

Appendix K

Aboriginal and Historical Heritage Impact Assessment (NSW Archaeology)

**Flyer Creek Wind Farm
Modification 4**
Aboriginal and Historical Heritage Assessment

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1 INTRODUCTION

The Flyers Creek Wind Farm was granted development approval in 2014. Flyers Creek Wind Farm Pty Ltd is currently seeking a modification (Modification 4) to that approval.

NSW Archaeology Pty Ltd has been engaged to conduct an assessment of the Modification as it relates to the 132 kV transmission line. This report will form an Appendix to the Modification application documentation.

Modification 4 contemplates:

1. increase the wind turbine envelope so as to accommodate the newer, more efficient turbine models now available; and
2. reinstatement of the 132 kilovolt (kV) transmission line from the on-site substation to connection point on the Essential Energy (EE) transmission line to the north of the site (Figure 1).

The following heritage assessments of the project have been conducted previously:

- Austral Archaeology May 2011 Flyers Creek Wind Farm Project Aboriginal Archaeological & Cultural Heritage Assessment Combined Desktop and Field Assessment Report.
- Austral Archaeology April 2015 Transmission & Substation, Flyers Creek Wind Farm, Cadia, New South Wales. Aboriginal Archaeological Report.
- Austral Archaeology July 2015 Transmission & Substation, Flyers Creek Wind Farm, Cadia, NSW. Aboriginal Archaeological Report. Volume 2: Panuara Road, Errowanbang Road and Gap Road Access track.
- NSW Archaeology Pty Ltd 2016 Flyers Creek Wind Farm Modification 3 Addendum Report.

The current report is conducted in respect of the proposed 132 kilovolt (kV) transmission line which would extend from the on-site substation to a connection point on the existing Orange North to Cadia transmission line to the north of the site.

A process of Aboriginal community consultation has previously been undertaken by Austral Archaeology Pty Ltd. The process of consultation and Registered Aboriginal Parties for the project have been documented in the previous Austral Archaeology reports. During planning modification 3, additional consultation was undertaken. The results of previous modification assessments have been provided to the Registered Aboriginal Parties and no responses were received. Given no Aboriginal objects are expected to be impacted as a result of the current

modification, no further consultation has been undertaken at this stage. Detailed consultation will be carried out as part of the development of the Construction Heritage Management Plan which will be developed pre-construction.

The assessment has been based on a desktop review. A desktop assessment has been considered appropriate given the high levels of previous disturbance in the proposed activity area and the generally low archaeological potential of the area as defined during previous assessments conducted for the Flyers Creek Wind Farm project. It is also noted that the section of line from the on-site substation to the junction of Panuara Road and Cadia Road (~3.2km) has been subject to previous on site survey.

As a result of the assessment, the following conclusions are made:

1. No previously recorded Aboriginal sites are located in the 132 kilovolt (kV) transmission line route corridor (100 metres).
2. The 132 kilovolt (kV) transmission line is assessed to be highly disturbed as a result of previous impacts including road works and forestry operations.
3. It is concluded that the impact area is of low archaeological sensitivity and potential.
4. There are no Aboriginal or historic heritage constraints in regard to the proposed 132 kilovolt (kV) transmission line route corridor.
5. No further heritage assessment is required in respect of the Modification 4 application.

2. MODIFICATION 4

Planning Modification 4 contemplates the changes outlined in section 1 of this report. This assessment considers the potential impacts to aboriginal heritage from the construction and operation of the proposed 132kV transmission line.

The proposed 132kV transmission line would extend from the on-site substation to a connection point via a switching station on the existing Orange North to Cadia transmission line.

The transmission route corridor is 100 m wide, however the final impact area would be up to 45m wide. The 132 kV line would be installed in either road corridors or the edge of a pine plantation. The majority of the line is proposed to be overhead, but there are some small sections where the line may be undergrounded. Limited surface disturbance is expected for overhead sections with some narrow trenches expected for any underground sections.

3. AHIMS DATABASE SEARCH AND LANDSCAPE ASSESSMENT

3.1 AHIMS Site Search Results

A search of the NSW OEH Aboriginal Heritage Information Management System (AHIMS) has been undertaken in respect of this modification assessment (Search #355155). The search covered an area of 165 square kilometres, encompassed by Eastings: 685000 – 692000 and Northings: 6287000 – 6299000, with a buffer of 50 metres (see Appendix 1; Table 1).

A total of 18 Aboriginal object sites are listed on AHIMS for the search area (Figure 1).

No Aboriginal sites or places are listed on AHIMS as being recorded in the proposed activity area.

Searches have been conducted of the NSW State Heritage Inventory and the Australian Heritage Database. No Aboriginal heritage sites are listed on these as being in the subject area.

It is noted that for the purposes of Due Diligence, the AHIMS search results may be relied on for 12 months.

Table 1 The AHIMS sites as per search #355155. Datum has been changed where relevant.

Site ID	Site name	Datum	Easting GDA	Northing GDA	Site features
44-5-0126	FCWF-IF-03	GDA	690131	6289577	Artefact : -
44-5-0128	FCWF-PAD-02	GDA	690238	6289870	Potential Archaeological Deposit (PAD) : -
44-5-0132	FCWF-S-04	GDA	691021	6288725	Artefact : -
44-1-0014	Cadia 1	AGD	686858	6298311	Modified Tree (Carved or Scarred) : -
44-1-0017	CA/1, Cadia 1	AGD	685483	6297784	Artefact : -
44-1-0025	CC-OS-1 (Cudal)	AGD	685313	6296784	Artefact : -
44-1-0134	HOARE'S CREEK	AGD	685363	6296934	Artefact : 1
44-1-0135	CCIF1	GDA	685859	6297095	Artefact : 1
44-1-0136	CCIF2	GDA	685189	6296724	Artefact : 1
44-2-0158	WOODVILLE ROAD PAD	GDA	688529	6295504	Potential Archaeological Deposit (PAD) : 1
44-2-0159	WOODVILLE ROAD 3	AGD	688643	6295670	Artefact : 1
44-2-0160	WOODVILLE ROAD 2	AGD	688652	6295715	Artefact : 1
44-5-0133	Rodds Creek South PAD 7	GDA	686789	6289318	Potential Archaeological Deposit (PAD) : 1

Site ID	Site name	Datum	Easting GDA	Northing GDA	Site features
44-1-0130	CCIF3	GDA	685472	6297899	Artefact : 1
44-1-0131	CCIF4	GDA	685437	6297582	Artefact : 1
44-1-0132	CCIF5	GDA	685305	6297644	Artefact : 1
44-1-0133	CCIF6	GDA	685536	6294536	Artefact : 1
44-1-0038	C-OS-1	AGD	685383	6295714	Artefact : -



Figure 1 Location of Aboriginal object sites as per AHIMS site search.

4. IMPACT ASSESSMENT

4.1 Proposed Impacts

The route of the 132kV is shown in Figure 1. The transmission route corridor is 100 m wide. The 132kv line will:

- be approximately 14.5 km in length;
- travel across open farmland from the substation westwards, cross Errowanbang Rd (public road) and then travel along Panuara Rd reserve before heading north on Cadia Rd reserve before travelling alongside the road/in NSW Forestry Corporation state forest.
- The power poles will likely be approximately 24 m high and the easement corridor will be 45 m wide within a 100 m wide route corridor.

4.2 Impact Assessment

The transmission route corridor is 100 m wide, however the final impact area would be up to 45m wide. The 132 kV line would be installed in either road corridors or the edge of a pine plantation. The majority of the line is proposed to be overhead, but there are some small sections where the line may be underground. Limited surface disturbance is expected for overhead sections with some narrow trenches expected for any underground sections.

The proposed activity area has already experienced significant prior ground disturbance from original clearance, road construction and forestry operations.

Given previous clearing, there is low potential for the proposed activity to disturb any culturally modified trees.

The landscape is assessed to be of generally low archaeological potential. Numerous assessments have been conducted in respect of the Flyers Creek Wind Farm and all have concluded that the landscape is of low sensitivity. Two previous studies of alternative transmission line routes in the local area have failed to record Aboriginal sites (Austral Archaeology 2016a and 2015b).

It is concluded that there are no known Aboriginal sites and there is a low probability of objects occurring in the proposed activity area.

5. LEGISLATION

The National Parks and Wildlife Act 1974 (NPW Act) is the primary legislation for the protection of some aspects of Aboriginal cultural heritage in NSW. One of the objectives of the NPW Act is:

... the conservation of objects, places or features (including biological diversity) of cultural value within the landscape, including but not limited to: (i) places, objects and features of significance to Aboriginal people ... (s.2A(1)(b))

Part 6 of the NPW Act is administered by the NSW Office of Environment and Heritage (NSW OEH) and provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing or damaging an Aboriginal object or declared Aboriginal place, or moving an object from the land.

Section 86 of the NPW Act, *Harming or desecrating Aboriginal objects and Aboriginal places*, sets out the penalties for harming an Aboriginal object. For an individual, the penalty for harming an object the person knows is an Aboriginal object, is imprisonment for up to 2 years and a significant fine (>\$200,000).

Anyone proposing to carry out an activity that may harm an Aboriginal object or declared Aboriginal place must investigate, assess and report on harm that may be caused by the activity they propose. An Aboriginal Heritage Impact Permit (AHIP) may be required if harm to Aboriginal objects and declared Aboriginal places is proposed. When this is the case, an Aboriginal Cultural Heritage Assessment Report (ACHAR) is required to support the AHIP application. No Aboriginal objects are known to be present in the activity area and it is assessed to be of low archaeological sensitivity. Based on the current assessment it is concluded that an AHIP is not required.

Further archaeological investigations such as test excavations can be undertaken to provide a more informed assessment. Such work can be done within the provisions of the NSW DECCW (2010b) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (the Code of Practice). Test Excavation undertaken in accordance with the Code of Practice, allows harm to Aboriginal objects to occur (during excavation) without the need for an AHIP. Such work would normally only take place if the assessment concluded that further archaeological works were necessary. In this case, that conclusion has not been reached.

6. CONCLUSIONS AND RECOMMENDATIONS

The assessment has concluded that based on the extent of previous impacts and the nature of the landscape, the activity area is not archaeologically sensitive. It is also noted that the proposed impacts are relatively minor in scope. No Aboriginal objects are known to be present.

Accordingly, no further archaeological assessment is required, and it is concluded that there are no Aboriginal or historic heritage constraints in regard to the modification.

The existing conditions of Project Approval require a Construction Heritage Management Plan to be implemented to manage any potential impacts to Aboriginal and Historic heritage. This condition remains appropriate to manage any potential heritage impacts resulting from Modification 4.

7. REFERENCES

- Austral Archaeology Pty Ltd May 2011 Flyers Creek Wind Farm Project Aboriginal Archaeological & Cultural Heritage Assessment Combined Desktop and Field Assessment Report.
- Austral Archaeology Pty Ltd April 2015a Transmission & Substation, Flyers Creek Wind Farm, Cadia, New South Wales. Aboriginal Archaeological Report.
- Austral Archaeology Pty Ltd July 2015b Transmission & Substation, Flyers Creek Wind Farm, Cadia, NSW. Aboriginal Archaeological Report. Volume 2: Panuara Road, Errowanbang Road and Gap Road Access track.
- NSW Archaeology Pty Ltd 2016 Flyers Creek Wind Farm Modification 3 Addendum Report.

APPENDIX 1 – AHIMS DATABASE SEARCH

Your Ref/PG Number : Flyers Ck
Client Service ID : 353155

SiteID	SiteName	Datum	Zone	Eastng	Northing	Contact	Site Status	SiteFeatures	SiteTypes	Reports
44-5-0126	FCWF-IF-03 Contact	GDA	SS	690131	6289577	Open site	Valid	Archaeol: -		102269
44-5-0128	FCWF-PAD-02 Contact	GDA	SS	690238	62898970	Open site	Valid	Potential Archaeological Deposit (PAD): -	Permits	102269
44-5-0132	FCWF-S-04 Contact	GDA	SS	691021	6288725	Open site	Valid	Archaeol: -	Permits	102269
44-1-0014	Gadla 1 Contact	AGD	SS	689745	6298327	Open site	Valid	Modified Tree (Carried or Scarred)	Permits Scared Tree	689
44-1-0017	CA/1, Cadla 1 Contact	AGD	SS	685370	6297800	Open site	Valid	Archaeol: -	Permits Open Camp Site	2326
44-1-0025	CC-05-1 (Cuddah) Contact	AGD	SS	688200	6296600	Open site	Valid	Archaeol: -	Permits Open Camp Site	
44-1-0134	HOARE'S CREEK Contact	AGD	SS	685250	6296750	Open site	Valid	Archaeol: 1	Permits	
44-1-0135	CCIF1 Contact	GDA	SS	685859	6297095	Open site	Valid	Archaeol: 1	Permits	
44-1-0136	CCIF2 Contact	GDA	SS	685189	6296724	Open site	Valid	Archaeol: 1	Permits	
44-2-0158	WOODVILLE ROAD PAD Contact	GDA	SS	685529	6295504	Open site	Valid	Potential Archaeological Deposit (PAD): 1	Permits	
44-2-0159	WOODVILLE ROAD 3 Contact	AGD	SS	685530	6295486	Open site	Valid	Archaeol: 1	Permits	
44-2-0160	WOODVILLE ROAD 2 Contact	AGD	SS	685539	6295531	Open site	Valid	Archaeol: 1	Permits	
44-5-0133	Rodds Creek South PAD 7 Contact	GDA	SS	686789	6289418	Open site	Valid	Potential Archaeological Deposit (PAD): 1	Permits	
44-1-0130	CCIF3 Contact	GDA	SS	685472	6297899	Open site	Valid	Archaeol: 1	Permits	
44-1-0131	CCIF4 Contact	GDA	SS	685437	6297582	Open site	Valid	Archaeol: 1	Permits	

Report generated by AHIMS Web Service on 03/07/2018 for Julie Dildren for the following area at Datum: GDA, Zone: SS, Eastings: 685000 - 692000, Northings: 6287000 - 6299000 with a Buffer of 50 meters. Additional Info : Archaeological assessment. Number of Aboriginal sites and Aboriginal objects found is 18
This information is not guaranteed to be free from error omission. Office of Environment and Heritage (OEH) and its employees disclaim liability for any use done or omission made on the information and consequences of such acts or omission.

Your Ref/PO Number : Flyers Ck
 Client Service ID : 355155

AHIMS Web Services (AWS)
 Extensive search - Site list report

SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
44-1-0132	Contact CCIF5	Recorders GDA	Jim Kohlen 55	685305	6297644	Open site	Valid	Artefact: 1	Permits	
44-1-0133	Contact CCIF6	Recorders GDA	Jim Kohlen 55	685536	6294536	Open site	Valid	Artefact: 1	Permits	
44-1-0033	Contact C-05-1	Recorders AGD	Jim Kohlen 55	685070	6376530	Open site	Valid	Artefact: 1	Permits	Open Camp Site
	Contact	Recorders	Central West Archaeological and Heritage Services Pty Ltd						Permits	

Report generated by AHIMS Web Service on 03/07/2018 for Julie Dibden for the following area at Datum: GDA, Zone: 55, Eastings: 685000 - 692000, Northings: 6287000 - 6299000 with a Buffer of 50 meters. Additional Info: Archaeological assessment. Number of Aboriginal sites and Aboriginal objects found is 18
 This information is not guaranteed to be free from error omission. Office of Environment and Heritage (OEH) and its employees disclaim liability for any error or omission made in the information and consequences of such acts or omission.