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Our Ref: R01/21891

27 September 2021

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Dear Grace

**RE: Horsley Logistics Park Aboriginal Archaeological Due Diligence Assessment
Addendum Letter**

1.0 Introduction

ESR Australia Pty Ltd (ESR) (the Proponent) are seeking a modification (Modification 4) to the State Significant Development Application (SSDA) at Lot 103 DP1214912, 327-355 Burley Road, Horsley Park (subject area).

The subject area covers approximately 20.8 ha and comprises a former quarry. The subject area is located to the south of Burley Road in Horsley Park and has a south-eastern boundary that follows the alignment of the E2 – Environmental Conservation corridor adjacent to the site (**Figure 1.1**).

The proposed Section 4.55(1A) Modification seeks to modify the plans contained within Appendix 1 (as called up by condition A2(d)) to support design modifications to the approved layout and design of Lot 204 (formally Lot 203).

The proposed modification to Lot 204 will include:

- Minor reconfiguration of warehouse footprint and building form,
- Division of the single warehouse space into two separate tenancies,
- Creation of an additional lot access/exit point to provided dedicated access to proposed Warehouses A and B, as well as reconfiguration of car parking to facilitate two tenancies,
- Installation of two additional recess docks for proposed Warehouse B,
- Amendments to landscape to reflect the new site design; and
- The building pads for Lot 204 are proposed to be reduced to better align building pad and site level with Johnston Crescent.

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- To reduce the RLs within the subject area from reduced level (RL) 89.75 to RL 86.9 (2.85m) to minimise discrepancy between the access road RL and the hardstand. There is a threshold of tolerance of +/- 500mm.

The purpose of this document is to assess the proposed impacts from Modification 4 with reference to the information presented in the Aboriginal Archaeological Due Diligence Assessment (ADD) that was used to inform the current Development Consent (Urbis 2020). This assessment considers consistency of impact with those already approved and the requirement for any additional mitigation measures/recommendations.

2.0 Background

Urbis was engaged by ESR to prepare an ADD to inform the original SSD application for the subject area. The proposed works assessed by Urbis included the establishment of an industrial estate in the subject area with impacts comprising:

- Construction of on-lot stormwater infrastructure and services.
- Construction and fit out of buildings.
- Constructions of hardstand loading and carparking.
- Landscaping and signage.
- Detailed earthworks and construction of retaining walls.

The ADD was prepared to investigate whether the proposed development would have the potential to harm Aboriginal objects and/or places that may exist within the subject area and inform the proposed development of any Aboriginal archaeological and heritage constraints.

The Urbis assessment (2020) was prepared in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010) ('Due Diligence Code').

The Urbis assessment (2020) concluded the following:

- There are two Aboriginal sites registered within the subject area (AHIMS ID#45-5-2046 (PGH2; Monier PHG;) and AHIMS ID#45-5-2057 (PGH1; Monier PGH;)) that have since been destroyed and an Aboriginal Site Impact Recording Form has been submitted to both for the DPIE. These sites were therefore no longer extant and could not be harmed by the proposed development.
- The subject area has been the subject of high-level disturbance by historical land use, including stripping of topsoil, bulk earthworks and the quarry operations during the last twenty years.
- Due to the level of past soil disturbance and low sensitivity for Aboriginal objects to exist it is considered unlikely that the proposed works will harm Aboriginal cultural heritage and therefore no further assessment for Aboriginal heritage is recommended.

3.0 Archaeological Context

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) was carried out by Urbis on the 23 March 2020 (AHIMS Client Service ID: 492954) for an area of approximately 3 km².

The search undertaken by Urbis established that there were two Aboriginal sites (AHIMS ID#45-5-2046 and AHIMS ID#45-5-2057) registered within the subject area, with a third (AHIMS ID#45-5-2095) located approximately 200m to the north-east of the subject area boundary. Further investigation confirmed that both sites within the subject area had since been destroyed and an Aboriginal Site Impact Recording Form had been submitted to DPIE for both. As a result, it was determined by Urbis that neither site remain valid and would not be harmed by the proposed development.

Umwelt undertook an extensive AHIMS search on the 20 September 2021 (AHIMS Client Service ID: 623968) covering approximately 3 km² centred on the subject area. This was undertaken to establish whether any additional AHIMS sites have been registered within or in the vicinity of the subject area in the interim period (March 2020 to September 2021). **Figure 1.1** below illustrates that the three sites previously identified by Urbis (AHIMS ID#45-5-2046, AHIMS ID#45-5-2057 and AHIMS ID#45-5-3095) are the only registered AHIMS sites inside or within approximately 500m of the subject area.

The extensive search undertaken for this assessment confirms that the following sites located within the subject area are classified as having been destroyed under previous approval:

- AHIMS ID#45-5-2046 (PGH2; Monier PHG;) and AHIMS ID#45-5-2057 (PGH1; Monier PHG;)

4.0 Consideration of Proposed Work Against the Due Diligence Code

Section 8 of the due diligence code outlines the process to guide due diligence assessments, summarised below in relation to the proposed works.

1: *Will the activity disturb the ground surface or any culturally modified trees?*

Yes. As discussed in **Section 1**, the proposed works will involve ground disturbance across the subject area to facilitate the construction of a proposed industrial estate. The establishment of the industrial estate is approved however the level of excavation required has now increased.

There are no trees within the subject area and, as such, there is no potential for culturally modified trees to be impacted by the proposed works.

2: *Are there any:*

a) *Relevant confirmed site records or other associated landscape feature information on AHIMS?*

There are three sites registered on AHIMS (AHIMS ID#45-5-2046, AHIMS ID#45-5-2057 and AHIMS ID#45-5-3095) inside or within approximately 500m of the subject area.

- AHIMS ID#45-5-2046 (PGH2; Monier PHG;) and AHIMS ID#45-5-2057 (PGH1; Monier PHG;) are both classified as destroyed on AHIMS.
- AHIMS ID#45-5-3095 (PGH3) is approximately 200m to the north-east of the subject area and will not be impacted by the proposed works

The original landform context of the subject area has been heavily modified as a result of bulk earthworks. The earthworks have resulted in the removal/relocation of all topsoil deposits within the subject area. As archaeological deposits (in the form of stone artefacts) are typically found in topsoil deposits only, these works have acted to remove/relocate any archaeological evidence that may have been present (if any).

The subject area is clearly and demonstrably disturbed and, based on the level of disturbance has little or no potential to retain archaeological deposits.

b) Any other sources of information of which a person is already aware?

Based on the subject area's environmental context, as well as the results of the previous archaeological investigation undertaken in the subject area (Urbis 2020), it is considered the most likely site types to occur in the area (if present) would be stone artefacts located in disturbed areas. However, as discussed above, the potential for such sites to be present within the project area is significantly limited by the extent to which it has been disturbed and developed.

Other site types, including culturally modified/scarred trees, stone arrangements, rock shelters with or without rock art/engravings and grinding grooves do not have any potential to be present within the subject area based on both the environmental context and extent to which the project area has been developed.

c) Landscape features that are likely to indicate the presence of Aboriginal objects?

The entity of the subject area has been impacted by bulk earthworks and, as such, there are no archaeologically sensitive landscape features remaining within the subject area and it has little to no archaeological potential.

5.0 Management Recommendations

The following recommendations are made with reference to the requirements of the NPW Act, the NPW Regulation and the due diligence code. It is noted that these recommendations are provided from an archaeological perspective only and have not been made with reference to Aboriginal cultural values associated with the subject area.

- The proposed works may proceed without any further Aboriginal archaeological investigation provided that the impacts and extent of the proposed works are consistent with those discussed in this assessment. Works should, however, proceed with caution.
- All persons working on site that are involved in ground disturbing works should be made aware that it is an offence under Section 86 of the NPW Act to harm or desecrate an Aboriginal object.
- In the highly unlikely event that an Aboriginal object is identified whilst carrying out works within the project area, all activities in the immediate vicinity of the identified Aboriginal object should cease and a suitably qualified archaeologist should be contacted to confirm the validity of the object. Should the object be confirmed to be of Aboriginal cultural origin, the landholder/contractor must notify Heritage NSW and may need to undertake further archaeological investigation prior to the recommencement of further ground disturbance works in proximity to that object.

We trust this information meets with your current requirements. Please do not hesitate to contact the undersigned on 0431-874-011 should you require clarification or further information.

Yours sincerely

Andrew Crisp
Senior Archaeologist

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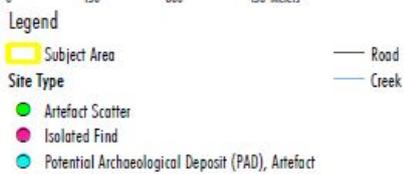
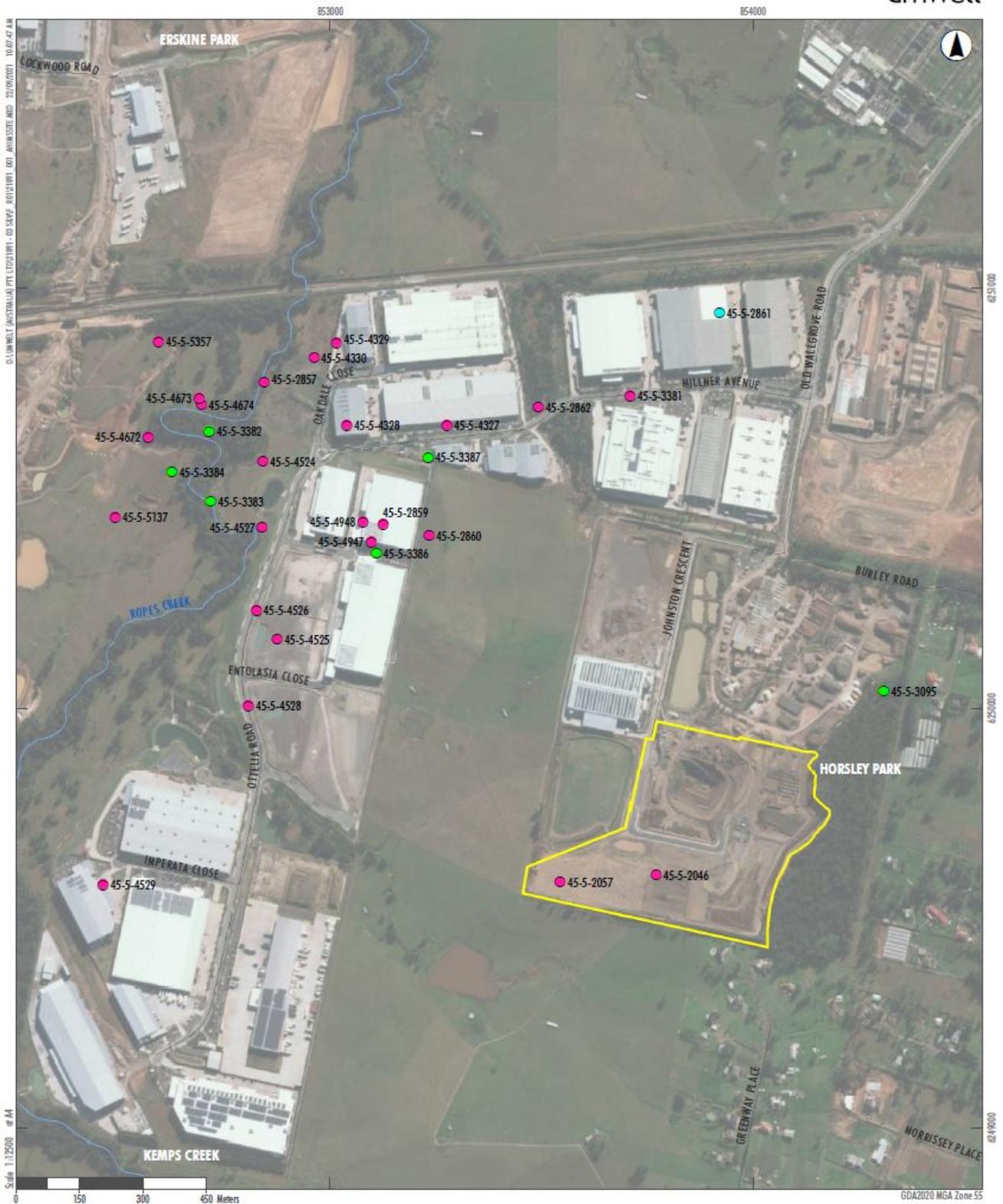


FIGURE 1.1

AHIMS Sites

Image Source: ESRI Basemap (2021) Data source: DSFI (2021); AHIMS (2021)