

Mr Rob Beckett
Environmental Assessment Officer
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Beckett

RE: Wellington North Solar Plant (SSD 8895)- Response to Submissions

I refer to your correspondence dated 9 September 2019 seeking comments on the amendments to the abovementioned state significant development application. The proposed Wellington North Solar Plant seeks to construct, operate and decommission a photovoltaic (PV) solar plant with an estimated capacity of 300 Mega Watts.

The following documents have been reviewed for this assessment:

- *Amendment Report, Wellington North Solar Plant* prepared by ngh environmental (August 2019).
- *Historical Archaeological Assessment, Wellington North Solar Plant* prepared by ngh environmental (January 2019).
- *Submissions Report, Wellington North Solar Plant* prepared by ngh environment (March 2019)

The proposed Wellington North Solar Plant is located on an agricultural property about 7 kilometres (km) north east of Wellington off Goolma Road in the Dubbo Regional Council Local Government Area (LGA). The proposed solar plant would connect to an existing Wellington Substation, approximately 3 km south of the site.

No State Heritage Register listed items are present within the amended project area. The amended project area does not include any additional state heritage listed items, but the heritage item 'Noonee Nyrang homestead' listed on *the Wellington Local Environmental Plan 2012* is within the proposed site. There are also other locally listed items near the subject site. The *Amended Report* concludes that the amended development will not have any direct impacts on the known heritage items. The proposed exclusion zones around the Noonee Nyrang Homestead and other items such as the Soil Conservation Research Facility is supported as proposed.

The historical development of the study area indicates that it is unlikely that historical archaeological relics would be discovered and disturbed by the currently proposed scheme and it is therefore appropriate to recommend the following unexpected finds condition on the SSD application, if approved.

The Applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW

must be notified in accordance with s146 of the Heritage Act 1977. Additional assessment of the finds and analysis against the SSD approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. Approval under the Heritage Act 1977 will not be required.

Section 146 of the *Heritage Act 1977* (requiring notification of the discovery of a relic) applies to approved SSD projects. The CEMP for the project should clearly a protocol to identify what would be a relic, and how it should be managed according to the DPIE approval.

For your information, please note the issues outlined below related to the reliability of NGH Environmental's Historical Archaeological Assessment (HAA) which has mis-interpreted key definitions and management requirements under the *Heritage Act 1977*, particularly with respect to historical archaeological 'relics' in NSW. This is apparent in the statement that the '*only archaeological relic surviving is the locally listed Noone Nyrang Homestead*'. The homestead and associated structures are buildings and part of a cultural landscape. The Homestead is not a 'relic'.

The HAA has also not assessed the anticipated (or potential) historical archaeological resources related to the Homestead, which it states are 'high', to explain what research potential they may retain. In NSW the historical archaeological resources of significance (local or state) are managed under the Heritage Act 1977 as 'relics'. Heritage Council of NSW Guidelines explain that 'archaeological significance' is often associated with 'research potential' however archaeological significance may be linked to other significance categories as outlined in s.4 of the *Heritage Act 1977*.

The HAA prepared by NGH has not assessed the archaeological significance/research potential of the Noone Nyrang Homestead, rather it has reiterated the LEP listed values. The HAA has not identified what, if any, archaeological research values the site may retain. This is not appropriate.

If you have any questions regarding the above matter please contact Vibha Upadhyay, Senior Heritage Assessment Officer, at Heritage NSW, Department of Premier and Cabinet on 9873 8587 or at vibha.upadhyay@environment.gov.nsw.au. If you have any questions about the archaeological comment, please contact Felicity Barry, Senior Archaeologist, Specialist Services, Heritage NSW, Department of Premier and Cabinet on 9995 6914.

Yours sincerely



27/09/2019

Katrina Stankowski

Senior Team Leader, Regional Heritage Assessments, North
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As Delegate of the NSW Heritage Council