

Our ref: HMS ID 14158

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Advice on Amendment and Additional information – State Significant Development

Proposal: Huntlee New Town - Stage 2

Major Project reference: SSD-70748466

Received: 23 March 2026

Dear Renah,

Thank you for your referral seeking advice on the additional information provided in relation to the above State Significant Development proposal.

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

- Relevant sections of the Amendment Report: Huntlee New Town Stage 2 – prepared by Colliers Urban Planning, dated 5 March 2026
- Appendix N: Updated Aboriginal Cultural Heritage Assessment Report (ACHAR): Huntlee Village Stage 2/3, North Rothbury – prepared by Niche Environment and Heritage Pty Ltd, dated 9 February 2026

Heritage NSW previously provided advice on the Response to Submissions (13 August 2025; HMS 11285), noting that while some Aboriginal cultural heritage matters had been addressed, significant issues remained unresolved, including in relation to test excavations, site mapping, impact assessment, consultation records, and management measures. Heritage NSW advised that these matters should be resolved prior to the Department of Planning, Housing and Infrastructure's (DPHI) consideration of project determination.

Heritage NSW understands that, following this advice, the proponent has proposed amendments in response to environmental constraints, including a reduction in lot yield and refinements to the development layout, together with further design refinements to clarify proposed works, infrastructure, and land dedication outcomes arising from ongoing design development. It is also understood that these amendments do not result in any changes to Aboriginal cultural heritage impacts as no additional assessment has been completed and no mention of the amendments are included in the updated ACHAR.

Based on our review, the updated ACHAR partially addresses some of the previously identified matters; however, a number of critical issues remain unresolved and are fundamental to understanding the potential impacts of the proposal on Aboriginal cultural heritage (ACH). These include ongoing uncertainty regarding the scope of works and associated impacts covered by the current SSD application (including the relationship between the Detailed Stage 2 and Concept Stage 2 components), deficiencies in the assessment of previously recorded Aboriginal sites within, adjacent to, or in close proximity to the Subject Area, and inconsistencies in the revised interpretation of the archaeological potential of newly recorded Aboriginal site 7833_20 (AHIMS #37-6-4354), in the absence of new or robust supporting evidence.

Based on discussions with DPHI, Heritage NSW understands that the current SSD application would authorise harm to Aboriginal sites within the Stage 2 Detailed DA Area only. While the ACHAR includes assessment of the broader Stage 2 area, Aboriginal sites located within the Stage 2 Concept DA Area would require further assessment and approval prior to any harm occurring. On this basis, Heritage NSW notes that there are eleven (11) valid Aboriginal sites within the Stage 2 Detailed DA Area that have the potential to be impacted by the proposal. Notwithstanding this clarification, Heritage NSW cannot provide final advice on the adequacy of the assessment or the proposed management of Aboriginal cultural heritage impacts until the outstanding matters are resolved.

Accordingly, Heritage NSW recommends that DPHI request the proponent address the outstanding matters outlined in **Attachment A** prior to considering project approval as these matters must be resolved to ensure that the likely significant impact to ACH values is adequately described and understood prior to determination. Upon receipt of this information, Heritage NSW requests the opportunity to undertake additional review and provide additional advice.

Heritage NSW strongly recommends that the outstanding issues are resolved prior to determination. However, should DPHI proceed to determination of the proposal prior to resolution of these matters, Heritage NSW recommends that they be addressed through robust conditions of consent and Future Environmental Assessment Requirements (FEARs) for outstanding matters relating to Aboriginal heritage within the Stage 2 Concept DA Area . Recommended draft conditions for Aboriginal cultural heritage are provided in Attachment B, including a requirement for the preparation of a separate Aboriginal Cultural Heritage Management Plan (ACHMP) for Stage 2 of Huntlee New Town, to ensure alignment with current standards and best practice.

Please note that the comments provided relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Marika Low, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll

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*

21 April 2026

Attachment A – Outstanding Aboriginal cultural heritage matters – SSD-70748466

Heritage NSW requires that, where outstanding matters are addressed prior to approval, they be responded to in a separate Addendum to the ACHAR, rather than through further revision of the ACHAR itself. This is to ensure these matters are clearly and explicitly resolved and to avoid perpetuating errors or inconsistencies arising from repeated updates to the core report. As detailed below, the updating of the existing report has introduced new errors and discrepancies as well as carried forward existing ones. Additionally, an itemised table is required, outlining how each comment has been addressed and identifying where each matter is dealt with in the documentation.

1. Scope of works and associated impacts addressed under the current SSD application

While the updated ACHAR provides additional information on the Detailed Stage 2 and Concept Stage 2 components, it remains unclear which Aboriginal cultural heritage sites are proposed to be harmed under the current SSD application. In particular, the documentation does not clearly identify the Aboriginal sites for which harm approval is being sought, nor does it explain what further assessment, approvals and timing would be required in relation to potential impacts within the Concept Stage 2 Area. To address this, Heritage NSW requires:

- a. An explicit description of the Aboriginal cultural heritage impacts proposed to be authorised under the current SSD application, including identification of the Aboriginal sites located within the approved footprint.
- b. Confirmation of the management measures that will apply to ensure no harm occurs to Aboriginal sites within the Concept Stage 2 area under the current approval.
- c. An explicit acknowledgement that the Concept Stage 2 component will require further Aboriginal cultural heritage assessment and separate approval prior to any harm to Aboriginal objects or sites.

2. Assessment of previously recorded sites

Based on an updated AHIMS search (9 October 2025), the ACHAR identifies thirteen (13) previously recorded Aboriginal sites within the Subject Area (Table 7 in the ACHAR) and a further fourteen (14) sites located on or in close proximity to the boundary (referenced in Section 4.3 of the ACHAR), of which a number remain valid or only partially destroyed (i.e. seven within the Subject Area and a further eight on the boundary or in close proximity). We note that, although the previous Response to Submissions (RTS) stated that the location of previously recorded Aboriginal sites within the Subject Area were revisited during the survey program, and Heritage NSW's subsequent request for the inclusion of these results, the updated ACHAR does not adequately demonstrate that these specific sites have been re-inspected or that their location, extent and condition have been confirmed such that potential impacts from the proposal can be ruled out. In addition, the current mapping is misleading as it excludes registered AHIMS sites located on or beyond the project boundary, limiting understanding of site extent, connectivity and potential impact. To address this, Heritage NSW requires:

- a. Provision of the results of re-inspection for all previously recorded sites within, adjacent to, or in close proximity to the Subject Area, including updated information on site nature, extent and condition sufficient to meet Requirements 5(b), 6 and 7 and Section 3 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* ('the Code of Practice'; DECCW 2010).

- b. Revised mapping at an appropriate scale showing the location and extent of Aboriginal sites (including those on or beyond the project boundary), and clearly depicting their relationship to nearby sites, key landscape features and the project boundary; and
- c. An updated impact assessment and corresponding management measures for these sites informed by the above.

3. Assessment of Aboriginal site 7833_20 (AHIMS 37-6-4354)

Heritage NSW previously requested clarification as to why test excavations were not undertaken at Aboriginal site 7833_20 (AHIMS 37-6-4354) despite the exhibited and RTS versions of the ACHAR and RTS ACHAR both identifying the site as containing potential archaeological deposit (PAD), provisionally assessing the site as being of high archaeological significance and high research potential and recommending sub-surface testing. In contrast to this original position, Section 10.1 of the updated Archaeological Report (Appendix A of the updated ACHAR) states that test excavation was not conducted owing to perceived disturbance and an assessment of nil to low subsurface archaeological potential; however, no new or compelling evidence is provided to substantiate this revised interpretation, which represents a clear departure from the Exhibited ACHAR and RTS. This conclusion is also inconsistent with the significance assessment and management measures presented elsewhere in the updated ACHAR, which continue to describe the site as having a high artefact density, PAD and high research potential (including Sections 11.2.2 and 11.2.3 of the Archaeological Report, Table 32 and Table 10 of the ACHAR), and which recommend the site for subsurface testing, salvage and collection (Table 13 of the updated ACHAR). Heritage NSW further notes that disturbance alone does not preclude the presence of PAD, and consideration must be given to the potential for archaeological deposits to be preserved below existing disturbance.

- In the absence of adequate justification or supporting evidence for this change, and consistent with the exhibited ACHAR, RTS ACHAR and the recommended management measures in Table 13 of the updated ACHAR, Heritage NSW requires that archaeological test excavation be undertaken at site 7833_20 prior to approval of any harm to this site. This is necessary to ensure that the site's nature, extent and significance is properly understood and that Aboriginal cultural values are appropriately assessed and managed. Without an adequate assessment of the archaeological potential of the site, the Registered Aboriginal Parties (RAPs) and Heritage NSW are unable to provide advice based on an informed position and there is a risk that potential Aboriginal cultural values cannot be fully assessed prior to project determination.

4. Consideration of partial and indirect impacts to Aboriginal sites

Heritage NSW previously advised that it was unclear which activities would result in identified "partial indirect impacts" to Aboriginal sites KR25 (AHIMS 37-6-2029), KR26 (AHIMS 37-6-2030), KR26a (AHIMS 37-6-2031) and KR27 (AHIMS 37-6-2032), including the nature and location of proposed laydown areas associated with future development. While the updated ACHAR removes reference to partial indirect impacts to these sites, no explanation is provided for this change. Although the sites are now identified as being outside the Subject Area and avoided, Table 13 of the updated ACHAR continues to acknowledge a compliance risk by noting that these sites may require management in accordance with the ACHMP should avoidance not be possible, indicating a continuing potential for impact. Heritage NSW also notes that the existence of an approved ACHMP over the broader Huntlee Town Centre does not, in itself, authorise harm to Aboriginal objects or sites. To address this, Heritage NSW requires:

- a. Clarification of why partial or indirect impacts to sites KR25, KR26, KR26a and KR27 are no longer considered possible, including reconciliation with the mitigation measures outlined in Table 13 of the updated ACHAR.
- b. Details of the activities proposed to establish laydown areas and access routes (e.g. grading, compaction, importation of fill), to clarify the nature and extent of potential impacts.
- c. Mapping showing the location of all proposed laydown areas and access tracks in relation to Aboriginal cultural heritage sites.
- d. Consideration of feasible avoidance and minimisation measures for Aboriginal cultural heritage in laydown areas (e.g. surface protection measures).
- e. An updated impact assessment that explicitly considers all potential indirect impacts arising from the proposal.

5. Consideration of options to avoid harm

Heritage NSW previously advised that Aboriginal sites 7833_11 (AHIMS #37-6-4363) and 7833_12 (AHIMS #37-6-4362), both assessed as having moderate archaeological significance and research potential, are located within areas proposed for green space. Heritage NSW requested clarification of the nature and depth of works required to establish the green spaces (including whether any infrastructure is proposed in this area and confirmation of the nature of any ongoing maintenance works that may be required in the area), and consideration of whether these works could result in only partial harm or allow for conservation of Aboriginal cultural heritage. These matters have not been adequately addressed.

Heritage NSW reiterates that, consistent with the objects of the *National Parks and Wildlife Act 1974* (NPW Act), the *Environmental Planning and Assessment Act 1979* (including the principles of ecologically sustainable development under section 1.3), and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (2010), project proponents are required to demonstrate that all reasonable and feasible measures to avoid harm to Aboriginal objects and places have been exhaustively considered before harm is proposed. To address this matter, Heritage NSW requires:

- a. Clarification of the nature and likely depth of works required to establish green spaces.
- b. Consideration of whether such works would result in partial rather than total harm to Aboriginal sites 7833_11 and 7833_12.
- c. Documentation of consultation between RAPs, the proponent and the consultant demonstrating that avoidance and minimisation options have been genuinely considered.
- d. Consideration of alternative management measures, other than salvage excavation, that could enable conservation and minimise harm in these areas (for example, preparing the ACHMP to include provisions for limited harm activities in these areas such as weeding and lawn-moving) to reduce impacts and allow for at least partial conservation *in-situ*.

6. Aboriginal community consultation

Heritage NSW previously requested additional consultation documentation to demonstrate compliance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). While some additional information has been provided, key evidence remains outstanding including the following:

- a. Evidence that the draft test excavation methodology was sent to all RAPs for review and comment, copies of any responses received and how any comments were addressed.
- b. Evidence that the RTS ACHAR (dated 26 June 2025) was provided to all RAPs for review and comment, provide copies of any responses received and how any comments were addressed.
- c. Confirmation of whether any responses were received from RAPs in relation to the current updated ACHAR (dated 9 February 2026) including how any comments were addressed.

Consideration of AHIP 1108630 (AHIMS #3201) and other outstanding matters

7. While Section 4.1.3 of the Archaeological Report acknowledges that AHIP 1108630 (AHIMS #3201) overlaps with the current Subject Area, insufficient information is provided regarding the extent and location of this overlap, the sites affected, any outstanding Aboriginal heritage commitments associated with the AHIP, or how these matters interact with the current proposal. In the absence of this information, it is unclear whether the Aboriginal sites within the Subject Area remain valid or have been previously impacted or destroyed under the AHIP. To address this matter, Heritage NSW requires:
 - a. Provision of additional information clarifying the spatial relationship between AHIP 1108630 and the Subject Area, including identification of the specific Aboriginal sites affected.
 - b. Clarification as to whether there is sufficient evidence to determine whether Aboriginal sites KR25, KR26, KR26a, KR27, KR28 and KR29 remain valid or have been destroyed as a result of works authorised under AHIP 1108630. Where it is proposed that any of these sites have been destroyed, provision of supporting evidence (such as salvage excavation reports), prior to submission of any AHIMS site card update forms.
8. While the Archaeological Report has been updated to include a technological analysis of the excavated stone artefact assemblage, as per our previous advice, the current documentation contains unresolved discrepancies in reported artefact numbers that require clarification. Specifically, Section 10.1 states that a total of 89 artefacts were recovered from 31 test pits; Section 10.2.1.1 reports that 141 Aboriginal stone artefacts were identified during test excavation; and Section 10.2.1.2 reports 69 artefacts from 21 test pits at site 7833_11 and 61 artefacts from 10 test pits at site 7833_12. These counts are also inconsistent with Section 10.1.2, which reports 74 artefacts from 7833_11 and 15 artefacts from 7833_12. Heritage NSW requires clarification of these discrepancies and correction of artefact totals to ensure the results of test excavation and the associated technological analysis are accurately and consistently reported in accordance with the Code of Practice.

Attachment B – Recommended draft conditions for Aboriginal cultural heritage

Below are our recommended draft conditions for Aboriginal Heritage and the implementation of a Stage 2 Aboriginal Cultural Heritage Management Plan (ACHMP).

Aboriginal Heritage

1. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
2. The Proponent must ensure the development does not cause harm to any Aboriginal objects located outside the approved Stage 2 Detailed DA Area including those identified in Table 1.
3. The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.

Aboriginal Cultural Heritage Management Plan

4. Prior to carrying out any development that could harm Aboriginal objects, the Proponent must prepare a standalone ACHMP for Stage 2 of the Huntlee New Town development to the satisfaction of the Secretary. This plan must:
 - a. be prepared by a suitably qualified and experienced person.
 - b. be prepared in consultation with the RAPs and reviewed by Heritage NSW.
 - c. clearly describe the Stage 2 proposal, including its relationship to existing approvals and any future approvals associated with the Huntlee New Town development, including staging and proposed timing.
 - d. identify all relevant approvals applying to, or overlapping with, the project area, including existing Aboriginal Heritage Impact Permits, and any ongoing or outstanding conditions or requirements relating to the management of Aboriginal objects.
 - e. include the results of re-inspection of all previously recorded Aboriginal sites within, adjacent to, or in close proximity to the Stage 2 Detailed DA Area, including updated information on site nature, extent and condition sufficient to meet Requirements 5(b), 6 and 7 and Section 3 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010);
 - f. include an avoidance options analysis and updated impact assessment for Aboriginal sites within the Stage 2 Detailed DA Area, demonstrating that all reasonable and feasible options to avoid harm have been considered and exhausted.
 - g. identify Aboriginal sites within the Stage 2 Concept DA Area and outline any outstanding assessment requirements for those sites, noting that further assessment must be undertaken as part of any future application for that component of the project.
 - h. include a description of the measures (and associated methodologies) that would be implemented for:
 - i. protecting the Aboriginal heritage items identified within the project footprint (identified for avoidance as per Condition 4(f) or items located outside the approved Stage 2 Detailed Design Area, including fencing off the Aboriginal heritage items prior to commencing construction;

- ii. undertaking the management activities specified in Table 2, including a detailed methodology for each of the approved management activities;
 - iii. a strategy for the short-term and long-term management of any Aboriginal objects salvaged under approval (including those recovered during previous test excavations);
 - iv. include updated mapping of all areas that have been and will be subject to mitigation measures such as surface collection, salvage or protective fencing;
 - v. ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
 - vi. ongoing consultation with RAPs during the implementation of the ACHMP;
 - vii. preparing Aboriginal Site Impact Recording Form/s (ASIRFs) for all Aboriginal heritage sites following construction activities with ASIRFs to be submitted to the Aboriginal Heritage Information Management System (AHIMS) registrar.
- i. include a contingency plan and reporting procedure for Unexpected Heritage Finds and Human Remains Procedure prepared in relation to Aboriginal cultural heritage, with these measures to be prepared in accordance with the guidelines and standards specified by Heritage NSW, be implemented for the duration of the project and to include the requirement to register any newly identified Aboriginal objects or sites in the AHIMS database.
 - j. include provision for undertaking detailed reporting on the outcomes of management activities including (but not limited to) archival recording and analysis of stone artefact assemblages with reporting to be prepared in accordance with Heritage NSW Codes and Guidelines.
 - k. include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.
5. Following the Planning Secretary's approval, the Applicant must implement the ACHMP.

Table 1. Aboriginal heritage items – Stage 2 Concept DA Area – Avoid impacts

Site name (AHIMS ID)	Site type	Archaeological significance	Future environmental assessment requirements (FEARs)
IF5_Huntlee (AHIMS #37-6-4254) 7833_1 (AHIMS #37-6-4350) 7833_2 (AHIMS #37-6-4348) 7833_3 (AHIMS #37-6-4347) 7833_4 (AHIMS #37-6-4349) 7833_5 (AHIMS #37-6-4346) 7833_6 (AHIMS #37-6-4345) 7833_7 (AHIMS #37-6-4344) 7833_19 (AHIMS #37-6-4355) 7833_21 (AHIMS #37-6-4353) 7833_22 (AHIMS #37-6-4352) 7833_23 (AHIMS #37-6-4351)	Artefact (Isolated artefact or low-density scatter)	Low	Updated impact assessment demonstrating consideration of options to avoid. This must be presented in the report/assessment used to support any future application for Stage 2 Concept DA
7833_20 (AHIMS #37-6-4354)	Artefact and PAD	High (provisional)	Test excavations to be completed to inform the assessment used to support any future application for Stage 2 Concept DA
Previously recorded Aboriginal sites within, adjacent to, or in close proximity to Stage 2 Concept DA Area. This includes, but is not necessarily limited to: HANWOOD RD (AHIMS #37-6-1927) KR25 (AHIMS #37-6-2029) KR26 (AHIMS #37-6-2030) KR26a (AHIMS #37-6-2031) KR27 (AHIMS #37-6-2032)	Artefact with or without PAD	Not assessed.	Re-inspection of sites and updated impact assessment demonstrating consideration of options to avoid. This must be presented in the assessment/report used to support any future application for Stage 2 Concept DA

Table 2. Aboriginal heritage items – Management and mitigation measures for sites within Stage 2 Detailed DA Area

AHIMS ID/ Site name	Site type	Archaeological significance	Level of harm and Management
7833_8 (AHIMS #37-6-4366) 7833_9 (AHIMS #37-6-4365) 7833_10 (AHIMS #37-6-4364) 7833_13 (AHIMS #37-6-4361) 7833_14 (AHIMS #37-6-4360) 7833_15 (AHIMS #37-6-4359) 7833_16 (AHIMS #37-6-4358) 7833_17 (AHIMS #37-6-4357) 7833_18 (AHIMS #37-6-4356)	Artefact	Low	Sites proposed for total or partial direct harm. Where impacts cannot be avoided, undertake surface collection.
7833_11 (AHIMS #37-6-4363) 7833_12 (AHIMS #37-6-4362)	Artefact with PAD	Moderate	Level of harm subject to confirmation of nature of works within the green space and outcomes of avoidance options analysis. Where impacts cannot be avoided, undertake surface collection and salvage excavation (as required).
Previously recorded Aboriginal sites within, adjacent to, or in close proximity to Stage 2 Detailed DA Area	Artefact with or without PAD	Not assessed	Level of harm and management requirements subject to re-inspection of sites and updated impact assessment