



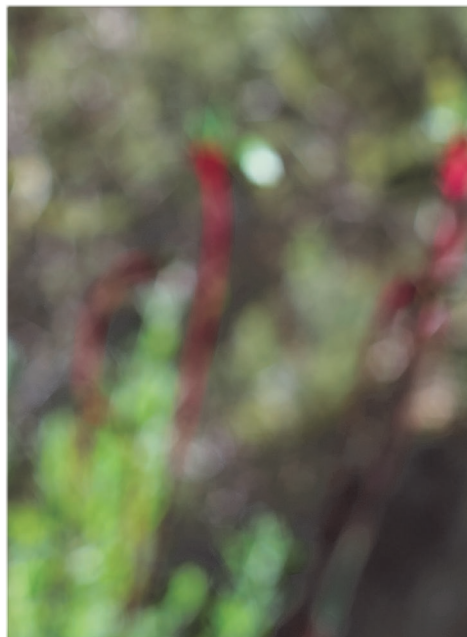
**NGH**

# **Heritage Management Plan**

## **Jindera Solar Farm**

March 2022

**Project Number: 21-096**



## Document verification

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## Acronyms and abbreviations

ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRP	Aboriginal Cultural Heritage Consultation Requirements for Proponents
AHIMS	Aboriginal Heritage Information Management System
ASIRF	Aboriginal Site Impact Recording Form
BAC	Bundyi Aboriginal Cultural Knowledge
CoC	Conditions of Consent
Code of Practice	Code of Practice for Archaeological investigation of Aboriginal Objects in NSW (DECCW NSW 2010)
DECCW	(Former) Department of Environment, Climate Change and Water (NSW) (now DPIE)
DPIE	Department of Planning, Industry and Environment (NSW)
EIS	Environmental Impact Statement
EMS	Environmental Management Strategy
ha	hectares
Heritage Act	<i>Heritage Act 1977</i> (NSW)
HMP	Heritage Management Plan
HSEQ	Health Safety and Environment and Quality
km	kilometres
LALC	Local Aboriginal Land Council
LGA	Local Government Area
m	metres
NGH	NGH Pty Ltd
NPW Act	<i>National Parks and Wildlife Act 1974</i> (NSW)
NSW	New South Wales
PAD	Potential Archaeological Deposit
RAP	Registered Aboriginal Party
RtS	Response to Submission Report
SEO	Site Environmental Officer
SSD	State Significant Development
The Project	Jindera Solar Farm
WMS	Word Method Statements

# 1. Introduction

Planning approval was granted on the 22<sup>nd</sup> of December 2020 for the construction and operation of the Jindera Solar Farm, located approximately 4 km north of the township of Jindera in the Greater Hume Local Government Area (LGA). The Jindera Solar Farm ('the Project') is a State Significant Development (SSD) (SSD 9549) that represents an important contribution to renewable energy generation in New South Wales (NSW). The approved development footprint of the Jindera Solar Farm is shown in Appendix A.

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

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared for the Jindera Solar Farm, which was included as part of the Jindera Solar Farm Environmental Impact Statement (EIS) (NGH Environmental Pty Ltd 2019a, 2019b). The EIS summarised the key findings of the ACHAR including impacts to Aboriginal heritage and any proposed mitigation measures to minimise impacts. The EIS also included proposed mitigation measures for historic heritage. Subsequent to the finalisation of the Jindera Solar Farm ACHAR (NGH Environmental Pty Ltd 2019) an addendum ACHAR was undertaken for additional areas outside the previous assessment area (NGH Pty Ltd 2020a). The Addendum Report (NGH Pty Ltd 2020b) for the Project summarised the key findings of the addendum ACHAR. Following review and comments on the EIS and Addendum Report a Response to Submissions (RtS) (NGH Pty Ltd 2020c) detailed a number of changes to the safeguards and mitigation measures detailed in the EIS which includes revised mitigation measures to minimise impacts on Aboriginal and historic heritage for the Project.

## 1.1 Context

The Environmental Management Strategy (EMS) prepared for the project complies with the Conditions of Consent (CoC), issued by the NSW Minister for Planning, and all applicable legislation, during construction, operation and decommissioning of the Project.

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

This HMP has been prepared by suitably qualified, independent, and experienced archaeologist Kirsten Bradley and Matthew Barber from NGH, who are endorsed by the Secretary in accordance with Schedule 3 Condition 23(a) of SSD 9549 on the 10 June 2021, as documented in Appendix C.

## **1.2 Environmental Management Strategic Framework**

The HMP is part of the Project Owners' and their contractor's environmental management framework for the Project, as described in the EMS. Mitigation and management measures identified in this plan will be incorporated into the site induction and Work Method Statements (WMS), as outlined in the EMS, where applicable.

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

Used together, the EMS, management measures, procedures, site induction and WMS form management guides that clearly identify required environmental management actions for reference by the Project personnel, contractors and sub-contractors for the Project.

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

## **2. Purpose and Objectives**

### **2.1 Purpose and Objectives**

The purpose of this HMP is to describe how impacts on Aboriginal and historic heritage will be minimised and managed during construction, operation and decommissioning of the Project. In addition, the HMP provides guidance for the management of any unexpected Aboriginal and historic heritage objects that may be encountered during works for the Project.

The key objective of the HMP is to ensure that impacts to Aboriginal heritage items which are known to be present within the Project area are minimised and that any impacts are within the scope permitted by the planning approval. To achieve this objective, the following will be undertaken:

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

### **2.2 Targets**

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

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



## 3. Environmental Requirements

### 3.1 Legislative and Other Environmental Management Requirements

#### Legislation

Legislation relevant to heritage management includes:

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*
- *National Parks and Wildlife Act 1974 (NPW Act)*
- *National Parks and Wildlife Regulations 2019*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)*
- *Heritage Act 1977*
- *Native Title Act 1993*

#### Guidelines and Standards

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

- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011);
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW NSW 2010a);
- *Aboriginal cultural heritage consultation requirements for proponents 2010 (ACHCRP)* (DECCW NSW 2010b).
- *Assessing Heritage Significance* (Heritage Office, 2001)

### 3.2 Conditions of Consent

The CoC were issued by the NSW Minister for Planning on 22 December 2020. Details of the CoC in relation to Heritage are summarised in Table 3-1. A detailed list of heritage control measures to be implemented to ensure compliance with the CoC, EIS, RtS and heritage assessments undertaken for the Project to date is detailed in Section 7 and Appendix H of this document. As noted in the CoC all reasonable and feasible measures to prevent and/or minimise any material harm to the environment is noted, this includes harm to Aboriginal heritage objects. This document outlines how this is to be achieved.

Table 3-1 Location of information in this plan addressing the heritage requirement of the CoC.

Condition	Condition of Consent	Location of Relevant Information
1 of Schedule 2	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the	This document and Section 7.

Condition	Condition of Consent	Location of Relevant Information
	environment that may result from the construction, operation, upgrading or decommissioning of the development.	
22 of Schedule 3	<p>The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 6 or any Aboriginal heritage items located outside the approved development footprint.</p> <p>Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 2 of Appendix 6, salvage and relocate the item/s that would be impacted to a suitable alternative location, in accordance with the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010), or its latest version.</p>	<p>CoC Table 1 of Appendix 6. HMP Table 3-2 and Section 6.</p> <p>CoC Table 2 of Appendix 6. HMP Table 3-3 and Section 6.</p>
23 of Schedule 3	<p>Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Appendix 6, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary in writing. This plan must:</p> <ul style="list-style-type: none"> <li>(a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary in writing.</li> <li>(b) be prepared in consultation with Heritage NSW and Aboriginal Stakeholders.</li> <li>(c) include a description of the measures that would be implemented for: <ul style="list-style-type: none"> <li>• protecting the Aboriginal heritage items identified in Table 1 of Appendix 6 or items located outside the approved development footprint, including fencing off the Aboriginal heritage items prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 2 of Appendix 6;</li> <li>• salvaging and relocating the Aboriginal heritage items located within the approved development footprint, as identified in Table 2 of Appendix 6;</li> </ul> </li> </ul>	<p>This document</p> <p>Section 1.1 Appendix C</p> <p>Section 4 Appendix D</p> <p>Section 6 and 7</p> <p>Section 7 Appendix E</p>

Condition	Condition of Consent	Location of Relevant Information
	<ul style="list-style-type: none"> <li>a contingency plan and reporting procedure if: <ul style="list-style-type: none"> <li>previously unidentified heritage items are found; or</li> <li>Aboriginal skeletal material is discovered.</li> </ul> </li> <li>ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and</li> <li>ongoing consultation with Aboriginal stakeholders during the implementation of the plan;</li> </ul> <p>(d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.</p> <p>Following the Planning Secretary's approval, the Applicant must implement the Heritage Management Plan</p>	<p>Section 8.5 Appendix F Appendix F.1</p> <p>Section 8.2</p> <p>Section 4 and 9</p> <p>Section 8.3, 8.4 and 8.5</p> <p>Noted</p>
2 of Schedule 4	<p>The Applicant must:</p> <p>(a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and</p> <p>(b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 1 month of the:</p> <ul style="list-style-type: none"> <li>submission of an incident report under condition 7 of Schedule 4;</li> <li>submission of an audit report under condition 9 of Schedule 4; or</li> <li>any modification to the conditions of this consent.</li> </ul>	<p>Section 9</p> <p>Section 9.2</p>
3 of Schedule 4	<p>With the approval of the Planning Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised</p>	Section 9

Condition	Condition of Consent	Location of Relevant Information
	<p>strategies, plans or programs to the Planning Secretary for approval.</p> <p>With the agreement of the Planning Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.</li> <li>• If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>	
7 of Schedule 4	The Planning Secretary must be notified via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 7.	Section 8.6
8 of Schedule 4	The Department must be notified in writing via the Major Projects website within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.	Section 8.6

Condition	Condition of Consent	Location of Relevant Information
9 of Schedule 4	<p>Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) to the following frequency:</p> <p>(a) within 3 months of commencing construction; and</p> <p>(b) within 3 months of commencement of operations.</p>	Section 8.4
Appendix 7: Incident Notification and Reporting Requirements	<ol style="list-style-type: none"> <li>1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.</li> <li>2. Written notification of an incident must: <ol style="list-style-type: none"> <li>(a) identify the development and application number;</li> <li>(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</li> <li>(c) identify how the incident was detected;</li> <li>(d) identify when the applicant became aware of the incident;</li> <li>(e) identify any actual or potential non-compliance with conditions of consent;</li> <li>(f) describe what immediate steps were taken in relation to the incident;</li> <li>(g) identify further action(s) that will be taken in relation to the incident; and</li> <li>(h) identify a project contact for further communication regarding the incident.</li> </ol> </li> <li>3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.</li> </ol>	Section 8.6

Condition	Condition of Consent	Location of Relevant Information
	<p>4. The Incident Report must include:</p> <ul style="list-style-type: none"> <li>(a) a summary of the incident;</li> <li>(b) outcomes of an incident investigation, including identification of the cause of the incident;</li> <li>(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and</li> <li>(d) details of any communication with other stakeholders regarding the incident.</li> </ul>	

The Aboriginal heritage items referred to in Table 1 of Appendix 6 of the CoC, which are referred to in Condition 22 of Schedule 3 of the CoC, that are to be avoided by the development are listed below in Table 3-2 for easy reference. No harm must occur to these Aboriginal heritage sites.

As per Table 1 of Appendix 6 of the CoC, one site listed does not have a site ID number. This is a Eucalypt tree which was recorded as having cultural value to the Aboriginal community

Table 3-2 Aboriginal heritage items listed in Appendix 6 of the CoC to be avoided.

Item Name	Site ID #	CoC Requirements
Jindera Solar IF2	55-6-0150	Avoid Impacts
Jindera 488918	55-6-0115	Avoid Impacts
Jindera 488995	55-6-0116	Avoid Impacts
Jindera SF Cultural Site 1	n/a	Avoid Impacts

The Aboriginal heritage items listed in Table 2 of Appendix 6 of the CoC, which are referred to in Condition 22 of Schedule 3 of the CoC, that are to be salvaged and relocated if impacts cannot be avoided by the development are listed below in Table 3-3 for easy reference.

Table 3-3 Aboriginal heritage items listed in Appendix 6 of the CoC to be salvaged if they cannot be avoided by the development.

Item Name	Site ID #	CoC Requirements
Jindera 488942	55-6-0117	Salvage
Jindera 487530	55-6-0114	Salvage
Jindera 488212	55-6-0125	Salvage
Jindera 488172	55-6-0121	Salvage
Jindera 488179	55-6-0122	Salvage
Jindera 487973	55-6-0120	Salvage
Jindera 487666	55-6-0118	Salvage
Jindera Solar IF 1	55-6-0149	Salvage
Jindera Solar IF 3	55-6-0151	Salvage
Jindera Solar IF 4	55-6-0152	Salvage
Jindera Solar IF 5	55-6-0153	Salvage
Jindera Solar IF 6	55-6-0154	Salvage
Jindera Solar IF 7	55-6-0155	Salvage
Jindera Solar IF 8	55-6-0156	Salvage
Jindera Solar IF 9	55-6-0157	Salvage
Jindera Solar IF 10	55-6-0158	Salvage
Jindera Solar IF 11	55-6-0159	Salvage
Jindera 487595	55-6-0124	Salvage
Jindera 487613	55-6-0129	Salvage
Jindera 487828	55-6-0119	Salvage
Jindera 488004	55-6-0123	Salvage

## **4. Consultation for the HMP**

Condition 23(b) of Schedule 3 of the CoC requires the HMP be prepared in consultation with Heritage NSW and Aboriginal Stakeholders.

The consultation process for this Project began in 2018 for the ACHAR. The consultation with Aboriginal stakeholders was undertaken in accordance with clause 80C of the *National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010* following the consultation steps outlined in the ACHCRP guide.

As a result of this process, there are two Registered Aboriginal Parties (RAPs) for this Project, as listed below and outlined in Appendix D.

- The Albury and District Local Aboriginal Land Council (Albury LALC); and
- Bundyi Aboriginal Cultural Knowledge

As per Condition 23(c) of the CoC, consultation with the Project RAPs would be ongoing during the implementation of the Plan. A log of consultation will be kept by the Project manager. Consultation with the RAPs will generally be provided in writing via email by the Project's Environmental Representative as required.

For this HMP additional consultation, as required by the CoC, was undertaken with Heritage NSW and the RAPs as detailed in Appendix D.

The RAPs did not raise any issues with the draft HMP. The Albury LALC reiterated that they would like to enter into a Care Agreement if the stone axe is able to be relocated during the surface collection salvage programme.

Heritage NSW noted that the draft HMP had been prepared in accordance with the CoC, particularly Schedule 3 Conditions 22 and 23, relating to Aboriginal cultural heritage.



## 5. Existing Heritage

NGH Environmental Pty Ltd (2019a) prepared an ACHAR for the proposed Jindera Solar Farm. The findings of the ACHAR were summarised within the EIS (NGH 2019b) and a brief summary is included below.

The assessment included a review of relevant information relating to the landscapes within the Project area. No Aboriginal sites had previously been recorded within the Project area. Based on previous archaeological investigations in the region and knowledge of Wiradjuri cultural practices and traditional activities, the Project area was noted as having the possibility of containing archaeological sites, especially given that Aboriginal people have lived in the region for tens of thousands of years. This would most likely be in the form of artefact scatters, isolated artefacts and scarred trees in remnant old growth vegetation areas bordering the proposal area and/or as isolated paddock trees.

Despite the variable visibility encountered during the survey, seven (7) artefact scatters and 15 isolated finds were recorded. Four (4) areas of potential archaeological deposit (PAD) were also identified that required subsurface testing. The Aboriginal community representatives also identified three (3) trees which have cultural values which they requested not be impacted by the proposed works.

The subsurface excavation of the areas considered to have potential for *in situ* subsurface deposits was undertaken following the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. A total of 52 test pits were excavated across the PADs within the Project area with stone artefacts recovered from 25 test pits. The artefacts densities for each of the pits excavated ranged from nil to 12/m<sup>2</sup>. A total of 80 subsurface artefacts were recovered during the testing programme. All the subsurface artefacts recovered were manufactured from quartz which is a common lithology for the Jindera area. The density of artefacts recovered from the testing programme provide an indication of the variability of artefact numbers across the landforms investigated. Observing the pattern of artefact distribution the Project area was noted to be characterised by discrete low-density clusters of artefacts interspersed with areas of very low or no artefactual material. The subsurface material recovered was recorded as three (3) new subsurface artefact scatters and the material was stored in locked cabinet in temporary care at the NGH office. The material recovered from the subsurface testing programme will be managed in accordance with long term management of sites as noted in Section 7.2 of this HMP.

The density of the surface and subsurface assemblage across the Project area was noted to indicate that small groups were occupying short-term camps for short periods of time across the Project area, with a focus along water sources and elevated areas in close proximity to a water source. No direct evidence of longer-term base camps was identified within the Project area.

Table 5-1 below lists the identified risks to known Aboriginal sites within the Project area and the mitigation measures as recommended in the ACHAR and Addendum ACHA (NGH Environmental Pty Ltd 2019a, NGH 2020a). Salvage and relocation of the Aboriginal heritage items that cannot be avoided by the development will be carried out in line with the Salvage methodology outlined in Appendix E and in accordance with long term management of sites as noted in Section 7.2 of this HMP.

After the finalisation of the Jindera Solar Farm ACHAR, areas outside the previous heritage assessment, totalling 22 ha, were identified for inclusion in the Project. NGH undertook additional survey over this area and prepared an addendum ACHAR (2020a). No additional Aboriginal cultural

heritage sites or areas of archaeological sensitivity were identified across the additional areas reported on in the Addendum ACHAR (NGH 2020a).

Table 5-1 Identified risks to known Aboriginal sites within the Project area as noted in the ACHAR and Addendum ACHAR (NGH Environmental Pty Ltd 2019a & NGH 2020a).

AHIMS #	Site name	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
55-6-0162	Jindera Solar AFT1	Artefact Scatter	Direct	Total	Total loss of value	No further salvage is required. Subsurface artefacts to be returned and relocated outside development footprint
55-6-0160	Jindera Solar AFT2	Artefact Scatter	Direct	Partial	Partial loss of value	No further salvage is required. Subsurface artefacts to be returned and relocated outside development footprint
55-6-0161	Jindera Solar AFT3	Artefact Scatter	Direct	Total	Total loss of value	No further salvage is required. Subsurface artefacts to be returned and relocated outside development footprint
55-6-0117	Jindera 488942	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0114	Jindera 487530	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0125 (Duplicate of 55-6-0126)	Jindera 488212	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0121	Jindera 488172	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0122	Jindera 488179	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0120	Jindera 487973	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0118	Jindera 487666	Artefact Scatter	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0149	Jindera Solar IF 1	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0150	Jindera Solar IF 2	Isolated Find	None – outside of development footprint	None – outside of development footprint	No loss of value	Ensure avoidance with 5 m buffer around site
55-6-0151	Jindera Solar IF 3	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0152	Jindera Solar IF 4	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0153	Jindera Solar IF 5	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development

AHIMS #	Site name	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
55-6-0154	Jindera Solar IF 6	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0155	Jindera Solar IF 7	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0156	Jindera Solar IF 8	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0157	Jindera Solar IF 9	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0158	Jindera Solar IF 10	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0159	Jindera Solar IF 11	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0124	Jindera 487595	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0129	Jindera 487613	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0119	Jindera 487828	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0123	Jindera 488004	Isolated Find	Direct	Total	Total loss of value	Salvage surface objects prior to development
55-6-0115	Jindera 488918	Cultural Tree	None – outside of development footprint	None – outside of development footprint	No loss of value	Ensure avoidance with 20 m buffer around site
55-6-0116	Jindera 488995	Cultural Tree	None – outside of development footprint	None – outside of development footprint	No loss of value	Ensure avoidance with 20 m buffer around site
N/A	Jindera SF Cultural Site 1	Cultural Tree	None – outside of development footprint	None – outside of development footprint	No loss of value	Ensure avoidance with 20 m buffer around site

## 6. Heritage Mapping

Mapping of the heritage items within the Project, including those proposed to be impacted by the development footprint, are shown in Figure 1 below.



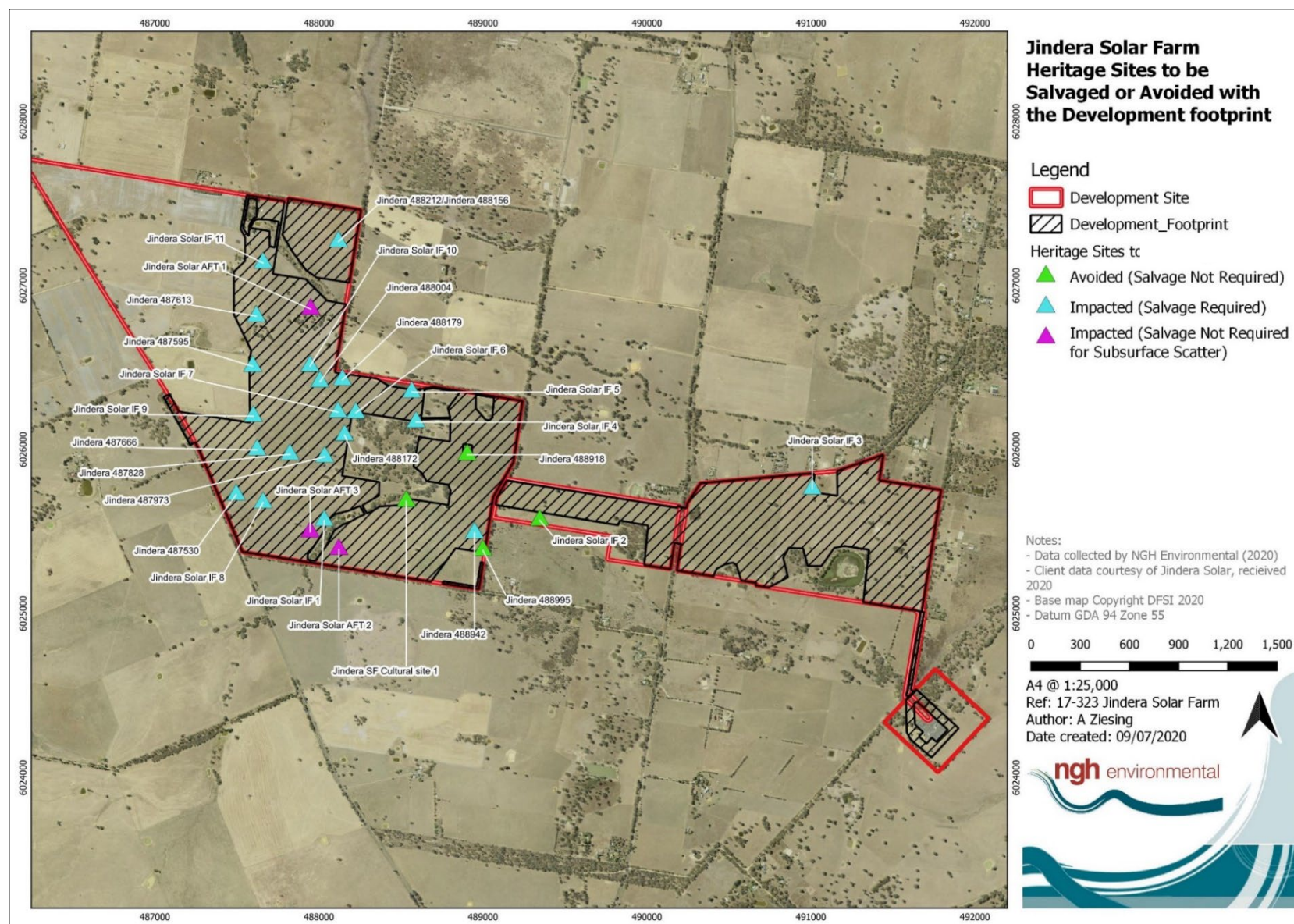


Figure 1 Location of known Aboriginal sites with the Project area to be Salvaged or Avoided.

## 7. Heritage Control Measures

A range of mitigation requirements and control measures are identified in the CoC, EIS, RtS and heritage assessments undertaken for the Project. Specific measures and requirements to address impacts to heritage values are outlined in Table 7-1. The measures have been listed to cover broad activities and as such there may be some repetition of mitigation measures.

Table 7-1 Heritage control measure as required under the CoC, EIS, RtS and heritage reports in relation to the Project.

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
<b>General</b>				
All reasonable and feasible measures must be implemented to prevent and/or minimise any material harm to the environment, including Aboriginal objects, that may result from the construction, operation, upgrading or decommissioning of the development.	This document	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document
Implementation of approved Heritage Management Plan	This document	Pre-construction	Construction Contractor Project Manager	This document
A copy of the HMP should be kept on site during construction and operation of the Project and be readily available for reference if and as required	This document	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document
Training will be provided to all personnel involved in construction and management phases of the Project, including relevant sub-contractors on heritage requirements from this plan through inductions, toolboxes, and targeted training	Induction package Toolbox training material Targeted training material	Pre-Construction Construction Operation Decommissioning	Project Manager Environmental Officer	This document Section 8.2 and CoC Section 23(c)
All employees, contractors and utility staff working on site will receive Aboriginal Cultural Heritage Awareness Training. It will be provided to all personnel in the form of an induction before they begin work on site. A record of this training will be kept	Induction package	Pre-construction Construction Operation Decommissioning	Project Manager Construction Contractor Environmental Officer	This document Section 8.2 CoC Section 23(c)

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
A strategy for the long-term management of any items or material that are salvaged would be developed in consultation with the registered Aboriginal parties. The artefacts recovered during salvage surface collections would be relocated and buried in a safe location within the Project area outside the approved development footprint.	CoC Heritage reports This Plan	Pre-construction	Project Manager Construction Contractor Environmental Officer Project Archaeologist	This document Appendix E and Section 7.2
If the edge-ground axe fragment recorded within AHIMS #55-6-0117/ Jindera 488942 is recovered during the salvage collection programme and the Albury LALC still wish to retain this object, a care agreement for the transfer of Aboriginal objects would be sought by the Albury LALC under Section 85A of the <i>National Parks and Wildlife Act 1974</i> . Until such time as the care agreement is obtain the object may be kept in temporary keeping at the NGH Wagga Wagga office. If the Albury LALC no longer wish to obtain a care agreement for the object it will be relocated and buried with the other Aboriginal objects recovered from the salvage programme.	Heritage reports Care agreement	Pre-construction Construction	Project Manager Construction Contractor Project Archaeologist	This document, Section 7.1 and 7.2 and Appendix E
The location of all Aboriginal sites which are not approved for impacts should be clearly shown on all relevant construction mapping and plans.	Construction mapping and plans	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document and construction mapping and plans
Cultural Heritage must be included within any major environmental audit for the Project	CoC This document	Pre-construction Construction Operation Decommissioning	Independent Auditor Project Manager	This document Section 8.4

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
<b>Design</b>				
The design of the solar farm must avoid the four sites not approved for impacts including the three identified cultural trees sites (Jindera 488918, Jindera 488995 and Jindera Solar Cultural Tree 1). A minimum 20 m buffer must be placed around each cultural tree to protect the root system and canopy to ensure there are no inadvertent impacts to these tree sites. The buffer zone will be delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts.	Heritage reports CoC	Design Pre-construction Construction Operation Decommissioning	Project Owner Construction Contractor Project Manager	This document Table 5-1, Table 3-2, Section 6 and see Figure 1
A minimum 5 m buffer must be placed around any stone artefact sites that are outside the approved development footprint to ensure there are no inadvertent impacts to these sites. This specifically includes the site Jindera Solar IF 2 which is not approved for any impacts. The buffer zone will be delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	This document. Table 5-1 and Table 3-2. Section 3.2
Further archaeological assessment would be required if the Project activity extends beyond the areas assessed to date. This would include consultation with the registered Aboriginal parties and may include further field survey and subsurface testing. A formal modification to the development consent would be required if any activity were proposed to extend beyond the area assessed and granted for development approval in the CoC.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	CoC Heritage reports This document



Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
Ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in the CoC as sites to avoid impacting or other sites located outside the approved development footprint. This to be achieved by the buffer zone of the sites listed to be avoided being delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts. All staff working onsite should be aware of the approved development footprint as shown in Appendix A of this plan to ensure works only occur within approved areas.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	This document CoC
Ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items prior to salvage of sites approved for impacts being subject to surface collection. This can be achieved by ensuring no works occur prior to a salvage programme being completed.	Heritage reports HMP CoC	Design Pre-construction Construction Operation Decommissioning	Project Owner Construction Contractor Environmental Officer	This document Section 3.2
To avoid inadvertent impacts on the three identified cultural trees sites (Jindera 488918, Jindera 488995 and Jindera Solar Cultural Tree 1) all planting for the vegetation screening or any form of ground disturbance during fencing activities must occur outside the 20 m buffer placed around each tree. The 20 m buffer is to be measured out from the truck. Any fencing wire installed will be a minimum of 1 m from physical contact with any part of the trees	Heritage reports	Design Pre-construction Construction Decommissioning	Project Owner Construction Contractor Project Manager	This document. Table 5-1
<b>PRE-CONSTRUCTION</b>				
Delineation and signage of Aboriginal sites that will not be impacted by the proposed development works as listed in the CoC will be put in place prior to any construction or preconstruction works commencing. Delineation and signage of the artefact relocation site/s will also occur once the relocation has occurred. A minimum 5 m buffer zone is required to be placed around the artefact relocation site/s to ensure they won't be impacted into the future.	Heritage reports HMP	Pre-construction Construction Operational	Construction Contractor Environmental Officer	This document Section 8.3 Table 5-1



Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
A minimum 5 m buffer must be observed around all sites with stone artefacts until salvage of these heritage items/sites is undertaken as approved by the CoC.	Heritage reports CoC HMP	Pre-construction Construction	Construction Contractor Environmental Officer	This document Table 5-1
A new site card/s must be completed on the AHIMS database for the relocated/reburial location of the salvage sites. This must occur within 1 month of the actions being completed for the reburial of the salvaged sites .	Code of Practice	Pre-construction	Construction Contractor Project Manager Project archaeologist	Code of Practice Section 7.2
Salvage and relocate all Aboriginal heritage items located within the approved development footprint (as per the CoC list of Aboriginal sites to be salvaged if impacts cannot be avoided) to a suitable alternative location/s on site in accordance with the Code of Practice, outside the development footprint. Salvage would be conducted by an archaeologist with representatives of the Registered Aboriginal Parties invited to participate. The salvage of Aboriginal objects, as per the CoC, must occur prior to works commencing.	Code of Practice Heritage reports HMP CoC	Pre-construction Construction	Construction Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix E Section 7.2
An Aboriginal Site Impact Recording Form will be completed and submitted to AHIMS (Aboriginal Heritage Information Management System) for any site harmed or destroyed from salvage and/or construction works. Artefact disposition and storage must be done in accordance with Requirement 26 of the Code of Practice (DECCW 2010:35-6).	Code of Practice Site Impact Recording Form	Pre-construction	Construction Contractor Project Manager Project archaeologist	Code of Practice Section 7.2
<b>Construction</b>				
Where any additional, unrecorded Aboriginal or non-Aboriginal objects are encountered during works within the approved development footprint (Appendix A of this Plan) the Unexpected Finds Procedure will be followed.	Unexpected Finds Procedure Site Plan	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix F

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
If human remains are discovered on site, then all work surrounding the area must cease immediately, the area must be secured and NSW Police notified. The Unexpected Finds Procedure will be followed to notify Heritage NSW as soon as possible. Work must not recommence in the area until this is authorised by Heritage NSW and/or NSW Police.	Unexpected Finds Procedure	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix F .1 Section 8.5.1
Should an item of historic heritage be identified during works, the Unexpected Finds Procedure will be followed. The Heritage Division would be contacted prior to further work being carried out in the vicinity.	Unexpected Finds Procedure	Construction Operational	Construction Contractor Project Manager All personal	This document Unexpected Finds Procedure Appendix F

## 7.1 Temporary/short term storage of artefacts

The Aboriginal artefacts recovered from the surface collection salvage programme, which is required to be undertaken prior to any development works, may be temporarily held in a secure locked cabinet at the NGH Wagga Wagga office in a locked cabinet for analysis and recording.

As part of the ACHAR (NGH 2019a), a subsurface test excavation was undertaken. All artefacts recovered from the subsurface testing programme for this Project are currently in temporary care in a locked cabinet at NGH Wagga Wagga office. All objects recovered from the subsurface test excavation and surface collection salvage programme may be temporarily held together at the NGH Wagga Wagga office until an appropriate time that it can be arranged for them to be relocated within the Project area, outside the approved development footprint.

The edge-ground axe fragment recorded within AHIMS #55-6-0117/ Jindera 488942 was noted to be a uncommon artefact in the area and the representatives from the Albury LALC requested that if the artefact is relocated during the salvage programme that and retained by the Albury LALC. This object would be held under a Care Agreement sought under Section 85A of the *National Parks and Wildlife Act 1974* by the Albury LALC and be used for training and educational purposes within the local Aboriginal community.

The application for the transfer of Aboriginal objects for Safe keeping form can be accessed online at the following link (<https://www.heritage.nsw.gov.au/assets/Uploads/files/Aboriginal-Heritage-Impact-Permit-Application-to-Transfer-Objects.pdf>) and will need to be completed by the Albury LALC and submitted to Heritage NSW should they wish to retain the object.

## 7.2 Long term management and relocation of salvaged artefacts

The relocation site for the Aboriginal artefacts which will be salvaged via the surface collection salvage programme and those previously recovered from the subsurface testing programme (which are currently in temporary care of NGH Wagga Wagga office) would need to be agreed to by the landowner, Project owner, and RAPs and be outside the proposed approved development footprint within the Project area. The site/s for the relocation of salvaged Aboriginal objects would be noted by submission of site cards to the Aboriginal Heritage Information Management System (AHIMS) as legally required within 1 month from the reburial/relocation of the salvaged Aboriginal objects.

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

Following the relocation of the Aboriginal objects, which have been salvaged as per the CoC, the site location/s will also be provided to the Project owner, Project team, and construction

contractor to ensure the site/s are protected during the construction, operation and decommissioning of the Project. Following the relocation of salvaged Aboriginal objects, the mapping within the HMP would be updated to show and/or include the relocation site/s. It is intended that this would occur within 3 months of the relocation of the sites. A minimum 5 m buffer zone is required to be placed and delineated around the artefact relocation site/s to ensure they won't be impacted into the future.

### **7.3 Ground disturbance protocol**

A ground disturbance permit process will be implemented during construction. The ground disturbance permit process is integral to communicate the distinction between heritage sites which must be avoided and the ground disturbance footprints in which construction contractors will be working.

The ground disturbance permit process will be managed by the Health, Safety, Environment and Quality Control (HSEQ) Manager and/or the Site Environmental Officer (SEO). The steps that will be implemented are detailed below:

- Contractors are informed in their contract and site induction that all ground disturbing activities require them to obtain a ground disturbance permit prior to starting the work.
- The ground disturbance permit must be submitted to the HSEQ Manager / SEO via email at least 48 hours before the work is commenced.
- The HSEQ Manager / SEO will compare the proposed ground disturbance area to the project footprint detailed in the current approved design and the heritage shape files.
- The HSEQ Manager/ SEO will visit the site to ensure the delineation of any *in situ* heritage sites in the vicinity of the proposed ground disturbance permit.
- The HSEQ Manager/SEO will either issue the permit unamended or contact the contractor for further clarification.
- Once the permit has been issued, the construction contractor may commence ground works as per their contract.
- Once the work has been completed (date specified in the permit), the HSEQ Manager/ SEO may be required to inspect the site, request any additional clean up or remediation activities and sign-off that the conditions of the permit have been met.
- If no *in situ* Aboriginal sites are present within the vicinity (within 50 m ) of the works area the permit may be approved without a site inspection.

An example of a ground disturbance permit form is provided in Appendix G.1.

### **7.4 Heritage site status database**

Prior to any works occurring onsite a database of all previously recorded Aboriginal heritage sites will be established. This database will include as a minimum the following information:

- AHIMS number of the site;
- Site name;
- CoC for site;
- Status of the site;
- Date status of site updated on AHIMS; and

- Comments.
- GIS Shape Files showing the location and status of all recorded sites

This database will be updated by the ESO within 1 month following the salvage of a site and submission of impact site cards and/or if any new site cards within the Project area are submitted to AHIMS. An example of the Heritage site statue database for this Project is provided in Appendix G.2.

The SEO and site survey team coordinate access, updating and status of the shape files.

## 8. Compliance Management

### 8.1 Structure and Responsibility

The organisational structure and overall roles and responsibilities, including those for contractors and sub-contractors, are outlined in the EMS. Specific responsibilities for the implementation of environmental controls in this document are summarised in Table 7-1 and the roles and responsibilities relevant to this plan are outlined in Table 8-1 below.

Table 8-1 Construction team roles and responsibilities

Role	Responsibility	Authority and accountability
Project Manager	<ul style="list-style-type: none"> <li>• Ensure resources are made available to enable works to comply with EMS and other environmental management requirements.</li> <li>• Ensure that all procedures are followed adequately.</li> <li>• Ensure appropriate approvals and licences are held.</li> <li>• Ensure all staff and contractors are aware of environmental compliance requirements and environmental controls.</li> <li>• Responsible for reporting incidents and non-compliance with the conditions of consent.</li> </ul>	<ul style="list-style-type: none"> <li>• Order Stop-work for an activity that may cause material or environmental harm.</li> <li>• Release of environmental hold points, if required.</li> <li>• Recommend Stop-work for an activity that may cause harm to Aboriginal objects</li> </ul>
Health Safety Environment and Quality (HSEQ) Advisor and Site Environmental Officer (SEO)	<ul style="list-style-type: none"> <li>• Maintaining all environmental management documents.</li> <li>• Identifying where environmental measures are not meeting the targets and where improvements can be achieved.</li> <li>• Monitoring and reporting environmental compliance.</li> <li>• Reviewing Project environmental documents.</li> <li>• Reporting of incidents.</li> </ul>	<ul style="list-style-type: none"> <li>• Recommend Stop-work for an activity that may cause material or environmental harm.</li> <li>• Release of environmental hold points, if required.</li> <li>• Recommend Stop-work for an activity that may cause harm to Aboriginal objects</li> </ul>
Construction Contractor	<ul style="list-style-type: none"> <li>• Ensure contractors are working in accordance with the requirements of the EMS, as required under the construction contract.</li> <li>• Undertake site visits during construction to monitor compliance with EMS requirements.</li> <li>• Report and raise any issues that</li> </ul>	<ul style="list-style-type: none"> <li>• Report any issues that may have the potential to cause material or environmental harm.</li> <li>• Report any incidents or near-misses that may impact on the environment or breach conditions set-out in this plan of the EMS.</li> </ul>

Role	Responsibility	Authority and accountability
	<ul style="list-style-type: none"> <li>arise that may have an environmental impact.</li> <li>Report and raise the discovery of any artefacts, Aboriginal relics or places and cease work until the matter has been addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Recommend Stop-work for an activity that may cause harm to Aboriginal objects</li> </ul>
Project archaeologist	<ul style="list-style-type: none"> <li>Acting as an environmental subcontractor, specialist work as required.</li> <li>Operate as instructed by the Project Manager/ Project Owner in compliance with all environmental requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake salvage works of sites as approved in the CoC as subsequent reporting.</li> <li>Inspection of unexpected finds as required.</li> <li>Recommend Stop-work for an activity that may cause harm to Aboriginal objects.</li> </ul>

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

## 8.2 Training

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

All training will be undertaken and records kept in accordance with the CoC Condition 23 of Schedule 3 which notes workers on site will receive suitable heritage inductions prior to carrying out any development on site, and records will be kept of these inductions.

All employees, contractors, sub-contractors and utility staff working on site will receive Aboriginal Cultural Heritage Awareness Training. It will be provided to all personnel in the form of an induction before they begin work on site. This training will address obligations under the Project CoC, the *National Parks and Wildlife Act 1974* and Project specific site identification, heritage conservation and management measures, procedures for dealing with previously unidentified Aboriginal heritage items, and any specific responsibilities for the protection of heritage items.

Targeted training in the form of toolbox talks or specific training will also be provided to personnel with a key role in heritage management. Further information regarding staff induction and training are outlined in the EMS.

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

Where possible any training and/or cultural awareness will involve the Registered Aboriginal Parties and/or the local Aboriginal community.

### **8.3 Inspections and Monitoring**

Periodic inspection of the Aboriginal heritage sites located within the Project area which are not approved to be impacted, as per the CoC, will take place for the duration of construction, operation and decommissioning of the Project. The Aboriginal sites which are not approved to be impacted, as per the CoC, will be identified by the Project Archaeologist and/or the Site Environmental Officer (SEO) and marked by fencing to ensure there are no inadvertent impacts during the construction, operation and decommissioning of the Project. The fencing of the Aboriginal sites which are not approved to be impacted will be undertaken a minimum of 7 days prior to any pre-construction works occurring. Inspection of these sites will occur fortnightly during construction and every six (6) months thereafter by the SEO.

The objective of inspections and monitoring will be to validate the impacts predicted for the Project, to measure the effectiveness of the heritage controls and implementation of this EMS, and to address specific obligations. The Project Owner' and their contractor's will respond in a timely manner to any requests relating to monitoring or the effectiveness of heritage/environmental controls and their implementation raised by NSW Government Agencies.

The report provided by the Project Archaeologist following the completion of the salvage programme would also provide comment on the effectiveness of heritage controls relevant to the salvage programme.

Any stone artefacts collected during the salvage programme will be relocated and buried at a safe location outside the approved development footprint within the Project area. The relocation site/s of the salvaged stone artefacts and subsurface artefacts recovered during the subsurface testing programme will also be subject to fencing, monitoring and inspection to ensure there are no inadvertent impacts during the construction, operation, and decommissioning phases of the solar farm. Inspection of the relocation site/s will occur fortnight during construction and six (6) months thereafter by the SEO. All inspections of heritage sites will be undertaken following a reporting checklist.

### **8.4 Auditing**

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

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

Audit requirements are detailed in the EMS and must comply with the CoC Schedule 4 Conditions 9 to 14

### **8.5 Contingency Plan and Reporting**

Contingency plan and reporting requirements and responsibilities are documented in the EMS and would comply with the CoC.

#### **8.5.1 Contingency Plan and Reporting Human Remains**

If any human remains or suspected human remains are discovered during any works, all activity in the area must cease immediately and the Unexpected Finds Protocol which is provided in Appendix F of this Plan must be followed to report the find. The NSW Police must be notified immediately. Details of the location and nature of the human remains must be provided to the relevant local police.



If there are reasonable grounds to believe that the remains are Aboriginal, Heritage NSW must also be contacted as soon as practicable and you must provide any available details of the remains and their location. Heritage NSW Environment Line can be contacted on 131 555. If the find is determined to be Aboriginal Heritage NSW will provide advice on any additional reporting requirements.

### **8.5.2 Contingency Plan and Reporting Unexpected Finds**

If any previously unidentified heritage items are found the Unexpected Finds Protocol which is provided in Appendix F of this Plan must be followed to report the find. If impacts to the unexpected find is determined to be covered under the CoC the object/s will be salvaged in line with the mitigation methods noted in the HMP. For Aboriginal objects covered under the CoC an AHIMS site card will be completed upon the salvage of the newly identified Aboriginal object/s. Should the object/s be salvaged under the CoC an Aboriginal Site Impact Recording Form (ASIRF) must be completed and submitted to AHIMS.

## **8.6 Incident and Non- Compliance Notification and Reporting**

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

An incident is defined in the CoC a set of circumstances that causes or threatens to cause material harm to the environment. Material Harm is harm that:

- involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Instances of non-compliance and/or incident notification will be recorded and raised with the relevant authorities as per the CoC Schedule 4 Condition 7 and 8 that note that the Planning Secretary must be notified in writing via the Major Projects website immediately after one becomes aware of an incident and within seven (7) days after a non- compliance issue.

The notification to the Planning Secretary via the Major Projects website must identify the development (including the development application number) and set out the location and nature of the incident. A non-compliance that has been notified as an incident does not need to also be notified as a non-compliance.

Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in CoC Appendix 7 which have the steps outlined below for Heritage non-compliance and incidents.

1. Written incident notification must be submitted to the Planning Secretary via the Major Projects website within seven (7) days after the incident is known about. Written notification of an incident must identify the development and application number and the following items:
  - Provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - Identify how the incident was detected and when you became aware of the incident;
  - Identify any actual or potential non-compliance with the CoC;

- Describe what immediate steps were taken in relation to the incident and identify further action(s) that will be taken in relation to the incident; and
  - Identify a project contact for further communication regarding the incident.
2. Within 30 days of the date on which the incident occurred (or as otherwise agreed to by the Planning Secretary), an incident report will be provided to the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary). The Incident Report must include:
- A summary of the incident;
  - Outcomes of an incident investigation, including identification of the cause of the incident;
  - Details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - Details of any communication with other stakeholders regarding the incident.

## **9. Review and Improvement**

### **9.1 Continuous Improvement**

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

The continuous improvement process will be designed to:

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

### **9.2 HMP Update and Amendment**

During the Project, a hard copy of the most recent version of this plan will be stored at the main site compound. It is the responsibility of the Environmental Officer to ensure this hard copy is the most recent version and to remove older versions of the plan once they are superseded at the main site compound.

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

Prior to carrying out any upgrading or decommissioning activities on site the HMP will be updated to the satisfaction of the Planning Secretary.

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

In the instance of any modification to the CoC the HMP will be reviewed within 1 month and if revisions of the plan are required the plan will be submitted to the Planning Secretary for approval and comply with the CoC Schedule 4 Condition 2 (Revision of Strategies, Plans and Programs) and CoC Schedule 4 Condition 3 (Updating and Staging of Strategies, Plans and Programs).

In the instance of an incident report (CoC Schedule 4 Condition 7) or an audit report (CoC Schedule 4 Condition 9) which notes non-compliance for Heritage the HMP will be reviewed within 1 month and if revisions of the plan are required the plan will be submitted to the Planning Secretary for approval and comply with the CoC Schedule 4 Condition 2 (Revision of Strategies, Plans and Programs) and CoC Schedule 4 Condition 3 (Updating and Staging of Strategies, Plans and Programs).

## **10. General Project Communications**

The EMS details the processes that will be used to keep the local community and relevant agencies informed about the operation and environmental performance of this Project. The main point of contact with DPIE for this Project will be via the Major Projects website. While a number of steps will be implemented in order to engage with the community and other stakeholders throughout the various stages of the development as detailed in the EMS, one of the main portals for community engagement will be via the Jindera Solar Farm website (<http://www.jinderasolarfarm.com.au>). The website will be used to provide updates as relevant about the progress of the solar farm development. The website will be regularly updated throughout all stages of the proposed development and include information such as:

- Layout and general overview of the development.
- How complaints about the development can be made and a complaints handling procedure.
- Contact details of the Proponent or online contact form.

A link to the Major Projects website is also provided, which contains information relating to:

- The EIS.
- Current statutory approvals for the development.
- The proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged.

The procedures for dispute resolution will be undertaken in accordance with the Complaint's Procedure which is detailed in the EMS. All complaints received via post, phone, email or the project website during construction will be recorded and responded to. It is the intention of the Project Owner' and their contractor's to maintain an open and clear relationship with all stakeholders to prevent complaints from arising. Should the resolution of a complaint not be able to be reached by both parties, following presentation of investigation results to the complainant, either party may refer the dispute to an independent mediator and/or follow the steps outlined in the complaints procedure as detailed in the EMS.

## **11. References**

DECCW NSW 2010a, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.

DECCW NSW 2010b, *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

NGH Environmental Pty Ltd 2019a, *Aboriginal Cultural Heritage Assessment Jindera Solar Farm*, Unpublished report for Jindera Solar Pty Ltd.

NGH Environmental Pty Ltd 2019b, *Aboriginal Cultural Heritage Assessment Jindera Solar Farm*, Unpublished report for Jindera Solar Pty Ltd.

NGH Pty Ltd 2020a, *Addendum Aboriginal Cultural Heritage Assessment Jindera Solar Farm*, Unpublished report for Jindera Solar Pty Ltd.

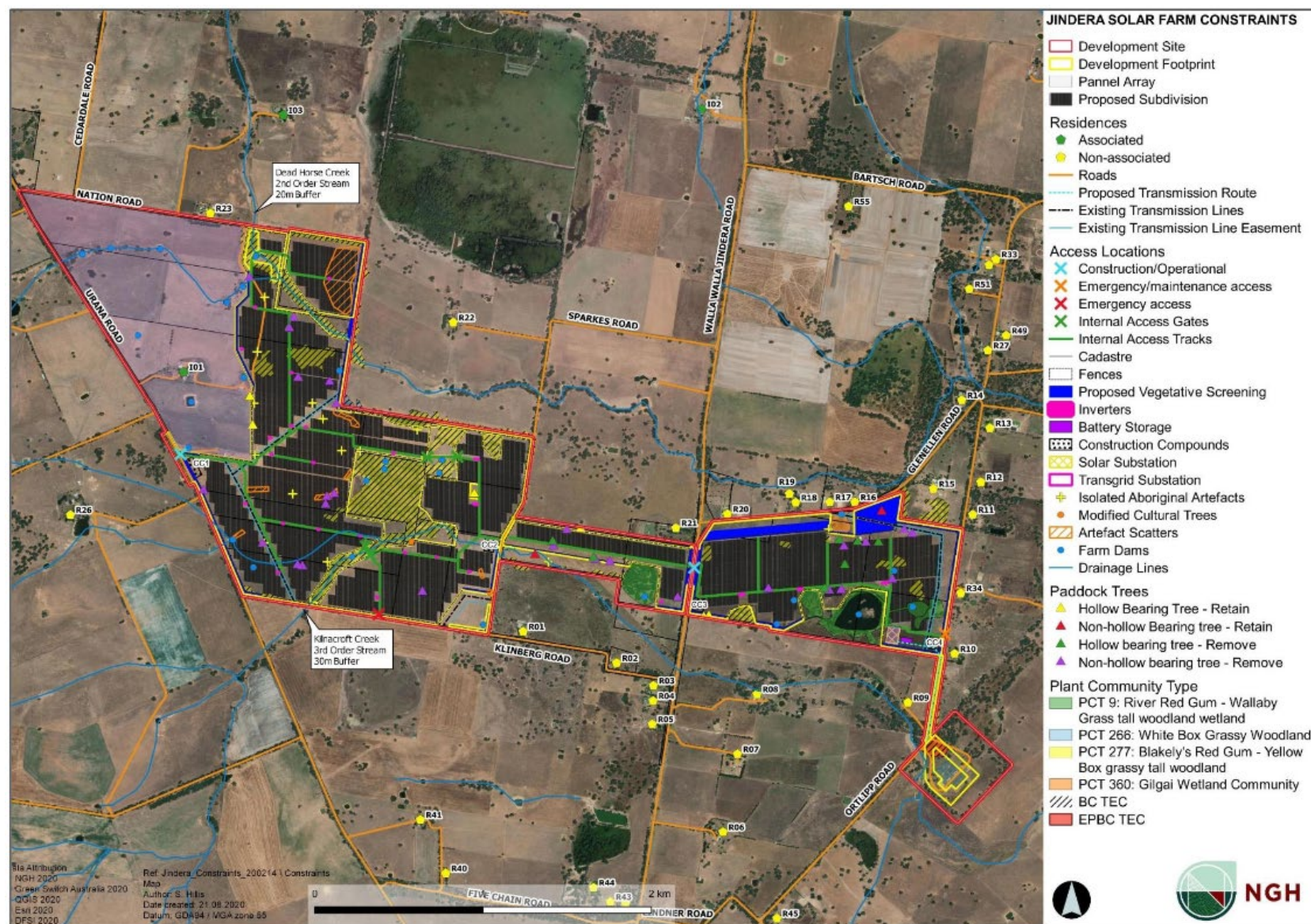
NGH Pty Ltd 2020b, *Addendum Report Jindera Solar Farm*, Unpublished report for Jindera Solar Pty Ltd.

NGH Pty Ltd 2020c *Response to Submission Jindera Solar Farm*, Unpublished report for Jindera Solar Pty Ltd.

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

## **Appendix A Approved Layout of Development**





## Appendix B Copy of Conditions of Consent Appendix 6

### APPENDIX 6: ABORIGINAL HERITAGE ITEMS

*Table 1: Aboriginal heritage items – avoid impacts*

<i>Item name</i>	<i>AHIMS #</i>
Jindera Solar IF2	55-6-0150
Jindera 488918	55-6-0115
Jindera 488995	55-6-0116
Jindera SF Cultural Site 1	n/a

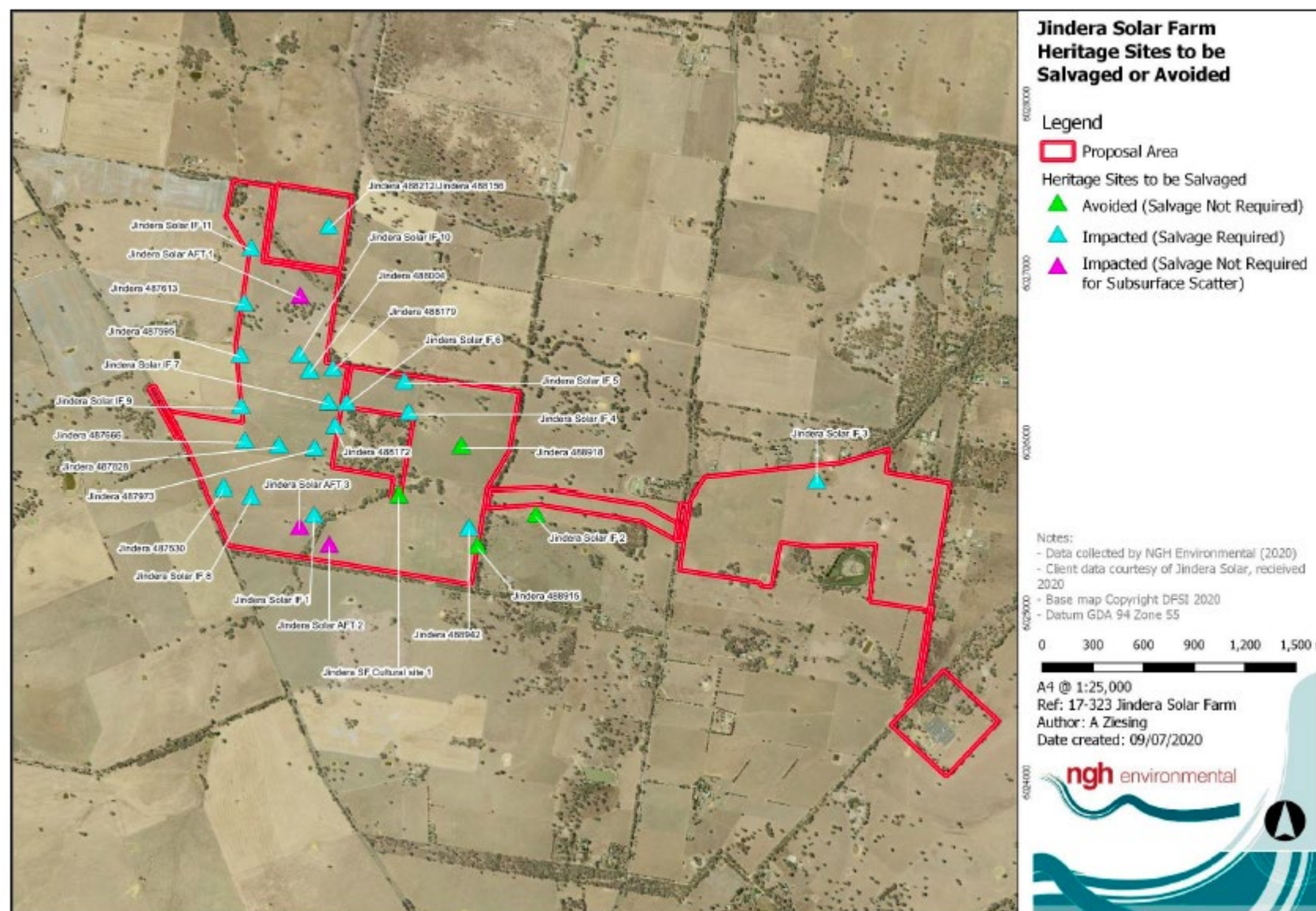
*\* Refer to the Figure in this Appendix to identify items*

*Table 2: Aboriginal heritage items – salvage*

<i>Item name</i>	<i>AHIMS #</i>
Jindera 488942	55-6-0117
Jindera 487530	55-6-0114
Jindera 488212	55-6-0125
Jindera 488172	55-6-0121
Jindera 488179	55-6-0122
Jindera 487973	55-6-0120
Jindera 487666	55-6-0118
Jindera Solar IF 1	55-6-0149
Jindera Solar IF 3	55-6-0151
Jindera Solar IF 4	55-6-0152
Jindera Solar IF 5	55-6-0153
Jindera Solar IF 6	55-6-0154
Jindera Solar IF 7	55-6-0155
Jindera Solar IF 8	55-6-0156
Jindera Solar IF 9	55-6-0157
Jindera Solar IF 10	55-6-0158
Jindera Solar IF 11	55-6-0159
Jindera 487595	55-6-0124
Jindera 487613	55-6-0129
Jindera 487828	55-6-0119
Jindera 488004	55-6-0123

*\* Only items located within the development footprint are to be salvaged (refer to the Figure in this Appendix to identify items)*





## Appendix C Endorsement of Heritage Experts



Planning,  
Industry &  
Environment

Nick Morley  
Project and Technical Services Lead  
Jindera Solar Farm Pty Ltd

By email [REDACTED]

10/06/2021

Dear Mr Morley

**Jindera Solar (SSD 9549)**  
**Heritage Management Plan – Endorsement of Experts**

I refer to your letter dated 18 May 2021 seeking the Planning Secretary's approval of suitably qualified persons to prepare the Heritage Management Plan for the Jindera Solar Farm project (SSD 9549).

In accordance with condition 23 of Schedule 3 of SSD 9549, the Planning Secretary has agreed to the appointment of Matthew Barber and Kirsten Bradley to prepare the Heritage Management Plan. Please ensure this correspondence is appended to the Heritage Management Plan.

If you wish to discuss the matter further, please contact Natasha Homsey on [REDACTED] or at [REDACTED]

Yours sincerely

A handwritten signature in blue ink, appearing to read "Nicole Brewer".

Nicole Brewer  
Director  
Energy Assessments

As nominee of the Planning Secretary

## **Appendix D Stakeholder Consultation**

The Registered Aboriginal Parties for this project are listed below.

### **The Albury & District LALC**

Email Contact: [admin@alburydistrictlalc.org](mailto:admin@alburydistrictlalc.org)  
[ceo@alburydistrictlalc.org](mailto:ceo@alburydistrictlalc.org)

### **Bundy Aboriginal Cultural Knowledge**

Emails Contact: [info@bundyiculture.com.au](mailto:info@bundyiculture.com.au)

The following consultation has occurred in the preparation of this CHMP with copies of the email responses also provide .

Organisation	Action	Date Sent	Follow up email	Follow up email	Follow up email	Reply Date	Replied by	Response/ Comments
<b>Heritage NSW</b>	Draft CHMP sent via email	9/08/2021	22/08/2021	sent RAP responses on the 24/08/2021 for consideration by Heritage NSW	NA	26/08/2021	via email	<p>Thank you for forwarding a copy of the draft Jindera Solar Farm Heritage Management Plan (HMP) and responses from the Registered Aboriginal Parties for our review and comment.</p> <p>Heritage NSW have considered the document 'Heritage Management Plan Jindera Solar Farm' prepared by NGH (July 2021) against the Development Consent issued for Jindera Solar Farm SSD 9549 and previous advice issued on this project. Heritage NSW considers that the draft HMP has been prepared in accordance with the Conditions of Consent, particularly Schedule 3 Conditions 22 and 23 relating to Aboriginal cultural heritage.</p> <p>We also note the response from the Albury and District LALC indicating they wish to keep the ground edge axe under a Care Agreement and that the draft HMP already provides for this as a possible management measure.</p>
<b>Albury LALC</b>	Draft CHMP sent via email	21/07/2021	09/08/2021 via phone and email	16/08/2021	22/08/2021	24/08/2021	via email and phone call	<p>The ADLALC does not have major comments regarding the Cultural Heritage Plan. We confirm we want to keep the recorded ground edge axe and want to relocate the artifact to a to-be-determined location. Furthermore, the ADLALC will want to enter into a care agreement with Heritage NSW for this artefact. Also ADLALC want to be involved in the salvage collection</p>
<b>Bundyi Aboriginal Cultural Knowledge</b>	Draft CHMP sent via email	21/07/2021	NA	NA	NA	21/07/2021	via email	<p>Your management plan for Jindera Solar Farm looks OK.</p> <p>With regards to the ground axe I have no issue with Albury LALC caretaking it. I would however like to see it again before the hand over. Also with regards to the section 8.2 Training I would like it noted that the cultural training be delivered by Albury LALC and Bundyi Culture. This training must be implemented and driven by Wiradjuri people to all people who set foot on and around the Jindera Solar Farm area. Also the remaining artefacts should be returned to country and have a smoking ceremony done for them. I can assist you in this process as well.</p>

**Albury District LALC comments on HMP**

**From:** CEO | Albury District ALC [REDACTED]  
**Sent:** Tuesday, 24 August 2021 4:52 PM  
**To:** Kirsten Bradley [REDACTED]  
**Subject:** RE: 21-096 - Jindera Solar Farm pre-construction compliance

Hi Kirsten,

Thank you for asking the Albury District Local Aboriginal Land Council (ADLALC) for our comments  
[REDACTED]

The ADLALC does not have major comments regarding the Cultural Heritage Plan.

We confirm we want to keep the recorded ground edge axe and want to relocate the artifact to a to-be-determined location.

Furthermore, the ADLALC will want to enter into a care agreement with Heritage NSW for this artefacts.

Regards,

Dennis Mirosevich  
(CEO)



**Albury & District Local Aboriginal Land Council**

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917 Chenery Street, Glenroy NSW 2640

PO Box 22 Lavington NSW 2641

E: [ceo@alburydistrictlalc.org](mailto:ceo@alburydistrictlalc.org)

P: (02) 6025 7075

[REDACTED]

**Bundyi Aboriginal Cultural Knowledge comments on HMP**

From: Mark Saddler [REDACTED]  
Sent: Wednesday, 21 July 2021 3:33 PM  
To: Jill Taylor [REDACTED]  
Cc: Matthew Barber [REDACTED] Michial Sutherland  
Subject: RE: Jindera Solar Farm CHMP for Review

*Yamma Jill,*

*Your management plan for Jindera Solar Farm looks OK.*

*With regards to the ground axe I have no issue with Albury LALC caretaking it.*

*I would however like to see it again before the hand over.*

*Also with regards to the section 8.2 Training I would like it noted that the cultural training be delivered by Albury LALC and Bundyi Culture.*

*This training must be implemented and driven by Wiradjuri people to all people who set foot on and around the Jindera Solar Farm area.*

*Also the remaining artefacts should be returned to country and have a smoking ceremony done for them. I can assist you in this process as well.*

***Guwayu (Safe Travels)***

***Mark Saddler,  
Cultural Awareness,  
School & Tour Programs,  
Bundyi Cultural Tours,***

***Web Page:*** [www.bundyiculture.com.au](http://www.bundyiculture.com.au)

***Facebook Page:*** <https://www.facebook.com/WiradjuriMob/>

***You Tube Channel:***

[https://www.youtube.com/channel/UCqQObJ3e8u\\_WoV7N9xZ2JzA](https://www.youtube.com/channel/UCqQObJ3e8u_WoV7N9xZ2JzA)  
[REDACTED]

***"I respectfully acknowledge the traditional custodians of my land, The Wiradjuri people"***

***"Always Was, Always Will Be"***



**Heritage NSW comments on HMP**

**From:** Jackie Taylor [REDACTED]  
**Sent:** Thursday, 26 August 2021 8:53 AM  
**To:** Kirsten Bradley [REDACTED]  
**Cc:** Jill Taylor [REDACTED]; Lyndon Patterson [REDACTED]  
**Subject:** FW: 21-096 - Jindera Solar Farm CHMP draft for review and comment by Heritage NSW

Dear Kirsten,

Thank you for forwarding a copy of the draft Jindera Solar Farm Heritage Management Plan (HMP) and responses from the Registered Aboriginal Parties for our review and comment.

Heritage NSW have considered the document 'Heritage Management Plan Jindera Solar Farm' prepared by NGH (July 2021) against the Development Consent issued for Jindera Solar Farm SSD 9549 and previous advice issued on this project. Heritage NSW considers that the draft HMP has been prepared in accordance with the Conditions of Consent, particularly Schedule 3 Conditions 22 and 23 relating to Aboriginal cultural heritage.

We also note the response from the Albury and District LALC indicating they wish to keep the ground edge axe under a Care Agreement and that the draft HMP already provides for this as a possible management measure.

Please contact Lyndon Patterson if you require further any information.

Regards,

Jackie

**Jackie Taylor** | Senior Team Leader, Aboriginal Cultural Heritage Regulation - South

Heritage NSW, Department of Premier and Cabinet

Level 3, 11 Farrer Place, Queanbeyan NSW 2620

[Website](#) [Facebook](#) [Instagram](#) [LinkedIn](#)



*I acknowledge and respect the traditional custodians and ancestors of the lands I work across.*

**The Heritage Management System is live from 31 May. More information is available [here](#)**

**Heritage NSW and coronavirus (COVID-19)**

Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, communities and customers. Whilst our offices remain open, we have put in place flexible working arrangements for our teams across NSW and continue to adapt our working arrangements as necessary. Face-to-face meetings and field work/site visits with our customers are subject to rules on gatherings and social distancing measures. We thank you for your patience and understanding at this time.



## **Appendix E Salvage Methodology- Surface Collection**

Each Aboriginal site with surface artefacts that cannot be avoided within the approved development footprint as listed Table 2 of Appendix 6 in the CoC will need to be salvaged via surface collection prior to construction works commencing for the Project. We would also take the opportunity to examine the immediate surrounds of the recorded sites to identify any other artefacts that may be present within the approved development footprint. The salvage collection fieldwork would be carried out with representatives of the Aboriginal community.

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

- Walk across the site area (within the approved development footprint), use 'pin' flags to identify and mark artefacts.
- Photograph site area.
- If considered necessary, construct a collection grid of 2 m x 2 m or 5 m x 5 m or similar as appropriate to the size of the site, only larger sites or sites with higher densities of artefacts will have this strategy.
- As an alternative, GPS plot artefacts if required, this is suitable for smaller sites (~<20).
- Collect artefacts. At each collection site the artefacts will be recorded, bagged and labelled in accordance with their collection position, that is either individual number and/or their collection grid.
- Recording of stone artefacts will be conducted in line with standard archaeological practice to include raw material, type, dimensions and any other characteristics considered relevant and in accordance with the Code of Practice. Photos of particularly rare items only or those asked to be photographed by the Aboriginal representatives onsite would be taken.
- The salvaged Aboriginal objects may be temporarily stored until the long-term management and relocation of the salvaged objects can occur.
- The site of the relocated salvaged Aboriginal objects would be noted by the submission of site cards to the Aboriginal Heritage Information Management System (AHIMS) as legally required.
- An Aboriginal Site Impact Recording Form must be completed and submitted to AHIMS following harm for each site collected or destroyed from salvage.

The salvaged objects may be temporarily held at secure locked cabinet at the NGH Wagga Wagga office for analysis and recording until an appropriate time as they can be arranged to be relocated and buried within the Project Area, outside the approved development footprint.

The edge-ground axe fragment recorded within AHIMS #55-6-0117/ Jindera 488942 was noted to be a uncommon artefact in the area and the representatives from the Albury LALC requested that if the artefact is able to be relocated during the salvage programme that it should be retained by the Albury LALC. This object would be held under a Care Agreement sought under Section 85A of the *National Parks and Wildlife Act 1974* by the Albury LALC and be used for training and educational purposes within the local Aboriginal community.

The temporary storage of salvaged objects, if required, is not intended to exceed 24 months from the conclusion of the salvage programme.

The relocation site for the Aboriginal objects which will be salvaged via the surface collection salvage programme and those recovered from the subsurface testing programme which are currently in

temporary care of NGH Wagga Wagga office would need to be agreed to by the landowner, Project owner, Project Archaeologists and RAPs and be outside the proposed approved development footprint within the Project area. The site/s for the relocation of salvaged Aboriginal objects would be noted by submission of site cards to the Aboriginal Heritage Information Management System (AHIMS) as legally required.

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

Following the relocation of the Aboriginal objects, which have been salvaged as per the the procedure in this HMP, the site location/s will also be provided to the Project owner, Project team, and construction contractor to ensure the site/s are protected during the construction, operation and decommissioning of the Project.

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

A salvage report will be prepared outlining the steps taken above. A copy of the report on the salvage and relocation of objects for the Project in line with the CoC would be provided to the Project Owner. The report will also be provided to Heritage NSW, the Department of Planning, Industry and Environment and the RAPs. A copy of the brief salvage report will be kept on site with a copy of the HMP.

At the conclusion of the salvage programme a report would be completed detailing the steps taken above. The report will be provided to the Project owner and Project construction contractor. The report will also be provided to Heritage NSW, the Department of Planning, Industry and Environment and the RAPs. The report would document the salvage programme and its results. The report may also be used to inform the independent environmental audit, which would include heritage.

The report would include, as applicable, the following:

- Introduction
- Purpose and objective
- Aboriginal involvement and consultation
- Surface collection salvage
  - Surface collection methodology
  - Surface collection results
  - Surface collection Discussion
- Relocation and burial of salvaged objects
- Conclusions

## Appendix F Unexpected Finds Protocol

### Introduction

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

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

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

### What is a Heritage Unexpected Find?

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

Unexpected heritage finds may include:

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

The Figure below shows the development footprint, development site, sites to be avoided and those to be impacted where salvage is required. Any Aboriginal object found which area not associated with these previously recorded sites would be considered an unexpected find.

### Aboriginal Heritage places or objects

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

An Aboriginal object is defined as:

*Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or*

*concurrent with the occupation of that area by persons on non-Aboriginal extraction and includes Aboriginal remains.*

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

### **Historic heritage**

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

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

### **Unexpected find management procedure**

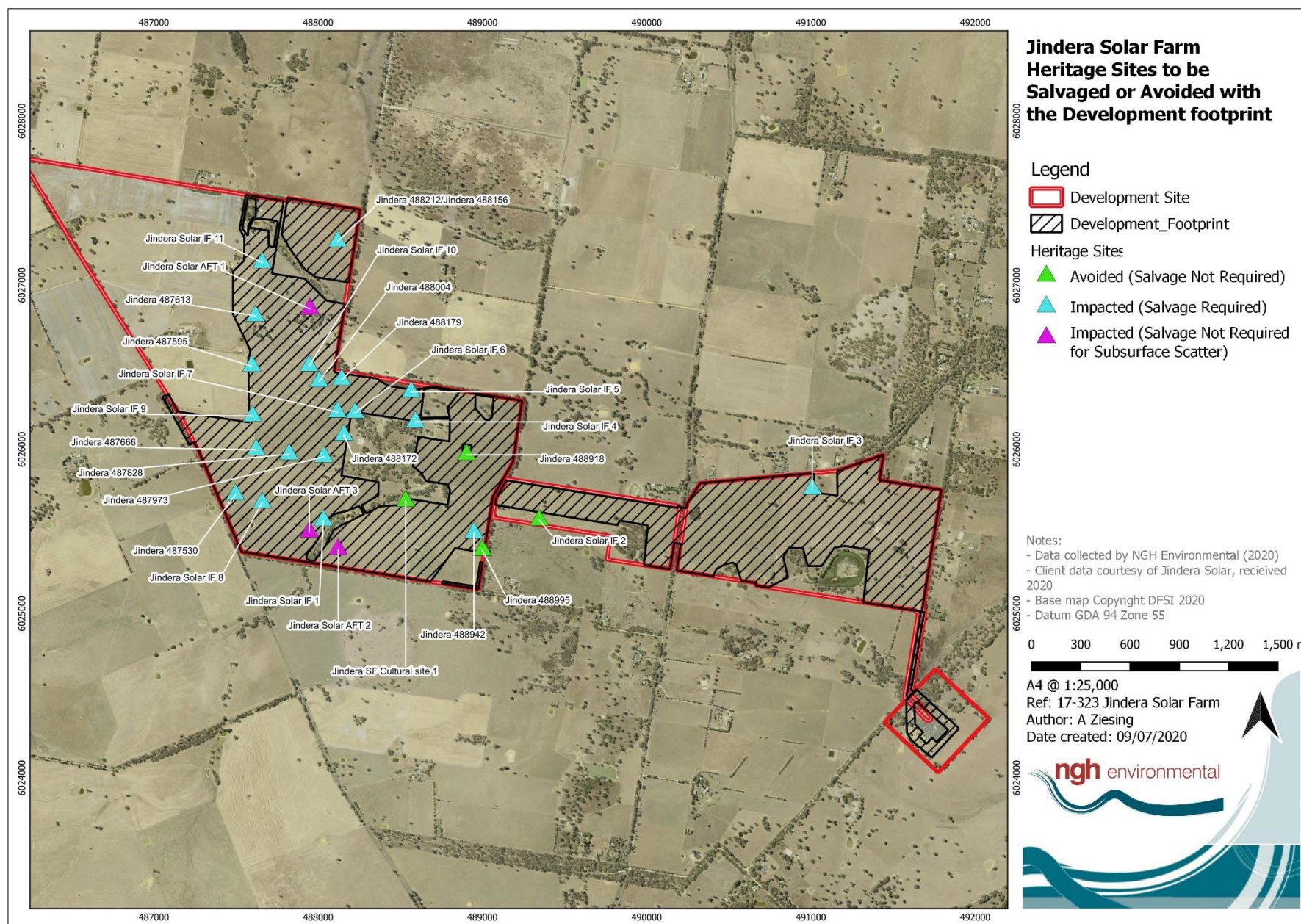
In the event that any unexpected Aboriginal heritage places or objects or any substantial intact historic archaeological relics that may be of State or local significance are unexpectedly discovered during the Project, the following management protocols will be implemented. **Note: this process does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

1. Works within the immediate identified heritage location will cease. Personnel should notify their supervisor of the find, who will notify the project manager.
2. Establish whether the unexpected find is located within an area covered by approved Conditions of Consent or not.
3. **If the find it is determined to be covered under approved development footprint for the CoC undertake the following steps**
  - (a) Establish an appropriate buffer to allow for the assessment and management of the find. All site personnel will be informed about the buffer zone with no further works to occur within the buffer zone.
  - (b) A heritage specialist or the Project Archaeologist will be engaged to assess the Aboriginal place or object encountered and undertake appropriate salvage of the site, if required, in line with the mitigation methods noted in this HMP. An AHIMS site card will be completed on the discovery of the newly identified Aboriginal objects / Aboriginal heritage items. Should the object(s) / heritage items be salvaged (within the approved development footprint as per the CoC and in line with this HMP) an Aboriginal Site Impact Recording Form (ASIRF) must be completed and submitted to AHIMS. Salvage of Aboriginal heritage items would not include scarred trees. If previously unidentified scarred trees are identified, further consultation with Heritage NSW (within the Department of Premier and Cabinet (DPC)) and Aboriginal stakeholders would need to be undertaken regarding management as avoidance is the preferred mitigation method for scarred trees.
  - (c) Following appropriate salvage of the unexpected find works may continue at this location.
4. If the unexpected find is not covered under the existing approved development footprint for the CoC undertake the following steps.
  - (a) All works at this location must cease.
  - (b) An appropriate buffer zone of at least 20 metres to allow for the assessment and management of the find must be established. All site personnel will be informed about the buffer zone with no further works to occur. A temporary exclusion area would be established around this buffer zone.

- (c) A heritage specialist or the Project Archaeologist will be engaged to assess the Aboriginal place or object encountered. Registered Aboriginal Party representatives will also be engaged (if available) to assess the cultural significance of the place or object.
- (d) The discovery of an Aboriginal object will be reported to the local office of Heritage NSW and works will not recommence at the heritage place or object until advised to do so by Heritage NSW. A site card will be completed and submitted to AHIMS for registration.
- (e) If the unexpected find can be managed *in situ*, works at the location will not recommence until appropriate heritage management controls have been implemented, such as protective fencing.
- (f) If the unexpected find cannot be managed *in situ*, works at the heritage location will not recommence until further assessment is undertaken and appropriate permits and approvals to impact Aboriginal cultural heritage are approved and issued by Heritage NSW.

For historic relics, work must cease in the affected area and the Heritage Council must be notified in writing. This is in accordance with section 146 of the *Heritage Act 1977*. To protect the historic relics until their significance can be determined high visibility markers or temporary fencing (using star pickets) must be immediately placed a minimum of 20 m around the location of the find by site personnel. A minimum no work buffer zone radius of 20 m must be implemented around the historic relics by taping off the area as an environmental sensitive zone. Depending on the nature of the discovery, additional assessment may be required prior to the recommencement of work in the area. At a minimum, any find should be recorded by an archaeologist.





## **F.1 Unexpected Human Skeletal Remains**

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

### **Discovery:**

- If any human remains or suspected human remains are found during any activity, works in the vicinity **must** cease and the Project Manager must be contacted immediately.
- The remains must be left in place and protected from harm or damage. To protect the remains until their origins can be determined high visibility markers or temporary fencing which will not cause ground disturbance must be immediately placed a minimum of 10 m around the location of the human remains or suspected human remains by site personnel. A minimum no work buffer zone radius of 50 m must be implemented around the remains by taping off the area as an environmental sensitive zone.
- All personnel should then leave the area immediately.
- The Environmental Officer is responsible to ensure that these temporary measures are implemented onsite within 24 hours of identification.

### **Notification:**

- The NSW Police must be notified immediately. Details of the location and nature of the human remains must be provided to the relevant authorities.
- If there are reasonable grounds to believe that the remains are Aboriginal, the following must also occur;
  - a. Heritage NSW must be contacted as soon as practicable and you must provide any available details of the remains and their location. Heritage NSW Environment Line can be contacted on 131 555;
  - b. The relevant Aboriginal community groups must be notified immediately when the remains are confirmed to be Aboriginal, as advised by Heritage NSW.
  - c. The relevant Project Archaeologist may be contacted to facilitate communication between the police, Heritage NSW and Aboriginal community groups.

### **Process:**

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



## **Appendix G Sample registers**

## G.1 Ground disturbance permit - Heritage

<b>Project: Jindera Solar Farm</b>		<b>Project No:</b>	
<b>Requested By:</b>			
<b>Start Date:</b>		<b>Expected Completion Date:</b>	

**CLEARING LOCATIONS – ATTACH DRAWINGS / SKETCHES IF NECESSARY**

Location	Comments
This section will be completed by either the Health, Safety, Environment and Quality Control (HSEQ) Manager or the Site Environmental Officer (SEO), with reference to constraints mapping.	
<b>Are there any recorded Aboriginal Heritage sites within the vicinity (within 50 m) of the works?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Has salvage of the Aboriginal Heritage sites within the vicinity (within 50 m) of the works previously been completed to date.</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>State the AHIMS number of the site/s present in the vicinity (within 50 m) of the works if not salvaged to date.</b>	
<b>Are the Aboriginal Heritage site/s listed as do not impact in the Conditions of Consent for the Project?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Has the site been appropriately buffered and delineated if it remains <i>in situ</i>?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Have relevant workers been given toolbox talks about working near <i>in situ</i> Aboriginal Heritage sites and the heritage unexpected finds protocol?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<b>Is a site inspection of the work area required by the HSEQ or SEO (heritage sites within 50 m of the works)?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Is a sign-off of this form required once works have been completed (heritage sites within 50 m of the works)?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Comments:</b>	

**APPROVALS**

<b>Site Inspection completed by HSEQ or SEO (if required):</b> Signature Required	<b>Date:</b>
<b>Approval by HSEQ or SEO:</b> Signature Required	<b>Date:</b>

**IS A SIGN-OFF (ONCE WORKS COMPLETED) REQUIRED**

☐ Yes ☐ No

<b>Have the conditions of the permit been met if a sign off is required?</b> HSEQ or SEO Signature Required	<input type="checkbox"/> Yes <input type="checkbox"/> No  <b>Date:</b>
--	--

**Note:** Sign off required if works within 50m of a heritage site or if other matters are raised.

## G.2 Heritage site status database example

AHIMS#	Site name	CoC for site	Site Status	Date status of site updated on AHIMS	Comments
55-6-0150	Jindera Solar IF2	Avoid Impacts	Active		
55-6-0115	Jindera 488918	Avoid Impacts	Active		
55-6-0116	Jindera 488995	Avoid Impacts	Active		
n/a	Jindera SF Cultural Site 1	Avoid Impacts	Active		
55-6-0117	Jindera 488942	To be salvaged prior to any impacts	Active		
55-6-0114	Jindera 487530	To be salvaged prior to any impacts	Active		
55-6-0125	Jindera 488212	To be salvaged prior to any impacts	Active		
55-6-0121	Jindera 488172	To be salvaged prior to any impacts	Active		
55-6-0122	Jindera 488179	To be salvaged prior to any impacts	Active		
55-6-0120	Jindera 487973	To be salvaged prior to any impacts	Active		
55-6-0118	Jindera 487666	To be salvaged prior to any impacts	Active		
55-6-0149	Jindera Solar IF 1	To be salvaged prior to any impacts	Active		
55-6-0151	Jindera Solar IF 3	To be salvaged prior to any impacts	Active		
55-6-0152	Jindera Solar IF 4	To be salvaged prior to any impacts	Active		

AHIMS#	Site name	CoC for site	Site Status	Date status of site updated on AHIMS	Comments
55-6-0153	Jindera Solar IF 5	To be salvaged prior to any impacts	Active		
55-6-0154	Jindera Solar IF 6	To be salvaged prior to any impacts	Active		
55-6-0155	Jindera Solar IF 7	To be salvaged prior to any impacts	Active		
55-6-0156	Jindera Solar IF 8	To be salvaged prior to any impacts	Active		
55-6-0157	Jindera Solar IF 9	To be salvaged prior to any impacts	Active		
55-6-0158	Jindera Solar IF 10	To be salvaged prior to any impacts	Active		
55-6-0159	Jindera Solar IF 11	To be salvaged prior to any impacts	Active		
55-6-0124	Jindera 487595	To be salvaged prior to any impacts	Active		
55-6-0129	Jindera 487613	To be salvaged prior to any impacts	Active		
55-6-0119	Jindera 487828	To be salvaged prior to any impacts	Active		
55-6-0123	Jindera 488004	To be salvaged prior to any impacts	Active		

## **Appendix H Heritage Control Measures -Quick find**

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
<b>General</b>				
All reasonable and feasible measures must be implemented to prevent and/or minimise any material harm to the environment, including Aboriginal objects, that may result from the construction, operation, upgrading or decommissioning of the development.	This document	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document
Implementation of approved Heritage Management Plan	This document	Pre-construction	Construction Contractor Project Manager	This document
A copy of the HMP should be kept on site during construction and operation of the Project and be readily available for reference if and as required	This document	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document
Training will be provided to all personnel involved in construction and management phases of the Project, including relevant sub-contractors on heritage requirements from this plan through inductions, toolboxes, and targeted training	Induction package Toolbox training material Targeted training material	Pre-Construction Construction Operation Decommissioning	Project Manager Environmental Officer	This document Section 8.2 and CoC Section 23(c)
All employees, contractors and utility staff working on site will receive Aboriginal Cultural Heritage Awareness Training. It will be provided to all personnel in the form of an induction before they begin work on site. A record of this training will be kept	Induction package	Pre-construction Construction Operation Decommissioning	Project Manager Construction Contractor Environmental Officer	This document Section 8.2 CoC Section 23(c)
A strategy for the long-term management of any items or material that are salvaged would be developed in consultation with the registered Aboriginal parties. The artefacts recovered during salvage surface collections would be relocated and buried in a safe location within the Project area outside the approved development footprint.	CoC Heritage reports This Plan	Pre-construction	Project Manager Construction Contractor Environmental Officer Project Archaeologist	This document Appendix E and Section 7.2



Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
If the edge-ground axe fragment recorded within AHIMS #55-6-0117/ Jindera 488942 is recovered during the salvage collection programme and the Albury LALC still wish to retain this object, a care agreement for the transfer of Aboriginal objects would be sought by the Albury LALC under Section 85A of the <i>National Parks and Wildlife Act 1974</i> . Until such time as the care agreement is obtain the object may be kept in temporary keeping at the NGH Wagga Wagga office. If the Albury LALC no longer wish to obtain a care agreement for the object it will be relocated and buried with the other Aboriginal objects recovered from the salvage programme.	Heritage reports Care agreement	Pre-construction Construction	Project Manager Construction Contractor Project Archaeologist	This document, Section 7.1 and 7.2 and Appendix E
The location of all Aboriginal sites which are not approved for impacts should be clearly shown on all relevant construction mapping and plans.	Construction mapping and plans	Pre-construction Construction Operation Decommissioning	Construction Contractor Project Manager	This document and construction mapping and plans
Cultural Heritage must be included within any major environmental audit for the Project	CoC This document	Pre-construction Construction Operation Decommissioning	Independent Auditor Project Manager	This document Section 8.4
<b>Design</b>				
The design of the solar farm must avoid the four sites not approved for impacts including the three identified cultural trees sites (Jindera 488918, Jindera 488995 and Jindera Solar Cultural Tree 1). A minimum 20 m buffer must be placed around each cultural tree to protect the root system and canopy to ensure there are no inadvertent impacts to these tree sites. The buffer zone will be delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts.	Heritage reports CoC	Design Pre-construction Construction Operation Decommissioning	Project Owner Construction Contractor Project Manager	This document Table 5-1, Table 3-2, Section 6 and see Figure 1

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
A minimum 5 m buffer must be placed around any stone artefact sites that are outside the approved development footprint to ensure there are no inadvertent impacts to these sites. This specifically includes the site Jindera Solar IF 2 which is not approved for any impacts. The buffer zone will be delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	This document. Table 5-1 and Table 3-2. Section 3.2
Further archaeological assessment would be required if the Project activity extends beyond the areas assessed to date. This would include consultation with the registered Aboriginal parties and may include further field survey and subsurface testing. A formal modification to the development consent would be required if any activity were proposed to extend beyond the area assessed and granted for development approval in the CoC.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	CoC Heritage reports This document
Ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in the CoC as sites to avoid impacting or other sites located outside the approved development footprint. This to be achieved by the buffer zone of the sites listed to be avoided being delineated by the placement of star pickets with either fencing wire and/or the appropriate tape for environmental sensitive zones placed around them to clearly denote the area to ensure no impacts. All staff working onsite should be aware of the approved development footprint as shown in Appendix A of this plan to ensure works only occur within approved areas.	Heritage reports CoC	Design Pre-construction Construction Operation	Project Owner Construction Contractor Project Manager	This document CoC
Ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items prior to salvage of sites approved for impacts being subject to surface collection. This can be achieved by ensuring no works occur prior to a salvage programme being completed.	Heritage reports HMP CoC	Design Pre-construction Construction Operation Decommissioning	Project Owner Construction Contractor Environmental Officer	This document Section 3.2

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
To avoid inadvertent impacts on the three identified cultural trees sites (Jindera 488918, Jindera 488995 and Jindera Solar Cultural Tree 1) all planting for the vegetation screening or any form of ground disturbance during fencing activities must occur outside the 20 m buffer placed around each tree. The 20 m buffer is to be measured out from the truck. Any fencing wire installed will be a minimum of 1 m from physical contact with any part of the trees	Heritage reports	Design Pre-construction Construction Decommissioning	Project Owner Construction Contractor Project Manager	This document. Table 5-1
<b>PRE-CONSTRUCTION</b>				
Delineation and signage of Aboriginal sites that will not be impacted by the proposed development works as listed in the CoC will be put in place prior to any construction or preconstruction works commencing. Delineation and signage of the artefact relocation site/s will also occur once the relocation has occurred. A minimum 5 m buffer zone is required to be placed around the artefact relocation site/s to ensure they won't be impacted into the future.	Heritage reports HMP	Pre-construction Construction Operational	Construction Contractor Environmental Officer	This document Section 8.3 Table 5-1
A minimum 5 m buffer must be observed around all sites with stone artefacts until salvage of these heritage items/sites is undertaken as approved by the CoC.	Heritage reports CoC HMP	Pre-construction Construction	Construction Contractor Environmental Officer	This document Table 5-1
A new site card/s must be completed on the AHIMS database for the relocated/reburial location of the salvage sites. This must occur within 1 month of the actions being completed for the reburial of the salvaged sites .	Code of Practice	Pre-construction	Construction Contractor Project Manager Project archaeologist	Code of Practice Section 7.2
Salvage and relocate all Aboriginal heritage items located within the approved development footprint (as per the CoC list of Aboriginal sites to be salvaged if impacts cannot be avoided) to a suitable alternative location/s on site in accordance with the Code of Practice, outside the development footprint. Salvage would be conducted by an archaeologist with representatives of the Registered Aboriginal Parties invited to participate. The salvage of Aboriginal objects, as per the CoC, must occur prior to works commencing.	Code of Practice Heritage reports HMP CoC	Pre-construction Construction	Construction Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix E Section 7.2

Measure/Requirement	Resources Needed	When to Implement	Responsibility	References
An Aboriginal Site Impact Recording Form will be completed and submitted to AHIMS (Aboriginal Heritage Information Management System) for any site harmed or destroyed from salvage and/or construction works. Artefact disposition and storage must be done in accordance with Requirement 26 of the Code of Practice (DECCW 2010:35-6).	Code of Practice Site Impact Recording Form	Pre-construction	Construction Contractor Project Manager Project archaeologist	Code of Practice Section 7.2
<b>Construction</b>				
Where any additional, unrecorded Aboriginal or non-Aboriginal objects are encountered during works within the approved development footprint (Appendix A of this Plan) the Unexpected Finds Procedure will be followed.	Unexpected Finds Procedure Site Plan	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix F
If human remains are discovered on site, then all work surrounding the area must cease immediately, the area must be secured and NSW Police notified. The Unexpected Finds Procedure will be followed to notify Heritage NSW as soon as possible. Work must not recommence in the area until this is authorised by Heritage NSW and/or NSW Police.	Unexpected Finds Procedure	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix F .1 Section 8.5.1
Should an item of historic heritage be identified during works, the Unexpected Finds Procedure will be followed. The Heritage Division would be contacted prior to further work being carried out in the vicinity.	Unexpected Finds Procedure	Construction Operational	Construction Contractor Project Manager All personal	This document Unexpected Finds Procedure Appendix F