

PLANNING AND ENVIRONMENT ACT 1987
PLANNING SCHEME WOYNE
PERMIT NO. 2006/0220/B
ENDORSED PLAN
SHEET 1 OF 10
SIGNED [Signature] FOR
MINISTER FOR PLANNING
DATE: 18/10/19

JACOBS[®]

Woolsthorpe Wind Farm

Siemens Gamesa Renewable Energy Pty Ltd.

Cultural Heritage and Archaeology Management Plan

ENDORSED TO COMPLY
WITH CONDITION
13f
OF PLANNING PERMIT
2006/0220/B

IS280600_CHAMP | 4

25 June 2019

Woolsthorpe Wind Farm

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Document history and status

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1	18/04/2019	Draft Cultural Heritage Plan	Richa Ekka	Roger Winders	Hugh Griggs
2	15/05/2019	Update following client review	Richa Ekka	Andrew Wallace	Hugh Griggs
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1. Introduction

1.1 Purpose

The primary purpose of this Cultural Heritage and Archaeology Management Plan (CHAMP) is to outline how construction works will be managed to prevent unintended impact on known and unknown archaeological and heritage items. This plan outlines the measures to be undertaken in the event that cultural heritage is discovered.

The objectives of this document are:

- Comply with contractual and legislative requirements
- Ensure that existing and undiscovered heritage items are protected from construction activities
- Identify and protect any new artefacts or heritage sites before any harm can take place.

1.2 Planning permit conditions

This CHAMP has been developed in accordance with Condition 15 f) of the planning permit 2006/0220/A which as of May 2019 is with the Minister of Planning for amendment. The planning permit condition in its current form cannot be satisfied due to the status of the Framlingham Aboriginal Trust. The following planning permit conditions have been addressed within this plan:

Table 1 : Planning permit conditions and relevant sections

Condition number	Condition	Relevant section
15 f) i.	Protocols for the management of archaeological and cultural heritage on the land during construction in order to manage and protect Aboriginal cultural heritage;	Section 5
15 f) ii.	Protocols for consultation with the Registered Aboriginal Party, or where no Registered Aboriginal Party exists, the traditional land owners for the area;	Section 3
15 f) iii.	Procedures for seeking and obtaining any necessary permits and for entering into any necessary agreements under the <i>Aboriginal Heritage Act 2006</i> ; and	Section 4
15 f) iv.	Protocols for protecting and reporting the discovery of any human remains in accordance with the requirements of the Victoria Police, the Victorian State Coroners Office and Aboriginal Affairs Victoria.	Section 6

1.3 Previous Studies

A survey investigation was conducted by Andrew Long and Associates and a survey report was prepared in March 2011 which identified a low likelihood of aboriginal cultural heritage being discovered in the area and no evidence of post settlement heritage aspects.

2. Legislative and policy requirements

The key legislation and policy requirements that are relevant to the management of Aboriginal cultural heritage are as follows:

Federal legislation:

- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

Victorian legislation:

- *Aboriginal Heritage Act 2006*
- *Aboriginal Heritage Regulations 2018*
- *Heritage Act 2017*

3. Consultation

This CHAMP has been prepared in accordance with relevant heritage guidance material. No other Victorian Government Agency consultation is required by the Planning Permit conditions prior to endorsement by the Minister of Planning.

It is intended a voluntary Cultural Heritage Management Plan (CHMP) will be prepared for the project. A notice of intent to prepare a Cultural Heritage Management Plan has been submitted (CHMP16507). Such a CHMP would contain details of research, field evaluation, consultation and management provisions in regard to the Aboriginal heritage present in the area. The CHMP would identify and record any actual or potential Indigenous and/or non-indigenous heritage areas that have the potential to be impacted on during operations. During the preparation of a CHMP, Registered Aboriginal Parties (RAP), traditional owners or Aboriginal Victoria (AV) will be consulted. It is the role of these agencies to approve a CHMP if it meets prescribed standards.

3.1 RAP, traditional owner or AV consultation

The following protocol will be followed for consultation:

- Sponsors are required to notify relevant agencies in writing when they intend to prepare a CHMP. If the agency does not reply or declines to evaluate the plan, the sponsor must notify the Secretary to Department of Premier and Cabinet (DPC) that the RAP has declined to evaluate the Plan or has failed to respond within 14 days. The sponsor may apply to the Secretary to evaluate the Management Plan.
- Where there is no RAP, the Secretary (DPC) evaluates any Management Plan in that area.
- Once approved, copies of the CHMP are to be provided to all stakeholders with a copy to be kept on site at all times.
- The CHMP may also have further requirements which would need to be adhered to.

4. Permits and Agreements

This section of the Plan details the procedures for seeking and obtaining any necessary permits and for entering into any necessary agreements under the *Aboriginal Heritage Act 2006*. These permits are only required under the absence of a CHMP.

4.1 Cultural Heritage Permits

A cultural heritage permit is required for works which:

- disturb or excavate land to uncover or discover Aboriginal cultural heritage
- rehabilitate land at an Aboriginal place
- inter Aboriginal ancestral remains at an Aboriginal place
- carry out research on an Aboriginal place
- carry out an activity that will, or is likely to, harm Aboriginal cultural heritage
- remove an Aboriginal cultural heritage object from Victoria.

A cultural heritage permit is required for the above activities even if a CHMP is not required.

If a cultural heritage permit is required, a permit application will be made to the RAP or relevant agency for the area. If there is no RAP, the application must be made to the Secretary to the Department of Premier and Cabinet. An application for a cultural heritage permit must be made using the approved form. The detail required for the application varies depending on the purpose for which a cultural heritage permit is being sought.

Approved forms to acquire a cultural heritage permit can be accessed on the Aboriginal Victoria website- <https://www.vic.gov.au/aboriginalvictoria/heritage/heritage-tools-and-publications/guides-forms-and-practice-notes-for-aboriginal-heritage-management.html##C>

4.2 Cultural Heritage Agreements

A Cultural Heritage Agreement is a voluntary agreement between a RAP or relevant agency and another party/parties on the management or protection of Aboriginal cultural heritage. It might involve two parties or it could include multiple land-owners, depending on the area or objects involved. An agreement cannot be made if either a Cultural Heritage Permit or Cultural Heritage Management Plan is required, as an agreement cannot provide permission to harm Aboriginal cultural heritage. A Cultural Heritage Agreement cannot substitute for a Cultural Heritage Permit or a Cultural Heritage Management Plan.

A Cultural Heritage Agreement can deal with a variety of matters that include but are not limited to:

- the protection, maintenance or use of land containing an Aboriginal place or object
- the right for Aboriginal people to access or use Aboriginal places or objects
- provision for the rehabilitation of Aboriginal places or objects

If the project decides to lodge a cultural heritage agreement application, the RAP or relevant agency will be contacted and the application will be prepared in consultation with the RAP or relevant agency. The Secretary, Department of Premier and Cabinet is advised when the agreement application is lodged. When approved, the Secretary then submits the Cultural Heritage Agreement to the Registrar of Land Titles, and the Agreement is attached to the land. Any covenants relating to the Aboriginal stone arrangement will then remain in place, even if the land is sold.

Approved forms to apply for a cultural heritage agreement can be accessed on the Aboriginal Victoria website- <https://www.vic.gov.au/aboriginalvictoria/heritage/heritage-tools-and-publications/guides-forms-and-practice-notes-for-aboriginal-heritage-management.html##C>

5. Discovery of Aboriginal Cultural Heritage

If Aboriginal Cultural Heritage is uncovered and/or identified on the project during the works, the following process will be undertaken to mitigate any adverse impacts to these areas.

- Work at the immediate location is to be suspended, and the site isolated with an Exclusion Zone/‘No-Go Zone’ of at least 20m around the findings.
- The Project Manager (PM) is to be notified immediately.
- Work at the immediate location is to be suspended within 20m of the findings.
- Record the GPS coordinates and photographic records of the item.
- Works may resume outside of the 20m exclusion zone, however these works must be suspended if further cultural heritage is found.
- The PM or Environmental Representative must notify the Heritage Advisor (HA) and the RAP or relevant agency of the findings within 24 hours of discovery.
- The HA must attend site within 24 hours of the discovery.
- Enable RAP(s) or other agreed Aboriginal stakeholder(s) to inspect site within five business days of notification and remove/rebury any cultural heritage material found.
- The nature and extent of any potential cultural heritage will need to be evaluated. A HA will assist in this evaluation process and provide guidance on the management process moving forward.
- Consultation with the PM, Superintendent, relevant approval authorities on site and the engaged cultural heritage advisor will be required to determine the process to be followed to manage the discovered cultural heritage, and how to proceed with the works. Agreement from PM or superintendent will be required for the proposed process for management of the discovered cultural heritage prior to implementation.
- If there is a requirement to disturb any cultural heritage discovered on the project, a cultural heritage permit will need to be obtained from the relevant authority and its conditions comply with. Removal of any cultural heritage from the site shall be undertaken in accordance with statutory requirements and relevant cultural heritage permit conditions.
- Works may recommence in the relevant area if all relevant cultural heritage records have been updated and/or completed, and –
 - works can resume without risk to the discovered cultural heritage, or
 - the discovered cultural heritage been removed from the relevant part of the works area; or
 - any agreed or stipulated cultural heritage management actions have been fully implemented.

When the CHMP is approved, this process will be replaced by the process to mitigate impacts outlined in the CHMP.

6. Discovery of human remains

If human remains are uncovered and/or identified on the project during the works, the following process will be undertaken:

- If suspected human remains are discovered, all activity in the vicinity must cease immediately to ensure minimal damage is caused to the remains; and,
- The remains must be left in place, and protected from harm or damage.
- Once suspected human skeletal remains have been found, the Coroners Office and the Victoria Police must be notified immediately;
- If there is reasonable grounds to believe that the remains could be Aboriginal, the Coronial Admissions and Enquiries hotline must be immediately notified on 1300 888 544;
- All details of the location and nature of the human remains must be provided to the relevant authorities.
- If it is confirmed by these authorities that the discovered remains are Aboriginal skeletal remains, the person responsible for the activity must report the existence of the human remains to the Secretary, Department of Premier and Cabinet in accordance with the *Aboriginal Heritage Act 2006*.

7. Historical (non-aboriginal) heritage values

The project will identify and record any historic heritage areas that have the potential to be impacted on during project works. A 'No-Go Zone' shall be established for identified Heritage sites that are to be protected. Temporary fencing with signage of 'No-Go Zone' will be located a minimum of 1m beyond the limit of the Heritage site for the duration of the construction period.

If non-aboriginal heritage values are uncovered and/or identified on the project during the works, there must be notification of the project archaeologist and heritage advisor, Tardis Enterprises or another qualified archaeologist and cultural heritage advisor, of the findings for an expert to review and advise the next steps.