



Nestor Tsambos
Senior Environmental Assessment Officer
Department of Planning & Environment
nestor.tsambos@dpie.nsw.gov.au

Your reference: SSD-29508870
Our reference: DOC23/879437

Dear Nestor,

Advice on Amendment Report – State Significant Development – Birriwa Solar and Battery Project – SSD-29508870

Thank you for your referral uploaded to the Major Projects Portal on 5 October 2023 seeking advice on the Amendment Report for the above State Significant Development (SSD) proposal. In preparing this advice I have reviewed the following documents:

- Birriwa Solar and Battery Project: Amendment Report – prepared by EMM Pty Ltd, dated September 2023
- Appendix F – Addendum Aboriginal Cultural Heritage Assessment and Historic Heritage Impact Assessment Report – prepared by OzArk Environment and Heritage Pty Ltd, September 2023

Based on the Addendum Aboriginal Cultural Heritage Assessment and Historic Heritage Impact Assessment Report, provided in support of the Amendment Report, there is insufficient information provided for Heritage NSW to advise the Department on whether the management recommendations are adequate. In order to establish the nature and extent of the Aboriginal cultural heritage values proposed for impact by this development further information is required, including:

- Please provide additional justification on why 14 days, rather than 28 days, were provided to the Registered Aboriginal Parties (RAPs) for comments on the Addendum Report and only eight days for the project methodology prior to survey.
- The Addendum ACHAR notes that the drainage line through the amended project area is unlikely to be present prior to land clearing and, if present, it would not have held water reducing the probability for lengthy occupation. During the survey undertaken for the Amendment Report four new sites were identified along or near the drainage. Reasons given for not undertaking test excavations was the lack of surface artefacts and the ephemeral and eroded nature of the drainage. Following the identification of four new sites, with one existing, along the drainage further discussion is required on the potential for subsurface archaeological material in the project area.

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

Nicole Davis

Nicole Davis
Manger Assessments
Heritage NSW
Department of Planning and Environment

As Delegate under National Parks and Wildlife Act 1974
17 October 2023