (UFP) has been developed for the Plains Wind Farm and is provided as *Appendix B*.

4.10 ANCESTRAL HUMAN REMAINS PROCEDURE

A high-level Human Remains Procedure is included in the UFP developed for the Plains Wind Farm (*Appendix B*); however, it is summarised below for ease of reference.

In the event that human remains are uncovered during any site works, the following must be undertaken:

1. All works within the vicinity of the find immediately stop. The find must be fenced-off and signage installed to avoid accidental impact;
2. Any sand/soils removed must be identified and set aside for assessment by the investigating authorities;
3. An archaeologist should assess the bones, their ancestry and burial context at the earliest opportunity;
4. Site supervisor or other nominated manager must notify the NSW Police and Heritage NSW if the bones are confirmed to be human;
5. The find must be assessed by the NSW Police, and may include the assistance of a qualified forensic anthropologist;
6. Once the bones are identified, provide results to Heritage NSW and RAPs if identified Aboriginal. Consultation with both Heritage NSW and RAPs must continue until a management plan is finalised;
7. Due to the highly significant nature of Aboriginal Ancestral Remains, avoidance is recommended; consideration should be made for conservation through project redesign (as explained in *Section 3.2*, and *Table 3.1*); and
8. Should project redesign not be considered possible, a written request to resume works should be provided to Heritage NSW, and RAPs. Works may only resume if written clearance is provided by the archaeologist, Heritage NSW, and RAPs.

4.11 POST EXCAVATION REPORT

A Post Excavation Report must be prepared describing the results of the investigations. The report will include:

- Description of the stages and application of the methodology;
- Description of the excavation results, including the nature, spatial and stratigraphical extent of excavated archaeological deposits;
- Artefact analysis and discussion;
- Details of consultation undertaken with RAPs;
- Addressing research questions set out in the research design phase;
- Conclusions providing any additional information that can enhance the understanding of the subject area;
- An AHIMS Aboriginal Site Impact Recording Form will be submitted for impacted sites; and
- Comment on the effectiveness of any mitigation measures that were implemented.

The draft excavation report would be prepared within two months of archaeological investigations, and a completed report would be prepared within twelve months of investigations. A copy of the completed excavation report will be provided to the RAPs.

4.12 SAFETY AND LOGISTICS

4.12.1 SAFETY

The archaeological excavations will be carried out according to site-specific OH&S requirements and also in line with the consulting companies' internal safety policies. The excavation team will work under a specifically developed Health and Safety Plan that will address the following:

- Recording of site attendance for the excavation team and visitors, including name, position, contact details, date of attendance and hours present;
- Description and risk assessment of day-to-day activities, including (but not limited to) manual excavation, heavy lifting and working in a remote location;
- Excavation of pits to specified maximum depth and the use of benching or shoring for stability if necessary;
- Working in an outdoor environment; and
- Due to the risk of safety issues, pits will be backfilled as soon as practicable. Should this not be possible, they will be temporarily fenced and backfilled on the final day of excavation.

4.12.2 LOGISTICS

The following logistics will need to be arranged for the time of the excavation:

- Amenities for personal hygiene in the form of toilet facilities (Men's and Women's);
- A water source for the wet sieving of excavated soil if required (e.g. on-site water source or a water truck);
- Secure lockable storage for equipment and retrieved artefacts; and
- Contamination control if necessary.

5. REFERENCES

- Australian ICOMOS (2013) The Burra Charter: the ICOMOS Charter for Conservation of Places of Cultural Significance. Canberra: Australian ICOMOS.
- Clean Energy Council (2024) Leading Practice Principles: First Nations and Renewable Energy Projects.
- DECCW (2010a) The Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.
- DECCW (2010b) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.
- ERM (2024) The Plains Renewable Energy Park - Wind Farm, Aboriginal Cultural Heritage Assessment Report. Prepared for ENGIE Australia and New Zealand.
- OEH (2011) Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.
- Stern, Dr. N, & Holdaway, S (2004) A Record in Stone: The Study of Australia's Flaked Stone Artefacts.



APPENDIX A CONSULTATION

CONSULTATION LOG – PLAINS WIND FARM – TEST EXCAVATION METHODOLOGY

Date	Method	Addressee	Organisation	Sender	Sender Organisation	Details
Issuing Draft to RAPs						
18/12/2024	Email	██████████	-	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	-	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Yarkuwa IKC	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Bangerang ACCH	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Hay Local Aboriginal Land Council	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Wakool Indigenous Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Deniliquin Local Aboriginal Land Council	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	██████████ Family Aboriginal Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
18/12/2024	Email	██████████	-	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 15 January 2025.
19/12/2024	Email	██████████	Hay Aboriginal Working Party	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Test Excavation Methodology (along with Draft Wind Farm Unexpected Finds Procedure), with close of response period 16 January 2025.

Date	Method	Addressee	Organisation	Sender	Sender Organisation	Details
Comments on Draft Report						
19/12/2024	Email	Victoria Gleeson	ERM	[REDACTED] & Heritage Team	Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation	[REDACTED] responded and advised that [REDACTED] and the Heritage Team would be the contacts going forward. Victoria responded and provided both email addresses with access to documents.
15/01/2025	Email	Victoria Gleeson	ERM	[REDACTED]	Yarkuwa AC	[REDACTED] from Yarkuwa responded the 15 January 2025 agreeing with all draft revised documents.

The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria [REDACTED]
Date Wed 18/12/2024 3:25 PM
To [REDACTED]

Good afternoon [REDACTED],

As a registered RAP for The Plains Wind & Solar Farm Projects, we are contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for the Projects.

Please find a copy of the Draft documents for your review at this link:

[The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

We request that any feedback is provided by **15 January 2025**.

If you have any queries, please let me know.

On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



ERM

Sustainability is our business

Victoria Gleeson
Managing Consultant

Newcastle

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[REDACTED]
+61 2 4903 5500

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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]
Date Wed 18/12/2024 3:25 PM
To CEO [REDACTED]

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Please find a copy of the Draft documents for your review at this link:

[The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

We request that any feedback is provided by **15 January 2025**.

If you have any queries, please let me know.

On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



ERM

Sustainability is our business

Victoria Gleeson
Managing Consultant

Newcastle

erm.com

[REDACTED]
+61 2 4903 5500

At ERM we work flexibly. There may be times that I'm sending an email out of hours because it suits me to do so. I don't expect you to read, action or respond out of your own working hours.

The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]
Date Wed 18/12/2024 3:25 PM
To patricia winch [REDACTED]

Good afternoon [REDACTED]

As a registered RAP for The Plains Wind & Solar Farm Projects, we are contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for the Projects.

Please find a copy of the Draft documents for your review at this link:

[The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:26 PM

To [REDACTED]

Good afternoon [REDACTED]

As a registered RAP for The Plains Wind & Solar Farm Projects, we are contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for the Projects.

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From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:26 PM

To [REDACTED]

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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:28 PM

To [REDACTED]

Good afternoon [REDACTED]

I am contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for The Plains Wind & Solar Farm Projects.

Please find a copy of the Draft documents for your review at this link:

[The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:25 PM

To [REDACTED]

Good afternoon [REDACTED]

As a registered RAP for The Plains Wind & Solar Farm Projects, we are contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for the Projects.

Please find a copy of the Draft documents for your review at this link:

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On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures and Draft Test Excavation Methodologies

From Victoria Gleeson [REDACTED]

Date Thu 19/12/2024 9:19 AM

To [REDACTED]

Good afternoon [REDACTED]

On behalf of Lorien Perchard, I am contacting you to let you know that Test Excavation Methodologies and Unexpected Finds Procedures are being prepared as part of the Response to Submissions for The Plains Wind & Solar Farm Projects.

Please find a copy of the Draft documents for your review at this link:

[The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

We request that any feedback is provided by **16 January 2025**.

If you have any queries, please let me know.

On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



ERM

Sustainability is our business

Victoria Gleeson

Managing Consultant

Newcastle

erm.com

[REDACTED]
+61 2 4903 5500

At ERM we work flexibly. There may be times that I'm sending an email out of hours because it suits me to do so. I don't expect you to read, action or respond out of your own working hours.

Re: The Plains Wind & Solar Farms - Revised ACHARs

From [REDACTED] <Victoria.Gleeson@erm.com>

Date Thu 19/12/2024 4:07 PM

To [REDACTED]

Hi [REDACTED]

Thank you for letting me know. [REDACTED], I have provided access for yourself and the Heritage Team to this link to the documents: [The Plains Revised ACHARs 2024 - Shared Folder](#)

The Draft Test Excavation Methodologies and Unexpected Finds Procedures for the Projects that I issued to Will yesterday can also be viewed at this link: [The Plains Wind & Solar - TEMs and UFPs - Shared Folder](#)

Wishing you all a Merry Christmas!

Many thanks,



ERM

Sustainability is our business

Victoria Gleeson

Managing Consultant

Newcastle

erm.com

[REDACTED]
+61 2 4903 5500

At ERM we work flexibly. There may be times that I'm sending an email out of hours because it suits me to do so. I don't expect you to read, action or respond out of your own working hours.

From: [REDACTED]

Sent: 19 December 2024 3:59 PM

To: Victoria Gleeson [REDACTED]

Cc: [REDACTED]

Subject: Re: The Plains Wind & Solar Farms - Revised ACHARs

EXTERNAL MESSAGE

Hi Victoria,

Uncle Mark Williams and our Heritage Team are the contacts going forward. I've cc'd both emails for your reference.

Cheers,



On Thu, Dec 19, 2024 at 3:58 PM Victoria Gleeson <[REDACTED]> wrote:
Good afternoon [REDACTED]

I am contacting you to inform you that there have been project design updates to both The Plains Wind & Solar Farm Projects to avoid impacting Aboriginal sites recorded in 2023. Additional heritage surveys were undertaken in 2024 in response to these design changes, involving the recording of new sites.

As such, the additional sites and updated Impact Assessment have been included in revised ACHARs for the Projects. Further design optimisations will occur in 2025 to avoid impacting these newly recorded sites.

Please find a copy of the revised ACHARs for your review at this link:

[The Plains Revised ACHARs 2024 - Shared Folder](#)

We request that any feedback is provided by **16 January 2025**.

If you have any queries, please let me know.

Many thanks,



Sustainability is our business

Victoria Gleeson
Managing Consultant

Newcastle

erm.com

[REDACTED]
+61 2 4903 5500

At ERM we work flexibly. There may be times that I'm sending an email out of hours because it suits me to do so. I don't expect you to read, action or respond out of your own working hours.

The Plains Wind & Solar Farms/Draft document

From [REDACTED]
Date Wed 15/01/2025 1:27 PM
To Victoria Gleeson [REDACTED]

EXTERNAL MESSAGE

Good afternoon Victoria,

I read through the Draft documents and it all looks good to me.

[REDACTED]

Yarkuwa Indigenous Knowledge Centre

Aboriginal Corporation

[REDACTED]

We acknowledge that we live and work on Aboriginal land



APPENDIX B

UNEXPECTED HERITAGE FINDS
PROCEDURE



The Plains Wind Farm

Unexpected Heritage Finds Procedure

PREPARED FOR
ENGIE Australia and New Zealand

DATE
20 March 2025

REFERENCE
0667692



DOCUMENT DETAILS

DOCUMENT TITLE	The Plains Wind Farm
DOCUMENT SUBTITLE	Unexpected Heritage Finds Procedure
PROJECT NUMBER	0667692
DATE	20 March 2025
VERSION	03
AUTHOR	Lorien Perchard
CLIENT NAME	ENGIE Australia and New Zealand

DOCUMENT HISTORY

VERSION	REVISION	AUTHOR	REVIEWED BY	ERM APPROVAL TO ISSUE		COMMENTS
				NAME	DATE	
Draft V1	01	L. Perchard	E. Mackenzie	M. Davey	17.12.2024	For client review
Draft V2	02	V. Gleeson	-	M. Davey	18.12.2024	For RAP review
FINAL V3	03	L. Perchard	-	M. Davey	20.03.2025	FINAL

The Plains Wind Farm

Unexpected Heritage Finds Procedure

0667692



Lorien Perchard
Managing Consultant



Elsbeth Mackenzie
Principal Technical Consultant



Joanne Woodhouse
Project Manager



Mark Davey
Partner

Environmental Resources Management
Australia Pty Ltd
Level 14, 207 Kent Street
Sydney NSW 2000
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APPENDIX A CONSULTATION

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ACRONYMS AND ABBREVIATIONS

Acronym	Description
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIP	Aboriginal Heritage Impact Permit
ATSIHP Act	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>
CEMP	Construction Environment Management Plan
ENGIE	ENGIE Australia and New Zealand
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
ERM	Environmental Resources Management Australia Pty Ltd
DPHI	Department of Planning, Housing and Infrastructure
Heritage Act	<i>Heritage Act 1977</i>
IHO	Interim Heritage Order
LALC	Local Aboriginal Land Council
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NSW	New South Wales
RAPs	Registered Aboriginal Parties
SHR	Stage Heritage Register
SSD	State Significant Development
UFP	Unexpected Finds Procedure

ERM would like to acknowledge the Traditional Owners of the Hay region and pay respects to their Elders past, present, and emerging. We acknowledge and respect their Indigenous knowledge systems and recognise continuing connection to lands, waters, culture, and community.

1. INTRODUCTION

1.1 PURPOSE OF THIS UNEXPECTED HERITAGE FINDS PROCEDURE

Heritage within New South Wales (NSW) is protected under a range of legislative frameworks, and it is the responsibility of proponents of development to ensure compliance with this legislation.

This Unexpected Finds Procedure (UFP) for NSW has been developed for ENGIE Australia and New Zealand (ENGIE), as a procedure to inform users how to manage heritage items that are unexpectedly discovered during works in NSW by both ENGIE employees and contractors on behalf of ENGIE. This procedure has been developed to address compliance to state frameworks including:

- *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth);
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Commonwealth);
- *NSW National Parks and Wildlife Act 1974* (NSW);
- *Native Title Act 1994* (NSW);
- *Aboriginal Land Rights Act 1983* (NSW);
- *Heritage Act 1977* (NSW); and
- *NSW Environmental Planning and Assessment Act 1979* (EP&A Act).

This UFP includes project activities for The Plains Wind Farm and associated Transport Route undertaken under the EP&A Act (within NSW).

1.2 SCOPE

The primary purpose of this UFP is to inform ENGIE employees and contractors about the potential for the discovery of heritage items and the protocol that should be followed in the event of any unexpected finds.

This UFP will:

- Set out steps to be taken and chain of notification to follow for Aboriginal cultural heritage, historic heritage, and human remains;
- Provide detailed management options around site protection; and
- Outline requirements for site recording and communication with regulatory authorities.

This UFP may be updated when included as part of the Aboriginal Cultural Heritage Management Plan (ACHMP).

1.3 CONSULTATION

The draft UFP was provided to Heritage NSW and registered Aboriginal parties (RAPs) on 19 December 2024, via email (emails provided in Appendix A). One email was received from Heritage NSW with two suggested changes for Section 3.1.1 and Section 4.1, which were addressed in version 3 of the UFP report. Each of the RAPs were provided 28 days to comment on the draft report and any recommended management and mitigation measures, prior to finalization were requested. Three emails were received from RAPs during the review period. One email notified ERM of the new contact for Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation, the second email received from Yarkuwa Indigenous Knowledge Centre Aboriginal Corporation agreed with the draft document, and the third emailed acknowledged receipt of the documents (Appendix A).

2. LEGISLATIVE CONTEXT

NSW land managed or impacted by activity within the remit of ENGIE will be affected by a number of statutory controls for the planning and management of heritage and archaeological resources. *Table 2.1* summarises relevant Commonwealth legislation, while *Table 2.2* summarises the key NSW legislation for heritage management.

TABLE 2.1 COMMONWEALTH LEGISLATION

COMMONWEALTH LEGISLATION	
Legislation	Description
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act; as amended 2004) provides the framework for the Commonwealth Government's environmental legislation. The EPBC Act outlines a legal framework for the protection and management of nationally and internationally important flora, fauna, ecological communities and heritage places. Several heritage listings were established under the EPBC Act including the Commonwealth Heritage List, National Heritage List, and Register of National Estate (now repealed).
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	<p>The <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (ATSIHP Act) assists in the protection of places, areas, and objects that 'are of particular significance to Aboriginals in accordance with Aboriginal tradition'.</p> <p>The ATSIHP Act is designed to deal with Aboriginal cultural property (intangible heritage), which are not currently protected under the NSW <i>National Parks and Wildlife Act 1974</i> (NPW Act).</p> <p>The Commonwealth Minister can make declarations to protect these areas and objects from specific threats of injury or desecration. The responsible Minister may make a declaration under Section 10 of the ATSIHP Act in situations where state or territory laws do not provide adequate protection of intangible heritage.</p> <p>While no formal database of Section 10 applications or declarations is publicly available, this information is registered in gazettal notices within the Federal Register of Legislation.</p>

TABLE 2.2 NSW LEGISLATION

NSW LEGISLATION	
Legislation	Description
<i>NSW Environmental Planning and Assessment Act 1979</i>	<p>The EP&A Act regulates a system of environmental planning and assessment for NSW. Land use planning requires that environmental impacts, including those on cultural heritage, must be considered when making decisions about the future of a place.</p> <p>As the Project involves development for the purpose of "electricity generating works" using wind power and will have an estimated development cost of more than \$30 million, the Project is State Significant Development (SSD) and subject to the planning assessment pathway under Part 4 of the EP&A Act. Sections 4.41 and 4.42 of the EP&A Act outline authorisations that are not applicable to SSDs.</p>

NSW LEGISLATION

<p><i>NSW National Parks and Wildlife Act 1974</i></p>	<p>Part 6 of the NPW Act provides specific protection for Aboriginal objects and places by making it an offence to destroy, deface, damage, or move them from the land. All Aboriginal objects within NSW are protected under Part 6, and particularly Section 90, of the NPW Act. Under Section 5 of the NPW Act, "Aboriginal Object" means any deposit, object, or material evidence (not being a handicraft made for sale) relating to the Indigenous habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. Under Section 86 of the NPW Act, a person who, without first obtaining the consent of the Director-General, knowingly harms or desecrates an Aboriginal object or Aboriginal place is guilty of an offence. In most circumstances, it is required that an Aboriginal Heritage Impact Permit (AHIP) be obtained for any impact to an Aboriginal object or place. Heritage NSW is the responsible authority, with the Director General of that department the consent authority. As an SDD, an AHIP under Section 90 of the NPW Act is not required for the Project (in accordance with Section 4.41 of the EP&A Act).</p> <p>Sites of traditional significance that do not necessarily contain archaeological materials may be gazetted as 'Aboriginal places' and are protected under Section 84 of the NPW Act. This protection applies to all sites, regardless of their significance or land tenure.</p>
<p><i>Heritage Act 1977</i></p>	<p>The <i>Heritage Act 1977</i> (Heritage Act) protects the cultural and natural history of NSW with emphasis on historic (non-Aboriginal) heritage items, including places, buildings, works, relics, moveable objects, precincts, historic shipwrecks, and archaeological sites of State or local significance. Protection is provided through provisions of the Heritage Act and the establishment of a Heritage Council and State Heritage Register (SHR).</p> <p>The SHR is maintained by Heritage NSW and includes a diverse range of over 1,500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW. Listing on the SHR controls activities such as alteration, damage, demolition, and development. When a place is listed on the SHR, the approval of the Heritage Council of NSW is required or any major work. The Heritage Council is empowered to place Interim Heritage Orders (IHO) on an item of potential state significance.</p> <p>As an SDD, an approval under Part 4 or an excavation permit under Section 139 of the Heritage Act is not required for the Project (in accordance with Section 4.41 of the EP&A Act). Division 8 of Part 6 of the Heritage Act does not apply to prevent or interfere with the carrying out of SSD.</p>

2.1 ABORIGINAL CULTURAL HERITAGE

Aboriginal cultural heritage is protected under the EPBC Act, ATSIHP Act, and NPW Act. Under State and Commonwealth legislation it is the obligation of the proponent of development to avoid or mitigate the risk of harm to Aboriginal cultural heritage.

Section 5 of the NPW Act defines Aboriginal objects (Aboriginal cultural heritage) as:

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

Examples of Aboriginal objects include stone tools, shell middens, axe grinding grooves, pigment or engraved rock art, burials, and culturally modified trees. All Aboriginal objects are protected under law, regardless of their significance. Section 89 of the NPW Act stipulates that when a person becomes aware of an Aboriginal object, they must notify the Department of Premier and Cabinet Secretary about its location.

2.1.1 ABORIGINAL CULTURAL HERITAGE PROTECTION AND MANAGEMENT PATHWAY

A number of methods can be used to determine and manage the protection of Aboriginal cultural heritage in NSW. These can include the following:

- Aboriginal Due Diligence Assessment (ADDA);
- Aboriginal Cultural Heritage Assessment Report (ACHAR); and
- Aboriginal Cultural Heritage Management Plan (ACHMP).

A qualified heritage professional should be consulted to determine the requirements for any of the above protection and management measures. Further information on each of these methodologies can be found on the Environment and Heritage website below:

[Heritage | Environment and Heritage \(nsw.gov.au\)](https://www.environment.nsw.gov.au/heritage)

Any unexpected heritage finds revealed during project activities for The Plains Wind Farm and associated Transport Route will be managed through the approved ACHMP.

STATUTORY REQUIREMENTS OF THE UFP

A UFP cannot be used in place of, or in the absence of, an ACHAR should there be a mandatory requirement for an ACHAR to be prepared under the NPW Act. A voluntary ACHAR may be prepared should the risk of harming heritage be considered likely by the proposed activity. It must be noted that harm to cultural heritage, known or unknown, is an offence under section 86 'Harming or desecrating Aboriginal objects and Aboriginal Places', of the NPW Act.

ENGIE is responsible for any risk associated with potential harm to unknown Aboriginal cultural heritage within any proposed works areas.

This UFP can be used for the management of unidentified heritage items that may be discovered during ENGIE project works.

2.2 HISTORIC HERITAGE

Historic heritage is protected under the Heritage Act. Historic heritage items can comprise of the following:

- Archaeological 'relics';
- Built heritage;
- Archaeological places; and
- Underwater heritage (shipwreck or aircraft crash sites).

Historic heritage pertains to non-Aboriginal features such as works, structures, buildings, or moveable objects. They may pertain to the earliest non-Aboriginal visitation and settlement in NSW and contact between Aboriginal and non-Aboriginal people. These are diverse heritage resource sites that contain evidence of past domestic, industrial, or agricultural activities, such as (as they may relate to the Project area):

- The establishment and growth of towns and settlements;
- Evidence of early pastoral and agricultural land use;
- Evidence of early mining;
- Sites of early industry, like sawmills and dairies;
- Linear infrastructure such as road, bridges, and rail;
- Former commercial sites like hotels, general stores, dentists, haberdasheries, and furniture stores; and
- Former residential sites such as homesteads, cottages, and outbuildings.

2.2.1 HISTORICAL ARCHAEOLOGICAL RELICS

The Heritage Act protects historical heritage items, meaning places, buildings, works, relics, moveable objects, or precincts. In Section 4, the Heritage Act defines relics as:

any deposit, artefact, object or material evidence that –

(a) relates to the settlement of an area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance.

A historical archaeological site is a place that contains buried evidence and provides information about past activity and requires archaeological methods to reveal information about the place and isn't associated only with Aboriginal use.

Historical archaeological sites might include features like:

- Building foundations or post holes;
- Buried items like old bottles, ceramics, clay pipes, toys; and
- Kitchen scraps like bones or shells.

Heritage registers include known historic archaeological sites in NSW; however, many archaeological sites have not yet been discovered or recorded.

2.2.2 HISTORIC HERITAGE PROTECTION AND MANAGEMENT PATHWAYS

The Heritage Council of NSW maintains a database of the state significant heritage places that are protected under state law, while local heritage is managed by local government. Local heritage must also be considered when preparing a plan of works. The management of these properties/historic heritage sites may include the following measures:

- Historic Heritage Due Diligences;
- Statement of Heritage Impact;
- Historical Archaeological Impact Assessment;
- Archaeological Management Plans; and
- Conservation Management Plans.

A qualified heritage professional should be consulted regarding the requirements for any of the above protection and management measures. Further information on the management of historic heritage can be found on the Environment and Heritage website below:

[Heritage | Environment and Heritage \(nsw.gov.au\)](https://www.environment.nsw.gov.au/heritage)

2.2.3 STATUTORY REQUIREMENTS OF THE UFP

ENGIE is responsible for understanding the requirements associated with the discovery of unknown historical archaeology within the proposed works area.

3. TYPES OF UNEXPECTED HERITAGE ITEMS AND THEIR LEGAL PROTECTION – DETAILED PROCEDURES

The NSW UFP applies to three types of discoveries:

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

The specific applicable procedure for each type of discovery is outlined below.

3.1 ABORIGINAL CULTURAL HERITAGE

To date, a total of 180 valid Aboriginal heritage sites are recorded within the Wind Farm Project area. No sites have been recorded within the Hay component of the Transport Route, and no sites have been recorded within the Broken Hill component of the Transport Route.

This UFP relates to those areas outside of the extents of the previously identified sites within the Wind Farm and Transport Route Project areas. As such, should suspected Aboriginal cultural heritage sites or materials be discovered in areas outside of previously registered site extents, these would be defined as unexpected finds.

3.1.1 DISCOVERY

If any suspected Aboriginal cultural heritage sites or materials (or suspected sites or materials) are discovered during earthworks, development operations or similar activities within the Project area, the following procedure is to be followed:

- Stop work – any person that observes or uncovers potential Aboriginal heritage objects during the works must notify machinery operators immediately. All activity in the immediate area should cease;
- Protect the site – the location should be cordoned off as an exclusion zone with visible flagging, so that no further disturbance occurs. Flagging should be placed at a 10 m radius surrounding the find;
- *If suspected Human Remains are located:* Any sand/soils removed must be identified and set aside for assessment by the investigating authorities;
- Notify Heritage NSW immediately. The relevant Local Aboriginal Land Council (LALC) for the area (being Hay LALC and Deniliquin LALC for the Wind Farm Project) and any other relevant RAPs should be notified and consulted, as well as an appropriately qualified heritage professional (archaeologist) if required;
NOTE: if the find is suspected to be Human Remains the Project Manager or Project Director will contact the State Police who may then take control of the site and any further investigation (refer to Section 3.3).
- Assess the find - a heritage professional should record the location, nature, and extent of the site and determine its significance; and
- Record/salvage the find - a management plan should be developed for the find, that is subject to consultation and approval from the local LALC and RAPs. This procedure should be submitted to Department of Planning, Housing and Infrastructure (DPHI) for approval in consultation with Heritage NSW prior to completion of any proposed management or mitigation measures being undertaken.

3.1.2 NOTIFICATION

- All ENGIE project team members (including contractors) must notify an ENGIE Environment team member upon their discovery of any suspected Aboriginal cultural heritage, including human remains;
- Refer to *Section 4* for further guidance on notification process.

3.1.3 RESUMPTION OF WORKS

- Works will only recommence once the management procedure has been completed and approved by DPHI; and
- For suspected Human Remains: refer to *Section 3.3*.

3.2 HISTORIC HERITAGE

To date, no historic heritage items have been identified within the Wind Farm and Transport Route Project areas. The historical archaeological potential of the Wind Farm Project area was assessed as low.

3.2.1 DISCOVERY

If any suspected historical archaeology is uncovered or identified:

- Stop work – any person that observes or uncovers potential historic heritage objects during the works must notify machinery operators immediately. All activity in the immediate area should cease;
- The 'stop works' area around the suspected historic must be fenced off using appropriate temporary fencing and protected from further disturbance; "no-go zone" signage must be attached to the fencing at all times to prevent the area being disturbed further;
- Contact an appropriately qualified heritage professional (archaeologist) to assess the find;
- Complete a preliminary assessment and recording of the find – should the item be identified as a relic or heritage item, the archaeologist should formally record the finds. Heritage NSW would be notified via telephone informally at this stage;
- An archaeological or heritage management plan should be prepared by the archaeologist in consultation with Heritage NSW;
- A formal notification will be prepared at this stage and submitted to Heritage NSW along with the archaeological or heritage management plan and a site recording form, if required; and
- The archaeological or heritage management plan should be modified according to advice from Heritage NSW and DPHI. The plan will then be implemented. Where impact to the heritage item is expected, implementation of the plan may include formal assessment of significance and heritage impact assessment, preparation of excavation, or obtaining further heritage approvals.

3.2.2 NOTIFICATION

- All ENGIE project team members (including contractors) must notify an ENGIE Environment team member upon their discovery of any suspected historic heritage items.

3.2.3 RESUMPTION OF WORKS

- The Construction Environment Management Plan (CEMP) will be updated according to advice within the final heritage management plan, if required. Changes should be included in site inductions and toolbox talks; and
- Resumption of works will take place once written clearance is provided by the archaeologist and Heritage NSW, if required.

3.3 HUMAN REMAINS

The below procedure for the handling of human remains follows the content and processes outlined in Transport for NSW's *Unexpected Heritage Finds and Human remains Procedure* (Transport NSW 2022). The procedure follows in accordance with CoA E61, CoA E62, the *Skeletal Remains – Guidelines for the Management of Human Skeletal Remains under the Heritage Act 1977* (NSW Heritage Office 1998) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997).

3.3.1 DISCOVERY

- Stop work – any person that observes or uncovers potential human remains during the works must notify machinery operators immediately. All activity in the immediate area should cease;
- The 'stop works' area around the suspected human remains must be fenced off using appropriate temporary fencing and protected from further disturbance; "no-go zone" signage must be attached to the fencing at all times to prevent the area being disturbed further;
- Any sand/soils removed must be identified and set aside for assessment by the investigating authorities;
- A suitably qualified forensic or physical anthropologist must identify the bones as human or non-human as soon as possible; and
- An archaeologist should assess the bones, their likely ancestry (Aboriginal or non-Aboriginal), and the burial context (archaeological or forensic).

3.3.2 NOTIFICATION

- If the bones are confirmed as human remains, contact NSW Police immediately. The remains are presumed associated with a potential crime until confirmed otherwise; and
- Notify Heritage NSW when human remains are found.

3.3.3 PROJECT REDESIGN OR RESUMPTION OF WORKS

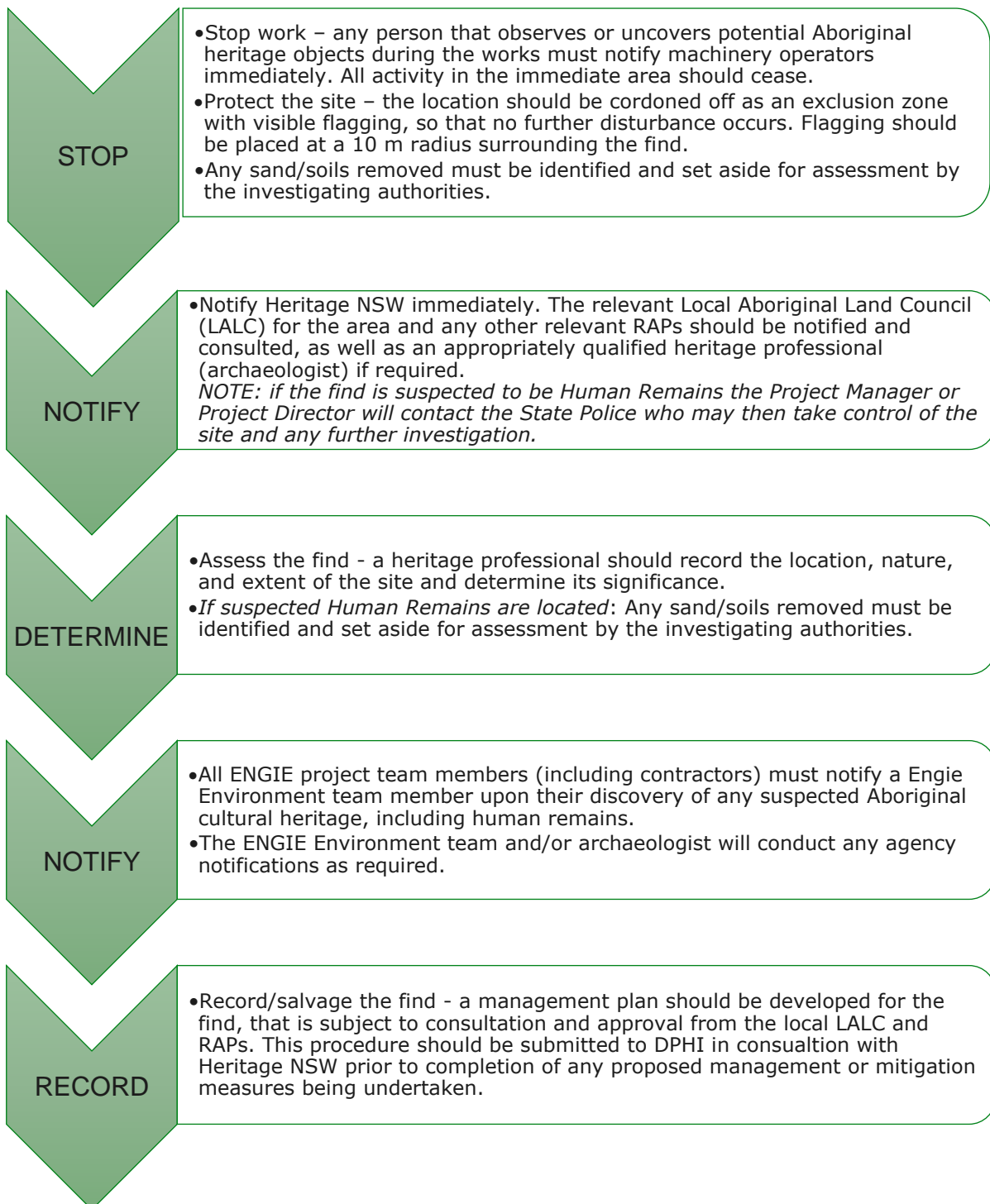
- Once the bones are identified, provide results to Heritage NSW and RAPs if identified as Aboriginal. Consultation must continue until a management plan is finalised;
- Due to the highly significant nature of Aboriginal Ancestral Remains, avoidance is recommended; consideration should be made for conservation through project redesign; and
- Should project redesign not be considered possible, a written request to resume works should be provided to Heritage NSW and the RAPs. Works may only resume if written clearance is provided by the archaeologist, Heritage NSW, and RAPs.

4. PROCEDURE SUMMARY GUIDES

The following procedural overviews provide flowchart plans for the unexpected discovery of Aboriginal cultural heritage, historic heritage, and human remains in NSW.

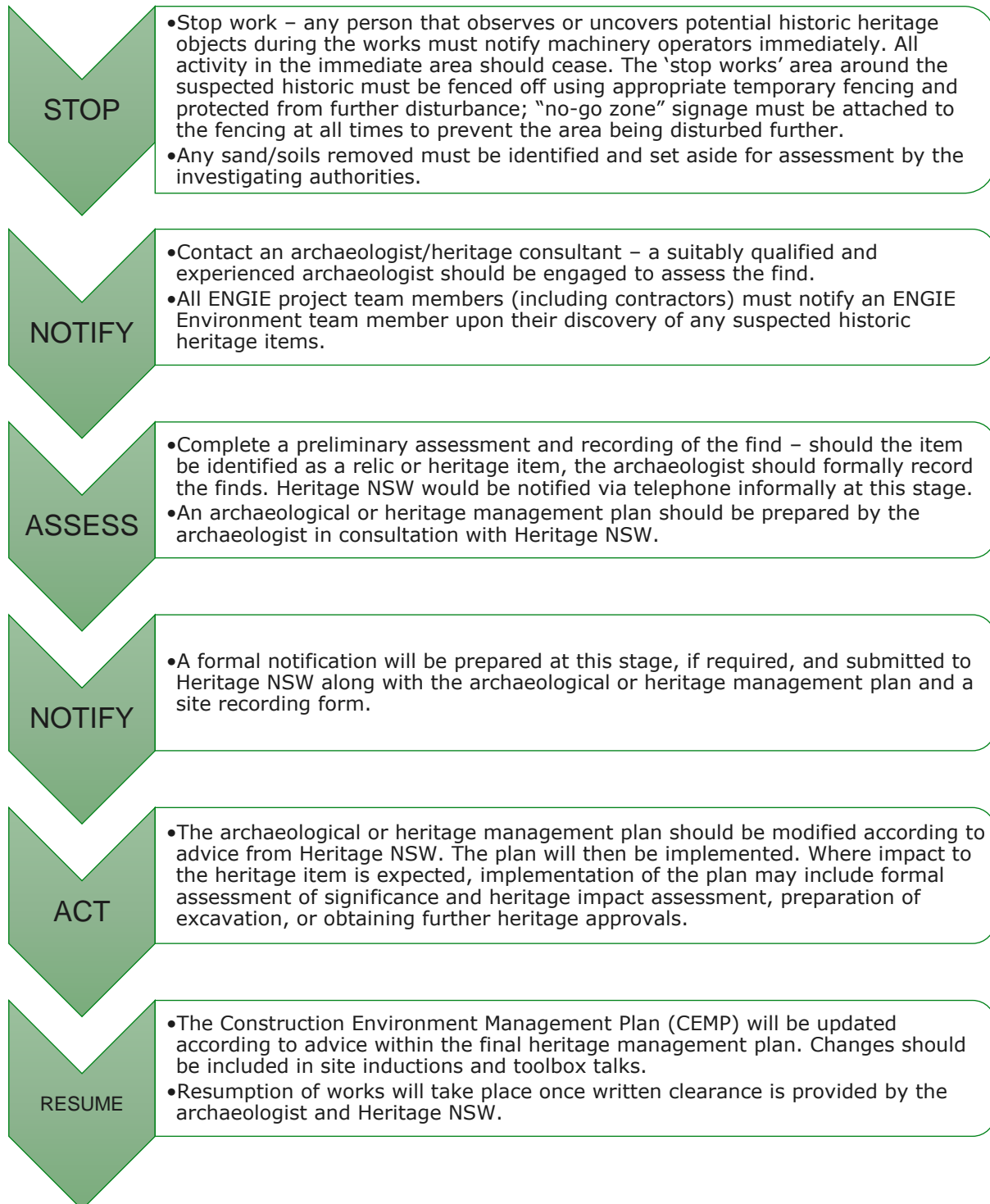
These are quick reference, user-friendly flow diagrams that summarise the information in this UFP, to be used by ENGIE project staff and their contractors.

4.1 UNEXPECTED FINDS PROCEDURE 1: DISCOVERY OF ABORIGINAL CULTURAL HERITAGE

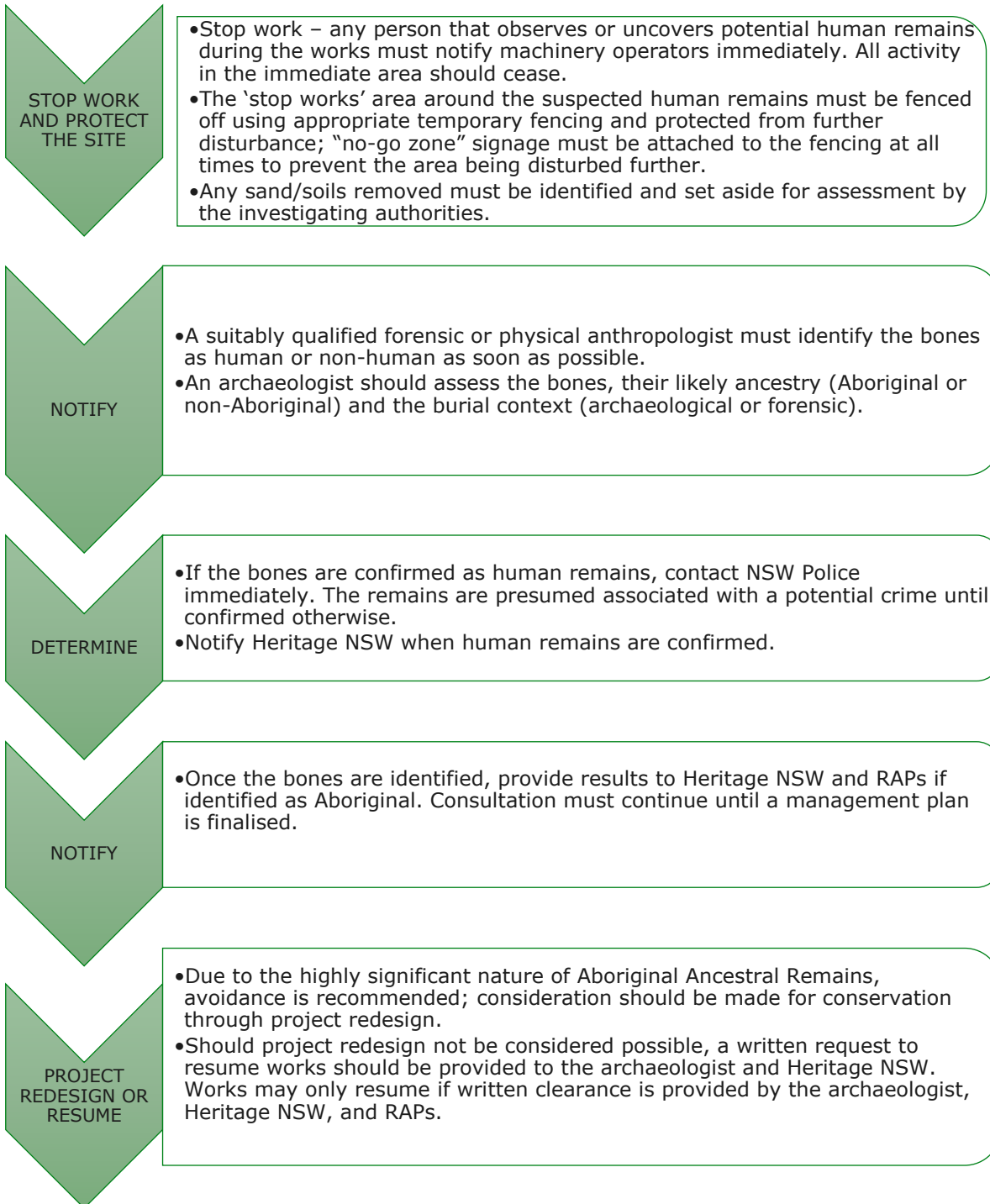


4.2 UNEXPECTED FINDS PROCEDURE 2: HISTORIC HERITAGE

In the event of the suspected discovery of historic heritage during ENGIE activities, these steps must be followed:



4.3 UNEXPECTED FINDS PROCEDURE 3: DISCOVERY OF HUMAN REMAINS



5. REFERENCES

National Parks and Wildlife Service NSW (1997) Aboriginal Cultural Heritage Standards and Guidelines Kit.

NSW Heritage Office (1998) Skeletal remains – Guidelines for the Management of Human Skeletal Remains under the Heritage Act 1977.

Office of Environment and Heritage (2010a) Aboriginal cultural heritage consultation requirement for proponents.

Office of Environment and Heritage (2010b) Code of practice for the archaeological investigation of Aboriginal objects in NSW.

Office of Environment and Heritage (2011) Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

The Government of NSW 1974, National Parks and Wildlife Act 1974 No 80.

The Government of NSW 1977, Heritage Act 1977 No 136.

Transport for NSW (2022) Unexpected Heritage Finds and Human Remains Procedure – M1 Pacific Motorway Extension to Raymond Terrace.



ERM

APPENDIX A

CONSULTATION

CONSULTATION LOG – POTTINGER WIND FARM – UNEXPECTED FINDS PROCEDURE

Date	Method	Addressee	Organisation	Sender	Sender Organisation	Details
Issuing Draft UFP to RAPs						
18/12/2024	Email	[REDACTED]	-	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	-	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Yarkuwa IKC	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Bangerang ACCH	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Hay Local Aboriginal Land Council	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Wakool Indigenous Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Deniliquin Local Aboriginal Land Council	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	[REDACTED] Family Aboriginal Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	-	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Corroboree Aboriginal Corporation	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	-	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	-	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Broken Hill Local Aboriginal Land Council	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.
18/12/2024	Email	[REDACTED]	Menindee Aboriginal Elders Council	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.

Date	Method	Addressee	Organisation	Sender	Sender Organisation	Details
18/12/2024	Email	██████	Barkandji Native Title Group Aboriginal Corporation RNTBC	Victoria Gleeson	ERM	Victoria issued Draft Wind Farm Unexpected Finds Procedure, with close of response period 15 January 2025.
19/12/2024	Email	██████████████	Hay Aboriginal Working Party	Victoria Gleeson	ERM	Victoria issued Draft Wind and Solar Farm Unexpected Finds Procedures, with close of response period 16 January 2025.
Issuing Draft UFP to Heritage NSW						
18/12/2024	Email	████████████████████ ████████████████████ ████████████████████	Heritage NSW	Victoria Gleeson	ERM	Victoria issued Draft Unexpected Finds Procedures (Wind & Solar) to Heritage NSW and requested feedback.
Comments on Draft Report						
18/12/2024	Email	Victoria Gleeson	ERM	██████████	-	██████████ acknowledged report had been received.
19/12/2024	Email	Victoria Gleeson	ERM	██████████████████ & Heritage Team	Southern West Yiradyuri Clans, Land, Water and Sky Country Aboriginal Corporation	Will responded and advised that ██████████ and the Heritage Team would be the contacts going forward. Victoria responded and provided both email addresses with access to documents
13/01/2025	Email	Victoria Gleeson	ERM	██████████ - Senior Assessment Officer	Heritage NSW	██████████ acknowledged the report had been received by Heritage NSW. He made two suggested changes for Section 3.1.1 and Section 4.1, which were addressed in version 3 of the UFP report.
15/01/2025	Email	Victoria Gleeson	ERM	██████████	Yarkuwa AC	██████████ from Yarkuwa responded the 15 January 2025 agreeing with draft UFP document.

The Plains Wind Farm - Draft Unexpected Finds Procedure

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:27 PM

To [REDACTED]

📎 1 attachment (1 MB)

0667692_The Plains_Wind_UFP V2.pdf;

Good afternoon [REDACTED]

As a registered RAP for The Plains Wind Farm Transport Route Project, we are contacting you to let you know that an Unexpected Finds Procedure is being prepared as part of the Response to Submissions for the Wind Farm Project.

Please find attached a copy of the Draft Wind Farm Unexpected Finds Procedure for your review. We request that any feedback is provided by **15 January 2025**.

If you have any queries, please let me know.

On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



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Victoria Gleeson

Managing Consultant

Newcastle

erm.com

[REDACTED]
+61 2 4903 5500

At ERM we work flexibly. There may be times that I'm sending an email out of hours because it suits me to do so. I don't expect you to read, action or respond out of your own working hours.

The Plains Wind Farm - Draft Unexpected Finds Procedure

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:27 PM

To [REDACTED]

📎 1 attachment (1 MB)

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From Victoria Gleeson [REDACTED]
Date Wed 18/12/2024 3:27 PM
To [REDACTED]

📎 1 attachment (1 MB)
0667692_The Plains_Wind_UFP V2.pdf;

Good afternoon Amanda,

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From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:26 PM

To [REDACTED]

📎 1 attachment (1 MB)

0667692_The Plains_Wind_UFP V2.pdf;

Good afternoon [REDACTED]

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Date Wed 18/12/2024 3:27 PM

To [REDACTED]

📎 1 attachment (1 MB)

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Date Wed 18/12/2024 3:27 PM

To [REDACTED]

📎 1 attachment (1 MB)

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Good afternoon [REDACTED]

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The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures

From Victoria Gleeson [REDACTED]

Date Wed 18/12/2024 3:29 PM

To [REDACTED]

Cc [REDACTED]

 2 attachments (2 MB)

0667692_The Plains_Wind_UFP V2.pdf; 0667692_The Plains_Solar_UFP V2.pdf;

Good afternoon [REDACTED]

I am reaching out to provide you with the Draft Unexpected Heritage Finds Procedures recently developed for The Plains Wind Farm & The Plains Solar Farm (attached). These were drafted in response to the Agency Advice Letter from Heritage NSW dated 3 June 2024, containing the following request:

6. A procedure for the management of unexpected Aboriginal objects and human remains must be developed in consultation with the RAPs and Heritage NSW. The procedure must be prepared in accordance with Heritage NSW guidelines and codes of practice.

Please note that this afternoon the Draft UFPs were issued to all registered RAPs for The Plains Solar Farm, The Plains Wind Farm, and associated transport route. The close of the 28-day review period will be 15 January 2025.

Should you have any feedback on the Draft UFP, could this please be provided prior to 15 January so that we can smoothly finalise our reports after RAP review?

I hope you have a Merry Christmas & Happy New Year!

Many thanks,
Victoria

RE: The Plains Wind & Solar Farms - Draft Unexpected Finds [REDACTED]

[REDACTED]
Date Mon 13/01/2025 1:05 PM

To Victoria Gleeson [REDACTED]

Cc [REDACTED]

Hi Victoria,

Thank you for your email, and for engaging with Heritage NSW with regard to the Draft Unexpected Heritage Finds Procedures for The Plains Wind Farm & The Plains Solar Farm (SSD-50629707 and SSD-51219280).

Heritage NSW policy with regard to documentation drafted in consultation with Registered Aboriginal Parties (RAPs) is to provide formal review following the completion of consultation, to ensure that we are able to assess the document taking into consideration any feedback provided by RAPs. As such we request that the procedures are resubmitted to Heritage NSW for review following the completion of consultation with RAPs.

I have completed a preliminary review of the Draft Unexpected Heritage Finds Procedures, and have noted one recommended update to assist ERM in finalising the documents as quickly as possible:

- Section 3.1.1: it is recommended that the following phrase '*...be submitted to Heritage NSW for approval by the Department of Planning, Housing and Infrastructure...*' be reworded to '*...be submitted to the Department of Planning, Housing and Infrastructure for approval in consultation with Heritage NSW...*'. This is to ensure there is clarity around the roles and responsibilities of government agencies in the process. Similar wording to this is also present under the 'Record' subheading in Section 4.1.

Noting that apart from differences in the project description the Unexpected Finds Procedure documents are largely identical, the above comment applies to both projects. These comments relate to the management of Aboriginal Cultural Heritage only.

I hope this assists, but please let me know if you have any queries.

Kind regards,

[REDACTED]

[REDACTED]

Senior Assessments Officer - Major Projects

Heritage NSW

**Department of Climate Change,
Energy, the Environment and Water**

[REDACTED]

[REDACTED]



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

From: Victoria Gleeson [REDACTED]
Sent: Wednesday, 18 December 2024 3:29 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: The Plains Wind & Solar Farms - Draft Unexpected Finds Procedures

Good afternoon [REDACTED]

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I hope you have a Merry Christmas & Happy New Year!

Many thanks,
Victoria

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Re: The Plains Wind Farm - Draft Unexpected Finds Procedure

From [REDACTED]
Date Wed 18/12/2024 4:23 PM
To Victoria Gleeson [REDACTED]

EXTERNAL MESSAGE

Thank you document has been received. May you Xmas season be a safe and happy one.

[Yahoo Mail: Search, Organize, Conquer](#)

On Wed, Dec 18, 2024 at 3:28 PM, Victoria Gleeson
[REDACTED]

Good afternoon [REDACTED]

As a registered RAP for The Plains Wind Farm Transport Route Project, we are contacting you to let you know that an Unexpected Finds Procedure is being prepared as part of the Response to Submissions for the Wind Farm Project.

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If you have any queries, please let me know.

On behalf of the Heritage Team at ERM, we hope you have a Merry Christmas & Happy New Year!

Many thanks,



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Ghana	South Korea
Guyana	Spain
Hong Kong	Switzerland
India	Taiwan
Indonesia	Tanzania
Ireland	Thailand
Italy	UAE
Japan	UK
Kazakhstan	US
Kenya	Vietnam
Malaysia	
Mexico	
Mozambique	

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Sydney NSW 2000

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APPENDIX C

SITES PROPOSED TO BE SUBJECT TO
TEST EXCAVATION

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Hong Kong	Switzerland
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Indonesia	Tanzania
Ireland	Thailand
Italy	UAE
Japan	UK
Kazakhstan	US
Kenya	Vietnam
Malaysia	
Mexico	
Mozambique	

ERM's Sydney Office

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