
Iwatta Aboriginal Corporation

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Dangarsleigh Solar Farm

5th November 2019

- A CULTURAL HERITAGE ASSESSMENT - Dangarsleigh Solar Farm on “Petersons winery”,
Dangarsleigh Road, VIA ARMIDALE. ARMIDALE REGIONAL COUNCIL LOCAL
GOVERNMENT AREA, NEW SOUTH WALES

A Report To: ITP Development: 05-November-2019 Prepared For: Zenith Town Planning, Po
Box 591 Moruya NSW 2537, Prepared By: Steven Ahoy

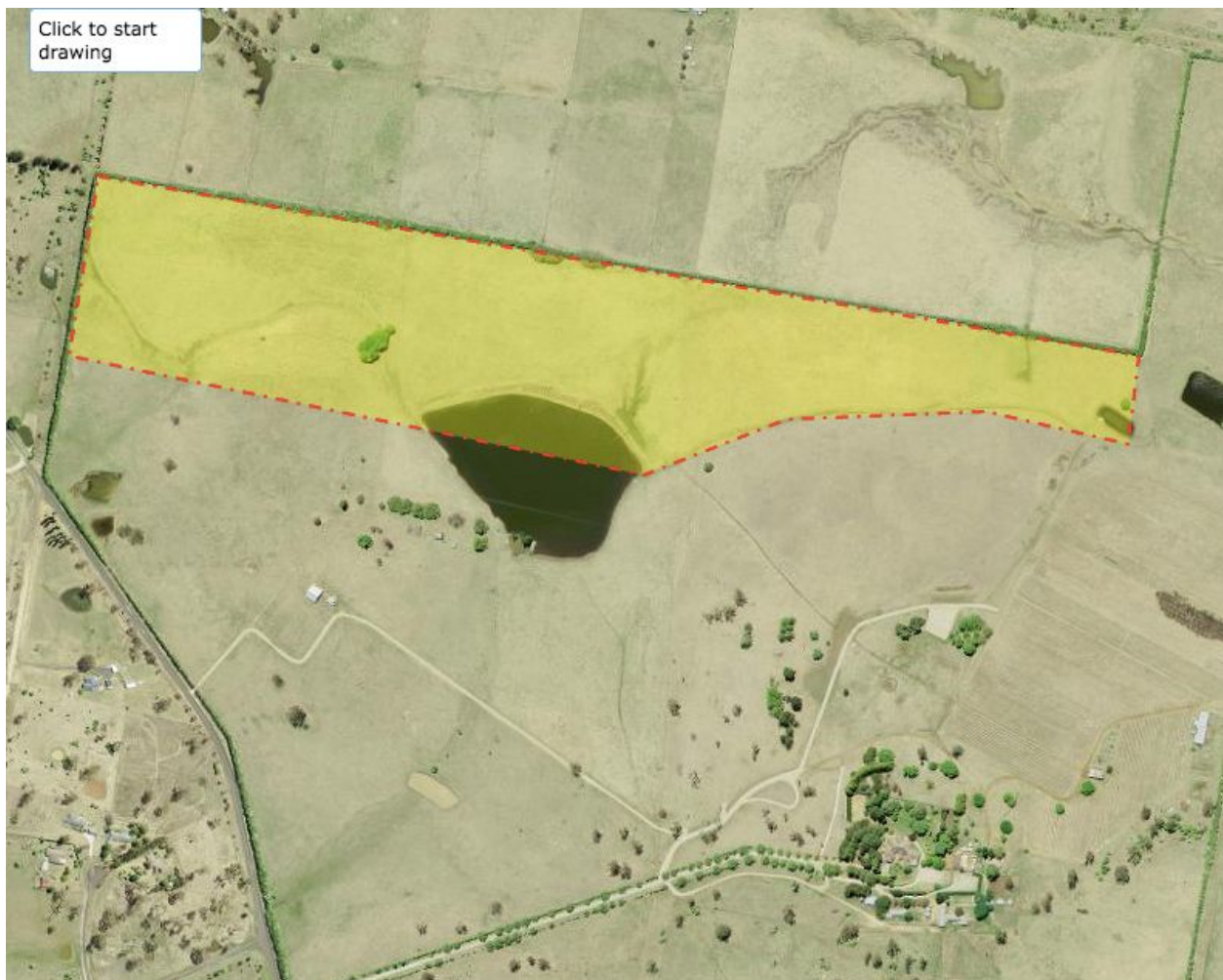


Image source: Google Earth pro 2019



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Zenith town planning, representing IT Power Renewable Energy Consulting, commissioned Iwatta Aboriginal Corporation to carry out a cultural heritage assessment on a portion of “Peterson winery”, a property approximately 3.46 kilometres south-east of Armidale in the Armidale Regional Council local government area, on the Dangarsleigh road, New South Wales, in preparation for the proposed Dangarsleigh solar farm. Zenith and ITP Renewables have targeted an area on “Peterson winery” as most interest for development and the area identified throughout this report as the Study Area.

The purpose of the Aboriginal cultural heritage investigation reported in this document was to carry out the required statutory cultural heritage assessment. Searches of the OEH Aboriginal Heritage Information Management System (AHIMS) database located 1 Aboriginal site within 800 meters and 1 Aboriginal Place 2.43kms of the “Petersons winery” study area.

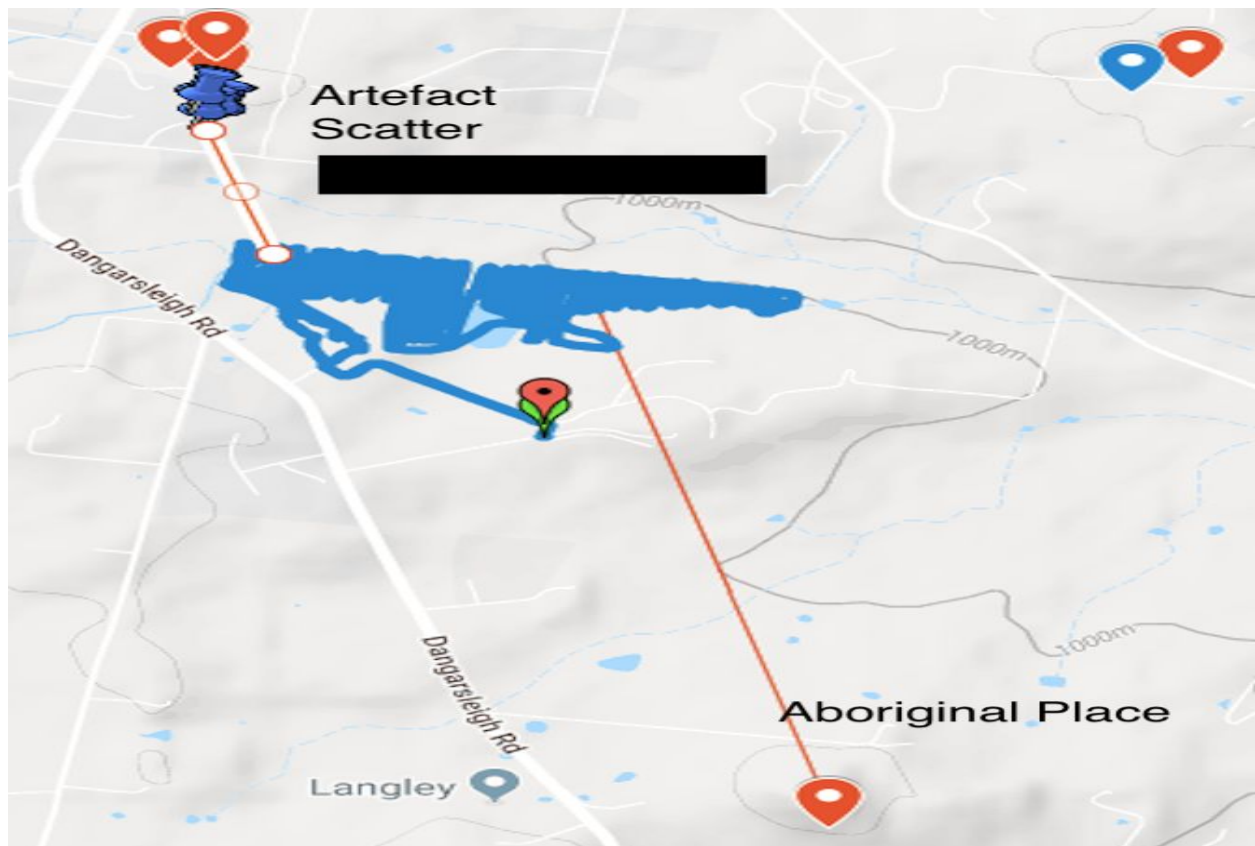


Image source: Google Earth pro 2019



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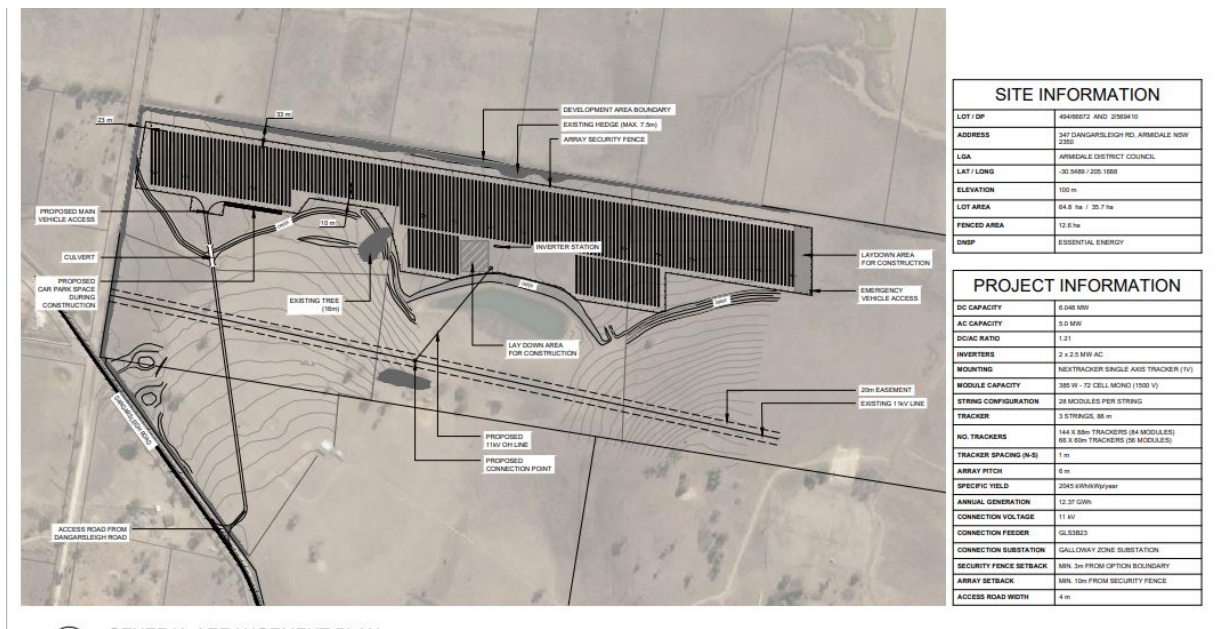


Figure 1 – Lot 494 DP 66672 and Lot 2 DP 569410, The “Petersons winery” project area identified by ITP Renewables as of most interest to their proposed solar farm project.

The results of the field work completed for this cultural heritage assessment located no surface Artefacts, sites or places of Aboriginal Cultural significance across the study area. The environment across the study area is dominated by undulating plains, cleared of trees with dams placed in various locations across the landscape. Currently it is utilised as prime pastoral land for cattle grazing.

No further Archaeological investigation is required, if for any reason changes are made to the footprint outlined in this report, further Archaeological investigation will be required.



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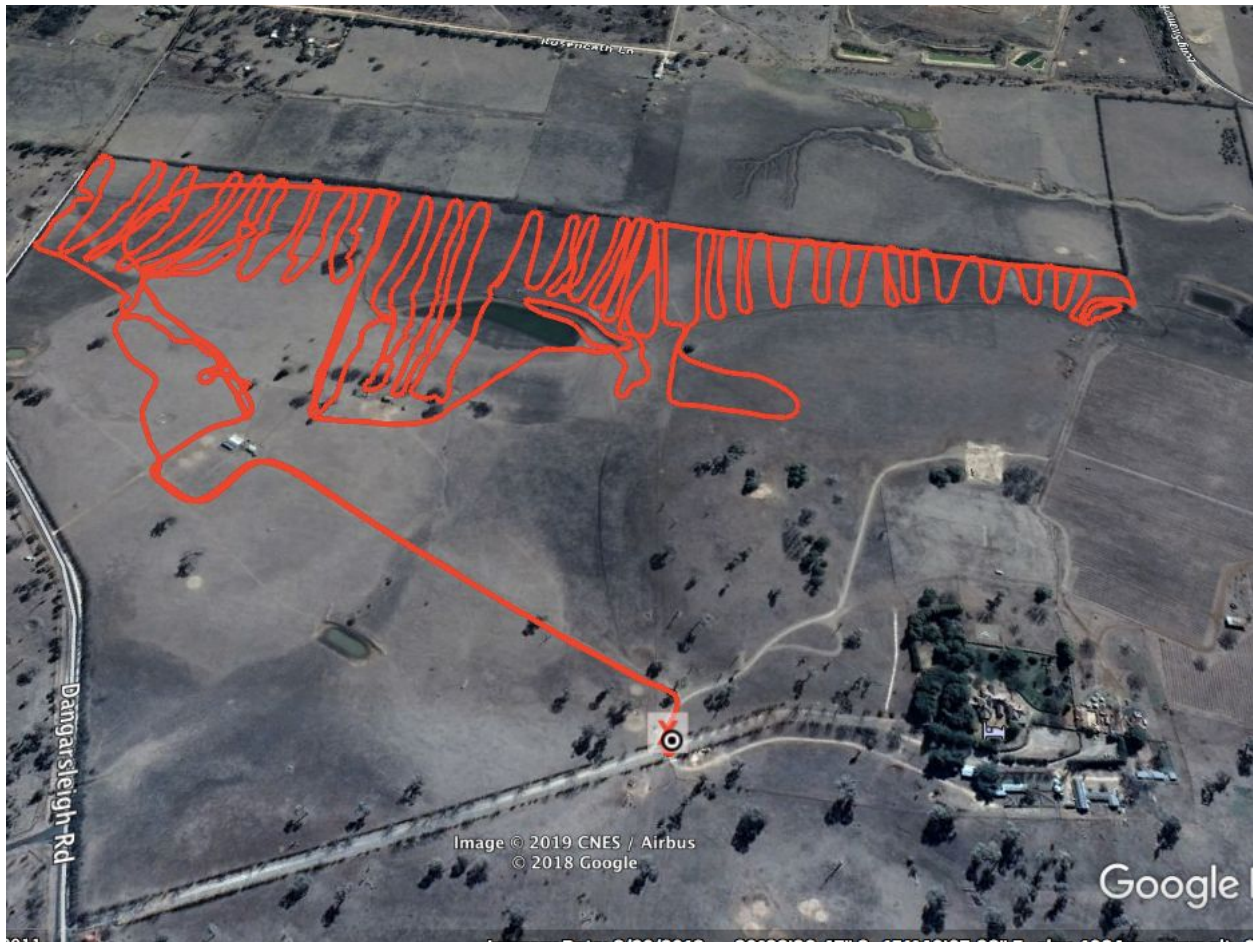


Figure 2– The environment across the study area is dominated by undulating plains, cleared of trees with dams placed in various locations across the landscape. Currently it is utilised as prime pastoral land for cattle grazing.

Survey transects were completed in a north-south direction, beginning along the western margin and moving from west to east. Ground surface visibility in the study area was 80-90%.

Image source: Google Earth pro 2019



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2 THE LEGISLATIVE CONTEXT

The NSW National Parks and Wildlife Act 1974 The NSW National Parks and Wildlife Act 1974 (the 'NPW Act') provides protection for all Aboriginal cultural heritage (ACH) sites and objects in New South Wales and promotes the conservation of Aboriginal cultural heritage objects and places that are of high cultural significance. Sections 84, 86, and 87 of the Act provide protection for Aboriginal places (S84), describe that it is an offence to harm or desecrate and Aboriginal object or declared Aboriginal place (S86) and set out defences and exemptions available for activities that have the potential to result in harm and/or desecration (S87) to Aboriginal cultural heritage objects and/or places. Section 86 also sets out the penalties and regulations as defined in the National Parks and Wildlife Regulations, Part 8A.

The NPW Act 1974 (the 'NPW Act') is the primary piece of legislation for the protection of Aboriginal cultural heritage in New South Wales. The Office of Environment and Heritage (OEH) administer the NPW Act and it provides statutory protection for Aboriginal objects by making it illegal to harm them (Aboriginal objects) and Aboriginal places, and by providing two tiers of offence against which individuals or corporations who harm Aboriginal objects or Aboriginal places can be prosecuted. The NPW Act defines Aboriginal objects and Aboriginal places thus: Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place means any place declared to be an Aboriginal place under section 84. If Aboriginal cultural heritage objects and/or places are present or are likely to be present and the proposed activity will harm those objects and/or places then Sections 90-90R of the NPW Act outline the permit process that must be followed prior to the commencement of that activity. These sections provide details of the Aboriginal Heritage Impact Permit (AHIP) system as regulated by the Director-General of the Office of Environment and Heritage (OEH) and describe the Aboriginal Heritage Information Management System (AHIMS), the database of registered Aboriginal site information across New South Wales.



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In 2010 the Department of Environment, Climate Change and Water (DECCW, precursor to the OEH) introduced a range of guidelines regarding the assessment and management of Aboriginal cultural heritage in New South Wales including the;

- o Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010a).
- o Code of Practice for Archaeological Investigation of Archaeological Objects (2010b).
- o Due Diligence Code Of Practice for the Protection of Aboriginal Objects (2010c).
- o Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage (2011).

The highest tier offences under the NPW Act are reserved for knowledgeable harm of Aboriginal objects or knowledgeable desecration of Aboriginal places. Second tier offences are strict liability offences—that is, offences regardless of whether or not the offender knows they are harming an Aboriginal object or desecrating an Aboriginal place—against which defences may be established under the NSW National Parks and Wildlife Regulation 2009.