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Sherron Agrawaal
Assistant Manager, Affordable Housing
Landcom
Level 14, 60 Station Street
Parramatta NSW 2150
By email: sagrawaal@landcom.nsw.gov.au

RE: BLOCK 20A, BEZENTIN RIDGE ROAD, EDMONDSON PARK – LETTER OF ADVICE

Dear Sherron,

Austral Archaeology Pty Ltd (Austral) has been engaged by Landcom (the Client) to provide advice as to the requirement for an Aboriginal Cultural Heritage Assessment (ACHA) for the proposed subdivision and residential development at Block 20A, Bezentin Ridge Road, Edmonson Park, NSW [the study area]. The site is situated as part of a larger site, Lot 40 DP1286151 a Development Application (DA) is currently under assessment with Liverpool Council to subdivide the larger lot into 3 smaller lots. The subject affordable housing development and the State Significant Development Application (SSDA) pertains to future lots 401 and 402. Currently, the study area comprises part of Lot 101 DP 1275550 and the entirety of lots 103 and 104 DP 1275550.

It is understood that this Letter of Advice (LoA) will be used to support the SSDA regarding the development of the study area, without the need to undergo an additional ACHA. This letter also addresses Condition 21 of the Planning Secretary's Environmental Assessment Requirements (SEARs) for Housing (Table 1). Proposed works include modifications to the school zone, road layout, dwelling yield and mix, building height and bushfire asset protection zones.

PROPOSED WORKS

Landcom is proposing a concurrent application process that will involve lodging a subdivision Development Application (DA) with Council, followed by a SSDA for Affordable Housing.

Landcom is seeking development consent to construct an infill affordable housing development (Figure 1). Development consent is sought for:

- Site preparation works.
- Earthworks and associated site works.
- Construction of:
 - One (1) level of basement car parking comprising of 58 car parking spaces, bicycle parking, storage and associated services.
 - Three (3) inter-connected buildings across the site comprising.
- One, fifteen (15) storey building located along the north-eastern corner of the site.
- One, nine (9) storey building located along the western side of the site.

- Four, two-storey attached terraces.
 - Ground floor includes five (5) at grade parking spaces including three (3) dedicated car share spaces and two (2) retail car parking spaces.
 - Two main lobby areas which are designed to be adaptable and cater for co-working.
 - A retail unit.
 - A landscaped plaza along the eastern side of the site.
 - Small office space for a Community Housing Provider.
 - Communal room for residents on the second floor.
 - Large area of communal open space located on Level 2.
 - Associated amenities for services and waste

A total of 172 affordable housing units are to be delivered.

As part of this proposal, the existing Lot 40 will be subdivided into 3 new lots: Lot 40, Lot 401 and Lot 402. Lot 40 will remain as a residual lot, retaining its current designation and covering an area of 8.6 hectares. Lot 401 will be created by amalgamating a portion of Lot 101 DP 1275550 with the entirety of Lots 103 and 104 DP 275550. This lot, which forms the study area for the current assessment, will have an area of 3,385 square metres. Lot 402 will comprise a 3,213 square metre allotment that has been allocated for a proposed laneway. As part of this LoA, an assessment has been undertaken for Lot 401.



Figure 1 Landcom Town Centre North Precincts (Willowtree Planning Pty Ltd 2020)

BACKGROUND

Two assessments detailing the impact on existing Aboriginal cultural heritage have already been completed by Australian Museum Business Services (AMBS) [2011] and Kelleher Nightingale Consulting Pty Ltd (2018). This LoA summarises the reports below to show that further archaeological assessment in the form of an additional ACHA is not warranted for the proposed development.

ABORIGINAL HERITAGE IMPACT REPORT. AMBS (2011)

AMBS (2011) was engaged by Parsons Brinkerhoff, on behalf of Sydney Water, to undertake an Aboriginal Heritage Impact Report for the proposed Edmondson Park Water Servicing Scheme to extend the existing trunk infrastructure to the Edmondson Park precinct. The study area within this report encompasses the entirety of Edmondson Park; however, for the purpose of this LoA, only the information regarding the current study area and immediate vicinity is summarised.

The report comprised a desktop and field assessment to determine the extent of any existing Aboriginal cultural heritage. The desktop assessment identified multiple recorded Aboriginal sites within and in proximity to Block 20A, Bezentin Ridge Road, Edmondson Park (the study area), consisting mainly of open campsites and isolated finds.

To further determine the extent of existing Aboriginal cultural heritage, an archaeological survey was undertaken on 21 and 22 June 2010 by AMBS archaeologist Ngaire Richards, accompanied by Yvonne Kaiser-Glass and Steven Clark from Sydney Water, and Aboriginal community representatives.

Transects 8 to 12 (the current study area) were categorised by flat, gentle slope and creek bank landforms. Disturbances included vegetation clearance, unsealed vehicle access tracks, existing drain lines, topsoil clearance and pastoral uses. Attempts were made to relocate previously recorded Aboriginal sites within transects 8 and 10. One previously recorded artefact scatter EPCS4 (AHIMS 45-5-3529) within transect 8 was relocated; however, the previously recorded artefact scatter ED1 within transect 10 (AHIMS 45-5-3570) could not be relocated and was believed to be destroyed following the clearing activities that were undertaken for remediation purposes.

One new site was identified within transect 8; this was added to the previously identified artefact scatter, EPCS 4, which was determined to hold low cultural and scientific significance.

EPCS 4 was reported to be within the construction footprint. However, the development footprint could not be modified to avoid this site, and it was recommended that the proponent seek an Aboriginal Heritage Impact Permit (AHIP). It was further recommended that Sydney Water liaise with both Transport Construction Authority (TCA) and Landcom to determine their plans regarding archaeological excavations within the proposed project corridor of both the TCA's South West Rail Link (SWRL) project and Landcom's Edmondson Park South project area to avoid duplication in the outcomes of the AHIP, as these study areas overlap with one another.

ABORIGINAL CULTURAL HERITAGE ASSESSMENT. KELLEHER (2018).

Kelleher (2018) undertook an ACHA for the Modification 5 (MOD 5) lands to inform the Environmental Assessment (EA) and meet the Secretary's Environmental Assessment Requirements (SEARs) in relation to Aboriginal heritage (Kelleher Nightingale Consulting Pty Ltd 2018). The MOD 5 lands within the assessment encompassed the entirety of the current study area.

A desktop and field assessment were both undertaken for this report. The desktop section identified 3 previously registered AHIMS sites within the application area; however, following the AHIP issued to Landcom in 2015, these sites (EPCS 10 [AHIMS 45-5-3922], SW 2 [AHIMS 45-5-3989], and SWRL 14 [AHIMS 455-3990]) were destroyed and were no longer present within the application area.

A visual inspection of the application area was undertaken on 16 March 2018, particularly focusing on the areas adjacent to the south-east flowing tributary of Maxwells Creek. These areas were noted to have been heavily disturbed by natural processes associated with flooding events. Inspection of the locations of previously recorded AHIMS sites confirmed that these sites are no longer present. The assessment also verified that no additional Aboriginal cultural material was identified.

The land owned by the Office of Strategic Lands (OSL) was inspected, and it was noted to be predominantly cleared and highly disturbed by past land use practices, flooding and activities associated with the construction of the SWRL and Leppington Station. No Aboriginal cultural heritage or archaeological potential was identified within the boundaries of the MOD 5 proposal area, and no Aboriginal heritage features were identified within the boundary adjustment area (OSL land). These areas were determined to be highly disturbed, with no potential for an intact archaeological deposit. It was concluded that the impacts of the modification proposal were consistent with the existing Concept Plan Approval area, and there would be no increased impact on any existing Aboriginal cultural heritage.

RECOMMENDATIONS

Both AMBS's (2011) and Kelleher's (2018) assessments have confirmed that the current study area holds little to no archaeological potential. As it once contained Aboriginal cultural heritage, following these assessments and issuing AHIPs, any Aboriginal sites that were previously present within the study area have been removed. Furthermore, the area in the vicinity of the study area has undergone a high degree of disturbance following these previous and current works; it is unlikely that, in the event of Aboriginal cultural heritage being present, it will be intact or *in situ*.

Table 1 SEARs for Housing requirements and supporting documentation (NSW Department of Planning, Housing and Infrastructure 2024)

Issue	Assessment requirements	Supporting documentation
21. Aboriginal Cultural Heritage	- Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or - Providing an initial assessment of the potential impacts. - If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: - Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. - Is prepared in accordance with relevant guidelines.	Both AMBS's (2011) and Kelleher's (2018) assessments meet the requirements outlined under Condition 21 of the Housing SEARs.

Based upon the outcome of this letter of advice, further assessment is not warranted. As such, the project may proceed with caution. The following recommendations relating to unexpected Aboriginal heritage finds and suspected human remains apply:

- In the event that unexpected finds occur during any activity within the study area, all works in the vicinity must cease immediately. The find must be left in place and protected from any further harm. Depending on the nature of the find, the following processes must be followed:

- a. If, while undertaking the activity, an Aboriginal object is identified, it is a legal requirement under Section 89A of the NPW Act to notify Heritage NSW, as soon as possible. Further investigations and an AHIP may be required prior to certain activities recommencing.
- b. If human skeletal remains are encountered, all work must cease immediately and NSW Police must be contacted, they will then notify the Coroner's Office. Following this, if the remains are believed to be of Aboriginal origin, then the Aboriginal stakeholders and Heritage NSW must be notified.

Kind Regards,



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REFERENCES

Australian Museum Business Services 2011, *Proposed Edmondson Park Servicing Scheme*, Aboriginal Heritage Impact Assessment, February.

Kelleher Nightingale Consulting Pty Ltd 2018, *EDMONDSON PARK CONCEPT PLAN – MODIFICATION 5*, Aboriginal Heritage Assessment, August.

NSW Department of Planning, Housing and Infrastructure 2024, *Planning Secretary's Environmental Assessment Requirements (SEARs): In-Fill Affordable Housing*.

Willowtree Planning Pty Ltd 2020, *Edmondson Park Landcom Town Centre North Design Guidelines*.