



Our ref: DOC21/321867
Your ref: SSD-10315

Anthony Ko
Department of Planning, Industry and Environment
Email: anthony.ko@planning.nsw.gov.au

Advice provided via the Major Projects Portal

Dear Anthony,

Advice on EIS and recommended conditions – State Significant Development – Bowmans Creek Wind Farm (SSD 10315)

Thank you for your referral uploaded to the Major Projects Portal on 26 March 2021 seeking advice on the proposal and recommended conditions for the above state significant development (SSD) proposal.

In preparing the following advice we have reviewed the following documents:

- SEARs for SSD-10315, issued 23 July 2019
- Aboriginal Cultural Heritage Assessment Report (ACHAR) – prepared by OzArk Environment & Heritage (OzArk), dated 11 March 2021
- Environmental Impact Statement SSD 10315 – Bowmans Creek Wind Farm – prepared by Hansen Bailey, dated 17 March 2021

Heritage NSW has reviewed the ACHAR prepared by OzArk. It is noted that a total of 16 Aboriginal sites were identified during the assessment, 13 newly recorded sites and three previously unrecorded sites. Of these sites there are nine within the proposed development footprint that may be harmed by the proposed works. The archaeological investigation was completed in accordance with the *Code of Practice for the Investigation of Aboriginal Objects in NSW* (2010). A section of the proposed development footprint has not been subject to archaeological survey. Further assessment of this area is included in the recommendations of the ACHAR and the EIS.

It is understood that consultation in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (2010) is ongoing. It is noted that an updated draft version of the ACHAR was provided to Registered Aboriginal Parties (RAPs) on 11 March 2021 with the response period ending on 26 March. A final version of the ACHAR with any comments or reviews received during this period should be provided.

The ACHAR has been prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (2011). The ACHAR has identified that there is scope to minimise and avoid harm to seven Aboriginal sites that are located within the Electricity Transmission Line (ETL) corridor. This includes avoidance of all harm to site #37-2-2072 (ANT 22) which has significant Aboriginal cultural heritage values to the Registered Aboriginal Parties for the project.

The ACHAR recommends two management strategies based on the level of harm to Aboriginal sites that would be determined in the final development of the project design. These management options would operate under an Aboriginal Cultural Heritage Management Plan (ACHMP). This recommendation and the management and mitigation recommendations

provided in Section 9.0 (page 112-121) of the ACHAR and Table 60 (refs 38-42, p290) of the EIS are considered to provide adequate controls for the avoidance and minimisation of harm to Aboriginal sites and cultural heritage values within the proposed development footprint.

Heritage NSW provides the following recommended conditions:

- The current version of the ACHAR does not include comments received during the Registered Aboriginal Party review period dated 11 March 2021 to 26 March 2021. In order to satisfy the requirements of the SEARs a final version of the ACHAR with any comments received during this period is required.
- Harm to the identified Aboriginal heritage sites should be avoided as recommended by the ACHAR.
- An ACHMP to provide adequate controls for the avoidance and minimisation of harm to Aboriginal sites and cultural heritage values within the proposed development footprint should be developed.

If you have any further questions in relation to this matter, please contact Claire Rayner – Archaeologist, Aboriginal Cultural Heritage Regulation North on 9995 6824 or email at Claire.rayner@environment.nsw.gov.au.

Yours sincerely



Dr Samantha Higgs
Senior Team Leader, Aboriginal Cultural Heritage Regulation - North
Heritage NSW
4 May 2021