



# NEOEN Solar Farm Project

# Cultural Heritage Management Plan

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## TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>3</b>
1.1	<i>Purpose .....</i>	<b>3</b>
1.2	<i>Document Responsibilities .....</i>	<b>3</b>
1.3	<i>Document Amendment and Distribution .....</i>	<b>3</b>
1.3.1	Revision Status .....	3
<b>2</b>	<b>DEFINITIONS.....</b>	<b>4</b>
<b>3</b>	<b>ORGANISATION .....</b>	<b>4</b>
3.1	<i>Responsibilities and Authorities.....</i>	<b>4</b>
3.1.1	Project Manager .....	4
3.1.2	General Superintendent.....	4
3.1.3	HSE Coordinator .....	4
3.1.4	All Workers on Site .....	4
3.2	<i>Legal Requirements .....</i>	<b>5</b>
3.3	<i>Contractual Requirements.....</i>	<b>5</b>
<b>4</b>	<b>COMPETENCE, TRAINING AND AWARENESS .....</b>	<b>6</b>
<b>5</b>	<b>CULTURAL HERITAGE MANAGEMENT .....</b>	<b>6</b>
5.1	<i>Objectives.....</i>	<b>6</b>
5.1.1	Indigenous Heritage .....	6
5.2	<i>Potential Environmental Impacts.....</i>	<b>7</b>
5.2.1	Indigenous Heritage .....	7
5.3	<i>Management and Contingency Mitigation Measures.....</i>	<b>7</b>
<b>6</b>	<b>IDENTIFY AND ASSESS.....</b>	<b>7</b>
6.1	<i>Description of potential impacts to heritage items.....</i>	<b>7</b>
<b>7</b>	<b>IMPLEMENT CONTROLS .....</b>	<b>7</b>
7.1	<i>Cultural Heritage Management Control Measures .....</i>	<b>7</b>
<b>8</b>	<b>INSPECT AND TEST.....</b>	<b>8</b>
8.1	<i>Monitoring, Inspection and Reporting .....</i>	<b>8</b>
<b>9</b>	<b>RECORDS.....</b>	<b>9</b>
Appendix 1	<i>Parkes – Heritage Sites .....</i>	<b>10</b>
Appendix 2	<i>Griffith - Heritage Sites .....</i>	<b>11</b>
Appendix 3	<i>DUBBO: South Keswick – Heritage Sites .....</i>	<b>12</b>
Appendix 4	<i>DUBBO: Narromine – Heritage Sites.....</i>	<b>13</b>
Appendix 5	<i>Chance Finds Protocol.....</i>	<b>14</b>

## LIST OF TABLES

Table 1 - Cultural Heritage Mitigation Measures.....	8
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# 1 INTRODUCTION

## 1.1 Purpose

The purpose of this Cultural Heritage Plan (CHP) is to provide a strategy to control construction activities that may have an impact on items and locations of Indigenous Australian and European cultural significance during the Solar Farm project.

This Cultural Heritage Management Plan shall be read in conjunction with the *PL-EV-01 Project Environmental Management Plan*.

## 1.2 Document Responsibilities

Responsibility	Role
Development	HSE Coordinator
Review	Project Manager
Approval	Project Director

Any person may request updating of this Plan.

## 1.3 Document Amendment and Distribution

This document shall be reviewed as follows:

- As requested by Management Review
- When there is a change of method and/or technology that may affect the accuracy of this document; or
- When there has been a significant event to which this document was relevant; or
- As a result of a non-conformance resulting from an audit

Document amendments and distribution will be conducted as per detailed in the *PL-CO-01 Project Management Plan* and the *PL-QA-02 Records Management Plan*.

New and amended documentation issued after the initial approval and distribution of this plan to controlled copy holders shall be identified in the *FS-QA-RG-06 Document Control Register*. Revision details shall be recorded in the *Revision Status Section* of this plan.

All changes to documents shall be reviewed and approved by the same function that performed the original review and approval and as per the cover of this plan, unless specifically designated otherwise.

### 1.3.1 Revision Status

Revision	Revision Date	Issued Date	Nature of modification
0	2016/11/22	YYYY/MM/DD	Issued to Tender
1	2017/01/31	YYYY/MM/DD	Contract Award revision
2	2017/02/06		
3	2017/02/08		
4			

## 2 DEFINITIONS

<b>BYCA</b>	Bouygues Construction Australia Pty Ltd
<b>EPBC</b>	Environment Protection and Biodiversity Conservation Act 1999
<b>EMP</b>	Environmental Management Plan (PL-EV-01)
<b>CHMP</b>	Cultural Heritage Management Plan (PL-EV-07)

## 3 ORGANISATION

### 3.1 *Responsibilities and Authorities*

The Project Organisational chart and overall roles and responsibilities are outlined in the EMP. The key responsibilities for Cultural Heritage Management are as follows:

#### 3.1.1 Project Manager

- Ensuring appropriate resources are available for the implementation of the CHMP

#### 3.1.2 General Superintendent

- Facilitating the access on site to the cultural heritage specialists in charge of assessing the presence of cultural heritage artefacts on site
- Ensuring all workers are familiar with the policy for aboriginal participation, and that this policy is well implemented
- Identifying, analysing and treating the risks before commencing works each day and ensuring that the appropriate controls are implemented and effective; thus controls may be increased or decreased as required
- Making sure the cultural heritage department of the local council has been contacted and is aware of the works being undertaken
- Ensuring all workers on site are aware of the cultural heritage zones to protect
- Verifying the quality of the flagging (star pickets, signs) of the cultural heritage no-go zones

#### 3.1.3 HSE Coordinator

- Responsible for providing assistance and advice to the Project Engineers and Environmental Coordinators to fulfil the requirements of this Plan, assessing data from inspections, monitoring and reporting, and providing project-wide advice to ensure consistent approach and outcomes are achieved
- Contact the cultural heritage department prior to works
- Ensuring all areas have been given clearance by this service regarding the presence of possible cultural heritage artefacts
- The HSE Coordinator is also responsible for the review and update of this Plan

#### 3.1.4 All Workers on Site

In relation to Cultural Heritage management, all workers on site are required to:

- Implement and maintain all applicable control measures
- Mentioning to the HSE coordinator all artefacts or possible artefacts they discover on site

- Flag and signal properly the cultural heritage no-go zones
- Respecting the cultural heritage no-go zones
- Complying with the policy for aboriginal participation

### **3.2 Legal Requirements**

Aboriginal cultural heritage (places, sites and objects) in NSW are protected by the National Parks and Wildlife Act 1974, which is overseen by the Office of Environment and Heritage (OEH) (formerly Department of Environment, Climate Change and Water (DECCW)), and now a part of the Department of Premier and Cabinet. The Environmental Planning and Assessment Act (1979) is overseen by the Department of Planning and Infrastructure, along with other environmental planning instruments, trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

The following Acts, Regulations and Standards are applicable to this Project:

#### **NSW**

- Aboriginal cultural heritage consultation requirements for proponents 2010 (ACHCRP) (OEH 2010b) produced by the NSW Office of Environment and Heritage (OEH)
- Environmental Planning & Assessment Act 1979
- National Parks and Wildlife Act 1974
- National Parks and Wildlife Regulation 2009
- National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010
- Heritage Act 1977

#### **Cth**

- Environment Protection and Biodiversity Conservation Act 1999
- Native Title Act 1993

### **3.3 Contractual Requirements**

BYCA have identified the most critical Environmental Contractual requirements for the project, these are:

#### **Parkes & Griffith**

##### **Chance Finds Protocol**

- Prior to commencement of construction, the Applicant shall prepare a Chance Finds Protocol for the development in consultation with the Aboriginal Stakeholders, and to the satisfaction of OEH (in accordance with Appendix 2 of the Aboriginal Due Diligence Code of Practice).

##### **Management of Aboriginal Heritage Items**

- The Applicant shall carry out the following in consultation with the Aboriginal stakeholders:
  - record the identified heritage items on site and submit the standard documentation to the Aboriginal Heritage Information Management System prior to construction;
  - relocate any heritage items that would be disturbed by the development to suitable alternative locations on the site prior to construction; and protect all heritage items on site, including those that would remain in situ as well as those are relocated, from any impact.

### **Discovery of Human Remains**

- If human remains are discovered on site, then all work surrounding the area shall cease, and the area must be secured. The Applicant shall notify OEH as soon as possible following the discovery, and work shall not recommence in the area until this is authorised by OEH.

### **South Keswick**

The development shall adhere to the recommendations of the Aboriginal Archaeological Assessment prepared by OzArk Environmental and Heritage Management for the South Keswick Solar Farm, dated February 2014. This shall include avoiding the Aboriginal artefacts areas as identified in the Assessment and shown on the approved site plan, unless prior approval has been sought. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

### **Narromine**

If any items are uncovered that are or could be an item of heritage, Appendix 2 of the Aboriginal Due Diligence Assessment is to be followed with the addition of Council under authorities to be notified.

## **4 COMPETENCE, TRAINING AND AWARENESS**

As stated in the EMP all project personnel, subcontractors and consultants will receive training in the group and personal environmental obligations during the *Site Inductions* and *Toolbox Talks*. From time-to-time staff may also attend specific training sessions, when necessary, by the HSE coordinator.

Examples of topics that will be covered during project induction and toolboxes include:

- Potential Heritage items around the site
- Reporting of heritage items to the Site Supervisor/HSE coordinator

## **5 CULTURAL HERITAGE MANAGEMENT**

### **5.1 Objectives**

#### **5.1.1 Indigenous Heritage**

The environmental objectives with regard to the management of indigenous heritage during the construction phase are:

- Meet statutory obligations in relation to the management of indigenous heritage
- Implement where practicable the recommendations made by the indigenous groups of the area in relation to indigenous heritage management
- Minimise and manage impacts to the indigenous heritage environment through responsible heritage management
- Ensure changes to the biophysical environment do not adversely affect historical and cultural associations and comply with relevant indigenous heritage legislation
- Ensure emissions do not adversely affect environmental values or the health, welfare and amenity of people and land uses by meeting statutory requirements and acceptable standards

## 5.2 **Potential Environmental Impacts**

### 5.2.1 **Indigenous Heritage**

The potential impacts of the Project to indigenous heritage values during the construction phase are:

- Indirect contamination to indigenous heritage sites due to run-off, unintentional spills, erosion of contaminated soil and dust
- Indirect contamination to indigenous heritage sites due to contamination of groundwater and surface water flows as a result of clearing, spills, run-off and contamination
- Ground disturbance resulting in disturbance of known or unknown indigenous sites of significance
- Impact on indigenous landscape and cultural value

## 5.3 **Management and Contingency Mitigation Measures**

The following Cultural Heritage Management measures will be implemented:

- This CHMP will be implemented, revised and updated as required
- Report immediately to relevant authorities any incident that impacted or could impact the any indigenous or European heritage, as per the *PR-CO-04 Incident Management Procedure*
- Regular inspection of the works to ensure procedures and precautions are in place to minimise risk to human health and the environment
- Visual identification of any heritage sites within the Project area. Include a buffer around these sites to prevent any unnecessary access
- All personnel will be educated on the importance of indigenous and European heritage management and associated management measures as part of the induction program
- Implement any specific conditions applied to the Project by regulatory authorities
- No unauthorised disturbance of indigenous and/or European heritage sites that are within or near the Project area will be conducted

The success of management strategies will be reviewed on a regular basis to confirm its continued suitability for the site. Should the risk to the environment or to human health change during the construction period, management options will be reviewed.

## 6 **IDENTIFY AND ASSESS**

### 6.1 **Description of potential impacts to heritage items**

- Appendix 1 – Parkes
- Appendix 2 – Griffith
- Appendix 3 – DUBBO: South Keswick
- Appendix 4 – DUBBO: Narromine

## 7 **IMPLEMENT CONTROLS**

### 7.1 **Cultural Heritage Management Control Measures**

Project mitigation and management measures for cultural heritage impacts during construction are outlined in the table below:

**Table 1 - Cultural Heritage Mitigation Measures**

Source/Reference		
Mitigation Measure	Responsibility	Timing
<b>Pre-Construction</b>		
Incorporate discussion on Aboriginal and European Cultural Heritage impacts and mitigation measures into Site Induction.	HSE coordinator/Site Engineer/General Superintendent	Pre-Construction
All efforts should be made in the design stage to avoid the artefacts recorded during the survey.	HSE coordinator/Site Engineer/General Superintendent	Pre-Construction
<b>During Construction</b>		
If complete avoidance is not possible, the artefacts should be collected and moved to a safe area within the property, as close as possible to their original location, which will not be subject to ground disturbance. The collection and relocation should be undertaken by representatives of the Griffith LALC. A new AHIMS site card will need to be completed identifying the new location of the moved artefacts.	HSE coordinator/Site Engineer/General Superintendent	Construction
If items of aboriginal cultural heritage are identified, works are to immediately stop in that area. Chance Finds Protocol (Appendix 5) must be followed.	HSE coordinator/General Superintendent	As applicable
In the unlikely event that human remains are discovered during the construction, all work must cease. OEH, the local police and Griffith LALC (GRIFFITH), Peak Hill LALC (PARKES) or relevant LALC should be notified. Further assessment would be undertaken to determine if the remains were Aboriginal or non-Aboriginal. Chance Finds Protocol (Appendix 5) must be followed.	HSE coordinator/Site Engineer/General Superintendent	As applicable
Further archaeological assessment would be required if the proposal activity extends beyond the area of the current investigation. This would include consultation with the relevant LALC and may include further field survey.	HSE coordinator/Site Engineer/General Superintendent	As applicable
Should an item of historic heritage be identified, the Heritage Division (OEH) would be contacted prior to further work being carried out in the vicinity.	HSE coordinator/Site Engineer/General Superintendent	As applicable

## 8 INSPECT AND TEST

### 8.1 *Monitoring, Inspection and Reporting*

Daily visual inspections of the construction site will be undertaken by the HSE coordinator and construction personnel to identify any potential cultural heritage management issues. Any actions to



be undertaken as a result of site inspections will be recorded in the *FS-QA-RG-02 Corrective & Preventative Actions Register*.

## **9 RECORDS**

A record shall be maintained as per *PR-QA-01 Document Control and Record Management Procedure*.

**Appendix 1**      **Parkes – Heritage Sites**

**Appendix 2**      **Griffith - Heritage Sites**

**Appendix 3**

***DUBBO: South Keswick – Heritage Sites***

**Appendix 4**      ***DUBBO: Narromine – Heritage Sites***

## Appendix 5 Chance Finds Protocol

# HERITAGE UNEXPECTED FINDS PROTOCOL - Draft

### PURPOSE

This unexpected finds 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 finds 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).

Despite undertaking appropriate heritage assessment prior to the commencement of the Project, unexpected heritage items may still be identified during construction, operation and maintenance works. If this happens the following unexpected finds protocol plan should be implemented.

### 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, hearths and rock art;
- Human skeletal remains; and
- Remains of historic infrastructure and relics.

### 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 FINDS MANAGEMENT PROCEDURE

In the event that any unexpected Aboriginal heritage places or objects or any substantial intact historic archaeological relics of State or local significance are unexpectedly discovered during the Project, the following management protocols will be implemented:

1. Works at that identified heritage location will cease with an appropriate buffer zone of at least 20 metres to allow for the assessment and management of the find. All site personal will be informed about the buffer zone with no further works to occur within the buffer zone.

2. Heritage specialist will be engaged to assess the Aboriginal place or object encountered, Representative from the registered the Aboriginal Stakeholders for the Project may also be engaged to assess the cultural significance of the place or object;
3. The Project approvals will be reviewed to assess consistency with the approvals to impact Aboriginal heritage within the Project area
4. The discovery of an Aboriginal place or object will be reported to the local office of the Office of Environment and Heritage (OEH);
5. If the Aboriginal heritage places or objects are found to be covered under the existing approvals to impact Aboriginal heritage within the Project area, works may continue to be conducted in accordance with mitigation measures and approval requirements.
6. If the Aboriginal heritage places or objects are found to not be covered under the existing approvals to impact Aboriginal heritage within the Project area, works will not recommence at the heritage place or object until advised to do so by OEH.
7. If the heritage place or object can be managed in situ, works at the heritage location will not recommence until appropriate heritage management controls have been implemented, such as protective fencing.
8. 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.
9. 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.

#### **HUMAN SKELETAL REMAINS**

Where human skeletal remains are unexpectedly found during works for the Project the following protocol would be adopted:

1. Works at that location will cease, and an appropriate buffer zone of at least 50 metres will be established;
2. The human remains will not be moved;
3. The NSW police will be notified, and if the human remains are deemed a crime scene, the place will be managed by the police;
4. Should the human remains be deemed Aboriginal or historical by the police, OEH must be notified immediately to assess the remains; and
5. Should the human remains be deemed Aboriginal in origin all registered Aboriginal parties for the Project are to be notified in writing.

The above process functions only to appropriately identify the human remains and secure the site, from which time the management of the remains is to be determined through liaison with the NSW police, OEH and the relevant Aboriginal stakeholders.