



Prepared for Flyers Creek Wind Farm Pty Ltd by Nacap Pty Ltd

Flyers Creek Wind Farm Project

CONSTRUCTION HERITAGE MANAGEMENT PLAN

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DOCUMENT CONTROL RECORD

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REVISION HISTORY

This table describes the primary reason for the production of each new revision after Rev 0

Date	Rev.	Reason for change

SIGNATURE BLOCK

Rev.	Description	BR	BT	NF	PL	10 th June 2020
F	Issued for Approval	Prepared Brett Rodgers	Reviewed Brian Treacy	QA Nic Fusca	Approved Peter Logan	Approval Date

The first Issued for Use version of this plan will start Revision 0. Revision numbers shall use a sequential numbering system commencing at Rev. 01, 02, etc.

This document is considered uncontrolled when printed.

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ACTIVITY	DESCRIPTION	REFERENCES
1. GENERAL INFORMATION		
1.1 Purpose	This Construction Heritage Management Plan (CHMP) has been prepared to satisfy the requirements of Condition F21 (e) of the Project Approval and incorporates related Conditions of Approval (CoA) and relevant commitments from the Flyers Creek Wind Farm Environmental Assessment (EA) 2011 and modifications that have been subsequently approved. This CHMP has been prepared to ensure construction activities are carried out in accordance with the Conditions of Approval (CoA), project regulatory requirements, relevant standards, procedures, resources and practices. The Plan has been prepared to ensure all reasonable and practical measures are implemented across all activities and works to minimise environmental harm throughout the construction phase of the project. The CHMP adopts an integrated approach, considering and identifying management measures overarching the sequencing of construction related activities. All works are to be implemented in accordance with the management measures and strategies contained in this Plan.	-
1.2 Project Information	Flyers Creek Wind Farm Pty Ltd (the Proponent) forms part of the Infigen Energy corporate group (Infigen). Infigen Energy is a developer, owner and operator of generation assets delivering energy solutions to Australian businesses and large retailers. The FCWF is an approved 38 wind turbine wind farm located approximately 20km south of Orange NSW. The Project is located predominantly in the Blayney Shire local government area with part of the proposed 132 kilovolt transmission line and switching station being located in Cabonne Shire Council local government area. Project approval MP 08_0252 was granted under Part 3A of the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act) to the Proponent for the Project by the NSW Planning and Assessment Commission on 14th March 2014. The Project Approval has been modified 4 times since originally being granted and was transitioned to State significant (SSD) development on 6th July 2018. The Project approval authorises the construction and operation of a wind farm and associated infrastructure including access tracks, local road infrastructure upgrades and electrical connections between the turbines (underground cable reticulation, also underground and aboveground powerlines), an on-site substation (inclusive of switch room, control room and auxiliary services building) and a 132-kilovolt transmission line and switching station to connect the Project to the grid. General Electric Pty Ltd (GE), Nacap Pty Ltd (Nacap) and Consolidated Power Projects Pty Ltd (CPP) will function as a consortium to collaboratively deliver the Project scope of works. GE will execute works associated with the wind turbine generator supply, installation and commissioning. Nacap will undertake detailed design and construct the civil Balance of Plant (cBOP) works associated with wind turbines, substation and underground cabling network. CPP will execute the electrical Balance of Plant (eBOP).	-
1.3 Conditions of Approval (CoA)	This Plan and its associated management measures have been prepared to comply with the following CoA: - F21(e) Construction Heritage Management Plan - F2 Heritage, and - D33 Trigonometric Reserves.	Project Approval (MP 08_0252)
1.4 CEMP Structure and relationship with sub-plans	This CHMP forms one of the FCWF Construction Environment Management Plan (CEMP) sub-plans. The FCWF CEMP (CoA F20) comprises three Sections: PART A: Provides background information and the overarching systems approach to environmental management and mitigation controls for the project PART B: Comprising Appendices in support of PART A, and PART C: Comprising the required series of environmental management sub-plans outlined in CoA F21 including: (a) Construction Compound and Ancillary Facilities Management Plan; (b) Construction Noise and Vibration Management Plan; (c) Construction Traffic and Access Management Plan; (d) Construction Soil and Water Quality Management Plan; (e) Construction Heritage Management Plan (this Plan); (f) Construction Flora and Fauna Management Plan; (g) Construction Air Quality Management Plan; and (h) Bushfire Management Plan.	Construction Environment Management Plan
1.5 Scope	The CHMP applies to all aspects of Aboriginal and Non-Aboriginal Heritage for the Project. The CHMP will inform Project Managers, Supervisors, Construction Personnel, Subcontractors and relevant stakeholders on the management of heritage during construction activities.	-

ACTIVITY	DESCRIPTION	REFERENCES																		
	The CHMP forms part of the FCWF Construction Environmental Management Plan (CEMP) and describes the mitigation and management measures and protocols derived from the Project EA. This management plan applies to the Construction phase of the proposed works only.																			
1.6 CHMP Responsibility	This CHMP has been prepared for Flyers Creek Wind Farm Pty Ltd by Nacap Pty Ltd. The implementation of all commitments and mitigation actions will be the responsibility of Flyers Creek Wind Farm Pty Ltd.	-																		
1.7 Objectives and Targets	The objectives and targets for the Flyers Creek Wind Farm Project to be undertaken by GE and CPP-Nacap in relation to Heritage are listed in Table 1 Objectives and Targets. <table><tr><th colspan="2">Table 1 Objectives and Targets</th></tr><tr><th>Objective</th><th>Target</th></tr><tr><td>Project construction activities do not cause harm to Heritage.</td><td>Zero harm to Heritage.</td></tr><tr><td>Encourage a Project culture in which the importance of heritage values are recognised and respected.</td><td>100% completion of Heritage Inductions, Daily Pre-Start Heritage Inputs by Environment Team, and Monthly toolbox Heritage inputs by Environment Team.</td></tr><tr><td>Ensure all personnel, subcontractors and visitors are inducted, consulted and receive regular updates and information on project heritage aspects and impacts for the duration of the works.</td><td></td></tr><tr><td>Ensure that personnel and subcontractors are aware of heritage hazards and risks associated with construction activities and relevant scope of work under the contract.</td><td>100% attendance recorded at SWMS workshops.</td></tr><tr><td>To conduct construction activities in compliance with all relevant approvals and environmental legislation.</td><td>100% compliance No regulatory infringements, including Provisional improvement notices and prosecutions.</td></tr><tr><td>Promote a positive reporting culture to minimise the occurrence and severity of environmental incidents during construction activities.</td><td>All incidents to be reported within 2 hours and investigated appropriately.</td></tr><tr><td>Ensure all corrective actions are closed out by the nominated due dates.</td><td>No corrective actions outstanding past due date >7 days.</td></tr></table>	Table 1 Objectives and Targets		Objective	Target	Project construction activities do not cause harm to Heritage.	Zero harm to Heritage.	Encourage a Project culture in which the importance of heritage values are recognised and respected.	100% completion of Heritage Inductions, Daily Pre-Start Heritage Inputs by Environment Team, and Monthly toolbox Heritage inputs by Environment Team.	Ensure all personnel, subcontractors and visitors are inducted, consulted and receive regular updates and information on project heritage aspects and impacts for the duration of the works.		Ensure that personnel and subcontractors are aware of heritage hazards and risks associated with construction activities and relevant scope of work under the contract.	100% attendance recorded at SWMS workshops.	To conduct construction activities in compliance with all relevant approvals and environmental legislation.	100% compliance No regulatory infringements, including Provisional improvement notices and prosecutions.	Promote a positive reporting culture to minimise the occurrence and severity of environmental incidents during construction activities.	All incidents to be reported within 2 hours and investigated appropriately.	Ensure all corrective actions are closed out by the nominated due dates.	No corrective actions outstanding past due date >7 days.	-
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1.8 Consultation	Consultation regarding the development of this Plan has been undertaken with the Biodiversity and Conservation Division (BCD) and the registered Aboriginal stakeholders (for Aboriginal heritage). Comments and feedback received during consultation with BCD and the registered Aboriginal stakeholders has been incorporated into the Plan where appropriate. Details of the consultation undertaken with BCD and the registered Aboriginal stakeholders during the development of this CHMP are presented in Appendix E and Appendix F.	Appendix E Consultation Record Appendix F BCD Consultation Correspondence																		
1.9 Certification and Approval	The CHMP is required to be submitted for approval by the Secretary of the Department of Planning, Industry and Environment (DPIE) at least one month prior to commencement of construction or as otherwise agreed by the Secretary.	-																		
1.10 Distribution	A controlled hard copy of this CHMP will be maintained and reside at the Project construction site office. Registered copies of this CHMP and supporting documentation will be distributed to the Project team, the DPIE, all relevant personnel and interested third parties as required. It will also be available to view on the Project website: www.flyerscreekwindfarm.com	-																		
1.11 Reference Documents	This Plan has been informed by the following: - Principal Project Approval Minister for Planning and Infrastructure No. MP 08_0252 dated 14th March 2014 and consolidated Conditions of Approval dated June 2019 - Project Environmental Assessment prepared by Aurecon, 2011, specifically:	-																		

ACTIVITY	DESCRIPTION	REFERENCES
	- Chapter 11 – Heritage - Chapter 19 – Statement of Commitments, and - Appendix F – Aboriginal Heritage Assessment, Austral Archaeology. - Modification 3 Planning Application prepared by Infigen Energy 3 May 2017 - Appendix G – NSW Archaeology Assessment. - Modification 4 Planning Application prepared by Infigen Energy 27 July 2019 - Appendix K – NSW Archaeology Assessment. - Pre-Construction Minor Works Watching Brief prepared by NSW Archaeology, February 2019 - Pre-Construction Early Works Watching Brief prepared by EMM Consulting, November 2019	
2. DEFINITIONS AND ABBREVIATIONS		
2.1 Definitions	Aboriginal Heritage Impact Permit (AHIP)	Statutory instrument issued under section 90 of the National Parks and Wildlife Act 1974 (NPW Act) to manage harm or potential harm to Aboriginal objects and places. An AHIP is not required where the proposed activity is an approved Part 3A project or State Significant Development (SSD) or State Significant Infrastructure (SSI) under the EP&A Act 1979 or when undertaking an environmental assessment for any of these types of development activities in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued by the Department Planning, Industry and Environment (DPIE).
	Aboriginal Object	Statutory term under the NPW Act, meaning '... 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' (s.5, NPW Act).
	Aboriginal Place	Statutory term, meaning any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.
	Aboriginal Site	A location or area of land that contains or is associated with Aboriginal object(s).
	Aspect	An element of an organisation's activities or products or service that can interact with the environment.
	Audit	A systematic review of management systems being applied on the Project.
	Client and or Proponent	Flyers Creek Wind Farm Pty Ltd
	Community Collection	May be authorised as part of the Heritage Management Plan and involves the collection of Aboriginal objects by one or all registered Aboriginal parties or their representatives from a site that will be harmed.
	CPP	Consolidated Power Projects Pty Ltd
	Form 2	CPP-Nacap utilise a system, which acts as a project control gateway (known as a Form 2) for each construction activity to commence. The Form 2 is a document reviewed and signed off by the various Project discipline leads and Project Manager. This form is a pre-commencement gateway for each construction activity within a discrete section of works. The Form 2 is a key means of communicating to the activity supervisor management controls for any given portion of the works.
	GE	General Electric Pty Ltd
	Impact	Any change to the environment whether adverse or beneficial, wholly or partially resulting from an organisation's environmental aspects.
	Incident	A set of circumstances that: - causes or threatens to cause material harm to the environment; and/or - breaches or exceeds the limits or performance measures/criteria in this approval
	Inspection	Review or check on the environment requirements being implemented.
	Nacap	Nacap Pty Ltd



ACTIVITY	DESCRIPTION		REFERENCES
	Obligation	A legal relationship between two entities in which one entities' right is the other entities' duty.	
	Project	Flyers Creek Wind Farm Project	
	Registered Aboriginal Party	The Registered Aboriginal Party is Orange Local Aboriginal Land Council	
	Registered Aboriginal Stakeholder	Those Aboriginal stakeholders which registered with the Project in 2010.	
	Regulatory Requirements	Government acts and regulations that are environment specific which prescribe legal obligations encompassing the client and contractor and amongst other things, registration of projects and plant, certificates to operate machinery and undertake certain trades and notification of injuries.	
	Safekeeping	Aboriginal objects collected as part of the mitigated measures described in the Plan and placed in safekeeping require a Care Agreement Care of Aboriginal objects collected by or, on behalf of an Aboriginal person or organisation pursuant, to s.85A(1)(c) of the NPW Act.	
	Statement of Commitments	Commitments outlined in Chapter 19 of the Project Environmental Assessment	
2.2 Abbreviations and Acronyms	AHIMS	Aboriginal Heritage Information Management System	
	AHIP	Aboriginal Heritage Impact Permit	
	AHPI	Australian Heritage Place Inventory	
	BCD	Biodiversity and Conservation Division	
	CEMP	Construction Environmental Management Plan	
	CHMP	Construction Heritage Management Plan (This Plan)	
	cBOP	Civil Balance of Plant	
	CoA	Conditions of Approval	
	DECC	Department of Environment and Climate Change (now BCD)	
	DECCW	Department of Environment, Climate Change and Water (now BCD)	
	DPIE	Department of Planning, Industry and Environment	
	EA	Environmental Assessment	
	eBOP	Electrical Balance of Plant	
	EMP	Environmental Management Plan	
	EP&A	Environmental Planning and Assessment	
	FCWF	Flyers Creek Wind Farm	
	km	kilometre	
	LALC	Local Aboriginal Land Council	
	LGA	Local Government Area	
	NHL	National Heritage List	
	NNTT	National Native Title Tribunal	
	NPW	National Parks and Wildlife	
	NSW	New South Wales	
	NSWALC	New South Wales Aboriginal Land Council	
	NTA	Native Titles Act	
	OEH	Office of Environment and Heritage (now BCD)	
	OLALC	Orange Local Aboriginal Land Council	
	PAD	Potential Archaeological Deposit	
	SEARS	Secretary's Environmental Assessment Requirements	
	SHR	State Heritage Register	
	SSD	State Significant Development	
	SSI	State Significant Infrastructure	
	WTOCWC	Wiradjuri Traditional Owners Central West Corporation	



ACTIVITY	DESCRIPTION	REFERENCES
3. PROJECT INFORMATION		
3.1 Turbine Numbering	The FCWF wind turbines have been renumbered. Table 2 below details the Approved turbine number (EA) and the revised turbine number.	
	Table 2	
	Approved Turbine Number	Revised Turbine Number
	3	1
	5	2
	6	3
	7	4
	8	5
	9	6
	11	7
	10	8
	15	9
	18	10
	19	11
	20	12
	29	13
	30	14
	31	15
	28	16
	27	17
	26	18
	25	19
	24	20
	21	21
	22	22
	23	23
	46	24
	45	25
	44	26
	43	27
	42	28
	41	29
	40	30
	39	31
	38	32
	37	33
	36	34
	35	35
	34	36
	33	37
32	38	



ACTIVITY	DESCRIPTION	REFERENCES
4. EXISTING PROJECT ENVIRONMENT		
4.1 Legislation and Guidelines	The following legislation provides the primary context for Aboriginal and Non-Aboriginal heritage management in NSW: - National Parks and Wildlife Act 1974 (NPW Act) - National Parks and Wildlife Amendment Act 2010 - National Parks and Wildlife Regulation 2009 - National Parks and Wildlife Amendment (Aboriginal Items and Aboriginal Places) Regulation 2010 - Environmental Planning and Assessment Act 1979 (EP&A Act) - Heritage Act 1977 (the Heritage Act, and - Heritage Regulation 2012. National Parks and Wildlife Act 1974 (NPW Act) Aboriginal Heritage Impact Permit (AHIP) are a statutory instrument issued under section 90 of the National Parks and Wildlife Act 1974 (NPW Act) to manage harm or potential harm to Aboriginal objects and places. An AHIP is not required where the proposed activity is an approved Part 3A project or State Significant Development (SSD) or State Significant Infrastructure (SSI) under the EP&A Act 1979 or when undertaking an environmental assessment for any of these types of development activities in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued by the Department Planning, Industry and Environment (DPIE). Aboriginal Object is a statutory term under the NPW Act, meaning '... 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' (s.5, NPW Act). An Aboriginal object is considered to be known if: - it is registered on AHIMS - it is known to the Aboriginal Community, or - it is located during an investigation of the area conducted for development approval. Aboriginal objects collected as part of the mitigated measures described in the Plan and placed in safekeeping require a Care Agreement Care of Aboriginal objects collected by or, on behalf of an Aboriginal person or organisation pursuant, to s.85A(1)(c) of the NPW Act. Arrangements for the deposition and safe keeping of salvaged Aboriginal objects The Secretary of the Department of Planning Industry and Environment (DPIE) may transfer Aboriginal objects that are the property of the Crown via a Care Agreement under s.85A(1)(c) of the NPW Act 1974. Care Agreements are not AHIPs and apply to SSD and SSI projects under the EP&A Act 1979. Any Aboriginal object or site discovered during works not previously recorded must be recorded onto the AHIMS consistent with the s.89A of the NPW Act 1974. As so proscribed: A person who is aware of the location of an Aboriginal object that is the property of the Crown or, not being the property of the Crown, is real property, and does not, in the prescribed manner, notify the Chief Executive thereof within a reasonable time after the person first becomes aware of that location is guilty of an offence against this Act unless the person believes on reasonable grounds that the Chief Executive is aware of the location of that Aboriginal object. Environmental Planning and Assessment Act 1979 The EP&A Act, administered by the Department of Planning, Industry and Environment, provides planning controls and requirements for environmental assessment in the development approval process. It also establishes the framework for Aboriginal heritage values to be formally assessed in the land-use planning and development consent processes. Heritage Act 1977 Heritage Regulation 2012 The Heritage Act and Regulation, administered by the Department of Planning and Environment, protects this states' natural and cultural heritage. Aboriginal heritage is primarily protected under the NPW Act but may be subject to the provisions of the Heritage Act if the item is listed on the State Heritage Register or subject to an interim heritage order (IHO).	

ACTIVITY	DESCRIPTION	REFERENCES																																	
4.2 Conditions of Approval F21 (e), F2 and D33	This Plan has been prepared to comply with the consolidated CoA, dated June 2019 and specifically the requirements of CoA F21 (e), F2 and D33 as listed in Table 3 Conditions of Approval.																																		
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	<table> <tr> <th>CoA</th><th>Condition</th><th>Refer to Section within This Plan</th></tr> <tr> <td rowspan="15">F21 (e)</td><td><i>a Construction Heritage Management Plan to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed.</i></td><td>This Plan</td></tr> <tr> <td><i>I. in relation to Aboriginal Heritage:</i></td><td></td></tr> <tr> <td> <i>details of further investigation and identification of Aboriginal cultural heritage sites within the Project area.</i> </td><td>Section 4.4</td></tr> <tr> <td> <i>details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation, of sites and items associated with the Project;</i> </td><td>Sections 5, 6, 7 and 8</td></tr> <tr> <td> <i>procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, BCD and registered Aboriginal stakeholders, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the Project, and registering of the new site in the BCD's Aboriginal Heritage Information Management System (AHIMS) register;</i> </td><td>Section 6 and Appendix B</td></tr> <tr> <td> <i>procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, BCD and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the Department and / or the NSW Police Force;</i> </td><td>Section 6 and Appendix B</td></tr> <tr> <td> <i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this Approval and National Parks and Wildlife Act 1974 (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage;</i> </td><td>Section 6</td></tr> <tr> <td> <i>procedures for ongoing Aboriginal consultation and involvement for the duration of the Project, and ensure that the Orange Local Aboriginal Land Council (administrator) and Wiradjuri Traditional Owners Central West Corporation is kept informed of the process; and</i> </td><td>Section 4.6</td></tr> <tr> <td><i>II. in relation to Historic Heritage:</i></td><td></td></tr> <tr> <td> <i>identification of heritage items directly and indirectly affected by the Project;</i> </td><td>Section 4.5</td></tr> <tr> <td> <i>details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and / or measures to protect unaffected sites during construction works in the vicinity);</i> </td><td>Section 6</td></tr> <tr> <td> <i>procedures for dealing with previously unidentified heritage objects (including cessation of works in the vicinity), assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified and experienced archaeologist in consultation with the Heritage Branch DPIE, and assessment of the consistency of any new heritage impacts against the approved impacts of the Project</i> </td><td>Section 6 and Appendix B</td></tr> <tr> <td> <i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the Heritage Act 1977 and these conditions) including site identification, protection and conservation of non-Aboriginal cultural heritage; and</i> </td><td>Section 6</td></tr> <tr> <td> <i>mechanisms for the monitoring, review and amendment of this plan.</i> </td><td>Section 8.4</td></tr> <tr> <td>F2</td><td> <i>In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction heritage Management Plan required by Condition F2 (e).</i> Section 6 </td></tr> </table>	CoA	Condition	Refer to Section within This Plan	F21 (e)	<i>a Construction Heritage Management Plan to detail how construction impacts on Aboriginal and Historic heritage will be minimised and managed.</i>	This Plan	<i>I. in relation to Aboriginal Heritage:</i>		<i>details of further investigation and identification of Aboriginal cultural heritage sites within the Project area.</i>	Section 4.4	<i>details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation, of sites and items associated with the Project;</i>	Sections 5, 6, 7 and 8	<i>procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, BCD and registered Aboriginal stakeholders, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the Project, and registering of the new site in the BCD's Aboriginal Heritage Information Management System (AHIMS) register;</i>	Section 6 and Appendix B	<i>procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, BCD and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the Department and / or the NSW Police Force;</i>	Section 6 and Appendix B	<i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this Approval and National Parks and Wildlife Act 1974 (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage;</i>	Section 6	<i>procedures for ongoing Aboriginal consultation and involvement for the duration of the Project, and ensure that the Orange Local Aboriginal Land Council (administrator) and Wiradjuri Traditional Owners Central West Corporation is kept informed of the process; and</i>	Section 4.6	<i>II. in relation to Historic Heritage:</i>		<i>identification of heritage items directly and indirectly affected by the Project;</i>	Section 4.5	<i>details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and / or measures to protect unaffected sites during construction works in the vicinity);</i>	Section 6	<i>procedures for dealing with previously unidentified heritage objects (including cessation of works in the vicinity), assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified and experienced archaeologist in consultation with the Heritage Branch DPIE, and assessment of the consistency of any new heritage impacts against the approved impacts of the Project</i>	Section 6 and Appendix B	<i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the Heritage Act 1977 and these conditions) including site identification, protection and conservation of non-Aboriginal cultural heritage; and</i>	Section 6	<i>mechanisms for the monitoring, review and amendment of this plan.</i>	Section 8.4	F2	<i>In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. 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	<i>procedures for dealing with previously unidentified Aboriginal objects (excluding human remains) including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can re-commence by a suitably qualified archaeologist in consultation with the Department, BCD and registered Aboriginal stakeholders, and assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the Project, and registering of the new site in the BCD's Aboriginal Heritage Information Management System (AHIMS) register;</i>	Section 6 and Appendix B																																	
	<i>procedures for dealing with human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force, BCD and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the Department and / or the NSW Police Force;</i>	Section 6 and Appendix B																																	
	<i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this Approval and National Parks and Wildlife Act 1974 (where relevant) including site identification, protection and conservation of Aboriginal cultural heritage;</i>	Section 6																																	
	<i>procedures for ongoing Aboriginal consultation and involvement for the duration of the Project, and ensure that the Orange Local Aboriginal Land Council (administrator) and Wiradjuri Traditional Owners Central West Corporation is kept informed of the process; and</i>	Section 4.6																																	
	<i>II. in relation to Historic Heritage:</i>																																		
	<i>identification of heritage items directly and indirectly affected by the Project;</i>	Section 4.5																																	
	<i>details of management measures to be implemented to prevent and minimise impacts on heritage items (including further heritage investigations, archival recordings and / or measures to protect unaffected sites during construction works in the vicinity);</i>	Section 6																																	
	<i>procedures for dealing with previously unidentified heritage objects (including cessation of works in the vicinity), assessment of the significance of the item(s) and determination of appropriate mitigation measures including when works can recommence by a suitably qualified and experienced archaeologist in consultation with the Heritage Branch DPIE, and assessment of the consistency of any new heritage impacts against the approved impacts of the Project</i>	Section 6 and Appendix B																																	
	<i>heritage training and induction processes for construction personnel (including procedures for keeping records of inductions and obligations under the Heritage Act 1977 and these conditions) including site identification, protection and conservation of non-Aboriginal cultural heritage; and</i>	Section 6																																	
	<i>mechanisms for the monitoring, review and amendment of this plan.</i>	Section 8.4																																	
	F2	<i>In undertaking the Project, impacts to heritage, shall to the greatest extent practicable, be avoided and minimised. Where impacts as assessed in the EA are unavoidable, works shall be undertaken in accordance with the strategy outlined in the Construction heritage Management Plan required by Condition F2 (e).</i> Section 6																																	



ACTIVITY	DESCRIPTION	REFERENCES
	D33 <i>Disturbance to Trigonometric Reserves shall be avoided during the life of the project unless otherwise approved by the Surveyor General and the relevant licence under the Crown Lands Act 1989 is obtained by the proponent.</i>	Section 6
4.3 Aboriginal Cultural Heritage	There is a history of Aboriginal occupation stretching over the millennia within the project area continuing to the present day and this has left a rich source of material culture amenable to archaeological analysis. The impact of European colonisation through the direct alteration of the environment and by indirectly ceasing certain cultural practices, such as tree carving, means that the archaeological visibility of Aboriginal material culture varies widely within the study area. Certain more durable sites can be expected to survive with greater frequency and the previous archaeological predictive models give a good indication of the location that these sites tend to occupy. Within the Project area landforms such as ridges, hill slopes and old growth areas will constitute the places with the greatest likelihood of archaeological sites being extant. Conversely areas such as river flats and places impacted upon by European land use practices are least likely to yield any visible sites. In particular level areas of comparatively high and sheltered land are most likely places for artefact scatters to be found while isolated artefacts can be found throughout the landscape. Scarred trees can be understood to be possible within areas where old growth vegetation still remains.	EA Appendix F (Pages 31-32)
4.3.1 Native Title	A search of the National Native Title Tribunal (NNTT) data base in 2010 identified no Native Title Holders or Claimants registered within the study area. An updated search was carried out in November 2018 which confirmed that there were no Native Title Holders or Claimants registered within the study area.	EA Appendix F
4.3.2 Desktop and Field Assessment Overview	The EA desktop assessment process included a search of the BCD Aboriginal Heritage Information Management System (AHIMS) as follows: - Austral Archaeology, EA 2011 - NSW Archaeology, Modification 3 2017, and - NSW Archaeology, Modification 4 2018. The resulting sites are included Appendix A Desktop and Field Assessment Findings. Searches were also completed of the Australian Heritage Places Inventory (AHPI), the Register of the National Estate (RNE), the National Heritage List (NHL) and the NSW Heritage Council State Heritage Register (SHR) databases did not identify any recorded Aboriginal object or place within the Blayney Shire LGA.	Appendix A Desktop and Field Assessment Findings
	The EA study undertaken by Austral Archaeology in 2011 was surveyed in accordance with a predictive model and coverage was total. The Austral survey team was accompanied by the following registered Aboriginal stakeholders who participated in the field work: Chad Boney (representing OLALC), Enid Clarke, Jirrah Freeman, and Wayne and Shawn Williams. The survey's focus was directed at: 35 km of existing and to be developed access tracks 46 wind turbine locations, underground cabling 33kV Transmission line 8km in length, and 132kV transmission line corridor 10km in length.	EA Appendix F
	The field assessment for Development Approval Modification 3 was undertaken in 2016. The inspection was conducted by NSW Archaeology Pty Ltd. The field inspection was undertaken at the four specified areas reflective of the layout changes relating to Modification 3.	EA Mod. 3 Appendix G
	No additional field assessment was completed for Modification 4 on the basis that a desktop assessment was considered appropriate given the high levels of previous disturbance in the proposed activity area and the generally low archaeological potential of the area as defined during previous assessments.	EA Mod. 4 Appendix K
	Archaeological monitoring was undertaken during Pre-Construction Minor Works and Pre-Construction Site Survey Works conducted between February and December 2019. The monitoring was undertaken by NSW Archaeology Pty Ltd and EMM Consulting and included a	-

ACTIVITY	DESCRIPTION	REFERENCES
	comprehensive watching brief and field assessment across the project area.	
4.3.3 Field Assessment Findings	As a result of the EA Field Assessment performed by Austral Archaeology in May 2011: Nine new Aboriginal archaeological sites were identified with a total of 32 artefacts recorded in the study area. The four artefact scatters, three isolated finds and two potential archaeological deposits were distributed throughout the landscape. The majority of the sites were located on ridges, slopes and saddles of rolling hills primarily in access tracks but also in places of washout and exposure consequent on the construction of dams.	EA Appendix F
	As a result of the Modification 3 assessment completed by NSW Archaeology in March 2016: - The four survey units' subject to assessment were found to be generally of low archaeological potential and sensitivity. - One new site was recorded described as AHIMS #44-5-0170 with a total of 3 artefacts were found in an area of severe gully erosion in an area measuring 6 x 3m.	EA Mod 3 Appendix G
	Modification 4 assessment concluded in July 2018 that there are no known Aboriginal sites and there is a low probability of objects occurring in the proposed activity area (Mod 4). Three sites in proximity to Woodville Road were identified in AHIMS search and have been included given the proximity to the proposed route alignment of the 132kV line.	EA Mod 4 Appendix K
	During pre-construction minor works in February 2019, an isolated artefact was observed during monitoring works conducted by NSW Archaeology Pty Ltd. This was recorded as FCWF-IF-04 and consisted of 1 artefact located amongst sheep tracks that extend along the landform. The artefact was found approximately 10 metres to the east of a dead tree stump in a bare earth patch measuring 2 x 2 metres which was created as the result of vegetation denudation arising from drought.	NSW Archaeology Pre-Construction Minor Works Watching Brief
	During pre-construction minor works in November 2019, a new site was observed during monitoring works conducted by EMM Consulting. The site consisted of a scatter comprising 4 artefacts on the surface. The site is located on a rise crest between two streams. The landform is elevated and flat and likely represents an open camp site. This site was recorded as FCWF-S-06.	EMM Consulting Pre-Construction Works Watching Brief
	Details of the desktop and field assessment findings are presented in Appendix A. A map highlighting the location of archaeological sites listed in Appendix A is presented as the Heritage Control Map, refer to Appendix B.	Appendix A Desktop and Field Assessment Findings Appendix B Heritage Control Map
4.3.4 Recommendations and Agreed Management Measures	The following management recommendations and mitigation measures are derived from: - EA Statement of Commitments 2011 developed following results of the EA Assessment undertaken by Austral Archaeology 2011. - Results of the Modification 3 assessment undertaken by NSW Archaeology 2017 - Results of the Modification 4 assessment undertaken by NSW Archaeology 2018 - Results of Pre-Construction Minor Works Monitoring by NSW Archaeology in February 2019, and - Results of Pre-Construction Minor Works Monitoring by EMM Consulting in November 2019. The following recommendations and mitigations, Table 5 for Aboriginal Heritage have informed the development of Section 6 Construction Heritage Risks, Impacts, Objectives and Management Controls.	-

ACTIVITY	DESCRIPTION	REFERENCES																					
	The 2011 EA Statement of Commitments which are relevant to this CHMP are outlined in Table 4. Table 4 Statement of Commitments <table> <tr> <th>SoC</th><th>Commitment</th><th>Refer to Section within This Plan</th></tr> <tr> <td>Cultural Heritage Sub Plan</td><td>A Cultural Heritage Management Sub Plan will be prepared by the Proponent as part of the CEMP. The sub plan must incorporate the mitigation measures identified in Chapter 11 of the EA</td><td>This Plan</td></tr> <tr> <td rowspan="7">Cultural Heritage Mitigation Measures (Chapter 11 – EA 2011)</td><td> Mitigation measures identified in Chapter 11 includes the following: - The layout of the proposed wind farm infrastructure will be slightly modified to avoid disturbing the two high significance PADs identified within the site area. Temporary fencing of these PAD areas will be undertaken during construction. Should the alternative sites be in areas that have not been previously assessed, then additional investigation by an archaeological specialist and Aboriginal stakeholders will be undertaken to confirm suitability of these locations. Alternatively, a program of test excavation and reporting can be undertaken to clarify the archaeological potential of PADs located within the study area. </td><td>Section 6</td></tr> <tr> <td> - The layout of cables and/or tracks will be slightly modified to avoid the surface artefacts FCWF-S-01 to 04 and FCWF-IF-01 to 03. In the unlikely event this is impractical, salvage through collection and relocation of surface artefacts will be completed for any of the sites FCWF-S-01 to 04 and FCWF-IF-01 to 03 impacted by development of the wind farm project. Any salvage will be undertaken in accordance with DECCW procedures including consultation. </td><td>Section 6</td></tr> <tr> <td> - The development and implementation of a care and control of artefacts strategy, devised through consultation with Aboriginal stakeholders, is recommended for all collected and excavated archaeological material retrieved during the abovementioned surface collection, testing and/or salvage excavation works. This strategy shall be agreed and finalised with the Aboriginal stakeholders prior to any archaeological site works commencing. </td><td>Section 6 and Appendix B</td></tr> <tr> <td> - If additional unrecorded Aboriginal archaeological material is encountered during development, works shall cease immediately to allow an archaeologist to make an assessment of the finds, as all Aboriginal artefacts (known and unknown) are protected under the NP&W Act 1974 and Amendment Act 2010. 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Consultation with Austral Archaeology Pty Ltd, and the registered Aboriginal stakeholders will be undertaken to determine the appropriate level of public release. </td><td> Section 6 Completed for works undertaken as part of EA 2011 </td></tr> <tr> <td> - Copies of the finalised report shall be provided by the client to the Aboriginal stakeholder groups and the individual stakeholders. Austral Archaeology Pty Ltd will provide a copy of the finalised report to NSW DECCW. Completed site cards shall be provided to the DECCW AHIMS Registrar as per the NP&W Act 1974 and Amendment Act 2010. </td><td> Section 6 and Appendix C Completed for works undertaken as part of EA 2011 </td></tr> <tr> <td> - Consultation with relevant stakeholders will be continued during any subsequent stages of planning and implementation. The mitigation measures that are relevant to matters potentially affecting indigenous heritage aspects will be incorporated in the project Environmental Management Plan (EMP). </td><td>Section 6</td></tr> </table>	SoC	Commitment	Refer to Section within This Plan	Cultural Heritage Sub Plan	A Cultural Heritage Management Sub Plan will be prepared by the Proponent as part of the CEMP. The sub plan must incorporate the mitigation measures identified in Chapter 11 of the EA	This Plan	Cultural Heritage Mitigation Measures (Chapter 11 – EA 2011)	Mitigation measures identified in Chapter 11 includes the following: The layout of the proposed wind farm infrastructure will be slightly modified to avoid disturbing the two high significance PADs identified within the site area. Temporary fencing of these PAD areas will be undertaken during construction. 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ACTIVITY	DESCRIPTION		REFERENCES
	Non-Indigenous Heritage Mitigation Measures	Where the wind farm construction works are in close proximity (less than 100 metres) to any identified items of non-Aboriginal heritage significance, a temporary fence will be constructed around the item for the duration of the construction works to avoid disturbance of the particular feature. Items to be protected from damage by the project include the Calvert Trig Station site and its associated reference marks. These will be protected by fencing erected by the contractor prior to any works at Turbine site 4 (DA). The fencing will be maintained for the duration of the construction works and if required by Lands Department following completion of construction works. Such fencing would be at least 5 metres in each direction from the Trig Station or any reference marks in its vicinity and no construction activities will occur within the fenced area. Site monitoring will routinely ensure that the fence around this survey facility is secure.	Section 6 (noting that Turbine site 4 was removed from the Project at Planning Modification 3) Calvert Trig Station Site removed from impacts at Planning Modification 3
		FCWF will, prior to commencement of construction, arrange for the preparation of a photographic record of any former mining structures that could be disturbed. This includes the former mining shaft site and footing in the vicinity of Turbines 5 and 6 (DA) and the access track and the remains of the old hut on the ridgeline near the shaft. No works will occur within 20 metres of these sites.	Section 6 (Note that WTG 5 and 6 (DA) are now WTG 2 and 3 –Appendix B
	Table 5 Recommendations and Agreed Management Measures		
	Source	Recommendation	Refer to Section in this plan
	Modification 3 2017	One aboriginal stone artefact scatter was recorded during the assessment. There is no project infrastructure planned on or near to the new site. It will be avoided during construction. No further heritage assessment is required in respect of the Modification 3 application. There are no identified heritage constraints in regard to Modification 3.	Section 6
	Modification 4 2018	The Mod 4 assessment concluded that the extent of previous impacts and the nature of the landscape, the activity area is not archaeologically sensitive. It is also noted that the proposed impacts are relatively minor in scope. No Aboriginal objects are known to be present. Accordingly, no further archaeological assessment is required, and it is concluded that there are no Aboriginal or historic heritage constraints in regard to the modification.	Section 6
Pre-Construction Early Works (Feb 2019) Mitigation Recommendation	This site (FCWF-IF-04) should be added to the Aboriginal site inventory for the wind farm. It should be shown on all construction plans (Heritage Control Map) prepared for the project and excluded from any impacts (avoidance).	Section 6	
Pre-Construction Early Works (Nov 2019) Mitigation Recommendation	This site (FCWF-S-06) should be added to the Aboriginal site inventory for the wind farm. It should be added to the Heritage Control Map and excluded from any impacts (avoidance).	Section 6	
4.4 Non-Aboriginal Heritage	The EA identifies the following summary of Non-Aboriginal development in relation to the Project: Temporary settlement throughout the area between 1821 and 1828 was predominantly pastoral. The village of Carcoar was gazetted in 1839 and was the first settlement beyond Bathurst. Blayney was established in 1843 followed by Orange in 1846. As well as pastoral settlement of western lands, the first discovery of payable gold occurred at Ophir to the northeast of Orange. The ensuing gold rush of the 1850s and 1860s sparked the development and growth of a number of settlements throughout the region including Blayney and Forest Reefs. Growth of villages continued in the 1870s and 1880s, aided by the construction of the western railway and the influx of people pursuing gold. The railway reached Bathurst in April 1876 and subsequently Blayney in the same year with Orange station being opened in April 1877. The lack of rail in the early days of mining would have hampered the ability to get the ore to the market. In the early 1900s iron ore was supplied from the Cadia area to the Hoskins Plant at Lithgow until the plant’s closure and relocation to Port Kembla in 1928. Indications of the area’s rich mineral potential had been established by 1950 and there are further indications that much mining activity took place at Cadia in the decade prior to 1970. Infrastructure associated with mining included smelting plant, pumps to keep workings dry, water races to supply water for sluicing as well as mining settlements including residences, shops and schools were built. The district today is predominantly made up of cleared land dedicated to pasture and cultivation,		EA Chapter 11

ACTIVITY	DESCRIPTION	REFERENCES								
	however industry and mining play a much greater role in the current economics of the Shire.									
4.4.1 Desktop and Field Assessment Findings	Whilst the EA determined that no buildings within the project area have been identified as having any heritage significance, a number of other items of non-Aboriginal heritage were identified and despite being of low heritage significance should be protected for the duration of the construction works to avoid disturbance. These items are: - Hopkins Trig Stations located at 692,208.83E 6,281,790.89N (between WTG 36 and WTG 37), and - Various mining structures and remnants of mining activities: - Slattery's Creek water race and weir - Various adits and shafts - Wallaby Rock - Little Jessie, and - Fire Place and Tank remnant of hut. - It was noted during conduct of the photo records (Nov 2019) of non-aboriginal heritage sites that some items have been moved or altered since they were recorded in 2011. Another site was considered during the EA but now remains outside the impacts of the Project Area: - Calvert Trig Station located at 693,253.46E 6,290,792.44N A map highlighting the location of Non-Aboriginal Heritage mining activity sites is presented in Appendix B.	EA Chapter 11								
4.4.2 Recommendations and Agreed Management Measures	2011 EA Statement of Commitments which are relevant to Non-Aboriginal Heritage and to this CHMP are outlined in Table 6. Table 6 Statement of Commitments <table> <tr> <th>SOC</th><th>Commitment</th><th>Refer to Section in this plan</th></tr> <tr> <td rowspan="2">Non-Indigenous Heritage Mitigation Measures</td><td>Where the wind farm construction works are in close proximity (less than 100 metres) to any identified items of non-Aboriginal heritage significance, a temporary fence will be constructed around the item for the duration of the construction works to avoid disturbance of the particular feature. Items to be protected from damage by the project include the Calvert Trig Station site and its associated reference marks. These will be protected by fencing erected by the contractor prior to any works at Turbine site 4. The fencing will be maintained for the duration of the construction works and if required by Lands Department following completion of construction works. Such fencing would be at least 5 metres in each direction from the Trig Station or any reference marks in its vicinity and no construction activities will occur within the fenced area. Site monitoring will routinely ensure that the fence around this survey facility is secure.</td><td>Section 6</td></tr> <tr> <td>FCWFPL will, prior to commencement of construction, arrange for the preparation of a photographic record of any former mining structures that could be disturbed. This includes the former mining shaft site and footing in the vicinity of Turbines 5 and 6 and the access track and the remains of the old hut on the ridgeline near the shaft. No works will occur within 20 metres of these sites.</td><td>Section 6</td></tr> </table>	SOC	Commitment	Refer to Section in this plan	Non-Indigenous Heritage Mitigation Measures	Where the wind farm construction works are in close proximity (less than 100 metres) to any identified items of non-Aboriginal heritage significance, a temporary fence will be constructed around the item for the duration of the construction works to avoid disturbance of the particular feature. Items to be protected from damage by the project include the Calvert Trig Station site and its associated reference marks. These will be protected by fencing erected by the contractor prior to any works at Turbine site 4. The fencing will be maintained for the duration of the construction works and if required by Lands Department following completion of construction works. Such fencing would be at least 5 metres in each direction from the Trig Station or any reference marks in its vicinity and no construction activities will occur within the fenced area. Site monitoring will routinely ensure that the fence around this survey facility is secure.	Section 6	FCWFPL will, prior to commencement of construction, arrange for the preparation of a photographic record of any former mining structures that could be disturbed. This includes the former mining shaft site and footing in the vicinity of Turbines 5 and 6 and the access track and the remains of the old hut on the ridgeline near the shaft. No works will occur within 20 metres of these sites.	Section 6	
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4.5 EA Consultation	The EA assessment undertaken by Austral involved stakeholder consultation in accordance with the Department of Environment, Climate Change and Water (DECCW) Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005 (the Part 3A Guidelines). Stakeholder registrations of interest were invited, and were received on behalf of the Orange Local Aboriginal Land Council (OLALC), the Wiradjuri Traditional Owners Central West Corporation (WTOCCW), and 12 individual Aboriginal stakeholders. Collectively they are the Registered Aboriginal Stakeholders (for Aboriginal Heritage). The following registrants participated in the fieldwork: Chad Boney (representing OLALC), Enid Clarke, Jirrah Freeman, and Wayne and Shawn Williams.	EA Chapter 11								



ACTIVITY	DESCRIPTION	REFERENCES
4.6 Ongoing Consultation	Contact with the registered Aboriginal stakeholders was made in early November 2019. A letter was issued by post or email to all of the registered Aboriginal stakeholders which provided a project update and requested updated contact details be provided to enable ongoing contact and consultation and involvement for the duration of the project. A draft CHMP was issued to BCD and all registered Aboriginal stakeholders for review and comment in early December 2019. Comments and feedback were received from BCD and no comments or feedback were received from the registered Aboriginal stakeholders. BCD comments and feedback has been incorporated into this Plan. The details of the consultation undertaken with BCD and the registered Aboriginal stakeholders during the development of this CHMP are presented in Appendix E. BCD's consultation response letter is provided in Appendix F. Ongoing contact with the registered Aboriginal stakeholders (for Aboriginal Heritage) including provision of the approved version of this Plan and project updates relating to key milestones such as commencement of construction and completion of construction activities will continue throughout the Project construction period.	Appendix E details the consultation which has been carried out in relation to this Plan. Appendix F BCD Consultation Correspondence
5. HERITAGE MANAGEMENT ROLES AND RESPONSIBILITIES		
An Organisation Chart will be developed prior to the commencement of construction. Position descriptions describe the responsibilities specific to positions on the Project.		-
Project Director (Management Representative)	The Project Director shall ensure leadership and that adequate, competent and experienced resources are provided and supported in the implementation of this CHMP.	-
Project Manager	- Provide support and guide the implementation of this CHMP and associated controls - Provide Management, Leadership and implementation of this CHMP - Ensuring adequate resources are provided for implementing and maintaining heritage controls and mitigation measures, and - Take action including the stopping of work in response to unexpected finds or harm to heritage items and sites and allocate the required resources to minimise impacts.	-
Lands, Environment and Cultural Heritage (LECH) Manager	- Development and preparation of all plans and procedures to support construction - Provide support and guide the implementation of this CHMP and associated controls - Providing Heritage management input and support of construction and associated methodologies - Identifying that all necessary Contractor approvals and permits have been obtained - Support and guide site heritage incident investigation and reporting; and - Review of internal and external project audits and co-ordinating the implementation of audit recommendations.	-
Environment Coordinator	- Providing lead and support of construction and associated methodologies to ensure implementation and compliance of commitments contained in this CHMP - Providing and coordinating inspections and audits of works - Providing and coordinating site based training preparation and delivery - Routine record keeping and reporting in support of commitments in this CHMP - Reporting of hazards and incidents and implementing any rectification measures; and - Provide site based heritage incident investigation and reporting and corrective action management	-
Project Supervisors	- The implementation of commitments contained in this CHMP, and - Reporting of hazards and incidents and implementing any rectification measures.	-
Subcontractors	Subcontractors engaged to perform works on behalf of GE, CPP and Nacap, shall operate in accordance with all applicable legislation. Subcontractors are required to report all incidents to the Project management team.	-
All Project Personnel and Visitors	All project personnel and visitors shall uphold a general environmental duty to take all reasonable and practical measures to ensure that the activities on the whole site do not cause environmental harm.	-
6. CONSTRUCTION HERITAGE RISKS, IMPACTS, OBJECTIVES AND MANAGEMENT CONTROLS – CONSTRUCTION ACTIVITY BASED		
Heritage Impacts	- Disturbance and destruction of sites and materials of Aboriginal cultural heritage significance. - Disturbance and destruction of sites and materials of Non-Aboriginal heritage significance.	



ACTIVITY	DESCRIPTION	REFERENCES
Heritage Performance Objectives and Standards	- To develop, use and manage new and existing access roads and work areas to avoid identified heritage sensitivities. - No incursions or impacts to identified sites of heritage significance. - Management of heritage finds in accordance with Unexpected Finds Protocol. - To maintain approved access roads during construction to control and contain movements of project plant, vehicles and personnel to approved access and work areas. - To rehabilitate temporary construction access tracks and sites in accordance with landowner requirements and as agreed with statutory authorities, Third Parties and Stakeholders.	
Measurement Criteria	- Zero incursions or impacts to known sites of heritage significance. - Compliance with Unexpected finds contingency measures. - Completion of pre-construction photo records - Layout plans demonstrate how new access roads and work areas and laydowns will avoid heritage sensitivities identified in pre-construction surveys, studies and reports.	
Management Measures		
Pre-Construction		
MM01	GE and CPP-Nacap is responsible for Heritage management during construction and ensuring compliance with all applicable legislation for the protection of Heritage. The preferred management approach for known heritage sites is avoidance. The process for avoidance will be achieved as follows: - Design the windfarm layout and location of all infrastructure to ensure all known sites are avoided with sufficient buffer to enable the implementation adequate delineation and protection from all aspects of the works - Preparation of a Heritage Control Map that will detail the location of all known heritage sites and required protective measures and details of specific buffer distances to demonstrate avoidance - Ongoing review, update and communication of changes to the Heritage Control Map upon detection of new sites of significance - Development of a Project culture in which the importance of heritage values is recognised and respected, and - Identification, protection and establishment of separation buffers for known heritage sites during works set out and establishment. Heritage sites and materials including human remains that are discovered as unexpected finds during construction will be managed in accordance with the unexpected finds protocol as described in Appendix C. Prior to commencement CPP-Nacap will provide support Flyers Creek Wind Farm Pty Ltd in the establishment of a training programme for Aboriginal heritage monitors and throughout construction, provide support for ongoing consultation with local traditional owners and registered parties and landholders to ensure all heritage sites are avoided.	
MM02	All construction personnel and subcontractors are required to undertake a Project Heritage induction which will incorporate information on Heritage management specific to the project and field of operations and shall include the following: - Legislation and penalties for the protection of Heritage; - Roles and Responsibilities for Heritage management; - Information on the location of existing known and potential Aboriginal and Non-Aboriginal Heritage and extent of protective measures including buffers (Heritage Control Plan); - Information on types of Aboriginal and Non-Aboriginal heritage materials that have potential to be uncovered in the project area and field of operations; - Avoidance strategies and Heritage management measures; - Protocols for responding to unexpected finds of Aboriginal and Non-Aboriginal heritage sites, including skeletal material; and - Incident reporting and record keeping. A register attendance at all inductions will be maintained.	
MM03	CPP-Nacap will take all reasonable steps to ensure that Project personnel act and conduct themselves in a manner that is not offensive, intimidating or disrespectful and/or prejudicial to representatives of Aboriginal Parties.	
MM04	All construction personnel and subcontractors will participate in Safe Work Method Statement (SWMS) development that will include information on heritage sensitivities and specific management measures for specific construction activities.	
MM05	The Heritage Control Plan with locations of all previously recorded AHIMS items within the Project activity area is to be located at site notice board(s) and attached to the authority to commence construction (Form 2). The Heritage Control Plan will also be communicated at daily pre-starts and weekly toolboxes as required or when works are planned in proximity to known sites.	
MM06	Prior to project works the Project Manager or delegate shall: - Verify all sites of known or potential heritage significance - Ensure completion of delineation and establishment of the approved work areas and No Go Zones etc. using flagging/markers/fencing and signage - Ensure notification of specific access or approval conditions, heritage sensitivities and all identified Heritage No Go	

ACTIVITY	DESCRIPTION	REFERENCES
	Zones and other significant information is contained in the authority to commence works (Form 2), and Ensure establishment of photo points and capture pre-disturbance photo records of all known heritage sites including former mining structures.	
Survey, Access and Site Establishment		
MM07	The approved disturbance area established as the final layout as submitted to the Secretary and /or site boundaries, approved accesses and heritage "No Go" zones will be surveyed and clearly marked on-ground or through the use of tape or barrier fencing and signposting to define the works area and prevent the inadvertent disturbance or access to unauthorised areas beyond the approved boundaries. Surveys and peg-out will be based on digital data as per the Project final layout survey and AHIMS data.	
MM08	Make use of existing disturbance for project layout as far as practicable, including access routes and other ancillary workspaces; negotiate with third parties for use of existing disturbed areas where necessary.	
MM09	All construction activities will be confined to the established and delineated approved works area and construction access tracks / roads. In doing so avoid unnecessary disturbance to: • Water courses • Stony outcrops and clay pans, and • Mature vegetation.	
Ground disturbance associated with or including but not limited to the following:		
a) Clearing and Topsoil Stripping b) Earthworks – General and Civil c) Establishment of Concrete Batch Plant and other temporary works areas d) Facility construction and WTG Erection e) Transmission Line Establishment and Erection f) Cable Installation		
MM10	All vehicles, plant and personnel shall travel and remain on approved access tracks and approved work areas at all times. All materials shall be stored within approved works areas and be prevented from overhanging or entering the boundaries of works areas and heritage "No Go" zones.	
MM11	During construction works, implement any additional protective measures as required to ensure the specific works activities, plant equipment, personnel, materials or construction waste including excavation materials and spoil do not encroach, enter or overhang known heritage sites or new sites that have been identified during the performance of works.	
MM12	In the event of a heritage unexpected find (including skeletal remains) during works, cease the work activity in proximity to the find immediately and notify the Supervisor who will refer to the Heritage Unexpected finds protocol Appendix C.	
MM13	During construction works the following matters will constitute a heritage incident: • Non-compliance with the heritage management requirements of this CHMP • Any damage to known heritage sites and/or heritage items, and • Any incursion into a known heritage site as defined by the CHMP, including access within any new sites that are identified and delineated during works.	
MM14	Incidents as described above are to be immediately reported to the Project Manager for immediate notification to Flyers Creek Wind Farm Pty Ltd to ensure compliance and reporting requirements in accordance with CoA E6 and E7 requiring notification to DPIE in writing to compliance@planning.nsw.gov.au	
7. COMMUNICATION, CONSULTATION AND INCIDENTS		
7.1 Internal Communications	The immediate day-to-day responsibility for communication of heritage protection lies with the CPP-Nacap Site Project Management Team.	
	The following internal communication forums will occur during the execution of works: • Inductions • SWMS Workshops • Daily Pre-start meetings • Field based awareness talks regarding specific aspects and known heritage sites • Regular toolbox meetings (project workforce), and • Weekly construction management team meetings.	
7.2 External and Third Party Communications	Regular communication with stakeholders/landholders will be undertaken during construction activities. All significant stakeholder/landholder issues not readily resolved by construction personnel shall be directed to the Supervisor who will notify the Project Manager.	

ACTIVITY	DESCRIPTION	REFERENCES
7.3 Media Protocol	If any CPP-Nacap Personnel have any contact with a media representative, they will: - Respond in a polite and courteous manner, and - Inform the media representative that they are not the authorised spokesperson and provide contact details of the Flyers Creek Wind Farm Project spokesperson or media contact	-
7.4 Incident Management	In the event of an incident involving heritage as described above, a first reporting step will be the provision of a Heads-Up Notification (an Initial Report and Notification via email) detailing brief facts about the incident to be circulated to an agreed list of CPP-Nacap and FCWFPL project personnel. This will be done as soon as practicable but no later than two (2) hours after the incident to enable notification and reporting requirements in accordance with CoA E6 and E7 requiring notification to DPIE in writing to compliance@planning.nsw.gov.au The subsequent Incident Report will include: - Date, time and location details - A description of the incident and root cause - Whether the incident resulted in harm or regulatory Non-Compliance and requires reporting to Regulator (BCD, NSW Police) or Third Party - Actions for resolution / close out, and - Corrective actions to assist in preventing recurrence. Upon completion of an investigation, the findings and recommendations shall be distributed to the relevant work crews for discussion at prestart meetings. If the root cause analysis provides justification for amended work practices or processes a review and reissue of relevant documents (such as this CHMP, CEMP, SWMS and Form 2) will be undertaken. Any updates to the CHMP will be required to be approved by DPIE in accordance with CoA F20.	-
8. INSPECTIONS, MONITORING, AUDITS AND CHMP REVIEW		
8.1 Inspections and Monitoring	The CPP-Nacap Environment Manager or delegate shall coordinate inspections and monitoring of works during construction activities to check and record compliances with works procedures and this CHMP. Inspections and Monitoring will include: - Weekly review of all known heritage sites to ensure all management measures are effective and compliant with this CHMP; and - Review of active works to ensure works are conducted in compliance with this CHMP.	-
8.2 Audits	Internal environmental audits to include Heritage shall be conducted by non-site based CPP-Nacap personnel at an agreed frequency during performance of the works. It is envisaged that the Proponent and or regulatory authorities may undertake environmental auditing to include Heritage during the performance of the works. Where deficiencies are observed or corrective actions, the person responsible for the corrective action, and timing for correction to be completed shall be noted in the audit records sheet and confirmation of close out will be undertaken in any subsequent monitoring/inspection/audit. All corrective actions will also be recorded in the Corrective Actions Register.	-
8.3 CHMP Review	A review of this CHMP will be undertaken annually and whenever there are significant changes in the scope of work, subsequent changes to construction methodologies, following harm to a heritage site or object/relic and any non-conformance with this plan. A copy of the updated plan and changes will be provided to DPIE for review and approval. Any revised and approved plan will be distributed to all relevant stakeholders including registered Aboriginal stakeholders and regulatory authorities.	-
9. REPORTING AND RECORD KEEPING		
9.1 Record Keeping	CPP-Nacap shall maintain a documentation and record system in support of this CHMP and monthly Project reporting requirements to enable review and auditing of management systems and procedures. The following records to be maintained: - Site Inspection Records - Heritage Site Status Register - Incident Reports - Incident Register, and - Consultation Log.	-
9.2 Reporting	Monthly Reporting includes information on relevant heritage data, summary and includes the reporting of any incidents and non-conformance.	-

Flyers Creek Wind Farm Project

CONSTRUCTION HERITAGE MANAGEMENT PLAN



APPENDIX A – DESKTOP AND FIELD ASSESSMENT FINDINGS

AHIMS ID	Site name	Location	Site features	Size	No of Artefacts	Landform	Exposure Type	Archaeological Potential	Assessment and Date
44-5-0070	Dirty Creek; DCST-1	694500E 6280570N	Modified Tree (Carved or Scarred)	-	-	-	-	-	Desktop- EA 2011
44-5-0124	FCWF-IF-01	690470E 6284243N	Artefact	<1 m ²	1	Rolling hills, lower slope	Track	Low	Field-EA 2011
44-5-0125	FCWS-IF-02	693507E 6286597N	Artefact	<1 m ²	1	Steep hills, lower slope	Washout	Low	Field-EA 2011
44-5-0126	FCWF-IF-03	690131E 6289577N	Artefact	<1 m ²	1	Rolling hills, ridge	Track	Low	Field-EA 2011
TBA	FCWF-IF-04	692391E 6289641N	Artefact	4m ²	1	Ridgeline	Sheep Track	Low	Monitoring – Pre-Construction Feb 2019
44-5-0127	FCWF-PAD-01	693875E 6283030N	Potential Archaeological Deposit (PAD)	100 m ²	-	Rolling hills, terrace	Furrow	Moderate to high	Field-EA 2011
44-5-0128	FCWF-PAD-02	690238E 6289870N	Potential Archaeological Deposit (PAD)	75 m ²	-	Rolling hills, terrace	-	Moderate	Field-EA 2011
44-5-0129	FCWF-S-01	690308E 6283001N	Artefact Scatter	20 m ²	7	Rolling hills, terrace	Furrow	Low to moderate	Field-EA 2011
44-5-0130	FCWF-S-02	692802E 6283859N	Artefact Scatter	20 m ²	3	Rolling hills, lower slope	Damn wall	Low	Field- EA 2011
44-5-0131	FCWF-S-03	694720E 6283765N	Artefact Scatter	150 m x 2 m	7	Rolling hills, mid slope	Track	Low	Field-EA 2011
44-5-0132	FCWF-S-04	691021E 6288725N	Artefact Scatter	20 m ²	12	Steep hills, saddle	Track	Low to moderate	Field - EA 2011
44-5-0170	FCWF-S-05	693693E 6286479N	Artefact Scatter	18	3	Terminal spur crest	Washout	Low	Field-Mod 3 2017
TBA	FCWF-S-06	692823E 6290659N	Artefact Scatter	50m ²	4	Rise crest	-	Moderate	Monitoring – Pre-Construction Nov 2019
44-2-0158	WOODVILLE ROAD PAD	688529E 6295504N	Potential Archaeological Deposit (PAD)	-	1	-	-	Moderate	Desktop – Mod 4 2018
44-2-0159	WOODVILLE ROAD 3	688643E 6295670N	Artefact	-	1	-	-	Low	Desktop – Mod 4 2018
44-2-0160	WOODVILLE ROAD 2	688652E 6295715N	Artefact	-	1	-	-	Low	Desktop – Mod 4 2018



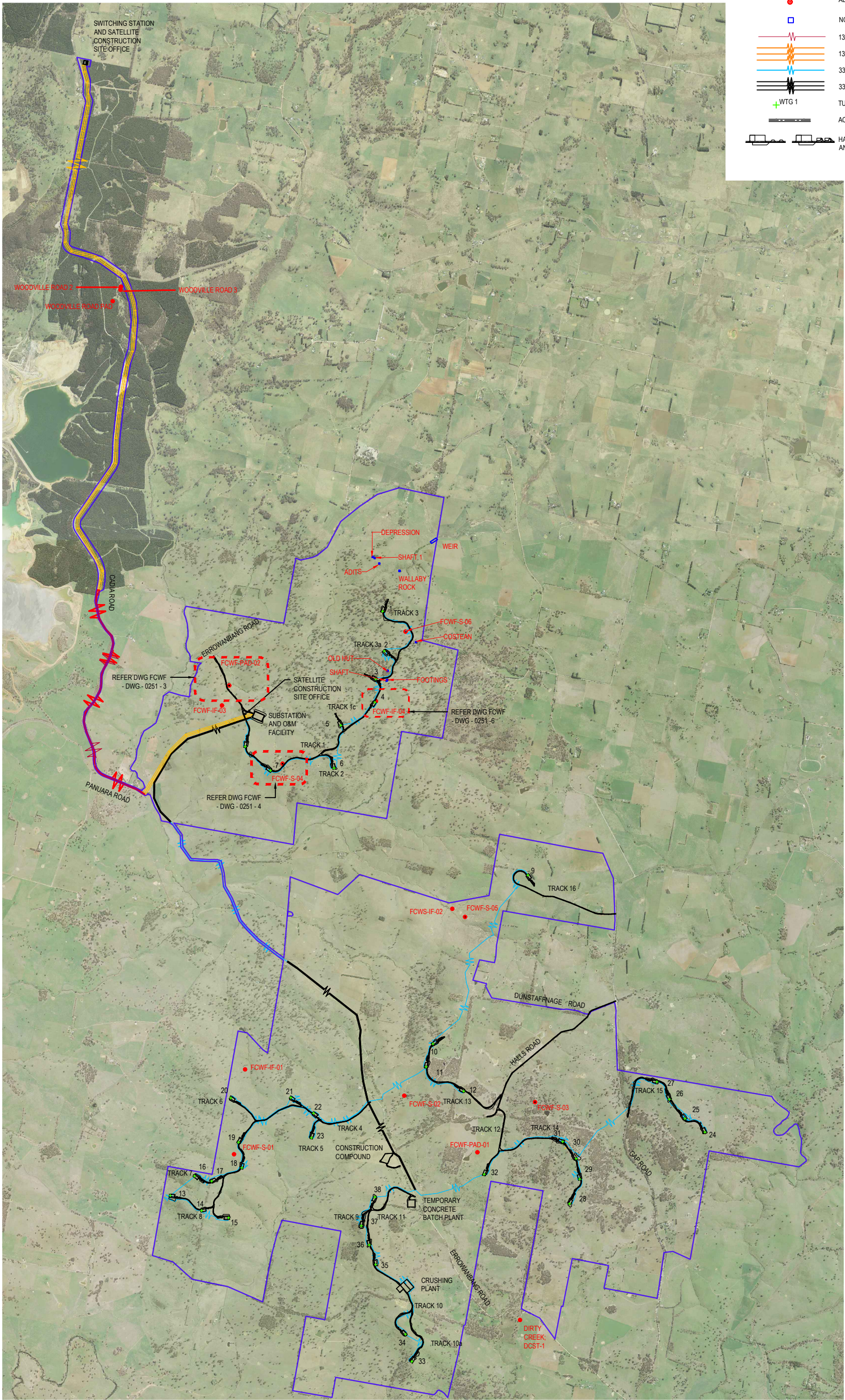
APPENDIX B – HERITAGE CONTROL MAP

Note – Preliminary layout subject to minor amendments during detailed design



LEGEND

- PROJECT BOUNDARY
- ABORIGINAL HERITAGE SITE
- NON-ABORIGINAL HERITAGE SITE
- 132 kV TRANSMISSION LINE UG
- 132 kV TRANSMISSION LINE OH
- 33 kV CABLING LINE UG
- 33 kV CABLING LINE OH
- TURBINE NUMBER
- ACCESS TRACK
- HARDSTAND / LAYDOWN AND CRANE PAD OPTIONS



SITE LAYOUT

1:30,000 1200 0 1200 2400 A1
1:60,000 A3

PRELIMINARY LAYOUT SUBJECT TO FINAL DESIGN



Copyright	E FOR APPROVAL - LAYOUT CHANGED	R.K. J.C. N.C. 25.03.2020
	D FOR APPROVAL - LAYOUT CHANGED	J.C. F.M. N.C. 26.02.2020
	C FOR APPROVAL - LAYOUT CHANGED	J.C. F.M. N.C. 18.02.2020
	B FOR APPROVAL	J.C. F.M. N.C. 10.02.2020
	A FOR APPROVAL	J.C. F.M. N.C. 06.02.2020
REV DETAIL	DRN	CHK APP DATE
REVISIONS AND APPROVALS		

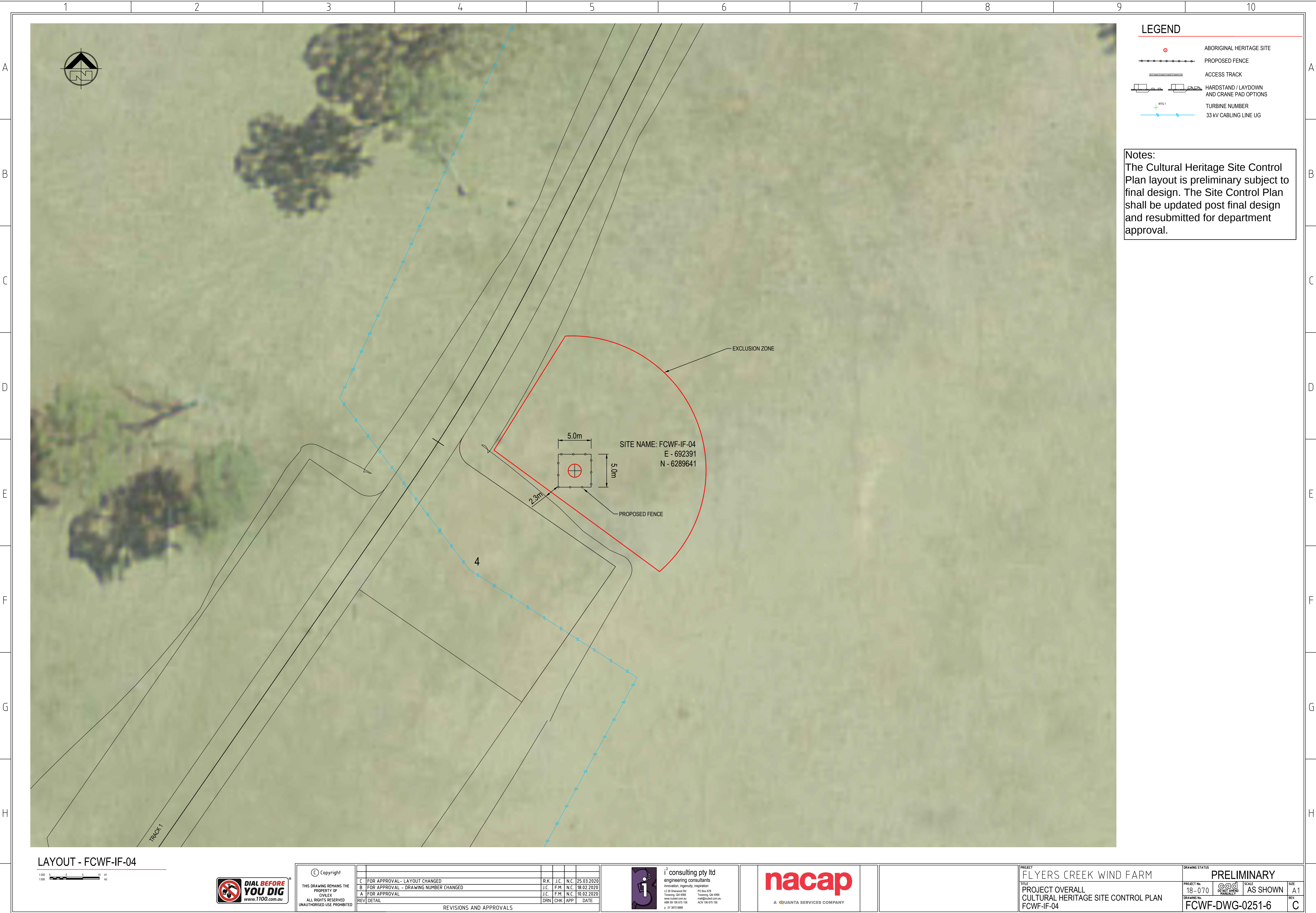


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PROJECT FLYERS CREEK WIND FARM
TITLE PROJECT OVERALL
GENERAL PROJECT LAYOUT PLAN

DRAWING STATUS	PRELIMINARY
PROJECT No.	18-070
DRAWING No.	FCWF-DWG-0251-1
SCALE	AS SHOWN
SIZE	A3
REV.	E





APPENDIX C – UNEXPECTED FINDS PROTOCOL

UNEXPECTED FINDS PROTOCOL	
Purpose	The purpose of the unexpected finds protocol is to provide guidance to construction personnel in the event that an unexpected heritage find is encountered during works. An ‘unexpected heritage find’ can be defined as any unanticipated archaeological discovery, that has not been previously assessed or is not covered by an existing excavation or harm permit, and that has potential heritage value. In New South Wales, there are strict laws to protect and manage heritage objects and relics. As a result, appropriate heritage management measures need to be implemented to minimise impacts on heritage values, ensure compliance with relevant heritage notification and other obligations, and to minimise the risk of penalties to individuals, CPP-Nacap, Flyers Creek Wind Farm Pty Ltd.
Scope	In some instances, following prior heritage assessment undertaken during the environmental planning approval process, some heritage objects or relics may not be identified and are uncovered/exposed due to environmental conditions or approved disturbance. This protocol provides guidance for procedures, mitigation and notification that should be followed in circumstances of unexpected finds. This protocol does not replace any requirements identified as part of the environmental impact assessment process; nor does this protocol apply to: - Aboriginal and non-Aboriginal heritage objects or relics found during investigations undertaken to inform the environmental assessment; - Heritage investigations undertaken to comply with Project approvals; and - Archaeological investigations permitted under the National Parks and Wildlife Act 1974 (NPW Act) or the Heritage Act 1977 (Heritage Act).
Legislative Requirements	Refer to Section 4.1 of this Plan.
Relevant Authority Refer to Contact Details Appendix D	In accordance with CoA Biodiversity Conservation Division (BCD) NSW Police Service (in relation to human remains) Registered Aboriginal stakeholders: Orange Local Aboriginal Land Council (OLALC);
What is a heritage unexpected find?	A heritage ‘unexpected find’ can be defined as any unexpected archaeological discovery that has not been identified during a previous assessment or is not covered by an existing permit under relevant legislation such as the NPW Act or Heritage Act. The find may have potential cultural heritage value, which may require some type of statutory cultural heritage permit or notification if any interference of the heritage item is proposed or anticipated. The range of potential archaeological discoveries can include but are not limited to: - Aboriginal stone artefacts, shell middens, burial sites, engraved rock art, scarred trees - Remains of infrastructure including buildings, footings, bridges and culverts, sandstone or brick buildings, wells, cisterns, drainage services, conduits, old kerbing and pavement, former road surfaces, timber and stone culverts, bridge footings and retaining walls - Artefact scatters including clustering of broken and complete bottles, glass, ceramics, animal bones and clay pipes; and - Archaeological human skeletal remains.
Managing unexpected heritage finds	In the event that an unexpected heritage find (the ‘find’) is encountered on site, stop work immediately and protect the site of the ‘find’ and report the incident to the site supervisor. The flowchart in Figure 1 below should be followed. Should skeletal remains be uncovered during works, treat with care and urgency as they have the potential to be human remains. The flowchart in Figure 2 should be followed. Note that skeletal remains must be identified as either human or non-human as soon as possible by a qualified forensic or physical anthropologist. The project Heritage Advisor or Archaeologist will arrange contact with specialist consultants. On the very rare occasion where it is instantly obvious from the remains that they are human, the project manager (or a delegate) should inform the police (refer to Appendix D) immediately and prior to seeking specialist advice.

Figure 1 Unexpected Finds Protocol Flowchart

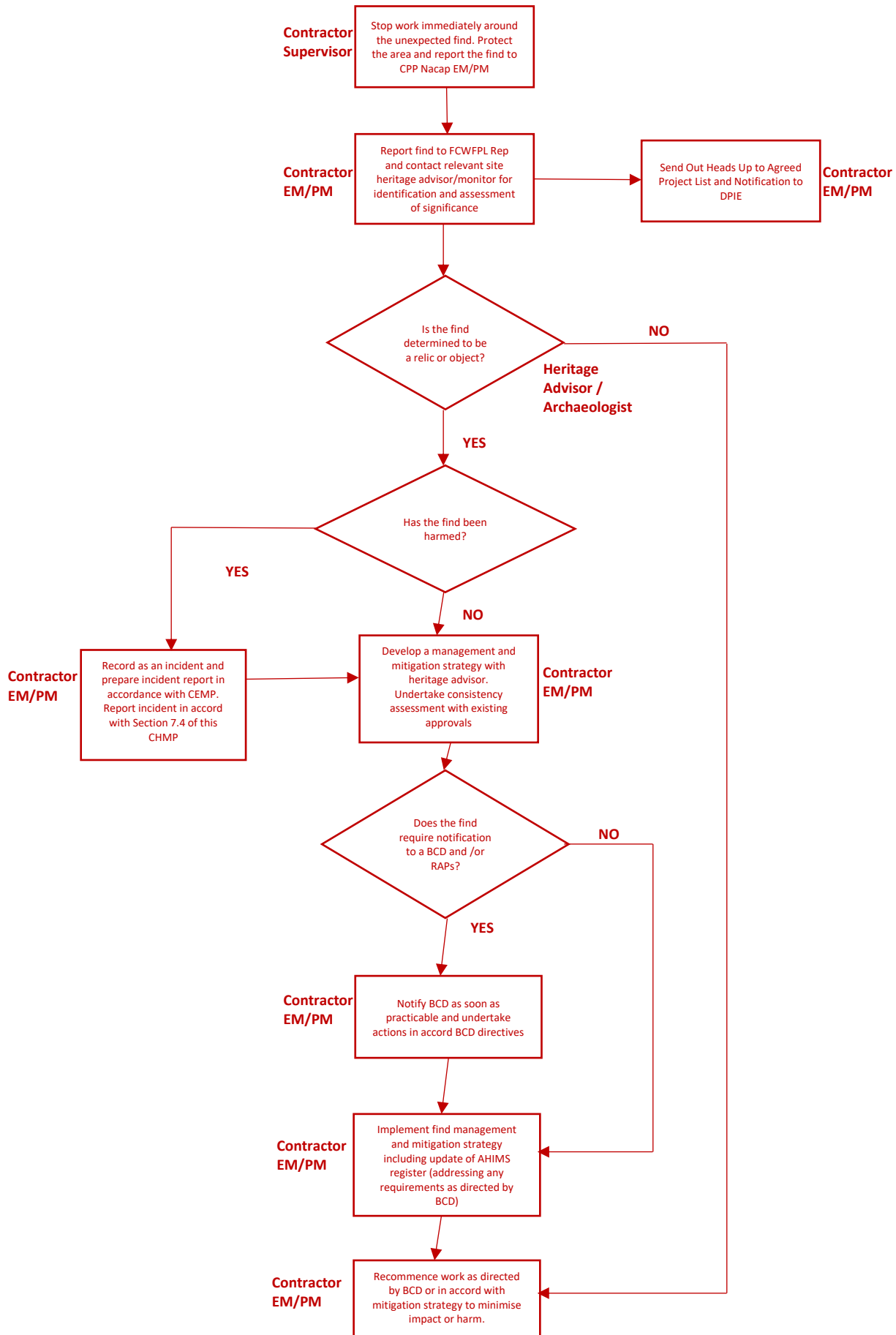


Figure 2 Unexpected Finds (Skeletal Remains) Protocol Flowchart

Relevant Authorities and Responsibilities

Biodiversity Conservation Division
Environment Protection and Regulation Group (for Aboriginal objects) – Responsible for Regulating the care, protection and management of Aboriginal objects. Issue Aboriginal heritage impact permits

Contractor Supervisor

Stop work immediately around the unexpected find. Protect the area and report the find to CPP Nacap EM/PM

Contractor EM/PM

Report find to FCWFL Rep and contact relevant site heritage advisor/archaeologist for identification and assessment of significance

Send Out Heads Up to Agreed Project List and Notification to DPIE

Contractor EM/PM

Heritage Advisor / Archaeologist

Is the find determined to be skeletal remains?

YES

Contractor EM/PM

Report find to Police
Contacts as per Appendix D
Follow any direction provided by the Police

YES

Are the remains instantly recognisable as human remains?

NO

Specialist Consultant

Remains should be identified as either human or non-human as soon as possible

Non-Human

Contractor EM/PM

Manage in accordance with Figure 1

Specialist Consultant

Human

Forensic < 100 Years Old

Archaeological > 100 Years Old

Contractor EM/PM

Aboriginal – refer to BCD
Non-Aboriginal – refer to Heritage (DPIE)

Contractor EM/PM

Implement find management and mitigation strategy (addressing any regulatory requirements and consistency assessment against existing)

Contractor EM/PM

Recommence work as planned or as amended to minimise impact or harm.



APPENDIX D – CONTACT DETAILS - HERITAGE

Orange Local Aboriginal Land Council (OLALC) Annette Steele 14 Palmer Street Orange NSW 2800 Email: reception@olalc.com.au or lisa.paton@olalc.com.au or ceo@olalc.com.au Ph: (02) 6361-4742	
BCD North West, Biodiversity and Conservation Level 1/48–52 Wingewarra Street, Dubbo 2830 PO Box 2111, Dubbo 2830 Tel: 02 6883 5330 info@environment.nsw.gov.au Environment Line 131 555	
DPIE (Heritage Division) info@environment.nsw.gov.au 1300361967	
NSW Police Force 115-117 Byng Street ORANGE 2800 Phone: 02 6363 6399 Fax: 02 6363 6311 Open 24 hours	25-27 Adelaide Street BLAYNEY 2799 Phone: 02 6368 9599 Not open 24 hours 131 444 Police Assistance Line (Non-Emergency)

APPENDIX E – CONSULTATION RECORD

CoA F21 (e) states that the CHMP shall be developed in consultation with the BCD and registered Aboriginal Stakeholders (for Aboriginal heritage). The following table provides a detailed record of the consultation activities associated with this Plan.

Consultee	Consultation	Comments
Orange Local Aboriginal Land Council (OLALC)	25/06/2019 - Meeting	Meeting with Lisa Paton at OLALC in Orange. Provided project update and discussed possible opportunities for the community and project going forward. OALC confirmed that they are the Recognised Aboriginal Party for the project area.
	06/11/2019 - Email & Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	16/01/2020 - Email	Issued reminder email requesting response to CHMP
Wiradjuri Traditional Owners Central West Aboriginal Corporation (WTOCWAC)	06/11/2019 - Email & Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 – Email & Post	Issued reminder email requesting response to CHMP
Young Local Aboriginal Land Council (YLALC) Norma Freeman	06/11/2019 - Email & Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 – Email & Post	Issued reminder email requesting response to CHMP
Keith Freeman (Young)	06/11/2019 - Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 – Post	Issued reminder letter requesting response to CHMP
	23/01/2019 – Phone call	Mr Freeman called Infigen in response to letter of 20/01/2020. Infigen provided Mr Freeman with and update on status of the project, the purpose of the CHMP and expected timelines for construction. Infigen requested that Mr Freeman review the CHMP and advise of any comments he may have on the Plan. Mr Freeman advised that his contact details have not changed and that he will provide comments on the CHMP by 31/01/2020 if he has any. Infigen agreed to keep Mr Freeman updated as the project progresses.
Norma Freeman Jirrah Freeman Coedie Freeman (Young)	06/11/2019 - Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 - Post	Issued reminder letter requesting response to CHMP
Enid Clarke Krystal Ingram Dallas Ingram (Young)	06/11/2019 - Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 - Post	Issued reminder letter requesting response to CHMP
Neville Williams Sharon Williams Wayne Williams Shawn Williams (Cowra)	06/11/2019 – Email & Post	Issued project update letter by email and post
	06/11/2019 – Email	Received email advising that could not be sent to backstreetmission address. Use postal address at this stage.
	18/11/2019 – Post	Letter sent by post returned to sender.
	18/11/2019 – Email	Email sent to Cowra Local Aboriginal Land Council ('cowralalc@hotmail.com') requesting contact details for the Williams.
	02/12/2019 - Email	Follow up email sent to Cowra Local Aboriginal Land Council
	20/01/2020 – Email	Email sent to Cowra Local Aboriginal Land Council ('cowralalc@hotmail.com') requesting contact details for the Williams.
Stuart Cutmore (Cowra)	06/11/2019 - Post	Issued project update letter by email and post
	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	20/01/2020 - Post	Issued reminder letter requesting response to CHMP
Biodiversity Conservation Division (BCD) Dubbo	03/12/2019 - Email & Post	Issued Construction Heritage Management Plan for review and comments.
	05/12/19 – Meeting	Meeting to discuss the Construction Heritage Management Plan
	5/12/2019 – Email	Email sent to BCD inviting comments on the CHMP
	6/02/2020 – Conference call	Conference call with BCD to discuss the review of the CHMP
	18/02/2020 – Email & Post	Received email/letter outlining BCD recommendations for updating the BCD



APPENDIX F – BCD CONSULTATION CORRESPONDENCE



Our ref: DOC20/96777

Your ref: MP08_0252

Megan Richardson
Development Manager, Infigen Energy
megan.richardson@infigenenergy.com

Dear Megan

Draft Heritage Management Plan (Aboriginal cultural heritage) - Flyers Creek Windfarm (Revision 3)

Thank you for your e-mail dated 5 December 2019 to the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment inviting comments on the draft Heritage Management Plan (HMP).

During our meeting on 6 February 2020, BCD raised issues about the Aboriginal cultural heritage (ACH) component of the draft HMP. BCD is satisfied that several of the issues were adequately addressed by the proponent during our discussions, for example,

- adequate reasoning provided for including Table 3.2 (Approved and Revised Turbines)
- use of the correct term for interested Aboriginal parties (Aboriginal Registered Stakeholders versus the legislated Aboriginal Registered Parties)
- confirmation that additional maps will be included in an updated HMP showing the location of Aboriginal objects relative to the footprint (turbines construction pads – Heritage Map Controls Appendix B).

In summary, BCD recognises that the construction phases of the project will have a minimal impact on Aboriginal cultural heritage due to the few Aboriginal objects recorded during the assessment stages, and that the mitigation and avoidance measures to manage Aboriginal objects are generally adequate.

Finally, BCD is satisfied we have been adequately consulted about the proposed draft HMP, pursuant to Condition of Approval F21(e).

BCD's recommendations are provided in **Attachment A**, detailed comments are provided in **Attachment B**, and recommended additional definitions are provided in **Attachment C**. If you require any further information regarding this matter, please contact Phil Purcell, Archaeologist, via phil.purcell@environment.nsw.gov.au or (02) 6883 5341.

Yours sincerely

18 February 2020

Renee Shepherd
Acting Senior Team Leader Planning, North West
Biodiversity and Conservation Division

Attachment A – BCD's Recommendations

Attachment B – BCD's Detailed Comments

Attachment C – BCD's Recommended Additional Definitions

Cc: May Patterson, Team Leader, Resource Assessments, Planning and Assessment Group, DPIE

BCD's Recommendations

Flyers Creek Wind Farm – Draft Heritage Management Plan – Revision 3

- 1.1 Improve the reading efficiency of the current draft HMP by combining sections and removing unnecessary information. Combine sections 1 and 3.1 into one section.
- 1.2 Highlight the legal entity responsible for preparing and actioning the HMP. A separate heading stating the appropriate entity would address this matter.
- 1.3 Refer to the relevant legislative framework to fulfil the Conditions of Approval. If using sections of the NPW Act refer to the example descriptions provided in Attachment 2 of this response.
- 2.1 Expand the draft HMP section on consultation to describe how Registered Aboriginal Stakeholders are involved in the project, as per Conditions of Approval F21(e).
- 3.1 Revise the abbreviations to show that the former DECC, DECCW and OEH is now the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment. Refer to additional definitions in Attachment C of this response from of the *National Parks and Wildlife Act 1974* (NPW Act), pertinent to the Flyers Creek Windfarm project.

BCD's Detailed Comments

Flyers Creek Wind Farm – Draft Heritage Management Plan – Revision 3

1. Clarity of the draft HMP should be improved

Sections of the draft HMP are difficult to follow, affecting the overall readability of the document. For example:

- Section 1 (General Information) and section 3.1 (Project Information, Background and Description) are confusing to read as separate sections.
- The legal entity responsible for compiling and actioning the HMP is not clear. Section 3 refers to Flyers Creek Wind Farm Pty Ltd (the Proponent) forming part of the Infigen Energy Corporate Group (first paragraph) and General Electric Pty Ltd (GE), Nacap Pty Ltd (Nacap) and Consolidated Power Pty Ltd (CPP) (fourth paragraph). Whilst section 2 (Definitions and Abbreviations) refers to the client and proponent as Flyers Creek Wind Farm Pty Ltd.
- Section 4 of the draft HMP (Existing Project Environment) contains descriptions of ACH-related legislation that are not required in the post-approval phase of the project. For example,
 - o Sections of the *National Parks and Wildlife Act 1974* (NPW Act) are extinguished for the approved project, including the requirement for an Aboriginal Heritage Impact Permit.
 - o The *Aboriginal Land Rights Act 1983*, the *Native Title Act 1993* (Commonwealth) and the *NSW Native Title Act 1994* have no carriage for activities authorised under the HMP. They are for ensuring Aboriginal inclusiveness in the project (see comments on item 2 in this response below) and determining if native title covers the project area. This action was adequately completed as part of the Aboriginal cultural heritage assessments prior to the approval of the project. No Native Title Claimants are registered for the area (section 4.3.1 of the draft HMP).

Recommendations

- 1.1 Improve the reading efficiency of the current draft HMP by combining sections and removing unnecessary information. Combine sections 1 and 3.1 into one section.
- 1.2 Highlight the legal entity responsible for preparing and actioning the HMP. A separate heading stating the appropriate entity would address this matter.
- 1.3 Refer to the relevant legislative framework to fulfil the Conditions of Approval. If using sections of the NPW Act refer to the example descriptions provided in Attachment C of this response.

2. Reference to consultation frameworks should be amended

The draft HMP refers to different consultation frameworks that are not necessary for preparing and undertaking the HMP. This may confuse the reader as to which consultation process is to be followed.

BCD's understanding of Condition of Approval F21(e) is that there is no requirement to use the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) and the DECC (2005) draft consultation guidelines, pursuant to the Part 3A Environmental Assessment process (*Environmental Planning and Assessment Act 1974*) (section 4.5 page 16).

The consultation requirements in DECC (2005) and DECCW (2010) are fundamentally the same with regard to the framework for seeking interested Aboriginal parties for identifying cultural

significance. Each requires an extensive process with associated time frames to seek and determine interested Aboriginal parties. BCD understands that those actions were completed as part of the Aboriginal cultural heritage (ACH) assessment process and the registered Aboriginal parties/stakeholders have therefore been identified.

BCD understands that the consultation relevant to the HMP is that stated in the project CoA F21(e) which describes consultation for the purposes of determining the appropriateness of the mitigation measures and, for general ongoing involvement in the project. BCD further understands that the proponent is currently consulting with registered Aboriginal stakeholders on the final version of the HMP as per the Conditions of Approval.

Recommendation:

- 2.1 Expand the draft HMP section on consultation to describe how Registered Aboriginal Stakeholders are involved in the project, as per Conditions of Approval F21(e).

3. The definitions and abbreviations section in the draft HMP should be reviewed

The draft HMP abbreviations include outdated government department titles. The draft HMP would benefit from additional definitions and descriptions pertaining to the NPW Act that are relevant to the project's responsibility in managing ACH.

Recommendation:

- 3.1 Revise the abbreviations to show that the former DECC, DECCW and OEH is now the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment. Refer to additional definitions in Attachment C of this response from the *National Parks and Wildlife Act 1974* (NPW Act), pertinent to the Flyers Creek Windfarm project.

BCD's Recommended Additional Definitions

Flyers Creek Wind Farm – Draft Heritage Management Plan – Revision 3

Aboriginal Heritage Impact Permit (AHIP)

Statutory instrument issued under section 90 of the *National Parks and Wildlife Act 1974* (NPW Act) to manage harm or potential harm to Aboriginal objects and places.

An AHIP is not required where the proposed activity is an approved Part 3A project or State Significant Development (SSD) or State Significant Infrastructure (SSI) under the *EP&A Act 1979* or when undertaking an environmental assessment for any of these types of development activities in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued by the Department Planning, Industry and Environment (DPIE).

Aboriginal Object

Statutory term under the NPW Act, meaning '... 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' (s.5, NPW Act).

Aboriginal Place

Statutory term, meaning any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.

Aboriginal site

A location or area of land that contains or is associated with Aboriginal object(s).

Community collection

May be authorised as part of the Heritage Management Plan and involves the collection of Aboriginal objects by one or all registered Aboriginal parties or their representatives from a site that will be harmed.

Safekeeping

Aboriginal objects collected as part of the mitigated measures described in the Plan and placed in safekeeping require a Care Agreement Care of Aboriginal objects collected by or, on behalf of an Aboriginal person or organisation pursuant, to s.85A(1)(c) of the NPW Act.

Arrangements for the deposition and safe keeping of salvaged Aboriginal objects

The Secretary of the Department of Planning Industry and Environment (DPIE) may transfer Aboriginal objects that are the property of the Crown via a Care Agreement under s.85A(1)(c) of the NPW Act 1974. Care Agreements are not AHIPs and apply to SSD and SSI projects under the *EP&A Act 1979*.

Notification of newly discovered sites of Aboriginal objects (s.89A NPW Act)

Any Aboriginal object or site discovered during works not previously recorded must be recorded onto the AHIMS consistent with the s.89A of the NPW Act 1974. As so proscribed:

A person who is aware of the location of an Aboriginal object that is the property of the Crown or, not being the property of the Crown, is real property, and does not, in the prescribed manner, notify the Chief Executive thereof within a reasonable time after the person first becomes aware of that

location is guilty of an offence against this Act unless the person believes on reasonable grounds that the Chief Executive is aware of the location of that Aboriginal object.

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