

Our ref: DOC24/385155-3

Your ref: SSD-70889211

Shaun Williams

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Department of Planning, Housing and Infrastructure

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Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Data Centre Facility at 105 & 113 Hollinsworth Road, Marsden Park

Major Project reference: SSD-70889211

Received: 17 May 2024

Dear Shaun,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal. In preparing this advice Heritage NSW has reviewed the following documents:

- Request for Project Specific SEARs for a proposed Data Centre Facility at 105 & 113 Hollinsworth Road, Marsden Park – prepared by Melcone Group Pty Limited, dated 15 May 2024.

Heritage NSW understands that:

- An existing Aboriginal Cultural Heritage Assessment Report has been prepared by Travers Bushfire & Ecology to support the early works Development Application on the subject site which has been submitted to Blacktown Council (DA-24-00386).
- The subject site contains one Aboriginal site registered on the Aboriginal Heritage Information Management System (AHIMS) which consists of a potential archaeological deposit (PAD) (AHIMS # 45-5-4619). Information contained in the original site card recording on AHIMS indicates that the site is largely intact and there is only localised areas of high disturbance.
- Based on the results of visual inspection of the subject site by Travers Bushfire & Ecology, the Aboriginal Cultural Heritage Assessment Report concludes that the study area holds little to no surface and subsurface Aboriginal archaeological potential, "given the widespread historical disturbance across the site".
- The applicant proposes to submit the same Aboriginal Cultural Heritage Assessment Report with the SSDA package.

- Based on the construction timeline and program, it is anticipated that works will have commenced ahead of the determination of the SSDA and the relevant approvals from Council will be obtained.

Blacktown City Council have confirmed with Heritage NSW that the early works DA-24-00386 will be assessed as an Integrated Development under s90 of the National Parks and Wildlife Act 1974 as the works may require the grant of an Aboriginal Heritage Impact Permit (DOC24/385155-4). It is therefore understood that Heritage NSW will be provided with the opportunity to review and comment on the existing Aboriginal Cultural Heritage Assessment Report as part of the Integrated Development application review process and that any issues identified with the adequacy of the assessment can be resolved at the early works DA stage.

With consideration of the above, Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed Data Centre Facility at 105 & 113 Hollinsworth Road, Marsden Park (SSD-70889211):

- The Environmental Impact Statement should be informed by an Aboriginal Cultural Heritage Assessment Report, prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The Aboriginal Cultural Heritage Assessment Report must be prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011) and the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010), including results of archaeological survey and test excavations undertaken in accordance with the relevant standards and requirements;
- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed measures) in substantial compliance with the consultation process outlined in the Aboriginal cultural heritage consultation requirements for proponents 2010.

If you have any questions regarding these comments, please contact Marika Low, Senior Assessments Officer, at Heritage NSW on 0400 477 904 or marika.low@environment.nsw.gov.au.

Yours sincerely

Nicole Davis

Nicole Davis
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Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
30 May 2024