

Our ref: HMS ID 11537

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Department of Planning, Housing and Infrastructure
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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Jindera Battery Energy Storage System

Major Project reference: SSD-68815961

Received: 19 August 2025

Dear Megan,

Thank you for your referral seeking advice on the above State Significant Development proposal. The project involves construction and operation of a Battery Energy Storage System (BESS) in Jindera, including construction of connections to existing services.

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

- Relevant sections of Environmental Impact Statement Jindera BESS - prepared by SLR, dated 10 July 2025
- Appendix G: Aboriginal Cultural Heritage Assessment Report Jindera BESS - prepared by Virtus Heritage, dated April 2025

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 matters outlined in **Attachment A**.

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,

Corey O'Driscoll

Corey O'Driscoll

A/Practice Lead

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

16 September 2025

Attachment A – Detailed Aboriginal Cultural Heritage Advice

1. Please update the Aboriginal Cultural Heritage Assessment Report (ACHAR) to include the following maps:
 - a. As per Requirement 5 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010; Code of Practice), please provide detailed and thorough mapping which includes all survey track logs. Once track logs have been included, additional mapping may be required to clearly outline the extent of the survey within each survey unit.
 - b. An archaeological potential map depicting the conclusions noted in Section 5.
2. As per Requirement 23 of Code of Practice the recording of a site must be consistent with Aboriginal scarred trees in New South Wales, a field manual (DEC and Andrew Long 2005). As such, please ensure that a sketch of the tree and scar that includes the location and shape of scar, location of features (e.g., tool marks), and overall condition of the tree and scar are included in the site recording form.
3. 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 case thorough survey of the project area and 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.

It is recommended that the proposed program of archaeological test excavation of IF1 (AHIMS #55-6-0294) be undertaken in accordance with the Archaeological Research Design Methodology (ARDM) appended to the ACHAR prior to project approval to allow for adequate consideration and mitigation of any Aboriginal objects, sites and/or values.

Test excavations to determine the nature of the subsurface archaeological materials and the potential extent of Potential Archaeological Deposit (PADs) will provide greater certainty on the areas that should be conserved and those locations that require additional management and mitigation prior to any approval for their impact.

4. An arborist should be engaged to assess the condition of scarred tree ST1 (AHIMS#52-6-0295) prior to project approval, with the results of the arborist report included in an updated ACHAR for submission to Heritage NSW. This will allow for appropriate mitigation measures to be developed for the site once the condition of the tree is understood.
5. Section 8 (Recommendations) should be updated to include a requirement for an Aboriginal Cultural Heritage Management Plan (ACHMP) to be developed in consultation with Heritage NSW and to the satisfaction of the Department of Planning, Housing and Infrastructure (DPHI).