
Appendix A

Public exhibition comments

A.1 Heritage NSW

Our ref: HMS ID 11587

Kurtis Wathen
Department of Planning, Housing and Infrastructure
kurtis.wathen@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Infrastructure

Proposal: Hunter Transmission Project

Major Project reference: SSI-70610456

Received: 22 August 2025

Dear Kurtis,

Thank you for your referral seeking advice on the above State Significant Infrastructure proposal. It is understood that the proposal involves the construction of new electricity transmission infrastructure, two new switching stations (Bayswater South and Olney), upgrades to existing substations, transmission lines and utilities and ancillary works as required to support construction. For the purposes of assessment, it is understood that all impacts associated with the project will be confined to the area identified in the relevant documents as the 'project impact area'. Following the completion of construction, a smaller 'operation impact area' will remain in place.

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

- Relevant sections of the Environmental Impact Statement: Hunter Transmission Project – prepared by The Energy Corporation of NSW (EnergyCo), dated August 2025
- Technical report 2 – Aboriginal Cultural Heritage Assessment: Hunter Transmission Project – prepared by EMM Consulting Pty Ltd, dated August 2025

The Aboriginal Cultural Heritage Assessment Report (ACHAR) has been informed by desktop research, survey and test excavations and has been prepared in consultation with Registered Aboriginal Parties (RAPs). It is understood that the test excavation program has focussed upon areas of proposed project elements identified to potentially overlap with the Warkworth sand system or areas identified as having high potential for sub-surface deposits during survey. It is further understood that at Environmental Impact Statement (EIS) submission, the test excavation program is incomplete owing to landowner and access constraints. Works associated with the remaining test excavations in the northern portion of the Hunter Transmission Project (HTP) study area (adjacent to

the Hunter River and Loder Creek and in areas intersecting Warkworth Sands) are understood to be in progress with the results proposed to be provided in the Response to Submissions (RTS) Report.

Heritage NSW acknowledges the large volume of work that has been undertaken to develop the ACHAR and is supportive of the ongoing effort to reduce impacts to Aboriginal cultural heritage through refinements to the project design. We also acknowledge and support the applicants' commitment to avoid impacts to five areas of high Aboriginal cultural significance within the project impact area including DEEP CK MOTHER SWA (AHIMS #37-6-3714), Flat Rock Cultural Landscape / HTP-C-CP01 (AHIMS #45-3-5003), HTP-C-CVM08 (AHIMS #45-3-5010), HTP-C-GG03 (AHIMS #37-6-4484), and HTP-C-GG05 (AHIMS #45-3-5006). Following the review of the above documents, however, Heritage NSW recommends that the Department of Planning, Housing and Infrastructure (DPHI) request that the applicant address the key matters summarised below and detailed in Attachment A prior to considering project approval.

Key matters critical to understanding the proposed impacts and required by RTS:

- **Site amalgamation** – Concerns with amalgamating isolated artefacts and low-density scatters into a general 'background scatter' registration as it masks nuances, distorts cumulative impacts, creates compliance risks, complicates heritage management and affects constructability. Revisions are therefore requested to ensure compliance with assessment and legislative requirements, reduce project risks and impacts to other land managers, align with existing management commitments and improve Ecologically Sustainable Development outcomes.
- **Interaction with lands under other approvals and authorities** – Greater consideration of overlap with lands and Aboriginal sites managed under other approvals (e.g. Mining Leases, longstanding Major Project and SSD Approvals) and authorities (e.g. National Parks and Wildlife Service [NPWS], Forestry Corporation of NSW and the Department of Defence) and implications for Aboriginal cultural heritage management.
- **Site mapping and assessment** – Additional consideration and mapping of Aboriginal sites and potential archaeological deposits (PAD) within and adjacent to the project impact area with specific reference to site extent / boundaries.
- **Assessment of potential impacts** – Clarifications relating to significance and impact assessments for all sites including further consideration of the potential for sites to extend into the project impact area and explicit consideration of potential indirect and/or partial impacts.

Matters relating to management and mitigation including commitments for post-approval assessment and/or management:

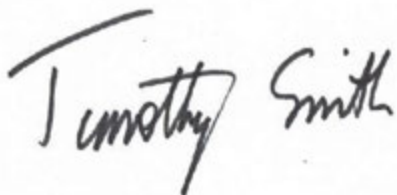
- Identification of commitments relating to outstanding assessment requirements (i.e. testing and survey) and timelines.
- Updates to proposed Management and Mitigation Measures and clear presentation of post-approval management commitments and/or requirements for all sites and values.

Matters relating to ongoing assessment and administrative actions:

- Updates based on the outcomes of ongoing archaeological survey and test excavations.
- Additional information and clarification relating to Aboriginal community consultation.
- Site card updates to the Aboriginal Heritage Information Management System (AHIMS).

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

Yours sincerely,

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tim Smith OAM

Director Assessments

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

23 September 2025

Attachment A – Detailed Aboriginal cultural heritage advice on SSI-70610456

Site identification and distribution

Heritage NSW has strong concerns with the non-standard approach adopted to amalgamate ~191 previously recorded and/or newly identified discrete Aboriginal site recordings into a “*a broader low density background scatter*” ‘site’ which is “*considered to extend disparately across the project impact area*”. The treatment of these isolated artefacts and low-density artefact scatters as a single ‘site’ conflates archaeological interpretation with legislated requirements surrounding the registration of Aboriginal sites and objects and presents issues in terms of the constructability of not only HTP but also any projects/works within lands that intersect the project impact area. Further, such an approach unnecessarily masks nuances and variability in the archaeological record, does not accurately reflect the spatial distribution of Aboriginal object/s identified as part of the assessment (Comments 1, 2 and 6), presents issues in terms of the comparability of data/patterning between projects (Comments 2 and 3), distorts and underplays the cumulative impacts of the project (Comment 7) and creates challenges in terms of the management of Aboriginal cultural heritage particularly for Aboriginal sites located on lands also managed and controlled under a range of approvals, and by other government authorities (i.e. National Parks and Wildlife Service [NPWS], Forestry Corporation of NSW and Department of Defence) (Comments 4 and 5).

While isolated artefacts and low-density scatters may be interpreted and discussed collectively within the ACHAR as being indicative of a general background scatter and/or sporadic, short-term use of the landscape, we request that the discrete recordings not be considered as a single ‘site’ but rather that the assessment allows for individual management consistent with current best practice. We additionally request that the following matters be addressed to ensure compliance with assessment and legislative requirements:

1. Please ensure that all isolated artefacts and low-density scatters identified during the survey and/or test excavations are individually registered on the Aboriginal Heritage Information Management System (AHIMS) as required by Section 89A of the *National Parks and Wildlife Act 1974* and as per the advisory note under Requirement 6 of the *Code of Practice for Archaeological Investigation of Aboriginal objects in NSW* (‘the Code of Practice’; DECCW 2010) which states that “*an AHIMS Site Recording Form must be completed for all isolated artefacts or sites*”.
2. Please update the site descriptions provided in the ACHAR (e.g. Table 10.1 and/or Table 11.2 and Appendix F.3) to include details of the site extent including how the boundary has been determined as per Requirements 6 and 7 of the Code of Practice. We also note that the site definitions and recording methods developed for the assessment as presented in Section E.3.1 of ‘Appendix E’ state that “*stone artefacts more than 50m apart were recorded as separate sites*” and that this approach was adopted to allow “*for efficiencies in site management and to establish consistency in site recording methods*”, however, it is unclear if this approach has been adopted.
3. The ACHAR uses a threshold of less than 20 artefacts per square meter to define low density scatters. We note, however, that this approach is inconsistent with previous assessments completed in association with the Hunter Valley Operations [HVO] continuation project that defined low-density artefact scatters as those with <10 artefacts while those containing 11-30 artefacts were considered medium density artefacts scatters. With this in mind, please provide greater justification for the current use of <20 artefacts per square meter as the threshold for

defining low-density scatters and/or consider updating the definitions/thresholds to be consistent with previous assessments within the region.

4. The project impact area overlaps with lands managed and controlled under a range of approvals, including Mining Leases, longstanding Major Project and SSD Approvals, a number of wind farm projects as well as land managed by NPWS, Forestry Corporation of NSW and the Department of Defence that are likely associated with active management obligations and requirements. Many Aboriginal sites that have been considered as part of the broader background scatter grouping, for example, were originally identified in association with existing approvals and projects under assessment by the DPHI (e.g. the HVO continuation project). The current proposal for unmitigated harm to these sites may therefore conflict with existing management measures required under these approvals. We further note that several approvals and/or current SSD applications have Aboriginal sites marked for conservation that may now be impacted by this proposal. To avoid potential compliance issues and ensure consistency in the management measures proposed for these sites, Heritage NSW requests that the ACHAR be updated to:
 - a. include a section that acknowledges the interface between the project impact area and exiting approvals (mines and wind farms etc.) and/or land managed by NPWS and Forestry Corporation of NSW.
 - b. identifies all Aboriginal sites within the project impact area that are also covered by exiting approvals/Heritage Management Plans (HMPs) and/or land managed by NPWS and Forestry Corporation of NSW including all current management commitments.

We request that this be addressed at RTS stage to provide certainty around the management of Aboriginal sites and ensure consistency and compliance with existing management commitments.

5. A number of previously recorded Aboriginal sites that have been included in the broader background scatter grouping are associated with untested areas of potential archaeological deposits (PAD) and their nature, extent and significance therefore remains unknown. Please update the ACHAR to ensure appropriate investigation/assessment and management of these sites. Noting that not all sites within the project impact area will require impacts depending upon final design, it may be appropriate to complete testing of such sites post-approval under a HMP following finalisation of the detailed design. Where testing is proposed post-approval, however, the methodology must include provisions for the conservation and avoidance of significant Aboriginal cultural heritage should this be identified.
6. Information provided in Appendix F.3 indicates that a potential Aboriginal flaked glass artefact was identified in association with 'FF6' (AHIMS 37-6-0724), an Aboriginal site that has been considered as part of the general background artefact scatter 'HTP-C-BS1' which has been assessed to be of low significance. Considering that flaked glass artefacts are an indicator of contact sites, which are relatively uncommon in the region, please update the ACHAR to include further details of this potential flaked glass artefact, including:
 - a. Analysis of diagnostic features and attributes of the object to support its identification / interpretation as being an Aboriginal flaked glass artefact.
 - b. Photographs of the different surfaces and/or diagnostic features of the object.

- c. Consideration of the potential for additional Aboriginal flaked glass artefacts to occur that may contribute to the research potential and cultural and historical value of the site. Where there is potential for further contact-period archaeology to be present, additional investigation and management may be required.
7. That ACHAR states that there will be no loss of value as a consequence of direct, complete harm to ~191 Aboriginal sites that have been considered as part of the broader background scatter grouping. We note that while isolated artefacts and low-density artefact scatters may be assessed to be of low archaeological significance, unmitigated impact to large quantities of such site types across the region still represents a cumulative impact on the regional resource. To assist in reducing the cumulative impacts of the project, we request that the management recommendations be updated to include:
 - a. Provisions for managing 'low significance' sites on an individual basis as this will allow the retention of any isolated artefacts and low-density scatters where impacts are not required.
 - b. Provisions for the cultural salvage /community collection of known isolated artefacts and low-density scatters where impacts cannot be avoided. We note that such an approach conforms to Ecologically Sustainable Development principles, has been adopted/or proposed for other large-scale infrastructure projects (i.e., HumeLink and VNI West) and may also assist in aligning management requirements for Aboriginal sites covered by existing approvals/ HMPs.

Clarification regarding survey, previously recorded sites & evaluation of potential rockshelter sites

8. The ACHAR states that some 72% of the project impact area was investigated and of the remaining 28%, 4% represent sealed hardstand areas (such as road) and 3% represented "inaccessible dangerous terrain" and "as such only 17% remains to be surveyed" (pg. 169).
 - a. Please clarify what is meant by "inaccessible dangerous terrain" and confirm whether alternative approaches (e.g. drones) to assessing/ inspecting these areas have been considered.
 - b. Please confirm the timeframe for the survey of the remaining 17% of the project impact area, whether any predictions have been made as to the archaeological potential of these areas and how they will be managed.
9. The ACHAR indicates that a large number of previously recorded Aboriginal sites in or within 200 m of the project impact area (n = 82 and n = 48 respectively) could not be relocated during the survey and are therefore "presumed destroyed" and "not considered further in the ACHAR" (pg. 292 and Table G.1 in Appendix G). Where a site is considered destroyed whether through natural or anthropogenic processes, sufficient evidence must be provided to support this beyond a change in surface visibility. This is relevant considering that additional artefacts were identified at several sites listed as being destroyed on AHIMS (see Comment 33). Please update the ACHAR to include additional information to support the assessment of these sites as being destroyed including specific details of site condition and photographs of the areas inspected. Where visibility may have prevented re-identification, as is standard practice, sites should not be considered destroyed but rather, appropriate management measures must be developed to manage these sites where impacts may occur. This may include controlled vegetation clearing to allow reinspection of the area and potential surface salvage under a HMP prior to construction.

10. Please update the criteria used to evaluate potential rockshelter sites (as presented in Section 8.4.1 of the ACHAR and applied in Appendix F.4) to include explicit consideration of the presence of deposit within or directly outside of the shelter (i.e. PAD) and provide an updated evaluation of all potential rockshelter sites.
11. HTP-C-RS03, HTP-C-RS18, HTP-C-RS24 and HTP-S-RS13 comprise of rockshelters recorded as containing PAD. Noting that these potential sites were originally identified as requiring test excavation as per the methodology reviewed by RAPs and Heritage NSW, please provide additional information to clarify why they have been excluded from the assessment despite the presence of untested PAD. Where these rockshelters may be subject to impacts from the project, additional assessment must be undertaken to allow for the development of appropriate management measures.

Clarification of significance assessment and harm to Aboriginal sites

12. It is understood that the overall significance of an Aboriginal site was determined by the highest ranking achieved in any of the four main criteria (i.e. archaeological/scientific, cultural, historical, aesthetic) (pg.363). With this in mind, please clarify why 'HTP-N-AS32' (AHIMS 37-6-4487) is only ranked to be 'Moderate' overall significance despite being of 'High Archaeological Significance' (see Table 11.2).
13. Please clarify why the following valid Aboriginal sites have not been included in the impact assessment presented in the ACHAR despite their registered locations placing them within the project impact area: 'Heatherlea' (AHIMS 37-6-0010), 'Upper Saddler's Creek' (AHIMS 37-2-0024), 'HTP-S-RS14' (AHIMS 45-3-5036), 'Sandy Creek; Sunday Creek' (AHIMS 45-3-0905), 'HTP-N-AS55' (AHIMS 37-6-4563), 'CORROBARE STATE FOREST RD 1' (AHIMS 37-6-2780), and 'Broken Back Trail / Monkey Place Ck' (AHIMS 37-6-0809/37-6-0552). Where there is potential for impacts from the project, appropriate management measures must be developed commensurate to their assessed significance.
14. Map 3 of Figure 10.1 in the ACHAR shows 'HTP-N-AS11' as a moderate density artefact scatter extending into and forming part of the 'archaeological resource of the project impact area', however the site has not been included in Table 10.1 or the impact assessment presented in Table 12.1. Please update the impact assessment to include consideration of this site.
15. Please clarify the scope and nature of proposed ground disturbance works associated with ancillary infrastructure, access trail upgrades, vegetation clearance, tower construction, laydown and switchboard areas, fencing, and existing line upgrades.
16. While the ACHAR acknowledges that rockshelters, grinding grooves, water holes and stone arrangements located within 55 m of the project impact area may be susceptible to indirect impacts from vibration (e.g. pg.371 of the ACHAR and Table G.2 in Appendix G), this has not been included in the impact assessment presented in Section 12 of the ACHAR. Please provide an updated impact assessment which includes consideration of indirect impacts from vibration to Aboriginal sites located in or within 55 m of the project impact area. We note that approximately fifteen (15) rockshelters sites identified as part of this ACHAR and registered on AHIMS as being located within 55 m of the project impact area have not been included in Table G.2 and must be included in the impact assessment.

17. Certain Aboriginal site types/feature (e.g. rockshelters, grinding grooves, water holes and stone arrangements) within or in proximity to the project impact area may be vulnerable to indirect impacts from works such as access trail upgrades and vegetation clearing which may result in altered drainage, increased erosion, and/or sediment movement.
 - a. Due to potential AHIMS location inaccuracies, conduct site surveys to verify the location of nearby vulnerable Aboriginal sites (e.g. AHIMS 45-3-3174/45-3-3175).
 - b. Update the impact assessment to address all potential indirect impacts to Aboriginal sites within and in proximity to the project impact area, particularly those susceptible to indirect impacts from altered drainage, erosion, and sediment movement.
18. Please update the impact assessment presented in the ACHAR to consider the potential for the Aboriginal sites listed in Table G.2 in Appendix G (including those listed in the footnotes) to overlap with the project impact area and thus be subject to direct, partial harm. This should include consideration of the site extent and the distance of the project impact area from the site boundary (rather than the centroid location) noting that the recorded extent of a number of previously recorded sites indicate that they potentially overlap with project impact area (e.g. AHIMS 37-2-0811). Management measures must also be developed where there is potential for partial direct harm from the project and must be commensurate to the assessed significance of the site.
19. Please ensure that the impact assessment and management recommendations are updated to include any additional Aboriginal sites identified during the test excavations that were being completed subsequent to the finalisation of the exhibited ACHAR.
20. The EIS contains discrepancies in the total number of Aboriginal sites noted as being likely impacted by the project (e.g. compare pg.428, 703-704, 1035 and pg. C.4 in Appendix C).

Management and Mitigation Recommendations

21. Please update Table 13.1 in the ACHAR and Section H.1.3 (Methods for identified site types) in Appendix H to include management measures for:
 - a. Aboriginal sites with untested areas of PAD including isolated artefacts and low-density artefact scatters with PAD and rockshelters with PAD.
 - b. Aboriginal sites covered under existing Approvals, HMPs and/or lands managed by NPWS, Forestry Corporation of NSW or the Department of Defence.
 - c. Aboriginal sites containing potential contact archaeology.
 - d. Aboriginal sites that have the potential to extend into / overlap with the project impact area.
 - e. Aboriginal sites that have the potential to be subject to indirect impacts due to altered drainage, increased erosion, and/or sediment movement.
22. Please update Section H.1.3 (Methods for identified site types) in Appendix H to reflect that a commitment has been made to avoid direct and indirect impacts to 'DEEP CK MOTHER SWA' (AHIMS 37-6-3714), 'HTP-C-CVM08' (AHIMS 45-3-5010), 'HTP-C-GG03' (AHIMS 37-6-4484), and 'HTP-C-GG05' (AHIMS 37-6-5006). Specifically, these sites should not be grouped under the general management requirements outlined for their respective site types as references to actions such as 'excavation', 'deconstruction', and 'relocation' and are not consistent with the commitment made to avoid harm to these Aboriginal sites.

23. Please update Section H.1.3 (Methods for identified site types) in Appendix H to include 'HTP-N-AS71' (AHIMS 37-2-6665) in the list of high and moderate density artefact scatters that require management.
24. Please clarify whether any management measures are proposed to mitigate harm to 'HTP-S-CS01 (Wishing well) (AHIMS 45-3-5009). We understand that the Historical Heritage Assessment prepared for the EIS is proposing excavation of the feature prior to impacts, however, it is unclear if any management provisions are proposed in relation to the ACH values attributed to the site.
25. The ACHAR states that around 88 hectares of the Warkworth sand system are predicted within the project impact area. Considering that the testing program has focused on areas of Warkworth sand system due to the potential for this geological unit to contain significant cultural materials, please clarify whether any management measures are proposed for untested areas of the predicted Warkworth sand system where ground disturbance is required to mitigate impacts to the broader landscape values to which this sand system contributes.
26. Management recommendation 'AH06' proposes the development of a cultural values mitigation strategy to support an Aboriginal-led research program to investigate cultural areas of interest and Aboriginal sites and places at Trig Road cultural landscape and Flat Rock cultural landscape including but not be limited to: 'HTP-C-RS14' (AHIMS 45-3-5-5013), 'Corrabare State Forest Road 2' (AHIMS 45-3-3582), 'Corrabare State Forest Western Side of Langans Rd SWA' (AHIMS 45-3-3583), and 'Corrabare' (AHIMS 45-3-2140). Noting that this is proposed to occur prior to construction, please clarify whether this Aboriginal-led research program is anticipated to be implemented under an Aboriginal Heritage Impact Permit (AHIP) or under the SSI consent for HTP should the project be approved. Where this program is to be implemented under the HTP project approval, the current ACHAR must be updated to consider the potential impacts to these sites from this research program. Considering the critical time constraints associated with delivering HTP, Heritage NSW strongly recommends early development of this strategy.

Aboriginal Community Consultation

27. Section 4.4 of the ACHAR states that one Aboriginal participant had a substantive database of sites and places within the Pokolbin and Corrabare State forests, which was inaccessible via other publicly available databases and that subsequent on-Country activities were being planned to address the individuals concern that they had not been captured in the ACHAR. Please clarify whether these subsequent on-Country activities have now been completed and confirm whether the ACHAR has been updated to include consideration of the outcomes of this including any management or mitigation requirements.
28. Please provide the following additional Aboriginal community consultation documentation and ensure that all relevant email addresses are shown:
 - a. Evidence that the testing methodology emails sent on 17 Sept 2024 and 26 Sept 2024 were provided to all RAPs.
 - b. Evidence that the Stage 4 draft ACHAR notification dated 12 Feb 2025 was sent to all RAPs.
 - c. Evidence that the revised mitigation measures notification email dated 4 July 2025 was sent to all RAPs.

For future reference please ensure that all consultation documentation (e.g. project updates letters) show all relevant sent email addresses as evidence of having been provided to all RAPs.

29. Please clarify how the comments received from Wonnarua Nation Aboriginal Corporation (emails dated 7 July 2025 and 11 July 2025) and Aaron Talbott (email dated 16 July 2025) in relation to the proposed management measures have been considered and addressed.

AHIMS site card updates

30. According to the site descriptions provided in the 'Notes' column in Table 10.1 'HVOCP TR47-AS3' (AHIMS 37-2-6514), 'HVO-1267' (AHIMS 37-6-3384) and 'HTP-N-AS71' (AHIMS 37-2-6665) are associated with PAD, however, this has not been specified as a site feature in the 'site type' column. Please update AHIMS and the relevant sections of the ACHAR to include 'PAD' as a feature for these sites and ensure that appropriate management measures are proposed for these sites consistent with the presence of 'PAD'.

31. Please confirm whether the AHIMS site cards for 'TRGG grinding groove site' (AHIMS 45-3-2456) and BOP-OS8 (AHIMS 37-6-2842) have been updated to correct the location errors that were identified during the survey completed for the ACHAR.

32. Please confirm that the AHIMS site cards for 'CORROBARE STATE FOREST CABANS RD' (AHIMS 37-6-2779) and HTP-C-CMT02 (AHIMS 37-6-4556) have been updated to change their statuses to 'not a site' consistent with the results of the Aborigicultural Assessment presented in the ACHAR.

33. Please clarify why 'HTP-C-CP01 (Flat Rock cultural landscape)' (AHIMS 45-3-5003) and 'HTP-N-CVM01 (Hunter crossing)' (AHIMS 37-6-4493) have been registered on AHIMS as being 'enclosed shelters' rather than 'open' context sites.

34. Appendix F.3 indicates that artefacts were identified at several sites (e.g. AHIMS 37-6-2833 and AHIMS 37-6-1979) that are listed on AHIMS as being 'destroyed' indicating that additional artefacts have become exposed at these sites since their salvage. Please confirm if the site cards for these sites have been updated to reflect the presence of additional artefacts and reinstate their status as being 'valid'.

35. We note that a large number of rockshelters identified during the ACHAR appear to have been incorrectly registered on AHIMS as having 'Art' as a site feature while some that have been mentioned in Table F.2 as containing 'PAD' have not been registered to reflect this. Please review the AHIMS registrations for rockshelter sites submitted as part of this assessment and update for accuracy where required.

A.2 Forestry Corporation of NSW

24 October 2025

Department of Planning, Housing and Infrastructure
GPO Box 39
Sydney NSW 2001

Attn: Energy & Resource Assessments, NSW Department of Planning, Housing and Infrastructure

Dear Sir/Madam,

Forestry Corporation of NSW –Submission on Hunter Transmission Project EIS (SSI-70610456)

Forestry Corporation of NSW (**FCNSW**) provides this submission on the Hunter Transmission Project (**HTP**) Environmental Impact Statement (**EIS**) to assist the Department of Planning, Housing and Infrastructure (**DPHI**) and other readers in understanding FCNSW's key concerns arising from the HTP and the EIS (**FCNSW Submission**).

The Submission summarises those concerns and identifies conditions of approval that FCNSW submits should be attached to any approval for the HTP issued under Part 5 of the *Environmental Planning and Assessment Act 1979* (NSW). In general terms, the proposed conditions seek to ensure that State forest values are adequately protected and managed.

FCNSW trusts that this information will assist DPHI in its assessment of the HTP. Please do not hesitate to contact the undersigned if any further clarification is required.

Yours sincerely,



Anshul Chaudhary
Chief Executive Officer
Forestry Corporation of NSW

Forestry Corporation of NSW

Submission on Hunter Transmission Project EIS (SSI-70610456)

The following paragraphs outline FCNSW's primary concerns with the HTP as described in the EIS and identifies FCNSW's recommended conditions of any relevant approval to address those concerns. Where relevant, the recommended conditions include the timing for implementation or compliance (e.g. prior to construction, during operation) and many require the preparation of management plans in consultation with FCNSW and or DPHI. All such plans should be subject to DPHI approval and adhere to the established "avoid, mitigate, offset" hierarchy (i.e. first avoid impacts where possible, then mitigate any unavoidable impacts, and offset residual impacts).

1. Corridor Vegetation Management and Bushfire Risk

FCNSW Concern: The EIS proposes maintaining all vegetation regrowth within the transmission corridor at a height of no more than 2 metres in order to retain some biodiversity value under the lines. FCNSW does not support this approach primarily because it would create a continuous strip of dense scrub across the State forests, leading to unacceptable bushfire hazard and impractical maintenance demands. A 2 m high continuous understorey would act as a high-fuel load, elevating fire intensity and impeding firefighting access, contrary to best practice bushfire management. The EIS provides insufficient detail on how bushfire risks will be mitigated under this model. FCNSW considers that a revised strategy is needed to manage corridor vegetation in a way that reduces fuel continuity (e.g. through a mosaic of low vegetation zones and strategic breaks) while still achieving appropriate biodiversity outcomes.

FCNSW Recommended Conditions or Other Response:

- 1. Corridor Vegetation Management Plan:** Prior to construction, the Proponent should be required to prepare a **Corridor Vegetation Management Plan (CVMP)** for the transmission line easement, in consultation with FCNSW and the NSW Rural Fire Service (RFS), to the satisfaction of DPHI. This Plan should adopt the avoid–mitigate–offset hierarchy in managing vegetation. It should detail how vegetation within the corridor will be managed to minimise bushfire risk and maintain ecological values, including:
 - o strategies to avoid continuous high fuel loads, such as creating a mosaic of vegetation heights and cleared strips (for example, low grass or bare ground fuel breaks at intervals, and only selective retention of taller understorey in patches where it will not create a fire corridor);
 - o identification of any areas where limited canopy or midstorey vegetation can be safely retained (e.g. in moist gullies), and areas that must be kept largely clear for fire protection (e.g. ridge tops, around infrastructure); and
 - o ongoing maintenance methods (e.g. periodic slashing or controlled burning) to ensure regrowth does not exceed safe heights or fuel loads.
- 2. Bushfire Mitigation Measures:** Conditions of approval should require that the CVMP include specific bushfire mitigation measures developed with RFS and FCNSW input. These should include provision for perimeter fire breaks or asset protection zones adjacent to the easement in extreme risk areas, improvements to firefighting access (such as ensuring the corridor or parallel trails can be safely used as fire control lines), and a commitment to assist with hazard reduction activities. The Proponent should implement all measures in the CVMP during construction (as vegetation is initially cleared) and throughout operation (for ongoing maintenance). The CVMP should also require fuel load inspections at least of the corridor at least annually and specify that additional fuel reduction to be undertaken if inspections show fuel levels exceed acceptable thresholds which should be specified in the CVMP.
- 3. Audit and Adaptive Management:** Compliance with any CVMP should be subject to independent auditing of the corridor vegetation condition and bushfire preparedness at set intervals (for example, 12 months and 5 years after commissioning). Audit results should be reported to DPHI and FCNSW. If audits or RFS/FCNSW inspections identify that the vegetation management approach is not effectively minimising bushfire risk (e.g. if unsafe fuel continuity is observed), the Proponent should be required to adapt the management regime in consultation with DPHI, RFS and FCNSW. This may include revising the CVMP, increasing the frequency or extent of vegetation clearance, or other remedial actions, and implementing those changes to the satisfaction of DPHI.

Timing: The CVMP should be prepared and approved before any clearing or construction works commence in any relevant portion of the transmission corridor. Bushfire mitigation actions (breaks, access improvements) should be in place prior to the first summer bushfire season following clearing. Ongoing fuel management should be required for the life of the project.

2. Biodiversity Offsets and Habitat Connectivity

Issue: The HTP will clear approximately 661 hectares of State forest native vegetation (and about 49 ha of hardwood plantation) within the easement. This clearing will remove or modify habitat for numerous threatened species. The EIS employs a “partial clearing” scenario (retention of low understorey) to reduce offset obligations, but FCNSW is concerned that this underestimates the real impact of the proposed clearing. In practice, removing all tall trees while leaving low vegetation will still constitute a major long-term habitat loss (e.g. loss of tree hollows, canopy cover, and connectivity). FCNSW also notes that the EIS lacks specific commitments to maintain faunal connectivity across the corridor (aside from general mentions of rope bridges, etc.), and contains insufficient detail of edge effects on the remaining forest. Without stronger ameliorating measures, the project could result in fragmented habitats and unaccounted biodiversity losses.

FCNSW Recommended Conditions or Other Response:

4. **Full Habitat Offset Requirement:** Conditions of approval should require that biodiversity offsets account for the full extent of habitat loss. All native forest within the corridor should be treated as cleared for offset calculation purposes. That is, there should be no discount for “partial” clearing unless the Proponent can demonstrate, through rigorous evidence, that the retained vegetation will maintain full habitat functionality. This will require the Proponent to retire biodiversity credits or provide offset conservation areas as if the entire ~710 ha of native vegetation is being removed. This conservative approach ensures no net loss of biodiversity and reflects the uncertainty of the partial retention approach. The additional offset obligation should be confirmed prior to commencement of construction through a revised Offset Strategy or Biodiversity Development Assessment Report submitted to DPHI for approval.
5. **Construction Biodiversity Management Plan:** Prior to any clearing or construction, the Proponent should be required to prepare a comprehensive Biodiversity Management Plan (**BMP**) in consultation with FCNSW and relevant regulators such as DPE Biodiversity and Conservation. The BMP, to be approved by DPHI, should detail on-site mitigation measures for biodiversity, including:
 - **Pre-clearing surveys and fauna relocation:** protocols to avoid harm to fauna during clearing (e.g. stag-watching for hollow-dependent fauna, fauna spotter-catchers present during tree felling, translocation of any displaced fauna such as koalas or frog species like *Litoria littlejohni* found in breeding habitat).
 - **Habitat feature salvaging:** procedures to salvage important habitat elements (hollow logs, tree hollows, bushrock) from clearing areas and relocate them just outside the corridor in State forest, to enhance surrounding habitat.
 - **Habitat connectivity measures:** a plan for installing and maintaining wildlife crossing structures (such as arboreal rope bridges or glider poles at regular intervals where canopy is removed, and underpasses or culverts for ground fauna if applicable). The BMP should identify target species (e.g. Squirrel Glider, Spotted-tailed Quoll) and locations for these structures. It should also include a monitoring programme to check usage of the structures and an obligation to modify or add to them if they are not effective within a set period.
 - **Edge effect mitigation:** measures to mitigate impacts on the forest immediately bordering the corridor. This could be required as a dedicated Edge Effect Mitigation Plan (see Condition 6 below). Key actions include weed control along edges (to prevent infestations of lantana, etc.), management of any bell miner colonies to prevent associated dieback, and planting of fast-growing natives at select edge locations to create a buffer microclimate.
 - **Revegetation and rehabilitation:** wherever temporary disturbance occurs outside the needed corridor (e.g. construction pads, temporary access widening), these areas should be rehabilitated with native vegetation as soon as possible to restore habitat connectivity.

The BMP should explicitly adopt the avoid–mitigate–offset hierarchy: for instance, it should require micro-siting of towers or access tracks to **avoid** ecologically sensitive areas (old-growth patches, nest sites) wherever feasible, then mitigate any unavoidable impacts via the measures above, and acknowledge the role of offsets for residual loss.

6. **Edge Effect Mitigation Plan:** Conditions should specifically call for an Edge Effect Mitigation Plan (which may be included as part of the BMP or as a stand-alone plan) to address the management of indirect impacts on adjacent forest. This Plan, prepared in consultation with FCNSW and approved by DPHI prior to construction, should include: a weed monitoring and control programme along the newly created forest edges (during and post-construction), measures to prevent erosion or microclimatic stress at edges, and procedures to handle any newfound issues such as forest health decline attributable to the project (e.g. commitment to manage any dieback or invasive species outbreaks). Implementation of edge mitigation actions should commence immediately after clearing and continue through at least the first 5 years of operation, with annual reporting of outcomes to DPHI/FCNSW.
7. **Fauna Connectivity and Monitoring:** A condition should require that all proposed fauna connectivity measures (e.g. glider poles, canopy bridges) be installed prior to operation of the line in that section, and that their effectiveness be monitored. If, for example, post-construction monitoring (within 2 years of installation) finds that certain glider crossings are not being used, the Proponent must consult with DPHI and FCNSW and implement additional or alternative measures (such as adding more crossing points or different designs) to improve connectivity. This adaptive management requirement ensures the intent of maintaining wildlife movement is achieved in practice, not just in theory.

Timing: The revised Offset Strategy (if required by condition 4) should be finalised before any vegetation clearance. The Biodiversity Management Plan (and any sub-plans including Edge Effect Mitigation) must be prepared and approved before construction commences. Connectivity structures should be required to be in place prior to the transmission line being constructed in any relevant section of the line, or at the latest, before it is energised. Monitoring of biodiversity measures should occur during and after construction, with a review (and any necessary adaptive actions) within 2 years of project operation.

3. Aboriginal Cultural Heritage

Issue: The State forests along the HTP route contain a large number of Aboriginal cultural heritage sites and artefacts, reflecting their long use by Aboriginal people. The EIS identifies 195 Aboriginal sites within the project area, including scarred trees, rock shelters with art and deposits, grinding groove sites, and artefact scatters. However, the EIS’s mitigation approach relies heavily **on salvage and archival recording** (i.e. excavating or collecting artefacts and documenting sites, then proceeding with disturbance). FCNSW does not support an outcome where significant heritage sites are simply removed or destroyed without exhausting options to avoid or protect them in place. The EIS provides insufficient discussion of options to avoid impacts on these sites, and because the project is Critical SSI, it will not go through the usual Aboriginal Heritage Impact Permit process – making it essential that the project approval itself includes strict heritage conditions. FCNSW’s concern is to ensure that culturally significant sites are preserved wherever possible and that Aboriginal stakeholders are genuinely involved in decision-making and management of their heritage throughout the project.

FCNSW Recommended Conditions or Other Response:

8. **Avoidance of Significant Heritage Sites:** Conditions of approval should require the Proponent to demonstrate all feasible measures to avoid or minimise harm to Aboriginal heritage sites. Specifically, prior to finalisation of the construction footprint or any ground disturbance, the Proponents should be required to review the design and micro-alignments to avoid direct impacts on sites of high cultural significance (for example, rock art shelters, major grinding groove clusters, and unique features like the “Wishing Well” natural spring site in Watagans). Where such sites lie near the proposed disturbance, the Proponent should relocate or redesign infrastructure (e.g. shift an access track, reposition a pole) unless DPHI, in consultation with Heritage NSW and FCNSW, agrees that avoidance is not reasonably practicable. Evidence of efforts to avoid sites and the outcomes should be documented and approved by DPHI before works commence in those areas.
9. **Aboriginal Cultural Heritage Management Plan:** The Proponent should be required to prepare an Aboriginal Cultural Heritage Management Plan (**ACHMP**), in consultation with Registered

Aboriginal Parties (**RAPs**) and FCNSW, to the satisfaction of DPHI prior to the commencement of construction. This Plan should comprehensively set out how each recorded Aboriginal heritage site or area will be managed. Key elements of the ACHMP should be required to include:

- **Heritage protection measures:** A list of sites to be protected in situ (with physical barriers or exclusion zones) and the measures for doing so (e.g. fencing off a rock shelter area before nearby works, clearly marking no-go zones in construction plans and on the ground). These protections should be in place before any construction machinery enters that vicinity.
 - **Salvage and relocation protocols:** For sites that cannot be avoided (e.g. an artefact scatter within the construction footprint), the ACHMP should detail how salvage will occur. All salvage works (such as archaeological excavation or collection of surface artefacts) must be conducted under the supervision of a qualified archaeologist and with the involvement of RAP representatives on site. Artefacts recovered should be catalogued and either reburied in a designated safe area within Country or stored in a keeping place nominated by the RAPs – this ensures cultural materials remain accessible to the Aboriginal community. The Plan should emphasise that salvage is a last resort after exhausting avoidance and minimisation options.
 - **Monitoring and stop-work procedures:** The ACHMP should require the establishment of Aboriginal monitors (nominated by RAPs) who will be required to be present during initial clearing or ground disturbance in high-sensitivity areas. If any **unexpected Aboriginal objects** (e.g. previously unknown artefacts, bone, or site indicators) are discovered, all work in that area must cease and an “unexpected finds” protocol (outlined in the Plan) must be followed. The protocol should align with Heritage NSW guidelines and require notification of RAPs, Heritage NSW, and FCNSW, assessment by an archaeologist, and appropriate management (which may include salvage or avoidance) before works resume.
 - **Cultural awareness training:** The ACHMP should require that all project personnel receive an induction on Aboriginal cultural heritage, including the significance of sites in these State forests and their legal obligations to protect heritage. This will help prevent inadvertent damage and foster respect on site.
 - **Ongoing consultation:** The ACHMP should commit to ongoing engagement with RAPs throughout construction, and incorporate any additional cultural heritage information that may come to light.
10. **Responsibility and Compliance:** The conditions require the Proponent to be fully responsible for compliance with all Aboriginal heritage protection measures. In particular, any approval should, to the extent possible under relevant legislation, require the Proponent (not FCNSW) to be responsible for any harm to Aboriginal objects or places caused by the project works. All care, control, and legal responsibility for Aboriginal heritage management in the project area during construction and operation should lie with the Proponent (and ultimately the operator of the transmission line). This clarification ensures accountability is correctly assigned. Furthermore, the Proponent should be required to submit a report to DPHI and Heritage NSW after completion of construction which details all heritage management actions taken during the construction period, - which report should detail matters such as sites avoided, sites salvaged, outcomes for artefacts, any ongoing site management measures and the like. This report should demonstrate compliance with the ACHMP and allow lessons learned to be recorded.
11. **Sequencing of Heritage Management Actions:** No disturbance (e.g. clearing, grading, excavating) should occur in any area containing an identified Aboriginal heritage site *until* the measures for that site, as specified in the ACHMP, have been implemented. For example, if a site is to be salvaged, the salvage must be completed and relevant RAPs satisfied with the process before construction in that area. If a site is to be protected, the exclusion fencing must be erected and verified. This sequencing condition will ensure heritage considerations are addressed ahead of construction impacts, not concurrently or as an afterthought.

Timing: The ACHMP must be finalised and approved before construction begins. Avoidance re-design should be undertaken during detailed design and reviewed by DPHI prior to works. Monitoring by Aboriginal representatives is required during any initial ground disturbance in culturally sensitive areas (ongoing through the construction phase as relevant). Post-construction, any long-term site management (e.g. permanent fencing or site custody arrangements) should be settled before the project is operational.

4. Visitor Amenity and Public Safety in State Forests

Issue: The State forests affected by the HTP (notably Olney, Watagan, Corrabare, and Ourimbah State Forests) are popular for public recreation, with over one million visits per year. They host campgrounds, picnic areas, walking tracks, lookout points, and trails for four-wheel-driving and trail biking. The EIS provides insufficient discussion of how prolonged construction activities and partial closures will impact these recreational uses and the local tourism economy. Potential impacts include: noise and dust affecting the amenity of camp sites, temporary closure of forest roads or areas restricting visitor access, safety risks from construction traffic mixing with public vehicles, and long-term visual changes at recreation sites (e.g. transmission lines visible from lookouts or picnic areas). FCNSW is concerned to ensure that forest visitors remain safe and that their experience is preserved as much as possible during the project. Any lost amenity should be mitigated or compensated for, and the public should be kept well-informed of changes.

FCNSW Recommended Conditions or Other Response:

12. **Recreation and Public Safety Management Plan:** Prior to construction, the Proponent should be required to develop a Recreation and Public Safety Management Plan in consultation with FCNSW, local councils and known recreational user groups or their representatives (e.g. 4WD NSW and ACT, Forest Permit holders etc), to be approved by DPHI. This plan should detail how public use of the relevant State forests will be managed during the project to ensure safety and minimise disruption. Key requirements to be addressed in the Plan include:
 - **Public communication:** Advance notice to the public of any track or area closures via on-site signage at both the State forest entrance and in the vicinity of the closure/proposed works, online updates (e.g. via adequate notice for inclusion on FCNSW's website and social media), and direct communication with recreational user groups (4WD clubs, event organisers, etc.). The Plan should establish a system for real-time updates on access (such as a project webpage or hotline) so visitors can plan around construction zones.
 - **Maintaining access or providing alternatives:** Strategies to keep popular recreation areas open where possible. If closures are necessary, they should be limited in duration and scope. For example, if a campground must close for nearby line stringing, the Plan might arrange for an alternate nearby campground to be available or improved as a temporary replacement. The Plan should list all formal recreation sites and trails in the project area and indicate whether they will be unaffected, partially closed, or fully closed, along with timings and alternatives.
 - **Safety measures:** Measures to separate or control construction traffic on roads that are also used by the public. This could include traffic control at key junctions, reduced speed limits on forest roads during work periods, restricted public access to active work sites, and clear signage like "Trucks Operating" warnings. If blasting or other hazardous activities are planned near accessible areas, the Plan must include exclusion protocols and siren warnings, etc.
 - **Amenity impact mitigation:** Actions to reduce noise, dust or visual intrusion at recreational sites. For instance, scheduling particularly noisy works (rock breaking, helicopter lifts) outside of weekends or holiday periods when campgrounds are busiest; or outside organised activities for which Forest Permits have been issued; using water carts on roads near campgrounds to suppress dust; and maintaining a vegetated buffer as much as possible between works and adjacent picnic areas and network roads to reduce visual impact.
 - **Rehabilitation and enhancement:** A commitment that any disturbance to recreation sites (e.g. if a picnic area is used temporarily for equipment laydown) will be fully rehabilitated to the satisfaction of FCNSW, or even improved post-construction. The Plan should also consider enhancement measures, such as the Proponent funding new or upgraded facilities (walking track improvements, picnic shelters, viewing platforms and wedding arbours) in other forest areas as compensation for the temporary loss of amenity. Such improvements, if agreed with FCNSW, would be delivered before or shortly after the project completion to ensure the community sees a benefit.
13. **Scheduling of Works in High use Visitor Areas:** A condition should require the Proponent to schedule construction works to minimise conflicts with peak public usage of State forests. In particular, construction activities that impede access to major recreation nodes or generate high noise levels should be avoided during weekends, public holidays, and NSW school holiday periods, to the greatest extent practicable. If critical works must occur in those times (for reasons of continuous construction sequence or weather windows), the Proponent should implement additional measures to mitigate impacts (such as providing temporary alternative facilities,

increasing communication, or in exceptional cases, compensating organised events that are disrupted). This scheduling requirement would ensure that forest user impacts are reduced and demonstrates consideration for the community.

14. **Restoration of Access and Facilities:** Conditions should mandate that immediately following construction, the Proponent must restore all affected forest roads, tracks, and visitor facilities to at least their pre-project condition. Any infrastructure installed temporarily (gates, detours, etc.) should be removed unless otherwise agreed. This includes repairing any wear on access roads heavily used by construction vehicles that are also important for visitor access (e.g. Watagan Forest Road) and reopening any closed areas as soon as they are safe. A post-construction inspection by FCNSW and the Proponent should verify that recreation sites and access routes are handed back in a condition not inferior to that prior to the project.
15. **Monitoring and Response:** The Proponent should be required to maintain a public complaints register during construction, specifically tracking any complaints or safety incidents involving forest visitors. These records should be regularly reported to DPHI and FCNSW. If recurring issues are identified (for example, complaints about dust at a particular campground), the Proponent must review their mitigation measures at that location and implement additional controls promptly. This condition ensures a feedback loop where public concerns lead to concrete action.

Timing: The Recreation and Public Safety Management Plan must be in place prior to commencement of construction. Its measures (signage, communications, etc.) should commence as soon as works start and continue throughout construction. Scheduling considerations are to apply throughout the project timeline. Post-construction restoration of recreation access should occur immediately after construction is finished in each *area* (or stage), with all sites fully reinstated prior to the project's operational phase.

5. Traffic, Haulage, and Road Infrastructure

Issue: Construction of the HTP will involve significant heavy vehicle traffic on State forest roads (e.g. unsealed logging roads and trails) to access tower sites. The impacts of that traffic should be managed in accordance with a Traffic Access Management Plan. Potential issues to be addressed by that Management Plan should include damage to road surfaces (potholes, rutting) from frequent heavy trucks, conflicts between project vehicles and ongoing forestry haulage (log trucks) or public users on narrow roads, and the adequacy of existing road infrastructure (bridges, culverts) to carry large cranes and equipment. If not properly managed, the project could leave FCNSW with degraded roads and pose safety risks. FCNSW needs assurance that forest road networks will be upgraded if necessary, maintained during the project, and restored afterwards, and that haulage schedules will be coordinated.

FCNSW Recommended Conditions or Other Response:

16. **Traffic and Access Management Plan (TAMP):** Prior to commencement of construction, the Proponent should prepare a Traffic and Access Management Plan for all roads and tracks used in State forests, in consultation with FCNSW, NPWS and relevant local councils (for council-controlled sections), to the satisfaction of DPHI. This plan should include:
 - **Road upgrades and preparation:** Identification of any forest road segments that require upgrading or strengthening before use by project vehicles (for example, adding gravel to soft sections, widening tight corners, or reinforcing bridges/culverts for heavy loads). The Plan should commit the Proponent to complete these upgrades prior to using the roads for HTP construction, in agreement with FCNSW.
 - **Traffic control measures:** Specific protocols for managing two-way traffic on one-lane roads (such as installing temporary passing bays, using radio communication for convoys, stationing traffic controllers at critical points during peak movements) and for interfacing with public traffic (signage, speed limits, etc., as also noted in the Recreation Plan).
 - **Forestry haulage coordination:** A mechanism to coordinate HTP traffic with FCNSW's ongoing timber haulage operations. This could include regular communication (daily or weekly) to share schedules, and a requirement that the Proponent's heavy vehicle movements avoid known peak haulage times on shared roads. If simultaneous use is unavoidable, the Plan should outline right-of-way rules or managed convoys to prevent trucks meeting head-on in narrow sections.
 - **Emergency access:** Procedures to ensure that emergency vehicles (RFS and FCNSW fire trucks, ambulances) can access forest areas at all times. For instance, if a road is

temporarily closed for stringing power lines, there must be the ability to rapidly reopen or an alternative route available should emergency access be needed.

- **Driver protocols and enforcement:** Requirements that all project drivers undergo an induction about forest road conditions and safety, adhere to posted speed limits (which may be lower than normal due to road conditions or recreation presence), and yield appropriately to other forest users. Any breach (speeding, unsafe driving) should result in corrective action by the Proponent (e.g. removal of the driver from the project after repeated warnings).

17. Road Maintenance and Restoration: Conditions should impose an obligation on the Proponent to **maintain and restore State Forest roads** used by the project:

- During construction, the Proponent must keep these roads in a safe and serviceable condition. This means performing maintenance such as grading, resurfacing, or dust suppression as needed due to project traffic. For example, if continuous truck use causes rapid deterioration of a gravel road, the Proponent should fund more frequent grading and gravelling to prevent unsafe conditions.
- Immediately following construction, the Proponent must restore any damage to State forest roads or tracks caused by the project to at least their pre-project condition. A joint post-construction road survey with FCNSW should be undertaken to identify remediation needs. Restoration works (filling potholes, re-grading surfaces, repairing drainage, replacing any damaged signage or gates) should be completed before or as part of demobilisation.

To ensure compliance, the Department might require the Proponent to lodge a road maintenance bond or security prior to construction. This security would be held until FCNSW confirms that roads have been satisfactorily restored, after which it could be released (or used by FCNSW to do the repairs if the Proponent fails to act).

18. Road Use Agreement: Prior to the commencement of works involving heavy vehicle use of State forest roads, the Proponent should be required to enter into Road Use and Maintenance Agreements with FCNSW and other road owners as appropriate. These Agreements should be required to formalise the Proponent's commitments on upgrades, maintenance responsibilities, repair timeframes, and any cost recovery for extraordinary road wear. Having a legally binding agreement ensures clarity of responsibilities and will provide mechanisms to enforce road obligations outside of the consent conditions if necessary.

19. Operational Phase Road Maintenance: As the transmission line will need ongoing maintenance access, conditions should also cover the operational phase. The Proponent (or ultimately TransGrid as asset owner) should be obliged to maintain any continuing access tracks on State forest in a safe state during operation. If maintenance vehicles cause damage (e.g. during unscheduled repairs in wet conditions), the operator must repair that damage. This can be built into a requirement that prior to commencement of operations, the Proponent and FCNSW establish a long-term access protocol or licence for use of State forest roads, including maintenance expectations. Essentially, the Proponent/operator must "leave no trace" on forest roads both in the short term and long term.

Timing: The Traffic and Access Management Plan must be approved before any construction traffic starts using forest roads. Road upgrades identified in the Plan should be completed before heavy construction equipment is transported in. Any Road Use Agreements likewise should be executed prior to substantial works commencing in along any relevant section of the transmission easement. Maintenance obligations apply throughout the construction period (continuous) and then post-construction restoration should be completed within weeks of finishing work in each area. The operational maintenance protocol should be in place by the time the line is commissioned.

6. Soils, Water, and Erosion Control

Issue: The project area includes steep terrain and erodible soils, with numerous creeks and drainage lines in the State forests. There is a high risk of soil erosion, landslips, and sediment runoff if clearing and earthworks are not carefully managed. The EIS acknowledges this risk but defers to a future Soil and Water Management Plan without detailing specific controls. FCNSW is concerned that inadequate erosion control could lead to gullyng on slopes, contamination of waterways with sediment (affecting aquatic habitats and downstream water users), and long-term soil degradation in the forest. Additionally, any accidental release of contaminants (fuels, chemicals, or disturbance of historical contaminated sites

such as old cattle dips) could pollute the environment. Rigorous, site-specific measures are needed to protect soils and water quality.

FCNSW Recommended Conditions or Other Response:

20. **Soil and Water Management Plan:** Conditions should require the Proponent to prepare a detailed **Soil and Water Management Plan (SWMP)** before construction begins, in consultation with FCNSW and to the satisfaction of DPHI. This Plan should be consistent with the “avoid, mitigate, offset” hierarchy (e.g. avoid clearing particularly in wet conditions, mitigate with controls, offset any residual water impacts if applicable). The SWMP should require:
- **Site-specific Erosion and Sediment Control Plans (ESCPs):** For all high-risk work areas (steep slopes, water crossings, erodible soils), detailed ESCPs should be developed by a certified expert. These plans will specify the exact erosion and sediment controls to be used: contour banks, diversion drains, silt fences, sediment basins, slope stabilization methods (matting, mulching), etc. The ESCPs must comply with the RFS guidelines and FCNSW’s Forestry Soil Conservation Codes.
 - **No works without controls in place:** The SWMP should state (and a condition enforce) that land disturbance cannot commence on a given front until the prescribed erosion controls for that area are installed and functional. For example, if building an access track up a slope, the cross-drains and catch drains must be put in concurrently, not afterward. An environmental or soil specialist should inspect and sign off on the controls before major earthworks proceed.
 - **Creek crossing design:** Design criteria for any temporary or permanent watercourse crossings, requiring that they allow for fish passage and avoid obstructing flow. This may involve using culverts or temporary bridges and ensuring they are removed post-construction if not needed. The Plan should reference relevant guidelines (e.g. DPI Fisheries guidelines for fish-friendly crossings) and commit to minimising in-stream work. Riparian vegetation clearing should be limited to the minimum necessary width.
 - **Progressive rehabilitation:** A programme for progressive erosion control and rehabilitation of disturbed areas. This means as soon as a portion of work is completed (e.g. a tower foundation constructed), the surrounding area should be stabilised – regraded to natural contours, covered with topsoil and seed/mulch – rather than leaving it bare until project end. The SWMP should include a schedule for progressive revegetation and a species mix of local native plants or grasses to be used.
 - **Stockpile and runoff management:** Rules for managing soil stockpiles (placement away from drainage lines, covered or with sediment fencing) and controlling dirty water runoff on the construction sites (e.g. directing it to sediment traps).
21. **Water Quality Monitoring:** A condition should mandate a **water quality monitoring programme** to be implemented as part of the SWMP. Baseline measurements of key parameters (turbidity, suspended sediment, maybe pH) should be taken in representative creeks before construction. During construction, regular monitoring downstream of work areas (especially after heavy rainfall) should occur. If monitoring shows exceedances of predetermined trigger levels (for instance, turbidity levels significantly above baseline), the Proponent must respond immediately by strengthening erosion controls or stopping work until the issue is resolved. Monitoring results should be reported to DPHI and FCNSW, and an incident response procedure should be in place if any significant pollution event occurs (including notifying the EPA as required by law).
22. **Contingency for Contamination Finds:** Conditions should require that if any contaminated soils or materials are encountered during works (e.g. unexpected soil with hydrocarbon odour, asbestos fragments, or a historical dumpsite), the Proponent must cease work in that area and engage a qualified contaminated land specialist to investigate. Any contaminated material must be handled and disposed of in accordance with NSW EPA guidelines (e.g. excavated and removed to a licensed waste facility if necessary). Validation sampling must confirm that the contamination has been remediated before work resumes in that spot. This “unexpected contamination finds protocol” should be built into the SWMP and CEMP so that all crews are aware of it.
23. **Compliance and Expertise:** FCNSW recommends a condition that an experienced soil conservation or environmental officer be present or on-call during critical stages of earthworks in State forests. This person (who could be the Project’s Environmental Representative – see Condition 27 – or a specialist sub-consultant) should have authority to direct crews to fix or improve erosion controls if they observe issues in the field. Additionally, DPHI might consider

requiring independent audits of erosion and sediment control implementation after the first wet season, to ensure compliance is sustained.

Timing: The SWMP (including site ESCPs) must be prepared and approved before any clearing or construction. Erosion and sediment controls need to be in place prior to and during all land disturbance. Water quality monitoring should commence before construction (for baseline) and continue throughout construction, with reports at specified intervals (e.g. monthly, with immediate reporting of any exceedance). Progressive rehabilitation should occur continuously, with all disturbed areas stabilized by the end of construction in that area (and no later than final project completion).

7. Loss of Productive Forestry Land and Biosecurity

Issue: The HTP will permanently alienate a substantial area of State forest from timber production. This represents a loss of renewable resource and future revenue for the State and region. While relatively small in percentage terms, these areas include quality hardwood stands that would have contributed to sustainable yield. The EIS does not propose any compensation for this loss, and FCNSW's position is that the project should ensure no net loss to the State's productive forest estate. Additionally, the influx of vehicles and soil disturbance raises biosecurity concerns: risk of introducing or spreading weeds (like *lantana*, *Blackberry*), pests (e.g. feral pigs, deer) and pathogens (such as *Phytophthora* root rot). The EIS's measures on these are limited. FCNSW needs commitments that biosecurity will be proactively managed and that the productive capacity taken out by the project will be offset or replaced.

FCNSW Recommended Conditions or Other Response:

24. **Compensatory Plantation/Forest Land:** To offset the permanent loss of State forest land and timber resource, conditions of approval should require the Proponent in consultation with FCNSW and the NSW Government to secure equivalent productive forest land. This could be achieved by dedicating an area of land of similar size and forestry potential to the State Forest estate, or by funding the establishment of new timber plantations on land identified by FCNSW. The condition could be structured such that *prior to the commencement of operations* of the HTP line, the Proponent must demonstrate to DPHI that arrangements are in place to provide a suitable area of cleared land of at least equal productive capacity to that lost, together with funds for plantation establishment and investment. This approach ensures the State's forestry asset is maintained in the long term and communities that depend on forestry are not disadvantaged by the project.
25. **Biosecurity Management Plan:** Prior to the commencement of construction, the Proponent should be required to prepare a Biosecurity Management Plan in consultation with FCNSW, to the satisfaction of DPHI. This Plan should detail measures to avoid the introduction or spread of weeds, pests, and diseases, integrated with the avoid-mitigate-offset framework (prevention is paramount). Key measures in the Plan should include:
 - **Vehicle and equipment hygiene:** All machinery and vehicles entering or moving between State forest sites must be clean and free of soil, mud, and organic material. A washdown procedure should be enforced, with inspection logs. Particularly when moving from areas known to have pest infestations or *Phytophthora*, disinfectant protocols should be used.
 - **Weed management:** Survey baseline weed presence along the corridor before works. During construction, regularly inspect disturbed areas and access roads for new weed growth. Immediately treat any new weed incursions (via appropriate herbicide or removal). Priority target species could be listed (e.g. *Chilean Needle Grass*, *Fireweed*, *Lantana*). The Plan should commit the Proponent to continued weed control *during construction and operation* to ensure any introduced weeds are eradicated.
 - **Phytophthora and pathogen control:** If the forests are free of certain pathogens currently, measures to keep them out (such as restricting soil movement from known infected regions, using pathogen-free fill material) should be taken. In high-risk zones, consider footbaths or tire washes. Similarly, manage the risk of Myrtle Rust spread by cleaning equipment and possibly scheduling work to avoid spore-heavy periods.
 - **Pest fauna control:** The Plan should note that open clearings can attract grazing pests (deer, rabbits) or facilitate predators. FCNSW may request targeted pest animal control if populations surge around the cleared corridor (for instance, baiting of wild dogs if they start using the corridor as a hunting route). The Proponent should be prepared to support such control actions in coordination with FCNSW's pest programs.

26. **Biosecurity Compliance and Remediation:** Any approval should include a condition that requires the Proponent to remediate any biosecurity impacts caused by the project. For example, if within the life of the project a previously weed-free area of the forest becomes infested with a noxious weed introduced by project vehicles, the Proponent should be required to fund or carry out the necessary eradication work. Similarly, if a plant disease outbreak is traced to project activities, the Proponent must take measures to contain and manage it. This condition would apply during construction and for a reasonable monitoring period after construction (FCNSW suggests a minimum of 24 months post-construction, with a possible extension if an issue is identified in that time).
27. **Sustainable Timber Supply Considerations:** While not a direct condition on the Proponent, FCNSW requests that DPHI acknowledge the project's impact on timber supply and include, in any approval, a statement or advisory that the Proponent and FCNSW will work collaboratively to address and mitigate these impacts. This could entail scheduling certain forestry operations around the project to reduce disruption (with any additional costs borne by the Proponent as per a commercial agreement) or funding timber haulage delays if a forest road is temporarily closed. Essentially, the Proponent should be expected to coordinate with FCNSW such that existing forest management activities are maintained as smoothly as possible.

Timing: The compensatory land or plantation strategy should be agreed in principle before construction begins (so that there is certainty it will occur), with final implementation by the time the project becomes operational. The Biosecurity Management Plan needs to be in place and approved prior to on-ground works, and all preventative measures (vehicle washdowns, etc.) start from day one of site entry. Monitoring for weeds/pests should continue through construction and operation, with annual reporting to DPHI/FCNSW on biosecurity outcomes.

8. Environmental Management, Compliance and Reporting

Issue: Many important safeguards for environmental and community issues are to be implemented via management plans and commitments outlined in the EIS. FCNSW wants to ensure these are delivered and effective. There is a risk that without strict oversight, some measures could be downscaled or overlooked during the long construction process. Additionally, given the complexity of the project, an adaptive management approach is needed to respond to any unforeseen impacts. The EIS also defers numerous details to post-approval plans, so clear conditions on preparing and approving those plans are necessary. FCNSW, as a land manager, seeks ongoing involvement in the project's implementation to ensure that State forest interests are protected.

FCNSW Recommended Conditions or Other Response:

28. **Preparation and Approval of Management Plans:** As noted in preceding sections, conditions should categorically require the preparation of various environmental management plans (Vegetation/Bushfire Management Plan, Biodiversity Management Plan, Heritage Management Plan, Recreation Management Plan, Traffic Management Plan, Soil and Water Management Plan, Biosecurity Plan, etc.). Each of these plans must be prepared in consultation with FCNSW where relevant to State forest matters, and submitted to DPHI (or the Secretary) for approval prior to the commencement of any relevant works. The conditions should prevent the Proponent from starting those aspects of the project until the plans are approved and should require the Proponent to implement the approved plans to the letter.
29. **Independent Environmental Representative (IER):** A condition should be included requiring the appointment of an Independent Environmental Representative or independent environmental project auditor. The IER should be engaged at the Proponent's expense and be approved by DPHI *before construction commences*. The IER's role would be to monitor the project's compliance with conditions and management plans, conduct site inspections, attend stakeholder meetings, and provide monthly reports directly to DPHI (copied to FCNSW for State forest items). The IER should have the authority to require reasonable steps to address any non-compliance or unforeseen issue (and to stop work if there is a significant environmental breach until rectified). This independent oversight mechanism will greatly assist in ensuring the proponent follows through on all commitments, and any problems are caught early and corrected.
30. **Compliance Auditing:** In addition to the continuous IER oversight, FCNSW recommends the approval include a requirement for periodic independent compliance audits. For example, an

audit six months after the start of construction and annually thereafter during construction, plus one after one year of operation. These audits (conducted by a suitably qualified independent auditor) would assess compliance with each condition of approval and the effectiveness of implemented measures. The audit reports should be submitted to DPHI and made available to FCNSW for transparency. If any non-compliances are found, the Proponent must address them promptly and the regulator may take enforcement action as appropriate. This formal audit mechanism provides accountability beyond internal reporting.

31. **Ongoing Consultation and Review:** Conditions should require the Proponent to maintain regular consultation with FCNSW (and other key stakeholders) throughout the project. For instance, the Proponent could be required to establish a liaison group or hold quarterly meetings during construction with FCNSW to discuss upcoming works in State forests, progress on management plan actions, and any concerns. Similarly, prior to any significant change in work method or any modification sought to the approval that affects State forest, the Proponent must consult FCNSW. Ensuring a framework for continued dialogue will help address issues collaboratively and ensure FCNSW is aware of project developments on its land.
32. **Adaptive Management Condition:** The approval should include a broad adaptive management condition stating that if monitoring or experience shows that any aspect of the project's environmental management is not achieving the desired outcomes or is causing unforeseen impacts, the Proponent must propose and implement modified or additional measures to address the issue (subject to DPHI approval). In other words, the Proponent cannot simply do the minimum specified if that proves inadequate; they have an ongoing responsibility to protect the environment and must adjust their approach if needed. This condition empowers DPHI, in consultation with agencies like FCNSW, to direct enhancements to mitigation or restoration strategies in light of real-world results.
33. **Reporting and Handover:** Upon completion of construction, the Proponent should be required to submit a final environmental completion report to DPHI outlining how all conditions have been complied with, including details such as: areas rehabilitated, offsets secured, any instances of non-compliance and how rectified, and any ongoing management commitments (e.g. regeneration monitoring, maintenance schedules). Additionally, before the Proponent exits the construction phase, there should be a formal handover for any ongoing responsibilities on State forest land. For example, if an offset area or a rehabilitated site on State forest needs monitoring for a further period, the Proponent must set up appropriate arrangements (whether it be a financial bond, a contract, or an extended licence) to ensure those obligations continue to be met.

Timing: These compliance and management provisions apply at different stages: Management plans must be in place before starting works; an IER should be on board by the commencement of works; audits at regular intervals as specified; consultation with FCNSW is ongoing throughout construction and early operation; adaptive management applies whenever an issue is detected (so potentially at any time); final reporting at the close of construction phase.

9. Conclusion

FCNSW appreciates the opportunity to provide this document and respectfully requests that the above requested Recommended Conditions be given full consideration in formulating the conditions of any approval for the HTP project. FCNSW is committed to working with the Proponent and DPHI to ensure that these measures are implemented effectively, allowing the project to proceed while safeguarding the multiple uses and values of the State forests under FCNSW's stewardship.

24 October 2025

A.3 NSW National Parks and Wildlife Service



Energy and Resource Assessments
Department of Planning, Housing and Infrastructure
12 Darcy Street
Paramatta NSW 2150

Att: kurtis.wathen@dpie.nsw.gov.au

Hunter Transmission Project

Thank you for the referral of the State Significant Infrastructure (SSI) 70610456 Hunter Transmission Project via the NSW Major Projects Portal. The NSW National Parks and Wildlife Service (NPWS) appreciates the opportunity to provide comments as the project directly affects land reserved and acquired under the *NSW National Parks and Wildlife Act 1974* (NPW Act) and a declared flora reserve under the *NSW Forestry Act 2012*, for which NPWS is the declared land manager.

NPWS acknowledges that the project is declared Critical State Significant Infrastructure (CSSI) under Division 5.2 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act).

On review of the *Hunter Transmission Project Environmental Impact Statement prepared by Energy Corporation of NSW, dated August 2025* (EIS) and supporting technical reports, NPWS raises the matters, as set below, with a detailed explanation and figures provided in **Attachments 1 and 2**.

NPWS, in reviewing the EIS, has considered our input to the Secretary's Environmental Assessment Requirements – Attachment B (SEARs ref DOC24/379096-12) as issued on 14 June 2024. Our focus is on the project-based impacts to Jiliby State Conservation Area, Watagans National Park, Corrabare North Flora Reserve and a perpetual lease vested in the Minister for the Environment covering Lot 165 DP755219 Crumps Road, which is also part of Corrabare State Forest. These areas are collectively referred to as 'NPWS estate' in this advice.

NPWS raises these matters as they relate to the application of the NPW Act and Forestry Act, clarity around the project, and acknowledgement of residual impacts and the mitigation measures to be implemented for the NPWS estate. Our focus remains entirely on the protection of the natural, cultural and social values for which the land is reserved, acquired and declared under the NPW Act and Forestry Act.

Where the project affects the NPWS estate, NPWS recommends further information:

1. providing clarity on the statutory considerations of the project under the NPW Act and Forestry Act (Flora Reserves), which are important to the authorisations for the proposal subsequent to it receiving planning approval
2. finalising the project description as it affects the NPWS estate, with confirmation of the full extent of the project's construction and access requirements
3. recognising the project's implications on the full scope of aerial operations on or near the NPWS estate, including park operations and drone use, given aircraft safety requirements

4. delivering the statutory provisions for bushfire management, which are beyond Planning for Bushfire Protection but relate to the management of bushfire risk subject to the NSW *Rural Fires Act 1997*
5. considering the adequacy and condition of the emergency access routes across the NPWS estate, confirming whether those routes are fit for purpose, and ensuring that the impacts of any necessary improvements are considered as part of the EIS
6. acknowledging Aboriginal cultural heritage values are protected as part of the reservation or acquisition of the land under the NPW Act, and appropriately managing impacts in accordance with NPWS policy and conservation procedures in partnership with the Aboriginal community
7. managing the loss of historic and shared heritage values as a result of the project, ensuring there is appropriate acknowledgement of local significance, and retention of partial values and function where applicable by applying adequate of mitigation measures
8. recognising the role of both the NPW Act and Forestry Act in the protection and conservation of biodiversity values on lands reserved/acquired or declared under those Acts, and addressing loss of values through offsets that will result in no net loss of biodiversity values on the NPWS estate
9. ensuring sustained environmental quality in the NPWS estate with protection of visitor amenity, and water and air quality by reducing impacts to values.

While we have concerns about the level of information provided in the EIS, NPWS wishes to assure you that we are fully supportive of the project. The above information, particularly those matters listed in points 1 and 2 above – i.e. clarification of the project's description relative to the proposed access, ancillary upgrades and adjustment works on NPWS estate – is essential to ensure the project can be appropriately authorised under the relevant legislation following its planning approval.

NPWS contacts regarding the project and the consultation under the EIS.

- NPWS Manager, Wollemi-Yengo Area, responsible for Corrabare North Flora Reserve and Lot 165 DP755219 can be contacted at npws.wollemiyengo@environment.nsw.gov.au or on 02 65745555.
- NPWS Manager, Central Coast Area, responsible for Jilliby State Conservation Area and Watagans National Park, can be contacted at npws.centralcoast@environment.nsw.gov.au or on 02 49729000.

If you have any further questions, please contact David Crust, the NPWS Director Blue Mountains Branch, assigned primary contact for the project on 02 47847300 or at npws.bluemountainsbranch@environment.nsw.gov.au.

Yours sincerely



Mark Peacock
**A/Executive Director, Park Operations Inland
NSW National Parks and Wildlife Service**

25 September 2025

Enclosure: Attachment 1 – NPWS detailed response
Attachment 2 – NPWS Response - Figures

cc: David Crust NPWS Director, Blue Mountains Branch – David.Crust@dcceew.nsw.gov.au
Kylie Yeend NPWS Director, Hunter Central Coast - Kylie.Yeend@dcceew.nsw.gov.au

NPWS Response – Environmental Impact Statement

NPWS retains a vested interest in the conservation and protection of land reserved and acquired under the NSW *National Parks and Wildlife Act 1974* (NPW Act) and in the land for which NPWS is the declared land manager under the NSW *Forestry Act 2012* (Forestry Act).

In providing this advice, NPWS has considered its role:

- as the park authority for lands reserved under Part 4 of the NPW Act, as Jilliby State Conservation Area (Jilliby SCA) and Watagans National Park (Watagans NP),
- as the park authority for lands acquired under Part 11 of the NPW Act and vested in the NSW Minister for the Environment, as the Ministerial Roads through Watagans NP and the perpetual lease for Lot 165 DP755219, and
- as the appointed land manager for the Corrabare North Flora Reserve (Corrabare North FR) as declared under s.16 of the NSW *Forestry Act 2012* (Forestry Act).

These lands are collectively referred to as ‘NPWS estate’ in this advice.

In providing this advice, NPWS has reviewed the *Hunter Transmission Project Environmental Impact Statement as prepared by Energy Corporation of NSW, dated August 2025* (EIS). NPWS has also considered consistency with the Secretary’s Environmental Assessment Requirements (SEARs), including those elements recommended by the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) dated 14 June 2024 – available at <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSI-70610456%2120240819T055450.027%20GMT>.

1. Statutory considerations for the NPWS estate

On review of Part 5 (Statutory Context) of the EIS, NPWS notes that permissibility is not completely described, subject to the NSW *Environmental Planning and Assessment Act 1979*, including its subordinate environmental planning instruments, nor addressed in consistency with the NPW Act or the Forestry Act.

NPWS recommends

As part of the EIS addendum report

1. Consider the statutory context of the NPW Act and Forestry Act, according to the SEARs (as per **Items 16 to 18**), when addressing the requirements critical to enabling project authorisation under the respective Acts.
2. Revise the referencing to the NPWS estate (as environmentally sensitive areas of state significance), explaining the context of land administration, and separating the flora reserve’s description from the areas of state forest administered by the Forestry Corporation of NSW to ensure transparency around project-related impact descriptions. NPWS estate is:
 - a. land reserved under Part 4 of the NPW Act as Jilliby SCA and Watagans NP, as owned by the NSW Minister for the Environment and administered under the NPW Act
 - b. land acquired by, or vested in, the NSW Minister for the Environment, and administered under Part 11 of the NPW Act as Ministerial Roads
 - c. land (Lot 165 DP755219) managed under a perpetual lease which is vested in the Minister for the Environment and managed in accordance with Part 11 of the NPW Act but which also remains part of Corrabare State Forest (refer to **Item 10** below)
 - d. land declared as Corrabare North FR for a conservation purpose under s.16 of the Forestry Act, for which NPWS has been appointed the land manager, as set out in **Item 6** below.

3. Clarify statutory pathways for authorisation of the proposal under the NPW Act and Forestry Act. Currently, permissibility is not adequately described, consistent with the requirements of s.2.44(1) of TISEPP, in that, for land reserved under the NPW Act, this can only apply if:
 - a. *is authorised by or under that Act*. The EIS has not adequately considered the provisions of the NPW Act to justify that the project is or can be authorised under that Act, and/or
 - b. *is subject to an existing interest under s.39 of the NPW Act*, which may be in part be applicable to the existing Eraring – Kemps Creek 500 kV line on Jilliby SCA but does not apply to new connective or ancillary works, nor to the construction access proposed on the NPWS estate, and/or
 - c. *is carried out within an existing easement that has been granted and is not contrary to the terms of that easement*, which applies to the existing Eraring – Kemps Creek 500 kV line but does not apply to new connective, extension or ancillary works, nor to the construction access on the NPWS estate, and/or
 - d. *is an electricity work to which s.53 of the Electricity Supply Act 1995 applies*, which may apply but has not been adequately explained as part of the permissibility discussion in the EIS.
4. Clarify how a decision to approve the proposal on lands reserved or acquired under the NPW Act would be consistent with the requirements of s.2A(3) of the NPW Act. This section of the Act, which applies to any function under the NPW Act, requires the Minister for the Environment, the DCCEEW Secretary and NPWS to give effect to the following:
 - a. *the public interest in the protection of the values for which land is reserved under this Act* as Jilliby SCA and Watagans NP, and
 - b. *the appropriate management of those lands*, consistent with the management principles for each reservation type (refer to s.30E and s.30G of the Act) and the *Watagans National Park and Jilliby State Conservation Area Plan of Management* (NPWS-DECCW 2010), as the adopted statutory plan under the NPW Act (available at www.environment.nsw.gov.au/publications/watagans-national-park-and-jilliby-state-conservation-area-plan-management), which prevails as per s.81(4) of the NPW Act.
5. Clarify consistency with the Forestry Act, as it relates to Corrabare North FR as state forest declared to be a flora reserve for the preservation of native flora, and with the *Corrabare Flora Reserves (Corrabare North (No.203 and Corrabare South No.204) Site Specific Working Plan* (NPWS-FCNSW 2023) as the approved working plan for the flora reserve (available at www.forestrycorporation.com.au/data/assets/pdf_file/0009/1497195/frwp-corrabare.pdf).
6. Confirm how the project, including the connection to the new line, remains consistent with the terms of the existing easement held by Transgrid for the Eraring – Kemps Creek (5A1 and 5A2) 500 kV line, or is subject to any extension or variation (temporary or permanent) to this easement. If any permanent modification to the easement is proposed, consider the project under the provisions of s.153 of the NPW Act.
7. Clarify that the authorisation pathway will be under s.151 (as a licence) of the NPW Act for areas reserved under that Act. The licence will enable construction access, permit temporary occupation and exclusive use of land during construction, and allow the proponent to construct, install and modify assets on the NPWS estate. In applying a licence, justification must be provided in accordance with **Item 4**. Refer to s.151 and s.151A of the NPW Act for clarification.
8. Clarify the authorisation pathway under the Forestry Act to enable those parts of the proposal in Corrabare North FR (including access, occupation, construction and operation of the new transmission line). As stated in the EIS, this initial authorisation was to be subject to a lease under s.33 of the Forestry Act (as it accords with s.62 and s.63 of that Act). Confirm this as the authorisation pathway under the Forestry Act, and document any related requirements under that Act.

9. Confirm how the final easement under [s.34](#) of the Forestry Act will be established post-project construction to authorise the lawful operation of the new transmission line on Corrabare North FR. Confirm the easement process, and the status of its negotiation with Forestry Corporation of NSW.
10. Clarify the implications of the acquisition of perpetual Crown Lease 1937/1 by the Minister for the Environment as an offset under the terms of a Voluntary Planning Agreement (VPA) for MP10_0137 (Huntlee New Town Development). The VPA, made on 3 December 2010, identifies Lot 165 DP755219 as part of the offsets for that previous development's impacts.
11. Confirm the application of [future acts](#) provisions under the Cth *Native Title Act 1993* under the Commonwealth legislation content, ensuring this has been adequately addressed for the NPWS estate, with respect to the upgrade of NPWS assets and in the establishment of new project infrastructure.

2. Project description as it affects the NPWS estate

On review of the EIS Part 4 (Project Description), NPWS acknowledges and appreciates the significant effort to avoid and minimise the project impacts to the land reserved under the NPW Act.

The project's final line alignment will avoid direct transmission line impacts on Watagans NP and several other reserves proximate to the project's impact area. Additionally, the physical connection of the new transmission line to the existing Transgrid line was redefined to minimise further impacts on Jilliby SCA. NPWS recognises that the direct impacts on land reserved and acquired under the NPW Act are limited to access, ancillary upgrades and adjustment works. NPWS also recognises that the project will directly traverse Corrabare North FR.

NPWS raises only minor matters around clarification of the project's description relative to the proposed access, ancillary upgrades, and adjustment works on the NPWS estate. These are set out below. Confirmation of these essential elements will enable authorisation of the future project's access to the NPWS estate.

NPWS recommends

As part of the EIS addendum report, please

12. Identify NPWS estate park roads and management trails. These consist of roads and trails that form part of the reserve (gazetted into the estate) or Ministerial Roads, which are excluded from the reserved land but held under Part 11 of that Act. These are depicted separately in the spatial data available from *NSW SEED National Parks and Wildlife Service (NPWS) All Managed Land* via <https://datasets.seed.nsw.gov.au/dataset/npws-all-managed-land>.
13. Confirm the access requirements through Watagans NP via Watagans Forest Road as part of the project's activity description, as both secondary construction and emergency egress for the project. Project construction access, likely access upgrades, monitoring of road condition and remediation commitments must be addressed as part of the EIS and the project description.
14. Similar to **Item 14**, clarify if upgrades or widening are required to enable the secondary construction access via Harris Trail and Bowmans Road, which are Ministerial Roads managed as part of the Watagans NP and which link with Watagans Forest Road in Watagans NP. Confirm how this interacts with the memorandum of understanding (MOU) between NPWS and Forestry Corporation for the joint maintenance of the major roads and management trails in the Watagans.
15. Confirm the application of a buffer to the NPWS estate, which will be maintained during final micro-siting of the transmission line corridor where it and its towers interface with Watagans NP and Jilliby SCA (off-park project components). The aim is to prevent future encroachment of any construction works or hazardous tree-clearing requirements on the NPWS estate. Ensure

'no clearing zones' are applied to the Watagans NP and Jilliby SCA (outside the agreed impact area).

16. Commit to reducing native vegetation clearing requirements during project construction in Corrabare North FR, in recognition of the aim of its declaration is to preserve significant flora values.
17. Confirm the extent of access, ancillary upgrades and adjustment works on the NPWS estate as a worst-case scenario, with known, likely and possible requirements to enable the project's construction. NPWS requests more detail on the secondary construction access over Watagans NP, access to the new connection and adjustment activities of the existing Eraring – Kemps Creek 500 kV line (including information on new towers or reinforcing works proposed to the existing line). The Figure/s provided as part of this response may assist – refer to:
 - a. Figure 1: NPWS Central Coast Area – Jilliby SCA - Road Network
 - b. Figure 2a and 2b: NPWS Central Coast Area – Watagans NP – Road Network
 - c. Figure 3: NPWS Wollemi-Yengo Area - Corrabare North FR – Road Network
18. Ensure the EIS adequately sets out, as part of the project description, and considers the NPWS park road, management trail and Ministerial road network listed in Table 1 below, confirming use and upgrades (as and if applicable), and associated impacts attached to any road and trail upgrades or realignments.
19. Confirm construction and upgrade standards for all NPWS roads, management trails and Ministerial roads. Where roads or trails are:
 - a. designated fire trails, they must comply with the Central Coast or Lower Hunter Fire Access and Fire Trail Plan (refer to Table 2 below) as adopted under s.59A of the *NSW Rural Fires Act 1997*. Where part of the strategic fire trail network, all upgrades must be compliant with, or exceed (with approval) design standards set out in the *NSW Fire Trail Standards (RFS, 2023)* at https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0009/69552/RFS-Fire-Trail-Standards-Nov2023.pdf and construction standards as set out in the *NSW Rural Fire Service Fire Trail Design, Construction and Maintenance Manual* (DPI Soil Conservation Service, 2017) via https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0009/97569/Fire-Trail-Design-Construction-and-Maintenance-Manual-FINAL_reducedsize.pdf, or
 - b. unsealed roads, as all other park roads and management trails on the NPWS estate (see Tables 1 and 2 below) require the provision of a road design and engineered construction plan prepared in accordance with NPWS standards based on road classification in consultation with NPWS.
20. confirm if the new line connection and adjustments to the existing Eraring – Kemps Creek 500 kV will require partial or whole, temporary or permanent extensions to the existing easement alignment or width. Clarify the scope of the tie-in works and any extensions requiring '*minor localised widening*' as quoted in the EIS on Jilliby SCA. Noting that this supports the installation of new towers and facilitates the connection of the new line. This will assist NPWS in defining and confirming the correct authorisation pathway under the NPW Act.
21. clarify the scope of ancillary works, as the earth wire and communications systems installation on the existing Eraring – Kemps Creek 500 kV line, as it affects the NPWS estate.

Table 1: NPWS estate park road and management trail network

Road	Identifier
Lot 165 DP755219 NPWS as the Perpetual Lease Holder	
<i>Crumps Road (southern section)</i>	<i>Forestry Road</i>
<i>Crumps Road (northern section)</i>	<i>Forestry Road</i>

Road	Identifier
Jilliby SCA (area around the existing Transgrids line section)	
<i>Martinsville Hill Rd (Primary and Public Access)</i>	<i>Ministerial Road</i>
<i>Cut Rock Fire Trail</i>	<i>Management Trail</i>
<i>Middle Ridge Road</i>	<i>Management Trail</i>
<i>Null Road on Jilliby SCA (which has 4 unnamed trails used for easement purposes)</i>	<i>Management Trail</i>
<i>Unnamed 04 Trail</i>	<i>Management Trail</i>
<i>Woodwards Point Road</i>	<i>Management Trail (Easement)</i>
<i>Stockyard Point Road</i>	<i>Management Trail (Easement)</i>
<i>Watagan Forest Road (Primary and Public Access) on Jilliby SCA (southern section)</i>	<i>Park Road</i>
<i>Prickly Ridge Rd (Primary and Public Access)</i>	<i>Ministerial Road</i>
<i>Watagan Forest Road (Primary and Public Access) on Jilliby SCA (north section)</i>	<i>Ministerial Road</i>
<i>Transgrid Rd Management Trail</i>	<i>Ministerial Road</i>
<i>Tin Dog Point Road</i>	<i>Management trail</i>
<i>Dormant trails as Carroll's Meadow Road and Stockyard Point Road (management trail only, not maintained, and is unused by NPWS).</i>	<i>Management trail</i>
<i>CPT76/3 Road</i>	<i>Management Trail (Easement)</i>
<i>CPT76/4 Road</i>	<i>Management Trail (Easement)</i>
<i>CPT 74/2 Road</i>	<i>Management Trail (Easement)</i>
<i>Collection of unnamed roads as shown in Figure 1</i>	<i>Management Trail</i>
Watagans NP (identified as secondary construction access)	
<i>Bowmans Road</i>	<i>Ministerial Road</i>
<i>Harris Trail (goes into Bowmans Road)</i>	<i>Ministerial Road</i>
<i>Watagan Forest Road (Primary and Public Access) on Watagans NP</i>	<i>Park Road</i>
Corrabare North FR	
<i>North Road</i>	<i>Forestry Road</i>
<i>Jurds Road</i>	<i>Forestry Road</i>
<i>Jacobs Road</i>	<i>Forestry Road</i>
<i>Hawkins Road</i>	<i>Forestry Road</i>

3. Aviation-based operations on, and proximate to, the NPWS estate

On review of the EIS and *Technical Report 16 - Hunter Transmission Project Aviation Impact Assessment Version 2.1 (AIA)*, prepared by Aviation Projects, dated 9 July 2025, NPWS raises the matters below, focusing on the NPWS estate and the agency's aerial operations. NPWS recognises that CASA requires consideration of an area of interest covering 10 km from the project impact area with respect to non-certified aerodromes (NCA) and helicopter landing sites (HLS).

In summary, the EIS acknowledges that the project will affect aerial operations and the use of aircraft in the location of the transmission lines. However, due to the tower size, they will be highly

visible structures readily identified by pilots at a sufficient distance to be avoided during the day, with the transmission lines recognised as less visible and representing the greatest risk.

The EIS and AIA, in considering impacts to NPWS and its park management operations, only recognised aerial baiting with helicopters, which, unfortunately, is not a true representation of the full scope of aerial operations conducted by the agency.

NPWS recommends

As part of the EIS addendum report to:

22. recognise the NPWS HLS-helipads on the NPWS estate which occur within the 10Km area of interest associated with the project's impact area at the Sawmill site off Martinsville Road and McCanns Ridge along Watagans Forest Road on Watagans NP.
23. consider the impacts of the project associated with the HLS-helipads location and use on the NPWS estate.
24. recognise that NPWS can construct and utilise helipads on the NPWS estate during emergency or incident-based situations anywhere at any time.

As part of the AIA addendum report to:

25. confirm the aviation requirements and standards in relation NPWS estate, which has, and use both helicopters and fixed-wing aircraft in park management operations.
26. clarify and assess the implications on the HLS-helipads located on the NPWS estate at the Sawmill site off Martinsville Road, latitude -33.08286 longitude, 151.35807, and McCanns Ridge along Watagans Forest Road, latitude -33.0082 longitude, 151.3936, on Watagans NP.
27. consider NPWS as an agency that operates its own aircraft on NPWS estate, and as a relevant stakeholder in all aviation planning as it affects the NPWS estate, and within 8km of our estate's legal boundary. As NPWS retains a statutory obligation to respond to threats to its estate, originating outside its area of administration.
28. confirm that NPWS undertakes a number of complex and low-level flight operations on the NPWS estate, and proximate to the estate, such as aerial firefighting, baiting and spraying, vertebrate pest and fauna surveys, emergency response and infrastructure construction and servicing. NPWS highlights that some of the aerial operations will, and do occur in low light and visibility conditions at lower levels than discussed in the AIA.
29. recognise risk to NPWS HLS operation and aircraft use on the NPWS estate during both construction and operation of the transmission line, setting out effective long-term strategies to maintain safe operations of aircraft. NPWS, as a public land manager, would like to request the following for its estate:
 - a. installation of line marker balls, subject to AS3891 - Air Navigation - Cables on overhead infrastructure, as a visual warning.
 - b. obstacle lighting on towers to reduce the risk of collision during low visibility operations on the NPWS estate, but only if lighting can be operated, generally remaining off with the ability to be switched on during emergency operations.

As part of any future operational plans and conditions to:

30. consider the use of drones and aircraft as it affects the NPWS estate, taking into account the *NPWS Drones in parks policy* (NPWS, 2016) via <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/drones-in-parks> and if any project-based filming is to occur on the NPWS estate under the *NPWS Filming and Photography Policy* (NPWS, 2010) via <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/filming-and-photography>.

31. identify NPWS as a key agency during the preparation of all key construction environmental management plans, relevant emergency planning, and aerial operations planning associated with the project.
32. recognise risk to NPWS HLS and aerial operations conducted on the NPWS estate during project construction, setting out effective strategies to maintain safe operations associated with the project.
 - a. confirming that NPWS is a bushfire firefighting authority operating its own aircraft for this purpose, and as part of general park management operations. Noting that aerial operations will, and do occur in low light and visibility conditions at low levels.
 - b. ensuring NPWS is provided with the final transmission line design and tower placement data as a georeferenced spatial file, with recorded coordinates of all transmission tower locations, crane operational areas and line alignment with allocated restricted (flight) areas. Before construction commences.
 - c. ensuring notification to NPWS of any tower location siting modification occurring during construction with updated data provision (as per **Item 32(b)**).
 - d. notifying NPWS before tower construction commences, and construction location updates where use of the cranes occurs for tower installation, or any at-height construction assets, including any safety cabling, framework or meteorological masts.
 - e. notifying NPWS of project flight plans, to ensure helicopter and drone operations (including wire installation) are communicated and coordinated during construction where the operations are on the NPWS estate and/or within 8km of the NPWS estate boundary.
 - f. notification to NPWS should be directed to:
 - i. NPWS Aviation Duty Officer, phone (02) 9895 6455 or via email npws.aviation@environment.nsw.gov.au, and
 - g. NPWS Manager, Wollemi – Yengo Area, responsible for Corrabare North FR and Lot 165 DP755219, via area mailbox: npws.wollemiyengo@environment.nsw.gov.au or office phone: 02 6574 5555, or
 - h. NPWS Manager, Central Coast Area, responsible for Jilliby SCA and Watagans NP, via area mailbox npws.centralcoast@environment.nsw.gov.au, or office phone: 02 4972 9000.

4. Bushfire management on the NPWS estate

On review of the EIS and *Technical Report 14 - Hunter Transmission Project Bushfire Risk Assessment (BFRA) Revision 4, prepared by GHD Pty Ltd dated 15 February 2025*, NPWS raises the following matters, focusing on the NPWS estate, NPWS's role as public land manager and requirements of the *NSW Rural Fires Act 1997*.

Currently, the BFRA focuses on the application of *Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas*, risks attached to the Pokolbin, Corrabare and Olney State Forest areas, impacts on public safety and the environment. The consultation in the preparation of the BFRA appears to be restricted to FCNSW. FCNSW had the opportunity to provide a strategic insight into firefighting operations and its strategic fire trails.

NPWS recommends

As part of the EIS addendum report to:

33. confirm and set out the application of the *Rural Fires Act 1997*, with respect to the management of bushfires on the NPWS estate as public land, covering risks and the statutory application of the *NSW Rural Fires Act 1997*.

As part of the BFRA addendum report to:

34. consider the project as it affects the NPWS estate in the context of the Central Coast and Lower Hunter published *Bush Fire Risk Management Plans* and the supplementary Central Coast and Lower Hunter *Fire Access and Fire Trail Plan* (FAFT Plans).
35. complete an assessment of the strategic fire trail network, implications for wildfire response and hazard reduction works for the management of bushfire operations on the NPWS estate.
36. consider bushfire management implications and protection of sensitive areas on the NPWS estate associated with the published NPWS estate reserve fire management strategies, as:
 - a. *Jilliby State Conservation Area Fire Management Strategy* (DEC, 2006)
 - b. *Watagans National Park Reserve Fire Management Strategy* (DEC,2006)
37. recognise the NPWS estate strategic fire trail network, highlighting fire trail designation and category as set out in the relevant FAFT Plan, refer to Table 2 below.
38. confirm designated fire trails under either the Central Coast or Lower Hunter *Fire Access and Fire Trail Plan* (refer to Table 2 below) as adopted under s.59A of the NSW *Rural Fires Act 1997* and identify the NPWS estate strategic fire trail, all upgrades must be compliant with, or exceed (with approval) the *NSW Fire Trail Standards* (RFS, 2023) via https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0009/69552/RFS-Fire-Trail-Standards-Nov2023.pdf with construction standards as set out in the *NSW Rural Fire Service Fire Trail Design, Construction and Maintenance Manual* (DPI Soil Conservation Service, 2017) via https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0009/97569/Fire-Trail-Design-Construction-and-Maintenance-Manual-FINAL_reducedsize.pdf.
39. confirm that NPWS estate access will be retained to ensure NPWS can adequately react to bushfire emergencies. Noting that retention of strategic fire trail access is critical, and blocking or closing access is an offence under Division 7, Part 3B of the *Rural Fires Act*, ensure arrangements are in place before construction commences.

As part of any future emergency or bushfire management plan, and condition to:

40. identify NPWS as a key agency during the preparation of all key construction environmental management plans, relevant emergency planning, with respect to bushfire planning and associated with the project.

Table 2 – NPWS estate strategic fire trail network

Road	Designation	Category
<i>Crumps Road</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Crumps Road (northern section)</i>	<i>Tactical</i>	<i>Category 1</i>
<i>Martinsville Hill Rd (Primary and Public Access)</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Middle Ridge Road</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Prickly Ridge Rd (Primary and Public Access)</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Watagan Forest Rd (Primary and Public Access)</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Tin Dog Point Road</i>	<i>Tactical</i>	<i>Category 1</i>
<i>Harris Fire Rd Secondary Access Road (Public Access)</i>	<i>Strategic</i>	<i>Category 1</i>
<i>Bowmans Road</i>	<i>Strategic</i>	<i>Category 7</i>
<i>North Road (or Sweetmans Creek Road)</i>	<i>Tactical</i>	<i>Category 7</i>

5. Emergency access across the NPWS estate

On review of the EIS Section 21 (Hazards and Risks), NPWS raises the following matters, focusing on the NPWS estate and use of emergency evacuation routes as they affect Watagans NP. Noting that the nominated emergency evacuation routes and any emergency helipad construction, as identified in the emergency scenarios, do not form part of the EIS.

NPWS recommends

As part of the EIS addendum report to:

41. Confirm that the emergency evacuation routes are fit for purpose, requiring no further environmental assessment under the EIS. If upgrades or maintenance works are required, consider as part of the EIS. As this route affects the Watagans NP, confirmation is required as part of the project's authorisation.
42. Clarify the park roads, and/or ministerial roads, that are included in the emergency evacuation route identification. Is this just Watagan Forest Road on Watagans NP, or the ministerial roads known as Harris Trail and Bowmans Road?
43. Confirm the procedures for the creation of emergency helipads should these be required within the NP estate.

6. Conservation of Aboriginal cultural heritage values on the NPWS estate

On review of the EIS and *Technical Report 2 - Aboriginal Cultural Heritage Assessment - Hunter Transmission Project Version 6 (ACHA)*, prepared by EMM Consulting Pty Ltd, dated 4 August 2025, NPWS raises awareness that for land administered under the NPW Act, the agency has a role in the protection and conservation of Aboriginal cultural heritage. NPWS, in the matters raised below, would like to improve management around the in-situ retention and protection, application of mitigation measures, and the respectful management of Aboriginal objects on the NPWS estate where impacts are attributed to the project.

Heritage NSW remains responsible for the statutory application of Part 6 of the NPW Act and all off-park requirements.

NPWS recommends

As part of the EIS addendum report to:

44. Confirm that NSW DCCEEW Heritage is the responsible authority for Aboriginal cultural heritage and the application of Part 6 of the NPW Act. NPWS's role is in the protection and conservation of cultural values with respect to land administered under the NPW Act.

As part of the ACHAR addendum report to:

45. Include as part of the '*ACHAR Summary*', recognition of the NPWS estate impacts consistent with the SEARs. The ACHA should acknowledge that the project will directly affect the NPWS estate in accordance with **Item 2** above.
46. Confirm NPWS's role is in the protection and conservation of cultural values with respect to land administered under the NPW Act.
47. Consider the statutory obligations under the NPW Act, with a review of Sec.A.2.2 in Appendix A of the ACHA, addressing the provisions of the NPW Act and NPW Regulation (subject to **Item 4** above) with respect to protection of cultural values on the NPWS estate.
48. Ensure consideration is given to the avoidance and in-situ management of rock shelters on the NPWS estate. NPWS requests avoidance of impacts to cultural values through micro-siting the towers on Corrabare North FR and, where avoidance is not possible, controlled movement of

objects to preserve cultural values (refer to Table 4 below). For the NPWS estate, consider a conservation hierarchy with the Registered Aboriginal Parties for the project, focusing on the priority in-situ conservation of burials, rock shelters, scar trees, grinding grooves and extensive artefact scatters, followed by the controlled movement of artefact scatters or isolated finds to ensure preservation of values.

49. Reconsider and confirm how '*isolated finds and low-density artefact scatters*', as described in the ACHAR, will be managed where they occur on the NPWS estate. Currently, the ACHA states that no management is afforded. NPWS will only accept this type of action if justified under the ACHA, under the direction of the Registered Aboriginal Parties (RAPs). As the intent of the NPW Act is to conserve Aboriginal objects on land administered under that Act, NPWS wishes to focus on in-situ protection. As the land manager for Corrabare North FR, NPWS apply the principles consistently across all managed lands. Values identified or known on the NPWS estate are recognised in Tables 3 and 4, this does not cover the likely risk of unexpected finds occurring during the project's construction. All management of Aboriginal objects on the NPWS estate is to involve, and as a decision made by the RAPs for the project.
50. Reconsider and confirm management of what is defined as '*background scatter sites*' forming HTP-S-BS1 on the NPWS estate. In the ACHA, this is the broader scatter of isolated Aboriginal objects and/or low-density artefact scatters (<20 per square metre) found disparately across the project now, and during construction (as HTP-N-BS1; HTP-C-BS1; HTP-S-BS1). The ACHA again states no management is recommended, noting that recovery of such material has limited scientific value. NPWS questions this position as scientific value is very different from cultural significance or value. The Aboriginal objects referred to often have deep meaning to the Aboriginal community. So, for the NPWS estate, it will remain the decision of the RAPs to identify, confirm cultural significance, and advise on the treatment of Aboriginal objects recovered from the NPWS estate.
51. Consider management options for Aboriginal objects recovered or displaced during construction on the NPWS estate, with one of four scenarios:
 - a. retention of Aboriginal objects and sites, with protection in situ. With protection and conservation actions set out under a conservation plan, including methods for retaining, stabilising sites, and monitoring construction activities. In-situ protection should also consider and detail any ongoing preservation, asset management actions and data recording.
 - b. moving Aboriginal objects outside of the project's impact area into selected restricted areas, before works commence. Include methods, the involvement of Aboriginal community representatives, and protection measures, with recording of receiving sites.
 - c. relocation or repatriation to an identified safekeeping place as determined by the RAPs. Ensuring archival recording and management are subject to Heritage NSW and NPWS guidelines and procedures. This includes appropriate environmental assessment and recording of receiving sites.
 - d. Aboriginal objects can be held under safekeeping by an Aboriginal person or organisation subject to a care agreement. If Aboriginal owners wish to take ownership, this can be done under a transfer agreement. Refer to the NSW Environment and Heritage website - <https://www.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/aboriginal-objects-and-places/apply-care-agreement-transfer-objects>.
52. Ensure that any salvage operations identified in the ACHA relating to the NPWS estate result in either Aboriginal objects being retained and assessed on the estate or subject to a care agreement. NPWS does not support the removal of Aboriginal objects from the NPWS estate without agreement from the Aboriginal community and approval from the relevant NPWS Director. If any archaeological excavation of cultural deposits, for scientific or archival recording purposes, is conducted, then analysis of these is to be completed on the NPWS estate unless it is specific dating or microanalysis.

53. Ensure any removal or relocation of any culturally modified trees (refer to Table 4 below) on NPWS estate, either in its entirety and/or via the removal of the 'scar' portion of the tree, is undertaken by a Level 5 Qualified Arboriculturist only once a conservation plan has been prepared by a heritage consultant with input from the Aboriginal community and with approval from the relevant NPWS Director. The plan must detail the method of removal, relocation site details, methods for the long-term curation and conservation, and any preservation actions are to be set out as required.
54. Revise Sec A.1.3 *Native Title Act 1993* Appendix A (Legislation), which references the application of future Acts around the rights and interests over lands and waters by Aboriginal people, but does not address the actual project implications of the [future acts](#) regime. Ensure this is adequately addressed for the NPWS estate.

As part of the future preparation of the Aboriginal Cultural Heritage Management Plan (ACHMP)

55. Identify NPWS as a key agency in the preparation and implementation of actions under the ACHMP where those actions affect the NPWS estate. Use of the NPWS estate in the delivery of the options listed in **Item 51** requires approval from the relevant NPWS Director.
56. Ensure that the ACHA and future ACHMP are uploaded to the NSW Aboriginal Heritage Information Management System (AHIMS), where new sites are created, or records modified on the NPWS estate. This ensures continuity in information associated with projects that have occurred on the NPWS estate.
57. Ensure any future ACHMP addresses:
- matters raised about representatives for the Darkinjung people, around the management of the risk of ancestral burial site/s occurrence on Jilliby SCA. Identifying areas of likely harm, risk management, and migration measures are in place.
 - priority criteria for micro-siting of the project tower and ancillary construction requirements on the NPWS estate to ensure in-situ protection and conservation as a priority.
 - movement or repatriation of displaced or excavated archaeological material on the NPWS estate is to comply with NPWS guidelines and procedures.
 - ensure all Aboriginal objects retained in situ, moved, or relocated are recorded on AHIMS through an AHIMS site card update or site card impact form as soon as possible.
 - ensure the provision of a translocation plan to support the relocation of key species attached to the actions associated with Aboriginal resource and gathering values, as per Tables 3 and 4 below, accord with the NSW Translocation policy and procedure - <https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/programs-legislation-and-framework/translocation>.

Table 3 – Jilliby SCA – Project impact area

Site ID/Name	Type	Description/Info
45-3-2460	Isolated find	1 flake on Martinsville Road
45-3-2453	Artefact Scatter	5 artefacts (exposed) recorded as a low-density artifact scatter on Martinsville Road
45-3-2452	Artefact Scatter	4 artefacts (exposed) recorded as a low-density artifact scatter on Martinsville Road
45-3-2458	Artefact Scatter	2 artefacts (exposed) recorded as a low-density artifact scatter on the TransGrid line access – Stockyard Point Road.
45-3-2465	Isolated find	1 flake on the management trail south of Prickly Ridge Road leading to Tin Dog Point Road.

Site ID/Name	Type	Description/Info
45-3-2466	Isolated find	1 flake on (exposed) recorded as a low-density artifact scatter on the TransGrid line access point, which is identified as "Unnamed Trail – 04" – a Transmission line access trail called CPT 76/4 Road leading to Tin Dog Point Road.
45-3-3174/ 45-3-3175	Grinding Grooves	9 grinding grooves, and a water hole (well) located near the headwaters of an ephemeral drainage line, east of Tin Dog Point Road. <ul style="list-style-type: none"> • AHIMS #45-3-3174 records 4 grinding grooves and a well, • AHIMS#45-3-3175 records 5 grinding grooves
45-3-2467	Isolated find	1 flake on the management trail surface at Tin Dog Point Road
HTP-S-CS01	Wishing well	Constructed well on Martinsville Road over spring, shared cultural heritage value – Contemporary site.
45-3-2457	Artefact Scatter	3 artefacts (exposed) recorded as a low-density artifact scatter on Prickly Ridge Road
HTP-S-AR01	Aboriginal resource and gathering	1 former spring that may have been used by Aboriginal people in the past. Complete loss of value and complete harm – trimming activities and ancillary activities at Becketts Road – plan to recover and relocate key species, Aboriginal resources, and gathering
HTP-S-BS1	background scatter sites	A stone artefact background scatter that is predicted to occur intermittently across the project impact area and extending beyond its limits, within which disparate low to moderate artefact densities of $\leq 20/m^2$ may be expected intermixed with culturally sterile zones.

Table 4 – Corrabare North FR – Project impacts (HTP corridor and management trails)

Site ID/Name	Type	Description
HTP-C-CMT05	Scarred Tree	1 confirmed culturally modified Turpentine <i>Syncarpia glomulifera</i> , considered to denote a traditional boundary marker, single east-facing scar recorded at the base of a gully 10 m west of an unnamed creek and 260 m east of North Road. Complete loss from Corrabare North FR
HTP-C-RS02	Rock Shelter	low overhang, no art or surface deposits located and no deposit, but accords with the definition of archaeological rock shelter site. Located 200 m west of the junction of Hawkins Road and Sweetmans Creek Road. Complete loss from Corrabare North FR
HTP-C-AR03	Aboriginal resource and gathering	Complete loss of value and complete harm - plan to recover and relocate key species, Aboriginal resources, and gathering sites
HTP-C-RS18	Rock Shelter	A potential east-facing rock shelter situated on a gently inclined hillslope. No surface artefacts were identified. No art or evidence of charcoal, however, is considered by RAPs as a good vantage point looking over the creek line. A small hole in the north wall is also considered to aerate smoke from fires within the shelter. NPWS advises caution, investigation and in situ protection
HTP-C-RS01	Rock Shelter	A potential north-facing sandstone overhang is located 90 m northwest of Hawkins Road and 140 m northeast of a drainage channel at the top of a steep rise. The exposed shelter floor was

Site ID/Name	Type	Description
		mostly bedrock with extensive weathering noted throughout. No cultural markers were identified at the time of the survey. NPWS advises caution, investigation and in situ protection
HTP-C-RS03	Rock Shelter	A potential south-easterly facing rock shelter situated on a steep slope. No art or artefacts were noted at the time of the survey. There is considered to be a PAD at this site. NPWS advises caution, investigation and in situ protection

7. Historic and shared heritage values on the NPWS estate

On review of the EIS and *Technical Report 7 - Hunter Transmission Project – Historic Heritage Impact Statement (HHIS)*, prepared by Biosis Pty Ltd, Version 4 (final), dated February 2025, NPWS provides the following advice on impacts to heritage values.

NPWS recommends

Including as part of the EIS addendum report to:

58. Recognise the formal protection of cultural values under the NPW Act and the NSW *National Parks and Wildlife Regulation 2019* (NPW Regulation) for items on the NPWS estate.
59. Recognise NPWS heritage assets as listed on the Historic Heritage Information Management System (HHIMS), as items on the NPWS s.170 *Heritage Act 1977* Heritage Conservation Register. Those items applicable to the NPWS estate:
 - a. Wishing Well (Osf 26) as HHIMS Item ID 630 will be impacted by the project.
 - b. Original Forest House (Osf 15) as HHIMS item ID 653, and
60. Recognise the sawmill site on the Cnr Martinsville Hill Road and other heritage values attached to Watagans NP and Jilliby SCA depicted on Figure 3 (European Heritage) under the adopted *Watagans National Park and Jilliby State Conservation Area Plan of Management* (DECCW, 2010), as the adopted statutory plan, refer to <https://www.environment.nsw.gov.au/publications/watagans-national-park-and-jiliby-state-conservation-area-plan-management> and in the application of the NPW Act.
61. Confirm outcomes for the Wishing Well, the attached spring, archival processes and mitigation measures to ensure significance is not entirely lost.

Including as part of the HHIS addendum report to:

62. Recognise the formal protection of cultural values under the NPW Act and the NSW *National Parks and Wildlife Regulation 2019* (NPW Regulation) on the NPWS estate. Consider the statutory obligations with the protection of heritage under the NPW Act (as per **Item 4** above).
63. Include a formal heritage assessment of the Wishing Well.
64. Confirm protection and mitigation measures for heritage items in the vicinity of the construction works, ensure no loss of the items' significance, or loss of important historical values associated with the Original Forest House (Osf 15) as HHIMS item ID 653, and the Sawmill site on Jilliby SCA.
65. Confirm loss and management of HHIMS Item ID 630 (Wishing Well) and detected impacts to the sawmill site, committing to:
 - o retention and protection of the spring as a functional water supply, and address future access post-project construction. Confirm the effect of the proposed “*widening and upgrades to*” Martinsville Road to a 30m wide corridor. Providing the retention/redesign of the spring as part of the upgraded road concept / engineered design.

- protocols for management of artefacts or relics (heritage) associated with the sites in accordance with Heritage NSW guidelines
- archival processes for the recording of cultural values, both in their landscape, and historic and shared heritage context in accordance with Heritage NSW guidelines, as supported by the requested assessment (see **Item 62**).
- discussion on community feedback on the loss of the Wishing Well.
- relocation and reconstruction of the Wishing Well structure to the preferred heritage precinct site attached to the sawmill on Jilliby SCA, with implementation of an interpretive package informed by the Heritage Assessment. The relocation will need to accord with heritage conservation best practice and ensure the receiving site is adequately assessed in accordance with NPWS environmental impacts and risk assessment procedures.
- set out processes under the Heritage Act to remove the s.170 heritage register item from the NPWS register, and commence processes soon after removal.
- management of unexpected finds as historical archaeological relics if deposits or relics not identified and considered as part of the HHIS or EIS are discovered on the NPWS estate. All work must cease in the affected area(s), with Heritage NSW and the Heritage Council of NSW notified.

As part of the future historic heritage management plan (HHMP), condition:

66. Ensure NPWS is identified as a key agency in the preparation of the HHMP, where it addresses heritage impact management and mitigation measures for values occurring on the NPWS estate.
67. Preparation of the HHMP is to consider and adhere to NPWS guidelines in the management of heritage values on the NPWS estate.

8. Recognition of biodiversity loss on the NPWS estate

On review of the EIS and the *Technical Report 1 - Hunter Transmission Project Biodiversity Development Assessment Report (BDAR)*, prepared by WSP, Alex Cockerill, Accredited Assessor, BAM BAAS1700, dated 21 August 2025, NPWS raises the following statutory considerations of the NPW Act in the recognition of likely impacts to natural values afforded protection under that Act.

NPWS recommends

Including as part of the EIS addendum report to:

68. Recognise Jilliby SCA as an environmentally sensitive area of state significance as defined in [s.2.2](#) of the *State Environmental Planning Policy (Planning Systems) 2021*.
69. Recognise the NPW Act as NSW legislation that protects and conserves natural values (landscapes and biodiversity) on land administered under that Act (refer to **Item 4** above).

Including as part of the BDAR addendum report to:

70. Accord with the SEARs as issued with respect to the NPWS Estate (refer to **Item 2** above).
71. Recognise that the NPW Act is NSW legislation that protects and conserves natural values as landscapes and biodiversity on land administered under that Act (refer to **Item 4** above).
72. Recognise Corrabare North FR, and the reserve's role in the delivery of the NSW Government's stated commitments under the *NSW Koala Strategy 2018* and in its purpose in the protection of significant native flora and habitat values relevant to its declaration as a flora reserve under the Forestry Act.
73. Recognise Lot 165 DP755219 as offset lands, with the perpetual lease vested in the NSW Minister for the Environment consistent with the terms of the Voluntary Planning Agreement

accepted as part of a Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) planning approval. Consider the implications of the project (including the scope of works proposed for the Crumps Road works) on the offset lands, and calculate the residual impact under the BDAR – refer to **Item 10** above.

Consider as part of the Strategic Offset Delivery Agreement (SODA) preparation

74. Recognise NPWS as a key agency in the preparation of the SODA, so that the agreement will specifically address offset obligations associated with the loss of land and natural values on the NPWS estate, including the perpetual lease acquired as an offset for MP10_0137.
75. Consider the NPWS policy and procedures in the acquisition and reservation of potential areas suitable for addition to the NPWS estate.
76. Ensure, consistent with the nature-positive provisions of the *Biodiversity Conservation Act 2016*, that the SODA considers species focused programs for the koala to account for the loss of forest in Corrabare North FR which was protected as part of the *NSW Koala Strategy 2018*.

9. Environmental quality on the NPWS estate

On review of the EIS, and the Technical Reports listed below for air quality, noise and visual amenity, NPWS confirms that impacts on air quality, noise, surface and groundwater as part of the project. Their severity and longevity were considered against the values attributed to the NPWS estate. NPWS requested consideration of the NPWS estate as a sensitive receiver as both a ‘*public recreational areas*’ and one supporting significant biodiversity values (an ecological receiver) with effects attributed to dust, noise, vibration, erodible soils, surface and groundwater flow changes.

- *Technical Report 3 - Hunter Transmission Project - Landscape character and visual impact assessment (LCVIA) (Parts 1-4) prepared by IRIS Visual Planning and Design, dated August 2025.*
- *Technical Report 8 - Hunter Transmission Project – Noise and vibration impact assessment (NVIA) prepared by SLR Consulting Australia, dated August 2025.*
- *Technical Report 9 - Hunter Transmission Project – Soil and Land Resource Assessment, final Version 3, prepared by Minesoils Pty Ltd, dated July 2025.*
- *Technical Report 10 - Hunter Transmission Project – Surface Water Impact Assessment, Version 6, prepared by EMM Consulting Pty Ltd, dated 6 August 2025.*
- *Technical Report 11 - Hunter Transmission Project – Groundwater Impact Assessment, Version 7, prepared by EMM Consulting Pty Ltd, dated 8 July 2025.*
- *Technical Report 18 - Hunter Transmission Project - Air quality and greenhouse gas impact assessment (AQGHIA) Version 7, prepared by EMM Consulting Pty Ltd, dated 4 August 2025.*

NPWS recommends

Including as part of the EIS addendum report to:

77. Confirm consideration of park users and visitors on the NPWS estate as ‘sensitive human receivers’.
78. Confirm that the NPWS estate forms part of the ‘sensitive ecological receiver’ definition.

Including as part of the NVIA addendum report to:

79. Confirm consideration of park users and visitors on the NPWS estate as ‘sensitive human receivers’, and the recreational/social values attributed to nature-based recreational values of the NPWS estate.

80. Confirm that the NPWS estate was considered as part of the sensitive ecological receiver, and explain how this was considered with predicted noise levels over 40dBA, which are known to affect and displace wildlife. Include an explanation of adequate mitigation to acknowledge and monitor biodiversity impacts for noise and vibration.
81. Consider application of the NPWS Policy Landslides and rockfall policy and procedures as part of the vibration impacts and management of risk as it relates to the NPWS estate (see <https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/landslides-and-rockfalls>).

Including as part of the LCVIA addendum report to:

82. Consider the impacts of dust deposition on the frog ponds in Jilliby SCA (as a specific example of a sensitive ecological receiver on the NPWS estate).

Including as part of the future environmental management planning, conditions:

83. Ensure NPWS is identified as a key agency in the preparation of environmental management plans where construction will affect the NPWS estate.

Central Coast Area - Road Network - Map Series

MAP

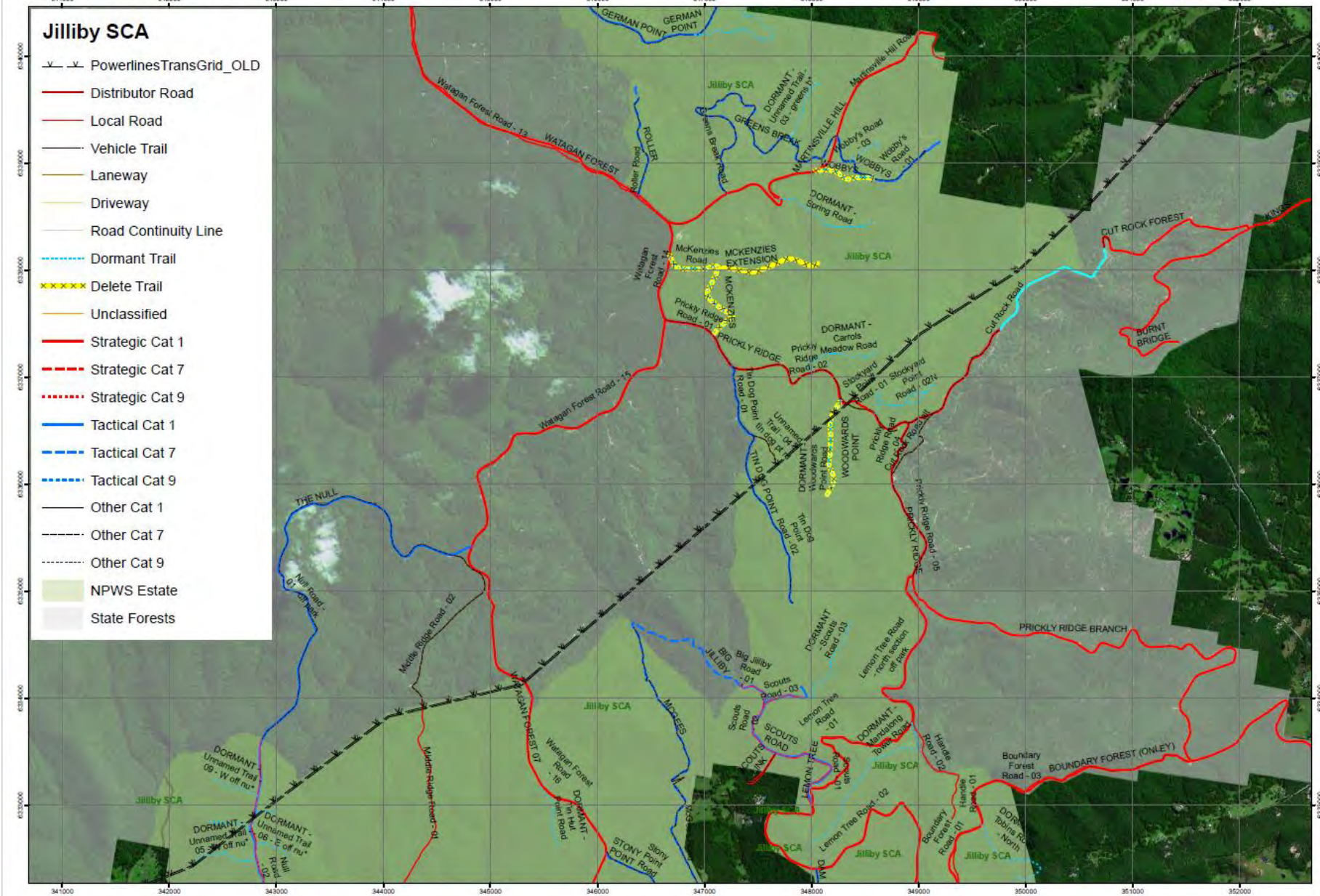


Figure 1: NPWS Central Coast Area – Jiliby SCA - Road Network

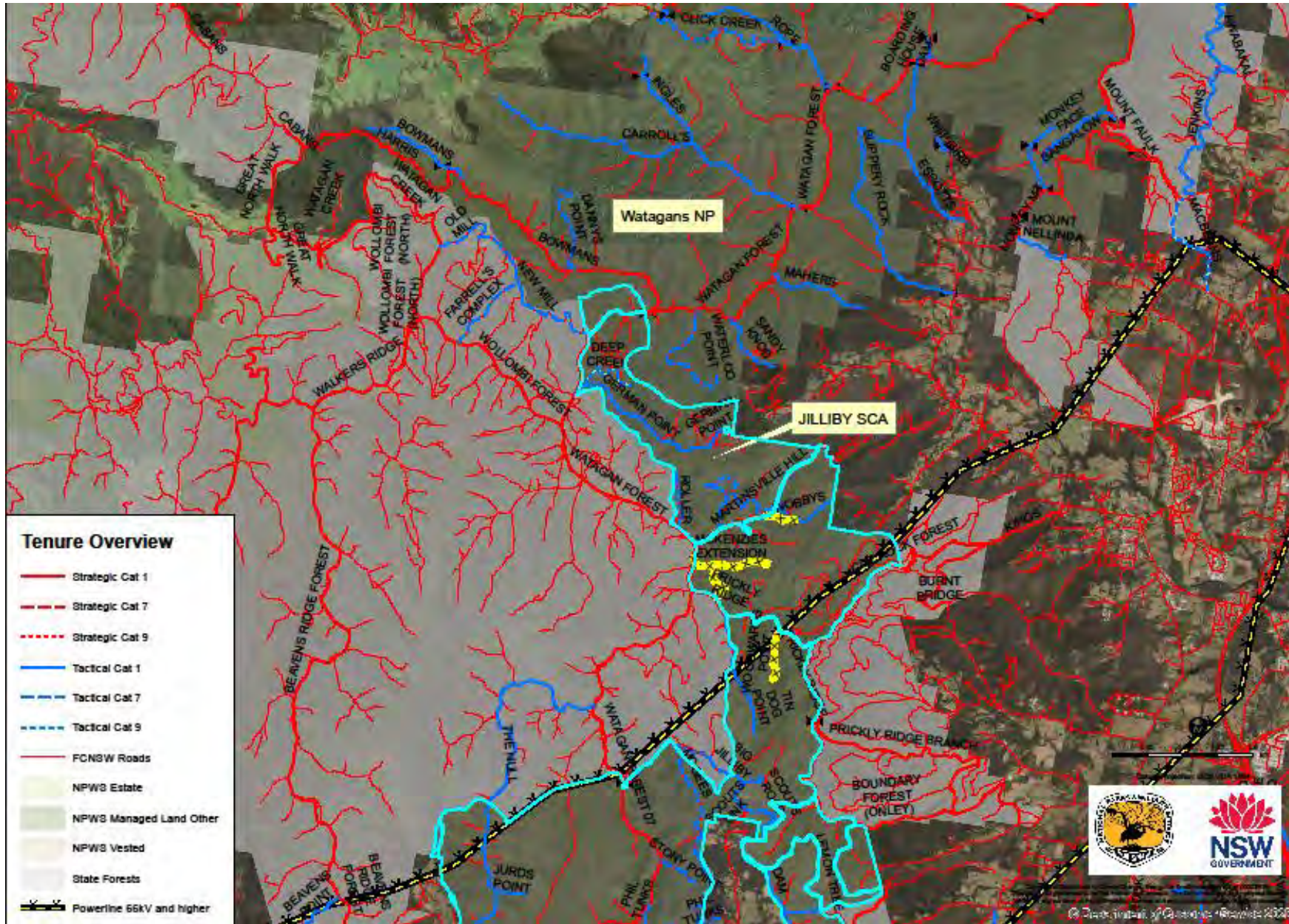


Figure 2a: NPWS Central Coast Area – Watagans NP – Road Network – Overview (blue outline shows Jilliby SCA)

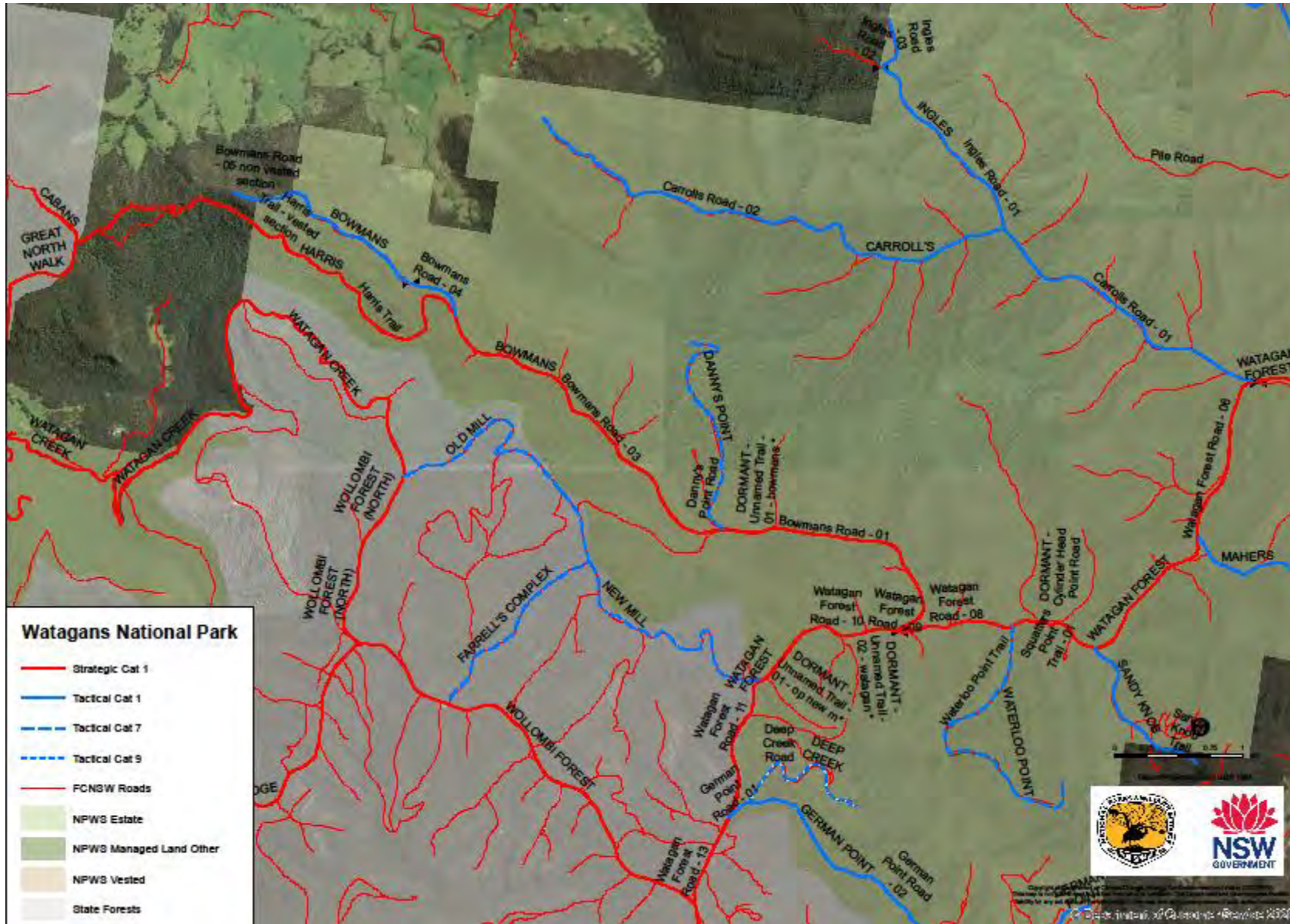


Figure 2b: NPWS Central Coast Area – Watagans NP – Road Network (showing Bowmans Road, Harris Trail)

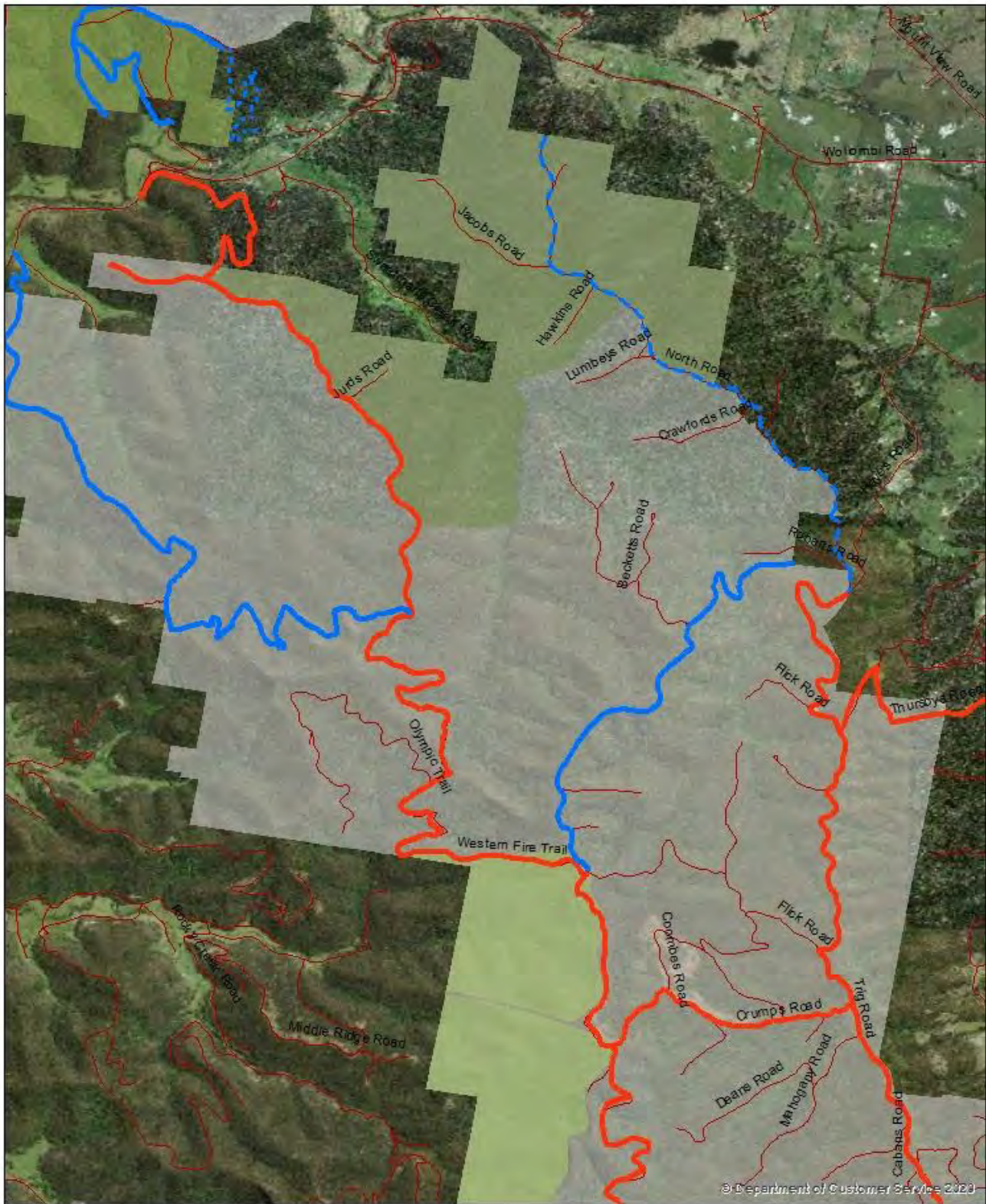


Figure 3: NPWS Wollemi Yengo Area - Corrabare North Flora Reserve and Lot 165 DP755219 – Road Network

A.4 Other stakeholders

24th September 2025

Mr Kurtis Wathen
Senior Environment Assessment Officer
NSW Department of Planning Housing and Infrastructure

Dear Kurtis Wathen,

RE: Mindaribba Local Aboriginal Land Council Submission – State Significant Infrastructure - Hunter Transmission Project SSI-70610456

Thank you for the opportunity to comment on the Environmental Impact statement (EIS) on the planned corridor for the Hunter Transmission Project (HTP). On behalf Mindaribba Local Aboriginal Land Council (LALC) we submit concerns regarding the Hunter Transmission Project EIS: - Application Number SSI-70610456 - State Significant Infrastructure – Energy Supply.

As coal plants close across the state part of NSW's Governments planned modernisation of its electricity grid is to create Renewable Energy Zones to ensure energy security for the Hunter, Sydney and the Illawarra. The Mindaribba LALCs footprint spans key LGAs intersected by the corridor (Maitland Cessnock and Singleton), and therefore Mindaribba is an essential party to the modernisation process.

The Mindaribba LALC (LALC) is Gazetted under NSW Aboriginal Land Rights Act 1983 section 52 (4), outlined below, has responsibilities and obligations to protect Aboriginal culture heritage within its boundaries; that includes local government areas of Newcastle, Maitland, Cessnock, Singleton, Dungog and Port Stephens. Mindaribba LALC Boundaries adjoin neighbouring LALCs of Karuah in the north, Worimi in the east, Awabakal in the southeast, Birabahn in the southwest and Wanaruah in the west.

NSWALR Act 1983 section 52

(4) Aboriginal culture and heritage.

A Local Aboriginal Land Council has the following functions in relation to Aboriginal culture and heritage--

(a) to take action to protect the culture and heritage of Aboriginal persons in the Council's area, subject to any other law,

(b) to promote awareness in the community of the culture and heritage of Aboriginal persons in the Council's area.

Mindaribba LALC recognise that as at September 2025 it has no registered Native Title holders and or Aboriginal Owners in Mindaribba LALC boundaries.

EnergyCo / DEECCW are aware that Mindaribba LALC is the legislated Local Aboriginal Land Council responsible for the footprint that spans key LGAs intersected by the EnergyCo corridor (Maitland, Cessnock and Singleton LGAs), and that there are no current, and or prior any registered Aboriginal owners under NSWALRA 1983 and or Native title holders under NT Act 1993 for this area.

The Mindaribba LALC would firstly like to make comment on the lack of consultation with Aboriginal Peoples in relation to ecology within the corridor. When considering Aboriginal culture and heritage, it is essential to recognise that its scope extends well beyond tangible evidence such as stone artefacts, rock art, scarred trees, or built structures. Aboriginal heritage is not confined to the material remnants of the past; it encompasses a living, interconnected system of knowledge, values, and relationships that continue to inform cultural identity and responsibilities today.

A core dimension of this system is the recognition of flora, fauna, landforms, and waters as culturally significant. Plants and animals are not viewed solely as environmental resources but as totemic symbols, spiritual ancestors, and kin. Totems establish enduring connections between individuals, families, clans, and their Country, shaping responsibilities for care, ceremony, and the transmission of knowledge. In this context:

- **Fauna** may function as spiritual guides, kinship markers, or law carriers, linking people to their ancestral beings and to specific obligations within Country.
- **Flora** may embody seasonal knowledge, provide ceremonial materials, or symbolise connections to storylines and creation narratives.
- **Land and waters** hold meaning as living entities, often embedded within Songlines that map cultural history, law, and custodianship across landscapes.

Accordingly, Aboriginal cultural heritage must be understood as both tangible and intangible, encompassing not only physical objects but also the ongoing relationships between people, plants, animals, and places. To reduce Aboriginal heritage to artefacts alone risks overlooking the depth of cultural meaning and the responsibilities that flow from these connections.

Recognition of this holistic perspective is critical for heritage management, planning, and policymaking. It ensures that assessments, approvals, and decisions respect Aboriginal peoples' ongoing custodianship and acknowledge that Country itself is a cultural entity, inseparable from heritage values.

Mindaribba LALC Concerns specific to inclusive Culture and Heritage strategies:

A. The Early, specific, and transparent stakeholder identification

The EIS focusses on Aboriginal engagement with culture and heritage largely in relation to landing pages and Factsheets do not show the **registered Aboriginal stakeholders list**, invitation letters, or a **consultation log** (who was contacted, when, about what). They also do not identify if Aboriginal Peoples have been invited to be involved in ecological surveys or comment in any way in relation to the disturbance of flora and fauna and traditional totemic connections to these totemic beings. The Mindaribba LALC has not been consulted in relation to ecology within the corridor, we requested this at the first meeting with Mara Consulting and EnergyCo. At the second meeting an ecologist attended but did not speak (Nathan Garvey). A third online meeting was organised where the ecologist advised us that EnergyCo sort to have us place our lands within the Tomalpin Woodlands into a biodiversity agreement – still no engagement in relation to intangible ecological concerns. Please advise where a list of those Aboriginal Peoples consulted can be found and how Mindaribba can be further involved in the ecology moving forward as this is of great concern to our people.

B. Quality of engagement (not just frequency)

There is an expectation that Aboriginal engagement is two-way and culturally safe, with clear influence on alternatives/design the material provided references “**extensive consultation**,” but doesn’t evidence how Aboriginal views in relation to tangible and intangible knowledge of culture and heritage and flora and fauna changed the corridor, tower siting, or construction methods. It would be beneficial to review a “you said / we did” table specific to Aboriginal feedback, not just general community.

C. Alignment with EnergyCo First Nations Guidelines (Roadmap projects)

There is an expectation that the Minister’s **First Nations Consultation Guidelines** require best-practice consultation and negotiation aimed at employment/income opportunities for local Aboriginal communities; EnergyCo says it will apply these in tenders. The risk here is that the EIS public pages don’t show **quantified targets, procurement set asides, or governance mechanisms** co-designed with Mindaribba as an essential party. Mindaribba would like to see the **First Nations outcomes plan** tied to not just non-Aboriginal business procurement packages. Mindaribba is not of the belief that a short-term project such as the construction of the HTP will be successful in securing “real” outcomes for our people. Significant outcomes will be achieved by building capacity through working within the operational sphere of Local Aboriginal Land Councils and other Aboriginal Organisations within the Hunter REZ – this option will provide training and longer-term job security for local mob within localised Aboriginal business. This way EnergyCo can successfully meet the NSW Governments Closing the Gap outcomes by providing “real” capacity building opportunities.

D. Cultural heritage features — impact assessment and mitigation gaps

Intangible cultural values & cultural landscapes

1. The ACHAR addresses objects and places, but also stories, songlines, views capes, access to Country—not just artefact scatters. Guidance requires considering significance beyond physical objects and including flora and fauna.
2. The interactive map highlights “sensitive areas,” but there’s no public summary of cultural landscape analysis or view-line protection at Aboriginal cultural viewpoints. Can these please be included.

Survey coverage & methodology transparency

3. No public summary of **survey effort (kilometres, stratified sampling), seasonality, or test-pit strategy**. Mindaribba would like a clear **methods table** and **monitoring commitments** during construction.

Decision rules for avoidance vs salvage

4. Expectation: hierarchy of **avoid → minimise → mitigate**, with **co-authored** salvage/keeping-place arrangements and clear triggers for **stop-work**.
5. Public material emphasises appears to be on “route refinement,” but doesn’t show **thresholds** for re-design to avoid significant places versus **defaulting to salvage**. Mindaribba seek explicit **“no-go” criteria** and Mindaribba’s role in agreeing them.

Cumulative impact framing

6. Expectation: for SSP/SSI, **cumulative impact assessment** should consider other linear infrastructure and regional change—important for cultural landscapes, does Chapter 9 cross-references the **CIA** and **SIA** so cultural cumulative effects aren’t siloed?

E. Impacts & benefits for the local Aboriginal community — what’s missing

Specific, measurable First Nations jobs & procurement

1. Expectation: the **First Nations Guidelines** point to increasing local Aboriginal employment/income; EnergyCo’s community benefits programs exist, but the exhibition material doesn’t state **HTP-specific, time-bound targets** or **set-asides**.

Benefit governance with Aboriginal leadership

2. Expectation: SIA/Engagement guidance pushes for **shared governance** and transparent benefit pathways. There is no clear structure for **Aboriginal-led decision-making** on community benefit investments, nor a **sustained revenue stream** tied to project milestones (beyond general CEBP references).

Access to Country during and after construction

3. Expectation: plans should maintain or improve access and embed cultural monitoring roles. Public pages don't outline access protocols, induction content, or paid cultural monitor positions across **all** heritage-sensitive works.

F. Practical Management Needs -

Consultation evidence & governance

1. Establish an **Aboriginal Cultural Advisory Group** with Mindaribba-nominated reps, with **decision gates** on micro-siting, tower height, access tracks, and construction sequencing (conditional under SSI).

Cultural heritage management and protections

2. Adopt a **co-authored Aboriginal Cultural Heritage Management Plan (ACHMP)** pre-construction that: defines **no-go areas**, set **stop-work triggers**, confirms **monitoring coverage, salvage protocols**, and **artefact custody/keeping-place** arrangements led by Mindaribba within Mindaribba LALC Boundaries.
3. Require **cultural landscape & view line analysis** to be integrated into final design: adjust **tower locations/heights** and **access alignments** to protect culturally significant vistas and pathways; publish the methodology and decisions.
4. Commit that **avoidance** is the default: publish **re-design thresholds** (when a site's significance triggers re-routing or different construction methods).

Socio-economic outcomes

5. Table a **First Nations Outcomes Plan** with: minimum % **Aboriginal employment hours, apprenticeships/traineeships, subcontract spend targets**, and **quarterly reporting**; link to contract incentives (EnergyCo First Nations Guidelines).
6. Ring-fence at minimum a 60% portion of the **Community & Employment Benefit Program** for **Aboriginal-led projects**, with an Aboriginal-majority local panel to select initiatives across **health, housing, education, ranger programs and culture**.
7. Codify **paid cultural monitor roles, cultural competency training** for the workforce, and **free access protocols** to Country during works (with clear contacts and response times). This must be delivered locally by local people and supported by the community and LALCs.

Cumulative change & long-term stewardship

8. Mindaribba LALC request that EnergyCo re-run cumulative impact for Aboriginal cultural heritage to include ecology with Mindaribba input and integrate findings into the ACHMP and SIA mitigation register. **ACHCRP (2010)** and **AHIP** guidance require structured Aboriginal consultation and clear management protocols where harm can't be avoided.

G. Request

- H. Mindaribba seek **condition** for a co-authored **ACHMP** and a **First Nations Outcomes Plan** with **public reporting**.
- I. Mindaribba request disclosure of the **consultation register** and “**you said / we did**” table specific to Aboriginal feedback on Culture and Heritage including Flora and Fauna (Ecology) before determination.
- J. Seek a **design-change protocol** (with Mindaribba sign-off) that triggers **micro-siting**/alternative construction methods where cultural values are at risk.

H. Culture and Heritage Requests and Concerns Conclusion

The Mindaribba LALC seeks a joint technical workshop (Mindaribba LALC, other Aboriginal Knowledge holders and Elders, Proponent Heritage Team, Proponent Ecologists, Birdlife Australia Representatives, DPHI, Heritage NSW) to walk through TR2 site by site with the interactive map on screen taking tangible and intangible cultural concerns into consideration and agree design changes live. This review will prioritise Aboriginal Self Determination and conservation protection of cultural values. The hope is that we have a less tolerant approach to “salvage- as – mitigation” where avoidance is practicable.

I. Mindaribba LALC Biodiversity protections, limitations & concerns

It appears that the EIS’s biodiversity work is set up the way NSW expects (BAM/BDAR), and it quantifies a very large credit obligation. The actual offset package (sites/credits contracted) is stated as not yet final and EnergyCo proposes to deliver it via a SODA informed by a regional Conservation Investment Strategy. The Mindaribba LALC is the largest freehold landowner within the Cessnock LGA with some of the most significantly biodiverse lands. Having only met with EnergyCo ecologists for under 1 hour in the last 2 years how will the SODA process support Aboriginal people within the Cessnock, Singleton and Maitland LGAs protect and conserve totemic flora and fauna and the surrounding environment particularly under and within the limitations of the Native Title Act?

J. Framework & deliverables

NSW requires a **Biodiversity Development Assessment Report (BDAR)** prepared under the **Biodiversity Assessment Method (BAM)** for SSI/CSSI, per the BC Act s7.9 and DPHI guidance.

1. EnergyCo states the biodiversity assessment was **carried out in line with BAM 2020**, with multi-season surveys, mapping, SAIL screening, and quantification of direct/indirect/prescribed impacts; the detailed **BDAR is in Chapter 12 + Technical Report 1**. This appears to align with NSW practice for major projects – why was Mindaribba not involved in these surveys when this was a request at the first meeting with EnergyCo?
2. The summary flags **serious and irreversible impact (SAIL) risks** for specific TECs and species, and describes route refinements that **avoided >200 ha** of clearing in high-value areas—again consistent with BAM’s avoid–minimise–offset hierarchy. Mindaribba LALC request more details in a face-to-face meetings to discuss this statement.

3. The EIS quantifies an obligation of **~17,109 ecosystem credits** and **~217,666 species credits (incl. prescribed/indirect)**, evidencing a BAM-style calculation Mindaribba LALC would like to understand this bottom line calculation.

K. Has the offset package been developed?

Scheme & pathway:

Offsets must meet the **NSW Biodiversity Offsets Scheme**. EnergyCo plans to deliver them via a **Strategic Offsets Delivery Agreement (SODA)**, with priorities set by a **Hunter–Central Coast Conservation Investment Strategy (CIS)**. The EIS provides the **credit numbers** and the **delivery mechanism (SODA)** but does **not** present a finalised set of offset sites/credits retired at exhibition—Mindaribba would like to see this published.

Regulatory backdrop:

Mindaribba understands that EnergyCo has delivered SODA as a “**new, lawful pathway**” (May 2025 regulation amendments) allowing DCCEEW to secure like-for-like credits or undertake specified conservation actions consistent with the CIS; the proponent funds this and is deemed to have satisfied offset conditions when the SODA actions are delivered. Mindaribba seeks more information and consultation in relation to the SODA and its processes. We would like a clear understanding of how SODA will benefit Aboriginal landowners in our community in the same way it benefits non-Aboriginal Land Owners.

Credit calculation traceability

1. We would like to know how will each vegetation community/species impacted translate to ecosystem/species credits, and whether like-for-like rules drive the credit mix?

Offset delivery conditions

2. Mindaribba LALC would like to see draft approval conditions tying SODA milestones (and public reporting) to construction phases; ensuring the **CIS** is finalised and published before credit retirement commitments are relied upon.

Offset Delivery Plan

3. Mindaribba LALC would like to be involved in the creation of a **conditioned Offset Delivery Plan** linking SODA tranches to construction packages, with quarterly public reporting on credit procurement and conservation actions against the CIS.

The Mindaribba LALC has been a part of the Regent Honey Eater Recovery Team since 2020 with partners Taronga Conservation Trust, Birdlife Australia, Saving Our Species, Local Land Services and has released hundreds of zoo bred Regent Honey Eaters into the Tomalpin Woodlands. The Tomalpin Woodlands are the only known breeding places for this critically endangered bird in 2018 and 2022.

The EIS advises that over 97 Ha of Regent Honey Eater Habitat will be disturbed with a commitment to avoid or minimise via route refinement and downstream offsets. Mindaribba believes that this should be avoided. And seeks to understand Energy Co’s plan in relation to the SODA and offset strategies to assist the Regent Honey Eater and Swift Parrot along with other Woodland Birds.

L. Likely / Potential Impacts on Regent Honeyeater Habitat and that impact on Aboriginal Peoples

Based on the overlap and what is known of the species ecology within the EIS, the following are probable or possible impacts:

<u>Impact type</u>	<u>Likely nature of effect on Regent Honeyeater habitat</u>
Vegetation clearing	Loss of feeding and foraging trees (nectar sources), especially mature eucalypts, ironbarks, spotted gums etc., which are important to the species. If clearing includes large mature trees, that is especially detrimental.
Fragmentation	Transmission corridors, access tracks, support sites may fragment habitat, increasing edge effects, reducing connectivity between feeding patches or breeding areas. This makes populations more isolated and vulnerable to both human and other more aggressive or predatorial woodland bird species.
Disturbance / indirect impacts	Noise, dust, human presence during construction, disturbance of breeding behaviour; change in fire regimes; invasion of weeds or pest species along disturbed tracks may degrade habitat around edges.
Loss or impact in “rich patches”	Regent Honeyeater is a “rich patch specialist” — they rely on certain trees flowering intensely. Disturbance or removal of such patches along the corridor may reduce feeding opportunities, especially in non-breeding seasons.
Cumulative loss / risk magnification	Adding this infrastructure to other existing habitat loss (bushfire, land clearing, climate change) will further stress already small populations.
Cultural Destruction	Regent Honey Eaters significantly connected to women and the business of women’s roles and relationships within society. The impact of habitat decimation on this species may be too impactful to not place it into total extinction.

M. Mindaribba LALC Seeks information and Resolution on:

These are what Mindaribba sees as unresolved or opaque in the documentation, which matter for assessing that the “real” impacts to Regent Honeyeater habitat are properly understood and mitigated.

1. **Exact overlap with known breeding / foraging sites:**

It isn't obvious which of the known Regent Honeyeater breeding/foraging locations are within or immediately adjacent to the proposed corridor, or whether any such known sites will be directly impacted.

2. **Quality of habitat within corridor:**

How many of the habitat patches in the route are high quality (mature, high nectar yield, connectivity) vs degraded or marginal? This will effect how severe the impact is.

3. **Seasonal / temporal variation:**

Whether the clearing or disturbance coincides with flowering of key species or breeding times; and whether some routes or construction windows avoid those critical times. Mindaribba would request that this is mitigated and Aboriginal Rangers are utilised for nest protection.

4. **Mitigation specifics:**

Are there commitments to protect or enhance alternative habitat patches (restoration, revegetation) specifically benefiting the species? Are there measures for maintaining or improving connectivity? The general offset approach is there, but species-level targeting (especially for critically endangered woodland birds like regent honeyeater) isn't spelled out in what we have been presented.

5. **Monitoring and adaptivity:**

It's not clear how monitoring of impacts to Regent Honeyeater will occur, whether there are thresholds that trigger changes (e.g. additional avoidance, route changes, or design tweaks), and what transparency or Indigenous/local stakeholder roles will be in monitoring. Please advise?

N. Clarify / tighten protection

To reduce risk and improve outcomes for the regent honeyeater, we seek the following to be clarified via submission or within conditions moving forward:

1. A map overlay showing exactly which known or likely Regent Honeyeater habitat (breeding, foraging, movement corridors) lie in or near the proposed corridor, and what the expected loss or disturbance is for those.
2. Identification of "high value feed tree" patches and explicit design to avoid these (micro-siting, minimising clearing of mature individuals).
3. Timing of construction / clearing to avoid periods critical for breeding or peak flower nectar availability.
4. Specific restoration / revegetation commitments: planting of species used by regent honeyeater, ensuring connectivity.

5. Long-term monitoring program specific to Regent Honeyeater: presence / abundance pre-, during, post-construction; transparent reporting; adaptive management.
6. Offset site(s) selected in consultation with species experts and Mindaribba LALC Elders and Knowledge Holders that provide similar habitat (in quality, type, connectivity) and ideally improving habitat in locations known to be used by the birds, (for the purpose of this submission we would advise developer owned lands at Kurri Kurri that should be vested in the Mindaribba LALC Aboriginal Community into perpetuity).

O. Request

Mindaribba LALC seek clarity on the below:

1. **Species-level impact tables** in the BDAR: how many species credits allocated to Regent Honeyeater, how many hectares of habitat identified in survey / modelling that overlap with tower or line easement, and how much of that habitat is considered “high value” (feed trees, breeding potential).
2. **Maps with overlay of known / modelled Regent Honeyeater habitat**, marking:
 - Proposed tower/pylon locations / footings & easement width.
 - Any micro-siting alternatives considered.
 - Any lines of sight / view-scape features relevant (perhaps some feed tree patches visible, etc.).
3. **Survey effort / detectability**: whether regent honeyeaters were detected in field surveys; what survey seasons; use of targeted bird surveys, whether there is modelled presence / habitat suitability in the corridor validated by field data.
4. **Mitigation specific to the species**:
 - Retention of key feed tree species along the corridor (especially mature eucalypts, etc.).
 - Restrictions on clearing during flowering or breeding times.
 - Offsetting that's explicitly beneficial for Regent Honeyeater (e.g. plantings, habitat restoration).
 - Monitoring / adaptive management for that species post-construction.
5. **Clarity in SAI (Serious and Irreversible Impact) determinations**: Is any habitat for this species flagged SAI? What are trigger directions if SAI thresholds are reached?

P. Regent Honey Eater and Ecological Concerns Conclusion

In conclusion: the EIS recognises that the project will impact habitat relevant to the Regent Honeyeater and seems to have typical avoidance/minimisation plus offset measures. The document did not identify the cultural connection to local Aboriginal People under the Heritage Guidelines. Mindaribba didn't find in the public summary enough specific detail about which patches of high-value habitat will be lost, quality of habitat being impacted, or targeted mitigation specifically for this species. For species under extreme threat like the Regent Honeyeater, those species-specific

protections or design adjustments are really important, and there's room for the EIS to strengthen them. And Mindaribba LALC seeks commitment on this.

Q. Final Conclusion

Legislation and business often seek to focus Aboriginal Cultural Connection on stone artifacts, scar trees and cave paintings; although the **Definition of Aboriginal Culture and Heritage** is that Aboriginal culture and heritage encompasses both tangible and intangible values. It is not limited to physical evidence such as stone artefacts, rock art, or scarred trees, but also includes the living cultural relationships between people, flora, fauna, land, and waters. Plants and animals are recognised as totemic symbols that carry spiritual, kinship, and custodial responsibilities, while landforms and waterways hold cultural meaning through Songlines and ancestral narratives. Aboriginal heritage must therefore be understood holistically, as a continuing system of knowledge, law, and practice, where Country itself is a cultural entity requiring respect and care.

This EIS process and its documents have failed to join the very public connection of the Mindaribba Local Aboriginal Community to the Woodlands, Birds and other totemic life within the Cessnock LGA. Unfortunately, even with the Mindaribba Local Aboriginal Land Council consistently seeking ecological consultation and expressing our cultural connection to place, our attempts to discuss totemic landscapes, plants and animals were almost completely ignored, or worse totally misread as our connection and want being that of a transactional space. The Mindaribba LALC and its Community hope that those lines of importance can now be drawn clearer for the EnergyCo team. Our understanding is that our words through this submission will lead to further consultation and work in this area, along with the appropriate conditions placed on the proponent to truly "listen" to our words and our requests – not make assumptions that "you" are "the educated" – "the government" – and that "you know best". We have been doing this for in excess of 65, 000 years – we do know a thing or two.

Mindaribba looks forward to working with you on these requests and questions and to truly meeting the objectives of the Minister's **First Nations Consultation Guidelines** and the **NSW State Governments Closing the Gap Strategy** as you move forward building the project.

Yours Sincerely,



Tara Dever

Chief Executive Officer

Mindaribba Local Aboriginal Land Council

A.5 Response to submissions

Table A.1 summaries the key points raised in the documented in *sections A.1 to A.4* inclusive, and where they have been addressed.

Table A.1 Response to comments received as part of the EIS public exhibition

#	Comment	Where addressed
Heritage NSW		
1	Please ensure that all isolated artefacts and low-density scatters identified during the survey and/or test excavations are individually registered on the Aboriginal Heritage Information Management System (AHIMS) as required by Section 89A of the <i>National Parks and Wildlife Act 1974</i> and as per the advisory note under Requirement 6 of the <i>Code of Practice for Archaeological Investigation of Aboriginal objects in NSW</i> ('the Code of Practice'; DECCW 2010) which states that " <i>an AHIMS Site Recording Form must be completed for all isolated artefacts or sites</i> ".	All cultural materials newly encountered within the project impact area are now documented on the AHIMS database, including isolated and low-density artefact scatters. These isolated and low-density artefact scatters are now also included as individual objects and sites as part of the archaeological resource of the project impact area included in <i>Chapter 6 (The archaeological resource)</i> and <i>Appendix D – Aboriginal site information</i> .
2	Please update the site descriptions provided in the ACHAR (e.g. Table 10.1 and/or Table 11.2 and Appendix F.3) to include details of the site extent including how the boundary has been determined as per Requirements 6 and 7 of the Code of Practice. We also note that the site definitions and recording methods developed for the assessment as presented in Section E.3.1 of 'Appendix E' state that " <i>stone artefacts more than 50m apart were recorded as separate sites</i> " and that this approach was adopted to allow " <i>for efficiencies in site management and to establish consistency in site recording methods</i> ", however, it is unclear if this approach has been adopted.	Additional information on site extent has now been provided for all sites within the amended project impact area and/or within 55 metres of the amended project impact area. This is now presented in <i>Chapter 6 (The archaeological resource)</i> and <i>Appendix D – Aboriginal site information</i> . In relation to the recording of stone artefacts more than 50 m apart being documented separately, this has generally been adopted in the ACHA addendum. It is highlighted that there are deviations from this within the ACHA addendum where previously documented sites have opted for other values, and/or where field observations have considered elements at differing distances to be part of the same site and recorded them as such.

#	Comment	Where addressed
3	<p>The ACHAR uses a threshold of less than 20 artefacts per square meter to define low density scatters. We note, however, that this approach is inconsistent with previous assessments completed in association with the Hunter Valley Operations [HVO] continuation project that defined low-density artefact scatters as those with <10 artefacts while those containing 11-30 artefacts were considered medium density artefacts scatters. With this in mind, please provide greater justification for the current use of <20 artefacts per square meter as the threshold for defining low-density scatters and/or consider updating the definitions/thresholds to be consistent with previous assessments within the region.</p>	<p>While the HVO Continuation project uses 11 to 30 artefacts as a descriptive measure to identify differences in the cultural assemblage, key criteria for identifying <i>significant</i> cultural materials in the document was the presence of artefact densities of at least 30/m² – a value adopted as a <i>conservative</i> estimate. Specifically (EMM, 2023:86):</p> <p style="padding-left: 40px;">When considering the data developed as part of the ACHAR..., the presence of higher artefact densities – a conservative value of 30/m² is applied, but as outlined above is significantly below previously recorded values – or the presence of sand unit indicative of the Warkworth sand system has been used in refining significance and cumulative impact.</p> <p>The HVO Continuation Project ACHA goes onto only identify sites that met these criteria as significant and requiring more detailed management consideration. Indeed, determining an artefact threshold to define a site and its significance is common practise within cultural heritage management, with values in NSW ranging from ~15 artefacts/m² up to 30 artefacts/m² commonly applied (e.g. Burnett et al. 2025; Williams et al. 2021). What is proposed in the exhibited ACHA is therefore not in contrast to established processes.</p> <p>This issue is largely resolved as a result of changes to the cultural assemblage in this ACHA addendum which now presents all cultural material within and near the amended project impact area (i.e. sites are no longer amalgamated). For the purposes of describing sites, 20 artefacts/m² continues to be adopted as a threshold for descriptions (which is below the analytical values applied for the Hunter Valley Operations Continuation Project), however all sites have now been individually assessed and proposed for management regardless of artefact density.</p>

#	Comment	Where addressed
4	<p>The project impact area overlaps with lands managed and controlled under a range of approvals, including Mining Leases, longstanding Major Project and SSD Approvals, a number of wind farm projects as well as land managed by NPWS, Forestry Corporation of NSW and the Department of Defence that are likely associated with active management obligations and requirements. Many Aboriginal sites that have been considered as part of the broader background scatter grouping, for example, were originally identified in association with existing approvals and projects under assessment by the DPHI (e.g. the HVO continuation project). The current proposal for unmitigated harm to these sites may therefore conflict with existing management measures required under these approvals. We further note that several approvals and/or current SSD applications have Aboriginal sites marked for conservation that may now be impacted by this proposal. To avoid potential compliance issues and ensure consistency in the management measures proposed for these sites, Heritage NSW requests that the ACHAR be updated to:</p> <ul style="list-style-type: none"> a) include a section that acknowledges the interface between the project impact area and exiting approvals (mines and wind farms etc.) and/or land managed by NPWS and Forestry Corporation of NSW. b) identifies all Aboriginal sites within the project impact area that are also covered by exiting approvals/Heritage Management Plans (HMPs) and/or land managed by NPWS and Forestry Corporation of NSW including all current management commitments. 	<p>Where available previous and existing documents that outline the management and/or mitigation of the cultural assemblage within the project impact area have now been reviewed. In most instances, minor modification to mitigation measures in <i>section 9.5</i> have been adopted to align with established processes and to avoid any conflict. This has not always been achievable where existing documentation seeks the conservation of cultural materials in areas where ground disturbance is proposed for the project. Further details are provided in <i>section 9.3</i> and Appendix D.4.</p> <p>In relation to unmitigated harm, all cultural materials within the amended project impact area, and several outside, but within 55 metres of the amended project impact area, now have mitigation measures proposed in <i>Appendix E (Post-approval mitigation requirements – updated guiding principles)</i>. This includes the suitable recovery of isolated and low-density stone artefacts.</p>
5	<p>A number of previously recorded Aboriginal sites that have been included in the broader background scatter grouping are associated with untested areas of potential archaeological deposits (PAD) and their nature, extent and significance therefore remains unknown. Please update the ACHAR to ensure appropriate investigation/assessment and management of these sites. Noting that not all sites within the project impact area will require impacts depending upon final design, it may be appropriate to complete testing of such sites post-approval under a HMP following finalisation of the detailed design. Where testing is proposed post-approval, however, the methodology must include provisions for the conservation and avoidance of significant Aboriginal cultural heritage should this be identified.</p>	<p>All cultural materials within the amended project impact area and within 55 metres of the amended project impact area documented during the post-exhibition phase of the project are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i>. Management of these sites, including those with potential archaeological deposits, is further outlined in <i>Chapter 9 (Management)</i>.</p>

#	Comment	Where addressed
6	<p>Information provided in Appendix F.3 indicates that a potential Aboriginal flaked glass artefact was identified in association with 'FF6' (AHIMS 37-6-0724), an Aboriginal site that has been considered as part of the general background artefact scatter 'HTP-C-8S1' which has been assessed to be of low significance. Considering that flaked glass artefacts are an indicator of contact sites, which are relatively uncommon in the region, please update the ACHAR to include further details of this potential flaked glass artefact, including:</p> <ul style="list-style-type: none"> a) Analysis of diagnostic features and attributes of the object to support its identification interpretation as being an Aboriginal flaked glass artefact. b) Photographs of the different surfaces and/or diagnostic features of the object. c) Consideration of the potential for additional Aboriginal flaked glass artefacts to occur that may contribute to the research potential and cultural and historical value of the site. Where there is potential for further contact-period archaeology to be present, additional investigation and management may be required. 	<p>All cultural materials newly encountered within, and within 55 m of, the project impact area are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i>. Management of these sites are further outlined in <i>Chapter 9 (Management)</i>.</p> <p>With regard to FF6 (AHIMS #37-6-0724), this site reflects a single piece of <i>potentially</i> worked glass found on an access track, with limited other associated cultural materials or cultural deposits. A review of photographic evidence by Dr Trudy Doelman suggests that the glass is non-artefactual. The AHIMS database will be updated as part of the ACHA addendum to reflect this. It is considered that regardless of its potential to reflect Contact activities, the site still remains of low significance given this context and this is further outlined in Table D.1.</p>
7	<p>That ACHAR states that there will be no loss of value as a consequence of direct, complete harm to -191 Aboriginal sites that have been considered as part of the broader background scatter grouping. We note that while isolated artefacts and low-density artefact scatters may be assessed to be of low archaeological significance, unmitigated impact to large quantities of such site types across the region still represents a cumulative impact on the regional resource. To assist in reducing the cumulative impacts of the project, we request that the management recommendations be updated to include:</p> <ul style="list-style-type: none"> a) Provisions for managing 'low significance' sites on an individual basis as this will allow the retention of any isolated artefacts and low-density scatters where impacts are not required. b) Provisions for the cultural salvage /community collection of known isolated artefacts and low density scatters where impacts cannot be avoided. We note that such an approach conforms to Ecologically Sustainable Development principles, has been adopted/or proposed for other large-scale infrastructure projects (i.e., Humelink and VNI West) and may also assist in aligning management requirements for Aboriginal sites covered by existing approvals/ HMPs. 	<p>All cultural materials newly encountered within the project impact area are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i>. Management of these sites are further outlined in <i>Chapter 9 (Management)</i>. Further consideration of cumulative impact is also presented in <i>section 8.5</i>.</p> <p>The mitigation measures now include management of all cultural materials within the amended project impact area, and several important Aboriginal objects, sites and places outside, but within 55 metres of the amended project impact area. In the case of isolated and low-density stone artefacts, Appendix E.3 now includes direction to undertake the recording and collection of these cultural materials prior to impact. Further management of these cultural materials would be outlined in the proposed ACHMP, which would include further details of the methods, analysis and management of any recovered materials.</p>

#	Comment	Where addressed
8	<p>The ACHAR states that some 72% of the project impact area was investigated and of the remaining 28%, 4% represent sealed hardstand areas (such as road) and 3% represented "inaccessible dangerous terrain" and "as such only 17% remains to be surveyed" (pg. 169).</p> <p>a) Please clarify what is meant by "inaccessible dangerous terrain" and confirm whether alternative approaches (e.g. drones) to assessing/ inspecting these areas have been considered.</p> <p>b) Please confirm the timeframe for the survey of the remaining 17% of the project impact area, whether any predictions have been made as to the archaeological potential of these areas and how they will be managed.</p>	<p>Additional field investigations and further information on the nature of inaccessible dangerous terrain is presented in <i>Chapter 5 (Field investigations)</i> and Figure 5.1.</p> <p>Section 5.3 presents further information on inaccessible dangerous terrain. This includes extremely rugged and vertical or near vertical landforms typically within the areas described as HTP Central and HTP South. Constrained access in these areas would require personnel to climb up and down these environments to enable access. It was considered by field personnel that these locations were too dangerous to progress into due to the potential for injury. In addition, many of these areas were heavily vegetated, reducing visibility and further making investigation dangerous. Investigation of these areas via alternate methods such as drone or aerial survey would also not be possible given the denseness of the vegetation.</p> <p>In combination with the exhibited ACHA investigations, 82.5 per cent of the amended project impact area has been inspected. Of the remaining amended project impact area, seven per cent has not been surveyed due to either being rugged terrain considered dangerous (three per cent) and/or being existing sealed roads (four per cent). As such, with regard to the field survey of the remaining 17 per cent of the project impact area to be surveyed, this has now reduced to around 11 per cent. This remaining survey would occur during detailed design either in advance and/or as part of the development of the Aboriginal cultural heritage management plan. The remaining field survey will occur during pre-construction and detailed design either in advance and/or as part of the proposed ACHMP.</p>

#	Comment	Where addressed
9	<p>The ACHAR indicates that a large number of previously recorded Aboriginal sites in or within 200 m of the project impact area (n = 82 and n = 48 respectively) could not be relocated during the survey and are therefore "presumed destroyed" and "not considered further in the ACHAR" (pg. 292 and Table G.1 in Appendix G). Where a site is considered destroyed whether through natural or anthropogenic processes, sufficient evidence must be provided to support this beyond a change in surface visibility. This is relevant considering that additional artefacts were identified at several sites listed as being destroyed on AHIMS (see Comment 33). Please update the ACHAR to include additional information to support the assessment of these sites as being destroyed including specific details of site condition and photographs of the areas inspected. Where visibility may have prevented re-identification, as is standard practice, sites should not be considered destroyed but rather, appropriate management measures must be developed to manage these sites where impacts may occur. This may include controlled vegetation clearing to allow reinspection of the area and potential surface salvage under a HMP prior to construction</p>	<p>Further details of cultural materials considered previously destroyed have been integrated into the broader cultural assemblage in <i>Chapter 6 (The archaeological resource)</i> and Appendix D.1.</p> <p>As part of the exhibited ACHA, 82 Aboriginal objects, sites and places within the project impact area were considered to have been destroyed. These sites were primarily previously documented sites that were considered destroyed following an inspection of the recorded site location by a team of archaeologists and Aboriginal participants, which failed to identify the reported cultural materials. Table D.4 and Figure 6.1 include further review of sites previously identified as destroyed within the project impact area. Of the sites considered previously destroyed within the exhibited ACHA, ten are documented as previously destroyed on their site cards or other documentary information and are continued to be assumed destroyed as a result. With the exception of two high density artefact scatters (#37-6-3376 and #37-6-4022) and two moderate density artefact scatters (#37-6-0720 and #37-2-6514), the remainder of these sites consists of 41 isolated stone artefacts and 27 low density artefact scatters often identified in disturbed contexts, such as access tracks, unsealed roads or dams. While it is still believed that these sites are highly likely to be destroyed given these conditions and the inability for several experienced heritage professionals to identify them, they have nonetheless been included in the cultural assemblage of the amended project impact area for further consideration and management as part of the project.</p>

#	Comment	Where addressed
10	Please update the criteria used to evaluate potential rockshelter sites (as presented in Section 8.4.1 of the ACHAR and applied in Appendix F.4) to include explicit consideration of the presence of deposit within or directly outside of the shelter (i.e. PAD) and provide an updated evaluation of all potential rockshelter sites.	Further consideration of rockshelters have been undertaken and is presented in <i>Chapter 6 (The archaeological resource)</i> and Appendix D.1. As part of investigations for the ACHA, 93 caves and overhangs were encountered which were assessed against regional criteria to determine whether they were cultural, with many containing no clear evidence of past use. Criteria included the presence of art or engraved motifs, their size, their relationship with other cultural materials, and knowledge of the site by the Aboriginal field survey participants. Where three of these criteria were met, the site was considered cultural and was identified as an Aboriginal site. Where criteria were not met, the feature was considered non-cultural. Table D.4 presents a reconsideration of the caves and overhangs where the field team identified the presence of a potential archaeological deposit or other soil profile that could be investigated to inform and/or validate their past use. While the inclusion of this criterion does not elevate any of the previously documented caves and overhangs so as to validate their cultural origin, it nonetheless identifies 11 that can be further investigated. These are primarily found on the periphery of the amended project impact area, with several (3) outside the amended project impact area, but within 55 metres. As such, these additional sites have now been incorporated into the cultural assemblage outlined in section 6.5.
11	HTP-C-RS03, HTP-C-RS18, HTP-C-RS24 and HTP-S-RS13 comprise of rockshelters recorded as containing PAD. Noting that these potential sites were originally identified as requiring test excavation as per the methodology reviewed by RAPs and Heritage NSW, please provide additional information to clarify why they have been excluded from the assessment despite the presence of untested PAD. Where these rockshelters may be subject to impacts from the project, additional assessment must be undertaken to allow for the development of appropriate management measures.	HTP-C-RS03, HTP-C-RS18, HTP-C-RS24, and HTP-S-RS13 have now been incorporated into <i>Chapter 6 (The archaeological resource)</i> and <i>Appendix D (Aboriginal site information)</i> , with the management of potential impacts to these and other rockshelters included in Chapter 9 (Management) and Appendix E (Post approval requirements – updated guiding principles).
12	It is understood that the overall significance of an Aboriginal site was determined by the highest ranking achieved in any of the four main criteria (i.e. archaeological/scientific, cultural, historical, aesthetic) (pg.363). With this in mind, please clarify why 'HTP-N-AS32' (AHIMS 37-6-4487) is only ranked to be 'Moderate' overall significance despite being of 'High Archaeological Significance' (see Table 11.2).	The previous finding was reviewed and identified to be in error. The site has been revisited and is now considered of high significance, and is outlined in further detail in <i>Chapter 7 (Significance assessment)</i> and Table D.6

#	Comment	Where addressed
13	Please clarify why the following valid Aboriginal sites have not been included in the impact assessment presented in the ACHAR despite their registered locations placing them within the project impact area: 'Heatherlea' (AHIMS 37-6-0010), 'Upper Saddler's Creek' (AHIMS 37-2-024), 'HTP-S-RS14' (AHIMS 45-3-5036), 'Sandy Creek; Sunday Creek' (AHIMS 45-3-0905), 'HTP-N-AS55' (AHIMS 37-6-4563), 'CORROBARE STATE FOREST RD 1' (AHIMS 37-6-2780), and 'Broken Back Trail/ Monkey Place Ck' (AHIMS 37-6-0809/37-6-0552). Where there is potential for impacts from the project, appropriate management measures must be developed commensurate to their assessed significance.	<p>A revised cultural assemblage for the project has been revisited and is now presented in <i>Chapter 6 (The archaeological resource)</i>. Of the sites raised here, 'HTP-N-AS55' (AHIMS 37-6-4563), 'CORROBARE STATE FOREST RD 1' (AHIMS #37-6-2780), and 'Broken Back Trail/ Monkey Place Ck' (AHIMS #37-6-0809/37-6-0552) are now considered within the amended project impact area, and have been included in the significance and impact assessments in <i>Chapters 7 (Significance assessment)</i>, <i>Chapter 8 (Potential and cumulative impacts)</i>, and <i>Appendix D (Post approval requirements – updated guided principles)</i> of this report.</p> <p>Notably the site cards for 'Heatherlea' (AHIMS 37-6-0010), 'Upper Saddler's Creek' (AHIMS 37-2-024), and 'Sandy Creek; Sunday Creek' (AHIMS 45-3-0905) note that artefacts associated with these sites have been collected and are stored at the Australian Museum, and as no subsurface potential has been associated with these sites, these sites therefore have been considered mitigated for the purposes of this assessment. The site cards will be updated as part of this assessment.</p> <p>HTP-S-RS14 (AHIMS 45-3-5036) was registered with AHIMS in error. As indicated in Table D.5, this site does not meet criteria to be considered a cultural site. AHIMS have been notified of this error, and this information is being updated.</p>
14	Map 3 of Figure 10.1 in the ACHAR shows 'HTP-N-AS11' as a moderate density artefact scatter extending into and forming part of the 'archaeological resource of the project impact area', however the site has not been included in Table 10.1 or the impact assessment presented in Table 12.1. Please update the impact assessment to include consideration of this site.	<p>All cultural materials newly encountered within, and within 55 m of, the amended project impact area are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i>. Management of these sites are further outlined in <i>Chapter 9 (Management)</i>.</p> <p>With specific reference to HTP-N-AS11, this site is not within the amended project impact area, but is within 55 metres, which is the distance within which indirect impacts (e.g. vibration) have potential to occur. As an artefact scatter, this site type is not considered to be adversely affected by indirect impacts such as vibration, meaning it is unlikely to be impacted by the project.</p>

#	Comment	Where addressed
15	Please clarify the scope and nature of proposed ground disturbance works associated with ancillary infrastructure, access trail upgrades, vegetation clearance, tower construction, laydown and switchboard areas, fencing, and existing line upgrades.	<p>These details are provided in the EIS and Hunter Transmission Project Amendment Report (refer to <i>Appendix A (Updated project description)</i> of the amendment report). Further details are provided in <i>Chapter 8 (Potential and cumulative impacts)</i> outlining the project's proposed impacts.</p> <p>There are a range of activities proposed within the construction impact area, and some activities would have a lower likelihood of harming cultural materials during the construction of the project than others. This is most relevant between proposed transmission towers, where activities would be largely limited to vehicle movements for stringing purposes, and large-scale earthworks or ground disturbance are unlikely to be required. As such, cultural materials within these spanned areas between towers would be largely unaffected by the project. Similarly, there are numerous established public roads and access tracks where proposed ground disturbance activities would be localised, and where cultural materials can in most instances be avoided.</p> <p>In contrast, laydown areas, switching stations, construction support sites and the foundations of proposed towers would require substantive ground disturbance for establishment and require the removal of the upper soil profile on or within which most cultural materials were documented. Vegetation clearance of the construction impact area would also be required for construction, with a 70-metre transmission line easement maintained during operation. These more substantial activities where ground surface disturbance is likely are the activities that have the potential to directly harm Aboriginal objects, sites and/or places where present.</p> <p>In relation to the establishment of fencing, this would likely involve hand excavation for each fencing post and the use of concrete to place the fence posts into place. The exact location of fencing would be developed through detailed design, however this is unlikely to result in substantial ground disturbance.</p> <p>In relation to upgrades to existing transmission lines, minimal ground disturbance would be required. This work would involve the stringing of earth wire and communications systems on existing lines/towers as well as tower strengthening work, which would involve adding more braces to existing towers. Temporary supports for the existing towers would not be required during tower strengthening activities as the existing braces would remain in place. As such, this work is unlikely to result in harm to cultural materials.</p>

#	Comment	Where addressed
16	While the ACHAR acknowledges that rockshelters, grinding grooves, water holes and stone arrangements located within 55 m of the project impact area may be susceptible to indirect impacts from vibration (e.g. pg.371 of the ACHAR and Table G.2 in Appendix G), this has not been included in the impact assessment presented in Section 12 of the ACHAR. Please provide an updated impact assessment which includes consideration of indirect impacts from vibration to Aboriginal sites located in or within 55 m of the project impact area. We note that approximately fifteen (15) rockshelters sites identified as part of this ACHAR and registered on AHIMS as being located within 55 m of the project impact area have not been included in Table G.2 and must be included in the impact assessment.	It is highlighted that mitigation measure AH03 in the exhibited ACHA states that direct and indirect impacts are not permitted to any sites identified in Appendix G.2, and hence their exclusion from potential impact considerations. However, this has now revisited in <i>Chapter 6 (The archaeological resource)</i> and <i>Chapter 8 (Potential and cumulative impacts)</i> of this ACHA addendum. These sites continue to be committed for avoidance despite now being included in the impact assessment.
17	<p>Certain Aboriginal site types/feature (e.g. rockshelters, grinding grooves, water holes and stone arrangements) within or in proximity to the project impact area may be vulnerable to indirect impacts from works such as access trail upgrades and vegetation clearing which may result in altered drainage, increased erosion, and/or sediment movement.</p> <p>a) Due to potential AHIMS location inaccuracies, conduct site surveys to verify the location of nearby vulnerable Aboriginal sites (e.g. AHIMS 45-3-3174/45-3-3175).</p> <p>b) Update the impact assessment to address all potential indirect impacts to Aboriginal sites within and in proximity to the project impact area, particularly those susceptible to indirect impacts from altered drainage, erosion, and sediment movement.</p>	<p>With over 550 previously documented sites within 55 metres of the project impact area, attempts have been made to visit substantive numbers of these through additional surveys, but visitation of all has not occurred. In relation to AHIMS 45-3-3174/45-3-3175, this site was revisited as part of the exhibited ACHA, and is demonstrated to be within around 10 metres of its documented location, and outside the project impact area.</p> <p>Potential indirect impacts have now been revisited in <i>Chapter 6 (The archaeological resource)</i> and <i>Chapter 8 (Potential and cumulative impacts)</i> of this ACHA addendum to further explore impacts beyond the project impact area.</p> <p>It is confirmed that AHIMS #45-3-3174/45-3-3175 site data has been updated.</p>
18	Please update the impact assessment presented in the ACHAR to consider the potential for the Aboriginal sites listed in Table G.2 in Appendix G (including those listed in the footnotes) to overlap with the project impact area and thus be subject to direct, partial harm. This should include consideration of the site extent and the distance of the project impact area from the site boundary (rather than the centroid location) noting that the recorded extent of a number of previously recorded sites indicate that they potentially overlap with project impact area (e.g. AHIMS 37-2- 0811). Management measures must also be developed where there is potential for partial direct harm from the project and must be commensurate to the assessed significance of the site.	All cultural materials newly encountered within, and within 55 metres of, the amended project impact area are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i> . This includes further consideration and presentation of their spatial extent and dimensions where available, rather than the use of a centroid value. For sites that are a single point, a small buffer to account for recording inaccuracies has been applied, and accounts for a number of cultural materials on the periphery now being considered within the amended project impact area. For large sites, a conservative approach has been adopted with all generally incorporated in a box that uses their large dimension to determine its size. In some specific instances – especially more dated recordings – additional efforts have been attempted to provide a more robust curtilage of the site. Examples of this include BMP 1 (#37-2-0500), JP16 (#37-6-6135), BAY AS and PAD 15 (#37-2-6667), which was recorded as being several hundred square metres in size. Management of these sites are further outlined in <i>Chapter 9 (Management)</i> .

#	Comment	Where addressed
19	Please ensure that the impact assessment and management recommendations are updated to include any additional Aboriginal sites identified during the test excavations that were being completed subsequent to the finalisation of the exhibited ACHAR.	Additional information is provided in Chapters 5 to 9 inclusive incorporating findings of the test excavations carried out following the finalisation of the exhibited ACHA.
20	The EIS contains discrepancies in the total number of Aboriginal sites noted as being likely impacted by the project (e.g. compare pg.428, 703-704, 1035 and pg. C.4 in Appendix C).	Following requested changes to the consideration of isolated artefacts and low-density artefact scatters, discrepancies in the total number of Aboriginal sites likely to be impacted throughout the ACHA are no longer relevant. Updated values are presented now in <i>Chapter 6 (The archaeological resource)</i> .
21	<p>Please update Table 13.1 in the ACHAR and Section H.1.3 (Methods for identified site types) in Appendix H to include management measures for:</p> <ul style="list-style-type: none"> a) Aboriginal sites with untested areas of PAD including isolated artefacts and low-density artefact scatters with PAD and rockshelters with PAD. b) Aboriginal sites covered under existing Approvals, HMPs and/or lands managed by NPWS, Forestry Corporation of NSW or the Department of Defence. c) Aboriginal sites containing potential contact archaeology. d. Aboriginal sites that have the potential to extend into/ overlap with the project impact area. d) Aboriginal sites that have the potential to be subject to indirect impacts due to altered drainage, increased erosion, and/or sediment movement 	These have been revisited and are now presented in <i>section 9.3, section 9.5 and Appendix E – Post approval requirements – updated guiding principles</i> . Specifically, Appendix E now outlines each site within the amended project impact area and proposed archaeological approaches that are proposed to be adopted for these, including the further investigation of potential archaeological deposits and for Contact cultural materials. Indirect impacts, such as drainage and erosion, are also considered. These have been considered against established approvals and methods where they intersect the project, and which are further discussed in <i>section 9.3</i> and by each site in Appendix D.4.
22	Please update Section H.1.3 (Methods for identified site types) in Appendix H to reflect that a commitment has been made to avoid direct and indirect impacts to 'DEEP CK MOTHER SWA' (AHIMS 37-6-3714), 'HTP-C-CVM08' (AHIMS 45-3-5010), 'HTP-C-GG03' (AHIMS 37-6-4484), and 'HTP-C-GG05' (AHIMS 37-6-5006). Specifically, these sites should not be grouped under the general management requirements outlined for their respective site types as references to actions such as 'excavation', 'deconstruction', and 'relocation' and are not consistent with the commitment made to avoid harm to these Aboriginal sites.	These sites are now solely presented in the 'avoidance' section of <i>Appendix E – Post approval requirements – updated guiding principles</i> .
23	Please update Section H.1.3 (Methods for identified site types) in Appendix H to include 'HTP-N-AS71' (AHIMS 37-2-6665) in the list of high and moderate density artefact scatters that require management	This site has now been included in Appendix E.3, which outlines the requirements for mitigation of surface artefact scatters to be considered in the proposed ACHMP outlined in mitigation measure AH04.

#	Comment	Where addressed
24	Please clarify whether any management measures are proposed to mitigate harm to 'HTP-S-CS01 (Wishing well) (AHIMS 45-3-5009). We understand that the Historical Heritage Assessment prepared for the EIS is proposing excavation of the feature prior to impacts, however, it is unclear if any management provisions are proposed in relation to the ACH values attributed to the site.	Discussions with key stakeholders remain ongoing, with general agreement on the overall management of this site, which involves relocation of the tangible materials of the well, interpretation at the location of the site, and management of the spring where feasible. In the ACHA addendum, direction has been included in <i>Appendix E – Post approval requirements – updated guiding principles</i> in relation to developing agreed mitigation measures of the site in close consultation with Traditional Owners and other key stakeholders. The agreed approach and method would be integrated into the ACHMP as outlined in mitigation measure AH04.
25	The ACHAR states that around 88 hectares of the Warkworth sand system are predicted within the project impact area. Considering that the testing program has focused on areas of Warkworth sand system due to the potential for this geological unit to contain significant cultural materials, please clarify whether any management measures are proposed for untested areas of the predicted Warkworth sand system where ground disturbance is required to mitigate impacts to the broader landscape values to which this sand system contributes	Additional information on the extent of the Warkworth Sand system within the amended project impact area is outlined in <i>Chapter 5 (Field investigations)</i> , with updated management and mitigation measures included in <i>Chapter 9 (Management)</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> .
26	Management recommendation 'AH06' proposes the development of a cultural values mitigation strategy to support an Aboriginal-led research program to investigate cultural areas of interest and Aboriginal sites and places at Trig Road cultural landscape and Flat Rock cultural landscape including but not be limited to: 'HTP-C-RS14' (AHIMS 45-3-5-5013), 'Corrabare State Forest Road 2' (AHIMS 45-3-3582), 'Corrabare State Forest Western Side of Langans Rd SWA' (AHIMS 45-3- 3583), and 'Corrabare' (AHIMS 45-3-2140). Noting that this is proposed to occur prior to construction, please clarify whether this Aboriginal-led research program is anticipated to be implemented under an Aboriginal Heritage Impact Permit (AHIP) or under the SSI consent for HTP should the project be approved. Where this program is to be implemented under the HTP project approval, the current ACHAR must be updated to consider the potential impacts to these sites from this research program. Considering the critical time constraints associated with delivering HTP, Heritage NSW strongly recommends early development of this strategy.	The cultural values mitigation strategy is proposed to be part of the project approval under the CSSI, and as such these sites would be investigated (and therefore potentially adversely affected) by the project. As such, the known sites proposed for inclusion in this work have now been included in <i>Chapters 7 to 9</i> inclusive, and <i>Appendix E – Post approval requirements – updated guiding principles</i> .
27	Section 4.4 of the ACHAR states that one Aboriginal participant had a substantive database of sites and places within the Pokolbin and Corrabare State forests, which was inaccessible via other publicly available databases and that subsequent on-Country activities were being planned to address the individuals concern that they had not been captured in the ACHAR. Please clarify whether these subsequent on-Country activities have now been completed and confirm whether the ACHAR has been updated to include consideration of the outcomes of this including any management or mitigation requirements.	The database was held by the Aboriginal participant, and an on-Country visit of the project impact area was undertaken with him, Aboriginal heritage archaeologists and EnergyCo representatives to ensure any areas of concern were identified and understood. Ultimately, none of the specific sites of concern to the Aboriginal participant were within or in close proximity to the project impact area.

#	Comment	Where addressed
28	<p>Please provide the following additional Aboriginal community consultation documentation and ensure that all relevant email addresses are shown:</p> <ul style="list-style-type: none"> a) Evidence that the testing methodology emails sent on 17 Sept 2024 and 26 Sept 2024 were provided to all RAPs. b) Evidence that the Stage 4 draft ACHAR notification dated 12 Feb 2025 was sent to all RAPs. c) Evidence that the revised mitigation measures notification email dated 4 July 2025 was sent to all RAPs. <p>For future reference please ensure that all consultation documentation (e.g. project updates letters) show all relevant sent email addresses as evidence of having been provided to all RAPs.</p>	These are now included in Appendix B.1.
29	<p>Please clarify how the comments received from Wonnarua Nation Aboriginal Corporation (emails dated 7 July 2025 and 11 July 2025) and Aaron Talbott (email dated 16 July 2025) in relation to the proposed management measures have been considered and addressed</p>	<p>Comments from Wonnarua Nation Aboriginal Corporation seek cultural offsets and/or the provision of land as an outcome of the project. This is being explored more extensively by EnergyCo across its projects, but at this time cannot be committed to. The mitigation measures now include Wonnarua Elders and knowledge-holders to be involved in the cultural values mitigation strategy where broader socio-economic activities of the project are proposed to be discussed as the project progresses.</p> <p>In relation to Aaron Talbott's comments, the exhibited ACHA and ACHA addendum mitigation measures align with his views. Specifically, that mitigation measure AH03 initially considers avoidance and/or impact minimisation, with mitigation measure AH04 outlining both how to implement this approach and/or outline mitigation measures (such as salvage and grinding groove relocation as outlined in Mr Talbott's email) as needed.</p>
30	<p>According to the site descriptions provided in the 'Notes' column in Table 10.1 'HVOCP TR47-AS3' (AHIMS 37-2-6514), 'HVO-1267' (AHIMS 37-6-3384) and 'HTP-N-AS71' (AHIMS 37-2-6665) are associated with PAD, however, this has not been specified as a site feature in the 'site type' column. Please update AHIMS and the relevant sections of the ACHAR to include 'PAD' as a feature for these sites and ensure that appropriate management measures are proposed for these sites consistent with the presence of 'PAD'.</p>	<p>All cultural materials newly encountered within, and within 55 metres of, the amended project impact area are now presented and assessed separately in <i>Chapter 6 (The archaeological resource)</i>. Management of these sites are further outlined in <i>Chapter 9 (Management)</i>.</p> <p>Table D.1 specifically outlines these sites in further detail and includes an updated site type column.</p>
31	<p>Please confirm whether the AHIMS site cards for 'TRGG grinding groove site' (AHIMS 45-3-2456) and BOP-OS8 (AHIMS 37-6-2842) have been updated to correct the location errors that were identified during the survey completed for the ACHAR</p>	This has been updated in the AHIMS database.
32	<p>Please confirm that the AHIMS site cards for 'CORROBARE STATE FOREST CABANS RD' (AHIMS 37-6-2779) and HTP-C-CMT02 (AHIMS 37-6-4556) have been updated to change their statuses to 'not a site' consistent with the results of the Aborigicultural Assessment presented in the ACHAR.</p>	This has been updated in the AHIMS database.

#	Comment	Where addressed
33	Please clarify why 'HTP-C-CP01 (Flat Rock cultural landscape)' (AHIMS 45-3-5003) and 'HTP-NCVM01 (Hunter crossing)' (AHIMS 37-6-4493) have been registered on AHIMS as being 'enclosed shelters' rather than 'open' context sites	This has been updated in the AHIMS database.
34	Appendix F.3 indicates that artefacts were identified at several sites (e.g. AHIMS 37-6-2833 and AHIMS 37-6-1979) that are listed on AHIMS as being 'destroyed' indicating that additional artefacts have become exposed at these sites since their salvage. Please confirm if the site cards for these sites have been updated to reflect the presence of additional artefacts and reinstate their status as being 'valid'.	This has been updated in the AHIMS database.
35	We note that a large number of rockshelters identified during the ACHAR appear to have been incorrectly registered on AHIMS as having 'Art' as a site feature while some that have been mentioned in Table F.2 as containing 'PAD' have not been registered to reflect this. Please review the AHIMS registrations for rockshelter sites submitted as part of this assessment and update for accuracy where required	This has been updated in the AHIMS database.

#	Comment	Where addressed
Forestry Corporation of NSW		
36	<p>Issue: The State forests along the HTP route contain a large number of Aboriginal cultural heritage sites and artefacts, reflecting their long use by Aboriginal people. The EIS identifies 195 Aboriginal sites within the project area, including scarred trees, rock shelters with art and deposits, grinding groove sites, and artefact scatters. However, the EIS’s mitigation approach relies heavily on salvage and archival recording (i.e. excavating or collecting artefacts and documenting sites, then proceeding with disturbance). FCNSW does not support an outcome where significant heritage sites are simply removed or destroyed without exhausting options to avoid or protect them in place. The EIS provides insufficient discussion of options to avoid impacts on these sites, and because the project is Critical SSI, it will not go through the usual Aboriginal Heritage Impact Permit process – making it essential that the project approval itself includes strict heritage conditions. FCNSW’s concern is to ensure that culturally significant sites are preserved wherever possible and that Aboriginal stakeholders are genuinely involved in decision-making and management of their heritage throughout the project.</p>	<p>The general ACHA process is heavily prescribed towards tangible cultural materials, and the management of these have remained fairly unchanged for the last several decades. At the core of all these methods are the need to further document cultural materials, and the recovery of any key components where this can be achieved. However, in addition the project included extended efforts to explore cultural values, landscapes and view-lines. This included early consultation and extensive consultation with key Traditional Owners. As such, a range of project specific mitigation measures outlined in <i>Chapter 9 – Management</i> include directions on management of cultural values, interpretation and post-construction direction of remaining Aboriginal objects, sites and places.</p> <p>The ACHA addendum now furthers considers potential impacts and adopts a comparable approach to ecological investigations. By adopting various disturbance and no-go zones proposed by ecological assessment, a substantive portion of the identified Aboriginal objects, sites and places will be unaffected by the project (outlined further in <i>Chapter 8 – Potential and cumulative impacts</i>). In addition, further consideration of impacts and the potential to avoid cultural materials is now proposed in the mitigation measures, specifically AH01. This mitigation measure requires a re-consideration of potential impacts once detailed project design is available.</p> <p>Finally, Forestry Corporation of NSW is now included in <i>Appendix E- Post approval requirements – updated guiding principles</i> and require inclusion and consultation in the development of documentation that would guide and manage cultural materials in State Forests through the project.</p>
37	<p>Avoidance of Significant Heritage Sites: Conditions of approval should require the Proponent to demonstrate all feasible measures to avoid or minimise harm to Aboriginal heritage sites. Specifically, prior to finalisation of the construction footprint or any ground disturbance, the Proponents should be required to review the design and micro-alignments to avoid direct impacts on sites of high cultural significance (for example, rock art shelters, major grinding groove clusters, and unique features like the “Wishing Well” natural spring site in Watagans). Where such sites lie near the proposed disturbance, the Proponent should relocate or redesign infrastructure (e.g. shift an access track, reposition a pole) unless DPHI, in consultation with Heritage NSW and FCNSW, agrees that avoidance is not reasonably practicable. Evidence of efforts to avoid sites and the outcomes should be documented and approved by DPHI before works commence in those areas.</p>	<p>This issue is similar to the over-arching concerns outlined in (36) above. The response above therefore similar addresses this issue.</p>

#	Comment	Where addressed
38	<p>Aboriginal Cultural Heritage Management Plan: The Proponent should be required to prepare an Aboriginal Cultural Heritage Management Plan (ACHMP), in consultation with Registered Aboriginal Parties (RAPs) and FCNSW, to the satisfaction of DPPI prior to the commencement of construction. This Plan should comprehensively set out how each recorded Aboriginal heritage site or area will be managed. Key elements of the ACHMP should be required to include:</p> <ul style="list-style-type: none"> • Heritage protection measures: A list of sites to be protected in situ (with physical barriers or exclusion zones) and the measures for doing so (e.g. fencing off a rock shelter area before nearby works, clearly marking no-go zones in construction plans and on the ground). These protections should be in place before any construction machinery enters that vicinity. • Salvage and relocation protocols: For sites that cannot be avoided (e.g. an artefact scatter within the construction footprint), the ACHMP should detail how salvage will occur. All salvage works (such as archaeological excavation or collection of surface artefacts) must be conducted under the supervision of a qualified archaeologist and with the involvement of RAP representatives on site. Artefacts recovered should be catalogued and either reburied in a designated safe area within Country or stored in a keeping place nominated by the RAPs – this ensures cultural materials remain accessible to the Aboriginal community. The Plan should emphasise that salvage is a last resort after exhausting avoidance and minimisation options. • Monitoring and stop-work procedures: The ACHMP should require the establishment of Aboriginal monitors (nominated by RAPs) who will be required to be present during initial clearing or ground disturbance in high-sensitivity areas. If any unexpected Aboriginal objects (e.g. previously unknown artefacts, bone, or site indicators) are discovered, all work in that area must cease and an “unexpected finds” protocol (outlined in the Plan) must be followed. The protocol should align with Heritage NSW guidelines and require notification of RAPs, Heritage NSW, and FCNSW, assessment by an archaeologist, and appropriate management (which may include salvage or avoidance) before works resume. • Cultural awareness training: The ACHMP should require that all project personnel receive an induction on Aboriginal cultural heritage, including the significance of sites in these State forests and their legal obligations to protect heritage. This will help prevent inadvertent damage and foster respect on site. • Ongoing consultation: The ACHMP should commit to ongoing engagement with RAPs throughout construction, and incorporate any additional cultural heritage information that may come to light. 	<p>The requirement of an Aboriginal cultural heritage management plan is outlined in AH04 in <i>Chapter 9 – Management</i> and in more detail in <i>Appendix E- Post approval requirements – updated guiding principles</i>. The proposed ACHMP outlined in the exhibited ACHA includes the need for sections and discussion on all of the activities outlined here, and which have been further expanded in the ACHA addendum.</p> <p>In addition, the ACHMP is now proposed to be developed in consultation with Forestry Corporation of NSW, as well as other key stakeholders.</p>

#	Comment	Where addressed
39	<p>Responsibility and Compliance: The conditions require the Proponent to be fully responsible for compliance with all Aboriginal heritage protection measures. In particular, any approval should, to the extent possible under relevant legislation, require the Proponent (not FCNSW) to be responsible for any harm to Aboriginal objects or places caused by the project works. All care, control, and legal responsibility for Aboriginal heritage management in the project area during construction and operation should lie with the Proponent (and ultimately the operator of the transmission line). This clarification ensures accountability is correctly assigned. Furthermore, the Proponent should be required to submit a report to DPHI and Heritage NSW after completion of construction which details all heritage management actions taken during the construction period, - which report should detail matters such as sites avoided, sites salvaged, outcomes for artefacts, any ongoing site management measures and the like. This report should demonstrate compliance with the ACHMP and allow lessons learned to be recorded.</p>	<p>It is confirmed that compliance with the mitigation measures outlined in this ACHA addendum, including the development and implementation of the ACHMP, would not be the responsibility of FCNSW.</p> <p>The components of the ACHMP as outlined in <i>Appendix E- Post approval requirements – updated guiding principles</i> outline reporting requirements for any activities, and which would be envisaged to be submitted to DPHI and Heritage NSW when completed.</p>
40	<p>Sequencing of Heritage Management Actions: No disturbance (e.g. clearing, grading, excavating) should occur in any area containing an identified Aboriginal heritage site until the measures for that site, as specified in the ACHMP, have been implemented. For example, if a site is to be salvaged, the salvage must be completed and relevant RAPs satisfied with the process before construction in that area. If a site is to be protected, the exclusion fencing must be erected and verified. This sequencing condition will ensure heritage considerations are addressed ahead of construction impacts, not concurrently or as an afterthought.</p>	<p>This process would be further explored in the proposed ACHMP that is proposed for development during detailed design of the project (i.e. before construction). Although as a live document, it is expected to be updated through the project’s lifecycle. While specific details of managing Aboriginal objects, sites and places would be developed in the ACHMP, <i>Appendix E- Post approval requirements – updated guiding principles</i> provides various approaches and methodologies to explore, which includes details of managing sites to be avoided during the project.</p>
41	<p>Timing: The ACHMP must be finalised and approved before construction begins. Avoidance re-design should be undertaken during detailed design and reviewed by DPHI prior to works. Monitoring by Aboriginal representatives is required during any initial ground disturbance in culturally sensitive areas (ongoing through the construction phase as relevant). Post-construction, any long-term site management (e.g. permanent fencing or site custody arrangements) should be settled before the project is operational</p>	<p>The ACHMP is proposed for development during detailed design, and so is assumed to be completed prior to main construction. As outlined in previous responses, AH01 has now been included to further explore avoidance of Aboriginal objects, sites and places prior to construction, and AH09 outlines processes for managing cultural materials following construction. Other mitigation measures, such as monitoring, would be developed in the proposed ACHMP in AH04.</p>
<p>NSW NPWS</p>		
42	<p>Confirm that NSW DCCEEW Heritage is the responsible authority for Aboriginal cultural heritage and the application of Part 6 of the NPW Act. NPWS’s role is in the protection and conservation of cultural values with respect to land administered under the NPW Act.</p>	<p>Noted and addresses through the inclusion of NSW National Parks and Wildlife Service in consultation to develop several of the post-approval documents proposed in <i>Chapter 9 (Management)</i> and further elaborated in <i>Appendix E – Post approval requirements – updated guiding principles</i></p>
43	<p>Include as part of the ‘ACHAR Summary’, recognition of the NPWS estate impacts consistent with the SEARs. The ACHA should acknowledge that the project will directly affect the NPWS estate in accordance with Item 2 above.</p>	<p>Noted and now included in <i>section 3.4</i>.</p>

#	Comment	Where addressed
44	Confirm NPWS's role is in the protection and conservation of cultural values with respect to land administered under the NPW Act.	Noted and addressed through the inclusion of NSW National Parks and Wildlife Service in consultation to develop several of the post-approval documents proposed in <i>Chapter 9 (Management)</i> and further elaborated in <i>Appendix E – Post approval requirements – updated guiding principles</i> .
45	Consider the statutory obligations under the NPW Act, with a review of Sec.A.2.2 in Appendix A of the ACHA, addressing the provisions of the NPW Act and NPW Regulation (subject to Item 4 above) with respect to protection of cultural values on the NPWS estate	Updated management and mitigation measures are included in <i>Chapter 9 (Management)</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> , which further consider management of cultural values under the NPW Act.
46	Ensure consideration is given to the avoidance and in-situ management of rock shelters on the NPWS estate. NPWS requests avoidance of impacts to cultural values through micro-siting the towers on Corrabare North FR and, where avoidance is not possible, controlled movement of objects to preserve cultural values (refer to Table 4 below). For the NPWS estate, consider a conservation hierarchy with the Registered Aboriginal Parties for the project, focusing on the priority in-situ conservation of burials, rock shelters, scar trees, grinding grooves and extensive artefact scatters, followed by the controlled movement of artefact scatters or isolated finds to ensure preservation of values.	<p>The exhibited ACHA includes recommendations for the avoidance of significant Aboriginal sites (including rockshelters) in AH03 and ongoing efforts to avoid or minimise impact of all cultural materials through activities such as micro-siting in AH04. These conditions remain in the ACHA addendum (now labelled AH02 and AH03), but in addition further consideration of avoidance is now proposed in AH01 when the detail design becomes available.</p> <p>The management of cultural materials would be determined as part of the proposed ACHMP (AH04), however additional statements are included in <i>section 9.5</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> to ensure NSW National Parks and Wildlife Service are consulted in the development of this document and that those cultural materials found within National parks prioritise their retention and/or return to the National park where agreed by the RAPs.</p>
47	Reconsider and confirm how <i>'isolated finds and low-density artefact scatters'</i> , as described in the ACHA, will be managed where they occur on the NPWS estate. Currently, the ACHA states that no management is afforded. NPWS will only accept this type of action if justified under the ACHA, under the direction of the Registered Aboriginal Parties (RAPs). As the intent of the NPW Act is to conserve Aboriginal objects on land administered under that Act, NPWS wishes to focus on in-situ protection. As the land manager for Corrabare North FR, NPWS apply the principles consistently across all managed lands. Values identified or known on the NPWS estate are recognised in Tables 3 and 4, this does not cover the likely risk of unexpected finds occurring during the project's construction. All management of Aboriginal objects on the NPWS estate is to involve, and as a decision made by the RAPs for the project.	<p>Similar comments are made in the Heritage NSW submission (comment 7) and addresses in preceding clarifications above. Specifically, the ACHA addendum now includes all Aboriginal objects, sites and places within the amended project impact area, and explores their significance and potential impact.</p> <p>Updated management and mitigation measures are included in <i>Chapter 9 (Management)</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i>, which now propose management of all cultural materials; and the proposed ACHMP would be developed with, and include the ongoing involvement, of RAPs. One component of the ACHMP includes the need to develop suitable unexpected finds protocols. Appendix D.4 also includes existing management requirements and approvals to further align management of the cultural materials with existing process.</p>

#	Comment	Where addressed
48	<p>Reconsider and confirm management of what is defined as ‘background scatter sites’ forming HTP-S-BS1 on the NPWS estate. In the ACHA, this is the broader scatter of isolated Aboriginal objects and/or low-density artefact scatters (<20 per square metre) found disparately across the project now, and during construction (as HTP-N-BS1; HTP-C-BS1; HTP-S-BS1). The ACHA again states no management is recommended, noting that recovery of such material has limited scientific value. NPWS questions this position as scientific value is very different from cultural significance or value. The Aboriginal objects referred to often have deep meaning to the Aboriginal community. So, for the NPWS estate, it will remain the decision of the RAPs to identify, confirm cultural significance, and advise on the treatment of Aboriginal objects recovered from the NPWS estate.</p>	<p>Similar comments are made in the Heritage NSW submission (comment 7) and addresses in preceding clarifications above. Specifically, the ACHA addendum now includes all Aboriginal objects, sites and places within the amended project impact area, and explores their significance and potential impact.</p> <p>Updated management and mitigation measures are included in <i>Chapter 9 (Management)</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i>, which now propose management of all cultural materials; and the proposed ACHMP would be developed with, and include the ongoing involvement, of RAPs.</p>
49	<p>Consider management options for Aboriginal objects recovered or displaced during construction on the NPWS estate, with one of four scenarios:</p> <ul style="list-style-type: none"> • retention of Aboriginal objects and sites, with protection in situ. With protection and conservation actions set out under a conservation plan, including methods for retaining, stabilising sites, and monitoring construction activities. In-situ protection should also consider and detail any ongoing preservation, asset management actions and data recording. • moving Aboriginal objects outside of the project’s impact area into selected restricted areas, before works commence. Include methods, the involvement of Aboriginal community representatives, and protection measures, with recording of receiving sites. • relocation or repatriation to an identified safekeeping place as determined by the RAPs. Ensuring archival recording and management are subject to Heritage NSW and NPWS guidelines and procedures. This includes appropriate environmental assessment and recording of receiving sites. • Aboriginal objects can be held under safekeeping by an Aboriginal person or organisation subject to a care agreement. If Aboriginal owners wish to take ownership, this can be done under a transfer agreement. Refer to the NSW Environment and Heritage website - https://www.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/aboriginal-objects-and-places/apply-care-agreement-transfer-objects 	<p>The management of any cultural materials requiring recovery or mitigation during the project would be undertaken in accordance with the directions of the ACHMP (AH04). The ACHMP has yet to be developed, but would typically include approaches that first seek to avoid/minimise impact, followed by methods for relocation, retention and long-term management of cultural materials. As such, it is considered that the proposed over-arching approach here would align with the ACHMP when developed.</p>
50	<p>Ensure that any salvage operations identified in the ACHA relating to the NPWS estate result in either Aboriginal objects being retained and assessed on the estate or subject to a care agreement. NPWS does not support the removal of Aboriginal objects from the NPWS estate without agreement from the Aboriginal community and approval from the relevant NPWS Director. If any archaeological excavation of cultural deposits, for scientific or archival recording purposes, is conducted, then analysis of these is to be completed on the NPWS estate unless it is specific dating or microanalysis.</p>	<p>The management of cultural materials would be determined as part of the proposed ACHMP (AH04), however additional statements are included in <i>section 9.5</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> to ensure those cultural materials found within National parks prioritise their retention and/or return to the National park where agreed by the RAPs.</p>

#	Comment	Where addressed
51	Ensure any removal or relocation of any culturally modified trees (refer to Table 4 below) on NPWS estate, either in its entirety and/or via the removal of the 'scar' portion of the tree, is undertaken by a Level 5 Qualified Arboriculturist only once a conservation plan has been prepared by a heritage consultant with input from the Aboriginal community and with approval from the relevant NPWS Director. The plan must detail the method of removal, relocation site details, methods for the long-term curation and conservation, and any preservation actions are to be set out as required.	The management of cultural materials would be determined as part of the proposed ACHMP (AH04). It is considered a separate conservation plan is not needed for this activity, since the methods and long-term management of any culturally modified tree removal would be outlined in the ACHMP, neither would NPWS Director approval be required as a critical State significant infrastructure project.
52	Revise Sec A.1.3 <i>Native Title Act 1993</i> Appendix A (Legislation), which references the application of future Acts around the rights and interests over lands and waters by Aboriginal people, but does not address the actual project implications of the future acts regime. Ensure this is adequately addressed for the NPWS estate	Native title implications for the project are included in other EIS related documents. The exhibited ACHA section referenced outlines broad Native Title Act process and procedures, but does not focus on project-specific native title issues (if present).
53	Identify NPWS as a key agency in the preparation and implementation of actions under the ACHMP where those actions affect the NPWS estate. Use of the NPWS estate in the delivery of the options listed in Item 51 requires approval from the relevant NPWS Director.	Updated management and mitigation measures are included in <i>Chapter 9 (Management)</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> , which now include the need to consult with NSW National Parks and Wildlife Service during its development.
54	Ensure that the ACHA and future ACHMP are uploaded to the NSW Aboriginal Heritage Information Management System (AHIMS), where new sites are created, or records modified on the NPWS estate. This ensures continuity in information associated with projects that have occurred on the NPWS estate.	Noted. The ACHMP includes reporting requirements for activities undertaken through its authorisation, and it is expected that these documents would be submitted to DPPI and Heritage NSW. All identified cultural materials are documented on the AHIMS database, and would similarly require updating as part of any activities implemented through the project.
55	Ensure any future ACHMP addresses: matters raised about representatives for the Darkinjung people, around the management of the risk of ancestral burial site/s occurrence on Jilliby SCA. Identifying areas of likely harm, risk management, and migration measures are in place. <ul style="list-style-type: none"> a) priority criteria for micro-siting of the project tower and ancillary construction requirements on the NPWS estate to ensure in-situ protection and conservation as a priority. b) movement or repatriation of displaced or excavated archaeological material on the NPWS estate is to comply with NPWS guidelines and procedures. c) ensure all Aboriginal objects retained in situ, moved, or relocated are recorded on AHIMS through an AHIMS site card update or site card impact form as soon as possible. d) ensure the provision of a translocation plan to support the relocation of key species attached to the actions associated with Aboriginal resource and gathering values, as per Tables 3 and 4 below, accord with the NSW Translocation policy and procedure - https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/programs-legislation-and-framework/translocation. 	The management of any cultural materials requiring recovery or mitigation during the project would be undertaken in accordance with the directions of the ACHMP (AH04). The ACHMP has yet to be developed, but would typically include approaches that first seek to avoid/minimise impact, followed by methods for relocation, retention and long-term management of cultural materials. As such, it is considered that the proposed over-arching approach here would align with the ACHMP when developed.

#	Comment	Where addressed
Mindaribba LALC (Aboriginal cultural heritage issues only)		
56	<p>Intangible cultural values & cultural landscapes</p> <ol style="list-style-type: none"> The ACHAR addresses objects and places, but also stories, songlines, views capes, access to Country—not just artefact scatters. Guidance requires considering significance beyond physical objects and including flora and fauna. The interactive map highlights “sensitive areas,” but there’s no public summary of cultural landscape analysis or view-line protection at Aboriginal cultural viewpoints. Can these please be included. 	<p>This statement appears to ignore the extended efforts to explore cultural values undertaken within the exhibited ACHA. This included early consultation and co-design workshops with key Traditional Owners, as well as a project specific cultural values mapping study presented in Section 7 and Appendix D of the exhibited ACHA. The latter including extensive engagement with 14 Elders and Traditional Owners specifically to discuss Dreaming, traditional and contemporary values within and near the project impact area.</p> <p>Activities included large workshops facilitated by Aboriginal organisations including the Mindaribba LALC, as well as multiple on-Country activities to explore key places (e.g. Lizard Rock, Pokolbin State Forest) and view-lines (e.g. Flat Rock) with these participants.</p> <p>The exhibited ACHA includes a range of cultural sites, many of which have no tangible remains, including Freeman’s waterhole (HTP-S-CVM06), Watagan Creek (#45-3-6623), Dora Creek (HTP-S-CVP03), Pulbah Island (HTP-S-CVM02), HTP-C-AR01 (#37-6-4486), HTP-C-AR02 (#37-6-4485). Indeed, a number of larger cultural landscapes are also identified along the project impact area to reflect these broader values, including Dora Pinnacles, Dora Creek, Flat Rock and Trig Road. Further, the exhibited ACHA clearly explored major view-lines between cultural features across the region.</p> <p>Given the sensitivity of many of the cultural materials and values identified within the project impact area, it is likely that they are not presented on publicly available maps or reports.</p>

#	Comment	Where addressed
57	<p>Survey coverage & methodology transparency</p> <p>No public summary of survey effort (kilometres, stratified sampling), seasonality, or test-pit strategy. Mindaribba would like a clear methods table and monitoring commitments during construction.</p>	<p>It is unclear whether this comment relates to investigations undertaken as part of the exhibited ACHA or future activities that may be required should the project be approved. In relation to the former, the field investigations are outlined in detail in Chapter 9 and Appendix F of the exhibited ACHA.</p> <p>For any future on-Country activities, these would be further developed in the various mitigation measures proposed in Chapter 13 of the exhibited ACHA, including the ACHMP (AH04), test excavations (AH05), cultural values management (AH07), management of vegetation near view-lines (AH08, AH09), and long-term site condition and management following construction (AH10). These documents would further outline any required activities and be developed in consultation with the RAPs.</p> <p>The ACHA addendum has renumbered several of the above mitigation measures, but they remain consistent with the exhibited ACHA.</p>
58	<p>Decision rules for avoidance vs salvage</p> <p>Expectation: hierarchy of avoid → minimise → mitigate, with co-authored salvage/keeping-place arrangements and clear triggers for stop-work.</p> <p>Public material emphasises appears to be on “route refinement,” but doesn’t show thresholds for re-design to avoid significant places versus defaulting to salvage. Mindaribba seek explicit “no-go” criteria and Mindaribba’s role in agreeing them.</p>	<p>The ACHA includes two mitigation measures that commit to avoidance of significant cultural materials (AH02) and/or ongoing attempts to minimise impact to all identified cultural materials (AH03). In the case of AH02, five of the most significant sites within the project impact area, and >90 in the general vicinity of the project are committed for avoidance (outlined in Table G.2 of the exhibited ACHA).</p> <p>This ACHA addendum revisits these values, but continues to commit to avoidance of a substantive number of Aboriginal objects, sites and places identified within the amended project impact area. It further includes AH01, which requires further consideration of avoidance when a detailed design becomes available.</p> <p>Further details of management on the avoidance and risk minimisation would be developed in consultation with the registered Aboriginal parties as part of the ACHMP. Thresholds for avoidance and re-design would be developed as part of the ACHMP, with ‘regional’ significance typically defined and forming the main requirement for a project to avoid or re-design around cultural materials. Given the scale of the on-Country investigations as part of the ACHA, it is not expected that such sites would be encountered during the construction activities that are not already presented and considered.</p>

#	Comment	Where addressed
59	<p>Access to Country during and after construction</p> <p>Expectation: plans should maintain or improve access and embed cultural monitoring roles. Public pages don't outline access protocols, induction content, or paid cultural monitor positions across all heritage-sensitive works.</p>	<p>The exhibited ACHA includes two mitigation measures that would inform on-Country activities, including the ACHMP (AH04) and the site condition reports (AH10). The former would provide details and direction on the type of consultation and on-Country activities required for the project, including inductions and mitigation activities (e.g. surface collection of artefacts, ground disturbance monitoring, etc). The ACHMP would outline in detail the number of personnel required for this activity, and an indication of the timing and extent of such works. The latter condition proposes to explore the condition of cultural materials following construction and develop processes for their management into the future. Here to, it is expected that these documents would be developed in consultation with registered Aboriginal parties, and for on-Country activities to be outlined in detail.</p>
60	<p>Cultural heritage management and protections</p> <ol style="list-style-type: none"> <li data-bbox="203 639 1301 719">1. Adopt a co-authored Aboriginal Cultural Heritage Management Plan (ACHMP) pre-construction that: defines no-go areas, set stop-work triggers, confirms monitoring coverage, salvage protocols, and artefact custody/keeping-place arrangements led by Mindaribba within Mindaribba LALC Boundaries. <li data-bbox="203 735 1301 815">2. Require cultural landscape & view line analysis to be integrated into final design: adjust tower locations/heights and access alignments to protect culturally significant vistas and pathways; publish the methodology and decisions. <li data-bbox="203 831 1301 882">3. Commit that avoidance is the default: publish re-design thresholds (when a site's significance triggers re-routing or different construction methods). 	<p>The ACHMP (AH04) is proposed to be undertaken in consultation with registered Aboriginal parties, although stronger co-design principles are now included in <i>section 9.5</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i> of this document.</p> <p>Mitigation measures require further consideration of impacts to cultural view-lines by the project, including ongoing efforts to minimise vegetation clearance, to continue to refine project elements, and where these prove unachievable to develop suitable mitigation outcomes in discussion with the registered Aboriginal parties.</p> <p>The last point has been addressed in previous points above, and specifically: 1) the exhibited ACHA and ACHA addendum has already identified significant cultural sites and materials within and near the project impact area, and these are suitably managed in <i>section 9.5</i> and <i>Appendix E – Post approval requirements – updated guiding principles</i>; and 2) further consideration of significance thresholds and their management as part of the ACHMP is recommended.</p>

#	Comment	Where addressed
61	<p>Request</p> <ol style="list-style-type: none"> Mindaribba seek condition for a co-authored ACHMP and a First Nations Outcomes Plan with public reporting. Mindaribba request disclosure of the consultation register and “you said / we did” table specific to Aboriginal feedback on Culture and Heritage including Flora and Fauna (Ecology) before determination. Seek a design-change protocol (with Mindaribba sign-off) that triggers micro-siting/alternative construction methods where cultural values are at risk. 	<p>The recommended ACHMP would be co-designed in consultation with the registered Aboriginal parties, which would include the Mindaribba LALC, and would include elements of these requests. Avoidance and micro-siting already forms a key part of both the mitigation measures and the proposed ACHMP.</p> <p>All consultation undertaken with the registered Aboriginal parties is presented in Appendix B of the exhibited ACHA. This includes a table of all correspondence and summary of its content, and extended presentation of documents received and minutes of meetings undertaken. While this appendix is not presented in the public version of the exhibited ACHA, it has been provided to all registered Aboriginal parties, and this can be resent to the Mindaribba LALC if needed.</p>
62	<p>H. Culture and Heritage Requests and Concerns Conclusion</p> <ol style="list-style-type: none"> The Mindaribba LALC seeks a joint technical workshop (Mindaribba LALC, other Aboriginal Knowledge holders and Elders, Proponent Heritage Team, Proponent Ecologists, Birdlife Australia Representatives, DPPI, Heritage NSW) to walk through TR2 site by site with the interactive map on screen taking tangible and intangible cultural concerns into consideration and agree design changes live. This review will prioritise Aboriginal Self Determination and conservation protection of cultural values. The hope is that we have a less tolerant approach to “salvage- as – mitigation” where avoidance is practicable. 	<p>This workshop can be facilitated similar to other workshops with Mindaribba LALC, including with contractors as detailed design develops – although undertaking ‘design changes live’ is unlikely to be feasible. Recommended refinements can be documented, explored and then reported back to the technical workshop participants, but considerations beyond the attendees is likely to be needed (e.g. construction feasibility) before a change can be implemented. Further meetings with the contractor as the detailed design progressing can also be organised.</p>

Appendix B

Aboriginal consultation

B.1 Information missing from the exhibited ACHA

This information has been removed from the public version of this document due to sensitive personal information. If you wish to view this information, please contact EMM to request a copy.

B.2 Registered Aboriginal parties for the project

Table B.1 presents the Aboriginal individuals and/or organisations who registered an interest in the project and other relevant information.

Table B.1 Registered Aboriginal parties

Organisation	Date of registration	Areas of interest within the project impact area
A1 Indigenous Services	06-Dec-23	Not specified
AGA Services	12-Dec-23	Not specified
Aliera French Trading	12-Apr-24	Not specified
Amanda Hickey Cultural Services	26-Feb-24	Not specified
AT Gomeroi	27-Mar-24	Not specified
Awabakal and Guringai Pty Ltd	23-Nov-23	Not specified
Awabakal Descendants Traditional Owners	15-Dec-23	Not specified
Awabakal LALC	10-Nov-23	HTP Central/HTP South
Awabakal Traditional Owners Aboriginal Corporation	23-Nov-23	HTP Central/HTP South
Bara Barang Corporation Pty Ltd	-	Not specified
Bawurra	12-Dec-23	HTP Central
Biraban LALC	10-Nov-23	HTP South
Cacatua Culture Consultants	12-Dec-23	Not specified
Darkinjung LALC	10-Nov-23	HTP South
DFTV Enterprises	30-Nov-23	Not specified
Didge Ngunawal Clan	30-Nov-23	Not specified
Girragirra Murun Aboriginal Corporation	01-Dec-23	Not specified
Gomery Cultural Consultants	30-Nov-23	Not specified
Gunjeewong Cultural Heritage Aboriginal Corporation	04-Dec-23	Not specified
Hunters & Collectors	07-Dec-23	HTP North
Jarban & Mugrebea	07-Dec-23	Not specified
Kawul Pty Ltd trading as Wonn1 Sites	30-Nov-23	Not specified
Kevin Duncan	10-Nov-23	Not specified
Kiray Putjung Aboriginal Corporation	13-Dec-23	HTP Central
Long Gully Cultrual Services	04-Dec-23	Not specified
Lower Hunter Aboriginal Incorporated	29-Nov-23	Not specified
Lower Hunter Wonnarua Cultural Services	N/A	Not specified
Marrung-Ta Aboriginal Corporation/Culturally Aware	30-Nov-23	HTP Central

Organisation	Date of registration	Areas of interest within the project impact area
Mindaribba LALC	10-Nov-23	Not specified
Miromaa Aboriginal Language and Technology Centre	30-Nov-23	Not specified
Murra Bidgee Mullangari Aboriginal Corporation	11-Dec-23	Not specified
Nunawanna Aboriginal Corporation	30-Nov-23	Not specified
Renee Sales	11-Dec-23	Not specified
Robert Syron	10-Nov-23	Not specified
Namoi Gomeroi Traditional Owner	23-Nov-23	Not specified
Thomas Dahlstrom	30-Nov-23	Not specified
Tocomwall/Yarrwalk	09-Nov-23	Not specified
Trudy Smith	30-Nov-23	Not specified
Ungooroo Aboriginal Corporation	30-Nov-23	Not specified
Wallagan Cultural Services	07-Dec-23	HTP Central
Wanaruah LALC	10-Nov-23	Not specified
Warren Taggart	13-Dec-23	Not specified
Wattaka Wonnarua Cultural Consultants	N/A	Not specified
Widescope Indigenous Group	05-Dec-23	Not specified
Wingarra Wilay Aboriginal Corporation	01-Dec-23	Not specified
Wonnarua Elders Council/Upper Hunter Wonnarua Council Incorporated	11-Dec-23	Not specified
Wonnarua Nation Aboriginal Corporation	30-Nov-23	Not specified
Yurwang Gundana Consultancy Cultural Heritage Services	07-Dec-23	Not specified

B.3 List of key registered Aboriginal parties

Through a process of early Aboriginal engagement and co-design processes, a core group of the RAPs was developed by the project, which was consulted on all key assessment activities within this report (including Aboriginal focus group meetings, field survey, cultural values mapping study and test excavations). This group was modified throughout the project as Aboriginal individuals and/or organisations were considered by the established panel for inclusion.

The individuals and/or organisations included:

- HTP North
 - A1 Indigenous Services
 - Alieria French Trading
 - Amanda Hickey Cultural Services
 - Long Gully Cultural Services
 - Thomas Dahlstrom Consulting
 - Tocomwall
 - Uncle Warren Taggart
 - Ungooroo Aboriginal Corporation
 - Wanaruah LALC
 - Wattaka Wonnarua Cultural Consultants
 - Widescope Indigenous Group
 - Wonn1 Consulting
 - Wonnarua Elders Council/Upper Hunter Wonnarua Council Incorporated
 - Wonnarua Nation Aboriginal Corporation
- HTP Central
 - Awabakal Descendants Traditional Owners Aboriginal Corporation
 - Awabakal LALC
 - Bawurra
 - Biraban LALC
 - Cacatua Culture Consultants/AGA Services
 - Culturally Aware/Marrung-Ta Aboriginal Corporation
 - Kiray Putjung Aboriginal Corporation

- Mindaribba LALC
- Namoi Gomeroi Traditional Owner (Steve Talbott)
- Wonn1 Consulting
- HTP South
 - Awabakal Descendants Traditional Owners Aboriginal Corporation
 - Awabakal & Guringai Pty Ltd
 - Awabakal Traditional Owners Aboriginal Corporation
 - Biraban LALC
 - Darkinjung LALC
 - Lower Hunter Aboriginal Incorporated
 - Renee Sales

B.4 Aboriginal consultation log (August 2025 – present)

This information has been removed from the public version of this document due to sensitive personal information. If you wish to view this information, please contact EMM to request a copy.

B.5 Aboriginal community feedback

This information has been removed from the public version of this document due to sensitive personal information. If you wish to view this information, please contact EMM to request a copy.

B.6 Additional activities

This information has been removed from the public version of this document due to sensitive personal information. If you wish to view this information, please contact EMM to request a copy.