

Planning Services
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Re: Rye Park Wind Project Application – Application Number 10-0223

I object to the project.

Attention: Executive Director, Resources Assessment & Business Systems

In June it was confirmed by Trustpower in their Yass office when questioned regarding the Aboriginal Cultural Heritage study for the Rye Park Wind Farm, their response to me was that “they will not be conducting a full study until the project has been approved”.

This is very disappointing considering all the Aboriginal artefacts as shown in Greg Perceval’s original submission for the Rye Park area.

Please refer to Michael Bell’s attached submission especially the last paragraph which still stands.

Deann Perceval

2nd July 2014

Director-General
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Re: Rye Park Wind Turbine Development Application – Application Number 10-0223

Dear Sir/Madam,

I would like to comment on the Aboriginal Cultural Heritage Assessment report submitted to Epuron date October 2013.

As a descendant of the Ngunnawal people and a member of the Onerwal Local Aboriginal Lands Council I would like to provide comment on the above mentioned report.

I believe that the community consultation process was not conducted in a broad and robust manner. The archaeologist engaged has made no attempt to become aware of the family/clan groups on the ground in the region. As evidenced by only two submissions from Aboriginal organisations one of which represents a separate Aboriginal Nation. I am a member of Ngunnawal Aboriginal Corporation (NAC) and Buranya Aboriginal Corporation (BAC) either of the companies where not contacted in relation to this report. I do not believe one notice in the local newspaper (Yass Tribune) would qualify as sufficient notice to register interest in the assessment.

NAC is an Aboriginal corporation representing Ngunnawal Elders from the Yass region, and BAC is a corporation aimed at improving the natural heritage and cultural protection with the Ngunnawal tribal boundaries. Also I note that the United Ngunnawal Elders an Elders group of the Ngunnawal Nation have not been included in this process.

Deficiencies in Aboriginal Community Consultation Approach

The consultation underlying the report focusses on scientific importance, to the exclusion of cultural significance. I would like emphasised that the cultural heritage value of the site is not reflective only of the *'presence of archaeological evidence within the development Boundary and its capacity to provide some insight into pre-European Aboriginal land use'*, but is based on both the physical and spiritual connection of the Ngunnawal People to the land.

In asserting that the cultural heritage value of the site should be assessed only by its scientific values, the New South Wales Archaeology have relied on a lack of specificity in the comments of Registered Aboriginal Parties (**RAPs**) regarding any elevated socio-cultural value of the development site. Without the input of an anthropologist to qualify and evaluate any statements made by Aboriginal parties, such reliance is flawed and unfounded.

It is not appropriate that no specific investigation in to the cultural values of the development site be undertaken. The Aboriginal heritage value of the development lies in both the cultural and scientific meanings of the archaeological evidence.

There is also no evidence in the report of any appropriate and specific cultural awareness training having been undertaken by staff that carried out the assessment underlying the recommendations. A failure to do so means that the persons carrying out the assessment have no insight into or awareness of the culture and traditions of the Ngunnawal People, which is the basis of the connection of the Ngunnawal People to the development site. Without such training, it is difficult to see how an adequate or appropriate assessment of the cultural heritage value of the development site can have been carried out.

Accordingly, the assessment underlying the recommendations is potentially flawed and significantly mischaracterises and underestimates the cultural heritage value of the development site and, accordingly, the basis on which the measures in the report are developed is fundamentally flawed. Notwithstanding that members of the Buru Ngunnawal Aboriginal Corporation assisted in the field (presumably paid work) represents 1 family within the Ngunnawal Nation.

Given that one respondent who discussed ancestors' connections to Blakney Creek, located in the local area (page 63). Even so, the report concluded: "The archaeological status of the three SPAs [stone procurement areas] is uncertain, and accordingly, their cultural and archaeological values are unknown" (page 65). Even so, the recommendations are: The 13 recorded Aboriginal object locales are assessed to be representative of a very low density distribution of stone artefacts. The cultural and archaeological heritage significance of these locales is assessed to be low. Accordingly, unmitigated impact is considered to be appropriate. A management strategy of impact avoidance is not warranted, except in respect of the three quartz outcrops. It is recommended also, that the three European heritage items are avoided during construction.

There are no identified Aboriginal archaeological and cultural constraints relating to the proposal." (Page 72, dot points 7&8)

I have difficulty in understanding how this recommendation was reached. Considering that in consultation with only 2 landowners in the effect area, I have been provided with photographic and physical evidence of over 70 stone artefacts (see attached), a potential flint napping site and numerous scared trees, stone grinding sites. I am also aware that a sight of significance (permanent camp) is located with the proposed development site. This information is in conjunction with numerous verbal reports and invitations to survey additional sights and artefacts from other landowners from within the development area.

I believe that an independent archeological survey should be conducted in consultation with the local Aboriginal community to ensure that any potential cultural heritage sites of significance or cultural artefacts are identified and recorded before they are potentially lost or damaged forever, based on report commissioned by the proponents of the development.

I cannot comprehend how “13 recorded Aboriginal object locales are assessed to be representative of a very low density distribution of stone artefacts. The cultural and archaeological heritage significance of these locales is assessed to be low”. I would also question the context as to how these object locales have been considered. Do these locales represent connection to an nguru (camp site)? Do they represent connection to a Bunan (men’s initiation site)? Do they represent connection to gadali (hunting ground)? I would like to know how much time was spent on the ground conducting the site survey, given that local landowners have reported the numerous sites and artefacts with a potential to support the oral history of land use and cultural connection to the area, connective history and evidence that has not been taken into account by this report. The report indicated that only 1 of the 27 lots surveyed gave on average 50 percent area of exposure, with 18 of the listed 27 lots covered displaying less than 10 percent exposure. In table 1 pg. 27, I draw your attention to Area sq. m 3526157, inspected 1057847 Exposure sq. m 124861. Again I question the completeness of the survey.

I also would like to raise my concerns in relation to the potential damage/harm to the natural habitat for the wedge tailed eagle (Mulleun) population in the designated development area, as well as other native animal species and native flora, has there been a study and/or consideration to the impact upon the natural environment in relation to the proposed development?

In conclusion I do not support the finding of the report and would be opposed to any development commencing on the basis of this report without further community consultation and a thorough and inclusive study taking place. I also believe that any future native title claim over the development area has not been considered.

Michael Bell
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Yass NSW 2582