





View along Huxley Creek in the northwest of the project area.

HISTORIC HERITAGE ASSESSMENT REPORT

BIRRIWA SOLAR AND BATTERY PROJECT

MID-WESTERN REGIONAL LOCAL GOVERNMENT AREA
JULY 2022

Report prepared by
OzArk Environment & Heritage
for ACEN Australia Pty Ltd

OzArk Environment & Heritage

145 Wingewarra St (PO Box 2069) Dubbo NSW 2830

Phone: (02) 6882 0118 Fax: (02) 6882 0630 enquiry@ozarkehm.com.au www.ozarkehm.com.au This page has intentionally been left blank.

DOCUMENT CONTROLS

Proponent	ACEN Australia	ACEN Australia Pty Ltd (ACEN)		
Document Description	_	Historic Heritage Assessment Report: Birriwa Solar and Battery Project, Mid-Western Regional Local Government Area.		
File Location	OzArk Job No.	OzArk Job No.		
OzArk EHM Data\Clients\UPC Renewables\Birriwa Solar Farm Aug2021\ACHAR	3179			
Document Status: V3.1 FINAL		Date: 2 July 2022		
Draft V1: OzArk internal edits		V1.0 YZ author 30/11/21 V1.1 SR contributes and reviews 23/3/22		
Draft V2: OzArk and client edits		V2.0 OzArk to client 31/3/22 V2.1 OzArk incorporates comments 14/4/22		
Final V3: Final document		V3.0 OzArk finalises 2/5/22 V3.1 OzArk updates 2/7/22		
Prepared for		Prepared by		
Cédric Bergé Project Development Manager ACEN Australia		Stephanie Rusden Senior Archaeologist OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118		
		stephanie@ozarkehm.com.au		

COPYRIGHT

© OzArk Environment & Heritage 2022 and © ACEN Australia 2022

All intellectual property and copyright reserved.

Apart from any fair dealing for private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without written permission.

Enquiries should be addressed to OzArk Environment & Heritage.

ABBREVIATIONS AND GLOSSARY

DPE NSW Department of Planning and Environment

EIS Environmental Impact Statement. A required document for major projects

documenting all potential impacts to the environment, including heritage, that

may arise due to the development.

Heritage Act Heritage Act 1977. Provides for the protection and conservation of historical

places and objects or cultural heritage significance and the registration of such

places and objects.

Heritage Council The Heritage Council makes decisions about the care and protection of

heritage places and items that have been identified as being significant to the

people of NSW.

Heritage NSW Government department tasked with ensuring compliance with the NPW Act.

Heritage NSW is advised by the Aboriginal Cultural Heritage Advisory

Committee (ACHAC) and is part of the Environment, Energy and Science

cluster within DPE.

SEARs Secretary's Environmental Assessment Requirements issued by the

Department of Planning and environment.

SHR State Heritage Register. A heritage list of places in NSW that are protected by

NSW legislation such as the Heritage Act.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by ACEN Australia Pty Ltd operating as ACEN Australia (ACEN, the proponent) formerly operating as UPC\AC Renewables Australia to prepare a *Historic Heritage Assessment Report* (HHAR) for the proposed Birriwa Solar and Battery Project (the project).

The purpose of the assessment is to form part of an *Environmental Impact Statement* (EIS) being prepared by EMM Consulting Pty Ltd to accompany an application for State significant development consent under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* for the project.

This HHAR has been undertaken in accordance with the Secretary's Environmental Assessment Requirements (SEARs) and the Heritage Council's Historical Archaeology Code of Practice (Heritage Council 2006).

Desktop database searches completed prior to the field survey showed that no listed historic heritage items are located within or near to the project area. The closest listed item to the project area is the 'Birriwa Private Cemetery', located approximately two kilometres north of the project area. This is item #1 on the Warrumbungle Local Environmental Plan of 2013

The historic heritage assessment took place at the same time as the Aboriginal heritage assessment for the project (OzArk 2022). The fieldwork component of this assessment was undertaken from 8-10 November 2021 (3 days); 17-18 January 2022 (2 days); 14-15 March 2022 (2 days) and 22 March 2022 (1 day).

No historic sites were recorded during the survey.

Recommendations concerning historic values within the survey area are as follows:

- 1. Following development consent of the project, a *Historic Heritage Management Plan* (HHMP) will be developed and then used during the construction and ongoing use of the project. If items of historic heritage significance are uncovered during the project, then the unanticipated finds protocols in the HHMP will be enacted. An example of an unanticipated finds protocol is provided in **Section 5.3.1**.
- 2. It is assessed that ground disturbing works associated with the project will not harm significant historical archaeological deposits and no further archaeological investigation is required.
- All land-disturbing activities must be confined within the project development footprint and
 access road upgrade corridor. Should project impacts change such that the area to be
 impacted is outside of the assessed survey area, then additional assessment may be
 required.

CONTENTS

ABBRE	VIATIONS AND GLOSSARY	3
Ехесит	TIVE SUMMARY	4
1 INT	TRODUCTION	7
1.1	Description of the project	7
1.2	Proposed work	7
1.3	Project area	8
1.4	Survey area	9
2 His	STORIC HERITAGE ASSESSMENT: INTRODUCTION	13
2.1	Relevant legislation	13
2.1.1	1 Commonwealth legislation	13
2.1	.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC A	\ct) 13
2.1.2	2 State legislation	13
2.1.3	3 Local legislation	15
2.2	Purpose and objectives	16
2.2.	1 Historic heritage assessment objectives	16
2.3	Date of historic heritage assessment	16
2.3.1	1 Field survey	16
2.3.2	2 Reporting	17
3 His	STORIC HERITAGE ASSESSMENT: BACKGROUND	18
3.1	Brief history of the Mid-Western Region	18
3.2	Local context	20
3.2.	1 Desktop database searches conducted	20
3.2	.1.1 LEP listing	20
4 RE	SULTS OF HISTORIC HERITAGE ASSESSMENT	22
4.1	Survey methodology	22
4.2	Project constraints	22
4.3	Historic heritage items	22
4.4	Discussion	23
4.5	Likely impacts to historic heritage from the project	23
5 MA	ANAGEMENT AND MITIGATION: HISTORIC HERITAGE	24
5.1	General principles for the management of historic sites	24
5.2	Management and mitigation of recorded historic sites	24
5.3	Unanticipated finds protocol	24

į	5.3.1	Unanticipated finds protocol example	24
6	RECOM	MENDATIONS	26
REI	FERENCE	s	27
PLA	ATES		28
Fic	GURES		
Fig	ure 1-1:	Map showing the location of the project	10
Fig	ure 1-2:	Development footprint within the project area	11
Fig	ure 1-3:	Aerial showing the project area and the survey area	12
Fig	ure 3-1:	Merotherie Parish Map 1898 of the project area	19
Fig	ure 3-2:	Location of the 'Birriwa Private Cemetery' in relation to survey area	21
Fig	ure 4-1:	Pedestrian coverage of the survey area	22
TA	BLES		
Tab	ole 2-1: S	SEARs General Requirements	15
Tab	ole 3-1: H	Historic heritage: desktop-database search results	20
PL	ATES		
Pla	te 1: Vie	w south along Huxley Creek in the northwest of the survey area	28
Pla	te 2: Vie	w north along the south-eastern boundary of the survey area	28
Pla	te 3: Vie	w southwest across a cleared paddock in the central portion of the survey area	ı 29
Pla	te 4: Vie	w southwest across a gentle slope adjacent to White Creek	29
Pla	te 5: Vie	w west across a cultivated paddock in the southeast of the survey area	30

1 Introduction

1.1 DESCRIPTION OF THE PROJECT

OzArk Environment & Heritage (OzArk) has been engaged by ACEN Australia Pty Ltd (ACEN) formerly operating as UPC\AC Renewables Australia (UPC\AC) to prepare a *Historic Heritage* Assessment Report (HHAR) for the proposed Birriwa Solar Farm and Battery Project (the project).

The project is in the locality of Birriwa, approximately 15 kilometres (km) southwest of the township of Dunedoo, in the Central West of New South Wales (NSW) (**Figure 1-1**). The project is in the Mid-Western Regional Council Local Government Area (LGA) on land zoned RU1 – Primary Production under the *Mid-Western Regional Local Environmental Plan 2012* (LEP).

The purpose of the assessment is to form part of an *Environmental Impact Statement* (EIS) being prepared by EMM Consulting Pty Ltd to accompany an application for State significant development consent under Division 4.1 of Part 4 of the *Environmental Planning and Assessment Act 1979* for the project.

1.2 PROPOSED WORK

The project includes a large scale solar photovoltaic generation facility along with battery storage and associated infrastructure. The solar component of the project will have an indicative capacity of around 600 megawatts (MW) and include either a centralised or a DC-coupled battery energy storage system of up to 1,000 MW for 1 hour.

Key project components within the development footprint, will include the following:

- The development of separate arrays of photovoltaic modules (solar panels) within the project area
- Power conversion units comprising of three main components including inverters, transformers, and a ringmain unit
- A centralised battery energy storage system (BESS) of up to 600 MW for 2 hours, which will comprise of batteries, inverters, transformers, heating ventilation air conditioning and fire protection
- A substation allowing connection to the proposed CWO REZ transmission link
- supporting infrastructure including:
 - Staff office, operations and control room, meeting facilities, amenities and carparking
 - A temperature-controlled spare parts storage facility
 - Supervisory control and data acquisition facilities
 - A workshop and associated infrastructure

- A network of new internal roads to facilitate access within the project area to allow for construction and ongoing maintenance
- Fencing and landscaping.
- Safe construction and operation access via designated routes on the local road network, including an upgrade to parts of Barneys Reef Road and parts of Birriwa Bus Route South to facilitate access to the development footprint
- Dedicated public road crossings to facilitate access between the solar project premises where relevant
- Decommissioning of project infrastructure at the end of its operational life.

1.3 PROJECT AREA

The project area is the land that is the subject of the development application. It covers approximately 1,298 hectares (ha) (**Figure 1-3**) of land across multiple lots, or portions thereof including:

Lot 1 DP750755	Lot 12 DP750755	Lot 16 DP750755	Lot 30 DP750755	Lot 31 DP750755
Lot 32 DP750755	Lot 34 DP750755	Lot 36 DP750755	Lot 37 DP750755	Lot 39 DP750755
Lot 43 DP750755	Lot 45 DP750755	Lot 47 DP750755	Lot 48 DP750755	Lot 54 DP750755
Lot 70 DP750755	Lot 82 DP750755	Lot 1 DP1004819		

The development footprint associated with the project is within the project area, covering approximately 1,140 ha (**Figure 1-2**), and encompasses all areas that will potentially be disturbed, including the operational components of the project such as the PV modules, power conversion units and BESS.

The project area will be accessed from the Castlereagh Highway via Barneys Reed Road and then Birriwa Bus Route South (**Figure 1-3**). As such, the project will require an upgrade to Barneys Reef Road and part of Birriwa Bus Route to facilitate site access, as shown in **Figure 1-2**. These portions of Barneys Reef Road and parts of Birriwa Route South extend outside of the project area but are included as part of the overall survey area and have been considered in this assessment (**Section 1.4**)

The project area consists of flat to gently undulating slopes with the highest point being the southeastern most boundary of the project area with an elevation of 600 metres (m) which descends towards the north and west.

The project area has been disturbed by past land clearing for agricultural purposes and is now generally dominated by exotic pasture with isolated areas of native vegetation mostly located along drainage lines and road easements. Livestock grazing and cultivation are the current primary land uses of the project area.

1.4 SURVEY AREA

The survey area includes the entirety of the project area, as well as the portions of Barneys Reef Road and parts of Birriwa Route South which may require upgrades as part of the project (**Figure 1-3**). A 20 m buffer was assessed along these roads except where the road corridor was narrower than 20 m.

Archaeological survey undertaken for this assessment was undertaken across the survey area shown in **Figure 1-3**.

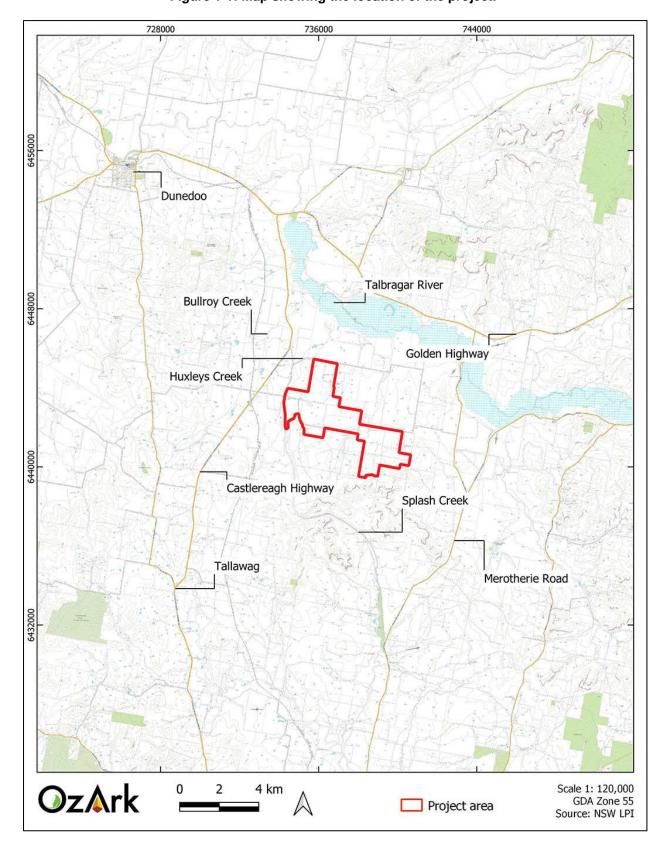


Figure 1-1: Map showing the location of the project.

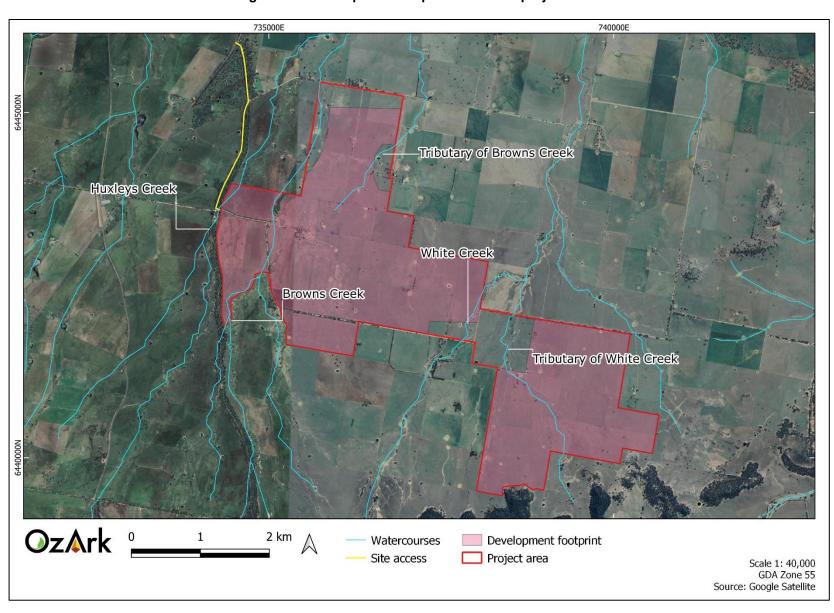


Figure 1-2: Development footprint within the project area.

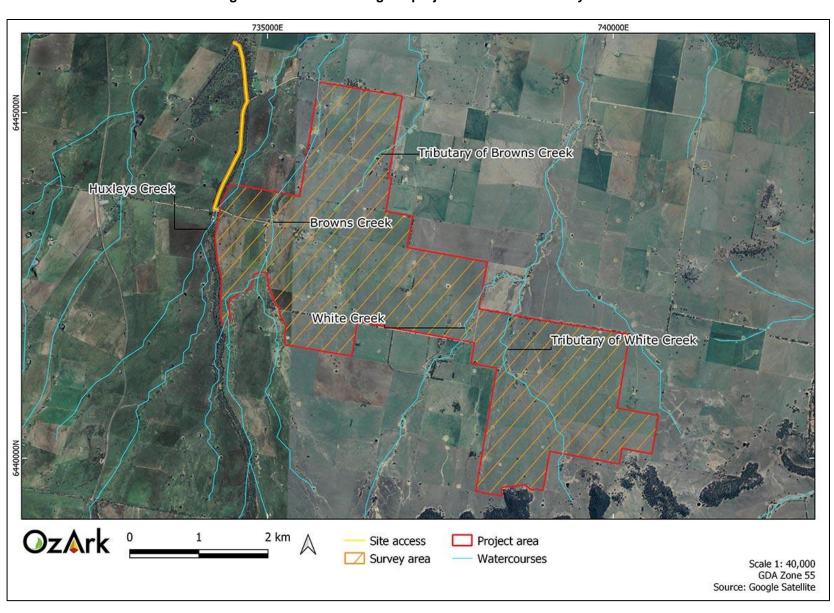


Figure 1-3: Aerial showing the project area and the survey area.

2 HISTORIC HERITAGE ASSESSMENT: INTRODUCTION

2.1 RELEVANT LEGISLATION

2.1.1 Commonwealth legislation

2.1.1.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act, administered by the Commonwealth Department of Agriculture, Water and the Environment, provides a framework to protect nationally significant flora, fauna, ecological communities, and heritage places. The EPBC Act establishes both a National Heritage List and Commonwealth Heritage List of protected places. These lists may include Aboriginal cultural sites or sites in which Aboriginal people have interests. The assessment and permitting processes of the EPBC Act are triggered when a proposed activity or development could potentially have a significant impact on one of the matters of national environmental significance listed under the Act. Ministerial approval is required under the EPBC Act for projects involving significant impacts to national/commonwealth heritage places.

Applicability to the project

It is noted there are no Commonwealth or National heritage listed places within the survey area or road upgrade corridor (**Table 3-1**), and as such, the heritage provisions of the EPBC Act and other Commonwealth Acts do not apply.

2.1.2 State legislation

Environmental Planning and Assessment Act 1979 (EP&A Act)

This Act establishes requirements relating to land use and planning. The main parts of the EP&A Act that relate to development assessment and approval are Part 4 (development assessment) and Part 5 (environmental assessment). The purpose of the Part 5 assessment system is to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent from a council or the Minister. The Minister responsible for the Act is the Minister for Planning and Public Spaces.

The EP&A Act currently provides the primary legislative basis for planning and environmental assessment in NSW. The objects of the EP&A Act include encouragement of:

- The proper management, development, and conservation of natural resources
- The provision and coordination of the orderly and economic use and development of land
- Protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats

Ecologically sustainable development.

The objects also provide for increased opportunity for public involvement and participation in environmental planning and assessment.

The EP&A Act includes provisions to ensure that the potential environmental impacts of a development or activity are rigorously assessed and considered in the decision-making process.

The framework governing environmental and heritage assessment in NSW is contained within the following parts of the EP&A Act:

- Part 4: Local government development assessments, including heritage. May include schedules of heritage items
 - Division 4.7: Approvals process for State significant development

Applicability to the project

The project is State significant development (SSD) under the *State Environmental Planning Policy* (*Planning Systems*) 2021 and therefore, a development application for the project is required to be submitted under Part 4, Division 4.1 of the EP&A Act.

As the project is SSD, Section 4.41 of the EP&A Act applies and provides a defence for any investigative or other activities that are required to be carried out for the purpose of complying with any environmental assessment requirements (i.e. Secretary's Environmental Assessment Requirements [SEARs]: see below).

Section 4.41 of the EP&A Act also notes that an approval under Part 4, or an excavation permit under Section 139, of the *Heritage Act 1977* (Heritage Act) are not required. It is normally a condition of approval for SSD projects that historic heritage be managed under an *Historic Heritage Management Plan* (HHMP).

Heritage Act 1977 (Heritage Act)

The Heritage Act 1977 (Heritage Act) is applicable to the current assessment. This Act established the Heritage Council of NSW. The Heritage Council's role is to advise the government on the protection of heritage assets, make listing recommendations to the Minister in relation to the State Heritage Register (SHR), and assess/approve/decline proposals involving modification to heritage items or places listed on the SHR. Most proposals involving modification are assessed under Section 60 of the Heritage Act.

Automatic protection is afforded to 'relics', defined as 'any deposit or material evidence relating to the settlement of the area that comprised New South Wales, not being Aboriginal settlement, and which holds state or local significance' (note: formerly the Act protected any 'relic' that was more than 50 years old. Now the age determination has been dropped from the Act and relics are protected according to their heritage significance assessment rather than purely on their age).

Excavation of land on which it is known or where there is reasonable cause to suspect that 'relics' will be exposed, moved, destroyed, discovered or damaged is prohibited unless ordered under an excavation permit.

Applicability to the project

There are no SHR listed items within or near the survey area (**Table 3-1**). Items of local heritage significance that are normally listed in LEPs are also protected under the Heritage Act.

Secretary's Environmental Assessment Requirements (SEARs)

To inform the SEARs, Heritage NSW provided input regarding historic heritage. The SEARs were issued on 5 November 2021.

Table 2-1 addresses the general requirements relating to historic heritage in the SEARs for SSD-29508870.

Table 2-1: SEARs General Requirements.

General requirement	Where addressed in the HHAR	
An assessment of the impact to historic heritage having regard to the NSW Heritage Manual.	An extensive pedestrian survey has been conducted across the survey area (including road upgrade corridor) as reported in this HHAR. All assessment has followed the applicable codes and guidelines.	

Heritage NSW did not provide detailed input regarding historic heritage.

Compliance with the SEARs has governed the survey and reporting of potential impacts to historic heritage associated with the project.

2.1.3 Local legislation

Local Environmental Plans

The survey area is within area administered by the Mid-Western Regional LEP, while part of the access route corridor is within the Warrumbungle Shite Council Local Government Area and is therefore administered by the Warrumbungle Local Environmental Plan 2013 (Warrumbungle LEP).

The Mid-Western Regional and Warrumbungle LEPs includes a schedule of heritage conservation areas and items that require either development consent or exemptions for projects that may impact conservation outcomes (Section 5.10). The objectives set out in Section 5.10 of the LEP states:

- (a) to conserve the environmental heritage of the Mid-Western Regional and Warrumbungle LGA.
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings, and views,
- (c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

Section 5.10(3)(a) (i) and (ii) set out the circumstances when a Development Application is not required when there is an impact to heritage items. Exemptions to consent are related to works that are of a minor nature or works that will not adversely impact the heritage values of a place.

Applicability to the project

There are no items listed on the Mid-Western Regional or the Warrumbungle Shire LEP within or near the survey area (**Table 3-1**).

2.2 PURPOSE AND OBJECTIVES

The purpose of the current study is to identify and assess heritage constraints relevant to the project.

2.2.1 Historic heritage assessment objectives

The current assessment will apply the Heritage Council's *Historical Archaeology Code of Practice* (Heritage Council 2006) in the completion of a historical heritage assessment, including field investigations, to meet the following objectives:

Objective One: To identify whether historical heritage items or areas are, or are likely to

be, present within the survey area or road upgrade corridor

Objective Two: To assess the significance of any recorded historical heritage items or

areas

Objective Three: Determine whether the project is likely to cause harm to recorded historical

heritage items or areas

Objective Four: Provide management recommendations and options for mitigating

impacts.

2.3 DATE OF HISTORIC HERITAGE ASSESSMENT

The field survey was undertaken by OzArk over the following periods:

- 8–10 November 2021 (3 days)
- 17–18 January 2022 (2 days)
- 14–15 March 2022 (2 days)
- 22 March 2022 (1 day).

2.3.1 Field survey

The fieldwork survey was undertaken by:

- Fieldwork Director: Stephanie Rusden (OzArk Senior Archaeologist, BS University of Wollongong, BA University of New England)
- Archaeologist: Harrison Rochford (B. Liberal Studies [Hons], M. Phil. [Arts and Social Science])
- Archaeologist: Barry Kerton (OzArk Project Archaeologist, BA, BSc and MA [advanced] Australian National University)
- Archaeologist: Yekun Zhang (OzArk Archaeologist, B Arts Archaeology & Anthropology, M.Sc Archaeological Science, PhD Archaeology).

2.3.2 Reporting

The reporting component of the historic heritage assessment was undertaken by:

- Report author: Yekun Zhang
- Reviewer: Stephanie Rusden.

3 HISTORIC HERITAGE ASSESSMENT: BACKGROUND

3.1 Brief History of the Mid-Western Region

At the time of European settlement, the survey area was situated within the territory of people belonging to the *Wiradjuri* tribal and linguistic group (Tindale 1974). The Wiradjuri tribal area is situated within the Murray Darling Basin and extends across three general physiographic regions: the highlands or central tablelands in the east, the riverine plains in the west, and the transitional western slopes zone in-between (Navin Officer 2005: 48).

Early European exploration of the region occurred in the 1820s. One of the first land holders and cattle runs in the area was owned by the sons and grandsons of William Cox, who had built the road across the Blue Mountains (ABD 2020). Their cattle run was called 'Guntawang' and was established 1822, 8 km south-west of the present town site of Gulgong. The original run in the Dunedoo area was leased by the Johnstone family from 1874 called the 'Bolaro Run' which included the original homestead located near where the current silos are located in Dunedoo.

The Gulgong goldfield was gazetted in 1866 but initial finds were negligible. One of Rouse's shepherds, Tom Saunders, uncovered a large find on the future town site (at Red Hill) on April 14, 1870, thereby sparking a major goldrush.

There was spectacular growth in Gulgong during the 1870s, with the mines around Gulgong producing twice as much gold as the Meroo field produced over half a century in 1872 (DUAP 1996: 92). When the town was gazetted in 1872 there were reputedly 20,000 people in the area.

Gulgong became a municipality in 1876 although the gold had already begun to dwindle. By 1881 the population was 1,212 and the boom years were over. From that point, wheat and wool production, boosted by the arrival of the railway in 1909, sustained the town.

The 1898 parish map of Merotherie (**Figure 3-1**) shows that Ernest Matthew Bowman, James Vivian Murphy, William Baker, Michael Fairly, William and Harriet Sommerfield, Joseph William Rains and Philip Weis owned the land the project area is located on.

The current day township of Gulgong is well known for its historic streetscape and association with gold mining. The township has approximately 130 National Trust listed buildings, as well as Australia's oldest operating opera house (the Prince of Wales Opera House), and many museums relating to the gold rush and pioneer history of the town.

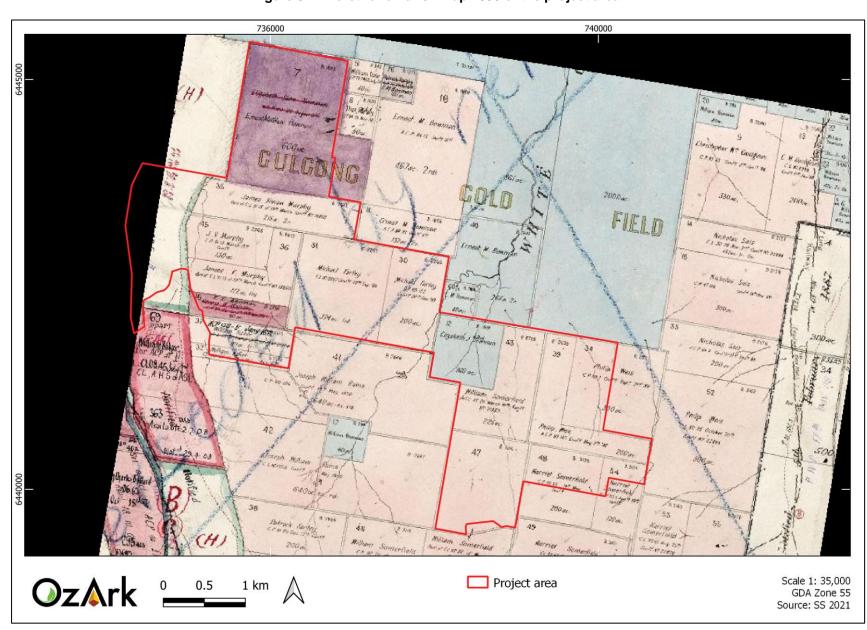


Figure 3-1: Merotherie Parish Map 1898 of the project area.

3.2 LOCAL CONTEXT

3.2.1 Desktop database searches conducted

A desktop search was conducted on the following databases to identify any potential previously recorded heritage within the survey area or road upgrade corridor. The results of this search are summarised in **Table 3-1**.

Table 3-1: Historic heritage: desktop-database search results.

Name of database searched	Date of search	Type of search	Comment
National and Commonwealth Heritage Listings	31 August 2021	Mid-Western Regional and Warrumbungle Shire LGA	No items are listed within 5 km of the survey area.
SHR	30 August 2021	NSW	No items are listed within 5 km of the survey area.
LEP	30 August 2021	Mid-Western Regional LEP 2012 and Warrumbungle LEP 2013	One item is listed within 5 km of the survey area (Section 3.2.1.1).

3.2.1.1 LEP listing

The closest locally listed item to the survey area is the 'Birriwa Private Cemetery'. This is item #1 on the Warrumbungle LEP 2013 and is located approximately 2 km north of the survey area (**Figure 3-2**).

The statement of significance for the item is as follows:

This place is historically significant locally and to the state because it demonstrates a long history of Pastoralist in the area prior to the establishment of towns and public cemeteries.

It is associated with early shepherds and station workers from circa 1860, and possibly earlier, but most significantly with Snr. Constable Ward, shot and killed by Chinese bushranger Sam Poo.

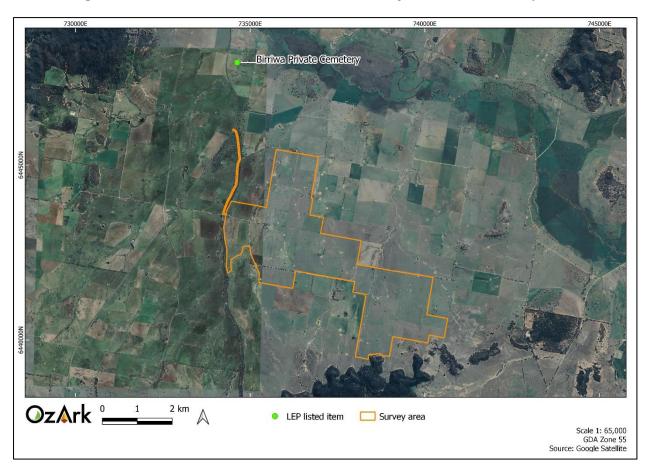


Figure 3-2: Location of the 'Birriwa Private Cemetery' in relation to survey area.

4 RESULTS OF HISTORIC HERITAGE ASSESSMENT

4.1 SURVEY METHODOLOGY

Standard archaeological field survey and recording methods were employed in this study (Burke & Smith 2004). The survey for historic heritage values occurred at the same time as the Aboriginal cultural heritage survey for the project (OzArk 2022)

Figure 4-1 shows the survey tracks of the OzArk archaeologists during the survey. **Plates 1** to **5** provide an overview of the environmental context of the survey area.

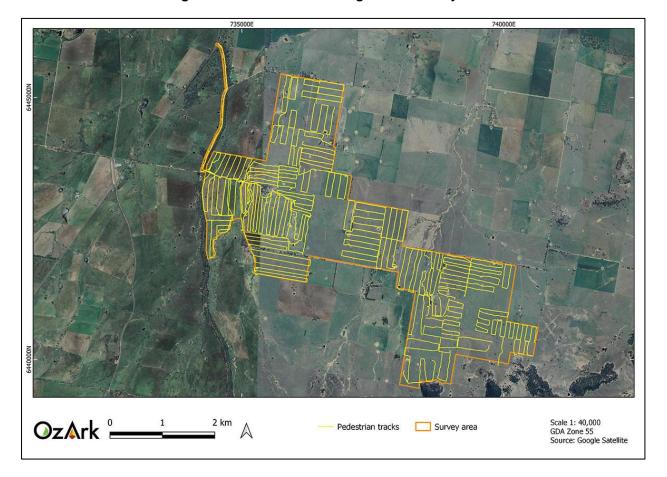


Figure 4-1: Pedestrian coverage of the survey area.

4.2 PROJECT CONSTRAINTS

Ground surface visibility (GSV) was the greatest constraint during field survey however this did not unduly affect survey efficiency or the potential to identify historic heritage sites.

4.3 HISTORIC HERITAGE ITEMS

No historic sites were recorded within the survey area or road upgrade corridor. As such, there will be no impact to any historic sites during the proposed works.

4.4 DISCUSSION

Overall, there was limited potential for historic heritage to be present inside the survey area. The heritage values associated with the survey area are derived from practices which are unlikely to have physical remains such as grazing. As such, potential remaining physical fabric such as cattle yards, fencing, etc. have been upgraded throughout the use of the survey area and no historic remnants were recorded during the survey. In addition, no areas of potential historical deposits were identified during the survey.

4.5 LIKELY IMPACTS TO HISTORIC HERITAGE FROM THE PROJECT

The project will not impact any historic heritage.

5 MANAGEMENT AND MITIGATION: HISTORIC HERITAGE

5.1 GENERAL PRINCIPLES FOR THE MANAGEMENT OF HISTORIC SITES

Appropriate management of heritage items is primarily determined based on their assessed significance as well as the likely impacts of the proposed development.

In terms of best practice and desired outcomes, avoiding impact to any historical item is a preferred outcome, however, where a historical site has been assessed as having no heritage value, impacts to these items does not require any legislated mitigation.

5.2 MANAGEMENT AND MITIGATION OF RECORDED HISTORIC SITES

No items or sites of historic heritage significance were identified in the survey area.

Should any items of historic heritage significance be uncovered during the construction of the project then the *Historic Heritage Unanticipated Finds Protocol* (**Section 5.3**) will need to be enacted. This protocol stipulates the processes to follow should likely historic objects become uncovered through the activities of the project.

5.3 UNANTICIPATED FINDS PROTOCOL

Should consent for the project be gained, a HHMP will be developed in consultation with the Department of Planning and Environment (DPE). The HHMP will contain procedures should a new discovery of significant historic artefacts or items be made during construction or operation of the project.

The procedure in **Section 5.3.1** is an example of an unanticipated finds protocol that could be incorporated into the HHMP.

5.3.1 Unanticipated finds protocol example

A historic artefact is anything which is the result of past activity not related to the Aboriginal occupation of the area. This includes pottery, wood, glass, and metal objects, as well as the built remains of structures, sometimes heavily ruined.

Heritage significance of historic items is assessed by suitably qualified specialists who place the item or site in context and determine its role in aiding the community's understanding of the local area, or their wider role in being an exemplar of state or even national historic themes.

The following protocol should be followed if previously unrecorded or unanticipated historic objects are encountered:

- 1. All ground surface disturbance in the area of the finds should cease immediately, then:
 - a) The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted

- b) The site supervisor will be informed of the find(s).
- 2. If finds are suspected to be human skeletal remains, then NSW Police must be contacted as a matter of priority.
- 3. If there is substantial doubt regarding the historic significance for the finds, then gain a qualified opinion from an archaeologist as soon as possible. This can circumvent proceeding further along the protocol for items which turn out not to be significant. If a quick opinion cannot be gained, or the identification is that the item is likely to be significant, then proceed to the next step.
- 4. Notify Heritage NSW as soon as practical on (02) 9873 8500 providing any details of the historic find and its location.
- 5. If it is the view of the heritage specialist or Heritage NSW that the finds appear <u>not</u> to be significant, work may recommence without further investigation. Keep a copy of all correspondence for future reference.
- 6. If it is the view of the heritage specialist or Heritage NSW that the finds appear to be significant, facilitate the recording and assessment of the finds by a suitably qualified heritage specialist. Such a study should include the development of appropriate management strategies.
- 7. If the find(s) are determined to be significant historic items (i.e. of local or state significance), any re-commencement of ground surface disturbance may only resume following compliance with any legal requirements and gaining written approval from Heritage NSW.

6 RECOMMENDATIONS

The following recommendations are made based on the impacts associated with the project and with regard to:

- Legal requirements under the terms of the Heritage Act
- Guidelines presented in the Burra Charter
- The findings of the current assessment
- The interests of the local community.

No items of significant historic heritage are located within the survey area.

Recommendations concerning the historic values within survey area are as follows.

- Following development consent of the project, a HHMP will be developed and then used during the construction and ongoing use of the project. If items of historic heritage significance are uncovered during the project, then the unanticipated finds protocols in the HHMP will be enacted. An example of an unanticipated finds protocol is provided in Section 5.3.1.
- It is assessed that ground disturbing works associated with the project will not harm significant historical archaeological deposits and no further archaeological investigation is required.
- 3. All land-disturbing activities must be confined within the assessed survey area. Should project impacts change such that the area to be impacted is outside of the assessed survey area, then additional assessment may be required

REFERENCES

ABD 2020 Australian Dictionary of Biography (E Hickson). 2020. William Cox

(1764–1837). Online resource [accessed 18 September 2020]:

http://adb.anu.edu.au/biography/cox-william-1934

Burke & Smith 2004 Burke, H. and Smith, C. 2004. The Archaeologist's Field Handbook,

Blackwell, Oxford.

DUAP 1996 NSW Heritage Office and the Department of Urban Affairs and Planning.

1996. Regional Histories of NSW. NSW Government Press.

Heritage Council 2006 Historical Archaeology Code of Practice. Heritage Council of New South

Wales and the NSW Government Department of Planning.

MHC 2019 Monitor Heritage Consultants 2019. Warrumbungle Shire Thematic

History. Report for the Warrumbungle Shire Council.

Navin Officer 2005 Navin Officer Heritage Consultants.2005. Wilpinjong Coal Project. Report

to Wilpinjong Coal Pty Limited.

OzArk 2005 OzArk Environment and Heritage. 2005. Indigenous and non-Indigenous

Heritage Assessment: Wollar - Wellington 330kV Electricity

Transmission Line. Report to International Environmental Consultants on

behalf of TransGrid.

OzArk 2022 Aboriginal Cultural Heritage Assessment Report, Birriwa Solar and

Battery Project, Mid-Western Regional Local Government Area. Report to

ACEN Australia Pty Ltd.

Tindale N. Aboriginal Tribes of Australia. ANU Press, Canberra.

PLATES



Plate 1: View south along Huxley Creek in the northwest of the survey area.



Plate 2: View north along the south-eastern boundary of the survey area.



Plate 3: View southwest across a cleared paddock in the central portion of the survey area.



Plate 4: View southwest across a gentle slope adjacent to White Creek.



Plate 5: View west across a cultivated paddock in the southeast of the survey area.