



Jack Turner
Senior Environmental Assessment Officer
Energy Resource Industry Assessment
Department of Planning & Environment
Email: Jack.Turner@planning.nsw.gov.au

Your reference: SSD-24319456
Our reference: DOC22/168143

Dear Jack,

**Advice on EIS and recommended conditions – State Significant Development –
Federation Project (SSD-24319456)**

Project: Federation Project
SSD/SSI application no: SSD-24319456

Thank you for your referral uploaded to the Major Projects Portal on 4 March 2022 seeking advice on the above state significance development (SSD) proposal.

In preparing the following advice I have reviewed the following documents:

- Federation Project: Environmental Impact Assessment – prepared by Hera Resources Pty Ltd, dated January 2022
- Chapter 8, Federation Project: Environmental Impact Assessment – prepared by Hera Resources Pty Ltd, dated January 2022
- Appendix L: The Federation Project - Aboriginal Cultural Heritage Assessment Report and Archaeological Survey Report – prepared by AREA Environmental and Heritage Consultants, dated November 2021

The Aboriginal Cultural Heritage Assessment Report (ACHAR) provided is incomplete and does not comply with the project SEARs (issued August 2021), nor to documents provided in Attachment 1: Environmental Planning Instruments, Policies, Guidelines & Plans of the SEARs. A complete and finalised ACHAR is required to inform the project approval.

Based on our preliminary review of the current ACHAR, we recommend the following matters are addressed in a revised ACHAR:

- In accordance with Requirement 1a of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) provide a detailed and up to date synthesis of the archaeological and ethnohistory of the region, and describe and evaluate the existing predictive models for the region.
- The Aboriginal Heritage Information Management System (AHIMS) search is greater than 12 months old at the time of submission. Heritage NSW recommends, as per Requirement 1b of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010), that AHIMS searches be less than 12 months old. Please update the AHIMS search.
- In accordance with Requirement 2 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010), provide additional

information on the soil landscapes present within the study area and on past Aboriginal land use of the region and project area.

- In accordance with Requirement 2 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010), clarify if the archaeological survey was conducted via landform and provide track logs and/or location of transects surveyed.
- The ACHAR does not include a Significance Assessment of the cultural values, in accordance with the Burra Charter, within and surrounding the project area. The cultural significance assessment should discuss the social, historical, scientific and aesthetic values of project area and the Aboriginal Cultural Heritage sites in the vicinity of the project area in accordance with Section 2.4 of *The Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). The identification and assessment of cultural heritage values is required to inform the management and mitigation strategies proposed for the project area.
- Further assessment of the Aboriginal cultural heritage values of the proposal footprint, referencing the significance assessment noted above, and an updated impact assessment is required to inform the management and mitigation measures.

A revised ACHAR addressing the above points needs to be provided to the Registered Aboriginal Parties (RAPs) for review. Any comments from the RAPs are to be included in the final document.

We recommend that the proponent ensure that heritage consultants AREA update their protocols to ensure that Heritage NSW is directly contacted via heritagemailbox@environment.nsw.gov.au, rather than through the Department of Planning and Environment's info@environment.gov.au.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you require advice in relation to matters under the *Heritage Act 1977*, please contact us by email: heritagemailbox@environment.nsw.gov.au.

If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 and corey.odriscoll@environment.nsw.gov.au.

Yours sincerely



Rose O'Sullivan
Senior Assessments Officer
Heritage NSW
Department of Premier and Cabinet