



Shaun Williams
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Industry Assessments
Department of Planning and Environment
Email: shaun.williams@planning.nsw.gov.au

Your reference: SSD-36138263
Our reference: DOC23/886552

Dear Shaun,

Advice on Environmental Impact Statement – State Significant Development Augusta Street Warehouse and Distribution Centre – SSD-36138263

Thank you for your referral uploaded to the Major Projects Portal on 6 October 2023 seeking advice on the above State Significance Development (SSD) proposal. In preparing this advice we have reviewed the following documents:

- o Environmental Impact Statement – Augusta Street Warehouse and Distribution Centre – prepared by Urbis Pty Ltd, dated 12 September 2023
- o Appendix AA – Aboriginal Cultural Heritage Assessment Report – Augusta Street Warehouse and Distribution Centre Blacktown, prepared by Coast History & Heritage, dated August 2023
- o Appendix S1 – Results of Geotechnical Investigation – Augusta Street, Huntingwood East, prepared by PSM, dated August 2023.

Based on the Aboriginal Cultural Heritage Assessment Report (ACHAR) provided in support of the Environmental Impact Statement (EIS), there is insufficient information provided for Heritage NSW to advise the Department on whether the management recommendations are adequate and if the ACHAR substantially complies with the SEARs. To establish the nature and extent of the Aboriginal cultural heritage values that may be impacted by the proposed development, further investigations are required. Our review has identified key matters that must be addressed for Heritage NSW to provide advice regarding project approval. These are outlined below.

Potential for sub-surface archaeology across the project area

1. The ACHAR outlines that there is limited potential for subsurface archaeological deposits owing to the degree of past disturbances. However, there are an extensive number of cases where such disturbances have not removed the potential for *in situ* archaeological deposit. The results of several test excavations and/or monitoring programs during grader scrapes completed at sites in the surrounding area, have demonstrated that despite historical use disturbance, artefacts have been found in sub-surface contexts (e.g., AHIMS ID# 45-5-2648 [AMBS 2002], AHIMS ID# 45-5-4194 [AHMS 2012], AHIMS ID# 45-5-2818 [Navin Officer 2002]), some in association with intact Blacktown soils (e.g., AHIMS 45-5-4726 [GML 2016]).

I note that the results of the geotechnical assessment undertaken by Pells Sullivan Meynink (PSM) for the project and provided with the EIS (Appendix S1 – Geotechnical report), indicate that disturbance within the project area is quite variable. Existing fill comprising CLAY material mixed with debris from demolition (e.g., tiles, bricks, and glass bottles), were observed at localised areas where it was found to occur between a depth of 0.1 -0.3 meters below ground surface (Section 6.2 and Section 6.3 of Appendix S1 and Section 6.3.2.1 of the EIS). In contrast, several boreholes indicated the presence of topsoil and natural soil profiles overlying bedrock and an absence of fill (e.g., BH01, BH02, BH07, BH09, BH11, BH12) (Table 4 in section 6.3 of Appendix S1).

The ACHAR notes the low level of visibility encountered during previous site inspections (i.e., MDCA 2007 and Biosis 2020) as well as during the survey completed for the current proposal, where both previously recorded AHIMS sites within the project area (AHIMS ID#45-5-3308 and AHIM ID# 45-5-2361) could not be relocated. The ACHAR also notes that two of the Registered Aboriginal Party (RAP) groups made comments regarding the potential impacts of ground disturbance works on unknown Aboriginal archaeological deposits within the project area and queried if archaeological test excavation would be undertaken to investigate this potential. Test excavations in areas where past disturbance appears minimal would assist in increasing visibility across the project area and thus confirm the presence or absence of archaeological deposits. This would also better address the comments made by the two RAPs.

Our specific recommendation on this matter is as follows:

- o Please provide greater explication on the potential for subsurface material in light of the results from the geotechnical investigation conducted within the study area (Appendix S1 to the EIS) and justification on why test excavations should not occur prior to construction in the project area. If adequate justification is not provided, Heritage NSW recommends that test excavations occur prior to any construction impacts in the project area.

Aboriginal Party Consultation

2. Section 6.2.10 (Aboriginal Cultural Heritage) of the EIS only recognises seven (7) RAPs for the Project. This is in contrast to the ACHAR which indicates that a total of fifteen (15) groups registered an interest in the Project during Stage 1 of the consultation process. It is unclear why the EIS does not acknowledge all RAPs.
3. The Appendices for Aboriginal community consultation provided with the ACHAR are incomplete and only contain evidence of correspondence in the form of the responses received from RAPs during various stages of the consultation process. The consultation log and documents are required to demonstrate that all RAPs were contacted during all stages of the consultation process in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. We note that three RAPs requested that their details not be forwarded to Deerubbin LALC and/or Heritage NSW and thus the redaction of those records is acceptable. However, we note that the following has not been provided:
 - o Evidence that the Stage 1 letter requesting registration of interest in the project was sent out to all potential Aboriginal cultural heritage knowledge holders (groups or individuals) who were identified during the stage 1 Agency notification process.
 - o Evidence that the Stage 2/3 Project information and assessment methodology was provided to all RAPs not just the 5 groups who responded.
 - o Evidence that the Stage 4 draft ACHAR was provided to all RAPs not just the 5 groups who responded.
 - o Section 2.3 of the ACHAR refers to the concerns raised by two RAP groups regarding the potential of the proposed earthworks to impact buried Aboriginal archaeological sites and queried if archaeological test excavation would be undertaken in order to investigate this potential. It is then stated in the ACHAR that “We clarified the high level of historical disturbance, and the low Aboriginal archaeological potential within the specific study area” and that “with this understanding, the RAP group was comfortable with no test excavations being



undertaken". Consultation records regarding this clarification, however, have not been provided in the consultation Appendix.

Evidence of the above-mentioned correspondences are required to assist in Heritage NSW's evaluation of the adequacy and completeness of the consultation process. This evidence can comprise of copies of all dated email records with all relevant email addresses shown and/or delivery / read receipts of the correspondence.

Survey results

4. As per Requirement 5 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (2010), please include mapping with the survey track logs for the areas subject to survey.

Proposed Mitigation Measures

5. Heritage NSW agrees with the current Recommendations (Section 7 of the ACHAR), based on the current state of the archaeological investigation. However, Heritage NSW provides the following further recommendations in addition to the management and mitigation measures included in the ACHAR and EIS.
 - o The preparation and submission of an Aboriginal Site Impact Recording Form (ASIRF) for Aboriginal site AHIMS #45-5-2361 must be included as a management requirement following completion of development activities within the project area.
 - o Where, following the review and consideration of the issue raised in matter # 1, adequate justification is provided for not undertaking test excavations, Heritage NSW recommends the implementation of Aboriginal cultural awareness training for all site workers to ensure the efficacy of the proposed unexpected finds protocols. The Aboriginal cultural awareness training must be prepared by an appropriately qualified archaeologist and representative/s of the RAPs. This presentation may be recorded in a suitable format for ongoing delivery. All RAPs must be provided with the opportunity to participate in the development of the Aboriginal cultural awareness training.

If you have any questions regarding these comments, please contact Marika Low, Senior Assessments Officer, at Heritage NSW on 0400 477 904 and marika.low@environment.nsw.gov.au

Yours sincerely

Nicole Davis

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Manager Assessments
Heritage NSW
Department of Planning and Environment
As Delegate under National Parks and Wildlife Act 1974
27 October 2023