

Cultural Heritage Management Plan

SEBASTOPOL SOLAR FARM

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ACRONYMS AND ABBREVIATIONS

ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRP	Aboriginal cultural heritage consultation requirements for proponents
AS	Artefact Scatter
CEMP	Construction Environmental Management Plan
CHMP	Cultural Heritage Management Plan
CoC	Conditions of Consent
Code of Practice	Code of Practice for Archaeological investigation of Aboriginal Objects in NSW
DPE	(NSW) Department of Planning and Environment
EIS	Environmental Impact Statement
EMS	Environmental Management System
HSEQ	Health Safety and Environment and Quality
IF	Isolated Find
LGA	Local Government Area
NPW Act	National Parks and Wildlife Act
NSW	New South Wales
OEH	Office of Environment and Heritage
RAPs	Registered Aboriginal Parties
RMM	Revised Mitigation Measures
SEO	Site Environmental Officer
ST	Scarred Tree
The Project	Sebastopol Solar Farm

1 INTRODUCTION

ib vogt GmbH received planning approval on the 27 February 2019 for the construction and operation of the Sebastopol Solar Farm, located 17 kilometres south of the township of Temora in the Temora Local Government Area (LGA). The Sebastopol Solar Farm ('the Project') is a State Significant Development and represents an important contribution to renewable energy generation in New South Wales.

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

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared for the Sebastopol Solar Farm which was included as part of the Sebastopol Solar Farm Environmental Impact Statement (EIS) (NGH Environmental 2018). The EIS summarised the key findings of the ACHAR including impacts to Aboriginal Heritage and any proposed mitigation measures to minimise impacts. The approved layout of Sebastopol Solar Farm is shown in Appendix A.

1.1 CONTEXT

An Environmental Management Strategy (EMS) has been prepared to comply with the Conditions of Consent (CoC) from the New South Wales Minister for Planning and all applicable legislation, during the construction and operation of the Project.

This CHMP is part of ib vogt GmbH and the construction contractors environmental management framework for the Project, as described in the overall EMS.

This CHMP has been prepared to address the requirements of the mitigation and management measures listed in the CoC from the New South Wales, Minister for Planning and all other applicable legislation during the construction and operation of the Project.

This CHMP has been prepared by suitably qualified, independent and experienced archaeologists Kirsten Bradley and Matthew Barber from NGH, who are endorsed by the Secretary as heritage experts for the Sebastopol Solar Farm Project. NGH senior archaeologist Kirsten Bradley also completed the ACHAR, including fieldwork with the representatives from the Aboriginal community, and is familiar with the Aboriginal Heritage sites and the heritage safeguards and mitigation measures for the Project.

1.2 ENVIRONMENTAL MANAGEMENT STRATEGIC FRAMEWORK

The CHMP is part of the ib vogt GmbH environmental management framework for the Project, as described in the Environmental Management System (EMS) and the Construction Environmental Management Plan (CEMP). Mitigation and management measures identified in this Plan will be incorporated into Work Method Statements (WMS) outlined in the EMS.

All ib vogt GmbH personnel and sub-contractors undertaking a task governed by a WMS must have signed that they have participated in training on the WMS, and that they have read and understood their obligations prior to commencing work.

Used together, the EMS, CEMP, management measures, procedures and WMS form management guides that clearly identify required environmental management actions for reference by ib vogt GmbH personnel and contractors. As a subplan of the EMS, the review and document control processes for this Plan are described in the CEMP.

2 PURPOSE AND OBJECTIVES

2.1 PURPOSE AND OBJECTIVES

The purpose of this CHMP is to describe how impacts on Aboriginal heritage will be minimised and managed during construction of the Project.

The key objective of the CHMP is to ensure that impacts to Aboriginal heritage are minimised and 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 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 detailed in the EIS, CoC and Response to Submissions, Revised Mitigation Measures (RMM).
- 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 heritage impacts during the construction and operation of the Project:

- Ensure full compliance with the relevant legislative requirements.
- Ensure full compliance with relevant requirements of the EIS, RMM and CoC.
- Minimise or avoid impacts, including inadvertent impacts, on known Aboriginal heritage.
- Follow correct procedure and ensure notification of any previously unidentified Aboriginal objects/places uncovered during construction.
- 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 Amendment (Aboriginal Objects and Places) Regulation 2010*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Commonwealth)*

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* (OEH 2010a);
- *Aboriginal cultural heritage consultation requirements for proponents 2010 (ACHCRP)* (OEH 2010b) produced by the NSW OEH.

3.2 CONDITIONS OF CONSENT

The CoC were issued by the NSW Department of Planning and Environment (DPE) on 27 February 2019. Details of the CoC in relation to Heritage are summarised in Table 1. A detailed list of heritage control measures to be implemented to ensure compliance with the CoC, EIS, RMM and ACHAR is detailed in Section 6 of this document.

Table 1 Location of information in this plan addressing the requirements of Conditions of Consent

Condition #	Condition of Consent	Location of relevant information
17	The Applicant must ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 4. If impacts on these items cannot be avoided, the Applicant must salvage and relocate the item/s that would be impacted to a suitable alternative location on site, in accordance with the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010), or its latest version.	-CoC Table 1 of Appendix 4 -CHMP Table 3, Section 6 and Appendix C
18	The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 2 of Appendix 4 or located outside the approved development footprint.	-CoC Table 2 of Appendix 4 - CHMP Table 2 and Section 6
19	Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must: <ul style="list-style-type: none"> a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary; b) be prepared in consultation with OEH and Aboriginal Stakeholders; c) include a description of the measures that would be implemented for: <ul style="list-style-type: none"> • protecting the Aboriginal heritage items identified in Table 2 in Appendix 4 or outside the approved development footprint, including fencing off the Aboriginal heritage items prior to commencing construction and/or pre-construction minor works; 	-This document

Condition #	Condition of Consent	Location of relevant information
	<ul style="list-style-type: none"> • salvaging and relocating the Aboriginal heritage items located within the approved development footprint; as identified in Table 1 in Appendix 4, if impacts to them cannot be avoided; • a contingency plan and reporting procedure if: <ul style="list-style-type: none"> - previously unidentified Aboriginal heritage items are found; or - Aboriginal skeletal material is discovered; • ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and • ongoing consultation with Aboriginal stakeholders during the implementation of the plan; <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 Secretary's approval, the Applicant must implement the Heritage Management Plan.</p>	

The Aboriginal heritage items referred to in Condition 18 of the CoC to be avoided by the development of the Sebastopol Solar Farm are listed below for easy reference. No harm must occur to these 16 Aboriginal heritage sites.

Table 2 Aboriginal heritage items listed in Conditional 18 of the Conditions of Consent to be avoided.

AHIMS #	Site Name	Site Type
50-5-0248	Sebastopol Solar IF 1	Isolated Stone Artefact
50-5-0251	Sebastopol Solar IF 4	Isolated Stone Artefact
50-5-0254	Sebastopol Solar IF 7	Isolated Stone Artefact
50-5-0222	Sebastopol 551708	Possible Modified tree
50-5-0234	Sebastopol 551143	Possible Modified tree
50-5-0240	Sebastopol 550975	Possible Modified tree
50-5-0241	Sebastopol 551780	Possible Modified tree
50-5-0242	Sebastopol 551746	Possible Modified tree
50-5-0243	Sebastopol 551564	Possible Modified tree
50-5-0244	Sebastopol 551202	Possible Modified tree
50-5-0218	Sebastopol 551365	Isolated Stone Artefact
50-5-0219	Sebastopol 551717	Isolated Stone Artefact
50-5-0220	Sebastopol 551448	Isolated Stone Artefact
50-5-0226	Sebastopol 551493	Isolated Stone Artefact
50-5-0228	Sebastopol 551745	Isolated Stone Artefact
50-5-0237	Sebastopol 551148	Isolated Stone Artefact

The 31 Aboriginal heritage items listed in Condition 17 of the CoC to be salvaged and relocated that if impacts cannot be avoided by the development footprint are listed below for easy reference.

Table 3 Aboriginal heritage items listed in Condition 17 of the Conditions of Consent to be salvaged if they cannot be avoided by the development footprint.

AHIMS #	Site Name	Site Type
50-5-0245	Sebastopol Solar AFT1	Artefact scatter
50-5-0246	Sebastopol Solar AFT2	Artefact scatter
50-5-0247	Sebastopol Solar AFT3	Artefact scatter
50-5-0249	Sebastopol Solar IF 2	Isolated Stone Artefact
50-5-0250	Sebastopol Solar IF 3	Isolated Stone Artefact
50-5-0253	Sebastopol Solar IF 5	Isolated Stone Artefact
50-5-0252	Sebastopol Solar IF 6	Isolated Stone Artefact
50-5-0255	Sebastopol Solar IF 8	Isolated Stone Artefact
50-5-0256	Sebastopol Solar IF 9	Isolated Stone Artefact
50-5-0257	Sebastopol Solar IF 10	Isolated Stone Artefact
50-5-0258	Sebastopol Solar IF 11	Isolated Stone Artefact
50-5-0259	Sebastopol Solar IF 12	Isolated Stone Artefact
50-5-0260	Sebastopol Solar IF 13	Isolated Stone Artefact
50-5-0262	Sebastopol Solar IF 14	Isolated Stone Artefact
50-5-0261	Sebastopol Solar IF 15	Isolated Stone Artefact
50-5-0216	Sebastopol 551502	Isolated Stone Artefact
50-5-0217	Sebastopol 551444	Isolated Stone Artefact
50-5-0221	Sebastopol 551696	Isolated Stone Artefact
50-5-0223	Sebastopol 551329	Isolated Stone Artefact
50-5-0224	Sebastopol 551314	Isolated Stone Artefact
50-5-0225	Sebastopol 551335	Isolated Stone Artefact
50-5-0227	Sebastopol 551594	Isolated Stone Artefact
50-5-0229	Sebastopol 552070	Isolated Stone Artefact
50-5-0230	Sebastopol 551912	Isolated Stone Artefact
50-5-0231	Sebastopol 551634	Isolated Stone Artefact
50-5-0232	Sebastopol 552085	Isolated Stone Artefact
50-5-0233	Sebastopol 551081	Isolated Stone Artefact
50-5-0235	Sebastopol 550986	Isolated Stone Artefact
50-5-0236	Sebastopol 550794	Isolated Stone Artefact
50-5-0238	Sebastopol 550750	Isolated Stone Artefact
50-5-0239	Sebastopol 550933	Isolated Stone Artefact

4 CONSULTATION

Condition 19 of the CoC requires the CHMP be prepared in consultation with OEH and Aboriginal Stakeholders.

The consultation process began in 2018 for the Aboriginal Cultural Heritage Assessment Report (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 provided by OEH.

As a result of this process, four Aboriginal groups and eight individuals registered their interest in the project. No other party registered their interest, including the entities and individuals recommended by OEH. A copy of the draft ACHAR was provided to the registered parties for comment. Their responses indicated that the report was good with no issues raised.

For this CHMP additional consultation, as required by the CoC, was undertaken with OEH and the Registered Aboriginal Parties (RAPs). OEH noted that the CHMP was reasonably comprehensive and prepared in accordance with the CoC. The comments provided from OEH regarding updates to the Unexpected Finds Protocol have been incorporated into this document. A response was received from one of the RAPs who did not raise any issues with the draft CHMP. No other responses were received from the RAPs during the draft of the CHMP. A consultation log is provided in Appendix D.

5 EXISTING HERITAGE

NGH Environmental (2018) prepared an ACHAR for the proposed Sebastopol Solar Farm. The findings of the ACHAR were summarised within the EIS and a brief summary is also included below (NGH Environmental 2018).

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 the previous archaeological investigations in the Temora area and knowledge of Wiradjuri cultural practices and traditional activities the Project area was noted to have the possibility of containing archaeological sites, especially given that Aboriginal people have lived in the region for tens of thousands of years. This was noted to most likely be in the form of stone artefacts and scarred trees.

Despite the variable visibility encountered during the survey a total of 53 Aboriginal stone artefacts were identified across the Project area that were recorded as 37 isolated stone artefact sites and three artefact scatter occurrences. Seven possible modified trees were also recorded. Based on the land use history, an appraisal of the landscape, soil, level of disturbance and the results from the field survey it was concluded that there was negligible potential for the presence of intact subsurface deposits with high densities of objects within the Project area.

The sites identified during the Aboriginal heritage assessment were scattered across the Project area and are representative of the opportunistic use and movement of people through the landscape. The Project area was likely used intermittently over a period of time by Aboriginal people for camping, hunting and gathering resources.

The Project involves the construction of a solar farm and includes connection to the existing existing 132kV transmission line that crosses the property. The development will result in disturbance of almost 248 hectares. The impact is likely to be most extensive where earthworks occur and would involve the removal,

breakage or displacement of stone artefacts. This is considered a direct impact on the Aboriginal objects by the development of the Project.

A total of 31 Aboriginal heritage sites with stone artefacts are situated within the Project development footprint. The impact to the scientific values if the 31 sites with stone artefacts within the development footprint of the Project were to be impacted was considered low.

The seven possible modified trees and nine stone artefact sites will not be impacted by the Project. The original development design was modified to ensure all the possible modified trees within the Project area will not be impacted by the proposed works.

Table 4 below lists the identified risks to known Aboriginal sites with the Project area and the mitigation measures as recommended in the ACHAR (NGH Environmental 2018). Salvage and relocation of the Aboriginal heritage items that cannot be avoided by the development as approved in the CoC will be carried out in line with the Salvage Methodology outlined in Appendix C.

Table 4 Identified risks to known Aboriginal sites with the Project area as noted in the ACHAR.

AHIMS #	Site name	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
50-5-0245	Sebastopol Solar AFT1	Artefact scatter	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0246	Sebastopol Solar AFT2	Artefact scatter	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0247	Sebastopol Solar AFT3	Artefact scatter	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0248	Sebastopol Solar IF 1	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0249	Sebastopol Solar IF 2	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0250	Sebastopol Solar IF 3	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0251	Sebastopol Solar IF 4	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0253	Sebastopol Solar IF 5	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0252	Sebastopol Solar IF 6	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0254	Sebastopol Solar IF 7	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0255	Sebastopol Solar IF 8	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0256	Sebastopol Solar IF 9	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0257	Sebastopol Solar IF 10	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0258	Sebastopol Solar IF 11	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0259	Sebastopol Solar IF 12	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.

AHIMS #	Site name	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
50-5-0260	Sebastopol Solar IF 13	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0262	Sebastopol Solar IF 14	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0261	Sebastopol Solar IF 15	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0222	Sebastopol 551708	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0234	Sebastopol 551143	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0240	Sebastopol 550975	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0241	Sebastopol 551780	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0242	Sebastopol 551746	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0243	Sebastopol 551564	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0244	Sebastopol 551202	Possible modified tree	Nil	Nil	Nil	Avoid with a minimum 10 m buffer placed around site.
50-5-0216	Sebastopol 551502	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0217	Sebastopol 551444	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0218	Sebastopol 551365	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0219	Sebastopol 551717	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0220	Sebastopol 551448	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0221	Sebastopol 551696	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development of proposal area.
50-5-0223	Sebastopol 551329	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0224	Sebastopol 551314	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0225	Sebastopol 551335	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0226	Sebastopol 551493	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.

AHIMS #	Site name	Site Type	Type of harm	Degree of harm	Consequence of harm	Recommendation
50-5-0227	Sebastopol 551594	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0228	Sebastopol 551745	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0229	Sebastopol 552070	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0230	Sebastopol 551912	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0231	Sebastopol 551634	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0232	Sebastopol 552085	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0233	Sebastopol 551081	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0235	Sebastopol 550986	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0236	Sebastopol 550794	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0237	Sebastopol 551148	Isolated Find	Nil	Nil	Nil	Avoid with a minimum 5 m buffer placed around site.
50-5-0238	Sebastopol 550750	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.
50-5-0239	Sebastopol 550933	Isolated Find	Direct	Total	Total loss of value	Salvage object prior to development.

In response to submissions received for the EIS a number of safeguards and mitigation measures were detailed in the RMM for Aboriginal Heritage which incorporated the ACHAR recommendations and comments received from OEH. These Aboriginal Heritage recommendations are detailed below and have been incorporated into the CoC in Section 3.2 and the heritage control measures detailed in Section 6.

- The proponent should prepare a CHMP to address the potential for finding additional Aboriginal artefacts during the construction of the Solar Farm and management of known sites and artefacts. The Plan should include the unexpected finds procedure to deal with construction activity. Preparation of the CHMP should be undertaken in consultation with the registered Aboriginal parties. Input from an ecologist or arborist should be included to ensure the protection of scarred trees.
- Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit (AHIP), excavation or disturbance of the area is to stop immediately and the Office of Environment and Heritage (OEH) is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until OEH has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.
- In the unlikely event that human remains are discovered during the construction, all work must cease in the immediate vicinity. OEH, the local police and the registered Aboriginal parties should be notified. Further assessment would be undertaken to determine if the remains were Aboriginal or non-Aboriginal.
- The development must avoid the seven possible Scarred Trees (Sebastopol 551708, Sebastopol 551143, Sebastopol 550975, Sebastopol 551780, Sebastopol 551746,

Sebastopol 551564, Sebastopol 551202). A minimum 10 m buffer around each tree should be in place to protect the trees' canopy and root system.

- If complete avoidance of the 37 isolated find sites and three artefact scatters recorded within the proposal area is not possible, the artefacts within the development footprint must be salvaged prior to the proposed work commencing and moved to a safe area within the property that would not be subject to any ground disturbance.
- The collection and relocation of the artefacts should be undertaken by an archaeologist with representatives of the registered Aboriginal parties and be consistent with Requirement 26 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. The salvage of Aboriginal objects can only occur following development consent that is issued for State Significant Developments and must occur prior to works commencing. A new site card/s would need to be completed once the artefacts are moved to record their new location on the AHIMS database. 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.
- A minimum 5m buffer should be observed around all artefact scatters and isolated find sites that cannot be avoided, including those outside the development footprint.
- Further archaeological assessment would be required if the proposal activity extends beyond the area assessed as detailed in this report. This would include consultation with the registered Aboriginal parties and may include further field survey.

6 HERITAGE CONTROL MEASURES

A range of mitigation requirements and control measures are identified in the CoC, EIS, RMM and ACHAR. Specific measures and requirements to address impacts to heritage values are outlined in Table 5. The measures have been listed to cover broad activities and as such there may be some repetition of mitigation measures.

Table 5 Heritage control measure as required under the CoC and EIS in relation to the Project.

Measure / Requirement	Resources needed	When to implement	Responsibility	References
GENERAL				
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	ib vogt GmbH Environmental Officer	This document Section 7.2 and EMS
A strategy for the long-term management of any items or material that are collected would be developed in consultation with the registered Aboriginal parties. The artefacts recovered during salvage collections would be reburied in a safe location within the Project area outside the development footprint.	CoC ACHAR	Pre-construction Construction Operation Decommissioning	Construction Contractor Environmental Officer	This document Appendix C
Implementation of an approved Cultural Heritage Management Plan.	This document	Pre-construction Construction Operation	Construction Contractor Project Manager	This document
DESIGN				
The design of the solar farm must avoid the seven possible modified tree sites and nine of the stone artefact sites as listed in CoC. A minimum 10m buffer must be placed to protect the possible modified trees and a minimum 5m buffer must be placed around the stone artefact sites that are outside the approved development footprint to ensure there are no inadvertent impacts to these sites. Input from an ecologist or arborist should be sought to ensure the protection of the seven possible modified tree sites that must be avoided by the Project.	ACHAR CHMP RMM CoC	Design Pre-construction Construction Operation	ib vogt GmbH Construction Contractor Project Manager	This document Section 3.2
Further archaeological assessment would be required if the Project activity extends beyond the area assessed in the ACHAR. This would include consultation with the registered Aboriginal parties and may include further field survey.	ACHAR	Design Pre-construction Construction Operation	ib vogt GmbH Construction Contractor Project Manager	ACHAR
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.	ACHAR CHMP CoC	Design Pre-construction Construction Operation	ib vogt GmbH Construction Contractor Project Manager	This document Section 3.2
Ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items.	ACHAR CHMP CoC	Design Pre-construction Construction Operation Decommissioning	ib vogt GmbH Construction Contractor Environmental Officer	This document Section 3.2

Measure / Requirement	Resources needed	When to implement	Responsibility	References
PRE-CONSTRUCTION				
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 construction works. Delineation and signage of the artefact reburial site/s will also occur prior to construction works.	ACHAR CHMP	Pre-construction Construction Operational	Construction Contractor Environmental Officer	This document Section 7.3
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. Salvage would be conducted by an archaeologist with representatives of the Registered Aboriginal Parties. The salvage of Aboriginal objects, as per the CoC, must occur prior to works commencing.	Code of Practice ACHAR. RMM CoC	Pre-construction	Construction Contractor Project Manager Project archaeologist	This document Section 3.2 Appendix C
Following salvage, a new site card/s must be completed once the artefacts are moved to record their new location on the AHIMS database. 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.	Code of Practice	Pre-construction	Construction Contractor Project Manager Project archaeologist	Code of Practice
CONSTRUCTION				
Where any additional, unrecorded Aboriginal or non-Aboriginal objects are encountered during construction, the Unexpected Finds Procedure will be followed (see Appendix B).	Unexpected Finds Procedure	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix B
If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Unexpected Finds Procedure will be followed to notify police and OEH as soon as possible. Work must not recommence in the area until this is authorised by OEH (see Appendix B).	Unexpected Finds Procedure	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix B
Monitoring of heritage sites within the project area outside the development footprint to ensure no impacts or inadvertent impacts. This includes monitoring for the reburial location/s of Aboriginal objects collected during the salvage program as per the sites listed in the CoC.	CHMP	Pre-construction Construction Operational Decommissioning	Construction Contractor Environmental Officer	This document Section 7.3
Should any Aboriginal objects be uncovered by the works outside the SSD approved development footprint which are also not covered by a valid Aboriginal Heritage Impact Permit (AHIP), works in the area must stop immediately and OEH is to be informed in accordance the Unexpected Finds Procedure which will be followed (see Appendix B).	Unexpected Finds Procedure	Construction Operational Decommissioning	Construction Contractor Project Manager Environmental Officer All personal	This document Unexpected Finds Procedure Appendix B

7 COMPLIANCE MANAGEMENT

7.1 STRUCTURE AND RESPONSIBILITY

The ib vogt GmbH Project Team's organisational structure and overall roles and responsibilities are outlined in the EMS. Specific responsibilities for the implementation of environmental controls will be detailed in the CEMP.

7.2 TRAINING

To ensure that this CHMP is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this strategy. Health Safety and Environment and Quality (HSEQ) 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.

In particular, 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. 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. 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 details regarding staff induction and training will be outlined in the CEMP.

7.3 INSPECTIONS AND MONITORING

Periodic inspection of the Aboriginal heritage sites located outside the approved development footprint, within the Project area, as per the CoC, will occur for the duration of construction and operation of the solar farm. The sites will be identified by the project archaeologist and/or the Site Environmental Officer (SEO) and demarked by fencing to ensure there are no inadvertent impacts during the construction and operation of the solar farm. Inspection of the sites will occur fortnightly during construction and monthly thereafter by the SEO.

Any stone artefacts collected during the salvage program will be reburied at a safe location outside the development footprint within the Project area. The reburial location/s of the salvaged stone artefacts will also be subject to fencing, monitoring and inspection. The fencing of the reburial site will be undertaken prior to any construction activities occurring, which may inadvertently impact the reburial site/s. Inspection of the reburial site/s will occur fortnightly during construction and monthly thereafter by the SEO.

Any compliance issues will be recorded and raised with the relevant authorities. Inspections will be undertaken following a reporting checklist.

7.4 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.

Cultural heritage should be included within any environmental audit of impacts undertaken during the construction phase.

Audit requirements are detailed in the EMS.

7.5 REPORTING

Reporting requirements and responsibilities are documented in the EMS

8 REVIEW AND IMPROVEMENT

8.1 CONTINUOUS IMPROVEMENT

Continuous improvement of this Plan will be achieved by the ongoing evaluation of heritage management performance against heritage policies, objectives and targets to identify opportunities for improvement.

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.

8.2 CHMP UPDATE AND AMENDMENT

The processes and plans described in the EMS may result in the need to update or revise this Plan. This will occur as needed.

Only the SEO, or delegate, has the authority to change any of the CHMP documentation.

A copy of the updated plan and changes will be distributed to all relevant stakeholders in accordance with the approved document control procedure – refer to the EMS.

9 REFERENCES

NGH Heritage, 2018, Sebastopol Solar Farm Aboriginal Cultural Heritage Assessment.

NGH Environmental, 2018, Sebastopol Solar Farm Environmental Impact Statement.

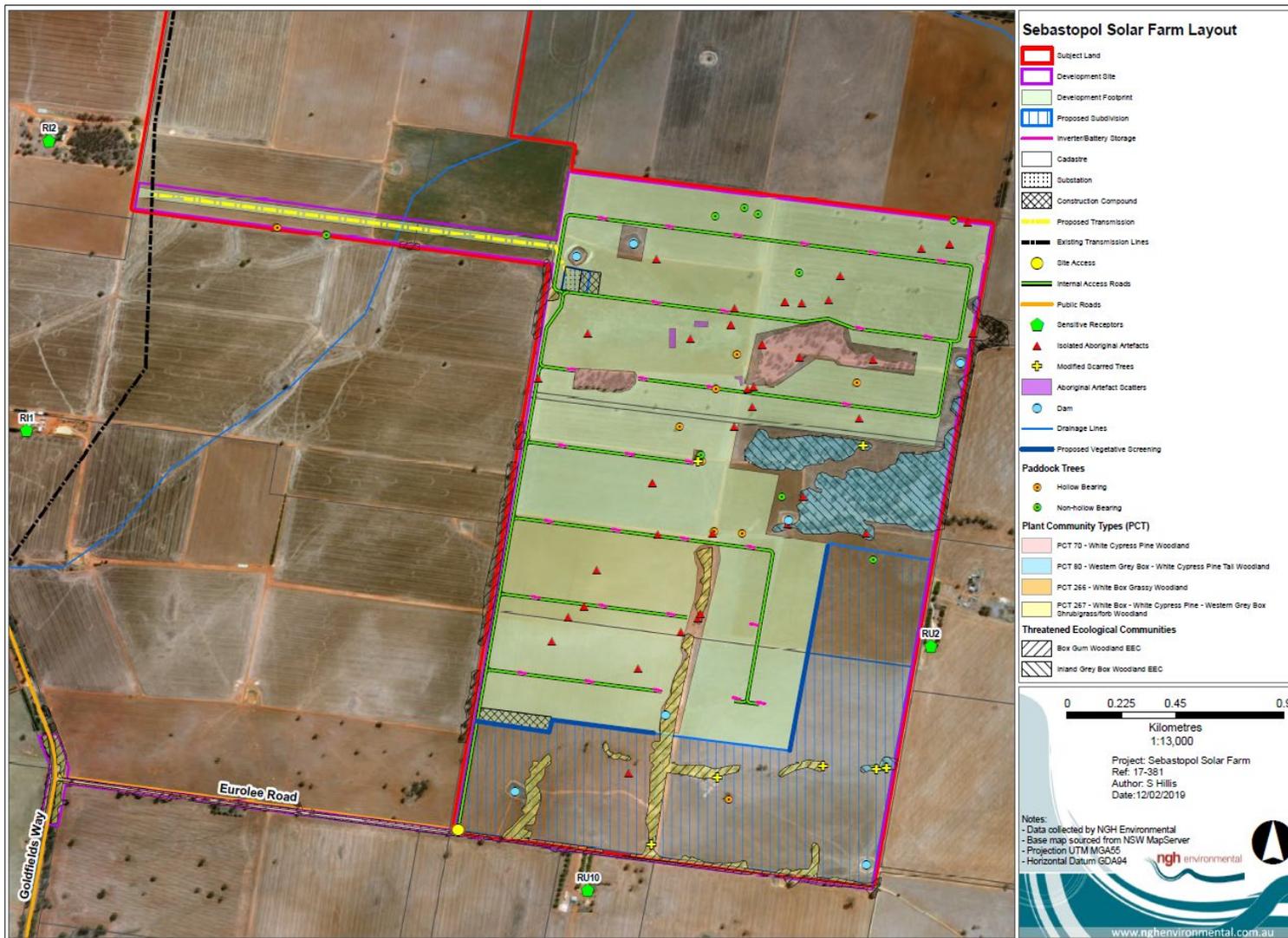
NGH Environmental, 2018, Response to Submissions Sebastopol Solar Farm.

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

OEH, 2010b, Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.

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

APPENDIX A GENERAL LAYOUT OF DEVELOPMENT



APPENDIX B UNEXPECTED FINDS PROTOCOL

B.1 INTRODUCTION

This unexpected find protocol has been developed to provide a method for managing unexpected non-Aboriginal and Aboriginal heritage items identified during the construction and maintenance 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. There are however, 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 which 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 should 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.

B.2 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 project'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 and rock art;
- Human skeletal remains; and
- Remains of historic infrastructure and relics.

B.3 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.

B.4 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.

B.5 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 B6 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 CoC undertake the following steps**
 - a. Establish an appropriate buffer zone of at least 20 metres 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 in line with the mitigation methods and approval requirements of the CoC. 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 under the Conditions of Consent, 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 OEH and Aboriginal stakeholders would need to be undertaken regarding management.
 - 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 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.
 - c. A heritage specialist or the project archaeologist will be engaged to assess the Aboriginal place or object encountered. Registered Aboriginal Party (RAP) representatives may also be engaged 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 the Office of Environment and Heritage (OEH) and works will not recommence at the heritage place or object until advised to do so by OEH. 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 to impact Aboriginal cultural heritage are approved and issued by OEH.

5. 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*.
6. 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.

B.6 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.
- All personnel should then leave the area immediately.

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. The Office of Environment and Heritage must be contacted as soon as practicable and provide any available details of the remains and their location. The OEH's Environment Line can be contacted on 131 555;
 - b. The relevant Aboriginal community groups must be notified immediately
 - c. The relevant project archaeologist may be contacted to facilitate communication between the police, OEH and Aboriginal community groups.

Process:

- If the remains are considered to be Aboriginal by the Police and OEH no work can recommence at the particular location unless authorised in writing by OEH.
- 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 OEH, an appropriate management and mitigation, or salvage strategy will be implemented following further consultation with the Aboriginal community and OEH.

APPENDIX C SALVAGE METHODOLOGY

SURFACE COLLECTION

Each Aboriginal site with surface artefacts that cannot be avoided within the approved development footprint as listed 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 construction 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 (~<10).
- 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. Photos of particularly interesting items only would be taken.

The reburial location would need to be agreed with by the landowner, ib vogt GmbH, the NGH archaeologists and the Aboriginal parties and be outside the proposed development footprint within the Project area. The location of the reburied artefacts would be noted with AHIMS site cards 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. A representative from each of the Registered Aboriginal Parties would be provided with the opportunity to assist the archaeologist with the reburial of the salvaged objects.

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

During the salvage program and prior to the reburial of the salvaged artefacts, the reburial location/s will also be provided to ib vogt GmbH Project Team to ensure that this site/s are fenced and protected during the construction and operation of the solar farm.

A brief letter style report will be prepared outlining the steps taken above. The report would be provided to ib vogt and the registered Aboriginal parties to document the findings, which may also satisfy the development conditions.

APPENDIX D OEH AND ABORIGINAL COMMUNITY CONSULTATION

The following consultation has occurred in the preparation of this CHMP.

Organisation	Contact	Action	Date Sent	Reply Date	Replied by	Response
Draft CHMP sent out to RAPs and OEH						
Warrabinya Cultural Heritage and Assessment Group	Edward Whyman	via email	13/06/2019			
Bundyi Aboriginal Cultural Knowledge	Mark Saddler	via email	13/06/2019			
Young Local Aboriginal Land Council		via email	13/06/2019			
Young Local Aboriginal Land Council	Enid Clarke	via email to Enid	13/06/2019			
Young Local Aboriginal Land Council	Alona Apps	via email to Enid	13/06/2019			
Young Local Aboriginal Land Council	Krystal Ingram	via email to Enid	13/06/2019			
Young Local Aboriginal Land Council	Norma Freeman	Young LALC to provide members as indicated in email	13/06/2019			
Young Local Aboriginal Land Council	Jirrah Freeman	Young LALC to provide members as indicated in email	13/06/2019			
Young Local Aboriginal Land Council	Jahnayah (Nayah) Freeman	Young LALC to provide members as indicated in email	13/06/2019			
Young Local Aboriginal Land Council	Keith Freeman	Young LALC to provide members as indicated in email	13/06/2019			

Young Local Aboriginal Land Council	Marnie Freeman	Young LALC to provide members as indicated in email	13/06/2019			
Wagga Wagga LALC	Lorraine Lyons	via email	13/06/2019			
OEH		Via email	13/06/2019	20/06/2019	via email	<p>OEH has reviewed the draft Sebastopol Solar Farm CHMP prepared by NGH (June 2019). It is reasonably comprehensive and prepared in accordance with the Conditions of Consent. We have two comments on the CHMP that relate to the Unexpected Finds Protocol in Appendix B.</p> <ul style="list-style-type: none"> • B5. 3b (on page 20 of CHMP): Any newly identified Aboriginal objects must be notified to the OEH in accordance with s89A of the NPW Act. This notification process is not switched off under SSD. <p>Recommend: to add that an AHIMS site card will be completed on the discovery of newly identified Aboriginal objects / Aboriginal heritage items.</p> <p>Should the object(s) / heritage items be salvaged under the Conditions of Consent, an Aboriginal Site Impact Recording Form (ASIRF) must be completed and submitted to AHIMS.</p> <p>Salvage of Aboriginal heritage items would not include scarred trees. If previously unidentified scarred trees are identified, further consultation with OEH and Aboriginal stakeholders would need to be undertaken regarding management.</p> <ul style="list-style-type: none"> • B5 4d. (page 20 of CHMP) <p>Recommend: to add that a site card will be completed and submitted to AHIMS for registration.</p>
reminder sent to all RAPs listed above re comments		via email	27/06/2019			
Bundyi Aboriginal Cultural Knowledge	Mark Saddler	via email	27/06/2019	27/06/2019	via email	Noted "All good" no other comments received.
reminder sent to all RAPs re comments		via email	08/07/2019			No additional comment received from RAPs as of the 11/07/2019

From: Andrew Fisher
Sent: Thursday, 20 June 2019 9:22 AM
To: Kirsten Bradley
Cc: Lyndon Patterson
Subject: OEH comments RE: Sebastopol Solar Farm CHMP for OEH review

Hi Kirsten,

OEH has reviewed the draft Sebastopol Solar Farm CHMP prepared by NGH (June 2019). It is reasonably comprehensive and prepared in accordance with the Conditions of Consent.

We have two comments on the CHMP that relate to the Unexpected Finds Protocol in Appendix B.

- B5. 3b (on page 20 of CHMP): Any newly identified Aboriginal objects must be notified to the OEH in accordance with s89A of the NPW Act. This notification process is not switched off under SSD.

Recommend: to add that an AHIMS site card will be completed on the discovery of newly identified Aboriginal objects / Aboriginal heritage items.

Should the object(s) / heritage items be salvaged under the Conditions of Consent, 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 OEH and Aboriginal stakeholders would need to be undertaken regarding management.

- B5 4d. (page 20 of CHMP)

Recommend: to add that a site card will be completed and submitted to AHIMS for registration.

Please contact Lyndon Patterson in the first instance if you have any questions about this.

Regards,

Andrew



Andrew Fisher

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Contact the Office of Environment and Heritage (OEH) South West Planning Team about biodiversity and Aboriginal cultural heritage planning and regulation matters by emailing rog.southwest@environment.nsw.gov.au.