

Appendix F – Addendum Aboriginal Cultural Heritage Assessment Report

Albion Park Rail bypass

September 2017



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1.0 INTRODUCTION

Artefact Heritage was previously engaged by the Hyder/ Cardno Joint Venture (HCJV) on behalf of the Roads and Maritime Services (Roads and Maritime) to prepare an Aboriginal Cultural Heritage Assessment Report (CHAR) for the Albion Park Rail Bypass (APRB) project (previously referred to as the Yallah to Oak Flats Road upgrade). An Environment Impact Statement (EIS) for the project was displayed and Roads and Maritime is preparing a response to submissions received from Government agencies and the community. In response to the submissions, Roads and Maritime is proposing design refinements to the project. This report assesses the impact of those changes.

This addendum report compares the currently proposed impact to Aboriginal heritage to those identified within the EIS assessment. This report should be read in conjunction with the previous investigations and does not reproduce background information or legislative context.

Waters Consultancy Pty Ltd (Waters Consultancy) was engaged by Roads and Maritime in 2014 to undertake the assessment of Aboriginal cultural heritage values in relation to this project which formed a portion of the original CHAR. The proposed design refinements will not result in any changes to the project extent in along the Macquarie Rivulet corridor where the assessment was undertaken and as such an addendum assessment has not been undertaken.

1.1 Authorship

This report was prepared by Alyce Haast (Heritage Consultant) and Josh Symons (Principal) of Artefact.

Table 1: Archaeological qualifications

Name	Qualification	Years Experience
Alyce Haast	Masters of Professional Archaeology	3 years
Josh Symons	Bachelor of Arts (First Class Honours)	15 years

1.2 Proposal

Roads and Maritime propose to build a 9.8 kilometre extension of the Princes Motorway between Yallah and Oak Flats that would bypass Albion Park Rail. Key features of the project include:

- Two lanes in each direction divided by a median (with capacity to upgrade to three lanes in each direction in future)
- Three interchanges provided at Yallah, Albion Park and Oak Flats would connect the local road network with the motorway
- Bridges to carry the motorway over Duck Creek, Macquarie Rivulet and Frazers Creek
- Bridges to carry the motorway over the Princes Highway and Tongarra Road
- A bridge to carry the motorway over the South Coast Rail Line
- Improved pedestrian and cycle connections
- Improvements to directly impacted sporting facilities at the Croom Regional Sporting Complex and changes to the southern access.

1.3 Proposed design refinements

An EIS was prepared by Roads and Maritime to assess the potential impacts of the proposal. The EIS was publicly exhibited by the Department of Planning and Environment between 28 October and 27 November 2015.

Following the EIS display, a review of the design was undertaken in response to feedback following stakeholder consultation. As a result of this review process, Roads and Maritime has refined a number of aspects of the project as exhibited in the EIS. Design refinements have been developed to minimise EIS impacts where possible and in response to:

- Consultation with the community during the EIS exhibition period
- Submissions received during and following the EIS exhibition period
- Landowner discussions during property acquisition and adjustment
- Further concept design review of the EIS design.

The key design refinements proposed include:

- Reconfiguration of the central interchange to minimise the impact on agricultural land
- Reduction in the project footprint within agricultural land, and provision of additional connectivity across the highway for agricultural use
- Some refinements to intersection arrangements in response to further detailed traffic modelling

Roads and Maritime has prepared a Submissions and Preferred Infrastructure Report (SPIR) in response to issues raised in submissions received during the exhibition of the EIS. The SPIR describes the changes to the project, assesses the impacts of the changes and identifies new or changed management measures. This report forms an appendix to the SPIR and details the additional Aboriginal heritage investigations undertaken as part of this process.

1.4 Study area

Project boundary terminology is outlined in Table 2. The study area for this addendum CHAR is referred to as the “current project footprint”. The current project footprint differs in some areas to the area assessed for the EIS, referred to as the “EIS project footprint”.

The area investigated for Aboriginal heritage in accordance with the Roads and Maritime PACHCI guidelines is referred to as the “PACHCI investigation area”. This area differs from the current project footprint and EIS project footprint due to changes made in the project boundary since 2012. The PACHCI survey area includes all areas investigated in accordance with Stages 1, 2 and 3 of the PACHCI.

The addendum CHAR reviews mitigation measures as outlined in the EIS, and incorporates changes due to the current project footprint.

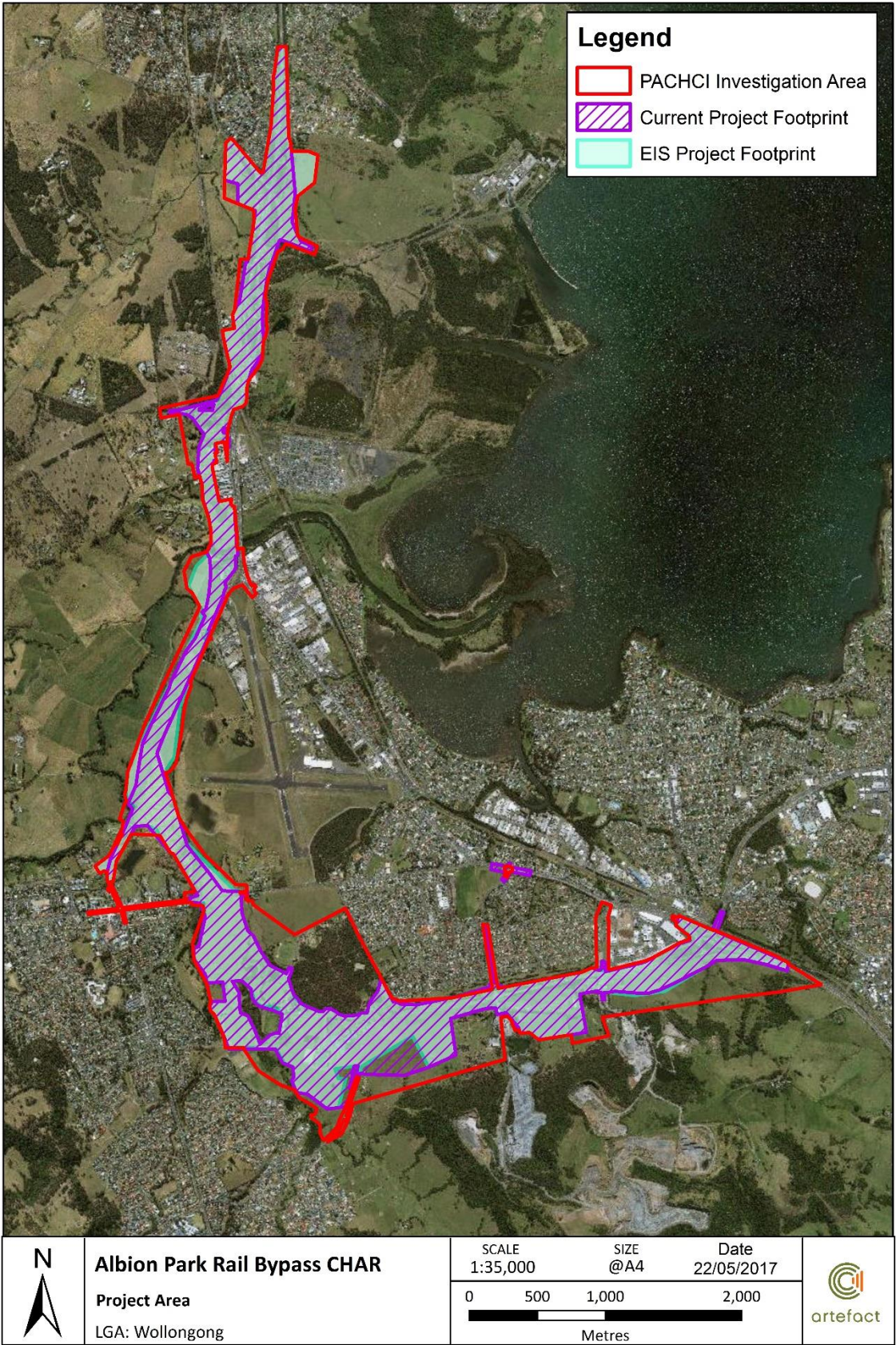
Table 2: Definition of terminology used throughout this report

Term	Description
EIS project footprint	Refers to the project footprint as assessed during the EIS. The project footprint is comprised of both the operational and construction footprint.
PACHCI investigation area	Refers to the total area investigated under the PACHCI guidelines.
Current project footprint	Refers to the current project footprint as established

The current project footprint is marked in Figure 1.

The study area is within the Wollongong and Shellharbour Local Government Areas (LGAs) and is within the boundary of the Illawarra Local Aboriginal Land Council (ILALC).

Figure 1: Project area boundary



1.5 Consultation

Aboriginal stakeholder consultation has been conducted by Roads and Maritime in accordance with the Roads and Maritime PACHCI and the OEH *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (herein referred to as the Consultation Requirements).

This report forms an addendum to the APRB PACHCI Stage 3 report. As described below, the proposed project changes will not result in any additional impacts on Aboriginal sites and as such, additional consultation is not required.

2.0 ARCHAEOLOGICAL IMPACT ASSESSMENT

A total of 21 Aboriginal sites were identified within the study area for the CHAR (2015). Of those, 13 were identified as likely to be impacted by the proposal. Management and mitigation measures were developed for these sites based on their identified significance and the identified degree of harm.

The basis of the impact assessment in the 2015 CHAR was that Aboriginal sites located within the EIS project footprint were likely to be impacted by the proposal. This was due to the fact that the EIS project footprint represented the combined area of the operational and construction footprint and subsequently included both areas directly impacted by road design as well as ancillary sites, stockpile locations and access paths. Based on the comparison of the current project footprint to that assessed in the CHAR (2015) there is no increase in impact resulting from minor post EIS design changes.

A summary of each identified Aboriginal site within the project boundary and the degree of identified harm from the proposal is outlined in Table 3 below and shown in Figure 2 to Figure 14

Table 3: Impact assessment as identified in the EIS

Site	Site type	Significance	Type of harm	Degree of harm	Consistent impact? (yes/ no)
AHIMS site 52-2-0512/ 52-5-0484	Artefact	Low-moderate	Direct	Partial	Yes
YTOF AS 1	Artefact	Low	Direct	Total	Yes
YTOF AS 2	Artefact	Low	Direct	Partial	Yes
YTOF AS 3	Artefact	Low	Direct	Total	Yes
YTOF AS 4	Artefact	Moderate	Direct	Partial	Yes
YTOF AS 5	Artefact	Moderate	Direct	Total	Yes
YTOF AS 6	Artefact	Low	None	-	Yes
YTOF AS 7	Artefact	Low	Direct	Total	Yes
YTOF AS 8	Artefact	Low	Direct	Total	Yes
YTOF IF 1	Artefact	Low	Direct	Total	Yes
YTOF IF 2	Artefact	Low	Direct	Total	Yes

Site	Site type	Significance	Type of harm	Degree of harm	Consistent impact? (yes/ no)
YTOF IF 3	Artefact	Low	Direct	Total	Yes
YTOF IF 4	Artefact	Low	None	-	Yes
YTOF PAD 3	PAD	Unknown	None	-	Yes
YTOF PAD 8	PAD	Unknown	None	-	Yes
YTOF PAD 9	PAD	Unknown	None	-	Yes
Macquarie Rivulet 1 (AHIMS site 52- 5-0227)	Artefact	Low	Direct	Total	Yes
AHUGC001 (AHIMS site 52-5- 0766)	Artefact	Low	Direct	Total	Yes
AHIMS site 52-5- 0473	Artefact	Low	None	-	Yes
HLA 2007	Artefact	Low	None	-	Yes

Figure 2: Overview of sites

Figure 3: Proposed impact to AHIMS Site 52-5-0484/52-5-0512

Figure 4: Proposed impact to Macquarie Rivulet 1 and AHUGC001

Figure 5: HLA 2007 in relation to the Project Footprint

Figure 6: Proposed impact to YTOF AS 1

Figure 7: Proposed impact to YTOF AS 8

Figure 8: Proposed impact to YTOF AS 4, YTOF IF 1 and YTOF PAD 3



Figure 9: Proposed impact to YTOF AS 5 and YTOF IF 4

Figure 10: YTOF AS 6 in relation to the Project Footprint

Figure 11: Proposed impact to YTOF AS 2, YTOF AS 7 and AHIMS site # 52-5-0473

Figure 12: Proposed impact to YTOF IF 2 and YTOF IF 3



Figure 13: YTOF PAD 8 in relation to the Project Footprint

Figure 14: YTOF PAD 9 in relation to the Project Footprint

3.0 IMPACT TO IDENTIFIED AREAS OF CULTURAL SIGNIFICANCE

The proposed changes to the project footprint will not result in any changes to the area of impact at the Macquarie Rivulet identified areas of cultural significance.

4.0 MITIGATION AND MANAGEMENT MEASURES

4.1 Archaeological sites

This assessment has identified that impacts relating to design changes are consistent with the assessment outlined in the EIS (2015). While no increase in archaeological impact was identified during the current assessment it was recommended that minor amendments be made to the EIS mitigation measures following recommendations from the Aboriginal community. These measures are intended to manage additional Aboriginal objects that may be identified during the lifetime of the project. Amendments to the mitigation measures proposed in the EIS are identified in Table 4 with changes identified by italic text. These mitigation measures supersede those presented in the EIS and should form part of the project approval.

Table 4: Proposed final mitigation measures for the project

Issue	ID No.	Mitigation Measure	Responsibility	Timing
Site management	AH01	An Aboriginal Heritage Management Plan will be prepared to manage the impacts of construction works on Aboriginal cultural heritage, to include, but not be limited to: ▪ Details of the management measures and procedures to be carried out during construction ▪ Site inductions and training for construction personnel, including Aboriginal cultural awareness training and their obligations under the <i>National Parks and Wildlife Act 1974</i>, to be conducted by a heritage specialist ▪ <i>Ongoing consultation with the Aboriginal community in accordance with the Procedure for Aboriginal cultural heritage consultation and investigation (Roads and Maritime, 2012) and the Aboriginal heritage consultation requirements for applicants (Department of Environment, Climate Change and Water, 2010)</i> ▪ A framework for ongoing consultation with Aboriginal stakeholders regarding any salvage excavations, reburial of retrieved artefacts and in the event of any unexpected Aboriginal objects being identified during works ▪ The mitigation measures outlined in Aboriginal Cultural Heritage Assessment Report.	Contractor	Construction
Site protection	AH03	The Aboriginal Heritage Management Plan will address the requirements to protect and preserve the cultural heritage values associated with the Macquarie Rivulet Cultural Site, this will include: ▪ The erection of temporary fencing for the protection of the old growth eucalypt identified within this site, to be undertaken in consultation with a heritage specialist ▪ The separation and stockpiling, if possible within the adjacent ancillary area, of the topsoil ▪ Reinstating the topsoil to the Site ▪ Rehabilitation of the Site with locally native vegetation <i>in consultation with Aboriginal knowledge holders</i> ▪ Interpretative signage and a booklet developed by a heritage specialist in consultation with the Aboriginal knowledge holders <i>prior to the start of any construction with the potential to impact Cultural Site B Macquarie Rivulet.</i>	Roads and Maritime / Contractor	Construction

Issue	ID No.	Mitigation Measure	Responsibility	Timing
Site protection	AH04	Sensitive areas must be delineated on a sensitive areas map will be mapped and temporarily fenced unless agreed with RMS to ensure they are not subject to disturbance during construction. This includes, but is not limited to the portion of the Aboriginal cultural heritage sites YTOF-AS-2, YTOF-AS-4, YTOF-AS-6, YTOF-AS-7, YTOF IF 4, YTOF PAD 3, YTOF PAD 8, YTOF PAD 9, 52-5-0473, 52-2-0512/52-5-0484, Macquarie Rivulet 1 and HLA 2007 that are adjacent to the project boundary. <i>An updated AHIMS search should be conducted for the project prior to construction commencing, which will assist in identifying if any additional sites have been recorded in the vicinity of the project footprint since approvals documentation was prepared.</i>	Contractor	Construction

5.0 CONCLUSION AND RECOMMENDATIONS

5.1 Archaeological sites

The current assessment has identified that impacts to identified Aboriginal sites within the project footprint are consistent with the CHAR (2015). As such, the need for management and mitigation measures remains unchanged from the CHAR.

Any changes to the project footprint or design may require additional archaeological investigation and consultation with RAPs in accordance with the Roads and Maritime PACHCI guidelines.



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