



Ms Emma Barnet
Department of Planning, Industry and Environment
4 Parramatta Square
PARRAMATTA NSW 2150
email: emma.barnet@planning.nsw.gov.au

Your reference: SSD-9409987
Our reference: DOC20/787794-3

Advice provided via the Major Projects Portal

Dear Ms Barnet

**HERITAGE NSW – ABORIGINAL CULTURAL HERITAGE REGULATION
SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)**

Project: Moss Vale Plastics Recycling Facility, 74-76 Beaconsfield Road, Moss Vale
SSD/SSI application no: SSD-9409987

Thank you for requesting our input on the draft Planning Secretary's Environmental Assessment Requirements (SEARs) for the above state significant project.

Heritage NSW has reviewed the supporting documentation and provides SEARs for the proposed development in relation to Aboriginal cultural heritage matters in **Attachment A**.

Heritage NSW highlight the following project specific requirements:

- Aboriginal cultural heritage survey and archaeological test excavations need to be undertaken as part of the Environmental Impact Statement (EIS) to inform the design and approvals process for the development.
- Significant Aboriginal cultural values have been identified in the Moss Vale Enterprise Corridor through previous assessments close to this proposed development. Similar values could be present within the development area.
- The EIS must demonstrate consultation with Aboriginal people to identify and consider cultural values that may be impacted by the proposed development.

If you have any questions regarding these comments, please contact Rose O'Sullivan on (02) 4224 4177 or by email: rose.osullivan@environment.nsw.gov.au.

Yours sincerely

Kym McNamara
A/Senior Team Leader
Aboriginal Cultural Heritage Regulation South
Heritage NSW

6 October 2020

Enclosure – Attachment A: Recommended SEARs for Moss Vale Plastics Recycling Facility SSD-9409987 -
Aboriginal Cultural Heritage

ATTACHMENT A: HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Moss Vale Plastics Recycling Facility
SSD/I #: SSD-9409987

1. The Environmental Impact Statement (EIS) must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The assessment must encompass for the whole development footprint including all ancillary areas and access roads. Any Aboriginal objects recorded as part of the assessment must be recorded in accordance with section 89A of the *National Parks and Wildlife Act 1974*.
2. The identification of cultural heritage values must be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (OEH 2010) and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (DECCW 2011) in consultation with Heritage NSW.
3. Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
4. Impacts on Aboriginal cultural heritage values must be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts.
5. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The results of the surface survey must inform the need for targeted archaeological test excavation to determine the integrity, extent, distribution, nature and overall significance of the archaeological record. Test excavations is required as part of this assessment process to ensure the impacts to Aboriginal cultural heritage values by the development is adequately considered in the EIS. The results of surface surveys and test excavations must be documented in the ACHAR.
6. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
7. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.