

KINGSWOOD BATTERY ENERGY STORAGE SYSTEM

Appendix I
Historic Heritage Assessment Report

June 2024

SSD-63207219



View west across the Survey Area showing Tamworth substation in the background.

HISTORIC HERITAGE ASSESSMENT REPORT

KINGSWOOD BATTERY ENERGY STORAGE SYSTEM

TAMWORTH REGIONAL LOCAL GOVERNMENT AREA, NSW

APRIL 2024

Report prepared by

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for Iberdrola Australia Development Pty Limited

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Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

ABBREVIATIONS AND GLOSSARY

DCCEEW (Commonwealth)	Commonwealth Department of Climate Change, Energy, the Environment and Water. Department responsible for administering the EPBC Act
DCCEEW (state)	NSW Department of Climate Change, Energy, the Environment and Water. DCCEEW contains the Environment and Heritage Group which, in turn, contains Heritage NSW and AHIMS
DPE	NSW Department of Planning and Environment. Former NSW department responsible for planning approvals. Now DPHI.
DPHI	NSW Department of Planning, Housing and Infrastructure. DPHI contains the Planning agency and administers the EP&A Act.
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.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> . Act that institutes a system of environmental planning and assessment for the State of New South Wales
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> . Commonwealth legislation that governs matters of national and world heritage significance
Heritage Act	<i>Heritage Act 1977</i> . 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 Heritage Act.
SEARs	Secretary's Environmental Assessment Requirements.
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 Arcadis Australia Pacific (Arcadis), on behalf of Iberdrola Australia Development Pty Limited (the Proponent) to complete a *Historic Heritage Assessment Report* (HHAR) for the proposed Kingswood Battery Energy Storage System (the Project).

The Project is a State Significant Development (SSD-63207219). The purpose of the assessment is to form part of an *Environmental Impact Statement* (EIS) being prepared by Arcadis to accompany an application for development consent under Division 4.7 of Part 4 of the *Environmental Planning and Assessment Act 1979*.

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

The Study Area for the Project is located at 744 Burgmanns Lane, Kingswood, approximately 1.8 kilometres (km) west of the township of Calala and 7 km southeast of Tamworth, in the Tamworth Regional Local Government Area. The Study Area encompasses approximately 95-hectares (ha) of land across Lot 3 and 4 DP244399, Lot 6 DP219993 and Lot 43 DP1064582 and includes portions of Burgmanns Lane, Burgess Lane and Ascot-Calala Road.

The Survey Area for the assessment includes the area where Project components are proposed, encompassing approximately 62 ha of land within the Study Area.

Desktop database searches completed prior to the survey show there are no listed historic heritage items within the Survey Area. The closest item listed on the State Heritage Register (SHR) is item 01922 ('King George V Memorial Avenue of Oaks, Tamworth'), located approximately 4.4 km northwest of the Survey Area. There are eight items listed on the Tamworth Regional Local Environmental Plan 2010. The closest of these to the Survey Area is I321 ('Original AA Building Site'), located approximately 2.7 km northwest of the Survey Area. None of the historic heritage items will be directly or indirectly impacted by the Project given their distance to the Survey Area.

The historic heritage assessment was completed on 12 February 2024 by Dr. Jodie Benton (OzArk Director and Principal Archaeologist).

No historic items or historic archaeological deposits were recorded within the Survey Area.

Recommendations concerning the historic values within the Survey Area are as follows:

1. Following development consent of the Project, the proposed work may proceed with caution. If items of historic heritage significance are encountered during the Project, then the protocols in provided in the *Historic Heritage Unanticipated Finds Protocol* (**Appendix**

- 1) should be enacted. The *Historic Heritage Unanticipated Finds Protocol* should be incorporated into the Construction Environmental Management Plan.
2. All land and ground disturbance activities must be confined to within the Survey Area. Should the parameters of the Project extend beyond the assessed areas, then further assessment may be required.
3. All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all historic items.

CONTENTS

ABBREVIATIONS AND GLOSSARY.....	III
EXECUTIVE SUMMARY.....	IV
1 INTRODUCTION	1
1.1 Description of the Project.....	1
1.2 Proposed work.....	1
1.3 Study Area.....	4
1.4 Survey area	6
2 HISTORIC HERITAGE ASSESSMENT: INTRODUCTION.....	9
2.1 Relevant legislation.....	9
2.1.1 Commonwealth legislation	9
2.1.1.1 Environment Protection and Biodiversity Conservation Act 1999	9
2.1.2 State legislation	9
2.1.2.1 Environmental Planning and Assessment Act 1979	9
2.1.2.2 Heritage Act 1977	10
2.1.2.3 Secretary's Environmental Assessment Requirements	11
2.1.3 Local Legislation	11
2.1.3.1 Local Environmental Plans.....	11
2.2 Assessment approach	12
2.3 Historic heritage assessment objectives	12
2.4 Date of historic heritage assessment	12
2.5 OzArk involvement.....	13
2.6 Reporting	13
3 HISTORIC HERITAGE ASSESSMENT: BACKGROUND	14
3.1 Brief history of Tamworth	14
3.2 Local context.....	17
3.2.1 Desktop database searches conducted	17
3.2.1.1 SHR listing	18
3.2.1.2 LEP listings.....	20
4 RESULTS OF HISTORIC HERITAGE ASSESSMENT	22
4.1 Survey methodology	22
4.2 Project constraints	22
4.3 Historic heritage items	22
4.4 Likely impacts to historic heritage from the project.....	22

5	MANAGEMENT AND MITIGATION: HISTORIC HERITAGE	24
5.1	General principles for the management of historic items	24
5.2	Management and mitigation of recorded historic sites.....	24
6	RECOMMENDATIONS.....	25
6.1	Historic Heritage	25
	REFERENCES	26
	APPENDIX 1: HISTORIC HERITAGE UNANTICIPATED FINDS PROTOCOL.....	27

FIGURES

Figure 1-1: Conceptual layout of the Project.	3
Figure 1-2: Map showing the location of the Study Area for the Project.	5
Figure 1-3: Aerial of the Survey Area.	7
Figure 1-4: Aerial of the Survey Area showing topography and drainage.	8
Figure 3-1: 1946 Parish map of Calala showing approximate location of Survey Area within the Calala Section of the Australian Agricultural Company's Grant.	16
Figure 3-2: Original AA Company's headquarters. 'Tamworth, Peel's River, not before 1845, J.C. Willis. Source: State Library of NSW	17
Figure 3-3: Location of SHR item 'King George V Memorial Avenue of Oaks, Tamworth' in relation to the Survey Area.	19
Figure 3-4: King George V Avenue of Memorial English Oaks. Source: State Heritage Inventory.	20
Figure 3-5: Location of LEP items in relation to the Survey Area.....	21
Figure 4-1: Pedestrian transects across the Survey Area.....	23

TABLES

Table 2-1: SEARs General Requirements.....	11
Table 3-1: Historic heritage: desktop-database search results.	18
Table 3-2: Items listed on the Tamworth Regional LEP within 5 km of Survey Area.	20

1 INTRODUCTION

1.1 DESCRIPTION OF THE PROJECT

OzArk Environment & Heritage (OzArk) has been engaged by Arcadis Australia Pacific (Arcadis) on behalf of Iberdrola Australia Development Pty Limited (the Proponent) to complete a *Historic Heritage Assessment Report* (HHAR) for the proposed Kingswood Battery Energy Storage System (BESS) (the Project).

The Project is a State Significant Development (SSD-63207219). The purpose of the assessment is to form part of an *Environmental Impact Statement* (EIS) being prepared by Arcadis to accompany an application for development consent under Division 4.7 of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.2 PROPOSED WORK

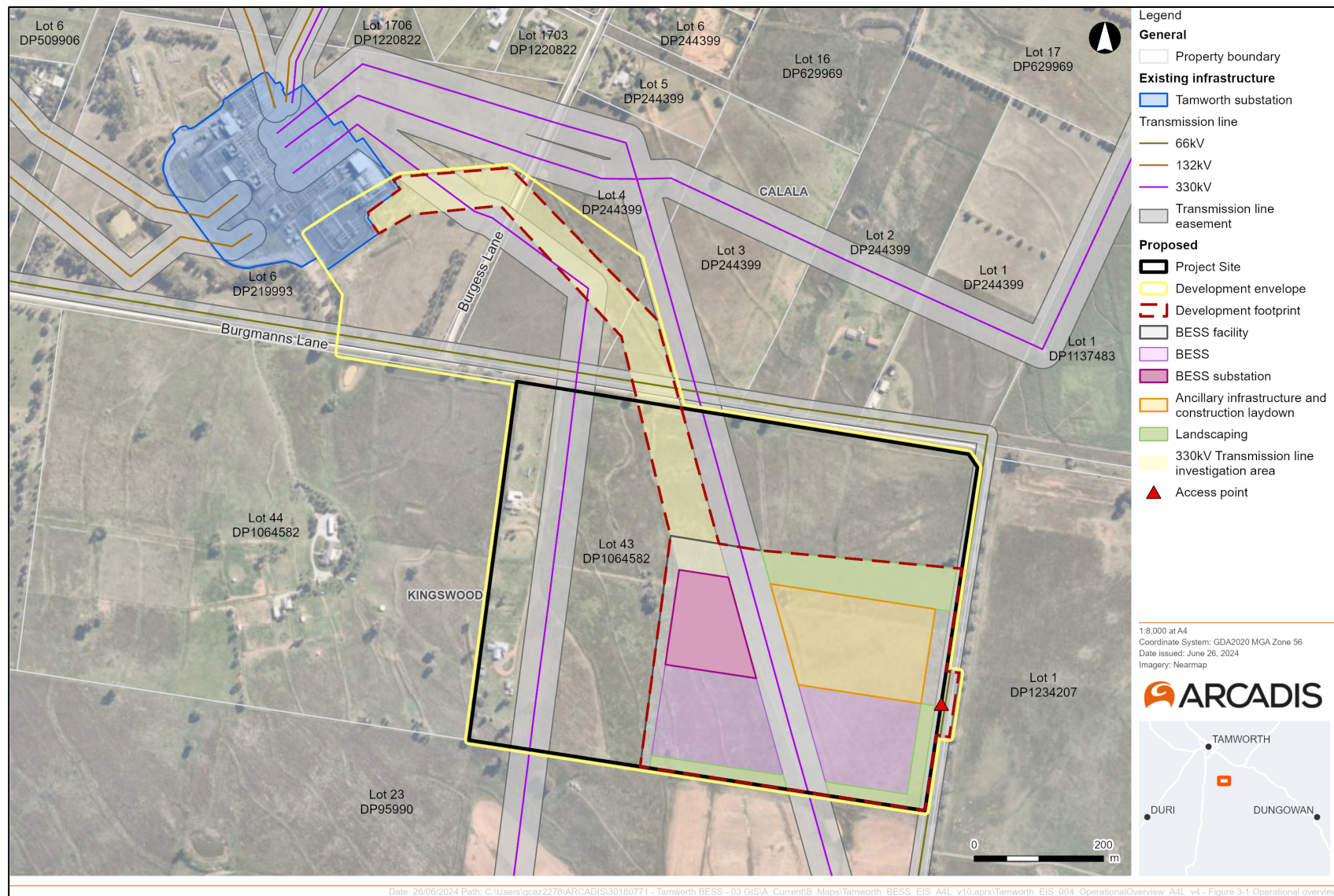
The Proponent is seeking development consent for the construction, operation, and maintenance of a large-scale BESS at 744 Burgmanns Lane, Kingswood, New South Wales (NSW) 2340 (Lot 43 Deposited Plan (DP) 1064582). The BESS will have a capacity of up to 270 Megawatts (MW) and up to 1080 Megawatt-hours (MWh) of battery storage capacity.

This Project would include (**Figure 1-1**):

- BESS including battery enclosures, inverters, transformers, switch gear and control building
- Onsite 33/330 kilovolt (kV) substation to convert electricity between the high voltage transmission network and medium voltage BESS
- High voltage transmission connection (above ground and/or below ground) between the BESS and the nearby Tamworth substation
- Ancillary infrastructure and mitigative features including:
 - Site access to the BESS from Ascot-Calala Road
 - Internal site access road and parking
 - Permanent office and staff amenities
 - Operations and maintenance building
 - Stormwater management infrastructure
 - Services and utilities
 - Lighting, fencing and security devices
 - Noise acoustic barriers
 - Asset protection zone
 - Landscaping and screening vegetation.

The BESS would operate 24 hours a day, seven days a week and be monitored remotely, with infrastructure maintenance undertaken onsite.

Figure 1-1: Conceptual layout of the Project.

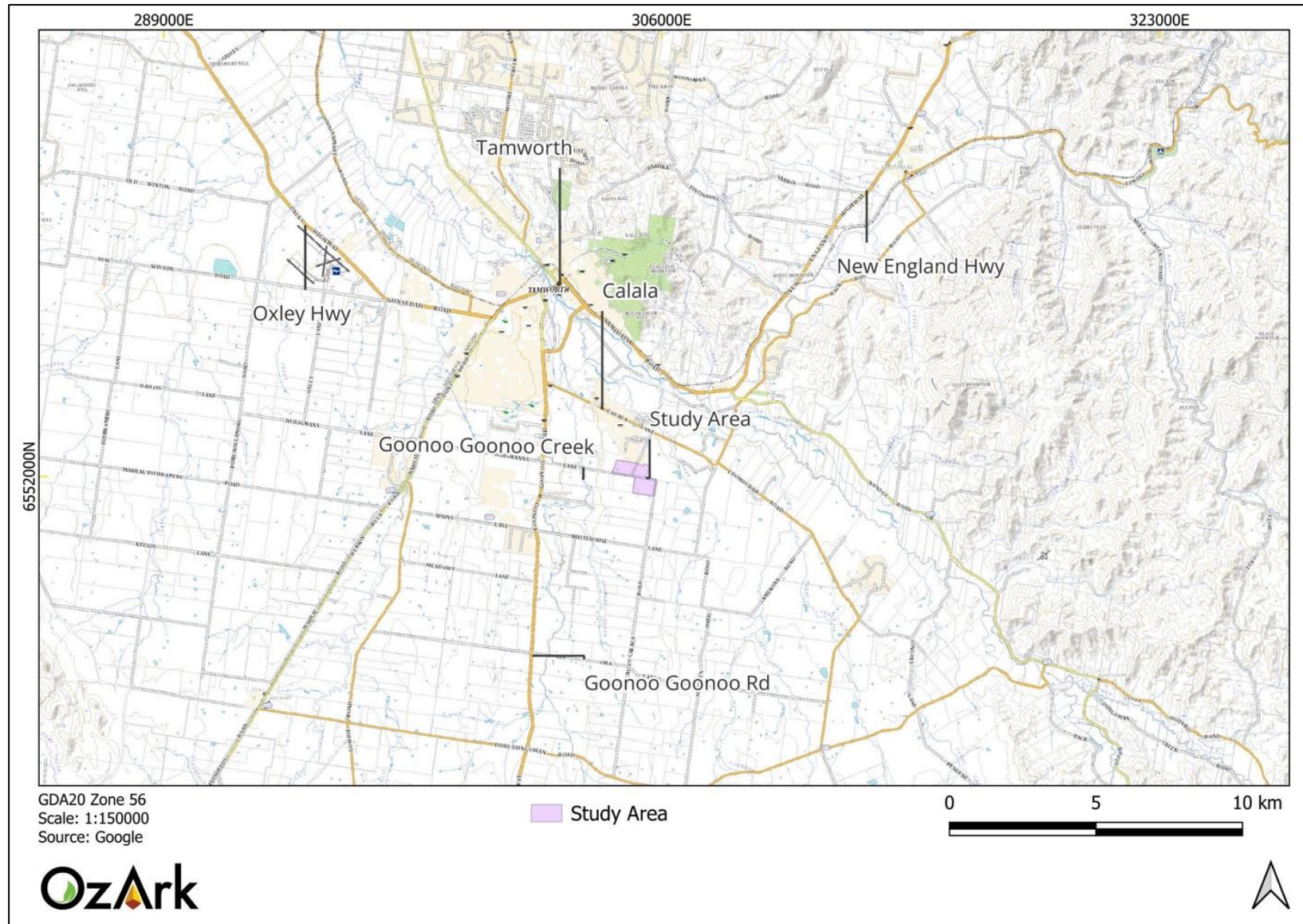


1.3 STUDY AREA

The Study Area for the Project is located at 744 Burgmanns Lane, Kingswood NSW 2340, approximately 1.8 kilometres (km) west of the township of Calala and 7 km southeast of Tamworth, in the Tamworth Regional Local Government Area (**Figure 1-2**).

The Study Area encompasses approximately 95-hectares (ha) of land across Lot 3 and 4 DP244399, Lot 6 DP219993 and Lot 43 DP1064582 and includes portions of Burgmanns Lane, Burgess Lane and Ascot-Calala Road.

Figure 1-2: Map showing the location of the Study Area for the Project.



1.4 SURVEY AREA

The Survey Area refers to the area where Project components are proposed, encompassing approximately 62 ha of land within the Study Area (**Figure 1-3**). All archaeological survey will be confined to the Survey Area and not the broader Study Area. The Survey Area allows a suitable buffer to allow movement of Project components if required.

The Survey Area is located within the Tamworth Keepit Slopes and Plains landscape unit (Mitchell 2011) and consists of gently undulating slopes with a low hill crest in the southwestern portion.

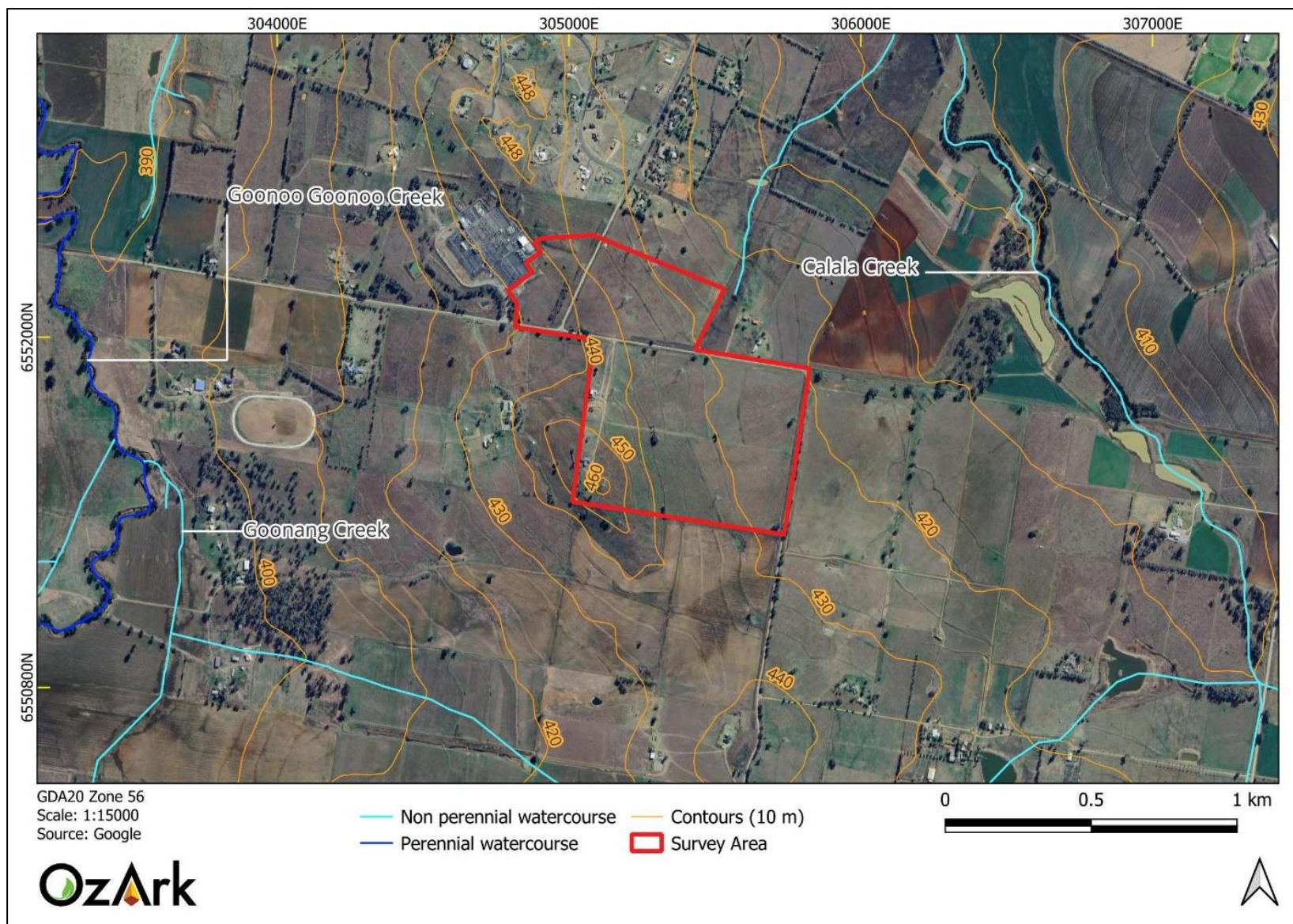
The closest non-perennial watercourses to the Survey Area are Calala Creek, located 840 m to the northeast, and Goonang Creek, located 1.3 km to the west (**Figure 1-4**). A minor unnamed tributary of Calala Creek is located approximately 220 m northeast of the Survey Area and a minor unnamed tributary of Goonang Creek is located 820 m to the south.

The Survey Area has been subject to disturbances associated with development of the existing substation and associated facilities, dwellings, contour banking, road construction and agricultural practices (grazing and cropping).

Figure 1-3: Aerial of the Survey Area.



Figure 1-4: Aerial of the Survey Area showing topography and drainage.



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*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), administered by the Commonwealth Department of Climate Change, Energy, the Environment and Water 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 interest. The assessment and permitting processes of the EPBC Act are triggered when a proposed activity or development could potentially have an impact on one of the matters of national environmental significance listed by the Act. Ministerial approval is required under the EPBC Act for proposals 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 or near the Survey Area, and as such, the heritage provisions of the EPBC Act do not apply.

2.1.2 State legislation

2.1.2.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) established 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 Minister responsible for the EP&A 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 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 current Project will be assessed under Division 4.7 of the EP&A Act.

As the Project is an SSD (SSD-63207219), if approved, Section 4.41 of the EP&A Act would apply 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 Division 4.7, an excavation permit under Section 139, of the *Heritage Act 1977* (Heritage Act) is not required.

It is normally a condition of approval for SSD projects that historic heritage be managed under an *Historic Heritage Management Plan* (HHMP). However, where no historic heritage items are present a HHMP is not warranted and any unanticipated finds can be managed under an unanticipated finds protocol that can be incorporated into the Construction Environmental Management Plan (CEMP).

2.1.2.2 *Heritage Act 1977*

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 is one SHR listed items within 5 km of the Survey Area (see **Section 3.2**). SHR item 01922 'King George V Memorial Avenue of Oaks, Tamworth' is located approximately 4.4 km from the Survey Area. As such, the item will not be directly or indirectly impacted by the Project.

Items of local heritage significance that are normally listed in Local Environmental Plans (LEPs) are also protected under the Heritage Act (see **Section 2.1.3**).

2.1.2.3 Secretary's Environmental Assessment Requirements

SEARs were issued for the Project by the Department of Planning and Environment (now the Department of Planning, Housing and Infrastructure [DPHI]) on 30 October 2023.

Table 2-1 addresses the general requirements for historic heritage in the SEARs for SSD-63207219.

Agency advice from the Heritage Council of NSW dated 13 October 2023 advised no heritage comments are required regarding the Project as the subject site is not listed on the SHR, nor is it in the immediate vicinity of any SHR items and does not contain any known historical archaeological relics.

Table 2-1: SEARs General Requirements.

General requirement	Where addressed in the HHAR
Assess the impact to historic heritage having regard to the NSW Heritage Manual.	Pedestrian survey has been undertaken across the Survey Area as reported in this HHAR. All assessment has followed the applicable codes and guidelines.

When published in 1996 the NSW Heritage Manual was the primary reference for heritage management in NSW. There have now been major amendments to the Heritage Act and the manual has been replaced by new guidelines that are set out in individual booklets such as *Investigating Heritage Significance*, *Assessing Heritage Significance*, and *Statements of Heritage Impact*.

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

2.1.3.1 Local Environmental Plans

The Survey Area is within areas administered by the Tamworth Regional LEP 2010.

The LEP 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 Tamworth Regional Council area,
- 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 eight items listed on the Tamworth LEP (2010) within 5 km of the Survey Area (see **Section 3.2**). The closest locally listed item to the Survey Area is I321 ('Original Australian Agricultural (AA) Company Building'), located approximately 2.7 km northwest of the Survey Area. Given its distance to the Survey Area, the item will not be directly or indirectly impacted by the Project.

2.2 ASSESSMENT APPROACH

The inspection and assessment of heritage significance follows the:

- The International Council on Monuments and Sites' *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (Burra Charter 2013)
- Heritage Council's *Historical Archaeology Code of Practice* (Heritage Council 2006)
- Heritage Council's *Assessing Significance for Historical Archaeological Sites and 'Relics'* (Heritage Council 2009)
- NSW Heritage Office's *Assessing heritage significance* (NSW Heritage Office 2001).

2.3 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 this 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
- 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.

2.4 DATE OF HISTORIC HERITAGE ASSESSMENT

The historic heritage assessment took place on 12 February 2024.

2.5 OzARK INVOLVEMENT

The field survey was undertaken on 12 February 2024 by Dr Jodie Benton, (OzArk Director; BA [Hons] Archaeology and PhD [Archaeology], University of Sydney).

2.6 REPORTING

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

- Report author: Dr Bernadette Drabsch, Heritage Consultant, BA Ancient History [Hons], PhD University of Newcastle
- Reviewer: Stephanie Rusden (OzArk Senior Archaeologist, BS University of Wollongong, BA University of New England).

3 HISTORIC HERITAGE ASSESSMENT: BACKGROUND

3.1 BRIEF HISTORY OF TAMWORTH

Oxley's exploration party crossed through the Peel Ranges and Peel Valley in 1818, naming the Peel River after British Prime Minister, Robert Peel (Davidson 2005). Subsequent explorations through the Liverpool Plains (west of the present-day Tamworth) were undertaken again by Oxley in 1827, followed by Mitchell in 1831–1832, Sir Edward Parry in 1832, and Henry Dumaesq in 1834. Mitchell later explored the region between the Castlereagh and Gwydir Rivers, surveying the land between Oxley, Sturt, and Cunningham's earlier routes. Henry Dangar, a surveyor under John Oxley, dominated exploration of the north and assessed every major mountain fold of the Liverpool, Mount Royal and New England junction of the Great Divide, and west to the Liverpool Plains.

The extensive well-watered, flat plains attracted early settlers and squatting pastoralists alike, seeking open plain grazing resources. To control settlement, the government declared that the Liverpool Ranges marked the official Limits of Location in 1829, therefore all people who had earlier occupied land in the Liverpool Plains and Peel Valley were occupying land illegally (Davidson 2005).

Despite this, settlement in the area after the exploration forays of Oxley, Cunningham, Sturt, and Mitchell was largely driven by the establishment of the Australian Agricultural Company (AA Company) (Atchison 1977: 140). The AA Company was a chartered corporation that took on the role of a development agency. They invested capital and introduced new breeds of stock and agricultural practices into the colony in return for a crown grant of one million acres at Port Stephens. In 1832 drought severely affected the AA Company's Port Stephens holdings and a search to find more suitable land for company acquisition was undertaken. On the advice of Oxley and Cunningham, in addition to Dangar on behalf of the AA Company, the soils, pastures, and streams of the Liverpool Plains were recommended, and in general, anywhere west of the Great Divide (Atchison 1977: 144).

Sir Edward Parry convinced the government to exchange the half a million acres of poor coastal land for the equivalent in rich interior land and it was decided that Peel Estate would become home to the more than 25,000 sheep previously held in Port Stephens. By 1832 the AA company had displaced many squatters and controlled land along the Liverpool Plains, forcing many people to seek land further north.

In 1834, Dumaesq visited the Peel Estate and selected a site for the AA Company's headquarters at the junction of the Peel River and Goonoo Goonoo Creek (**Figure 3-2**). Dumaesq proposed that the site should be known as 'Tamworth' reminding the London directors of the AA Company of the connection between the illustrious politician, Sir Robert Peel, and the Borough of Tamworth in Staffordshire, where the Peel family had their properties.

As a result, cattle runs were made easier by the establishment of the Peel Line, which superseded the previous Ralfe's track (Davidson 2005). William Tefler, an AA Company employee, is attributed to establishing this route between the coast and Tamworth in 1836, which is almost identical to the present road that negotiates the ranges from Gloucester and Tamworth. After Dumaresq died in 1838, Phillip Parker King, son of Philip Gidley King, Governor of New South Wales, was appointed general superintendent and by 1839, the AA Company employed about 500 hundred men, including four hundred convicts on its pastoral properties. Peel Estate was allocated in two separate parcels, Calala and Goonoo Goonoo. In 1841 the head station was relocated from Calala (approximately 2.7 km from the Survey Area) (**Figure 3-2**) to its present position at Goonoo Goonoo, as Calala was affected by flooding and King was concerned about infections passing to their flocks from sheep being driven out of Gunnedah .

In 1847 the AA Company obtained freehold title to its land on the Peel River and the Company began to subdivide the area (**Figure 3-1**). The AA Company remained highly profitable, and it was a significant breeder of both sheep and cattle and was an innovative player in the Australian wool industry. The Goonoo Goonoo Estate, located approximately 15 km from the Survey Area, is probably the best-known example of corporate pastoralism and the cluster of buildings that survives is a reminder of the company's activities.



Figure 3-2: Original AA Company's headquarters. 'Tamworth, Peel's River, not before 1845, J.C. Willis. Source: State Library of NSW



In 1888 mining began in the Hanging Rock and Nundle areas. Discovery of gold on what became known as Peel Diggings brought about a gold rush in 1852. Directors of the AA Company soon established the Peel River Land and Mineral Company to protect auriferous gold on their Peel Estate property. At the height of this gold rush, Tamworth was virtually deserted with a colonial population of 254. When alluvial gold resources dried up, diggers moved onto other fields including the Rocky River and Tamworth Peel Valley Goldfields (Davidson 2005). From here the population grew slowly to 650 people in 1861, with a rapid population increase in the 1860s and 1870s.

3.2 LOCAL CONTEXT

3.2.1 Desktop database searches conducted

A desktop search was conducted of the following databases to identify any potential previously recorded heritage within and near the Survey Area. 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	14/11/23	Tamworth Regional LGA	No places listed on either the National or Commonwealth heritage lists are located within or near the Survey Area.
State Heritage Listings	14/11/23	Tamworth Regional LGA	There is one SHR listed item within 5 km of the Survey Area. The 'King George V Memorial Avenue of Oaks, Tamworth' is listed as 01922 on the SHR. The item is located approximately 4.4 km from the Survey Area (Section 3.2.1.1).
LEP	14/11/23	Tamworth Regional LEP of 2010	There are eight items listed on the Tamworth Regional LEP within 5 km of the Survey Area (Section 3.2.1.2). The closest locally listed item is I321 'Original Australian Agricultural (AA) Company Building' (ID I321), located approximately 2.7 km northwest of the Survey Area.

3.2.1.1 SHR listing

As noted in **Table 3-1**, the closest SHR listed item to the Survey Area is 'King George V Memorial Avenue of Oaks, Tamworth' (SHR 01922). The SHR item is approximately 4.4 km north of the Survey Area (**Figure 3-3**).

The Northern Daily Leader, 28 February 1936, reported that the townspeople of Tamworth held a public meeting to decide how to honour the late king, George V. Led by the Mayor, Ald. J.K. Killalea, and the Town Beautification and Progress Association it was decided that an avenue of English trees would be a fitting memorial to the monarch. King George V was known to be a lover of trees and English Oaks were selected as a symbol of Australia's link to the homeland (Monument Australia). *The Katoomba Daily (NSW)*, 11 July 1936, reported:

Tamworth's latest tree-planting effort takes the form of an avenue of 228 English oaks, which are set 44 ft apart, and which it is hoped will meet overhead. The King George Memorial Ave is the name bestowed on it.

In February 2013 the National Trust listed the avenue as one of state significance as a rare example of an avenue of English Oaks in NSW and the only one carefully planted to grow and produce an interlocking cathedral like effect from the branches joining overhead. It is of historical significance as it was planted as a memorial to King George V in 1936 from the last of the eras when English Oaks were used for street tree plantings and commemorative plantings (**Figure 3-4**).

Given the distance of this item to the Survey Area, the heritage values of this item will not be directly or indirectly impacted by the Project.

Figure 3-3: Location of SHR item 'King George V Memorial Avenue of Oaks, Tamworth' in relation to the Survey Area.

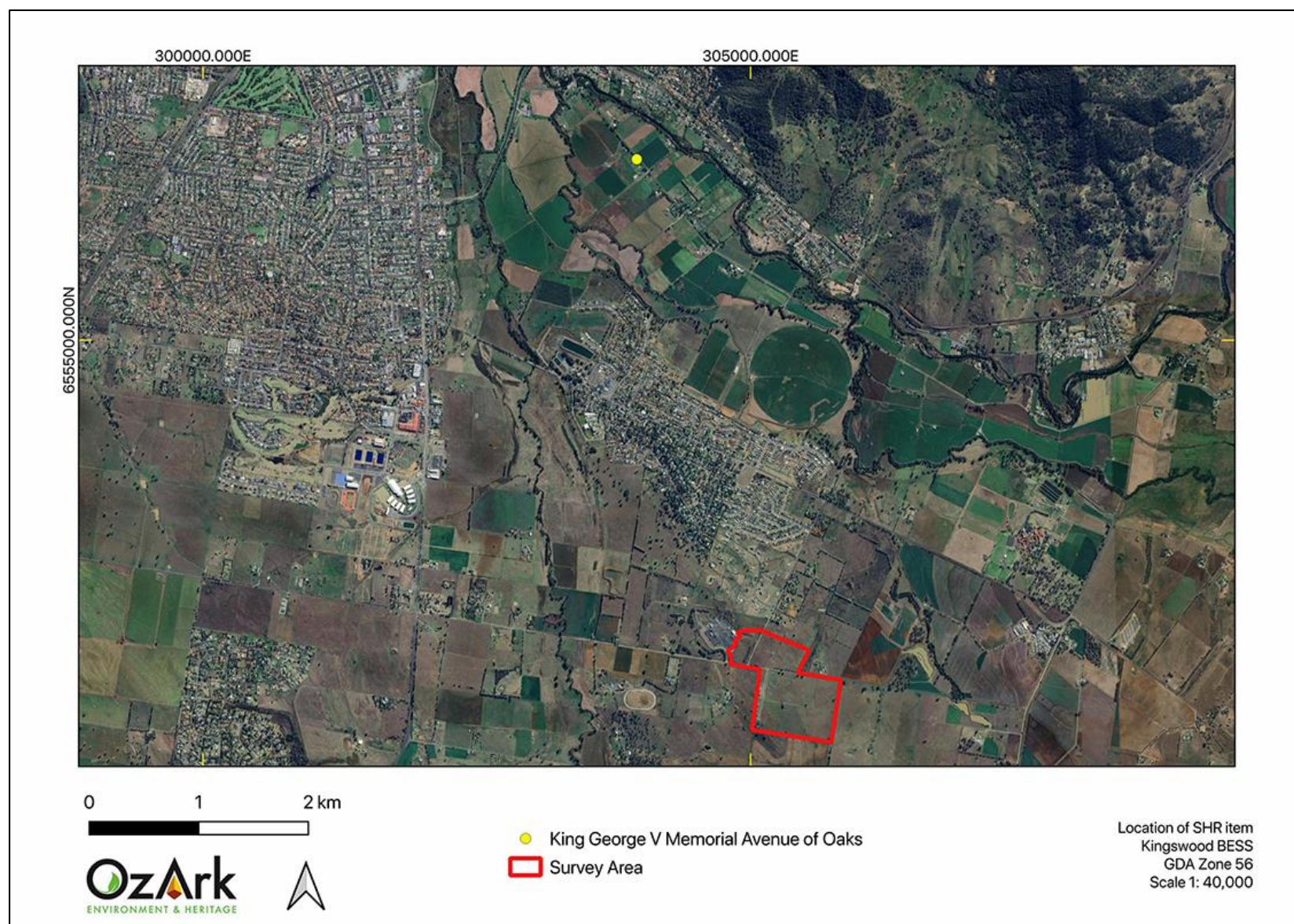


Figure 3-4: King George V Avenue of Memorial English Oaks. Source: State Heritage Inventory.



3.2.1.2 LEP listings

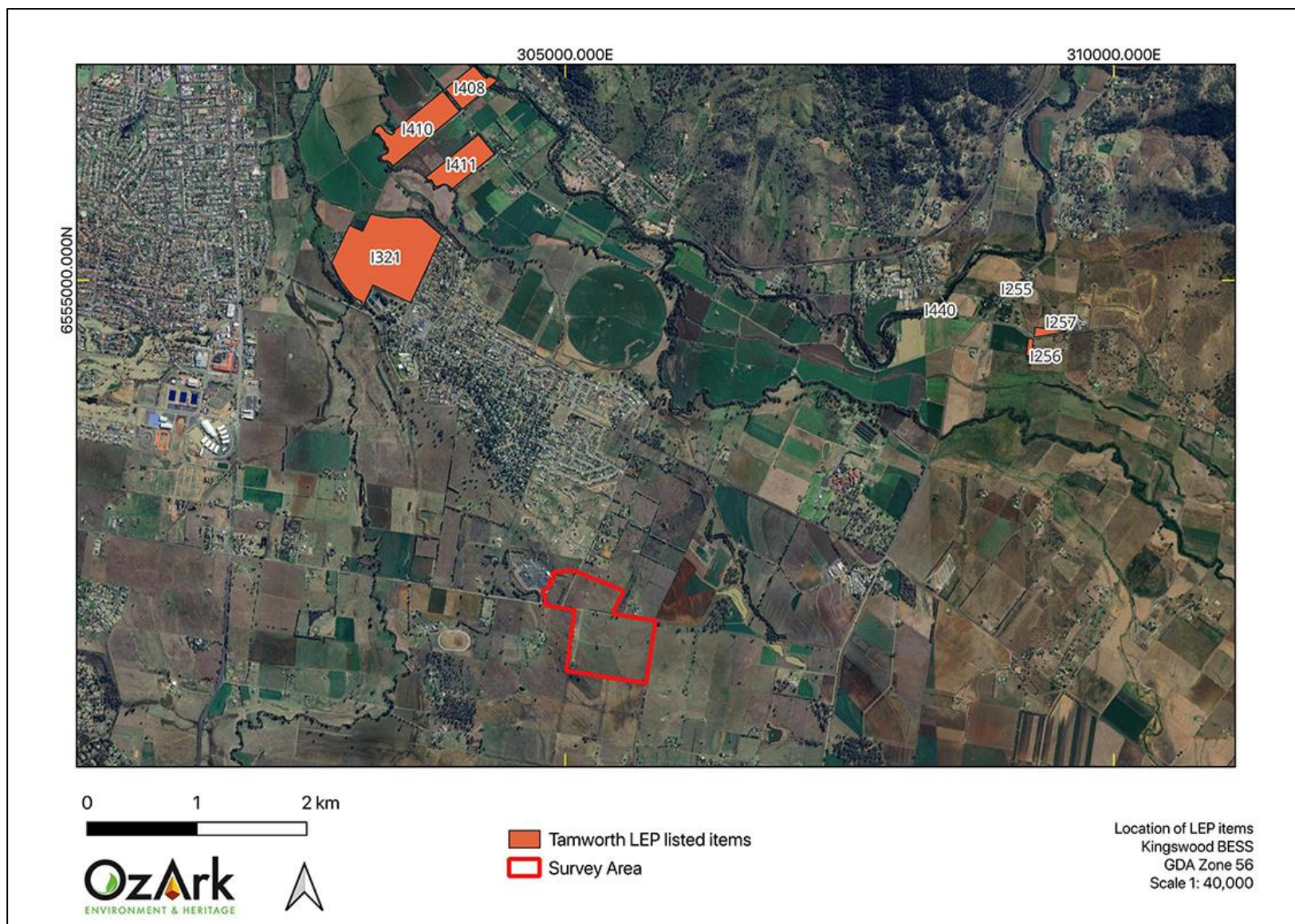
As noted in **Table 3-1**, there are eight items listed on the Tamworth Regional LEP within 5 km of the Survey Area (see **Figure 3-5**). These are listed below in **Table 3-2**. Information in the Tamworth Regional LEP regarding these items is limited.

Table 3-2: Items listed on the Tamworth Regional LEP within 5 km of Survey Area.

Item number	Item name	Distance to Survey Area
I321	Original Australian Agricultural (AA) Company Building	2.7 km
I411	Tobacco Kiln	3.6 km
I440	A house in Glenbrook	3.8 km
I408	A house	4.2 km
I256	Former Nemingha School	4.2 km
I255	Nemingha Hall	4.4 km
I257	Nemingha Anglican Church	4.4 km

Given the distance of these items to the Survey Area, the heritage values of these items will not be directly or indirectly impacted by the Project.

Figure 3-5: Location of LEP items in relation to the 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 entire Survey Area was assessed via pedestrian transects (**Figure 4-1**).

4.2 PROJECT CONSTRAINTS

The entire Survey Area was accessible during the survey. Ground surface visibility (GSV) was the only constraint during field survey however this did not unduly affect survey efficiency or the potential to identify historic heritage items.

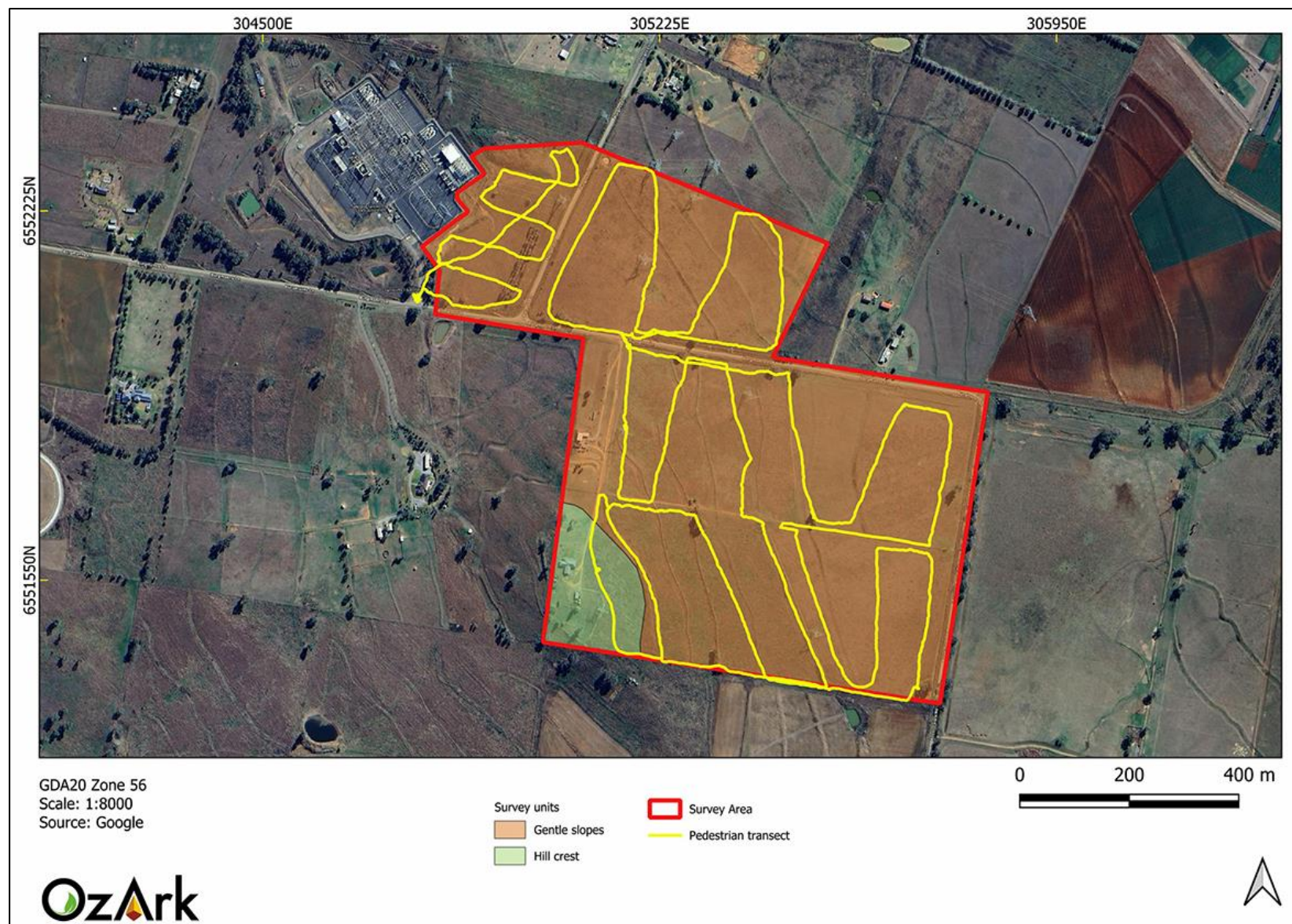
4.3 HISTORIC HERITAGE ITEMS

No historic heritage items or historic archaeological deposits were recorded in the Survey Area. Overall, there was limited potential for historic heritage to be present inside the Survey Area due to the historic land use of the area.

4.4 LIKELY IMPACTS TO HISTORIC HERITAGE FROM THE PROJECT

There will be no impacts to historic heritage as a result of the Project.

Figure 4-1: Pedestrian transects across the Survey Area.



5 MANAGEMENT AND MITIGATION: HISTORIC HERITAGE

5.1 GENERAL PRINCIPLES FOR THE MANAGEMENT OF HISTORIC ITEMS

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

As no items of historic heritage were recorded, no management or mitigation is required provided that the Proponent restricts works to the assessed Survey Area.

In the unlikely event that items of historic heritage significance are noted during construction or operation of the Project, the *Historic Heritage Unanticipated Finds Protocol* in **Appendix 1** will be an appropriate management protocol.

6 RECOMMENDATIONS

6.1 HISTORIC HERITAGE

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.

Recommendations concerning the historic values within the Survey Area are as follows:

1. Following development consent of the Project, the proposed work may proceed with caution. If items of historic heritage significance are encountered during the Project, then the protocols in provided in the *Historic Heritage Unanticipated Finds Protocol* (**Appendix 1**) should be enacted. The *Historic Heritage Unanticipated Finds Protocol* should be incorporated into the CEMP.
2. All land and ground disturbance activities must be confined to within the Survey Area. Should the parameters of the Project extend beyond the assessed areas, then further assessment may be required.
3. All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all historic items.

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APPENDIX 1: HISTORIC HERITAGE UNANTICIPATED FINDS PROTOCOL

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 (heritagemailbox@environment.nsw.gov.au) providing any details of the historic find and its location.
5. If in the view of the heritage specialist or Heritage NSW that the finds appear not to be significant, work may recommence without further investigation. Keep a copy of all correspondence for future reference.
6. If in 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.