



Our reference: DOC22/826174-4, EF22/7884

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Advice referred through the Major Project Portal

Dear Kurtis

**Advice on Environmental Impact Statement – State Significant Development –
SSD 35160796 Apsley Battery Energy Storage System - Dubbo Regional Council
Local Government Area**

Thank you for your referral dated 15 September 2022, inviting comment from Heritage NSW (HNSW) on the Environmental Impact Statement prepared for the above State Significant Development (SSD) proposal.

HNSW understands ACenergy are proposing to establish a Battery Energy Storage System (BESS) to contribute to the provision of renewable energy in NSW and facilitate private investment in the state's electricity system. The BESS will provide firming capacity to the energy market by filling supply gaps when renewable energy sources are not producing.

The proposed works will involve construction of the BESS and all associated infrastructure including temporary laydown areas, proposed accessways, and underground connection to the existing transmission line. The project has been designed to minimise environmental impacts as much as possible and is proposed to be sited on approximately 6 hectares of cleared agricultural land across Lot 3 DP 1012686, Lot 107 DP 756920 and Crown Road reserve, at 9010 Mitchell Highway, Apsley NSW.

In preparing the below advice, HNSW has reviewed the following documentation:

- SEARs for SSD-35160796, issued 3 March 2022
- *Environmental Impact Statement* (EIS) – In support of Apsley Battery Energy Storage System, 23 August 2022, prepared by Premise for ACenergy
- *Aboriginal Cultural Heritage Assessment* (ACHA) - In support of Apsley Battery Energy Storage System, 12 August 2022, prepared by Premise for ACenergy

HNSW is satisfied that the supplied documentation fulfils the SEARs by adequately identifying and assessing the impacts of the proposal on the Aboriginal cultural heritage values within the proposed development area.

Two newly identified Aboriginal isolated artefact sites, Apsley IF-1 and Apsley IF-2 lie within the development area, but outside the area of proposed impacts. The ACHA has recommended exclusion zones with appropriate buffering be implemented around the Aboriginal sites to ensure inadvertent impacts do not occur during construction activities.

Based on the assessment of nil to low archaeological sensitivity across the development area, HNSW concurs with the conclusion that further investigation is not warranted and supports the implementation of exclusion zones to protect known Aboriginal cultural heritage values from potential impacts associated with the proposed development.

HNSW understands the proponent is committed to meaningful engagement and that consultation with the Aboriginal community will be ongoing for the life of the project.

In accordance with the recommended management measures outlined in the ACHA and the EIS, an Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed for the project in consultation with the RAPs and to the satisfaction of HNSW, to manage extant Aboriginal sites and objects located with the development area.

HNSW recommends the following:

- an ACHMP be developed in consultation with the RAPs and HNSW, prior to any ground disturbance works being undertaken; and
- in accordance with the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) registration of newly identified sites Apsley IF-1 and Apsley IF-2 on the Aboriginal Heritage Information Management System (AHIMS) should occur immediately and the ACHA updated to include the newly generated AHIMS site ID numbers.

If you have any questions regarding these comments, please contact Rebecca Yit, at Heritage NSW, on 4927 3244 or rebecca.yit@environment.nsw.gov.au.

Yours sincerely



Dr Sam Gibbins

Acting Manager Assessments

Heritage NSW

Department of Planning and Environment

6 October 2022