

Ms Tahlia Alexander
Principal Planning Officer
Social and Infrastructure Assessments
Department of Planning, Industry and Environment

By email: Tahlia.Alexander@planning.nsw.gov.au

Dear Ms Alexander

Notice of Exhibition of application for New High School in Bungendore (SSD-14394209)

Thank you for your referral dated 17 September 2021 inviting comments from the Heritage Council of NSW on the above State Significant Development (SSD) proposal. The proposed development involves the construction of new school buildings and facilities, as well as a new community building, in the area of Majara Street and Turallo Terrace in Bungendore.

The proposed SSD site is adjacent to the State Heritage Register item *Bungendore Railway Station and Yard Group* (SHR no. 01105). This late nineteenth century railway station and partly intact yard includes the 1885 roadside station building, the 1885 goods shed and jib crane. The extant railway buildings and structures at Bungendore, particularly the station building and goods shed, are important elements within the wider townscape of Bungendore and are good representative examples of a series of similar items located on the Main Southern Line and the Bombala Line.

The following reports were considered in our assessment:

- *Environmental Impact Statement: New High School in Bungendore (SSD-14394209)*, (EIS) prepared on behalf of NSW Department of Education by Mecone, dated 9 September 2021;
- *Appendix 7: New High School in Bungendore: Statement of Heritage Impact and Archaeological Assessment*, prepared for Schools Infrastructure NSW by Ecological Australia, dated 9 September 2021; and
- *Appendix 8: New High School in Bungendore: Aboriginal Cultural Heritage Assessment*, (ACHAR) prepared for Schools Infrastructure NSW by Ecological Australia, dated 7 September 2021.

Matters relating to historic heritage

As delegate of the Heritage Council of NSW, I provide the following comments:

- I am generally satisfied that the supplied Statement of Heritage Impact (SOHI) and Archaeological Assessment (AA) meets the relevant SEARs conditions.
- As previously recommended, the AA has investigated the potential for historic burials within the project area. I am satisfied that there is low potential for historic burials in the study area based on available information. However, I note the potential for further information to come to light during the EIS process from the local community and request that if any positive information regarding historic burials within the study area becomes available that the Department of Planning, Industry and Environment refer it to Heritage NSW for comment.

- Please note that within the SOHI/AA section 4.2.2 Bungendore Common is duplicated at 4.2.4.
- It may be worthwhile adding the referenced letters and newspaper articles relating to the historic burials as an appendix to the SOHI/AA.
- As identified in the SOHI/AA if any construction works associated with this SSD fall within the curtilage of the *Bungendore Railway Station and Yard Group* SHR item they will potentially require approval from the Heritage Council of NSW. It would be best if this curtilage is clearly identified on relevant plans so that construction personnel are aware of its location at all times.
- Three unexpected finds protocol conditions are recommended to cover any eventualities during construction work. This includes one specifically tailored for burials.

Matters relating to Aboriginal cultural heritage

We note the ACHAR has assessed that there is low potential for archaeological material to be located or harmed within the development area due to previous high levels of ground disturbance. We do note the ACHAR outlines additional miscellaneous off-site works will also occur as part of this development and we recommend clarification be sought on whether these areas were considered and assessed as part of the ACHAR.

There is some discrepancy between the date referenced for the Aboriginal Heritage Information Management System (AHIMS) search under section 4.1 of the ACHAR compared to the date in the search data attached as Appendix B. We recommend an updated search of AHIMS be undertaken as search results are only valid for 12 months.

We note the mitigation measures outlined in section 10 of the EIS do not incorporate all of the management recommendations from section 9 in the ACHAR whereby:

- *If the proposed works encounter intact soil deposits, then further archaeological investigations will be required. Monitoring by a qualified archaeologist and a representative of the LALC during early excavation works may be required.*
- *If proposed excavated areas are located beyond the defined assessment boundary (Figure 3), further investigations will be required and an addendum ACHA undertaken. An addendum ACHA will require further consultation with RAPs. Any further impact to land in close proximity (within 100 m) to Turallo Creek beyond the proposed agricultural plot, will be subject to further investigation. - Aboriginal objects are protected under the NPW Act regardless if they are registered on AHIMS or not.*
- *It is recommended that a heritage induction is included for early demolition and construction workers before works commence.*

We recommend clarification be sought regarding how and when these recommended measures would be implemented.

Recommended Conditions of Approval

Should the Department of Planning, Industry and Environment approve this development, the following conditions are recommended as drafted to be included on that consent:

1. Heritage Management Plan

A Heritage Management Plan is to be prepared to outline how the management measures from the ACHAR and the unexpected protocols would be implemented for this project. The plan needs to be prepared by a suitably qualified archaeologist in consultation with Heritage NSW and the registered Aboriginal parties.

2. Unexpected Finds Protocol – Aboriginal Heritage

In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal parties must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage NSW.

3. Unexpected Finds Protocol - Historic Heritage

If any unexpected archaeological relics are uncovered during work, then all works must cease immediately in that area and the Heritage Council contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage Council.

4. Unexpected Finds Protocol – Burials

In the event that a burial or skeletal remains are uncovered during work, then all works must cease immediately in that area and the NSW police and Heritage NSW contacted. A suitably qualified archaeologist must be contacted to determine the specific nature and significance of the skeletal remains. The Applicant must consult with relevant stakeholders, the archaeologists and Heritage NSW to develop and implement appropriate management strategies for the skeletal remains. Works shall only recommence with the written approval of Heritage NSW.

If you have any questions regarding the above advice, please contact Dr Damian Tybussek, Senior Heritage Operations Officer, South East at Heritage NSW on 0488 188 527 or Damian.Tybussek@environment.nsw.gov.au.

Yours sincerely



Barrina South

A/Manager

Regional Heritage Operations, Southern Region

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

18 October 2021