



Our ref: DOC20/941245  
Your ref: SSD-10448

Lauren Saunders  
Department of Planning, Industry and Environment  
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Advice provided via the Major Projects Portal

Dear Ms Saunders

**Advice on EIS and recommended conditions – State Significant Development – Mod to Tinonee PA, Mid-Coast LGA (MP 05\_0038 MOD 1)**

Thank you for your referral uploaded to the Major Projects Portal on 27 November 2020 seeking advice on the Environmental Impact Statement (EIS) report and recommended conditions for the above state significant development (SSD) proposal.

I have reviewed the Aboriginal cultural heritage section of the EIS (section 5.4) which states that the proposed modification does not increase the development footprint and that the conclusions of the Aboriginal cultural heritage assessment are still applicable. I note that the Aboriginal cultural heritage assessment report prepared by Environment Planning, Assessment and Management was completed in 2007. This report identifies that Aboriginal objects will be harmed by the proposal but was very limited in scope with regards to consultation with Aboriginal stakeholders and does not comply with current requirements.

Heritage NSW recommends that the Aboriginal cultural heritage assessment report (ACHAR) be updated as follows:

1. Consultation with Aboriginal stakeholders should be undertaken in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010) and the results of this process be documented in the ACHAR.
2. A site visit should be undertaken by a suitably qualified archaeologist and representatives of the registered Aboriginal parties (RAPs), as identified through the consultation process at 1, to ascertain the current condition and location of the Aboriginal sites identified in the ACHAR. The AHIMS site cards should be updated as necessary.
3. The proposed mitigation measures, including the conservation and protection of the scarred tree, should be discussed with the RAPs and an Aboriginal cultural heritage management plan agreed to for its ongoing protection.

If you have any further questions in relation to this matter, please contact me on 9995 6824 or email at [sam.higgs@environment.nsw.gov.au](mailto:sam.higgs@environment.nsw.gov.au).

Yours sincerely

**Dr Samantha Higgs**  
**Senior Team Leader, Aboriginal Cultural Heritage Regulation - North**  
**Heritage NSW**      **Date:** 23 December 2020