

Our ref: HMS ID 14218

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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Infrastructure

Proposal: Lake Lyell Pumped Hydro Energy Storage

Major Project reference: SSI-77018220

Received: 30 March 2026

Dear Jess,

Thank you for your referral seeking advice on the above State Significant Infrastructure (SSI) proposal.

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

- Relevant sections of Environmental Impact Statement Lake Lyell Pumped Hydro Energy Storage - prepared by EMM, dated 25 February 2026
- Appendix L: Aboriginal Cultural Heritage Assessment Lake Lyell - prepared by EMM, dated November 2025

Heritage NSW note that the project area is highly significant to the Aboriginal community. In addition to the assessed archaeological value, we understand that the project area and immediate surrounds hold significant intangible cultural value as part of platypus and wedgetail eagle dreaming stories, as well as possible associations with massacre and burial sites.

Following the review of the above documents, Heritage NSW requests additional information to inform its advice to the Department on whether the Aboriginal Cultural Heritage Assessment Report (ACHAR) adequately addresses the Secretary's Environmental Assessment Requirements (SEARs) for the project, including the associated recommendations for the management of Aboriginal

cultural heritage. Additional information is required in relation to the matters outlined 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 Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

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

Attachment A – Detailed Aboriginal Cultural Heritage Advice

Consultation

1. Heritage NSW requires that consultation with Registered Aboriginal Parties (RAPs) is continuous and under our guidelines, breaks in consultation of over six months may not constitute continuous consultation. If an unexpected break of greater than six months has occurred, the applicant may be required to restart the consultation process. We note that the last consultation with RAPs was November 2025 and recommend that RAPs are updated on the project to ensure that consultation is kept continuous, and all consultation included in the submitted ACHAR.

General

2. Heritage NSW notes that, given the identified cultural significance of Mt Walker, all relevant figures in the ACHAR should be updated to clearly identify the Mt Walker peak.
3. Please provide closer detail of mapping to allow for ease of interpretation, potentially using map series and/or providing shapefiles.

Archaeological Assessment

4. Please update the ACHAR to include figures indicating the landforms as defined in Table 7.2 and Section 6.6 Predictive Model (e.g. alluvial terraces, hill slopes, hill crests etc). Such figures will assist with demonstrating how the site-specific predictive model has been applied, support the identification of Potential Archaeological Deposit (PADs) and justify the subsurface testing strategy across the project footprint (refer item 6 below).
5. Annexure G(ii) notes that detailed field survey should be undertaken of high-density artefact scatters post-approval to identify the site curtilages. Heritage NSW recommends that all assessment should be undertaken prior to the approval of impacts to Aboriginal cultural heritage. Without adequate and complete assessment (in this case detailed field survey) to establish the cultural significance it cannot be demonstrated that more places of significance, or places which may further enhance the significance of the known Aboriginal cultural heritage in the area will not be found. Where sufficient survey has not been undertaken to define site boundaries (see also item 6 below), additional survey effort may be required.
6. Heritage NSW note that further justification is required for designation of PAD and exclusion of other similar landforms from subsurface testing. Specifically:
 - a. Please clarify how PADs were defined, with reference to the landform mapping (refer item 4). Please confirm if this is based only on surface artefact visibility and, if micro-landforms influenced the PAD boundaries and provide supporting discussion.
 - b. Explain how this assessment informed the testing strategy and justify the exclusion of other areas within the construction footprint from testing. For example, please provide additional discussion as to why some alluvial terrace areas are classified as PAD and were tested and others are not.

- c. Where it is considered that other areas within the construction footprint could reasonably be expected to have similar archaeological potential, a revised sampling strategy, informed by the site-specific predictive model may be required.
7. Heritage NSW notes an apparent inconsistency in the post-testing designation of sites. For example, testing at LL AS2 identified a low to medium artefact density, whereas LD14 returned a lower artefact density. However, LL AS2 was not recorded as a defined site and was instead considered part of a general background scatter, while LD14 was recorded as a site with a defined PAD. Please provide further justification for these classifications with reference to the testing results and the landform analysis.
8. Please provide further discussion regarding LL PAD1 and LL PAD 2, as marked on Figure 7.1.
9. Please update the ACHAR to include clearly defined conclusions of the archaeological potential of the Lilydale Dam, Lakeside accommodation and Pottery Estate components of the project area.
10. Please clarify if the general background scatter within the project area (LL background scatter) is considered to have potential for 8 to 11 artefacts per square metre, or 1 to 21 artefacts per square metre.
11. Heritage NSW note that several RAPs have raised concerns regarding the proposed unmitigated impact to Aboriginal objects within the general background scatter assessed to be present across the project area. Heritage NSW note that across the totality of the project area, significant numbers of Aboriginal objects may be subject to unmitigated harm under the proposed approach. As such:
 - a. Provide further justification to the current threshold that defines a background scatter (up to 11 or 21 artefacts per square metre as point above)
 - b. Include a nuanced approach to limiting harm to Aboriginal objects via lowering of the threshold and including detailed additional mitigation commitments if significant quantities of Aboriginal objects are identified
12. Heritage NSW note that as per Section 8.2.2, cultural material was observed below the water line along the edge of Lake Lyell, submerged as a result of past inundation. We note further that as per Annexure G 1.1, early works may allow for investigation of these areas once parts of Lake Lyell are exposed. In consideration of these points, please:
 - a. Provide mapping noting where submerged cultural material was observed
 - b. Provide mapping outlining areas of currently submerged archaeological potential
 - c. Update the impact assessment and mitigation measures identifying areas proposed for further investigation if water levels allow. Include detail of specific investigation proposed. Heritage NSW notes that dependent of the level of future exposure, additional survey and archaeological testing of these areas may be required.

Impact Assessment

13. We note that several registered AHIMS sites have been reassessed to not be defined sites but rather part of the general background scatter (LL IF2 [AHIMS #45-4-1810], LL IF3 [AHIMS #45-4-1809] (LL AS1 [AHIMS #45-4-1808], LL AS2 [AHIMS #45-1-2975] and LL AS5 [AHIMS #45-1-2977]). We note that as these sites are registered, they should be included in the Impact Assessment as distinct sites and considered in the cumulative impact assessment.

Mitigation

14. Heritage NSW notes that Table 11.1 Mitigation AH01 recommends that, where required, mitigation for sites impacted by early enabling works be undertaken prior to preparation of the Aboriginal Cultural Heritage Management Plan (ACHMP) and in accordance with an Archaeological Research Design (ARD). Heritage NSW's preference is that a staged ACHMP be prepared before any works commence, to guide any archaeological mitigation required for early works.
15. Please update Section 11.3 to specify the proposed mitigation for each site. This should include a clear site-by-site table identifying which sites will require archaeological salvage and/or community collection, and any additional mitigation measures proposed. The sites reassessed to be part of the background scatter should be included in this table (refer item 13).
16. We note that Annexure G contains proposed mitigation for sites outside of the construction area. Please update this section to clearly outline mitigation for sites proposed to be impacted under the proposed works.
17. Annexure G(ii) proposes archaeological mitigation for "*sub-surface cultural deposits of areas of archaeological potential on level terrain (e.g. alluvial terrace, ridgeline etc) within 400 m of Coxs River and 200 m of Farmers Creek*". Please confirm whether this mitigation applies only to the identified sites within the construction footprint (LL AS3, LL AS4, LD14 and LD13), or whether it is intended to apply more broadly to additional areas of archaeological potential. If the latter, please provide further discussion regarding such areas.