

Our ref: DOC24/242774-5

Your ref: SSD-36138263

Shaun Williams

Senior Environmental Assessment Officer

Industry Assessments

Department of Planning, Housing and Infrastructure

shaun.williams@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Advice on Response to Submission – State Significant Development

Proposal: Augusta Street Warehouse and Distribution Centre

Major Project reference: SSD-36138263

Received: 27 March 2024

Dear Shaun,

Thank you for your referral seeking advice for the above State Significant Development Response to Submissions. Thank you for the continued opportunity to comment on the project. Our previous advice on the Environmental Impact Statement requested:

- Further consideration of potential for sub-surface archaeology across the project area in light of the geotechnical investigation results and justification on why test excavations are not warranted.
- Clarification on the total number of Registered Aboriginal Parties for the project.
- Provision of consultation documentation associated with Stage 1, State 2/3, and Stage 4 of the Aboriginal Community Consultation process.
- Provision of survey track logs for the areas subject to survey.
- Consideration of the inclusion of additional management and mitigation measures.

An Aboriginal Cultural Heritage Assessment Memorandum Report prepared by Coast History & Heritage, dated 12 February 2024 has been provided in support to the Response to Submission. The responses and additional information provided in this Memorandum have adequately addressed the previous comments provided by Heritage NSW on Aboriginal cultural heritage matters related to the above State Significance Development. Recommended Draft Conditions of Approval have been provided in **Attachment A**. With respect to Aboriginal cultural heritage, Heritage NSW has no further comments on the proposal.

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

Yours sincerely

Nicole Davis

Nicole Davis

Manager Assessments

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under National Parks and Wildlife Act 1974

2 April 2024

Attachment A – Recommended draft conditions for Aboriginal cultural heritage

Below are our recommended draft conditions for the protection of Aboriginal heritage.

Aboriginal Heritage

1. All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects except as authorised by this approval.
2. The Registered Aboriginal Parties must be kept informed about the SSD. The Registered Aboriginal Parties must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
3. Prior to carrying out any development, the Applicant must ensure Aboriginal heritage management procedures are prepared for the development and included in the Project's Construction Environmental Management Plan or equivalent. The Aboriginal heritage management procedures must:
 - a. be prepared by suitably qualified and experienced persons;
 - b. be prepared in consultation with Registered Aboriginal Parties;
 - c. include a description of the measures that would be implemented for:
 - i. ongoing consultation with Registered Aboriginal Parties, including consultation regarding changes to the management of Aboriginal cultural heritage.
 - ii. establishing protective fencing at the south-eastern corner of Warehouse 3/4, in the recorded location of AHIMS #45-5-2361 and maintaining this protective fencing for the project life to ensure mitigation of damage to this archaeological deposit.
 - iii. a contingency plan and reporting procedure for the management of Unexpected Heritage Finds and Human Remains that is prepared by suitably qualified and experienced heritage specialist in relation to Aboriginal cultural heritage, in consultation with the Registered Aboriginal Parties and in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (2010). The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction.
 - iv. ensuring workers on site receive suitable Aboriginal heritage inductions / Aboriginal cultural awareness training prior to carrying out any development on site, and that records are kept of these inductions.