

Our ref: HMS ID 12663

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Department of Planning, Housing and Infrastructure
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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Molong Battery Energy Storage System

Major Project reference: SSD-80471210

Received: 28 November 2025

Dear Ms Hatem,

Thank you for seeking advice from Heritage NSW on the above State Significant Development (SSD) proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of *Environmental Impact Assessment Proposed Molong BESS* (EIS) - prepared by SLR Consulting, dated 30 October 2025.
- *Lot 99, DP 1020247 Molong, NSW Aboriginal Cultural Heritage Assessment* (ACHA) - prepared by Virtus Heritage, dated 18 July 2025.

Heritage NSW recommends that the Department request additional information in relation to the matters outlined in **Attachment A** to inform advice on whether the ACHA adequately addresses the Secretary's Environmental Assessment Requirements for the project.

Please note that this advice relates only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact James Cole, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
Strategic Manager – Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
13 January 2026

Attachment A – Detailed Aboriginal cultural heritage advice

Prior to approval, Heritage NSW recommends that the Department request additional information from the proponent in relation to the matters outlined below. This information is requested to ensure that the ACHA demonstrates compliance with relevant assessment guidelines, including the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), *Code of practice for archaeological investigation of Aboriginal objects in NSW* (DECCW 2010), and the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011).

Aboriginal site recording

1. Confirm that all sites recorded during the completion of the ACHA have been recorded on the Aboriginal Heritage Information Management System (AHIMS) register and provide relevant AHIMS site numbers and site cards.
2. Figure 12 of the Archaeological Assessment in Appendix A of the ACHA shows an area of moderate archaeological sensitivity associated with AHIMS 44-1-0191 / Molong Grinding Stone and AHIMS 44-1-0192 / Molong IF2, however this area sensitivity is not discussed in Section 7.1 of the report, and Table 10 states that there is no archaeological potential associated with these sites. Clarify the nature of the archaeological sensitivity associated with these sites.

Impact assessment

3. The Heritage Buffer Zone provided in Figure 2 of Appendix B of the EIS appears to show no impact to Molong Artefact Scatter 1 or the area of moderate potential associated with the ephemeral creekline, however the EIS and ACHA identify impacts both to the artefact scatter and area of sensitivity. Please provide additional information on the proposed works to clarify whether Molong Artefact Scatter 1 or the area of moderate sensitivity will be impacted by the proposed works.
4. Provide additional information on the nature of the impacts to the area of moderate sensitivity associated with the proposed internal road connecting the Battery Energy Storage System site to Back Saleyard Road.
5. Section 9.2 of the Archaeological Assessment states that the proposed works will result in a partial impact to AHIMS 44-1-0191 / Molong Grinding Stone and AHIMS 44-1-0192 / Molong IF2. It is understood that both sites are isolated artefacts which will be directly impacted by the proposed works, with the proposed management measures being community collection and reburial nearby.

Heritage NSW considers that this constitutes a total impact to the sites, as no identified surface or subsurface features will remain following completion of the works. For the purposes of recording on AHIMS, both sites would need to be updated to 'destroyed' following completion of community collection, and a new AHIMS site card lodged for the reburial location. Please update the assessment to reflect that the proposed works will result in a total impact to these sites.

Mitigation measures

6. Recommendation 1 of the ACHA states that, where works are required in areas of moderate archaeological sensitivity, surface salvage should occur after the completion of initial groundbreaking works. Heritage NSW recommends that this mitigation measure is updated to require that surface salvage will also include collection of any identified surface artefacts prior to the commencement of ground disturbing works.
7. Recommendation 1 of the ACHA states that archaeological testing will be undertaken if 'cut' is proposed in the area of moderate sensitivity associated with the ephemeral creekline. Please explain:
 - a. Whether this recommendation also applies to area of moderate sensitivity associated with the proposed internal road connecting the BESS site to Back Saleyard Road.
 - b. The nature of the proposed works in the area/s of moderate sensitivity.
 - c. What works would be defined as 'cut' for the purposes of this recommendation.
 - d. What ground disturbing works may occur in this area which would not be defined as 'cut'.

Where impacts to areas with potential to contain subsurface archaeological deposits are proposed Heritage NSW requires the subsurface testing of those deposits to establish their nature and significance as a standard practice. Testing upfront informs the potential of the project area to contain Aboriginal objects, defines the extent of areas of sensitivity, clarifies whether future salvage excavation is required, and allows the proponent to redesign the project to avoid any significant objects or sites if necessary.

8. Figure 3 in Appendix C of the Archaeological Assessment does not include the area of moderate sensitivity associated with AHIMS 44-1-0191 / Molong Grinding Stone and AHIMS 44-1-0192 / Molong IF2 or associated management measures. Please update this figure and associated management measures to reflect the recommendations of the assessment.
9. The ACHA refers to the requirement for an Aboriginal Heritage Impact Permit (AHIP) for the proposed works. Please note that as the project is being assessed as an SSD, an AHIP would not be required to allow the proposed works to proceed should the SSD proposal be approved.