

Our ref: DOC23/1089396

Your ref: SSD-58601963

Bruce Zhang
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Honeman Close Data Centre
Major Project reference: SSD-58601963
Address: 6 Honeman Close, Blacktown
Received: 12 December 2023

Dear Bruce,

Thank you for your referral seeking advice on the above State Significant Development proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of Environmental Impact Statement - 96mw Data Centre Facility - 6 Honeman Close, Huntingwood - prepared by Patch Planning, dated 9 November 2023
- Huntingwood Industrial Development Aboriginal Cultural Heritage Assessment - prepared by EMM, dated 1 April 2023

The Aboriginal Cultural Heritage Assessment Report (ACHAR) does not address the requirements set out in the Secretary's Environmental Assessment Requirements (SEARs), issued June 2023. The ACHAR does not comply with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010; Code of Practice) and relevant guidance material. Heritage NSW recommends that the ACHAR be revised to ensure compliance with the Code of Practice:

- We request that additional documentation of the consultation process be provided. The applicant needs to provide evidence that consultation was kept continuous, as the last consultation recorded in the ACHAR is dated February 2022. Heritage NSW requires that consultation with Registered Aboriginal Parties (RAPs) is continuous. Under our policy and guidelines, breaks in consultation of over six months may not constitute continuous consultation. Additionally, there are several minor discrepancies between the consultation information provided in text, the table, and the log, please correct this information.
- Heritage NSW notes that the Aboriginal Heritage Information Management System (AHIMS) search is greater than 12 months old at the time of submission. Heritage NSW generally requires, as per Requirement 1b of the Code of Practice, that AHIMS searches are less than 12 months old. Please provide an updated AHIMS search.

- The EIS states that the State Heritage Register (SHR) item number 01911 'Former Great Western Road, Prospect' will not be used to for site access during project construction. However, Heritage NSW notes that Figure 2 of the EIS shows that the SHR item is currently being used for site access for clearing activities under the existing DA. Please provide further justification on the current use of the SHR item, whether its use is covered by existing approvals, and the changes to site access for the construction of the project.

The ACHAR and previous assessments identified that the project area did not contain any surface Aboriginal cultural heritage, nor potential for subsurface archaeological material, Heritage NSW concurs with the assessment. Heritage NSW understands that much of the project area has been subject to clearance, completed under DA-17-01780, though further clearance will be conducted if this SSD is approved. The ACHAR and its recommendations do not reflect the current state of the project area. Further, the ACHAR recommends that an Aboriginal Cultural Heritage Management Plan (ACHMP) be created for the project prior to any ground disturbance works, however as these works have already been conducted the ACHAR and management recommendations must be updated.

If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 or corey.odriscoll@environment.nsw.gov.au.

Yours sincerely

Nicole Davis

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Manager Assessments

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under National Parks and Wildlife Act 1974

31 January 2024