

Our ref: DOC24/399589

Your ref: SSD-38358962

Lauren Clear

Senior Environmental Assessment Officer

Department of Planning, Housing and Infrastructure

lauren.clear@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

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Advice on Environmental Impact Statement – State Significant Development

Proposal: Keri Keri Wind Farm

Major Project reference: SDD-38358962

Address: Murray River Shire

Received: 23 May 2024

Dear Lauren,

Thank you for your referral seeking advice on the above State Significant Development proposal for the development of a windfarm at Keri Keri NSW.

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

- Relevant sections of Keri Keri Wind Farm: Environmental Impact Statement - prepared by ERM, dated 17 April 2024
- Appendix H: Keri Keri Wind Farm Aboriginal Cultural Heritage Assessment Report - prepared by ERM, dated 12 April 2024

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 following matters detailed in **Attachment A**.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Alison Lamond, Senior Assessments Officer, at Heritage NSW on 0419 762 918 or [alison.lamond@environment.nsw.gov.au](mailto:alison.lamond@environment.nsw.gov.au).

Yours sincerely

*Nicole Davis*

Nicole Davis

Manager Assessments

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under National Parks and Wildlife Act 1974

19 June 2024

## Attachment A – Detailed Aboriginal Cultural Heritage Advice

1. Heritage NSW requires additional documentation in relation to the consultation process. The applicant needs to provide evidence that consultation was undertaken regarding the Project Methodology and Draft ACHAR (such as an email with all relevant email addresses shown) and provide the responses from the Registered Aboriginal Parties (RAPs).
2. Heritage NSW notes that the Aboriginal Heritage Information Management System (AHIMS) search is dated 1 March 2023 and therefore was greater than 12 months old at the time of submission. Heritage NSW requires, as per Requirement 1b of the Code of Practice, that AHIMS searches are contemporaneous with the project. We consider that AHIMS searches of over 12 months old need to be updated. Please update the AHIMS search. Heritage NSW also notes that additional sites and Potential Archaeological Deposits (PADs) identified as a part of the Project Energy Connect (Eastern) Project (which overlaps with the current project area), were uploaded to AHIMS in December 2023. Any newly recorded sites will need to be considered within the ACHAR. Please update the ACHAR to consider these additional sites.
3. The scale of many of the maps of archaeological potential, recorded sites (including PADs) and proposed impacts does not allow for an understanding of the archaeological potential of the project area, the sites, or their potential impacts. Please provide maps of the project area at a scale to allow the information to be understood and allows for the identification of the AHIMS sites. Due to the project's need for ongoing detailed design throughout the assessment process please provide mapping including clear site and PAD boundaries including the site complexes referred to in the survey results (Table 8.4 of ACHAR).
4. Please provide detailed and thorough mapping which includes survey track logs, as per Requirement 5 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010), to enable Heritage NSW to assess the efficacy of the survey coverage. Please review and update Table 8.3 Survey Coverage Summary, the percentage calculations for 'very high (inside corridor)' are incorrect.
5. Please provide further detail of identified sites, their contents and significance. The survey results (Table 8.4 of the ACHAR) refers to the identification of multiple site complexes and camp site areas that include combinations of Aboriginal Ancestral remains, mounds, hearths, shells and artefacts (including glass artefacts) that are not further described in the document. The significance assessment provided does not assess the significance of the sites which are combinations of the site types assessed for significance in Table 11.2. It is noted that glass artefacts are uncommon, and further clarification is required on the significance of this find, what this may mean for continued occupation of this area European contact.
6. The ACHAR notes a forensic anthropologist undertook a survey of the Aboriginal Ancestral remains sites. Please provide any reporting produced by the forensic anthropologist.
7. 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 instance subsurface testing, 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. The RAPs could also not have provided informed comments on the project. No objections to test

excavation have been recorded from the RAPs. If adequate justification for not undertaking test excavation is not provided, Heritage NSW recommends that test excavations occur to inform the ACHAR.

8. Section 13.1.1. of the ACHAR states a small number of earth mounds are located in areas of low sensitivity. Please clarify the Aboriginal Sensitivity assessment and mapping. As no test excavations have occurred do these mounds located in the 'low' sensitivity area also have the potential for subsurface archaeological deposits including Aboriginal Ancestral Remains. Section 9.4 states the mounds were identifiable through aerial photography, please clarify if all mounds identified through aerial photography been subject to survey and their locations.
9. Heritage NSW notes as per Section 1.7 of the ACHAR 6 % of the very high to high, 56% of the moderate and 61% of the low archaeological potential landscapes within the development footprint have not been surveyed. Please clarify how will this identified archaeological potential in unsurveyed areas be addressed in the event of proposed impacts. It is noted that it is recommended (Section 13.1.2 of the ACHAR) the micro-siting of project elements in unsurveyed areas triggers additional survey. Please clarify if additional survey is triggered for proposed impacts such as internal electrical network (overhead and underground) installation and internal road construction.
10. Please provide the proposed management recommendations for all sites that are identified to be potentially subject to impact.
11. Please provide indicative methodologies of the proposed management recommendations including those for salvage and conservation (including exposed Aboriginal Ancestral remains).
12. A procedure for the management of unexpected Aboriginal objects and human remains must be developed in consultation with the RAPs and Heritage NSW. The procedure must be prepared in accordance with Heritage NSW guidelines and codes of practice.
13. Section 6.5 of the EIS identifies works required to upgrade the intersection of Keri Keri Road and the Sturt Highway. The intersection of Keri Keri Road and the Sturt Highway is outside the project area of the provided ACHAR. If upgrades involve ground disturbance, please provide assessment of the potential impacts to Aboriginal Cultural Heritage as required in the SEARs.