

Prepared for Abergeldie Complex Infrastructure

Aboriginal Cultural Heritage Management Sub-plan

Billabong Creek Environmental Water Regulators (Parts 2A & 2C) (SSI-50831979)

April 2026

Project Number: 251144

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Document verification

Project Title:	Billabong Creek Environmental Water Regulators (Parts 2A & 2C) (SSI-50831979)
Project Number:	251144
Project File Name:	Hartwood and Wanganella Large Regulators ACHMSP Rev 02
Local Government Area:	Edward River Local Government Area
Closest Town	Deniliquin (Hartwood) and Wanganella, NSW (Wanganella)
Local Aboriginal Land Council:	Deniliquin Local Aboriginal Land Council
Proponent	Abergeldie Complex Infrastructure on behalf of NSW Department of Climate Change, Energy, the Environment and Water.

Revision	Date	Prepared by	Reviewed by	Approved by
Rev 01	29/01/2026	Dr Tessa Bryant	Cassandra Venn	Matthew Barber
Rev 01	09/02/2026	Dr Tessa Bryant	Cassandra Venn	Matthew Barber
Rev 02	28/04/2026	Dr Tessa Bryant	Matthew Barber	Matthew Barber

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We acknowledge the Traditional Owners of this land and pay our respect to Elders past, present and emerging. We recognise that the First Nations peoples of Australia have traditionally managed the resources of this land in a sustainable way, and that they are the original custodians of the Australian environment.

The publicly available version of the ACHMSP should have sensitive information redacted such as contact details for the RAPs for the Project and heritage mapping for the Project.

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Acronyms and abbreviations

Abergeldie	Abergeldie Complex Infrastructure
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRP	Aboriginal Cultural Heritage Consultation Requirements for Proponents
AFSEMP	Ancillary Facility Site Establishment Management Plan
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ASIRF	Aboriginal Site Impact Recording Form
Austral	Austral Archaeology Pty Ltd
CEMP	Construction Environment Management Plan
CoA	Conditions of Approval for SSI-50831979
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
DPHI	NSW Department of Planning, Housing and Infrastructure
EIS	Environmental Impact Statement
EMS	Environmental Management System
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
Heritage Act	<i>Heritage Act 1977 (NSW)</i>
LALC	Local Aboriginal Land Council
LGA	Local Government Area
m	metres
MPPS	NSW Minister for Planning and Public Spaces
NGH	Fyfe Pty Ltd trading as NGH Consulting (NGH)
NPW Act	<i>National Parks and Wildlife Act 1974 (NSW)</i>
NSW	New South Wales
PAD	Potential Archaeological Deposit
The Project	Hartwood Large Regulator and Wanganella Large Regulator are part of the Billabong Creek Environmental Water Regulators Project which is a component of the DCCEEW Yanco Creek Modernisation Program
RAP	Registered Aboriginal Party
RtS	Response to Submissions report
SDLAM	Sustainable Diversion Limits and Adjustment Mechanism Program
SSI	State Significant Infrastructure
WMS	Work Method Statements
YCMP	Yanco Creek Modernisation Program

1. Introduction

Abergeldie Complex Infrastructure (Abergeldie) have been engaged by the New South Wales (NSW) Department of Climate Change, Energy, the Environment & Water (DCCEEW, the Proponent) to replace two existing weirs with new regulators along Billabong Creek, within the Yanco Creek system in south-western NSW. The works involve the demolition of the Hartwood and Wanganella weirs and the construction of two new regulators, as well as the construction of access tracks (and access track upgrades), and overhead and underground cables (the Project). This Project forms part of the Yanco Creek Modernisation Project (YCMP) and aims to enhance water management efficiency within Billabong Creek by enabling precise delivery of environmental and consumptive water (for towns and irrigation) to the right locations at the right time, while also improving native fish passage throughout the system.

The Billabong Creek Environmental Water Regulators was declared a State Significant Infrastructure (SSI) Project and assessed under Part 5 Division 5.2 of the EP&A Act (SSI-50831979). An Environmental Impact Statement (EIS) was prepared (DCCEEW 2024) including a revised Aboriginal Cultural Heritage Assessment Report (ACHAR) (Austral 2025) for the Submission Report and RFI Report. The Project site includes the Hartwood and Wanganella Regulators, as well as all associated works and is shown in Figure 1-1 and Figure 1-2 and Appendix A.

The Hartwood Regulator will be located approximately 10 kilometres (km) east of Conargo village. The Hartwood site is primarily surrounded by agricultural land used for dryland and irrigated cropping and grazing. Hartwood Weir, situated downstream of the Billabong Creek and Forest Creek junction, occurs on land owned by WaterNSW (Lots 1 and 2 DP1144789, Lot 3 DP181995). Downstream areas comprise both private and Crown land: the eastern bank is privately owned farmland, while the western bank is Crown land with associated licences and permits. Billabong Creek near the weir is classified as a Crown Waterway.

The Wanganella Regulator will be located approximately 1 km southwest of Wanganella village, on part of Lot 7005 DP 1024202 and Lot 7004 DP 1024203. The site is part of the Wanganella Recreation Reserve, known to local residents as Wanganella Common. The area is a Crown land reserve (R88408), used for the preservation of fauna and public recreation. Billabong Creek at this location is a Crown Waterway. Surrounding land uses include cropping and grazing.

Fyfe Pty Ltd trading as NGH Consulting (NGH) has been commissioned by Marsupial Lion on behalf of Abergeldie Complex Infrastructure to draft an Aboriginal Cultural Heritage Management Sub-plan (ACHMSP) to form part of the Construction Environmental Management Plan (CEMP) for the Project. Conditions of Approval (CoA) for the Billabong Creek Environmental Water Regulators infrastructure project were issued on 19 February 2026.

There are several conditions relating to Aboriginal cultural heritage. Condition C11 details requirements for the CEMP subplan for Aboriginal cultural heritage which this ACHMSP has been developed to fulfil.

1.1 Context

This ACHMSP is anticipated to be part of the Project Owner's (DCCEEW) Environmental Management Framework for the Project. This ACHMSP has been prepared to address the mitigation recommendations proposed in the final revised Aboriginal Cultural Heritage Assessment Report (ACHAR) for the Project (Austral 2025), Environmental Impact Statement (EIS) for the Project (DCCEEW 2024), Response to Submissions (RtS) report (DCCEEW 2025a), Request for additional information (DCCEEW 2025b) and heritage requirements of the CoA from the MPPS relating to the management of Aboriginal cultural heritage during the construction of the Project.

The ACHMSP will form part of Abergeldie's Construction Environmental Management Plan (CEMP) for the Project. The CEMP is part of Abergeldie's Environmental Management System (EMS). Mitigation and

management measures identified in this plan will be incorporated into the Project construction timeline and included in site induction and Work Method Statements (WMS), as outlined in the CEMP, where applicable. Used together, the CEMP, management measures, procedures, site induction and WMS, form management guidelines that clearly identify required environmental management actions for reference by the personnel, contractors, and sub-contractors for the Project.

As a subplan of the CEMP the review and document control processes for this ACHMSP will be undertaken in line with standard document control policy and procedures. The ACHMSP, like the overarching CEMP, is a live and evolving document to be updated when necessary.

Throughout the development of the Project any additional requirements that are identified by the Department of Planning Housing and Infrastructure (DPHI) through their assessment of any strategies, plans or correspondence that are submitted in accordance with CoA must be complied with.

This ACHMSP has been prepared by suitably qualified, independent, and experienced archaeologists Dr Tessa Bryant (NGH Senior Heritage Consultant - PhD with 12 years experience), Cassandra Venn (NGH Senior Heritage Consultant - BA Hon with 16 years' experience) and Matthew Barber (NGH Technical Director Heritage - *BA Hons- with over 30 years over experience*) from NGH. CVs are available on request.

In accordance with Condition C14 construction must not commence until the relevant Construction Environmental Management Plan (CEMP) including this Aboriginal Cultural Heritage Management Sub-plan (ACHMSP) has been approved by the Planning Secretary. Once the CEMP and CEMP sub-plans (including this ACHMSP) are approved, including any minor amendments approved by the Environmental Representative, the ACHMSP must be implemented for the duration of construction as required under Condition C16 of the CoA.

Condition C1 allows for Ancillary Facility – Site Establishment Management Plans to be prepared and approved prior to the approval of the CEMP. For the Billabong Creek Environmental Water Regulators Project, there is an Ancillary Facility – Site Establishment Management Plan #2 (AFSEMP) Removal of Scarred Trees and Salvage of Hearth (DCCEEW 2026) that has been prepared that details salvage of two culturally modified trees (Hartwood Weir Scarred Tree 4 / AHIMS# 54-3-0059 and Wanganella Weir Scarred Tree 3 / AHIMS # 54-2-0264) and Hartwood Hearth (AHIMS # 54-3-0061) as part of the establishment of ancillary facilities. AFSEMP #2 will be separately submitted to DPHI for approval. AFSEMP #2 and this document have been reviewed to ensure consistency between the two documents. AFSEMP #2 essentially provides more detail on the removal, storage and final use of two scarred trees and salvage of a hearth.

1.2 The Project

Works for each regulator would include the construction of the following:

- Construction / upgrading of temporary and permanent access tracks
- Construction of a new drainage culvert (Hartwood Regulator access tracks)
- The extension of an existing, privately owned borrow pit (near the Hartwood regulator Project site)
- Demolition of the Hartwood and Wanganella weirs
- Construction of the regulators, which would include:
 - Concrete piers with maintenance bulkhead slots
 - Automated layflat gates across the crest of the structure to assist with flow management and downstream fish passage
 - A low turbulence 'keyhole' type vertical slot fishway with allowances for variable headwater to provide upstream fish passage
 - Automated sidewinder gates within the vertical slot fishway to allow for variable headwater conditions
 - Fixed concrete crests on the opposite side of the gates to the vertical slot fishway
 - A concrete apron downstream of each structure

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- Concrete wingwalls upstream and downstream of each structure
- Access from a trafficable deck for maintenance (Hartwood Regulator only)
- Pedestrian walkway access part way across the Wanganella Regulator structure to facilitate housing of gate actuators and maintenance
- A walkway grating over the gates to facilitate operations and maintenance
- Rock beaching upstream and downstream of each structure for erosion protection
- Replacement of the existing Forest Creek block bank (Hartwood Regulator)
- Sheet pile cut-off walls beneath each structure
- Construction of the Wanganella flood bypass channel
- Construction of maintenance pads (consisting of crushed rocks), access and turnaround areas adjacent to the structures
- Construction of a control house
- Fencing around each structure to prevent public access
- Installation of a Supervisory Control and Data Acquisition control system
- Site rehabilitation works.

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Figure 1-1 Project Site - Hartwood Regulator.

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Billabong Creek Environmental Water Regulators (Parts 2A & 2C) (SSI-50831979)

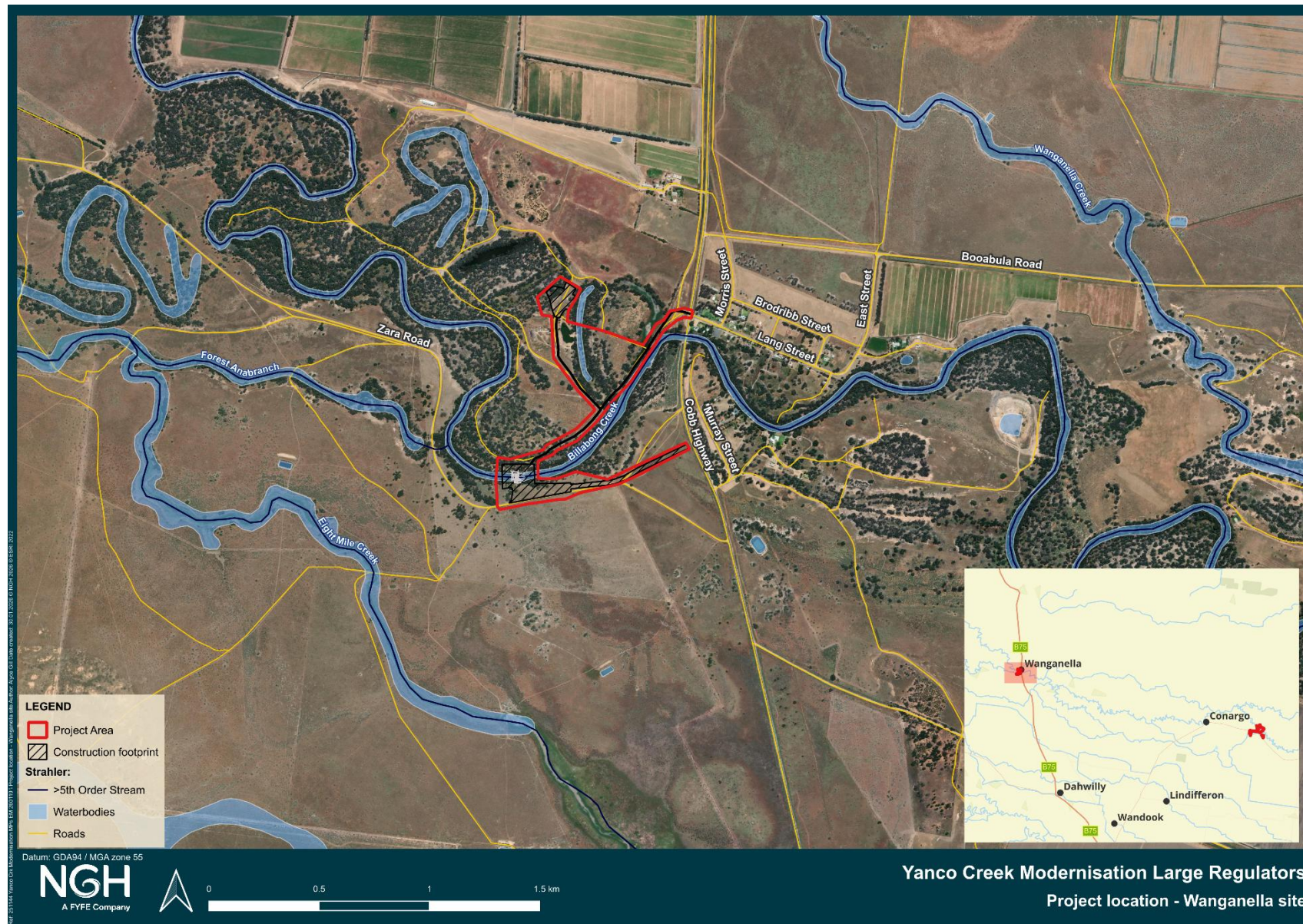


Figure 1-2 Project Site - Wanganella Regulator.

2. Purpose and objectives

The purpose of this ACHMSP is to describe how impacts on Aboriginal heritage will be minimised and managed during the replacement of the Hartwood and Wanganella weirs and construction of the Hartwood and Wanganella Large Regulators in line with the following relevant documents.

- The Project Environment Impact Statement (DCCEEW 2024)
- The Project revised Aboriginal Cultural Heritage Assessment Report (ACHAR) (Austral 2025)
- The Project Submissions Report (RtS, DCCEEW 2025a)
- The Project Request for additional information (DCCEEW 2025b).
- MPPS Infrastructure Approval (SSI 50831979 issued 19 February 2026).

If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the CoA must prevail to the extent of any inconsistency, except where it refers to specific actions outlined in the EIS.

The ACHMSP details the expectations on the management of any unexpected Aboriginal objects that may be encountered during works for the Project through the Unexpected Finds Protocol.

The key objectives of the ACHMSP are to:

- Ensure that impacts to Aboriginal heritage items known to be present within the Project Site are minimised.
- Ensure that any impacts to heritage items are within the scope permitted by the planning approval conditions.
- Outline the actions to be undertaken to minimise or mitigate impacts to heritage items.
- Ensure that the construction of the Project is carried out generally in accordance with the EIS.

To achieve this objective, the following will be undertaken:

- Appropriate controls and procedures are implemented during construction to avoid (where necessary) or minimise potential adverse impacts to Aboriginal heritage in the Project Site.
- The mitigation measures as detailed in the EIS, ACHAR, Response to Submission Report (RtS), Request for additional information and CoA are implemented.
- Appropriate measures are implemented to comply with all relevant legislation and other requirements as described in Section 3 of the plan.
- Facilitate engagement with the local Aboriginal community in partnership to appropriately manage the Aboriginal cultural heritage values associated with the Project.
- Maintain a programme of review of the effectiveness of the measures implemented.

2.1 Targets

The targets detailed in Table 2-1 have been established for the management of Aboriginal heritage impacts during the construction of the Project. These targets have been established to ensure the CoA listed in the Infrastructure Approval for the Project, are met.

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Target	Key Performance Indicator (KPI)	Measurement Tool
Ensure full compliance with the relevant legislative requirements.	Environmental inspections and audits conducted as per CEMP schedule. All non-conformance issues identified and resolved with corrective and preventative actions implemented within the specified timeframes.	Inspections, Audits, Non-Conformance Records
Ensure full compliance with the relevant requirements of the EIS, ACHAR, Addendum ACHAR, RtS, and CoA.	Environmental inspections and audits conducted as per CEMP schedule. All non-conformance issues identified and resolved with corrective and preventative actions implemented within the specified timeframes.	Inspections, Audits, Non-Conformance Records
Ensure Aboriginal Cultural Heritage Awareness Training is provided to all contractors and staff who will be involved in continuous activity at the site will undertake an induction.	All staff and contractors involved in continuous activity receive training.	Training Records
Ensure the implementation of the ACHMSP actions are reviewed and updated when required.	All reviews completed on schedule and in response to situations described in Section 9.2.	ACHMSP Review Records.

3. Environmental requirements

3.1 Statutory Context

The HLR and WLR Project is classified as SSI under Division 5.2 of the EP&A Act. SSIs are major projects which require approval from the NSW Minister for Planning and Public Spaces. The Project (SSI 50831979) was approved on 19 February 2026.

Aboriginal heritage is primarily protected under the NPW Act (1974) and as subsequently amended in 2010 with the introduction of the *National Parks and Wildlife Amendment (Aboriginal Objects and Places) Regulation 2010*. The aim of the NPW Act includes:

The conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to places, objects and features of significance to Aboriginal people.

An Aboriginal object is defined as:

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

Part 6 of the NPW Act concerns Aboriginal objects and places and various sections describe the offences, defences and requirements to harm an Aboriginal object or place. The main offences under section 86 of the NPW Act are:

- A person must not harm or desecrate an object that the person knows is an Aboriginal object.
- A person must not harm an Aboriginal object.
- For the purposes of this section, "circumstances of aggravation" are:
 - that the offence was committed in the course of carrying out a commercial activity, or
 - that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.
- A person must not harm or desecrate an Aboriginal place.

Under the Act harm to an object or place includes any act or omission that –

- (a) destroys, defaces or damages the object or place, or
- (b) in relation to an object—moves the object from the land on which it had been situated, or
- (c) is specified by the regulations, or
- (d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),

but does not include any act or omission that –

- e) desecrates the object or place, or
- f) is trivial or negligible, or
- g) is excluded from this definition by the regulations.

Under section 87 of the NPW Act, there are specified defences to prosecution including authorisation to harm in accordance with an Aboriginal Heritage Impact Permit (AHIP) or through exercising due diligence or compliance through the regulation.

Section 89A of the Act also requires that a person who is aware of an Aboriginal object must notify the Director-General in a prescribed manner. In effect this section requires the completion of an AHIMS site card for all sites located during heritage surveys.

Section 90 of the NPW Act deals with the issuing of an AHIP, including that the permit may be subject to certain conditions. Under Section 5.23 (1) (d) of the EP&A Act, section 90 of the NPW Act with the issuing of an Aboriginal Heritage Impact Permit (AHIP) does not apply for SSI projects and therefore where an SSI project is approved, impacts to certain heritage objects within the Project Site may also be approved.

The EP&A Act is legislation for the management of development in NSW. It sets up a planning structure that requires developers (individuals or companies) and public authorities to consider the environmental impacts of new proposals. Under this Act, cultural heritage is a part of the environment. This Act requires that Aboriginal cultural heritage and the possible impacts to Aboriginal heritage that development may have formally considered in land-use planning and development approval processes.

3.1.1 Legislation

Legislation relevant to heritage management includes:

- *Environmental Planning and Assessment Act 1979* (EP&A Act) (NSW)
- *Environmental Planning and Assessment Regulation 2021*
- *National Parks and Wildlife Act 1974* (NPW Act) (NSW)
- *National Parks and Wildlife Regulations 2019* (NSW)
- *National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010*
- *Heritage Act 1977* (NSW)
- *Native Title Act 1993* (Commonwealth)

3.1.2 Guidelines and standards

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

- *Guide to Investigating, Assessing, and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011)
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a)
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (ACHCRP) (DECCW 2010b)

3.2 Infrastructure Approval

Infrastructure Approval for the Project was issued on 19 February 2026. A detailed list of heritage control measures to be implemented to ensure compliance with the CoA, EIS, RtS, request for additional information and ACHAR undertaken for the Project is detailed in Section 7 of this document.

As noted in the CoA all reasonable and feasible measures to prevent and/or minimise any material harm to the environment is noted, this includes harm to Aboriginal heritage objects. This document outlines how this is to be achieved.

A list of the conditions from the CoA that are relevant to this Plan is provided in Table 3-1 below.

Table 3-1 Location of information in this plan addressing the heritage requirements of the CoA.

Condition	Condition of Approval	Location of Relevant Information
A1 of Schedule 2 Part A	The Proponent must carry out the SSI in accordance with the terms of this approval and generally in accordance with the: a. <i>Billabong Creek Environmental Water Regulators Environmental Impact Statement</i> dated October 2024 b. <i>Billabong Creek Environmental Water Regulators Response to Submissions – Main Report</i> dated May 2025 c. <i>Billabong Creek Regulators Request for additional information</i> dated September 2025	This document and Section 7.
A2 of Schedule 2 Part A	The SSI must be carried out in accordance with all procedures, commitments, preventative actions, performance criteria / outcomes and mitigation measures set out in the documents listed in Condition A1 unless otherwise specified in, or required under, this approval.	This document
A3 of Schedule 2 Part A	In the event of an inconsistency between: a. The terms of this approval and any document listed in Condition A1 inclusive, the terms of this approval will prevail to the extent of the inconsistency; and b. any document listed in Condition A1 inclusive, the most recent document will prevail to the extent of the inconsistency. Note: <i>For the purpose of this condition, there will be an inconsistency between a term of this approval and any document if it is not possible to comply with both the term and the document.</i>	Section 2
A4 of Schedule 2 Part A	The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to: a. the environmental performance of the SSI; b. any document or correspondence in relation to the SSI; c. any notification given to the Planning Secretary under the terms of this approval; d. any audit of the construction or operation of the SSI; e. the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval); and f. the carrying out of any additional monitoring or mitigation measures.	CEMP and Section 8

Condition	Condition of Approval	Location of Relevant Information
	In respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.	
A6 of Schedule 2 Part A	References in the terms of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards or policies in the form they are in as at the date of this approval, unless otherwise required by this approval or approved by the Planning Secretary.	Section 3.1.2
A9 of Schedule 2 Part A	Where the terms of this approval require consultation to be undertaken, evidence of the consultation undertaken must be submitted to the Planning Secretary and Environmental Representative (ER) (as relevant) with the corresponding documentation. The evidence must include: (a) documentation of the consultation with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.	This document Section 4 Consultation Report
A33 of Schedule 2 Part A	The Proponent must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including: a) date, time and location; b) a brief description of what occurred and why it has been classified as an incident; c) a description of what immediate steps were taken in relation to the incident; and d) identifying a contact person for further communication regarding the incident.	This document Section 8.5

Condition	Condition of Approval	Location of Relevant Information						
A34 of Schedule 2 Part A	The Proponent must provide the Department with a subsequent incident report in accordance with Appendix A (Incident Notification and Reporting Requirements).	This document Section 8.5						
A35 of Schedule 2 Part A	Within seven days of becoming aware of a non-compliance, the Proponent must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the SSI (including the application number and the name of the SSI if it has one), set out the condition of this approval that the SSI is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance. Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	This document Section 8.5						
C9 of Schedule 2 Part C	The following CEMP Sub-plans must be prepared in consultation with the relevant government agencies and councils identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A9. <table border="1"> <thead> <tr> <th></th><th>Required CEMP Sub-plan</th><th>Relevant government agencies and councils to be consulted for each CEMP Sub-plan</th></tr> </thead> <tbody> <tr> <td>(b)</td><td>Aboriginal Cultural Heritage Management Plan</td><td>Heritage NSW, Edward River Council</td></tr> </tbody> </table> Notes: CEMP Sub-plan(s) may reflect the staged construction of the project through geographical activities, temporal activities or activity based contracting and staging. - Nothing in this condition prevents the Proponent from combining any of the above CEMP Sub-plans.		Required CEMP Sub-plan	Relevant government agencies and councils to be consulted for each CEMP Sub-plan	(b)	Aboriginal Cultural Heritage Management Plan	Heritage NSW, Edward River Council	This document
	Required CEMP Sub-plan	Relevant government agencies and councils to be consulted for each CEMP Sub-plan						
(b)	Aboriginal Cultural Heritage Management Plan	Heritage NSW, Edward River Council						
C11 of Schedule 2 Part C	The CEMP sub-plan for Aboriginal Cultural Heritage Management must be prepared to incorporate mitigation measures identified in the documents listed in Condition A1: (a) be prepared by suitably qualified and experienced persons (b) be prepared in consultation with the Registered Aboriginal Parties (RAPs) and reviewed by Heritage NSW (c) include a description of the measures (and associated methodologies) including digital recording, removal, archaeological salvage, trimming of branches, and	This document Section 1.1 Section 4 Appendix B						

Condition	Condition of Approval	Location of Relevant Information
	protection measures that would be implemented for all Aboriginal sites that would be impacted by the proposed works and all Aboriginal sites in the vicinity of the proposed works as identified in the documents listed in Condition A1 (d) the long-term management of any Aboriginal heritage items or cultural material collected under the ACHMP (e) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions (f) ongoing consultation and involvement of RAPs during the implementation of the ACHMP (g) preparing Aboriginal Site Impact Recording Form/s (ASIRFs) for all Aboriginal heritage sites following construction activities with ASIRFs to be submitted to the Aboriginal Heritage Information Management System (AHIMS) registrar (h) Include a program to monitor and report on the effectiveness of management measures and any Aboriginal cultural heritage impacts of the project	Section 7.3 Section 8.2 Section 4 Section 7.3 Section 9
C14 of Schedule 2 Part C	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved; (b) the mitigation measures identified in the documents listed in Condition A1 will be implemented; (c) the relevant terms of this approval will be complied with; and (d) issues requiring management during construction (including any trigger levels and cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles. Construction must not commence until the relevant CEMP(s) and CEMP Sub-plans have been approved by the Planning Secretary.	This document Section 9 Section 7 Section 3 Section 7 Section 1.1
C16 of Schedule 2 Part C	The CEMP(s) and CEMP Sub-plans as approved or endorsed (as relevant), including any minor amendments approved by the ER, must be implemented for the duration of construction	This document
E19 of Schedule 2 Part E	Following completion of all Work described in the documents listed in Condition A1 that is related to heritage, an Annotated Index and Reference of archival recording, historical research, archaeological excavations (with artefact analysis and identification of a final repository for finds), and other heritage documents of the SSI must be prepared.	Section 7.3

Condition	Condition of Approval	Location of Relevant Information
E20 of Schedule 2 Part E	The Annotated Index and Reference must be completed no later than 12 months after the completion of the Work referred to in Condition A1 and provided to the Planning Secretary, the Heritage Council of NSW, Heritage NSW, LALCs, RAPs and the relevant Council(s) on request. Note: <i>The intent of an Annotated Index and Reference is to collate all heritage related assessments, investigations, recordings, research and excavation reports, and all other heritage related documents prepared for this approval in a single location.</i>	Section 7.3
E21 of Schedule 2 Part E	An Unexpected Heritage Finds and Human Remains Procedure must be prepared: (a) by a suitably qualified and experienced heritage specialist in consultation with Heritage NSW and the Heritage Council of NSW; (b) in accordance with guidelines and standards prepared by the Heritage Council of NSW and Heritage NSW; (c) include the requirement to register any newly identified Aboriginal objects or sites in the AHIMs database, and; (d) no later than one (1) month before the commencement of Work and submitted to the Planning Secretary submitted to the Planning Secretary and Heritage NSW for approval on request. The Unexpected Heritage Finds and Human Remains Procedure must be implemented for the duration of work and must be included in the Aboriginal Cultural Heritage Management Plan required by Condition C9. Note: <i>Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. All work must cease immediately, and Heritage NSW must be informed.</i>	Section 8.5 Appendix A
E25 of Schedule 2 Part E	All practicable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.	Section 7
E26 of Schedule 2 Part E	The Registered Aboriginal Parties (RAPs) must be kept informed about the SSI. The RAPs must be provided with the opportunity to be regularly consulted about the Aboriginal cultural heritage management requirements of the SSI. Note: <i>The intent of this condition is to keep RAPs regularly informed about project matters relating to Aboriginal Cultural Heritage.</i>	Section 4
E27 of Schedule 2 Part E	Where previously unidentified Aboriginal objects are discovered, all Work must immediately stop in the vicinity of the affected area and a suitably qualified and experienced Aboriginal heritage expert must be contacted to provide specialist heritage advice before Work recommences. The measures to consider and manage this process	Unexpected Finds Protocol (Appendix C)

Condition	Condition of Approval	Location of Relevant Information
	must be specified in the Aboriginal Cultural Heritage Management Plan required by Condition C9 and, where relevant, include registration in the Aboriginal Heritage Information Management System (AHIMS) .	Section 8.5
E28 of Schedule 2 Part E	An Aboriginal Cultural Heritage Salvage Report must be prepared following the completion of salvage activities under the Aboriginal Cultural Heritage Management Plan required by Condition C9. The Aboriginal Cultural Heritage Salvage Report(s) must: - be prepared by a suitable qualified expert - be prepared in accordance with the <i>Guide to investigation, assessing and reporting on Aboriginal Cultural Heritage in NSW</i> (OEH 2011) and the <i>Code of practice for archaeological investigation of Aboriginal objects in New South Wales</i> (DECCW 2010) - document the results of the salvage works and scarred tree removal and recording completed under the ACHMP - document the results of any specialist studies including analysis of dating of hearth materials - outline the long-term management strategy for all cultural material recovered from the project area, including any permanent public interpretive display - be provided to the RAPs who must be given a minimum of 28 days to consider the report and provide comments before the report is finalized. The final report must be provided to the Planning Secretary, Heritage NSW, AHIMS, and the RAPs within 24 months of the completion of the Aboriginal archaeological collections and excavations.	Section 7.3
Appendix A	INCIDENT NOTIFICATION REQUIREMENTS - All incident notifications and reports must be submitted via the NSW planning portal (Major Projects). - The Proponent must provide notification as required under these requirements, even if the Proponent fails to give the notification required under Condition A33 or, having given such notification, subsequently forms the view that an incident has not occurred. - Within 7 days (or as otherwise agreed by the Planning Secretary) of the Proponent making the immediate incident notification (in accordance with Condition A33), the Proponent is required to submit a subsequent incident report that: - identifies how the incident was detected; - identifies when the Proponent became aware of the incident; - identifies any actual or potential non-compliance with conditions of consent; - identifies further action(s) that will be taken in relation to	Section 8.5.3

Condition	Condition of Approval	Location of Relevant Information
	the incident; (e) a summary of the incident; (f) outcomes of an incident investigation, including identification of the cause of the incident; (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and (h) details of any communication with other stakeholders regarding the incident. The Proponent must submit any further reports as directed by the Planning Secretary.	

Fourteen sites were identified during the Aboriginal cultural heritage assessment for the Project. The majority of the sites are located on the edge of proposed works and will not be impacted by the Project. The sites to be avoided are listed in Table 3-2. Five sites are unable to be avoided by the development – two partially impacted, and three completely impacted. These sites will require salvage and are listed in Table 3-3.

Two sites will be subject to partial impact (trimming):

- Forest Creek Block Bank Scarred Tree 2 (AHIMS # 54-3-0031)
- Forest Creek Block Bank Scarred Tree 4 (AHIMS # 54-3-0057)

One site requires archaeological salvage prior to impact:

- Hartwood Hearth (AHIMS # 54-3-0061)

Two sites require recording prior to removal and relocation:

- Wanganella Weir Scarred Tree 3 (AHIMS # 54-2-0264)
- Hartwood Weir Scarred Tree 4 (AHIMS # 54-3-0061)

Table 3-2 Aboriginal heritage items within the Project Site that must be avoided by the proposed development.

AHIMS No.	Site Name
AHIMS # 54-3-0034	Forest Creek Block Bank Scarred Tree 3
AHIMS # 54-3-0058	Forest Creek Block Bank Earth Mound 1
AHIMS # 54-3-0026	Hartwood Weir Scarred Tree 1

AHIMS No.	Site Name
AHIMS # 54-3-0029	Hartwood Weir Scarred Tree 3
AHIMS # 54-3-0055	Hartwood Weir Scarred Tree and PAD
AHIMS # 54-3-0054	Hartwood Weir Earth Mound 1
AHIMS # 54-3-0056	Hartwood Weir Earth Mound 2
AHIMS # 54-2-0263	Wanganella Weir Scarred Tree 1
AHIMS # 54-2-0251	W scar tree 2

Table 3-3 Aboriginal heritage items that must be salvaged if unable to be avoided by the proposed development.

AHIMS No.	Site Name
AHIMS # 54-3-0031	Forest Creek Block Bank Scarred Tree 2
AHIMS # 54-3-0057	Forest Creek Block Bank Scarred Tree 4
AHIMS # 54-3-0059	Hartwood Weir Scarred Tree 4
AHIMS # 54-3-0061	Hartwood Hearth
AHIMS # 54-2-0264	Wanganella Weir Scarred Tree 3

3.3 EIS mitigation measures

The EIS for the Project detailed a series of management and mitigation measures relating to Aboriginal Heritage which were updated as part of the RtS for the Project (DCCEEW 2025a, Appendix A). The following table provides the management recommendations relating to Aboriginal heritage from the EIS and ACHAR. The environmental performance outcomes (impacts in the below table) based on the EIS and ACHAR for Aboriginal heritage that need to be achieved through implementation of this ACHMSP include minimizing impacts on heritage items in the project disturbance area, protection of heritage items outside of the project disturbance area and managing unexpected finds, both unexpected heritage items and human remains.

Table 3-4 Updated mitigation measures for Aboriginal heritage from ACHAR and RFI Appendix A (DCCEEW 2025b, pp.A20–A24).

ID	Impact	Environmental safeguards	Responsibility	Timing
AH1	Protecting Aboriginal heritage and minimising impacts during construction	All ground disturbing works to the following earth mounds and potential archaeological deposit	NSW DCCEEW, Contractor	Design, pre-construction, construction

ID	Impact	Environmental safeguards	Responsibility	Timing
		(PAD) sites must be avoided, specifically: • Forest Creek Block Bank Earth Mound 1 (AHIMS # 54-3-0058), • Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3-0055), • Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) • Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056). Traditional Owners must also be involved in monitoring works to ensure the protection of these sites from the proposed works. Specific site protection conditions include: 1) Six Aboriginal cultural heritage sites are in close proximity to the access tracks. Prior to the commencement of works these sites must be fenced off using temporary flagging to ensure no disturbance occurs, specifically: • Forest Creek Block Bank Earth Mound 1 (AHIMS # 54-3-0058), • Hartwood Weir Scarred Tree 1 (AHIMS # 54-3-0026), • Hartwood Weir Scared Tree 3 (AHIMS # 54-3-0029), • Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3-0055), • Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) • Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056). 2) All vehicles must keep to the access tracks 3) An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS #		

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ID	Impact	Environmental safeguards	Responsibility	Timing
		54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056) to ensure that no vehicles drive in close proximity to sites.		
AH2	Protecting Aboriginal heritage and minimising impacts during construction	The following culturally modified (scar) trees are to have no ground-disturbing works within the canopy dripline, damage to their trunks or limbs removed and/or damaged, this includes: - Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3- 0055), - Wanganella Weir Scarred Tree 1 (AHIMS # 54-2-0263) - W scar tree 2 (AHIMS # 54-2-0251 - Forest Creek Block Bank Scarred Tree 3 (AHIMS # 54-3-0034) Temporary flagging must be erected to ensure the preservation of these sites and Traditional Owners must be involved in monitoring works to ensure the protection of these sites from the proposed works.	Contractor	Pre-construction, construction
AH3	Protecting Aboriginal heritage and minimising impacts on during construction	Hartwood Weir Scarred Tree 4 (AHIMS # 54-3-0059), Hartwood Weir Hearth (AHIMS # 54- 3-0061), Forest Creek Block Bank Scarred Tree 2 (AHIMS # 54-3-0031), Wanganella Weir Scarred Tree 3 (AHIMS # 54-2-0264) and Forest Creek Block Bank Scarred Tree 4 (AHIMS # 54-3-0057) will be impacted by the proposed works and are to be managed in accordance with recommendations AH4, AH5 and AH6 below.	Contractor	Construction
AH4	Protecting Aboriginal heritage and minimising impacts during construction	The Conditions of Approval must state that impacts the following sites must be managed under the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP): Hartwood Weir Scarred Tree 4 (AHIMS # 54-3-	NSW DCCEEW Contractor	Pre-construction, construction

ID	Impact	Environmental safeguards	Responsibility	Timing
		0059): digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree, • Hartwood Weir Hearth (AHIMS # 54-3-0061): including archaeological salvage of the site with RAPs present, • Forest Creek Block Bank Scarred Tree 2 (AHIMS # 54-3-0031): trimming to be conducted by qualified arborist and under supervision of RAPs, • Forest Creek Block Bank Scarred Tree 4 (AHIMS # 54-3-0057): trimming to be conducted by qualified arborist and under supervision of RAPs, and • Wanganella Weir Scarred Tree 3 (AHIMS # 54-2-0264) digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree.		
AH5	Protecting Aboriginal heritage and minimising impacts during construction	The ACHMP at a minimum, must include protocols for: 1. Minimisation and managing the impacts of the project on heritage items within the disturbance area. 2. Protecting the heritage items outside the project disturbance area. 3. Managing the discovery of human remains or previously unidentified heritage items based on Water NSW's	Contractor	Pre-construction, construction

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ID	Impact	Environmental safeguards	Responsibility	Timing
		unexpected finds protocol. - Ensuring any workers on site receive suitable heritage inductions prior to carrying out any work on site. - Monitoring and reporting on the effectiveness of any mitigation measures and any heritage impacts of the project. - Maintaining and managing reasonable access for registered Aboriginal parties (RAPs) to heritage items on site. - Conducting further archaeological and heritage assessments in any disturbance areas where this assessment has not already been carried out. - Be developed in consultation with RAPs and Heritage NSW.		
AH6	Protecting Aboriginal heritage and minimising impacts during construction	This assessment covers the harm to all known cultural heritage sites. In the event that unexpected finds occur during the proposed construction activities, an unexpected finds process must be followed. This process will be developed as part of the recommended ACHMP prior to the proposed works' commencement. If human skeletal remains are encountered, all work must cease immediately and NSW Police must be contacted, they will then notify the Coroner's Office. Following this, if the remains are believed to be of Aboriginal origin, then the Aboriginal stakeholders and Heritage NSW must be notified.	Contractor	Pre-construction, construction

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ID	Impact	Environmental safeguards	Responsibility	Timing
AH7	Impacts to and benefits for Aboriginal communities	It is recommended that NSW DCCEEW continues to inform the Aboriginal stakeholders about the management of Aboriginal cultural heritage within the study area throughout the completion of the project. The consultation outlined as part of this ACHAR is valid for six months and must be maintained by the proponent for it to remain continuous. If a gap of more than six months occurs, then the consultation will not be suitable to support an ACHMP for the study areas.	NSW DCCEEW, Contractor	Design, pre-construction, construction
AH8	Impacts to and benefits for Aboriginal communities	A copy of this report (the final ACHAR) should be forwarded to all Aboriginal stakeholder groups who have registered an interest in the project.	NSW DCCEEW	Design, pre-construction

4. Consultation for the ACHMSP

The EIS and ACHAR for the Project recommended that this ACHMSP be developed in consultation with the Registered Aboriginal Parties (RAPs) for the Project. The CoA for the Project requires that this sub-plan is prepared in consultation with the RAPs and reviewed by Heritage NSW. Consultation with the RAPs for this Project and this plan was undertaken by DCCEEW.

The CoA for the Project requires that the RAPs are kept informed with regular consultation during the Project, including but not limited to opportunities for monitoring, participation in salvage works, consultation regarding long term storage of Aboriginal objects from salvage activities and review of the draft salvage report. The CoA for the Project also requires the maintenance and management of reasonable access for RAPs to heritage on site.

There are 13 RAPs for the Project:

- Bangerang Aboriginal Corporation
- Bundyi Aboriginal Cultural Knowledge
- Cummeragunja Local Aboriginal Land Council (LALC)
- Deniliquin LALC
- Leeton and District Local Aboriginal Land Council
- Sandhills Artefacts
- Wiradjuri Council of Elders
- Yarkuwa Indigenous Knowledge Centre
- Kevin Atkinson
- Roley Williams
- Maydina Penrith
- Redacted Group #1
- Redacted Group #2

The ACHMSP was provided to the RAPs on the 19 March 2026 and they were given 14 days (until 2 April 2026) to provide any comments on the ACHMP. No comments were received on the draft ACHMSP from RAPs.

In addition to this ACHMSP, DCCEEW have also undertaken consultation on Ancillary Facility Site Establishment Management Plan # 2 - Removal of Scarred Trees and Salvage of Hearth (NSW DCCEEW 2026) for the Project with RAPs and results of this consultation regarding temporary storage locations and the salvage methodology have been incorporated into this ACHMSP.

In accordance with Condition C9 of the CoA, the draft ACHMSP was provided to Heritage NSW on 7th April 2026 and Edward River Council for comment. Comment on the draft ACHMSP was received from Heritage NSW on 23 April 2026. These comments were in relation to one figure, the management of artefacts salvaged from the site and the relationship between this document and the Ancillary Facility Site Establishment Management Plan for the removal of scarred trees and the salvage of a hearth. The ACHMSP has been updated based on these comments.

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A response on the draft ACHMSP was received from Edward River Council on 22 April 2026, that acknowledged that consultation with the RAPs has been carried out and that council had no further comments regarding the plan but would appreciate a copy of the final plan for their records.

The consultation documentation for this Plan, including evidence of consultation with RAPs (as per Condition 11b of the CoA), Heritage NSW and Edward River Council (as required by Condition C9 of the CoA), can be found in DCCEEWs Consultation Report.

5. Heritage Context

The Aboriginal Cultural Heritage Assessment (ACHAR) for the Project was undertaken by Austral Archaeology Pty Ltd (Austral). As a result of the surveys undertaken for the Project of the Hartwood Weir, Forest Creek Block Bank, Wanganella Weir, and Wanganella Flood Bypass Channel study areas as well as previously recorded sites, a total of 14 sites were identified within the Project Site. The majority of sites are culturally modified (scar) trees (n=9), with three earth mounds (hearth), one hearth site and one culturally modified tree with an associated area of potential archaeological deposit (PAD). The majority of the culturally modified trees are black box, where species has been recorded.

The majority of sites were recorded on the edge of the Project Site away from the proposed works and following revision of the proposed works there are two sites which will have a minor impact from the Project:

- Forest Creek Block Bank Scarred Tree 2 (AHIMS # 54-3-0031)
- Forest Creek Block Bank Scarred Tree 4 (AHIMS # 54-3-0057)

And three sites which would have a major impact from the proposed works and require salvage:

- Hartwood Weir Hearth (AHIMS # 54-3-0061)
- Hartwood Weir Scarred Tree 4 (AHIMS # 54-3-0059)
- Wanganella Weir Scarred Tree 3 (AHIMS # 54-2-0264)

The salvage of the five Aboriginal heritage items (as approved in the CoA) that cannot be avoided by the proposed development will be carried out in line with the salvage requirements from the ACHAR and CoA and salvage methodology outlined in Appendix B and in accordance with the long term management of Aboriginal objects as noted in Section 7.2 of the ACHMSP.

6. Heritage Mapping

Mapping of known heritage items and mitigation measures are shown below in Figure 6-1 and Figure 6-2.

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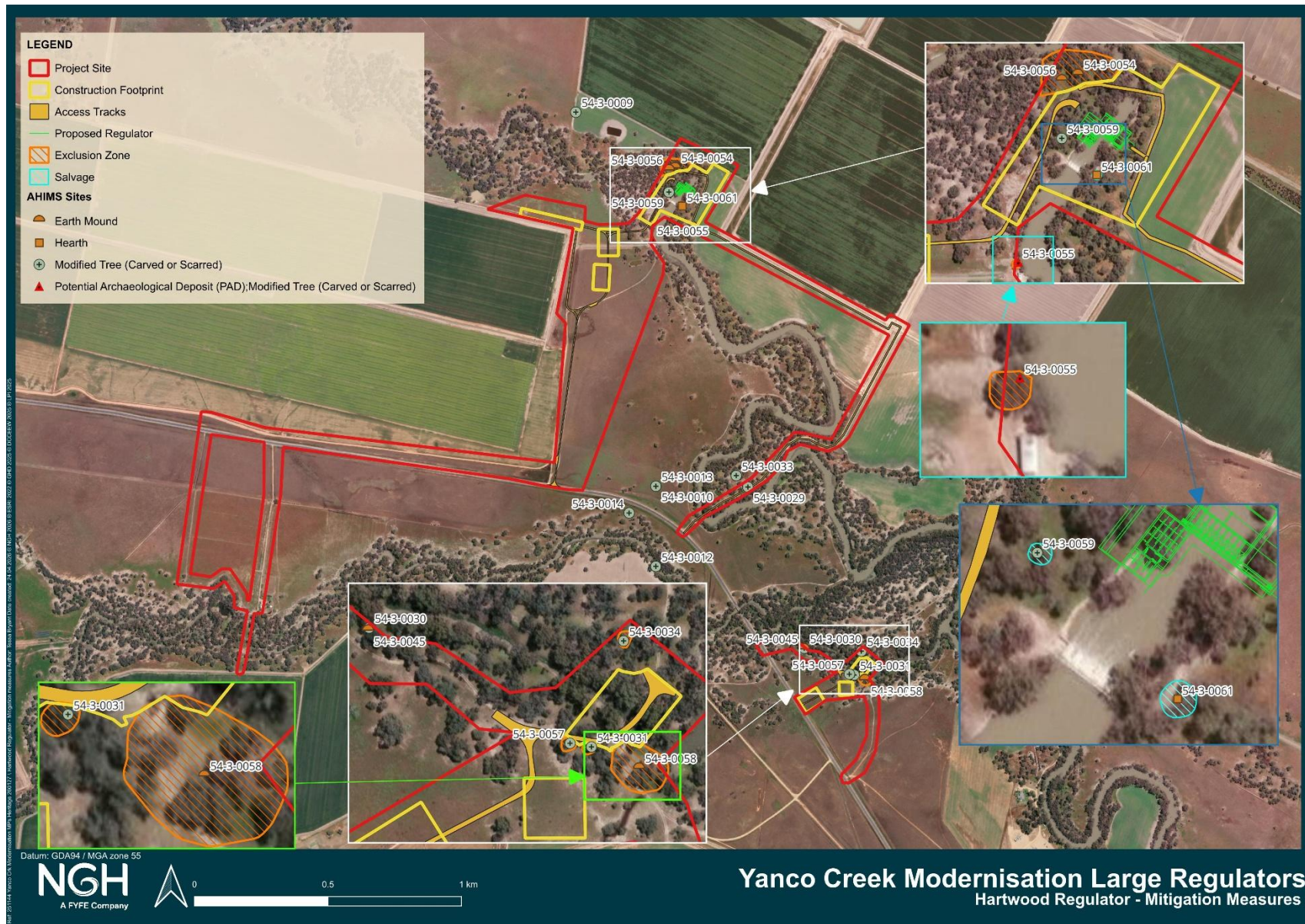


Figure 6-1 Hartwood Weir heritage items and mitigation measures.

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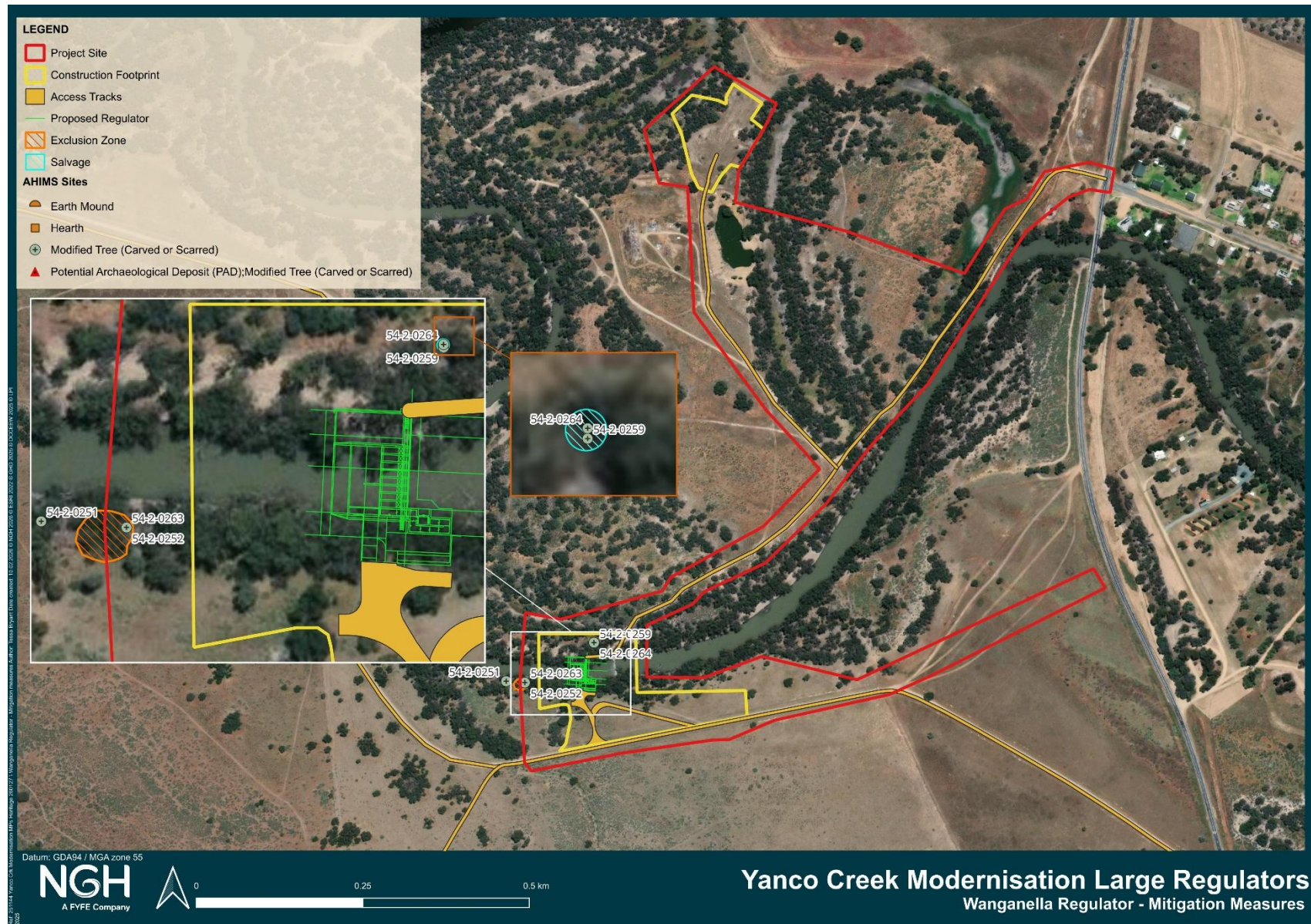


Figure 6-2 Wanganella Weir heritage items and mitigation measures.

7. Heritage Control Measures

A range of mitigation requirements and control measures are identified in the CoA, EIS, ACHAR, RtS and request for additional information undertaken for the Project. Specific measures and requirements to address impacts to heritage values are outlined in Table 7-1. The activities required for the development of the Project have been generally grouped into the categories of design, pre-construction and construction, and therefore not all individual activities are listed in this table however all Project activities should be grouped into the most appropriate overarching activity category. A list of mitigation measures by site based on the proposed impact is presented in Table 7-2. A salvage methodology is presented in Appendix B.

Any issues relating to Aboriginal heritage requiring management during construction (including any trigger levels and cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART (Specific, Measurable, Achievable, Realistic, and Timely) principles in accordance with the CEMP, this ACHMSP and Condition C14 of the CoA.

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Table 7-1 Heritage control measures as required under the CoA, EIS, ACHAR, RtS and request for additional information in relation to the Project.

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
General				
Implementation of an approved Aboriginal Cultural Heritage Management Sub-plan.	This document	Pre-construction Construction	NSW DCCEEW Abergeldie Project Manager	This document
All reasonable and feasible measures must be implemented to prevent and/or minimise any material harm to the environment, including Aboriginal objects, that may result from the construction of the development.	This document	Pre-construction Construction	NSW DCCEEW Abergeldie Project Manager	This document
Throughout the development of this Project any requirements from the Planning Secretary that may arise from their assessment of any strategies, plans or correspondence that are submitted in accordance with the CoA must be complied with. Any requirements, actions or measures documented by the Planning Secretary following reports, reviews or audits regarding the compliance of the Project with the CoA must also be complied with.	This document Section 9.2 CoA	Pre-construction Construction	NSW DCCEEW Abergeldie Project Manager	This document CoA
Ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in the ACHAR and EIS as sites to avoid or other sites located outside the approved Project Site. Any works that are to occur outside the approved Project Site will require a modification.	This document CoA	Design Pre-construction Construction	NSW DCCEEW Abergeldie Project Manager	This document CoA
All ground disturbing works to earth mound and/or potential archaeological deposit (PAD) sites, including Forest Creek Block Bank Earth Mound 1 (AHIMS # 54-3-	This Document CoA	Design Pre-construction	NSW DCCEEW Abergeldie Project	This document CoA

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Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
0058), Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3-0055), Hartwood Earth Mound Weir 1 (AHIMS # 54-3-0054) and Hartwood Earth Mound Weir 2 (AHIMS # 54-3-0056), must be avoided. Representatives from the Registered Aboriginal Parties (RAPs) as selected by the Proponent also be involved in to ensure the protection of these sites from the proposed works such as when fencing is installed and salvage is undertaken. Temporary fencing is required for six Aboriginal cultural heritage sites that are in close proximity to the access tracks: Forest Creek Block Bank Earth Mound 1 (AHIMS # 54-3-0058), Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3-0055), Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054), Hartwood Weir Scarred Tree 1 (AHIMS #53-4-0026), Hartwood Weir Scarred Tree 3 (AHIMS # 54-3-0029), and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056). This temporary flagging should be installed with a minimum 5m buffer from the edge of the recorded site to ensure that the sites are not disturbed. An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earh Mound 2 (AHIMS # 54-3-0056) with the assistance of RAPs (as selected by the Proponent) to ensure that no vehicles drive in close proximity to sites. All vehicles must keep to the access tracks.		Construction	Manager	
The following culturally modified (scar) trees Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3- 0055), Wanganella Weir Scarred Tree 1 (AHIMS # 54-2-0263), W scar tree 2 (AHIMS # 54-2-0251) and Forest Creek Block Bank Scarred Tree 3 (AHIMS # 54-3-0034) are to have no ground-disturbing works within the canopy dripline, damage to their trunks or limbs removed and/or	This document CoA	Pre-construction, construction	NSW DCCEEW Abergeldie Project Manager	This document CoA

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Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
damaged. Temporary flagging must be erected to ensure the preservation of these sites with the assistance of RAPs for the Project as selected by the Proponent with a minimum 5m buffer from the dripline.				
A copy of the ACHMSP should be kept on site during construction of the Project and be readily available for reference if and as required.	This document	Pre-construction Construction	Abergeldie Project Manager	This document
All employees, contractors and utility staff working on site will receive Aboriginal Heritage Training in the form of an induction before they begin work on site. A record of this training as part of the site induction process will be kept.	Induction package	Construction	Abergeldie Project Manager Environmental Site Representative	This document Section 8.2
The induction material relating to Aboriginal heritage will be reviewed by the RAPs for the Project prior to its use as part of the Project's induction material. This is to ensure the information provided is culturally appropriate and relevant to the Project.	Induction package	Pre-Construction	NSW DCCEEW Abergeldie Project Manager	This document Section 8.2
A strategy for the long-term management of any items or material that are salvaged would be developed in consultation with the RAPs. If Aboriginal objects are to be reburied or relocated, the relocation site is required to be outside the Development footprint but inside the development approval area—avoiding known Aboriginal sites not approved for impacts—and would be undertaken with representatives of the RAPs for the Project.	CoA Heritage report This Document	Pre-construction	NSW DCCEEW Project Archaeologist	This document Appendix A and Section 7.3
Further archaeological assessment would be required if the Project activity extends beyond the beyond the approved Project Site. In the event that new or modified	Heritage reports CoA	Design Pre-construction	NSW DCCEEW Project Archaeologist	CoA Heritage reports

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Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
works are required heritage impacts must be appropriately considered. This would include consultation with the RAPs and may include further field survey and subsurface testing.		Construction		This document
The location of all Aboriginal sites which are not approved for impacts within the Project Site should be clearly shown on all relevant construction mapping and plans and include buffer zones.	Construction mapping and plans	Pre-construction Construction	NSW DCCEEW Abergeldie Project Manager	This document and construction mapping and plans
Cultural heritage must be included within any major environmental audit for the Project.	CoA This document	Pre-construction Construction	Independent Auditor Abergeldie Project Manager	This document Section 8.4
Consultation with the RAPs would be ongoing during implementation of the ACHMSP and regularly throughout the project unless the RAPs request to no longer be contacted. All consultation with the RAPs must be recorded in a log to ensure auditable compliance.	RAP contact details	Pre-construction Construction	DCCEEW Project Archaeologist	This document CoA Condition C11 of Schedule 2 Section 4
PRE-CONSTRUCTION				
Ensure that the development avoids any direct or indirect impacts on the Aboriginal heritage items prior to the salvage of each site approved for impacts. Until the salvage has occurred at the sites approved for impacts (as listed in the CoA), a minimum 5 m buffer must be observed around each site. No construction works can commence until the completion of the surface and subsurface salvage within the approved Development footprint.	This document CoA	Pre-construction Construction	NSW DCCEEW Project Archaeologist	This document CoA
All Aboriginal sites that will not be subject to impacts must be temporarily demarcated with a minimum 5 m buffer (installed with assistance from RAPs for the Project	This document CoA	Pre-construction Construction	Project Owner Contractor	This document Table 3-2 and

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Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
as selected by the Proponent), until such a time as the construction of the Project has been completed.			Project Manager	Section 8.3
Salvage of the following sites, with the assistance of RAPs for the Project (as selected by the Proponent) is required prior to impact: Hartwood Weir Scarred Tree 4 (AHIMS # 54-3- 0059) - digital recording of the tree using LIDAR scanning and casting of the scar, followed by careful removal of the tree avoiding damage to the cultural modification of the tree. Hartwood Weir Hearth (AHIMS #54-3-0061, including archaeological salvage of the site with RAPs present. Forest Creek Block Bank Scarred Tree 2 (AHIMS # 54-3-0031), trimming to be conducted by a qualified arborist and under supervision of RAPs. Wanganella Weir Scarred Tree 3 (AHIMS # 54-2-0264) trimming to be conducted by a qualified arborist and under supervision of RAPs. Forest Creek Block Bank Scarred Tree 4 (AHIMS # 54-3-0057) digital recording of the tree using LIDAR scanning and casting of the scar, followed by careful removal of the tree avoiding damage to the cultural modification of the tree.	ACHAR and EIS This document CoA	Pre-construction Construction	Project Owner Project archaeologist	This document Section 7 and Appendix A
All Aboriginal objects collected during the salvage – including culturally modified trees —must be returned or preserved in a manner that is determined appropriate in consultation with the RAPs for the Project. A minimum 5 m buffer zone is required to be placed around the relocation/reburial site to ensure the site will not be impacted into the future. Any relocation/reburial sites are required to be included in the inspection and monitoring that will occur fortnightly during construction	ACHMSP	Pre-construction Construction Operational	DCCEEW Project Archaeologist	This document Section 7.2 Section 8.3

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Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
by the Site Environmental Officer (or equivalent).				
A new site card/s must be completed on the AHIMS database for the relocation/reburial location of the salvaged sites. This must occur within 1 month of the actions being completed for the reburial of the salvaged sites.	Code of Practice	Pre-construction	Project archaeologist	Code of Practice Section 7.3
An Aboriginal Site Impact Recording Form (ASIRF) will be completed and submitted to AHIMS for any site harmed or destroyed from salvage and/or construction works.	Code of Practice Aboriginal Site Impact Recording Form	Pre-construction	DCCEEW Abergeldie Project Manager Project archaeologist	Code of Practice Section 7.3
Construction				
Where any additional, unrecorded Aboriginal or non-Aboriginal objects are encountered during works within the Project Site the Unexpected Finds Protocol will be followed.	Unexpected Finds Protocol Site Plan CoA	Construction	DCCEEW Abergeldie Project Manager All personnel	This document Unexpected Finds Protocol
If human remains are discovered on site, then all work surrounding the area must cease immediately, the area must be secured, and NSW Police notified. The Unexpected Finds Protocol for human remains will be followed to notify Heritage NSW as soon as possible. Work must not recommence in the area until this is authorised by Heritage NSW and/or NSW Police.	Unexpected Finds Protocol	Construction	Abergeldie Project Manager All personnel	This document Unexpected Finds Protocol Section 8.5.1
Should an item of historical heritage be identified during works, the Unexpected Finds Protocol will be followed. Heritage NSW and the NSW Heritage Council would be contacted prior to further work being carried out in the vicinity of the historic heritage item.	Unexpected Finds Protocol	Construction	Abergeldie Project Manager All personnel	This document Unexpected Finds Protocol

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Table 7-2 Proposed mitigation measures for sites within the Project Site.

Site Name	AHIMS Site #	Type/Degree of harm	Consequences	Mitigation requirements
Wanganella Weir Scarred Tree 3	AHIMS # 54-2-0264	Direct/Whole	Total loss of value	Digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree. RAPs as selected by the Proponent to be present for salvage works.
Forest Creek Block Bank Scarred Tree 2	AHIMS # 54-3-0031	Direct/Partial	Partial loss of value	Trimming to be conducted by qualified arborist and under supervision of RAPs (as selected by Proponent).
Forest Creek Block Bank Scarred Tree 4	AHIMS # 54-3-0057	Direct/Partial	Partial loss of value	Trimming to be conducted by qualified arborist and under supervision of RAPs (as selected by Proponent).
Hartwood Weir Scarred Tree 4	AHIMS # 54-3-0059	Direct/Whole	Total loss of value	Digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree. RAPs as selected by the Proponent to be present for salvage works.
Hartwood Hearth	AHIMS # 54-3-0061	Direct/Whole	Total loss of value	Archaeological salvage of the site with RAPs (as selected by the Proponent) present.
Forest Creek Block Bank Earth Mound 1	AHIMS # 54-3-0058	None	No loss of value	All ground disturbing works to the earth mound must be avoided. Temporary flagging with minimum 5m buffer to be installed with assistance of RAPs (as selected by Proponent).
Forest Creek Block Bank Scarred Tree 3	AHIMS # 54-3-0034	None	No loss of value	No ground-disturbing works within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed. Temporary fencing with minimum 5m buffer of dripline to be installed with assistance of RAPs (as selected by Proponent).
Hartwood Weir Earth Mound	AHIMS # 54-3-0054	None	No loss of value	All ground disturbing works to this site must be avoided. Temporary flagging with minimum 5m buffer to be installed with assistance of RAPs (as selected by Proponent). An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056) to ensure that no vehicles drive in close proximity to sites.

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Site Name	AHIMS Site #	Type/Degree of harm	Consequences	Mitigation requirements
Hartwood Weir Earth Mound	AHIMS # 54-3-0056	None	No loss of value	All ground disturbing works to this site must be avoided. Temporary flagging with minimum 5m buffer to be installed with assistance of RAPs (as selected by Proponent). An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056) to ensure that no vehicles drive in close proximity to sites.
Hartwood Weir Scarred Tree 1	AHIMS # 54-3-0026	None	No loss of value	Prior to the commencement of works this site must be fenced off with a minimum 5m buffer using temporary flagging with assistance of RAPs (as selected by Proponent) to ensure no disturbance occurs.
Hartwood Weir Scarred Tree 3	AHIMS # 54-3-0029	None	No loss of value	Prior to the commencement of works this site must be fenced off with a minimum 5m buffer using temporary flagging with assistance of RAPs (as selected by Proponent) to ensure no disturbance occurs.
Hartwood Weir Scarred Tree and PAD	AHIMS # 54-3-0055	None	No loss of value	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed. Temporary fencing with minimum 5m buffer of dripline to be installed with assistance of RAPs (as selected by Proponent)..
W scar tree 2	AHIMS # 54-2-0251	None	No loss of value	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed. Temporary fencing with minimum 5m buffer of dripline to be installed with assistance of RAPs (as selected by Proponent).
Wanganella Weir Scarred Tree 1	AHIMS # 54-2-0263	None	No loss of value	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed. Temporary fencing with minimum 5m buffer of dripline to be installed with assistance of RAPs (as selected by Proponent).

7.1 Temporary/short term storage of Aboriginal objects

The salvaged Aboriginal objects, such as stone artefacts and hearth materials recovered from the salvage programme—which are required to be undertaken prior to any development works—will be held temporarily in a secure locked cabinet at the Project Archaeologist’s premises or other location agreed to in consultation with the RAPs to allow for analysis and recording.

These Aboriginal objects would be held until an appropriate time that it can be arranged for them, to be relocated within the Project Site, outside of the approved Development footprint or repatriated in a manner as chosen by the RAPs during ongoing consultation and/or in accordance with Requirement 26 of the *Code of Practice*. The temporary storage of these items is not expected to exceed 12 months after the completion of the salvage works.

Based on consultation undertaken to date for the Ancillary Facility Site Establishment Management Plan #2 (NSW DCCEEW 2026) the interim storage location for the Hartwood Weir Scarred Tree 4 (AHIMS #54-3-0059) will be in a weatherproof lockable shipping container at DCCEEW Deniliquin Depot (Hardinge Steet Deniliquin). The tree would be stored until it can be relocated to its final location as part of a heritage display adjacent to the community hall in Conargo (see below). Temporary storage of Wanganella Scarred Tree 3 (AHIMS # 54-2-0264) is not proposed as this tree would be transported directly to its final storage location at the Yarkuwa Indigenous Knowledge Centre.

7.2 Long term management and relocation of salvaged objects

The relocation site, (or manner in which the items are returned) for Aboriginal objects salvaged from the Project will need to be identified and resolved during ongoing consultation with RAPs. This may include interpretation in a public interpretive display. The temporary storage of these items is not expected to exceed 12 months after the completion of the salvage works.

The location of salvaged Aboriginal objects (scar trees, hearth material and stone artefacts - if located during salvage of Hartwood Hearth) would be recorded by the submission of site card/s to the Aboriginal Heritage Information Management System (AHIMS), as legally required, within three months from the reburial/relocation of the salvaged Aboriginal objects. In the event that a Care Agreement is sought by one of the RAPs for the Project for some or all of the recovered Aboriginal objects this agreement must be approved by Heritage NSW prior to implementation.

Based on consultation undertaken to date for the Ancillary Facility Site Establishment Management Plan #2 (NSW DCCEEW 2026) the Hartwood Weir Scarred Tree 4 (AHIMS #54-3-0059) is intended to be incorporated into an existing heritage display adjacent to the community hall in Conargo. The final location for Wanganella Scarred Tree 3 (AHIMS # 54-2-0264) would be the Yarkuwa Indigenous Knowledge Centre where it would be used for cultural purposes. The relocation of objects would be undertaken following planning approval for the Hartwood Weir Scarred Tree 4 display and following salvage for the Wanganella Scarred Tree 3.

7.3 Post salvage requirements

An ASIRF must be completed and submitted to AHIMS following harm for each site impacted or destroyed from the salvage and/or construction works. These would be completed and lodged by the Project Archaeologist / Environmental Site Representative. Following the relocation of the Aboriginal objects salvaged as per the CoA, the relocation site/s position will also be included in mapping for the Project to ensure that they are protected during the construction of the Project. Following the relocation of salvaged Aboriginal objects, the site status database (see below) would be updated to show and/or include the relocation site/s.

Following the salvage works an Aboriginal cultural heritage salvage report must be completed. Following CoA condition E27 this needs to:

- be prepared by a qualified expert,
- be prepared in accordance with *Guide to Investigating, Assessing, and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011) and *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010a)
- document the results of the salvage works and scarred tree removal and recording completed under the ACHMSP
- document the results of any specialist studies including analysis of dating of hearth materials
- outline the long-term management strategy for all cultural material recovered from the project area, including any permanent public interpretive display
- be provided to the RAPs who must be given a minimum of 28 days to consider the report and provide comments before the report is finalised. The final report must be provided to the Planning Secretary, Heritage NSW, AHIMS, and the RAPs within 24 months of the completion of the Aboriginal archaeological collections and excavations.

A copy of the salvage report is required to be included in the Annotated Index and Reference of all heritage documents for the project required by CoA Condition E18.

7.4 Heritage site status database

Prior to any works occurring onsite a database of all previously recorded Aboriginal heritage sites will be established for use by the DCCEEW and Abergeldie and others as required. This database will include the following information as a minimum:

- AHIMS number of the site;
- Site name;
- CoA for the site;
- Status of the site;
- Date status of site updated on AHIMS;
- Comments; and
- GIS shapefiles showing the location and status of all recorded sites.

This database will be updated by the Project Archaeologist. Within one month following the salvage of a site and submission of impact site cards and/or if any new site cards within the Project Site are submitted to AHIMS by the Project Archaeologist. An example of the Heritage site status database for this Project is provided in Appendix D.1.

The Project Archaeologist and site survey team coordinate access, updating, and the status of the shapefiles.

The purpose of this database is to ensure that the status of Aboriginal sites can be easily accessed by DCCEEW to ensure that appropriate heritage control measures and monitoring of any valid / *in situ* sites within the Project Site occurs during the construction of the Project.

8. Compliance Management

8.1 Structure and responsibility

The organisational structure and overall roles and responsibilities, including those for contractors and sub-contractors, are outlined in the EMS and CEMP. Specific responsibilities for the implementation of environmental controls in this document are summarised in Table 7-1 and the roles and responsibilities relevant to this plan are outlined in Table 8-1. Environmental controls and actions will include those relating to heritage management.

Table 8-1 Construction team roles and responsibilities.

Role	Responsibility	Authority and accountability
DCCEEW Abergeldie Project Manager	- Ensure resources are made available to enable works to comply with ACHMSP and other environmental management requirements. - Fulfilling the Proponent's obligations under the CoA for the Project works. - Providing the contractor visibility and transparency to Project environmental (including heritage) requirements and commitments, to enable outcomes. - Advising or enabling environmental requirements and considerations in a timely manner. - Regularly monitoring environmental performance and maintaining visibility on work sites for environmental compliance. - Ensuring all Project activities are carried out in an environmentally responsible way, without environmental harm, and in compliance with the Project CoA. - Responsible for reporting incidents and non-compliance with the conditions of approval. - Engagement of specialist consultants to conduct the relevant work as and when required.	- Order Stop-work for an activity that may cause material or environmental harm, - Release of environmental hold points, if required. - Recommend Stop-work for an activity that may cause harm to Aboriginal objects. - Manage any external consultants engaged.
Abergeldie Project Manager	- Ensure contractors are working in accordance with the requirements of the EMS, as required under the construction contract. - Provide resources for compliance management of heritage places. - Plan construction works in a manner that	- Report any incidents or near-misses that may impact on the heritage or breach conditions set-out in this plan of the EMS. - Recommend Stop-work for an activity that may cause harm to unexpected heritage objects.

Role	Responsibility	Authority and accountability
	avoid or minimises impact to heritage. • Ensure construction personnel manage construction works in accordance with statutory and approval requirements. • Support the Site Environmental Officer (or equivalent) in achieving the Project environmental objectives. • Ensure heritage management procedures and protection measures are implemented. • Ensure all Project personnel attend an induction prior to commencing works. • Report and raise any issues that arise that may have a heritage impact. • Report and raise the discovery of any new artefacts, Aboriginal artefacts or places. • Assist external consultants to conduct their work as and when required.	• Liaise with the Project owner and other Government authorities as required.
Health Safety and Environment (HSE) Advisor and Site Environmental Representative	• Control field works and implement/maintain effective environmental controls. • Ensure all site workers are site inducted prior to commencement of works. The induction must include Aboriginal heritage obligations and an acknowledgement of Country. • Facilitating and developing the material for all environmental induction and toolbox talks for all site personnel. • Maintaining all environmental management documents. • Reporting of incidents. • Identifying where environmental measures are not meeting the targets and where improvements can be achieved. • Monitoring and reporting environmental compliance. • Reviewing Project environmental documents. • Maintain heritage site database and mapping.	• Recommend Stop-work for an activity that may cause material or environmental harm. • Release of environmental hold points, if required. • Recommend Stop-work for an activity that may cause harm to Aboriginal objects. • Notify environmental incidents and reportable events immediately and submit reports.
Project	• Acting as specialist subcontractor as required.	• Undertake salvage works of sites as approved in the CoA

Role	Responsibility	Authority and accountability
archaeologist	- Operate as instructed by the Project Manager/Project Owner in compliance with all environmental requirements. - Liaison with Aboriginal parties as needed.	- and subsequent reporting, including impact site cards if applicable. - Inspection of chance (unexpected) finds as required. - Recommend Stop-work for an activity that may cause harm to Aboriginal objects.
Wider Project team (including subcontractors)	- Complying with the relevant requirements of the ACHMSP. - Participating in the mandatory Project/site induction program. - Reporting any heritage incidents to the site supervisor immediately or as soon as practicable if reasonable steps can be adopted to control the incident. - Be familiar with the Unexpected Finds Protocol of this ACHMSP.	Recommend Stop-work for an activity that may cause harm to Aboriginal objects.
Environmental Representative (ER)	- Monitor compliance with the Conditions of Approval (CoA) and ACHMSP - Review environmental performance, including inspections, audits and reporting - Verify implementation of environmental management measures during construction - Review incidents and non-compliances and associated corrective actions - Liaise with DCCEEW, the Proponent and relevant stakeholders on environmental matters	- Independent authority to review and endorse CEMP and sub-plans (where required) - Authority to approve minor amendments to environmental management plans (as permitted under the CoA) - Authority to direct corrective actions to address non-compliances - Authority to require additional mitigation measures or monitoring to ensure compliance - Accountable for providing independent oversight of environmental compliance in accordance with the CoA (including Condition A23)

Further details regarding specific responsibilities for the implementation of environmental and heritage controls are detailed in the EMS.

8.2 Training

To ensure that this ACHMSP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this plan.

All employees, contractors, sub-contractors, and utility staff working on site will receive heritage training. It will be provided to all personnel in the form of an induction before they begin work on site.

This training will address elements related to Aboriginal cultural heritage management including:

- An acknowledgement/ or Welcome to Country.
- Include some cultural information to acknowledge the cultural significance of the local area.
- Aboriginal Heritage obligations for the Project and relevant legislation.
- Identify any no-go areas and management measures.
- Identify the procedure to follow in the event of an unexpected Aboriginal heritage item and/or unexpected historical relic and the discovery of human remains during works.

A record of training will be maintained by the HSE manager.

Training and/or cultural awareness will be developed in consultation with RAPs for the Project to ensure that there is appropriate cultural content for the induction and training.

Targeted training in the form of toolbox talks or specific training will also be provided to personnel with a key role in heritage management. Examples of training topics include:

- Unexpected Finds Protocol.
- No-go areas and the delineation of heritage items which are listed in the CoA as sites which must be avoided.

A refresher induction and/or additional training will be implemented following any incident that involves heritage. If future revision of the ACHMSP occurs consideration must be given as to whether a refresher induction and/or additional training will be undertaken.

8.3 Inspections and monitoring

Periodic inspections of Aboriginal heritage sites within the approved Project Site, as per the Conditions of Approval, will take place during the construction of the Project. The inspection of these sites that will occur weekly during construction by an appropriate person such as the Environmental Site Representative.

This inspection should ensure that the temporary fencing that has been installed to ensure no impacts to sites or parts of sites that are not approved to be impacted, is in place. Temporary flagging is required outside the drip line of Wanganella Weir Scarred Tree 1 (AHIMS # 54-2-0263), W scar tree 2 (AHIMS # 54-2-0251) and Forest Creek Block Bank Scarred Tree 3 (AHIMS # 54-3-0034), and outside the site boundary for Forest Creek Block Bank Earth Mound 1 (AHIMS # 54-3-0058), Hartwood Weir Scarred Tree and PAD (AHIMS # 54-3-0055), Hartwood Weir Scarred Tree 1 (AHIMS #53-4-0026), Hartwood Weir Scarred Tree 3 (AHIMS # 54-3-0029), Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056). The exclusion line of bollards south of Hartwood EM Weir 1 (AHIMS # 54-3-0054) and Hartwood EM Weir 2 (AHIMS # 54-3-0056) should also be inspected and confirmed to be in place.

If the relocation site/s of the salvaged Aboriginal objects is to be located within 50 m of the approved Development footprint, inspection of this location would also need to be included in the periodic inspections of the sites listed, once the relocation of objects has occurred. Inspection of the relocation site/s will occur fortnightly during construction by the Environmental Site Representative.

All inspections of heritage sites will be undertaken following a reporting checklist (Appendix D.2).

8.4 Auditing

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

Heritage must be included within any major environmental audit of impacts undertaken during the construction, operation, and decommissioning phases of works for the Project.

Audit requirements are detailed in the EMS/CEMP and must comply with the CoA Schedule 2 Part A Conditions A26-31.

8.5 Contingency plan and reporting

The contingency plan and reporting requirements and responsibilities are documented below to comply with the CoA.

8.5.1 Contingency plan and reporting human remains

If any human remains or suspected human remains are discovered during any works, all activity in the area must cease immediately and the Unexpected Finds Protocol (SSI-50831979 - Billabong Creek Environmental Water Regulators - Unexpected heritage find procedure (DCCEEW 2025c) which is provided in Appendix C of this Plan must be followed to report the find.

The NSW Police must be notified immediately. Details of the location and nature of the human remains must be provided to the relevant local police. If there are reasonable grounds to believe that the remains are Aboriginal, Heritage NSW must also be contacted as soon as practicable and any available details of the remains and their location, must be provided. Heritage NSW Environmental Line can be contacted on 131 555. If the find is determined to be Aboriginal in origin Heritage NSW will provide advice on any additional reporting requirements.

Work must not recommence in the immediate area of any confirmed human remain until this is authorised in writing by to do so be the appropriate authority (i.e., Heritage NSW, DPHI, and/or NSW Police).

8.5.2 Contingency plan and reporting unexpected finds

If any previously unidentified heritage items are found the Unexpected Finds Protocol (DCCEEW 2025c) which is provided in Appendix C of this Plan must be followed to report the find. If impacts to the unexpected find is determined to be covered under the land approved for the development in the CoA the object/s will be salvaged in line with the mitigation and surface/subsurface salvage methods noted in the ACHMSP. For Aboriginal objects covered under the CoA an AHIMS site card will be submitted upon the completion of the surface and/or subsurface salvage of the newly identified stone Aboriginal object/s. Should the Aboriginal stone object/s be salvaged under the CoA an ASIRF must also be completed and submitted to AHIMS.

8.5.3 Incident and non-compliance notification and reporting

Non-compliance is defined in the CoA as an occurrence, set of circumstances or development that is a breach of the consent but is not an incident.

An incident is defined in the CoA as a set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.

Material Harm is harm that:

- involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or
- results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$50,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Instances of non-compliance and/or incident notification will be recorded and raised as per the CoA Appendix A and Conditions A33 to A35 that notes that:

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Proponent must provide notification as required under these requirements, even if the Proponent fails to give the notification required under **Condition A33** or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Proponent making the immediate incident notification (in accordance with **Condition A33**), the Proponent is required to submit a subsequent incident report that:
 - (i) identifies how the incident was detected;
 - (j) identifies when the Proponent became aware of the incident;
 - (k) identifies any actual or potential non-compliance with conditions of consent;
 - (l) identifies further action(s) that will be taken in relation to the incident;
 - (m) a summary of the incident;
 - (n) outcomes of an incident investigation, including identification of the cause of the incident;
 - (o) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (p) details of any communication with other stakeholders regarding the incident.
4. The Proponent must submit any further reports as directed by the Planning Secretary.
5. Council shall be notified in any incidents impact on Council's assets as soon as practicable.

9. Review and Improvement

9.1 Continuous improvement

Continuous improvement of this Plan will be achieved when opportunities for improvement are identified. Any proposed improvement and/or changes to this Plan are required to be approved by the Planning Secretary prior to implementation.

The continuous improvement process will be designed to:

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

It is the responsibility of the project appointed Environment Manager or equivalent to ensure the Plan is improved.

9.2 ACHMSP update and amendment

The processes and plans described in the CEMP may result in the need to update or revise this Plan. Any revision of the ACHMSP is to ensure it incorporates any recommended measures to improve the environmental performance of the Project. Any proposed changes to this Plan are required to be approved by the Planning Secretary prior to implementation.

Instances which may trigger the revision or update of this Plan include:

- Updating of mapping following the completion of the salvage programme.
- Addressing requirements from the Planning Secretary following the assessment of any strategies, plans or correspondence that are submitted to DPHI in accordance with the CoA for the Project.
- Addressing any requirements, actions or measures requested by the Planning Secretary and/or DPHI following reports, reviews or audits regarding the compliance of the project.
- Following an incident or non-compliance matter relating to heritage.
- Following the approval of a modification to the CoA by the Planning Secretary which affects heritage and/or the control measures and mitigations listed in this Plan.

A copy of the updated ACHMSP with any changes, once approved by the Planning Secretary, will be distributed to all relevant stakeholders in accordance with the approved document control procedure in the CEMP and to the RAPs in circumstances as noted in Section 4 of this Plan.

In the instance of any modification to the CoA, the ACHMSP will be reviewed within three months (3) and if revisions of the plan are required the plan will be submitted to the Planning Secretary for approval and to comply with the CoA Schedule 2 Part A Condition A15 (Staging, Combining and Updating Strategies, Plans or Programs).

In the instance of an incident report (CoA Schedule 2 Part A Condition A33) or an audit report (CoA Schedule 2 Part A Condition A31) which notes non-compliance for Heritage, the ACHMSP will be reviewed within 3 months and if revisions of the plan are required the plan will be submitted to the Planning Secretary for approval and comply with the CoA Schedule 2 Part A Condition A15 (Staging, Combining and Updating Strategies, Plans or Programs). Responsibility for making changes to the ACHMSP rests with the Environmental Manager but may require outsourced expertise from heritage professionals or others, which must be sought if required. If the changes are substantial, consultation with RAPs may also be required.

10. References

Austral 2025, *Yanco Creek Modernisation Project Part 2 - Billabong Creek Regulators New South Wales Aboriginal Cultural Heritage Assessment*, Report to NSW Department of Climate Change, Energy, the Environment and Water.

DCCEEW 2024, *Billabong Creek Regulators Environmental Impact Statement*,.

DCCEEW 2025a, *Billabong Creek Regulators Repsonse to Submissions - Main Report*,.

DCCEEW 2025b, *Billabong Creek Regulators Request for additional information*,.

DCCEEW 2025c, *SSI-50831979 - Billabong Creek Environmental Water Regulators - Unexpected heritage find procedure*,.

DECCW 2010a, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment, Climate Change and Water, Sydney.

DECCW 2010b, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment, Climate Change and Water, Sydney.

NSW DCCEEW 2026, *Ancillary Facility – Site Establishment Management Plan #2 - Removal of Scarred Trees and Salvage of Hearth*,.

OEI 2011, *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*, Office of Environment and Heritage, Department of Premier and Cabinet, Sydney.

Appendix A Salvage Methodology

In Revision 1 of the ACHMP reviewed by Heritage NSW, the Salvage Methodology was provided as Appendix D. In Revision 2, this content has been relocated and is now presented as Appendix A. All references to the Salvage Methodology have been updated accordingly to reflect this change.

Each Aboriginal site that cannot be avoided within the approved development footprint for the Project, as listed in the Conditions of Approval for this State Significant Infrastructure (SSI) project will need to be salvaged following approval of this ACHMSP, and prior to any construction works commencing, for the Project. The salvage team is assumed to comprise a qualified archaeologist and representatives of the RAPs (as selected by Abergeldie and DCCEEW) along with a qualified arborist for the salvage activities involving culturally modified trees.

A.1 Culturally modified trees

There are two culturally modified trees that will be partially impacted by the proposed development (Forest Creek Bank Block Scarred Tree 2 / AHIMS # 54-3-0031 and Forest Creek Block Bank Scarred Tree 4 / AHIMS # 54-3-0057). The mitigation measures for these Aboriginal heritage items are for them to be trimmed by a qualified arborist under supervision of the RAPs. The specific methodology for this would be provided by the appointed arborist and be developed in consultation with RAPs for the Project.

There are two culturally modified trees that will require salvage prior to the development commencing (Wanganella Weir Scarred Tree 3/ AHIMS # 54-2-0264 and Hartwood Weir Scarred Tree 4/ AHIMS #54-3-0026). The proposed methodology for the salvage is for a digital recording of both trees to be undertaken which may include LIDAR scanning and casting of the scar followed by careful removal of the tree by an arborist without damage to the cultural modification of the tree (i.e. the scar) and relocation to its temporary and long term storage/management location.

The Ancillary Facility Site Establishment Management Plan #2 (NSW DCCEEW 2026) for the Project provides more details on the salvage of the culturally modified trees which has been developed in consultation with the RAPs for the Project in accordance with the requirements of Condition C11(c) of the CoA.

Based on this plan the salvage of the two culturally modified trees will be undertaken:

- by a qualified arborist,
- in the presence of a qualified archaeologist and representatives of the RAPs
- in a manner to avoid damage to all culturally modified surfaces
- to include any cultural practices recommended by the RAPs

The arborist will provide a methodology for the technique for cutting and salvaging the trees and for lifting the tree onto the truck for transport.

The location of cuts for salvaging Hartwood Weir Scarred Tree 4 (AHIMS #54-3-0059) is shown in Figure 5 below and key RAPs have agreed with the cut locations. RAPs and TOs would have the opportunity to salvage any other sections of the trees for ceremonial use or the manufacture of Aboriginal cultural items.

The stump of the trees and any remaining sections of the trees would remain in-situ and be cleared/managed/reused by the construction contractor in compliance with the relevant management plans.



Figure 3 Hartwood Weir Scarred Tree 4 trunk and branch cut locations.

The main section of the Hartwood Weir Scarred Tree 4 (AHIMS# 54-3-0059) will be transported to the DCCEEW Deniliquin Depot (Hardinge Street Deniliquin) in a truck. Wanganella Weir Scarred Tree 3 (AHIMS# 54-2-0264) will be transported to the Yarkuwa Indigenous Knowledge Centre. The trees will be carefully secured in the truck to prevent damage during transport and unloading. The trees will be lifted from the truck to the storage in accordance with the Arborist's lift plan. Materials (such as padding) will be used to minimise movement of the tree during transport.

The remainder of the salvaged Hartwood Weir Scarred Tree 4 will be transported to the nominated location as agreed by the RAPs.

For the preservation of Hartwood Weir Scarred Tree 4 (AHIMS# 54-3-0059) the following treatment will be undertaken.:

- Insecticide treatment
- Fungicide treatment
- Capping the ends of the tree to retain moisture.

A.2 Hartwood Hearth

One site, Hartwood Weir Hearth (AHIMS #54-3-0061) would be subject to archaeological salvage excavation. The salvage would be conducted with an archaeologist and representatives of the RAPs present. The site was recorded to extend across an approximate 1x1m area. The proposed methodology for the hearth salvage excavation is:

- a. Divide the hearth into four quadrants using string lines.
- b. Select one quadrant to start excavation.
- c. Using a hand trowel, gradually excavate the selected quadrant down in stratigraphic units, or where stratigraphic layers are indistinct, in spits no greater than 5cm in depth.
- d. Continue to excavate until the entire quadrant is removed and/or datable material is recovered.
- e. Record the exposed sections.

There are then three options that can be implemented depending upon RAP preferences for the hearth and based upon final determination of whether the hearth is concluded to be an Aboriginal cultural item:

- i. Continue salvage of parts of the remaining three quadrants following the same manner outlined above;
- ii. Lift a portion of the hearth for later analysis; or
- iii. Cease salvage and backfill the salvaged quadrant(s) with the excavated material.

If appropriate datable materials are recovered from the hearth excavation, then these should be submitted for radiocarbon dating and/or optically stimulated luminescence dating as determined appropriate by the archaeologists in consultation and with the agreement of the RAPs for the Project.

Artefacts (if recovered) and samples will be bagged/labelled; a salvage log and chain-of-custody completed.

These Aboriginal objects would be held for up to 12 months post-salvage during which time it will be arranged for them, to be relocated within the Project Site, outside of the approved Development footprint or repatriated in a manner as chosen by the RAPs during ongoing consultation and/or in accordance with Requirement 26 of the *Code of Practice*.

The location of salvaged hearth material would be recorded by the submission of site card/s to AHIMS, as legally required, within three months from the reburial/relocation of the salvaged Aboriginal objects. In the event that a Care Agreement is sought by one of the RAPs for the Project for some or all of the recovered Aboriginal objects this agreement must be approved.

A.3 Management of recovered material and reporting

The salvaged Aboriginal objects, such as stone artefacts and hearth materials recovered from the salvage programme—which are required to be undertaken prior to any development works—will be held temporarily in a secure locked cabinet at the Project Archaeologist's premises or other location agreed to in consultation with the RAPs to allow for analysis and recording.

These Aboriginal objects would be held for up to 12 months post-salvage during which time it will be arranged for them, to be relocated within the Project Site, outside of the approved Development footprint or repatriated in a manner as chosen by the RAPs during ongoing consultation and/or in accordance with Requirement 26 of the *Code of Practice*.

Based on consultation undertaken to date for the Ancillary Facility Site Establishment Management Plan #2 the Hartwood Weir Scarred Tree 4 (AHIMS #54-3-0059) is intended to be incorporated into an existing heritage display adjacent to the community hall in Conargo. The final location for Wanganella Scarred Tree 3 (AHIMS # 54-2-0264) would be the Yarkuwa Indigenous Knowledge Centre where it would be used for

cultural purposes. The relocation of objects would be undertaken following planning approval for the Hartwood Weir Scarred Tree 4 and following salvage for the Wanganella Scarred Tree 3.

The location of salvaged Aboriginal objects (scar trees, hearth material and stone artefacts - if located during salvage of Hartwood Weir Hearth) would be recorded by the submission of site card/s to the Aboriginal Heritage Information Management System (AHIMS), as legally required, within three months from the reburial/relocation of the salvaged Aboriginal objects. In the event that a Care Agreement is sought by one of the RAPs for the Project for some or all of the recovered Aboriginal objects this agreement must be approved by Heritage NSW.

Following the relocation of the Aboriginal objects, which have been salvaged as per the procedure in this ACHMSP, the site location/s will also be provided to the Project owner, Project team, and the construction contractor to ensure the site/s are protected during the construction, operation and decommissioning of the Project. The recording and relocation of artefacts will be compliant with the *Code of Practice for Archaeological Investigations*.

An Aboriginal Site Impact Recording Form must be completed and submitted to AHIMS following harm for each site collected or destroyed from salvage and/or construction works. Representatives from the RAPs would be provided with the opportunity to assist the Project Archaeologist with the salvage programme and the relocation of the salvaged objects. Generally, a minimum of two representative from the RAPs would be invited to participate in the salvage programme and the relocation of the Aboriginal salvaged objects. If representatives from the RAPs are not available to participate and all reasonable opportunities have been afforded, the collection and relocation of Aboriginal objects, would continue as scheduled by the Project Archaeologist.

A salvage report will be prepared outlining the steps taken above. A copy of the report on the salvage and relocation of objects for the Project in line with the CoA (Condition E28) would be provided to the Project Manager. The report will also be provided to Heritage NSW, the Department of Planning, Housing and Infrastructure and the RAPs. A copy of the salvage report will be kept on site with a copy of the ACHMSP. The report would document the salvage programme and its results in accordance with condition E28 of the CoA. The report may also be used to inform the independent environmental audit, which would include heritage.

The salvage report would include, as applicable, the following:

- Introduction
- Purpose and objective
- Aboriginal involvement and consultation
- Salvage Results
 - Methodology
 - Results including any dating undertaken of hearth materials
 - Discussion
- Relocation of salvaged objects / long term management strategy
- Conclusions.

The salvage report draft would be provided to RAPs with a minimum 28 day period for review and comment before it is finalised. The final report must be provided to the Planning Secretary, Heritage NSW, AHIMS, and the RAPs within two years of the completion of salvage works. The final salvage report also needs to be included in the Annotated Index and Reference for the Project.

Appendix B Unexpected Finds Protocol

Unexpected Finds Protocol (SSI-50831979 - Billabong Creek Environmental Water Regulators – 2024 09
EMF-PCD - Unexpected heritage find procedure (Revision February 2026)

2024 09 EMF-PCD-Unexpected heritage find procedure

February 2026



Acknowledgement of Country

The Department of Climate Change, Energy, the Environment and Water acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Introduction

Purpose

The purpose of this procedure is to:

- Provide a consistent method for managing an unexpected heritage find (both Aboriginal and non-Aboriginal) that is discovered during activities undertaken by NSW Department of Climate Change, Energy, the Environment and Water - Water Group (DCCEEW - Water Group) or contractors on behalf of DCCEEW - Water Group.
- To meet DCCEEW - Water Group's obligations under the:
 - *NSW National Parks and Wildlife Act 1974*
 - *NSW Heritage Act 1977*
 - *NSW Coroner's Act 2009*
 - *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

Scope

This procedure is applicable to all DCCEEW - Water Group activities being undertaken by, or on behalf of, DCCEEW - Water Group and includes (but is not limited to):

- Activities undertaken by employees and contractors on behalf of DCCEEW - Water Group
- Temporary activities, such as preliminary investigations (e.g. geotechnical and environment surveys)
- Construction and maintenance of assets owned by, or on behalf of, DCCEEW - Water Group
- Activities at DCCEEW - Water Group properties and facilities.
- The discovery of any unexpected heritage find (both Aboriginal and non-Aboriginal), usually during construction, where DCCEEW - Water Group does not have approval to disturb the find or where safeguards for managing the disturbance (apart from this procedure) are not included in the environmental impact assessment.
- All DCCEEW - Water Group projects that are approved or determined under, Part 4 (Division 4.7), Part 5 or Division 5.2 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act), or any development that is exempt under the Act.

All construction environmental management plans (CEMPs) must refer to and/or include this procedure. If there is a difference between the unexpected heritage find process in an approved CEMP and this procedure, the approved CEMP must be followed. Where an approved CEMP does not provide sufficient detail on particular issues, this procedure must be used as additional guidance.

This procedure does not apply to:

- The legal discovery and disturbance of heritage finds as a result of investigations being undertaken in accordance with Heritage NSW; Department of Planning and Environment Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (2010); an Aboriginal Heritage Impact Permit (AHIP) issued under the *NSW National Parks and Wildlife Act 1974*; or an approval issued under the *NSW Heritage Act 1977*.
- The legal discovery and disturbance of heritage finds as a result of investigations (or other activities) that are required to be carried out for the purpose of complying with any environmental assessment requirements under Part 4, including Division 4.7, or Part 5, including Division 5.2 of the EP&A Act.
- The legal discovery and disturbance of heritage finds as a result of construction related activities, where the disturbance is permissible in accordance with an AHIP; an approval issued under the *NSW Heritage Act 1977*; the Minister for Planning's conditions of project approval; or safeguards (apart from this procedure) that are contained in the relevant environmental impact assessment.

Abbreviation and terms

Abbreviation	Definition
ACHA	Aboriginal cultural heritage assessment
AHIP	Aboriginal Heritage Impact Permit
AHIMS	Aboriginal Heritage Information System
AHMP	Aboriginal Heritage Management Plan
CEMP	Construction environmental management plan
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
EEL	Environment, Engagement and Land (DCCEEW – Water Group)
EMP	Environmental management plan

Abbreviation	Definition
HSE	Health, safety, and environment
RAP	Registered Aboriginal Party
REF	Review of environmental factors
DCCEEW - Water Group	NSW Department of Climate Change, Energy, the Environment and Water - Water Group

Term	Definition
Aboriginal object	The <i>NSW National Park and Wildlife Act 1974</i> protects Aboriginal objects which are defined as “any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains”.
Aboriginal place	An ‘Aboriginal place’ is defined under the <i>NSW National Park and Wildlife Act 1974</i> as “any place declared to be an Aboriginal place under section 84”. Section 84 Aboriginal places (<i>NSW National Park and Wildlife Act 1974</i>): “The Minister may, by order published in the <i>Gazette</i> , declare any place specified or described in the order, being a place that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture, to be an Aboriginal place for the purposes of this Act.
Environmental incident	An environmental incident is defined in 2024 02 EMF-PCD – Environmental incident management procedure as: • An event or set of circumstances, as a consequence of which pollution (air, water, or land) has occurred, is occurring, or is likely to occur. • Adverse environmental impact has occurred, is occurring, or is likely to occur; including native flora clearing/damage, impact on Aboriginal or historic heritage objects, Aboriginal remains, waste, native fauna injury or death, noise, odour, community etc. • An unexpected find that is not managed in accordance with relevant procedures / guidelines.
Environment Lead	Assigned project environment officer.
Heritage	Aboriginal and non-Aboriginal heritage
Immediately	Within 10 minutes of being made aware.
Must	Means that the statement is mandatory.

Term	Definition
Non-compliance	A failure to comply with any condition of approval, license condition or any other statutory approval or requirement relevant to the activity and/or area where the activity occurs.
Other heritage find	Historic heritage finds that are not considered to be 'relics', are referred to as 'works, buildings, or structure'. Works can generally be defined as a form of infrastructure such as tram tracks, a culvert, road base, a bridge pier, kerbing, historic road formations, buried roads, fences, sheds, buildings and conduits.
Registered Aboriginal Parties	Aboriginal people who have registered to be consulted about a proposed project or activity in accordance with Aboriginal cultural heritage consultation requirements for proponents (DCCEEW, 2010).
Relic	The <i>NSW Heritage Act 1977</i> protects relics which are defined as "any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance"
Traditional Owner	Traditional Owners are Indigenous people with cultural and historical connections to specific areas of land. Traditional owners or custodians hold appropriate cultural heritage knowledge to inform decision making and can seek to register their interest as a Registered Aboriginal party as part of the ACHA process.
Unexpected heritage find	Any unanticipated discovery of an actual or potential heritage find, for which DCCEEW - Water Group does not have approval to disturb or does not have a safeguard in place (except for this procedure) to manage the disturbance.
Project Manager	DCCEEW - Water Group Project Manager

Roles and responsibilities

Role	Responsibilities
Person who discovers unexpected find	- Stop work. - Notify the Person responsible for operational control of the project.

Role	Responsibilities
Person with responsibility for operational control of the project or activity	• Provision of training to all project personnel in this procedure. • Implement this procedure on site. • Train all personnel on site in this procedure (DCCEEW - Water Group employees, contractors and consultants) e.g. Project team induction, site specific induction, tool box talks, pre-start meetings, project meetings etc. • Understand how to respond to an unexpected find in accordance with this procedure
Project Manager	• Implement this procedure. • Train the project team in this procedure (DCCEEW - Water Group employees, contractors and consultants) e.g. Project team induction, site specific induction, toolbox talks, pre-start meetings, project meetings etc. • Understand how to respond to an unexpected find in accordance with this procedure
Environment Lead	• Monitor compliance with this procedure. • Provide training in this procedure to project personnel
Archaeologist	• Assess if the object or skeletal remains are of Aboriginal origin. • For objects or skeletal remains of Aboriginal origin, complete the assessment and recording and prepare an Aboriginal cultural heritage assessment (ACHA) and AHIP, if required. • Engage with RAPs, if required. • For a relic or other heritage find, assist the Project Manager to develop the approach for the project to proceed.
First Nations representative	• Understand how to respond to an unexpected find in accordance with this procedure
Director, Environment, Engagement & Land (EEL)	• Oversee compliance with this procedure. • Assess if an unexpected find represents an environmental incident

Evaluation and review

This document will be reviewed after implementation of the procedure for the first unexpected find; or after 12 months since Version 1 was published if there has been no unexpected heritage find since Version 1 was published. The document will then be reviewed on an annual cycle from this point.

Unless directed by DCCEEW - Water Group, retrospective application of updated versions of this document is not required for existing contracts.

Unexpected heritage find

An 'unexpected heritage find' means any unanticipated discovery of an actual or potential heritage find, for which DCCEEW - Water Group does not have approval (such as an Aboriginal Heritage Impact Permit) to disturb or does not have a safeguard in place (except for this procedure) to manage the disturbance.

These discoveries are categorised as either:

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

Heritage discoveries must be assessed by technical specialists (usually an archaeologist).

Aboriginal objects

The NSW National Park and Wildlife Act 1974 protects Aboriginal objects which are defined as:

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

Examples of Aboriginal objects include stone tool artefacts, shell middens, axe grinding grooves, pigment or engraved rock art, burials and scarred trees. Images of Aboriginal heritage finds are included in Appendix A – Aboriginal objects and historical heritage find examples.

All Aboriginal objects, regardless of significance, are protected under law. If an unexpected heritage find is identified as 'of Aboriginal origin', a Heritage Management Plan is required. If an Aboriginal object may be damaged, destroyed or moved as a result of the work, Heritage NSW and Aboriginal stakeholders must be informed and an AHIP obtained.

Historic (non-Aboriginal) heritage finds

Historic (non-Aboriginal) heritage finds may include:

- Archaeological ‘relics’
- Other heritage finds (work, building or structure).

Archaeological relics

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

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

Relics are archaeological items of local or state significance which may relate to past domestic, industrial or agricultural activities in NSW, including bottles, utensils, household items, implements, remnants of clothing, pottery, building materials and general refuse. Images of Historic (non-Aboriginal) heritage finds are included in Appendix A – Unexpected heritage find examples.

As a general rule, an archaeological relic requires discovery or examination by excavation. An archaeological excavation permit under section 140 of the *NSW Heritage Act 1977* is required to do this.

All relics are subject to statutory controls and protection.

If a relic is likely to be disturbed, a heritage approval is usually required from the Heritage Council of NSW. When a person discovers a relic, they must notify the Heritage Council of NSW of its location.

Other heritage find (work, building or structure)

Some historic heritage finds are not considered to be ‘relics’, but are instead referred to as ‘works, buildings, or structure’. Works can generally be defined as a form of infrastructure such as tram tracks, a culvert, road base, a bridge pier, kerbing, historic road formations, buried roads, fences, sheds, buildings and conduits. Although an approval under the *NSW Heritage Act 1977* may not be required to disturb these finds, their discovery must be managed in accordance with this procedure. ‘Other historic finds’ either may exist above the ground’s surface (e.g., a shed), or they are designed to operate and exist beneath the ground’s surface (e.g., a culvert).

Human skeletal remains

Human skeletal remains can be classed as:

- Reportable deaths

- Aboriginal objects
- Relics.

Where it is suspected that less than 100 years has elapsed since death, human skeletal remains come under the jurisdiction of the State Coroner and the *NSW Coroners Act 2009*. Under s 35(2) of that Act, a person must report the death to a police officer, a coroner or an assistant coroner as soon as possible. This applies to all human remains less than 100 years old regardless of ancestry. Public health controls may also apply.

Where remains are suspected of being more than 100 years old, they are considered to be either Aboriginal objects or non-Aboriginal relics depending on the ancestry of the individual. Aboriginal human remains are protected, and require approval and notification, under the *NSW National Parks and Wildlife Act 1974*, while non-Aboriginal remains are protected under the *NSW Heritage Act 1977*.

The discovery of Aboriginal human remains also triggers notification requirements to the Commonwealth Minister for the Environment under s 20(1) of the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

All human skeletal remains are subject to statutory controls and protections.

All bones must be treated as potential human skeletal remains and work around them must stop while they are protected and urgently investigated.

Procedure

The unexpected heritage find procedure is summarised in **Error! Reference source not found.:** Unexpected heritage find and Figure 2: Suspected human remains flowchart.

Key steps in the procedure, in chronological order, are:

- Immediate response
- Record unexpected heritage find
- Assessment, regulatory notification and approval to proceed.

Roles and responsibilities for each step in the unexpected heritage find procedure are described in this section.

Figure 1: 2024 09 EMF-TOO - Unexpected heritage find flowchart

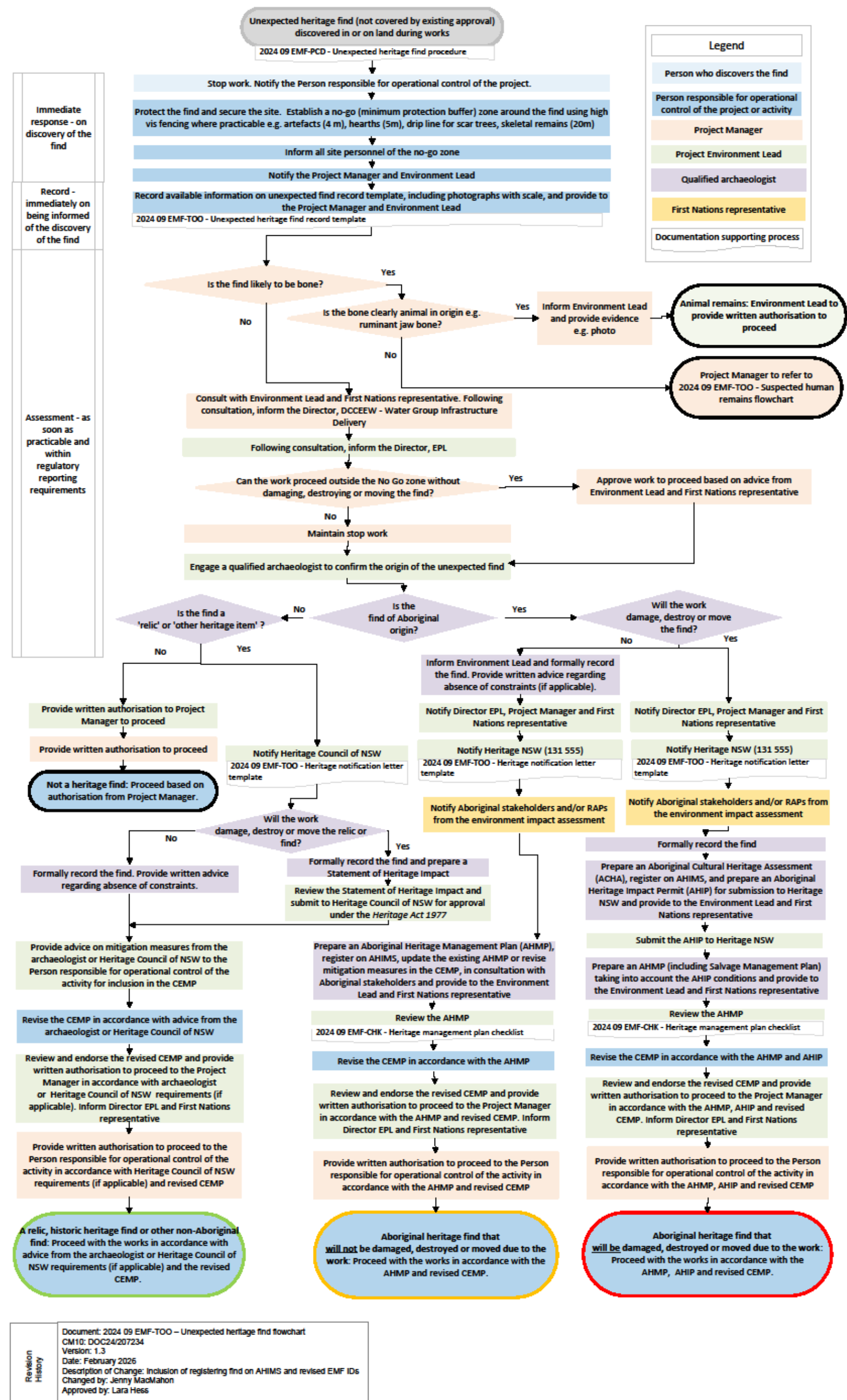
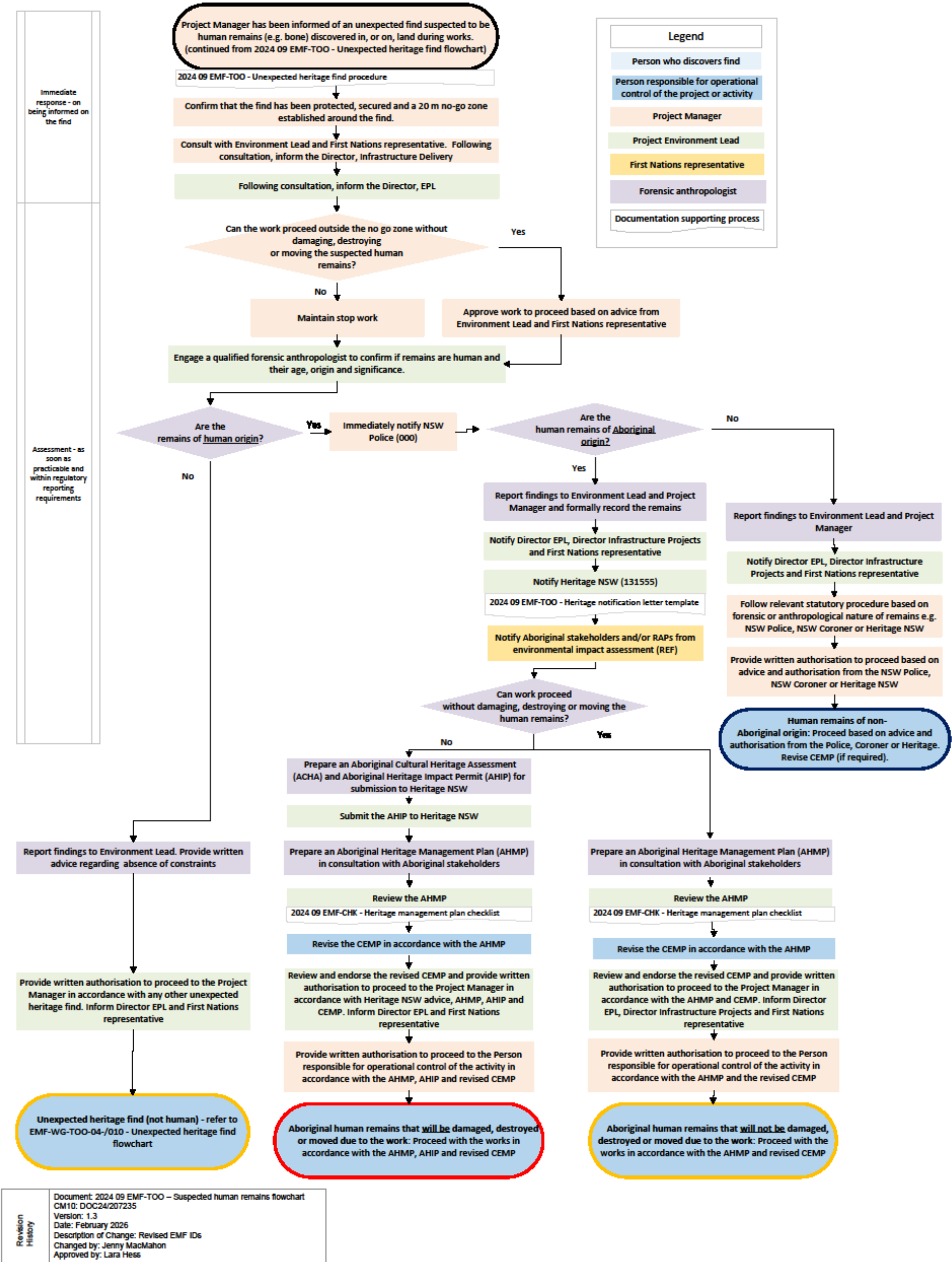


Figure 2: 2024 09 EMF-TOO - Suspected human remains flowchart



Immediate response

The Person who discovers the find must, immediately within 5-10 minutes of discovering the incident:

- Stop work.
- Notify the Person responsible for operational control of the project.

The Person responsible for operational control of the project must, immediately on being informed of the discovery of the find:

- Protect the find and secure the area around the find.
- Establish a no-go (minimum protection buffer) zone around the find using high visibility fencing where practicable e.g.:
 - artefacts (4 m)
 - hearths (5m)
 - drip line for scar trees
 - skeletal remains (20m).
- Inform all site personnel of the no go zone.
- If possible, assess if the find is suspected of being human skeletal remains.
- Notify the Project Manager and Environment Lead.

Unexpected heritage find record

The Person responsible for operational control of the project must, within 2-4 hours of discovery of the find:

- Record available information on the 2024 09 EMF-TOO - Unexpected heritage find record template (Appendix B), including taking photographs with a scale, and provide to the Project Manager and Environment Lead.

Assessment, regulatory notification and approval to proceed.

Determine the nature of the unexpected find

The Project Manager must, as soon as practicable and within regulatory reporting requirements:

- Assess if the find is suspected of being human remains
- Consult with the Environment Lead and First Nations representative to assess if work can be resumed outside of the no-go zone with control measures to prevent damage, destruction or moving the find. Following consultation, inform the Director, DCCEEW - Water Group - Infrastructure Delivery.
- If the activity is unable to proceed without destroying, damaging, or moving the find, stop work until advised by the Environment Lead and a qualified archaeologist.
- If the activity is able to proceed without destroying, damaging, or moving the find, approve work to proceed based on advice from Environment Lead and First Nations representative.

The Environment Lead must as soon as practicable and within regulatory reporting requirements:

- Following consultation with the Project Manager and First Nations representative, inform the Director, EPL of the unexpected find.
- If the find is:
 - suspected to be human skeletal remains, engage a qualified forensic anthropologist to assess the remains.
 - not human skeletal remains engage a qualified archaeologist to assess the unexpected find assessment pathway.

The forensic anthropologist must:

- Determine if the suspected human skeletal remains:
 - are of Aboriginal or non-Aboriginal ancestry and the burial context.
 - will be damaged, destroyed or need to be moved due to the activity.

The qualified archaeologist must:

- Determine if the unexpected find:
 - is of Aboriginal origin, a relic, other heritage find or not a heritage find.
 - will be damaged, destroyed or need to be moved due to the activity.

Aboriginal Object (that will not be damaged, destroyed or need to be moved due to the work)

If an unexpected find is confirmed to be of Aboriginal origin, and the work will not damage, destroy or need the Aboriginal object to be moved:

The qualified **archaeologist** must:

- Formally record the find.
- Provide written advice regarding absence of constraints and recommendation to proceed with the activity (if applicable).
- Determine further management measures as required, in consultation with aboriginal stakeholders, to ensure the Aboriginal object will not be impacted and prepare an Aboriginal Heritage Management Plan (AHMP) or update an existing AHMP, and update mitigation measures required in the CEMP.
- Register the find on register the find on the Aboriginal Heritage Information Management System (AHIMS)
- Identify heritage notification requirements.

The **Environment Lead** must:

- Notify the Director, EPL and First Nations representative.
- Notify Heritage NSW (131 555) first by phone call then by formal letter (2024 09 EMF-TOO – Heritage notification letter template).
- Review the AHMP and assess if it has considered relevant archaeological issues by completing the 2024 09 EMF-CHK - Heritage management plan review checklist (Appendix C).
- Review and endorse the CEMP (if the CEMP has been revised).
- Provide written authorisation to proceed to the Project Manager in accordance with the AHMP and revised CEMP. Inform Director EPL and First Nations representative.

The **First Nations** representative must:

- Notify Aboriginal stakeholders and registered Aboriginal parties (RAPs) that were consulted for the environmental impact assessment, of the unexpected Aboriginal object.
- Review the AHMP.

The **Person responsible for operational control of the project** must:

- Revise the CEMP and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with written authorisation from the Project Manager, and in accordance with the revised CEMP and AHMP.

Aboriginal Object (that will be damaged, destroyed or need to be moved due the activity)

If an unexpected find is confirmed to be of Aboriginal origin, and the work will damage, destroy or need the Aboriginal object to be moved:

The qualified **archaeologist** must:

- Formally record the find.
- Prepare an Aboriginal cultural heritage assessment (ACHA) in accordance with Heritage NSW guidelines.
- Register the find on AHIMS
- Prepare an Aboriginal Heritage Impact Permit (AHIP) application.
- Prepare an AHMP, or update the existing AHMP, in consultation with Aboriginal stakeholders.

The **Environment Lead** must:

- Notify the Director, EPL and First Nations representative.
- Notify Heritage NSW (131 555) first by phone call then by formal letter (2024 09 EMF-TOO – Heritage notification letter template).
- Review and approve the ACHA and AHIP.
- Submit the AHIP to Heritage NSW
- Review the AHMP and assess if the Heritage Management Plan has considered relevant archaeological issues by completing the 2024 09 EMF-CHK - Heritage management plan review checklist (Appendix C).
- Review and endorse the CEMP (if the CEMP has been revised).
- Provide written authorisation to proceed to the Project Manager in accordance with the AHMP, AHIP and revised CEMP. Inform the Director, EPL and First Nations representative.

The **First Nations** representative must:

- Notify Aboriginal stakeholders and/or registered Aboriginal parties (RAPs) that were consulted for the environmental impact assessment, of the unexpected Aboriginal object.
- Review the ACHA and AHMP.

The **Person responsible for operational control of the project** must:

- Revise the CEMP and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with written authorisation from the Project Manager, and in accordance with the AHMP, AHIP and revised CEMP.

Historic heritage find (that will not be damaged, destroyed or need to be moved due to the work)

If an historic heritage find that will not be damaged, destroyed or need to be moved due to the work:

The Environment Lead must:

- Notify Heritage Council of NSW by formal letter (2024 09 EMF-TOO – Heritage notification letter template).
- Provide advice on mitigation measures from the archaeologist to the Person responsible for operational control of the activity for inclusion in the CEMP
- Review and endorse the CEMP and provide written authorisation to proceed to the Project Manager in accordance with the archaeologist requirements and the revised CEMP. Inform the Director, EPL and First Nations representative.

The qualified Archaeologist must:

- Formally record the find.
- Provide written advice regarding absence of constraints and recommendation to proceed with the activity.
 - Identify heritage notification requirements.

The Project Manager, must:

- Following receipt of written authorisation to proceed from the Environment Lead, provide written authorisation to proceed to the Person responsible for operational control of the activity in accordance with the Heritage Council of NSW requirements (if required) and following review of the CEMP (if required).

The Person responsible for operational control of the project must:

- Revise the CEMP in accordance with advice from the archaeologist and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with advice from the archaeologist and the revised CEMP.

Historic heritage find (that will be damaged, destroyed or need to be moved due to the work)

If a relic or historic heritage find that will be damaged, destroyed or need to be moved due to the work:

The Environment Lead must:

- Notify Heritage Council of NSW by formal letter (2024 09 EMF-TOO – Heritage notification letter template).
- Review and approve the Statement of Heritage Impact
- Submit the approval application under the *Heritage Act* 1977 as required
- Provide advice on mitigation measures from the archaeologist or Heritage Council of NSW to the Person responsible for operational control of the activity for inclusion in the CEMP
- Review and endorse the revised CEMP and provide written authorisation to proceed to the Project Manager in accordance with Heritage Council of NSW requirements and the revised CEMP.

The qualified Archaeologist must:

- Formally record the find.
- Prepare Statement of Heritage Impact in accordance with Heritage NSW guidelines.
- Prepare the *Heritage Act* 1977 approval application.
- Provide written advice regarding mitigation measures required to proceed with the activity.

The Project Manager, must immediately:

- Following receipt of written authorisation to proceed from the Environment Lead, provide written authorisation to proceed to the Person responsible for operational control of the activity in accordance with the Heritage Council of NSW requirements (if applicable) and the revised CEMP (if required).

The Person responsible for operational control of the project must:

- Revise the CEMP in accordance with advice from the Heritage Council of NSW and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with advice from the Heritage Council of NSW requirements and the revised CEMP.

Human remains of Aboriginal origin that will not be damaged, destroyed or need to be moved due to the work

If the unexpected find is suspected human remains of Aboriginal origin, and the work will not damage, destroy or need the suspected remains to be moved:

The qualified Forensic anthropologist must:

- Formally record the find.
- Provide written advice regarding absence of constraints and recommendation to proceed with the activity (if applicable).
- Determine further management measures as required, in consultation with aboriginal stakeholders, to ensure the Aboriginal object will not be impacted and prepare an Aboriginal Heritage Management Plan (AHMP), update an existing AHMP or update mitigation measures required in the CEMP.
- Identify heritage notification requirements.

The Environment Lead must:

- Notify the Director, EPL and First Nations representative.
- Notify Heritage NSW (131 555) first by phone call then by formal letter (2024 09 EMF-TOO – Heritage notification letter template).
- Review the AHMP and assess if it has considered relevant archaeological issues by completing the 2024 09 EMF-CHK - Heritage management plan review checklist (Appendix C).
- Review and endorse the CEMP (if the CEMP has been revised).
- Provide written authorisation to proceed to the Project Manager in accordance with the AHMP and revised CEMP. Inform Director EPL and First Nations representative.

The First Nations representative must:

- Notify Aboriginal stakeholders and registered Aboriginal parties (RAPs) of the unexpected Aboriginal object.
- Review the AHMP.

The Person responsible for operational control of the project must:

- Revise the CEMP and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with written authorisation from the Project Manager, and in accordance with the AHMP and the revised CEMP.

Human remains of Aboriginal origin that will be damaged, destroyed or need to be moved due to the work

If the unexpected find is suspected human remains of Aboriginal origin, and the work will damage, destroy or need the suspected remains to be moved:

The qualified Forensic anthropologist must:

- Formally record the find.
- Prepare an Aboriginal cultural heritage assessment (ACHA) in accordance with Heritage NSW guidelines.
- Prepare an Aboriginal Heritage Impact Permit (AHIP) application.
- Prepare an AHMP, or update the existing AHMP, in consultation with Aboriginal stakeholders.

The Environment Lead must:

- Notify the Director, EPL and First Nations representative.
- Notify Heritage NSW (131 555) first by phone call then by formal letter (2024 09 EMF-TOO – Heritage notification letter template)
- Review and approve the ACHA and AHIP.
- Submit the AHIP to Heritage NSW
- Review the AHMP and assess if the Heritage Management Plan has considered relevant archaeological issues by completing the 2024 09 EMF-CHK - Heritage management plan checklist.
- Review and endorse the CEMP (if the CEMP has been revised).
- Provide written authorisation to proceed to the Project Manager in accordance with the AHMP, AHIP and revised CEMP. Inform the Director, EPL and First Nations representative.

The First Nations representative must:

- Notify Aboriginal stakeholders and/or registered Aboriginal parties (RAPs) of the unexpected Aboriginal object.
- Review the ACHA and AHMP.

The Person responsible for operational control of the project must:

- Revise the CEMP and obtain endorsement of the CEMP by the Environment Lead.
- Proceed with the works in accordance with written authorisation from the Project Manager, and in accordance with the AHMP, AHIP and the revised CEMP.

Human remains of non-Aboriginal origin

If the unexpected find is suspected human remains of non-Aboriginal origin:

The qualified **Forensic anthropologist** must:

- Report findings to Environment Lead and Project Manager

The **Project Manager**

- Follow relevant statutory procedure based on forensic or anthropological nature of remains (e.g. NSW Police, NSW Coroner or Heritage NSW).
- Provide written authorisation to proceed based on advice and authorisation from the NSW Police, NSW Coroner or Heritage NSW.

The **Environment Lead** must:

- Notify the Director, EPL and First Nations representative.
- Review the CEMP (if required)

The **Person responsible for operational control of the project** must:

- Revise the CEMP (if required) and obtain endorsement of the CEMP by the Environment Lead.
- Proceed based on advice and authorisation from the NSW Police, NSW Coroner or Heritage NSW.

Related information

Related external information

Environment legislation

- *NSW Aboriginal Land Rights Act 1983*
- *NSW Environmental Planning & Assessment Act 1979*
- *NSW Heritage Act 1977*
- *NSW National Parks & Wildlife Act 1974*
- *NSW Native Title (New South Wales) Act 1994*
- *Commonwealth Native Title Act 1993*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*

Related internal information

- Aboriginal cultural heritage consultation requirements for proponents (DCCEEW, 2010).
- DCCEEW Water Group EMF
 - 2024 09 EMF-TOO - Unexpected heritage find flowchart
 - 2024 09 EMF-TOO – Unexpected heritage find record template
 - 2024 09 EMF-TOO – Heritage notification letter template
 - 2024 09 EMF-CHK – Heritage management plan review checklist
 - 2024 02 EMF-PCD – Environmental incident management procedure

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V1.2	6 May 2025	Amend notification to Police in Suspected human remains flowchart (EMF-WG-TOO-04/025) -after confirmation of human remains from anthropologist, and notification of Director, Infrastructure Delivery – after flowchart was tested in the field at SDLAM K-P Shear Paddock in April 2025	Jenny Macmahon	N/A

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V1.3	8 May 2025	Simplified suspected human remains flowchart EMF-WG-TOO-04/025	Jenny Macmahon	N/A
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V1.5	27 February 2026	Following review of the procedure by DPHI for SSI-50831979Billabong Creek EIS, inclusion of: 2024 09 EMF-PCD – Unexpected heritage find procedure: - Qualified archaeologist to register find on AHIMS (pp 18 and 19) - New abbreviation (page 5) for Aboriginal Heritage Information Management System (AHIMS) 2024 09 EMF-TOO – Unexpected heritage find flowchart: - Qualified archaeologist to register find on AHIMS x 2 - Role ‘archaeologist’ revised to ‘Qualified archaeologist’ General nomenclature changes: - Document naming to reflect DCCEEW – Water Group naming conventions - Water Group – Infrastructure changed to DCCEEW- Water Group - Environment, Planning and Land changed to Environment, Engagement and Land (EEL)		

Appendix A – Aboriginal objects and historic heritage find examples

Table 1: Unexpected heritage find examples



Aboriginal heritage: scarred tree

Source: IGABDR Cap and pipe the bore program, Narba Scheme (DCCEEW – Water Group, March 2022)



Aboriginal heritage: isolated stone artefact

Source: J Dugdale-Bradley



Aboriginal heritage: artefacts

Source: IGABDR cap and pipe the bore program - Wilga Aboriginal Due Diligence Assessment (OzArk Environment and Heritage, May 2022)



Aboriginal heritage: hearth / oven

Source: IGABDR Oreel ecological and heritage induction (DCCEEW - Water Group, May 2023)



Aboriginal heritage: grinding grooves
Terramungamine Rock Grooves, Dubbo, NSW

Source: J MacMahon



Aboriginal heritage: midden

Source: J Dugdale-Bradley



Non-Aboriginal heritage: survey tree

Source: EMF-HE-PR-0076 unexpected heritage items
procedure (TfNSW, 2022)



Non-Aboriginal heritage: boundary fence

Source: EMF-HE-PR-0076 unexpected heritage items
procedure (TfNSW, 2022)



Non-Aboriginal heritage: Remnant bridge piers

Source: EMF-HE-PR-0076 unexpected heritage items procedure (TfNSW, 2022)



Non-Aboriginal heritage: shearing shed

Source: IGABDR Ecological and heritage induction (DCCEEW - Water Group, September 2022)



Non-Aboriginal heritage: artefacts

Source: EMF-HE-PR-0076 unexpected heritage items procedure (TfNSW, 2022)

Appendix B: 2024 09 EMF-TOO - Unexpected heritage find record template

2024 09 EMF-TOO - 2024 09 EMF-TOO - Unexpected heritage find record template

This template provides the format for documenting unexpected heritage finds on NSW Department of Climate Change, Energy, the Environment and Water - Water Group projects.

This template does not include requirements from site specific documents such as EMPs, environmental impact assessment, project approval, contract, environmental legislation etc

Description of unexpected heritage find

Project title			
Location of the site:			
Date of unexpected heritage find	Click or tap to enter a date.		
Description of activities being undertaken when the unexpected heritage find was located			
Description of exact location of the unexpected heritage find (e.g. on the unsealed road surface)			
	GPS location		
Person who discovered the unexpected heritage find	Name	Company	Role
Person responsible for operational control of the project or activity	Name	Company	Role

What type of find is it? (Tick the relevant boxes)

Provide a short description of find		e.g., isolated stone artefact shaped like a hand held knife, approximately 10cm in length
Relic	☐	A 'relic' is an archaeological items of local or state significance which may relate to past domestic, industrial or agricultural activities in NSW, including bottles, utensils, household items, implements, remnants of clothing, pottery, building materials and general refuse.
Other heritage find	☐	Other heritage find i.e. 'work, building or structure', can generally be defined as a form of infrastructure such as tram tracks, a culvert, road base, a bridge pier, kerbing, and similar items.
Aboriginal object	☐	An 'Aboriginal object' is defined under the <i>NSW National Park and Wildlife Act 1974</i> 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". An Aboriginal object may include stone tools, stone flakes, shell middens, rock art, scarred trees and human bones.
Aboriginal place	☐	An 'Aboriginal place' is defined under the <i>NSW National Park and Wildlife Act 1974</i> as "any place declared to be an Aboriginal place under section 84". Section 84 Aboriginal places (<i>NSW National Park and Wildlife Act 1974</i>): <i>The Minister may, by order published in the Gazette, declare any place specified or described in the order, being a place that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture, to be an Aboriginal place for the purposes of this Act.</i>

Provide a short description of find		e.g., isolated stone artefact shaped like a hand held knife, approximately 10cm in length
Bone	☐	Bones can either be human or animal remains . The local police must be contacted immediately by telephone if you suspect that the find are human remains.
Other	☐	

Sketch

(Provide a sketch map of find's general location in relation to other features so that the find can be located without re-excavation).

Photographs

(Photographs must show the position of the find, the find itself and any distinguishing features. Photographs must have a scale (ruler, scale bar, mobile phone, coin) and a note describing the direction of the photograph. Minor hand removal of foliage can be undertaken as long as disturbance of the find does not occur. Excavation of the ground must not occur, and the find must not be removed from the ground.)

Impact (tick either A or B)

A. Unexpected find would not be further impacted by works	☐
---	--------------------------

Describe how work would avoid impact on the find e.g., the isolated stone artefact was left in situ and the trench relocated.

B. Unexpected find would be further impacted by works	☐
---	--------------------------

Describe how work would impact on the find e.g., trenching is required to be conducted in the area where the artefact is located, artefact will need to be moved.

Record completed by

Person responsible for operational control of the project or activity	Company	Name	Signature

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Appendix C – 2024 09 Emf-CHK - Heritage management plan checklist

2024 09 EMF-CHK - Heritage management plan checklist

This checklist provides potential archaeological issues that may be required within a Heritage Management Plan.

This checklist does not include requirements from site specific documents such as EMPs, environmental impact assessment, project approval, contract, environmental legislation etc.

Contents

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Heritage management plan details

	Description		
Heritage Management Plan title			
Prepared by	Company	Author	Title
Document Reference		Date	
Does the Heritage Management Plan include:	Comments/notes		
Description of the find	Choose an item.		
Historic context (if data is accessible)	Choose an item.		
Likely significance	Choose an item.		
Heritage approval and regulatory notification requirements	Choose an item.		
Heritage reporting requirements	Choose an item.		
Stakeholder consultation requirements	Choose an item.		
Relevance to other project approvals and management plans etc.	Choose an item.		

Assessment and Investigation

Does the Heritage Management Plan include:		Comments/notes
Assessment of significance	Choose an item.	
Assessment of heritage impact	Choose an item.	
Archaeological excavation	Choose an item.	
Archival photographic recording	Choose an item.	

Heritage approvals and notifications

Does the Heritage Management Plan include:		Comments/notes
Aboriginal heritage impact permit (AHIP), <i>NSW Heritage Act 1977</i> s140, s139 exceptions, s60, etc.	Choose an item.	
Regulator relics / objects notification	Choose an item.	
Heritage and Conservation register	Choose an item.	
Compliance with CEMP or other project heritage approvals	Choose an item.	

Stakeholder consultation

Does the Heritage Management Plan include:		Comments/notes
Aboriginal stakeholder consultation requirements	Choose an item.	

Does the Heritage Management Plan include:		Comments/notes
Advice from Environment Lead	Choose an item.	
Advice from DCCEE Water – Infrastructure Manager, First Nations	Choose an item.	

Management

Does the Heritage Management Plan include:		Comments/notes
Retention or conservation strategy (e.g., find may be subject to long conservation and interpretation)	Choose an item.	
Disposal strategy (e.g., former road pavement)	Choose an item.	
Short-term and permanent storage locations (interested third parties to be consulted on this issue)	Choose an item.	
Control Agreement for Aboriginal objects.	Choose an item.	

Program and budget

Item	Description
Time estimate associated with archaeological or heritage conservation work	
Total cost of archaeological heritage work.	



Heritage advice checklist conducted by:

Name	Role:	Signature	Date

Document metadata

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Appendix D: 2024 09 EMF-TOO - Heritage notification letter template

2024 09 EMF-TOO - Heritage notification letter template

This template provides the format of a formal letter notification when an unexpected heritage find has been discovered during NSW Department of Climate Change, Energy, the Environment and Water - Water Group work, to meet the notification requirement under either:

- Section 146 of the NSW Heritage Act 1977; or
 - Section 89(A) of the NSW National Parks and Wildlife Act 1974.
-

This template does not include requirements from site specific documents such as EMPs, environmental impact assessment, project approval, contract, environmental legislation etc

Paste text onto DCCEEW Water Group letter template

[Insert date]

[Insert reference number] / [Insert file number]

[Insert recipient's name and address]

[Insert salutation and name],

Re: Unexpected heritage find discovered during NSW Department of Climate Change, Energy, the Environment and Water - Water Group (DCCEEW Water Group) works.

I write to inform you of an unexpected *[select relic, heritage find or Aboriginal object]* found during DCCEEW Water Group works at *[insert location]* on *[insert date]*. *[Where the regulator has been informally notified at an earlier date by telephone, this should be referred to here].*

This letter is in accordance with the notification requirement under *[select section 146 of the NSW Heritage Act 1977 or section 89(A) of the NSW National Parks and Wildlife Act 1974]*.

Guide note:

On finding Aboriginal human skeletal remains this letter must also be sent to the Commonwealth Minister for the Department of Climate Change, Energy, the Environment and Water in accordance with notification requirements under section 20(1) of the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

[Provide a brief overview of the project background and area].

[Provide a summary of the description and location of the find, including a map and image where possible].

[Identify how the works were assessed under the NSW Environmental Planning and Assessment Act 1979 (e.g., Part 5) and include a project approval number, if available].

DCCEEW Water Group *[or contractor on behalf of DCCEEW Water Group]* has sought professional archaeological advice regarding the find. A preliminary assessment indicates *[provide a summary description & likely significance of the find]*.

Please find additional information on the site record (*Attachment A: completed 2024 09 EMF-TOO - Unexpected heritage find record template*).

Resulting from these preliminary findings, DCCEEW Water Group *[or contractor on behalf of DCCEEW Water Group]* is proposing *[provide a summary of the proposed archaeological/heritage approach (e.g, seek heritage approvals, undertake archaeological investigation or conservation/interpretation strategy etc). Also include preliminary justification of such heritage impact with regard to project design constraints and delivery program]*.

The proposed approach will be further developed in consultation with a nominated representative of Heritage NSW (Aboriginal object) or Heritage Council of NSW (historic heritage item).

Please contact me if you have any input on this approach or if you require any further information.

Yours sincerely

[Sender name and position]

[Attachment A: Unexpected heritage find record]

[Attachment B: Heritage Management Plan]

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Appendix C Sample registers

C.1 Heritage site status example

Site Name	AHIMS #	Site Type	CoA requirement	Site Status	Comments
Wanganella Weir Scarred Tree 3	AHIMS # 54-2-0264	Modified Tree (Carved or Scarred)	Digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree	Valid	
Forest Creek Block Bank Scarred Tree 2	AHIMS # 54-3-0031	Modified Tree (Carved or Scarred)	Trimming to be conducted by qualified arborist and under supervision of RAPs	Valid	
Forest Creek Block Bank Scarred Tree 4	AHIMS # 54-3-0057	Modified Tree (Carved or Scarred)	Trimming to be conducted by qualified arborist and under supervision of RAPs	Valid	
Hartwood Weir Scarred Tree 4	AHIMS # 54-3-0059	Modified Tree (Carved or Scarred)	Digital recording of the tree using LIDAR scanning and casting of the scar; followed by careful removal of the tree avoiding damage to the cultural modification of the tree	Valid	
Hartwood Hearth	AHIMS # 54-3-0061	Hearth	Archaeological salvage of the site with RAPs present	Valid	
Forest Creek Block Bank Earth Mound 1	AHIMS # 54-3-0058	Earth Mound (Hearth)	All ground disturbing works to the earth mound must be avoided	Valid	
Forest Creek Block Bank Scarred Tree 3	AHIMS # 54-3-0034	Modified Tree (Carved or Scarred)	No ground-disturbing works within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed	Valid	

Aboriginal Cultural Heritage Management Sub-plan

Billabong Creek Environmental Water Regulators (Parts 2A & 2C) (SSI-50831979)

Site Name	AHIMS #	Site Type	CoA requirement	Site Status	Comments
Hartwood Weir Earth Mound 1	AHIMS # 54-3-0054	Earth Mound (Hearth)	All ground disturbing works to this site must be avoided; An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056) to ensure that no vehicles drive in close proximity to sites.	Valid	
Hartwood Weir Earth Mound 2	AHIMS # 54-3-0056	Earth Mound (Hearth)	All ground disturbing works to this site must be avoided; An exclusion line using bollards is to be erected to the south of Hartwood Weir Earth Mound 1 (AHIMS # 54-3-0054) and Hartwood Weir Earth Mound 2 (AHIMS # 54-3-0056) to ensure that no vehicles drive in close proximity to sites.	Valid	
Hartwood Weir Scarred Tree 1	AHIMS # 54-3-0026	Modified Tree (Carved or Scarred)	Prior to the commencement of works this site must be fenced off using temporary flagging to ensure no disturbance occurs	Valid	
Hartwood Weir Scarred Tree 3	AHIMS # 54-3-0029	Modified Tree (Carved or Scarred)	Prior to the commencement of works this site must be fenced off using temporary flagging to ensure no disturbance occurs	Valid	
Hartwood Weir Scarred Tree and PAD	AHIMS # 54-3-0055	Modified Tree (Carved or Scarred) and Potential Archaeological Deposit (PAD)	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed	Valid	

Site Name	AHIMS #	Site Type	CoA requirement	Site Status	Comments
W scar tree 2	AHIMS # 54-2-0251	Modified Tree (Carved or Scarred)	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed	Valid	
Wanganella Weir Scarred Tree 1	AHIMS # 54-2-0263	Modified Tree (Carved or Scarred)	No ground-disturbing works allowed within the canopy dripline, no damage to its trunk or limbs removed and/or damaged allowed	Valid	

C.2 Site inspection checklist – Aboriginal heritage

Project:	Billabong Creek Environmental Water Regulators
Site inspection personnel:	
Date of visual inspection:	
Has the Heritage Site Status Database been checked prior to undertaking this inspection to ensure the checklist includes all valid/in situ Aboriginal sites in the Project Site?	☐ Yes ☐ No If yes, what date was this undertaken:

Checklist item	List sites or any comments	Mark appropriate box (x)
List all valid/ in situ Aboriginal sites within the Project Site that have been visually inspected within the last 72 hours by the SEO.	54-2-0264	☐ Yes ☐ No
	54-3-0031	☐ Yes ☐ No
	54-3-0057	☐ Yes ☐ No
	54-3-0059	☐ Yes ☐ No
	54-3-0061	☐ Yes ☐ No
	54-3-0058	☐ Yes ☐ No
	54-3-0034	☐ Yes ☐ No
	54-3-0054	☐ Yes ☐ No

Checklist item	List sites or any comments	Mark appropriate box (x)
	54-3-0056	☐ Yes ☐ No
	54-3-0026	☐ Yes ☐ No
	54-3-0029	☐ Yes ☐ No
	54-3-0055	☐ Yes ☐ No
	54-3-0251	☐ Yes ☐ No
	54-2-0263	☐ Yes ☐ No
Is the valid/ <i>in situ</i> Aboriginal site clearly within a delineated area?	54-2-0264	☐ Yes ☐ No
	54-3-0031	☐ Yes ☐ No
	54-3-0057	☐ Yes ☐ No
	54-3-0059	☐ Yes ☐ No
	54-3-0061	☐ Yes ☐ No
	54-3-0058	☐ Yes ☐ No
	54-3-0034	☐ Yes ☐ No
	54-3-0054	☐ Yes ☐ No
	54-3-0056	☐ Yes ☐ No
	54-3-0026	☐ Yes ☐ No
	54-3-0029	☐ Yes ☐ No
	54-3-0055	☐ Yes ☐ No
	54-3-0251	☐ Yes ☐ No
	54-2-0263	☐ Yes ☐ No
If any valid/ <i>in situ</i> Aboriginal sites were not clearly delineated has the identified issues been fixed to ensure appropriate heritage controls are in place in line with the ACHMSP?	54-2-0264	☐ Yes ☐ No ☐ N/A
	54-3-0031	☐ Yes ☐ No ☐ N/A
	54-3-0057	☐ Yes ☐ No ☐ N/A
	54-3-0059	☐ Yes ☐ No ☐ N/A
	54-3-0061	☐ Yes ☐ No ☐ N/A
	54-3-0058	☐ Yes ☐ No ☐ N/A
	54-3-0034	☐ Yes ☐ No ☐ N/A
	54-3-0054	☐ Yes ☐ No ☐ N/A
	54-3-0056	☐ Yes ☐ No ☐ N/A
	54-3-0026	☐ Yes ☐ No ☐ N/A
	54-3-0029	☐ Yes ☐ No ☐ N/A
	54-3-0055	☐ Yes ☐ No ☐ N/A
	54-3-0251	☐ Yes ☐ No ☐ N/A

Billabong Creek Environmental Water Regulators (Parts 2A & 2C) (SSI-50831979)

NGH | 251144 - Rev 02

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