



Our ref: DOC21/448004-7

Jeffrey Peng
Senior Environmental Assessment Officer
Energy Resource Assessment
Department of Planning, Industry and Environment
email: jeffrey.peng@planning.nsw.gov.au

Advice provided via the Major Project Portal

Dear Mr Peng

Response to Submissions Report - Luddenham Resource Recovery Facility (SSD-10446)

Thank you for your referral dated 1 June 2021 inviting comment from Heritage NSW on the Response to Submissions (RTS) report for the above state significant development.

Heritage NSW has reviewed the following documents as part of providing our comments in relation to Aboriginal cultural heritage matters:

- Luddenham Advanced Resource Recovery Centre: Submissions Report (RTS) prepared by EMM, dated 27 May 2021
- Luddenham Advanced Resource Recovery Centre: Aboriginal Cultural Heritage Assessment (ACHA) prepared by EMM, dated December 2020

We note test excavations have now been undertaken to characterise the subsurface potential for Aboriginal objects to occur within the project area. One Aboriginal site will be avoided by the project. Another Aboriginal site, identified during the test excavations, will be impacted. Ongoing consultation with the Registered Aboriginal Parties (RAPs) has re-emphasised the high cultural significance and connection Aboriginal people have with the area. We note RAP comments have been incorporated into the ACHA.

We support the results of the December 2020 ACHA and recommend the mitigation measures now outlined in this ACHA form the basis of any subsequent conditions of approval.

We support and recommend ongoing consultation with the RAPs as part of construction works and design and recommend a Heritage Interpretation Strategy be prepared that acknowledges and incorporates Aboriginal history and cultural heritage.

We support the request of the RAPs to retain Aboriginal objects retrieved during the test excavations and await the submission of a Care Agreement application under s85A of the *National Parks and Wildlife Act 1974*.

If you have any questions regarding the above advice please contact me on (02) 6229 7089 or via email at jackie.taylor@environment.nsw.gov.au.

Yours sincerely

Jackie Taylor
Senior Team Leader, Aboriginal Cultural Heritage Regulation - South
Heritage NSW
16 June 2021