

Our ref: HMS ID 12622

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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Willavale Park Battery Energy Storage System

Major Project reference: SSD-78100252

Received: 19 November 2025

Dear Nicholas,

Thank you for seeking advice from Heritage NSW regarding the above State Significant Development (SSD) proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of *Willavale Park Battery Energy Storage System Environmental Impact Statement* (EIS) - prepared by ERM, dated 3 November 2025.
- *Willavale Park Battery Energy Storage System Aboriginal Cultural Heritage Assessment Report* (ACHAR) - prepared by ERM, dated 16 October 2025.

Following the review of the above documents, Heritage NSW recommends that the Department requests additional information to inform our advice on whether the ACHAR adequately addresses the Secretary's Environmental Assessment Requirements (SEARs) for the project.

Additional information should be requested in relation to the matters detailed in **Attachment A**. This information is requested to ensure that the proposed impacts to Aboriginal cultural heritage are adequately assessed with appropriate mitigation measures proposed, and that the ACHAR complies with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) and the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011) as required by the SEARs.

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

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll

Practice Lead – Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

2 December 2025

Attachment A - Detailed Aboriginal cultural heritage advice

Heritage NSW recommends that the Department requests additional information from the proponent on the following matters prior to determination of this SSD proposal.

Impact assessment

1. Both Section 6.2 of the EIS and the ACHAR state that there is a high potential for the proposed works to impact Wollogorang Road Gunya tree / AHIMS # 51-2-0046 and recommend a buffer zone is implemented around the tree as a mitigation measure. Please clarify whether:
 - a. the location of Wollogorang Road Gunya tree / AHIMS # 51-2-0046 has been revisited following its identification to determine a suitable buffer, and if not, how the buffer area was determined.
 - b. the proposed buffer area is considered sufficient to avoid impact through the proposed works and protect the cultural significance of Wollogorang Road Gunya tree / AHIMS # 51-2-0046.

Aboriginal community consultation

2. Please provide evidence of the following correspondence demonstrating consultation with Registered Aboriginal Parties (RAPs) in accordance with the relevant guidelines:
 - a. Provision of the Project Information and Methodology to all RAPs, and any responses received.
 - b. Evidence of the response from ERM and additional correspondence with Mulwaree Aboriginal Community Inc relating to the draft ACHAR.

This may include documentation such as copies of dated email records with all relevant email addresses shown.

3. It is noted that Wollogorang Road Gunya tree / AHIMS # 51-2-0046 was identified during the consultation relating to the draft ACHAR. Please clarify whether all RAPs have been made aware of the presence of this site within the study area and have been consulted regarding the cultural significance, impact assessment, and proposed management of this site.
4. Responses from the RAPs on the draft ACHAR include comment regarding songlines associated with the area, however Section 9.2.5 states that no specific feedback on the social significance of the proposed SSD site was provided by the RAPs. Please update Section 9 of the assessment to incorporate all relevant information provided by the RAPs.