



Our ref: DOC20/730708

Ms. Rebecca Sommer  
Principal Planning Officer  
Social Other Infrastructure Assessments  
Department of Planning, Industry and Environment

By email: [rebecca.sommer@planning.nsw.gov.au](mailto:rebecca.sommer@planning.nsw.gov.au)

Dear Rebecca

**Advice regarding Amendment – State Significant Infrastructure – Belmont Drought Response Desalination Plant – Lake Macquarie LGA (SSI – 8896)**

Thank you for your email dated 7 September 2020, inviting comment from Heritage NSW (HNSW) on the *Addendum to Aboriginal Cultural Heritage Assessment Report – Project Area Amendment*, with respect to the Belmont Drought Response Desalination Plant, prepared by RPS and dated 29 May 2020.

The Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (DPIE) previously provided comments on this proposal on 13 December 2019 (DOC19/1018918-8), at which time it was advised that the supplied Environmental Impact Statement (EIS) and Aboriginal Cultural Heritage Assessment Report (ACHAR) did not adequately address the SEARs issued for the project by providing adequate management measures for proposed impacts to Aboriginal cultural heritage.

As the office now responsible for the regulation of Aboriginal cultural heritage, Heritage NSW (HNSW) of the Department of Premier and Cabinet (DPC) have reviewed the supplied *Addendum to the Aboriginal Cultural Heritage Assessment Report* (RPS 2020) and have determined that the document sufficiently addresses the issues raised in the previous comments.

However, it should be noted that Section 8: Management and Mitigation, (page 12 of the report) which specifies an AHIP (Aboriginal Heritage Impact Permit) may be required prior to impacting a site, should be revised and corrected. To clarify, an AHIP is a statutory instrument issued under Part 6 of the *National Parks and Wildlife Act 1976* (NP&W Act) and does not apply to the current project, which is being assessed under separate legislation, Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Major Project, State Significant Infrastructure (SSI).

If you have any questions regarding the above advice, please contact Rebecca Yit, Archaeologist at Heritage NSW, on 4927 3244 or [rebecca.yit@environment.nsw.gov.au](mailto:rebecca.yit@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in blue ink, appearing to be 'SH' or similar initials, written in a cursive style.

**Dr Samantha Higgs**  
**Senior Team Leader**  
**Aboriginal Cultural Heritage Regulation - North**  
**Heritage NSW**

Date: 18 September 2020