

Our ref: HMS ID 10975

Kirsty Vogel
Department of Planning, Housing and Infrastructure
kirsty.vogel@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Advice on Response to Submission – State Significant Development

Proposal: Sundown Solar Farm

Major Project reference: SSD-8911

Received: 30 June 2025

Dear Kirsty,

Thank you for your referral seeking advice for the above State Significant Development Response to Submissions. Thank you for the continued opportunity to comment on the project.

The responses provided by EMM Consulting on 30 June 2025 have adequately addressed comments provided by Heritage NSW on Aboriginal cultural heritage matters related to the above State Significant Development. On the basis that the revised documents adequately address prior comments, recommended Draft Conditions of Approval have been provided in **Attachment A**. With respect to Aboriginal cultural heritage, Heritage NSW has no further comments on the proposal at this time.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond

Manager

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

11 July 2025

Attachment A - Recommended Draft conditions for Aboriginal Cultural Heritage

Below are our recommended draft conditions for the protection of Aboriginal Heritage.

Aboriginal Heritage

- 1) All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
- 2) The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
- 3) Landowners within the project area boundary should be made aware of the Aboriginal heritage sites present on their properties and should be made aware of their responsibilities under the *National Parks and Wildlife Act 1974*.

Aboriginal Cultural Heritage Management Plan

- 4) Prior to carrying out any development, the Applicant must prepare an ACHMP for the development to the satisfaction of the Secretary. This plan must:
 - a) be prepared by a suitably qualified and experienced person;
 - b) be prepared in consultation with the RAPs and reviewed by Heritage NSW;
 - c) include a description of the measures (and associated methodologies) that would be implemented for (where relevant):
 - i) surface collection and archaeological excavations;
 - ii) post-excavation analysis and reporting of any archaeological works;
 - iii) avoiding and conserving areas of Potential Archaeological Deposit (PAD) identified during the Aboriginal Cultural Heritage Assessment, including fencing off or otherwise demarcating scarred tree sites;
 - iv) long-term conservation options for areas of PAD and other registered sites within and adjacent to the project area, including ongoing monitoring of scarred trees and artefact sites;
 - v) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
 - vi) ongoing consultation with RAPs during the implementation of the ACHMP;
 - d) include a contingency plan and reporting procedure including:
 - i) an Unexpected Heritage Finds and Human Remains Procedure prepared in relation to Aboriginal cultural heritage, with these measures to be prepared in accordance with the guidelines and standards specified by Heritage NSW, be implemented for the duration of the project and to include the requirement to register any newly identified Aboriginal objects or sites in the AHIMS database.
 - e) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Planning Secretary's approval, the Applicant must implement the Heritage Management Plan.