

## **CHAPTER 11**

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### **Cultural Heritage Assessment**

## 11. CULTURAL HERITAGE ASSESSMENT

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New South Wales Archaeology Pty Ltd (NSW Archaeology) was commissioned in December 2008 to undertake an archaeological and cultural heritage assessment on the proposed Project in accordance with the Director-General's Requirements (DGR's). The full report is attached in **Appendix 11**.

The construction of the Project will require ground disturbance, with the potential to cause direct impact to any Indigenous/Non-Indigenous objects/sites which may be present within the study area. The proposed impacts are predicted to be small and discrete in nature due to the relatively small development footprint within the overall Project site.

### 11.1 Partnership with Aboriginal Communities

In accordance with the *Interim Guidelines for Aboriginal Community Consultation (IGACC) – Requirements for Applicants* (NSW Department of Environment and Conservation (DEC) 2004), as discussed in **Chapter 5** Planning Context, a proposed methodology and invitation to tender for the provision of Aboriginal Assessment and Advisory Services dated 9<sup>th</sup> January 2009 was sent to the following groups who expressed interest in the Project:

- Eden Local Aboriginal Land Council (ELALC);
- Yurwang Gundana Consultancy Cultural Heritage Services;
- Ngunnawal Heritage Aboriginal Corporation;
- Konanggo Consultancy;
- Yukembruk Merung Ngarigo Consultancy Pty Ltd (YMNC) (Representing the Bega Local Aboriginal Land Council); and
- Buru Ngunawal Aboriginal Corporation.

As the Project is situated within both the Bega Local Aboriginal Land Council and Eden Local Aboriginal Land Council boundaries, in accordance with *Part C* of the IGACC, the assistance of YMNC and ELALC were engaged to conduct field surveys.

### 11.2 Methods

The study was conducted using:

- A literature review;
- Field survey; and
- Analysis of results.

For the purposes of the field survey the Project was divided into 41 Survey Units defined according to landform morphological type, accounting for approximately 882.9 ha of the Project site. The field work occurred over an eight day period in February and March 2009.

**Indigenous:** The Project site was assessed to determine the potential impacts on artefact locales. An artefact locale is the exact location of where the artefact was found within the Project site.

A predictive model was also created to determine the nature of Aboriginal occupation across the land. The degree of Aboriginal occupation on a site is based on a number of factors and as a result occupation may not be uniform across a site. By studying these factors, the predictive model can determine the type and nature of archaeological sites which might be expected to occur across the study area.

The report by NSW Archaeology was written in accordance with the draft document by the NSW National Parks and Wildlife Service, regarding the assessment and management of Aboriginal Cultural Heritage in NSW (NSW NPWS 1997). The study was conducted in accordance with the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (NSW DEC July 2005), which was prepared specifically for development applications assessed under *Part 3A of the NSW Environmental Planning and Assessment (EP&A) Act, 1979*.

**Non-Indigenous:** The Non-Indigenous component of this assessment has been conducted with reference to literature relating to European occupation within the area, a review of Parish maps and a field inspection aimed at locating historical items, features and potential archaeological sites. A review of the heritage database and previous archaeological investigations has also been undertaken to provide heritage context to the assessment.

The report by NSW Archaeology, consulted the NSW Department of Urban Affairs and Planning and the NSW Heritage Office which produced guidelines for preparing archaeological and heritage assessments as set out in the *Archaeological Assessment Guidelines, 1996* and *Heritage Assessments, 1996*.

### 11.3 Existing Situation

**Indigenous:** It is believed that Aboriginal people lived in the Cooma-Monaro district and its environs for at least 21,000 years (Flood *et al* 1987). At the time of European contact there were at least 500 Ngarigo speaking Aboriginal people (Helms 1895: 388). It is believed that there was seasonal usage of the high country, with migration occurring predominantly in summer to attend inter-tribal ceremonies, which were not known to have taken place within the Project site (cf Navin 1991a; Mulvaney and Kamminga 1999: 298-299; Howitt 1904; Payten 1949; Flood 1980). The early 1800's saw changes in the traditional land use of Aboriginal people with the introduction of European settlement.

The predominant land use by Aboriginal people may have been restricted to limited activities including hunting and gathering and travelling through the area. Such activities are likely to have resulted in low levels of artefact discard, diversity and complexity. Potential areas of higher artefact concentration and diversity could occur adjacent to the MacLaughlin River, as this area would have provided a more sheltered environment and ready drinking water.

**Non-Indigenous:** European settlement of the area began in the late 1820's, with settlement of Nimmitybelle (Nimmitabel) established in the early 1830's. The town was officially surveyed in 1858 and with the development of local mining and increased settlement from the *Robertson Land Act 1861*, the town enjoyed substantial growth. The continuation of Nimmitabel and its dominant activity in the grazing of sheep and cattle was associated with a short period of gold and copper mining, expansion of the railway in 1912, the Great Depression during the 1930's, short operation of

a meat works, successful general store in the 1940's, timber mill from 1974 to 1992 and the Monaro Basalt Quarries.

There is a high probability that potential heritage items present within the Project site will be associated with themes such as agriculture/pastoralism, domestic life and transport/communications. Additional items may be present as extant/standing structures or ephemeral sites and ruins. The locations of such items are difficult to predict, although the potential generally increases on level ground adjacent to existing homesteads, good water supplies and existing or former road alignments.

#### 11.4 Potential Impacts

Of the 41 Survey Units (882.9 ha) created prior to the field survey of the Study area, 539 ha of this area was subject to survey inspection. Ground exposures inspected were estimated to have been 213 ha and, of this area, archaeological visibility (the potential artefact-bearing soil profile) was estimated to have been 61 ha. Effective Survey Coverage has therefore been calculated at 7 % of the Study area.

**Indigenous:** A total of 56 Aboriginal object locales, predominantly stone artefacts, were recorded within the assessed Survey Units as listed in **Appendix 11**. The majority of these Survey Units, across the four Clusters, had low or very low density stone artefact distribution, resulting in low archaeological potential/sensitivity and therefore low archaeological significance. A small amount of Survey Units, mainly in the Sherwins and Springfield Clusters, were identified and assessed to be of low/moderate or moderate archaeological significance.

It is assessed that the archaeological resource in the Project site does not surpass significance thresholds under the *Aboriginal cultural heritage standards and guidelines kit* (National Parks and Wildlife Service (NPWS) 1997), which would preclude impacts. However, the construction of the Project will result in substantial physical impacts to any Aboriginal objects which may be located within direct impact areas irrespective of their archaeological significance. That is, any Aboriginal object situated within an area of direct impact will be comprehensively disturbed, and/or destroyed during construction.

**Non-Indigenous:** A total of 29 potential heritage items were recorded in and adjacent to the Project as listed in **Appendix 11**. Fences and one recorded sheepfold were the only heritage items to occur within the study area, however impact will be minimal and partial in nature. Heritage items occurring close, but outside of the study area, include a camp site, house ruin and one recorded sheepfolds.

##### 11.4.1 Cumulative Impacts

An assessment of cumulative environmental impacts considers the potential impact of a proposal in the context of existing developments and future developments to ensure that any potential environmental impacts are not considered in isolation. However, given the impact of the Project on aspects of cultural heritage are both isolated and minimal in nature, it is anticipated that there will be no cumulative effect to cultural heritage from the introduction of the proposed development into the area.

## 11.5 Management and Mitigation

The Project will have impacts on Aboriginal objects and possibly on Non-Indigenous items. However these impacts are predicted to be discrete in nature due to the relatively small development footprint within the overall Project site and appropriate mitigation and management strategies (for a full list of mitigation and management strategies review **Section 12** of **Appendix 11**). Both Indigenous and Non-Indigenous methods of mitigation and management strategies would include:

- The Proponent, in consultation with an archaeologist, relevant Aboriginal communities and NSW Department of Environment and Climate Change (DECC), developing a Cultural Heritage Management Protocol which provides procedures to be followed for impact avoidance and accidental discovery; and
- Personnel involved in the construction and management phases of the Project should be trained in procedures to implement recommendations relating to cultural heritage, where necessary, to decrease impact.

**Indigenous:** The Project can continue as the Survey Units and Aboriginal object locales recorded do not surpass scientific significance thresholds. However appropriate mitigation and management strategies should be implemented.

Based on the predictive model, there is no reason to conduct further investigation on impact areas, due to insufficient artefact density. It is also considered that subsurface testing is unlikely to produce results which would differ significantly to predictions made from the initial study.

The following mitigation and management strategies are suggested to minimise the impact on Aboriginal objects and places:

- Ground disturbance impacts associated with the Project be kept to a minimum and to defined areas, as to ensure minimum impact to Aboriginal objects (stone artefacts), which can be expected to extend in a relatively continuous, albeit very low to low density distribution, across the broader landscape encompassed by the Project;
- Due to the nature and density of the majority of locales recorded as low archaeological significance, unmitigated impacts are considered an appropriate strategy;
- In the case of a few low/moderate and moderate archaeological significance locales, it is recommended that impacts are avoided or limited through the detailed design and construction phases of the Project; and
- It is proposed that a program of salvage archaeological excavation and analysis be undertaken in a sample of Survey Units prior to construction, in consultation with relevant stakeholders and consultants, as a form of mitigation on overall construction impact to the archaeological resource within the Project area.

**Non-Indigenous:** The majority of Non-Indigenous heritage items recorded are stone fences dating to the mid 1800's with the majority highly disturbed and/or in a poor state of repair. In terms of individual recordings, these items do not warrant heritage listing, nevertheless these items are part of a broader cultural landscape that dates to the late nineteenth century. Given the historical associations and the research potential that exists for these items as a complex of sites and features,

it is preferable to mitigate impacts as much as possible by impacting on already disturbed sections or avoiding recorded items altogether where feasible.

## 11.6 Summary

During the different phases of the Project, ground disturbance will occur with the potential to cause direct impacts to any Aboriginal objects or Non-Indigenous items which may be present on-site. While Aboriginal objects (stone artefacts) can be expected to extend in a relatively continuous, albeit low density distribution across the broader landscape encompassed by the Project, it has been proposed that due to their low archaeological significance, unmitigated impacts are considered an appropriate strategy. The fences and sheepfold on-site, could have any direct impact mitigated by avoiding these items where feasible. Overall the proposed impacts are predicted to be discrete in nature due to the relatively small footprint of construction activities and, therefore, impacts to the archaeological resource across the landscape can be considered only partial in nature.

## 11.7 Proposed Transmission Line

The proposed transmission line will be assessed separately from this EA under Part 5 of the *EP&A Act*. Possible impacts and mitigation strategies of the transmission line on Aboriginal objects and places and Non-Indigenous items include:

- No significant threshold impacts for the construction of the easement or transmission poles;
- Aboriginal objects, predominantly stone artefacts, will be expected to extend in a relatively continuous, albeit very low to low density distribution, across the broader landscape encompassed by the proposed transmission line;
- Any stone fences or other Non-Indigenous heritage items should be avoided where feasible to minimise impact; and
- Invite relevant Aboriginal groups, NSW DECC and other associated stake holders involved during the assessment and construction phase to ensure minimal impact.

### 11.7.1 Cumulative Impacts

The proposed transmission line development will occur in parallel with the planned upgrade to the existing 66 kV network as described in **Chapter 3** Project Description and the Boco Rock Wind Farm. It is anticipated that there will be no cumulative effect to cultural heritage from the introduction of the proposed transmission line into the area. However, if necessary, an assessment will be included in the Review of Environmental Factors for the transmission line.