

Our ref: DOC23/1090046

Your ref: SSD-65797725

Lauren Clear

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Letter uploaded to the Major Projects Planning Portal

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## Input to SEARs – State Significant Development

Proposal: Muswellbrook Pumped Hydro Energy Storage Project

Major Project reference: SSD-65797725

Received: 13 December 2023

Dear Lauren

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

Heritage NSW has reviewed the draft Secretary's Environmental Assessment Requirements included in your referral. We recommend that the draft SEARs be adjusted to include the following:

- The EIS should be informed by an Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The ACHAR must be prepared in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010), including results of archaeological survey and test excavations (where required) undertaken in accordance with the relevant standards and requirements;
- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed measures) in substantial compliance with the consultation process outlined in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010).

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact me on 9228 6424 or [nicola.roche@environment.nsw.gov.au](mailto:nicola.roche@environment.nsw.gov.au).

Yours sincerely

*Nicola Roche*

Nicola Roche

Principal Assessments Officer

**Heritage NSW**

**Department of Climate Change, Energy, the Environment and Water**

**As Delegate under National Parks and Wildlife Act 1974**

**8 January 2024**