

Roads and Traffic Authority

Pacific Highway Upgrade -
Oxley Highway to Kempsey
Aboriginal Heritage Working Paper

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1. Introduction

1.1 The Proposal

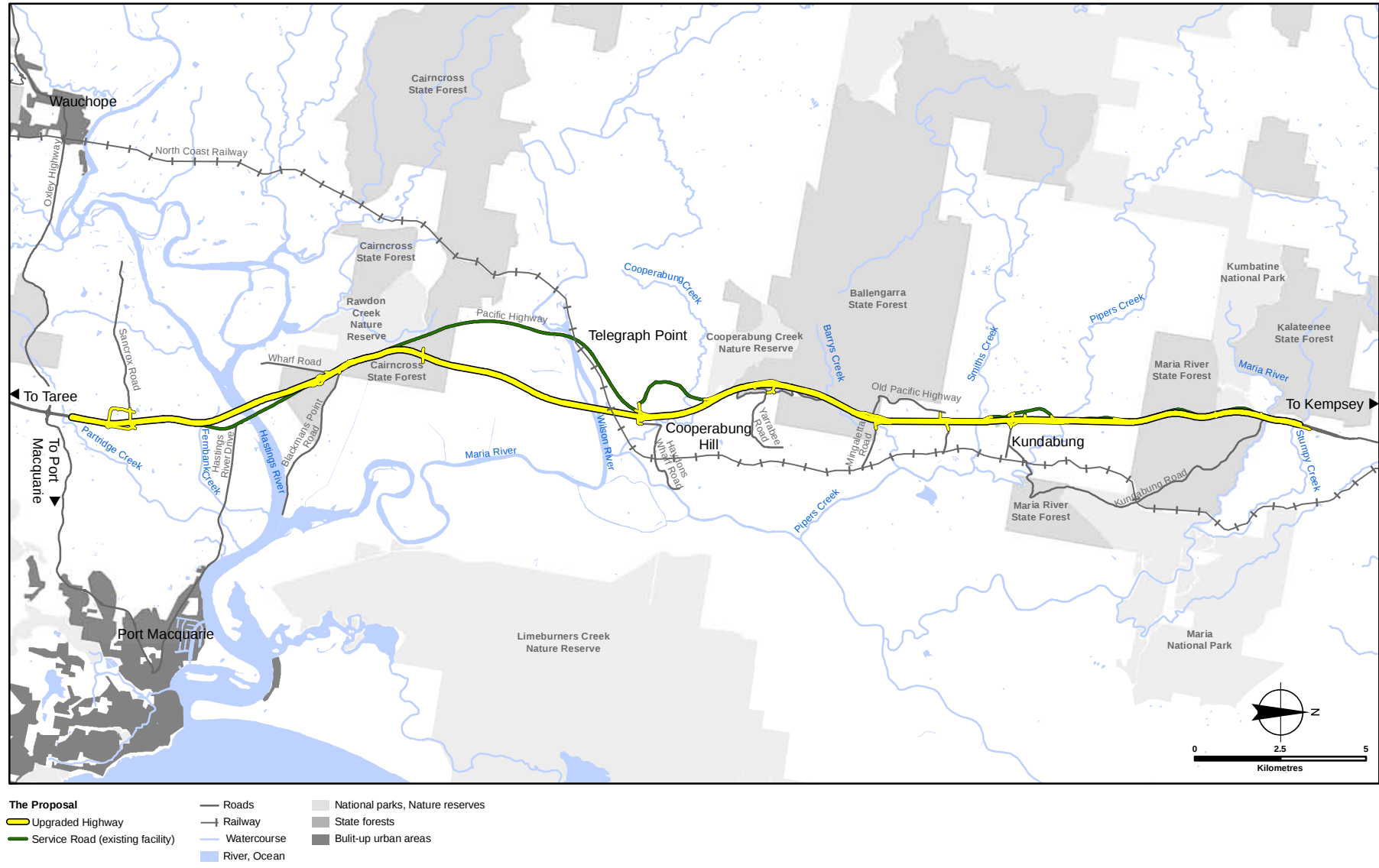
The proposed upgrade of the Pacific Highway between the Oxley Highway and Kempsey (the Proposal) is part of the Pacific Highway Upgrade Program, being implemented by the NSW Roads and Traffic Authority (RTA). The Pacific Highway Upgrade Program is a joint commitment by the NSW and Commonwealth Governments to provide continuous dual carriageway on the Pacific Highway between Hexham (near the F3 Freeway) near Newcastle and the Queensland border.

The Proposal is located within the Port Macquarie-Hastings and Kempsey local government areas and would commence approximately 700 metres north of the Oxley Highway interchange, tying in with the existing dual carriageways to the south, and continue northwards to tie in at Stumpy Creek with the dual carriageways of the proposed Kempsey to Eungai Pacific Highway upgrade (**Figure 1-1**). At the northern end of the Proposal, the eastern service road would extend approximately 320 metres further to the north of Stumpy Creek to tie in with the proposed Kempsey to Eungai upgrade. The majority of the Proposal would require duplication of the existing highway. Two main sections of the Proposal would deviate from the alignment of the existing highway. These are in the vicinity of the Hastings River and the Wilson River. The existing highway would be retained wherever possible for use as a service road or local road connection.

The general features of the Proposal are:

- Approximately 37 kilometres of four-lane dual carriageway (two lanes in each direction) with a wide median to allow a future upgrade to six lanes.
- A new alignment across the Hastings River and Wilson River floodplains and minor realignment within Maria River State Forest.
- 100 year average recurrence interval flood immunity, with the exception of the Wilson River floodplain where the road embankment would be above the 20 year average recurrence interval flood level.
- A bypass of Telegraph Point. Access to and from Telegraph Point would be provided by a new grade separated interchange in the area of Blackmans Point Road south of Telegraph Point and a half interchange in the area of Haydons Wharf Road north of Telegraph Point.
- Overbridges located to the south of Sancrox Road, at Bill Hill Road, Mingaletta Road, Wharf Road, Kundabung Road and Middle Gate Road.
- The existing Pacific Highway near Blackmans Point Road and Yarrabee Road passing under the Proposal.
- Major cuttings through Cooperabung Hill.
- New major bridge structures for the Hastings River and Wilson River crossings, and the crossing of the North Coast Railway to the north of the Wilson River.
- Smaller bridges for a number of creek crossings.
- Provision of two new rest areas south of Mingaletta Road.
- Provision of a service road network using sections of the existing highway, existing local roads and new roads.

Figure 1-1 Location of the Proposal



1.2 Assessment approach

South East Archaeology (SEA) was commissioned to undertake an Aboriginal heritage impact assessment for the Proposal. The Aboriginal heritage impact assessment was conducted in two phases:

- An initial predictive desktop study to assist with the selection of feasible route options, in consultation with the Aboriginal community (Kuskie 2005a, 2005b).
- Detailed investigations of the Proposal, including a comprehensive field survey undertaken with the registered Aboriginal stakeholders, and sub-surface investigations.

The *Aboriginal Heritage Impact Assessment of the Proposed Upgrade of the Pacific Highway between the Oxley Highway and Kempsey, New South Wales* prepared by South East Archaeology (2010) formed the basis for this Aboriginal Heritage Working Paper. The report prepared by South East Archaeology is a confidential report that will not be released to the public in order to protect the Aboriginal heritage evidence identified in that report.

1.2.1 Director-General's environmental assessment requirements

The Aboriginal heritage impact assessment has been undertaken in response to the NSW Department of Planning Director-General's environmental assessment requirements, which were issued on 28 August 2007, and amended on 14 November 2008. The Director-General's environmental assessment requirements state that in relation to Aboriginal heritage, provide an assessment that includes:

- Aboriginal cultural heritage values of the route, specifically on both artefact, potential archaeological deposits and landscape cultural values (such as watercourses) and mitigation measures where relevant.
- Regional scale cumulative impacts and identify the significance of the impacts of the project in the context of the Pacific Highway Upgrade Program.
- An appropriate and justified level of consultation with relevant parties, including the NSW Department of Environment, Climate Change and Water (DECCW) and special interest groups, including local Aboriginal councils.

A copy of the Director-General's environmental assessment requirements is included in Appendix A of the *Oxley Highway to Kempsey Upgrading the Pacific Highway Environmental Assessment* (GHD 2010).

1.2.2 Aims of the assessment

The principal aims of the Aboriginal heritage impact assessment are to address the Director-General's environmental assessment requirements, and specifically:

- Undertake research, an archaeological survey and consultation with the Aboriginal community to identify and record any Aboriginal heritage evidence, areas of potential evidence (including features of cultural significance) and cultural values.
- Assess the potential impacts of the Proposal upon any identified or potential Aboriginal heritage evidence or cultural values.
- Assess the significance of any Aboriginal heritage evidence or cultural values identified.

- Provide details of any Aboriginal heritage evidence or cultural values in accordance with DECCW requirements.
- Consult with the local Aboriginal community as per the DECCW policy entitled *Interim Community Consultation Requirements for Applicants* (DECC 2004).
- Present recommendations for the management of any identified Aboriginal heritage evidence, potential heritage resources and cultural values.
- Prepare a formal archaeological report to meet the requirements of DECCW and Department of Planning.

1.2.3 Relevant policies and guidelines

The assessment has been undertaken with reference to the following guidelines:

- *Aboriginal Heritage Guidelines* (RTA 2002).
- *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DECC 2005).
- *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997).
- *Interim Community Consultation Requirements for Applicants* (DEC 2004b).

A comprehensive program of Aboriginal consultation and involvement in the project has occurred since route selection studies commenced in 2004. The consultation has been undertaken with reference to the *Aboriginal Heritage Guidelines* (RTA 2002) and *Interim Community Consultation Requirements for Applicants* (DEC 2004b). In light of the extensive consultation undertaken prior to 2008, the *RTA Procedure For Aboriginal Cultural Heritage Consultation And Investigation* (RTA 2008) was not applied, however the Aboriginal consultation program conducted for the Proposal generally accords with the principles of those guidelines.