

Our ref: HMS ID 11247

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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: New Eileen O'Connor School

Major Project reference: SSD-67173718

Received: 24 July 2025

Dear Andrew,

Thank you for your referral seeking advice on the above State Significant Development proposal. Heritage NSW understands the project relates to the construction of a new school for 200 students from Kindergarten to Year 12 with special needs.

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

- Relevant sections of Environmental Impact Statement - prepared by epn projects, dated 9 July 2025
- Appendix II: Aboriginal Cultural Heritage Assessment Report - prepared by Apex Archaeology, dated March 2025
- Appendix JJ: Archaeological Report - prepared by Apex Archaeology, dated March 2025

Following the review of the above documents, Heritage NSW concurs with the recommended management and mitigation measures present in the Aboriginal Cultural Heritage Assessment Report (ACHAR), however additional information is required to ensure that the ACHAR adequately addresses the Secretary's Environmental Assessment Requirements for the project, including:

1. We request that additional documentation of the consultation process be provided. The applicant needs to provide evidence that consultation was kept continuous as the last consultation recorded in the ACHAR is dated April 2024. Heritage NSW requires that consultation with Registered Aboriginal Parties (RAPs) is continuous. Under our policy and guidelines, breaks in consultation of over six months may not constitute continuous consultation.

2. Heritage NSW notes that the Aboriginal Heritage Information Management System (AHIMS) search is greater than 12 months old at the time of submission. Heritage NSW generally requires, as per Requirement 1b of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010), that AHIMS searchers are less than 12 months old. Please provide an updated AHIMS search.

Heritage NSW would recommend the implementation of the unexpected finds protocol outlined in the ACHAR. Draft Conditions of Consent are included in **Attachment A**. 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, Practice Lead at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
A/Manager
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
19 August 2025

Attachment A – Recommended draft conditions for Aboriginal cultural heritage

Below are our recommended draft conditions for the protection of Aboriginal heritage.

Aboriginal Heritage

3. All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects except as authorised by this approval.
4. The Registered Aboriginal Parties must be kept informed about the SSD. The Registered Aboriginal Parties must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
5. Prior to carrying out any development, the Applicant must ensure Aboriginal heritage management procedures are prepared for the development and included in the Project's Construction Environmental Management Plan (CEMP). The Aboriginal heritage management procedures must:
 - a. be prepared by suitably qualified and experienced persons;
 - b. be prepared in consultation with Registered Aboriginal Parties and be reviewed by Heritage NSW;
 - c. include a description of the measures that would be implemented for:
 - i. ongoing consultation with Registered Aboriginal Parties, including consultation regarding changes to the management of Aboriginal cultural heritage.
 - ii. a contingency plan and reporting procedure for the management of Unexpected Heritage Finds and Human Remains that is prepared by suitably qualified and experienced heritage specialist in relation to Aboriginal cultural heritage, in consultation with the Registered Aboriginal Parties and in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010). The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction.
 - iii. ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions.