



Max Obiakor
Senior Planning Officer
Department of Planning & Environment
Email: max.obiakor@dpie.nsw.gov.au

Your reference: SSD-10055
Our reference: DOC22/700631

Dear Max

Advice on EIS and recommended conditions – State Significant Infrastructure – Albury to Illabo Inland Rail (SSI-10055)

Thank you for your referral uploaded to the Major Projects Portal on 17 August 2022 seeking advice on the proposal and for the above State Significance Infrastructure (SSI) proposal. In preparing this advice I have reviewed the following documents:

- Inland Rail – Albury to Illabo: Environmental Impact Assessment – prepared by WSP Australia Pty Ltd and Australian Rail Track Corporation Ltd, dated August 2022
- Technical Paper 02: Aboriginal Cultural Heritage Assessment Report – prepared by GML Heritage Pty Ltd, dated June 2022
- Appendix H: Outline construction management plan - prepared by Australian Rail Track Corporation Ltd, dated August 2022

The Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared in reference to the relevant guidelines as required by the SEARs. Based on the current state of the archaeological investigation, Heritage NSW largely agrees with the management recommendations outlined in the ACHAR.

However, in order to establish the nature and extent of the Aboriginal cultural heritage values proposed for impact by this development, further investigations may be required. Heritage NSW recommends that a revised ACHAR be provided that adequately addresses the following recommendations in addition to the management and mitigation measures included in the ACHAR and EIS:

Mapping

- Please clarify the changes that occurred to the project area post-survey, the areas not subject to survey, and whether the Registered Aboriginal Parties (RAPs) were made aware of the changes to the project boundary.
- Please provide updated mapping that includes the location of site A2I-2 and the proposed location of the construction compound that will be placed adjacent to the site as well as the locations of construction compounds throughout the project area.
- Please provide additional information on how site A2I-2 will be protected during the construction and use of the compound.

Areas of Potential Archaeological Deposit

- The ACHAR identifies that a large paddock in the north-west of Zone 3 has been subject to previous disturbance and is unlikely to contain Aboriginal cultural heritage, however, historical imagery indicates that beyond initial clearing there have been limited impacts to the area. Please provide further explanation on the past impacts to this area and the proposed impacts by the project. If adequate justification is not provided, Heritage NSW may recommend that additional investigation occur in the area in the form of test excavations.

- Please clarify the proposed impacts to the potential archaeological deposit (PAD) identified in Zone 1. It is unclear from the mapping whether the PAD was subject to survey and whether the PAD is within or adjacent to the works boundary.
 - If sections of the PAD in a disturbed context are likely to be impacted, then Heritage NSW recommends that a monitoring and community collection methodology be created for the upgrade and grading of the existing roads and tracks within Zone 1.
 - If works are proposed outside of existing disturbance, then it is recommended that test excavations be implemented prior to project approval as test excavation upfront informs the potential of the project area to contain Aboriginal objects, whether future salvage excavation is required and would allow the proponent to redesign the project to avoid any significant objects or sites if necessary.
 - Further, while the ACHAR proposes that direct impacts to the PADs will be avoided, the PADs are within or directly adjoining the construction impact area. If there is potential for the PADs to be impacted and/or extend further into the construction impact area, then Heritage NSW recommends test excavations to identify the nature, extent, and significance of any subsurface deposit. This will ensure that further impacts can be avoided, and the site adequately conserved.

Archaeological Survey

- The ACHAR has not presented the results of the survey as required by Requirements 5, 9-10, and 11 of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010). Please provide these details to allow for Heritage NSW to make an assessment of the adequacy of the survey coverage.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Corey O'Driscoll, Senior Assessments Officer, at Heritage NSW on 6229 7079 and corey.odriscoll@environment.nsw.gov.au.

Yours sincerely



Rose O'Sullivan
Senior Assessments Officer
Heritage NSW
Department of Planning and Environment