

Appendix F – Heritage Due Diligence Report

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Wooreen BESS

Heritage Assessment

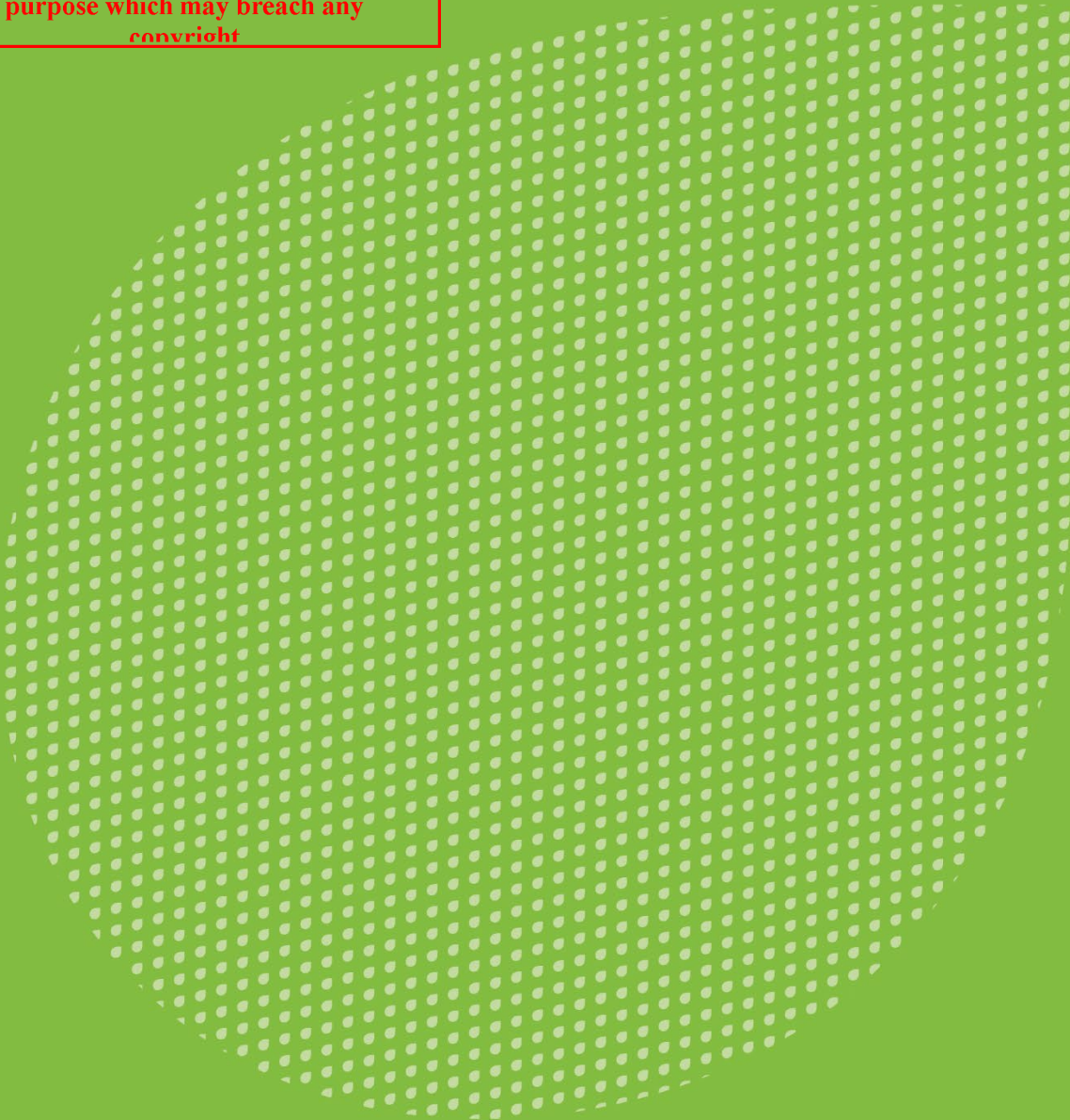
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Abbreviations

Acronym	Definition
Aboriginal places	Registered cultural heritage places
Activity Area	Area subject to this assessment which includes part of the entire WESS site where works are proposed only.
the Act	<i>Aboriginal Heritage Act 2006</i>
AV	Aboriginal Victoria
BESS	Battery Energy Storage System
CHMP	Cultural Heritage Management Plan
CHS	Cultural Heritage Sensitivity
EA	EnergyAustralia
First Peoples – State Relations	FP-SR (formerly Aboriginal Victoria)
GLaWAC	Gunkaikurnai Land and Waters Aboriginal Corporation
HA	Heritage Advisor
HO	Heritage Overlay
Km	Kilometre
kV	Kilovolt
LDAD	Low density artefact distribution
LGA	Local Government Area
M	Metre
MW	Megawatt
NEM	National Electricity Market
the Project / WESS	Wooreen BESS
RAP	Registered Aboriginal Party
the Regulations	Aboriginal Heritage Regulations 2018
VAHR	Victorian Aboriginal Heritage Register
VHI	Victorian Heritage Inventory
VHR	Victorian Heritage Register
WESS	Wooreen BESS

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Executive summary

A heritage due diligence assessment has been prepared for the proposed Wooreen Battery Energy Storage System (WESS) in Hazelwood North, Victoria. The Activity Area includes the area in which the proposed WESS and ancillary infrastructure will sit.

A search of the Victorian Aboriginal Heritage Register (VAHR) revealed that there are no Aboriginal places within the Activity Area. There are two registered Aboriginal places, comprising of two artefact scatters, within 2 kilometres (km) of the Activity Area. Neither Aboriginal place is located within the Activity Area. The closest registered Aboriginal place (Tramway Road Artefacts 2; VAHR 8121-0417-1) to the Activity Area, is situated approximately 270 metres (m) south-east of the Activity Area.

No areas of cultural heritage sensitivity (CHS) intersect with the Activity Area. An area of CHS associated with Bennetts Creek is located to the north and east of the Activity Area.

A mandatory Cultural Heritage Management Plan (CHMP) requirement is not triggered for the Project. Although the proposed works are defined as a 'high impact activity', the Activity Area is not located within an area of CHS. There is potential for unidentified Aboriginal cultural heritage material to exist within the Activity Area, in both surface and sub-surface contexts. While the existing Jeeralang Power Station is situated in the western extent of the Activity Area, the northern portion of the Activity Area is cleared and largely undeveloped, and the southern portion is mostly intact with limited above ground utilities and services present.

A voluntary CHMP is currently in preparation to assess if Aboriginal cultural heritage is present within the Activity Area and to manage any unknown Aboriginal cultural heritage material that is discovered during construction.

A review of relevant historic heritage registers was undertaken and did not identify any historic heritage places or values within the Activity Area. From a historic heritage perspective there is one Victorian Heritage Register (VHR) listed heritage place, Morwell Power Station and Briquette Factory (H2377), situated approximately 1.8 km north-west of the Activity Area. This historic heritage place is outside the Activity Area and will not be impacted by the Project. The search of the VHR identified a historic heritage place approximately 2 km north of the Activity Area however, this is outside the Activity Area and will not be impacted by the proposed scope of works.

Therefore, no further historic heritage assessments or permits/consent/exemptions are required.

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1 Introduction

EnergyAustralia (EA) is considering its future portfolio in Victoria given evolving consumer requirements, diversity in distributed energy resources, and the need for more flexible capacity given increasing use of renewables in the National Electricity Market (NEM). One component of the portfolio diversification is developing new battery energy storage systems (BESS).

EA has committed to building a BESS rated 1400 MWh providing electricity back into the grid at 350 MW for 4 hours. This will be one of the largest operational batteries in Victoria. After a robust site selection process, EA's gas-fired Jeeralang Power Station, located in the Latrobe Valley, has been selected as the preferred location for the new development. This was based on the planned Yallourn Power Station's closure in mid-2028, land availability, optimal connection to the grid and minimal environmental impacts.

The purpose of this heritage due diligence assessment is to provide information to enable EA to understand potential heritage risks or approvals for the Wooreen BESS (the Project / WESS) following desktop assessments and review of legislative requirements.

The conclusions and recommendations have considered the current site context and the known Project scope of works to determine potential requirements under the aforementioned legislation.

1.2 Site Context

This section provides a description of the Activity Area, locality and the broader geographical context of the Project. The proposed location for the WESS Project is within the municipality of City of Latrobe. The Activity Area is located approximately 4.5 km south of central Morwell and 4 km north of Churchill. The Project will be located at:

- Part of Jeeralang A and B Gas Power Plant (SPL: 2E~APP2749) 30 Bonds Lane, Hazelwood North 3840.
- Part of Monash Way Plantation (SPL: 2E~APP2749) Monash Way, Hazelwood North 3840.
- The Activity Area does not comprise the entire WESS site, rather part of it where the proposed works will take place.

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The Activity Area includes the Jeeralang Power Station, which is a gas turbine power station. The local area is largely used for energy generation and distribution with Hazelwood Terminal Station directly beside the Activity Area, Loy Yang Power Station to the east and the now decommissioned Hazelwood Power Station to the west. Beyond energy related uses, the broader area can be characterised as farmland with rural townships including Hazelwood North, Morwell, Traralgon and Moe to the north-west and north-east of the Activity Area. The site is situated within the Victorian Eastern Plains as part of the prior stream plains geomorphological unit. Bennetts Creek is situated to the north and east of the Activity Area.

An existing access road to the Activity Area is located on Bonds Lane, which connects to Monash Way to the west and Tramway Road to the east.

1.3 Project Scope

The WESS Project comprises of the BESS, which will include lithium battery storage units (battery cells in containers) with a proposed capacity rated 1400 MWh. Large scale batteries store electricity, such as excess renewable energy. When demand for power is higher and there is less energy available, such as at night, the stored energy is available for use. Battery storage can also help reduce the potential for blackouts and any need for load shedding when there is a supply imbalance.

The following contains an indicative list and quantities of the elements required to enable the WESS to function:

- Approximately 280 BESS enclosures (or equivalent) equating up to 1400MWh of lithium batteries with low voltage inverters and 33kV to low voltage transformers
- A 220/33kV substation including two 220kV/33kV transformers, 220 kV isolators and auxiliary services such as two 33 kV zig-zag transformers

- One 220kV overhead power line proposed to connect the BESS transformers to the switchyard
- One control room likely located adjacent to the BESS enclosures
- Four 33kV switchrooms likely located adjacent to the BESS enclosures
- Provision of an office, an operation and maintenance shed/room, and two car parking spaces for maintenance staff
- Multiple indicative noise walls approx. 6m in height
- Secondary access from Bonds Lane into the WESS facility
- Installation of fire detection equipment
- Perimeter road encompassing WESS footprint and internal roads for access
- Retention pond and/or water storage tank
- Replace internal fencing and install CCTV
- Temporary construction laydown areas
- It is assumed a temporary construction laydown area will sit within the Activity Area. Figure 1 illustrates the proposed BESS footprint and Activity Area.

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1.4 Purpose of this assessment

The purpose of this report will assist in identifying any heritage risks to the Project and whether further approvals or assessments are required. This assessment aims to identify any heritage key risks in the Activity Area and provides recommendations for locating Project infrastructure to avoid impacts.

The due diligence assessment includes:

- Description of the proposed activities (whether high impact or otherwise)
- A review of background information including results of Aboriginal and historic heritage register searches
- Creation of a predictive statement identifying Aboriginal places and areas of cultural heritage sensitivity likely to be located within the Activity Area
- Identification of any legislative requirements to undertake further assessment (mandatory CHMP) under the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018 including discussion of significant ground disturbance (if relevant).
- Identification of any legislative requirement to undertake further historical heritage assessment under the Heritage Act 2017
- Recommendations and risk mitigation, which may include the recommendation to prepare a mandatory CHMP.

1.5 Registered Aboriginal Party

The Activity Area is located within the Registered Aboriginal Party (RAP) area of the Gunkaikurnai Land and Waters Aboriginal Corporation (GLaWAC).

The RAP holds decision-making responsibilities under Victoria's *Aboriginal Heritage Act 2006* (the Act) for protecting Aboriginal cultural heritage within a specified geographical area.

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2 Desktop Assessment

2.2 Aboriginal cultural heritage

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2.2.1 Cultural heritage management plan requirement

The following sections detail whether a CHMP will be required for the Project in accordance with the relevant legislative pathway for the proposed works. The assessment has been undertaken in line with the Aboriginal Heritage Regulations 2018 (the Regulations) that detail the conditions in which the requirement for a mandatory CHMP will be triggered by the Project.

2.2.2 When is a CHMP required?

Under the Regulations, there are two triggers for determining if a mandatory CHMP is required for the Activity Area:

- *Regulation 46 (1)(b): The construction of the following is a high impact activity if the use of the land is for the following purpose, and the construction would result in significant ground disturbance –*
(xxx) land used to generate electricity, including a wind generation facility.

The proposed activity is defined as a high impact activity as per the regulations listed in the Regulations, however, the activity does not intersect with a defined area of Cultural Heritage Sensitivity (CHS) as defined by Division 3 of the Regulations.

In addition, a CHMP is not required for an activity if the entire area of CHS has been subject to significant ground disturbance. However, the burden of proving that an area has been subject to significant ground disturbance and does not therefore require archaeological investigation rests with the Sponsor. The Sponsor must provide evidence to support a claim of significant ground disturbance. Evidence may include common knowledge, publicly available records, further information or expert advice or opinion (DPC 2013).

2.2.3 Areas of cultural heritage sensitivity

The Activity Area does not intersect with any areas of CHS. The closest area of CHS to the Activity Area is associated with Bennetts Creek and is located approximately 4 m to the north and the east of the Activity Area.

The location of the CHS and details of this register search are displayed in Table 1 and Figure 2.

2.2.4 Victorian Aboriginal Heritage Register search

A search of the Victorian Aboriginal Heritage Register (VAHR) was completed by Laura Cross (Project Archaeologist, Aurecon) on 14 September 2021 for the purpose of this due diligence. A more recent VAHR search was undertaken on 4 May 2022 as part of the preparation of the voluntary CHMP.

There are two registered Aboriginal places, comprising of two artefact scatters, within 2 km of the Activity Area (Table 1). Neither registered Aboriginal place is located within the Activity Area. The closest Aboriginal place, Tramway Road Artefacts 2 (VAHR 8121-0417), is situated approximately 270 m south-east of the Activity Area. Tramway Road Artefacts 1 (VAHR 8121-0416) is situated approximately 550 m south-east of the Activity Area.

Table 2 VAHR Aboriginal places in proximity to the Activity Area

ABORIGINAL PLACE TYPE	NUMBER	PERCENTAGE (%)
Artefact scatter	2	100
Total	2	100

2.2.5 Are the proposed works considered a high impact activity?

In accordance with the Regulations, the proposed works required for the BESS are considered a high impact activity, defined by:

- *Regulation 46: Buildings and works for specified uses: (xxvii) a utility installation, other than a telecommunications facility, if (D) the works affect an area exceeding 25 square metres.*

2.2.6 Are there archaeological sensitive landscapes in the Activity Area?

There are no areas of CHS or landscape features within the Activity Area that would be considered to be archaeologically sensitive. As the area of CHS associated with Bennetts Creek is located just outside the Activity Area there is elevated potential for Aboriginal cultural material to be located within the boundaries of the Activity Area that are in close proximity to the CHS area.

A review of the VAHR indicates that the likely Aboriginal place types which may be present within the Activity Area are artefact scatters found in both surface and sub-surface contexts. In particular, the lithic artefacts are likely to comprise tools and flaked pieces of silcrete.

2.2.7 Will a mandatory CHMP be required for the Project?

A mandatory CHMP **is not required** under the Act for the Project as the Activity Area is not located within an area of CHS.

The preparation of a voluntary CHMP is recommended as it will assist in the management of any Aboriginal cultural material identified within the Activity Area during the construction of the Project.

2.2.8 Voluntary CHMP 18583

A voluntary CHMP (number 18583) has been prepared for the Activity Area. Below is a summary of the assessments undertaken prior to the lodgement of CHMP 18583, which is anticipated in August 2022.

Desktop assessment

The Activity Area is situated within the prior stream plains geomorphological unit which is characterised by low-relief alluvial plains and terraces formed by the Latrobe River and its tributaries. The low-lying nature of the Activity Area and proximity to Bennetts Creek would have been prone to periods of inundation after heavy rainfall. The most common Aboriginal places within the geographic region are artefact scatters followed by low density artefact distributions (LDADs). There are no existing Aboriginal places in the Activity Area. Within the geographic region, the alluvial plains have low archaeological potential. European agricultural activities, including vegetation clearance and livestock movement are likely to have caused harm to any Aboriginal places that may have been present within the Activity Area.

Standard Assessment

The standard assessment involved a combination of systematic and opportunistic survey across the entire Activity Area. No new Aboriginal places were identified during the standard assessment. Disturbance was noted as a result of utility installations, drainage and land modification works including an earthen dam present in the activity area. Ground visibility was typically very poor due to grass coverage. The survey resulted in a low effective coverage of less than one per cent.

In accordance with r 64 of the Regulations, further investigation through complex assessment is not warranted as Aboriginal cultural heritage is not likely to be present in the Activity Area due to the disturbed nature of the Activity Area.

Aboriginal cultural heritage in the Activity Area

No Aboriginal cultural material was identified within the Activity Area during the assessment.

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Figure 2 Areas of CHS

2.3 Historic heritage

2.3.1 Historic heritage requirements

Are any historic heritage values or elements present within the Activity Area?

Register search

The following heritage registers were searched on 14 September 2021 by Laura Cross (Project Archaeologist, Aurecon) to determine whether any known historical heritage places were present within 2 km of the Activity Area:

- World Heritage List (WHL)
- National Heritage List (NHL) and
- Commonwealth Heritage List (CHL)
- Register of the National Estate (non-statutory) (RNE)
- National Trust (NT)
- Victorian Heritage Register (VHR)
- Victorian Heritage Inventory (VHI)
- Latrobe Planning Scheme Heritage Overlays (HOs)
- Recent searches were undertaken on 4 May 2022 as part of the preparation of the voluntary CHMP for the WESS Project.
- There are no registered historic heritage places located within the Activity Area. A search of the broader area identified one historic heritage place within 2 km to the Activity Area. The VHR listed Morwell Power Station and Briquette Factory (H2377) is situated approximately 1.8 km north-west of the Activity Area.
- There is a large cluster of historic heritage places located within close proximity of the Morwell township, approximately 4.5 km north-west of the Activity Area. The details of these heritage places have not been included in this assessment as they are outside the current scope of works. The one heritage place within 2 km to the Activity Area have been detailed in Table 2.

Table 2 Results of the historic heritage register search

REGISTER	LISTING	SITE ID	PROXIMITY TO ACTIVITY AREA
VHR / HO	Morwell Power Station and Briquette Factory	H2377 / HO153	Outside of the Activity Area, approximately 1.8 km north-west of the Activity Area.

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3 Conclusions and recommendations

This desktop assessment has determined that the Activity Area does not intersect with an area of CHS. A search of the VAHR revealed that there are no known Aboriginal places within the Activity Area. There are two registered Aboriginal places, comprising of two artefact scatters, within 2 km of the Activity Area. The closest Aboriginal place to the Activity Area (Tramway Road Artefacts 2; VAHR 8121-0417), is situated approximately 270 m south-east of the Activity Area.

There is potential for unidentified Aboriginal cultural heritage material to exist within the Activity Area, in both surface and sub-surface contexts due to the nearby presence of Bennett's Creek. In light of this, a voluntary CHMP has been prepared and will be lodged for the WESS Project.

3.2 Aboriginal heritage recommendations

3.2.1 Cultural Heritage Management Plan requirement

A mandatory CHMP requirement is not triggered for the Project. Although the proposed works are defined as a 'high impact activity', the Activity Area is not located within an area of CHS.

A voluntary CHMP is currently in preparation to assess if Aboriginal cultural heritage is present within the Activity Area and to manage any unknown Aboriginal cultural heritage material that is discovered during construction. As discussed above this is due to the nearby presence of Bennetts Creek and the increased archaeological sensitivity in areas adjacent to the CHS area associated with this waterway.

3.3 Historic heritage recommendations

3.3.1 Requirement for further historic heritage assessment

In accordance with the *Heritage Act* 2017, there are no historic heritage approval triggers for the Project and there is no legislative requirement to undertake further historic heritage assessments prior to works commencing.

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4 Assumptions and limitations

The assumptions and limitations of this report are as follows:

- This assessment is based on the works description and spatial data provided to Aurecon in December 2021.
- Consultation has been undertaken with GLaWAC by EA for the Project at the due diligence stage, and as part of the preparation of the voluntary CHMP.
- The register searches for Aboriginal cultural heritage and historic heritage were undertaken on 14 September 2021 for the preparation of this due diligence assessment. More recent searches were undertaken on 4 May 2022 as part of the Desktop Assessment for the voluntary CHMP.
- A comprehensive review of the land use history of the Activity Area has not been undertaken for this due diligence however a detailed assessment has been prepared as part of the voluntary CHMP.

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Appendix A: Relevant Legislation

Aboriginal Heritage Act 2006

The *Aboriginal Heritage Act* 2006 (the Act) is administered by First Peoples – State Relations (FP-SR) (formerly Aboriginal Victoria), Department of Premier and Cabinet. It is the principal piece of legislation dictating Aboriginal cultural heritage management requirements in Victoria.

Aboriginal Heritage Regulations 2018

The Aboriginal Heritage Regulations 2018 (the Regulations) are designed to give effect to the Act. Key objectives of the Regulations are to:

- Specify the circumstances in which a cultural heritage management plan (CHMP) is required for an activity
- Prescribe standards for the preparation of a CHMP.

A CHMP is a legally binding document that includes a cultural heritage assessment, consultation with Aboriginal stakeholders, management conditions and contingencies plans. A CHMP is designed to manage Aboriginal cultural heritage issues specific to an activity for a specified area, called an 'activity area'. An approved CHMP also acts like a permit and when adhered to, protects the Sponsor of the CHMP against prosecution under the Act.

Regulation 7 of the Regulations prescribes that a CHMP is required for an activity if:

- a) *All or part of the activity area is defined as an area of cultural heritage sensitivity (CHS; see regulation 5 for definitions); and*
- b) *All or part of the activity is a high impact activity (see regulation 5 for definitions).*

Division 5 of the Regulations lists activities which are considered to be 'high impact activities' for the purposes of establishing whether or not an activity will require a CHMP. The proposed activity is considered a high impact activity, as detailed below:

Regulation 51: Activities required earth resource authorisation

- An activity is a high impact activity if it is an activity –
 - (a) for which an earth resource authorisation is required before the activity may be carried out; and
 - (b) that would result in ground disturbance

If only part of a Project includes high impact activities and only part of the activity area is within an area of CHS, a CHMP may be required. A CHMP is also required for an activity, regardless of points a) and b) if any part of the activity requires an Environmental Effects Statement.

A CHMP is not required for an activity if the entirety of the CHS area within the activity area has been subject to significant ground disturbance. Significant ground disturbance is defined in regulation 5 as disturbance by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing (other than deep ripping) of:

- The topsoil or surface rock layer of the ground, or
- A waterway.

The burden of proving that an area has been subject to significant ground disturbance rests with the Sponsor of a CHMP. The Sponsor must provide evidence to support a claim of significant ground disturbance. Evidence may include common knowledge, publicly available records, further information or expert advice or opinion (DPC 2013).

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