

Final v 3
Sapphire Solar Farm
Kings Plains via Inverell, NSW
Chance Finds Protocol

Date: 25 January 2019
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Local Government Area: Inverell



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INTRODUCTION

This document has been prepared by Julie Dibden, NSW Archaeology Pty Ltd, for CWP Renewables on behalf of Sapphire Solar Farm Pty Ltd (the Proponent). The document forms a component of the Sapphire Solar Farm (SSF; the Project) Environmental Management Strategy (EMS).

The Aboriginal heritage in the Sapphire Solar Farm was recorded during the EIS in 2017, as documented in the report entitled:

Julie Dibden (2018) Sapphire Solar Farm Kings Plains via Inverell, NSW
A report to CWP Solar Pty Ltd

As a condition of Development Consent, one Aboriginal object site in the project area was required to be salvaged. This site, *SU13/L1* was subject to a salvage exercise on 17 October 2018.

This document has been prepared to satisfy the following additional Conditions of Development Approval in respect of Aboriginal Heritage:

Discovery of Human Remains

18. Discovery of Human Remains – If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and OEH as soon as possible following the discovery, and all work must not commence in the areas until this is authorised by OEH.

Chance Finds Protocol

19. Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with Aboriginal stakeholders and to the satisfaction of OEH.

This Chance Finds Protocol describes the measures that will be implemented to manage chance finds and human remains in the unlikely event that they are uncovered during construction. There is no Condition of Development Approval which requires an Aboriginal Cultural Heritage Management Plan. This document forms the heritage management requirements for the project, which, are formed around the responses to unexpected discoveries.

A draft copy of this plan was provided to all Registered Aboriginal Parties for the project. One response was received from Harry White via email on the 13th November 2018, in which he endorsed the protocol.

1. DISCOVERY OF HUMAN REMAINS

1.1 Human Remains

Burial sites have been recorded within the wider region. However, they are rarely found during field survey and none were found during the assessment of the SSF.

Furthermore, given the topography, nature of the soils and geology, the potential for burials to be present in the project area is considered to be negligible. However, in the unlikely event that human remains are found during construction, a protocol is set out below.

1.2 Humans Remains Protocol

Should suspected human remains be encountered, the following process should be adhered to.

1. Do not further disturb or move the remains.
2. Immediately cease work in the vicinity and cordon area off (with buffer of 2m).
3. Notify the NSW Police.
4. Notify the project manager (who will contact a suitably qualified archaeologist) and the NSW OEH Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location.
5. In the event that the bones are not human, works may recommence. While it is considered most unlikely, it will be necessary to ensure that the bones are not associated with traditional ceremonial or subsistence activities. If there is any uncertainty in this regard, the project manager should consult an appropriately qualified archaeologist.
6. If the bones are human and likely to be Aboriginal remains, the relevant Aboriginal communities must be notified.
7. If the bones are required to be subject to Police investigation, then direction from the Police shall be followed.
8. Works cannot recommence in the area until this is authorised to do so in writing by OEH.

For bones that are considered to be Aboriginal remains an assessment should also occur to determine whether the impact is consistent with the Development Approval, or if modification is required.

2. CHANCE FINDS PROTOCOL

2.1 Chance Finds

In the unlikely event that unexpected Aboriginal objects (chance finds) or values are encountered during construction (such as very high artefact distributions in areas previously assessed to contain low densities) a chance finds protocol is set out below.

2.2 Chance Finds Protocol

The following steps should be followed in the event of chance finds being uncovered during construction:

1. All construction that could potentially harm the Aboriginal objects or values must cease (including stopping all construction within at least 20 m). Only construction that is required to comply with occupational and environmental health and safety standards and/or to protect the cultural heritage should occur.
2. The person who identified the Aboriginal objects or values must immediately notify the person in charge of the activity. The Project Superintendent or Foreman and the Contractor's Environmental Site Representative is to be notified.
3. The item is to be protected by the establishment of a no-go zone.
4. If the item is likely to be a human bone, follow the human remains process as discussed above and notify the Police.
5. Works may continue outside of the minimum 20 m barrier.
6. A suitably qualified archaeologist is to be notified within 24 hours of the discovery.
7. A suitably qualified archaeologist is to attend site where required and conduct a preliminary assessment and recording of the chance find. The location and context of the Aboriginal object or value is to be recorded.
8. Within five (5) days of the Aboriginal objects or values being discovered, the archaeologist is to facilitate the involvement of any relevant RAPs and, in consultation, recommend the most appropriate course of action.

9. Where the item is an Aboriginal object, the discovery must be reported to the NSW OEH within 48 hours of confirming it to be an Aboriginal object.
10. The archaeologist must assess the scientific significance of the Aboriginal objects or values. If the Aboriginal objects or values are assessed as being of:
 - a) Low scientific significance (eg isolated artefacts or disperse/small artefact scatters, eroding earth features) and where avoidance is impossible, the objects should be collected and curated until all works are completed.
 - b) **Moderate or higher scientific significance**, it is preferable to avoid impact if possible. If avoidance is not possible, a salvage excavation should be undertaken, if relevant. The aims of the salvage excavation will be to obtain as much information as possible from the material and/or deposit.
 - Salvage must occur within 30 working days unless constraints (eg weather) occur. The archaeologist must facilitate the involvement of any relevant RAPs and develop a suitable methodology for salvage excavation in consultation with the RAPs and the OEH. The location and context of the cultural heritage material must be recorded in detail and an Aboriginal Site Impact Recording Form completed and submitted to NSW OEH within four (4) months from the end of salvage excavations. A report detailing the excavation, analysis and results must be provided to NSW OEH within twelve (12) months of completion of the salvage.
 - In the event that Aboriginal objects are salvaged, regardless of significance, they must be curated in accordance with conventional archaeological practice, that is, the material must be identified, packaged, labelled with reference to provenance, appropriately catalogued and packed securely. The proponent must arrange for the secure storage of Aboriginal cultural material in a specified location until it can be transferred to the relevant RAPs or buried in country. A report must be produced to accompany the curated material.

- Curated Aboriginal objects together with the aforementioned report must be provided to the relevant RAPs and a copy of the report must be submitted to the OEH AHIMS and OEH North East Planning unit within three (3) months of the salvage being completed.
 - If curated Aboriginal objects are not reburied on site but are proposed to be kept by a representative of the local Aboriginal community an application for 'Care and Control' must be lodged with the North East OEH Planning unit in accordance with the requirements of the 'National Parks & Wildlife Act 1974'.
 - If reburial of any cultural material is to take place, it must be in accordance with the relevant RAPs requirements or to the satisfaction of the project archaeologist. The archaeologist must complete and submit any related Aboriginal Site forms to NSW OEH within 30 days of the reburial taking place.
11. Within 60 days of being notified, complete and submit relevant recording forms to NSW OEH.
12. Work may commence within the area of exclusion when:
- a) the appropriate protective measures have been undertaken;
 - b) where the relevant Aboriginal cultural heritage records have been updated and/or completed; and
 - c) where all parties agree there is no other prudent or feasible course of action.