



Nathan Heath  
Senior Planning Officer  
Department of Planning and Environment  
PO BOX 404, PARRAMATTA NSW 2124

By email: [nathan.heath@planning.nsw.gov.au](mailto:nathan.heath@planning.nsw.gov.au)

Dear Mr Heath

**Re: Response to Submission - Upper South Creek Advanced Water Recycling Centre (SSI-8609189)**

Thank you for your referral received on 14 April 2022 inviting comments from the Heritage Council of NSW on the above State Significant Infrastructure (SSI) Response to Submissions.

The following document has been considered:

*Upper South Creek Advanced Water Recycling Centre- Submissions Report* prepared by Sydney Water, dated March 2022

In response to Heritage NSW comments, dated 23 November 2021, related to risk of damage from vibration or impact, the Submissions Report notes that monitoring of vibration will be undertaken, which is considered satisfactory.

In response to historical archaeology comments recommending prior archaeological testing to avoid impact, the Submissions Report provides reasons why this is not feasible. However, Heritage NSW does not concur with these reasons and provides the following comments:

*Several PAS where testing is proposed also have Aboriginal heritage constraints and would require an Aboriginal Heritage Impact Permit (AHIP) for archaeological testing. Project approval would override the need for an AHIP and facilitate testing. Given the processing times for AHIPs, it is also likely that a determination on the project would be made before an AHIP could be obtained. Sydney Water also considers it important to align any testing programs for Aboriginal and non-Aboriginal heritage as outlined in management measure AH03 in Table 15-3 of the EIS.*

Comment: It is Heritage NSW's understanding that AHIP are not required after issue of SEARs. Therefore, this is not considered a valid justification.

*Sydney Water has not yet engaged contractors to progress detailed design and construction planning and is unlikely to do so before a decision is made on the project. It is possible the impacts on some PAS will change once detailed design progresses, including opportunities to further minimise or avoid impact. Sydney Water considers an archaeological testing program is most effectively and efficiently done once contracts are awarded to further progress design.*

Comment: This is a project management matter and is not considered as a strong justification.

Therefore, the Submissions Report does not address the previous comments provided by Heritage NSW on the above matter adequately, and these comments remain unchanged.

If you have any questions regarding the above advice, please contact Rajat Chaudhary, Senior Assessments Officer, at Heritage NSW on 02 9873 8521 or [Rajat.Chaudhary@environment.nsw.gov.au](mailto:Rajat.Chaudhary@environment.nsw.gov.au).

Yours sincerely

*Shikha Jhaldiyal*

**Shikha Jhaldiyal**

Manager, Assessments

Heritage NSW

Department of Planning & Environment

**As Delegate of the Heritage Council of NSW**

27/04/2022