

Our ref: HMS ID 12867

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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: STACK SYD01 Data Centre, Erskine Park

Major Project reference: SSD-82211208

Received: 3 December 2025

Dear Shaun,

Thank you for your referral seeking advice on the above State Significant Development proposal. Heritage NSW understands that the project involves the construction and operation of a data centre.

In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of Environmental Impact Statement - prepared by Urbis, dated November 2025
- Aboriginal Cultural Heritage Assessment Report - prepared by Urbis, dated 7 August 2025

Following the review of the above documents, Heritage NSW agrees with the recommendations of the Aboriginal Cultural Heritage Assessment Report (ACHAR) based on the existing archaeological investigations and ground disturbance across the project area. However, clarification is required on the consultation undertaken with the Registered Aboriginal Parties. It is recommended that the Department seek clarification on following:

- Please clarify if Ginninderra Aboriginal Corporation were registered as a RAP, as per the consultation log in Appendix C of the ACHAR
- Please clarify when Wurrumay Culture Heritage Consultants were registered as their details are missing from Appendix C.
- Please clarify the number of RAPs, noting the above, and as there are 22 emails sent at each project stage but only 21 listed RAPs.

Pending these clarifications on consultation, draft recommended conditions of consent have been included in **Attachment A**.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Corey O'Driscoll, A/Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

James Cole

James Cole

A/Practice Lead - Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

21 January 2026

Attachment A – Recommended draft conditions for Aboriginal cultural heritage

Below are our recommended draft conditions for the protection of Aboriginal heritage.

Aboriginal Heritage

1. All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects.
2. The Registered Aboriginal Parties must be kept informed about the SSD. The Registered Aboriginal Parties must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
3. Prior to carrying out any development, the Applicant must ensure Aboriginal heritage management procedures are prepared for the development and included in the Project's Construction Environmental Management Plan (CEMP). The Aboriginal heritage management procedures must include a contingency plan and reporting procedure for the management of Unexpected Aboriginal Heritage Finds and Human Remains that is prepared by suitably qualified and experienced heritage specialist, in consultation with the Registered Aboriginal Parties and in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (2010). The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction.