

Our ref: HMS ID 12940

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Advice on Environmental Impact Statement – State Significant Development

Proposal: Bullecourt Avenue, Milperra- Early Works & Stage 1

Major Project reference: SSD-97092958

Received: 8 December 2025

Dear Emma,

Thank you for your referral seeking advice on the above State Significant Development proposal. Heritage NSW understands that the project involves the creation of a range of lot sizes, the construction of 62 houses, three new public parks, new roads through the site, car parking to service the existing childcare centre, and other ancillary works such as drainage and civil works.

In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of Environmental Impact Statement - prepared by Beam Planning Pty Led, dated 17 November 2025
- Appendix AA: Geotechnical Report - prepared by Geotech Testing Pty Ltd, dated 17 November 2025
- Appendix T: Aboriginal Cultural Heritage Assessment Report (ACHAR) - prepared by Heritage Now, dated 29 October 2025

Following the review of the above documents, Heritage NSW requests additional information to inform its advice to the Department on whether the ACHAR adequately addresses the Secretary's Environmental Assessment Requirements for the project, including the associated recommendations for the management of Aboriginal cultural heritage. Additional information is required in relation to the following matters:

1. Further information is required on the potential for intact A-horizon across sections of the project area. While the ACHAR outlines that much of the project area has been subject to large scale ground disturbance, the geotechnical report (Appendix AA of the EIS) indicates that areas in the

southeast retain varying depths of topsoil. Please provide further discussion on if these areas may contain archaeological deposit and, if so, additional archaeological assessment may be required (i.e., test excavations).

2. In support of the EIS, a due diligence assessment (Appendix LL) was supplied for additional assessment of the childcare carpark works. Heritage NSW does not review due diligence assessments as they are a legal defence against harm under section 87 of the *National Parks and Wildlife Act 1974* (NPW Act). As the regulator under the NPW Act, Heritage NSW can be called upon on to participate in non-compliance investigations under the Act, including strict liability offences for which due diligence is used as a defence. Heritage NSW recommends that Appendix LL is made an Addendum to the ACHAR and it provided to the Registered Aboriginal Parties (RAPs) for review and comment.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Corey O'Driscoll, A/Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

James Cole

James Cole
A/Practice Lead - Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
23 January 2026