



Our ref: DOC21/68658  
Senders ref: SSD-10457

Emily Dickson  
Planning Officer  
Infrastructure Assessments  
Department of Planning, Industry and Environment  
Locked Bag 5022  
Parramatta NSW 2124

By email: [emily.dickson@planning.nsw.gov.au](mailto:emily.dickson@planning.nsw.gov.au)

Response submitted via the NSW Government Major Projects Portal

Dear Ms Dickson

**Notice of Exhibition – Eastern Creek Quarter Stage 3 Concept Design – Retail Outlet (SSD-10457)**

Thank you for referring the Environmental Impact Statement (EIS) for the above State Significance Development (SSD) to Heritage NSW for comment on 4 February 2021. We understand this SSD relates to the Concept Plan proposal for a retail outlet centre on Lot 3 at the Eastern Creek Quarter (ECQ) and will establish new land uses, building envelopes, preliminary landscape design, built form design, guidelines, access arrangements and development stages for the site.

In preparing the following advice we have reviewed the following documents:

- SEARs for SSD-10457, issued 21 October 2020
- Aboriginal Cultural Heritage Assessment Report (ACHAR) - prepared by Kayandal Pty Ltd (Kayandal), dated 3 November 2020
- Environmental Impact Statement Rooty Hill Road South, Eastern Creek Eastern Creek Quarter Stage 3 Concept Plan – Outlet Centre (EIS) - prepared by Ethos Urban Pty Ltd, dated 21 December 2020
- Response to submissions: State Significant Development 5175 Eastern Creek Business Hub application modification – prepared by Biosis Pty Ltd (Biosis), dated 7 January 2016
- Eastern Creek Business Hub Archaeological Management Plan – prepared by Biosis, dated 10 February 2016.

**Aboriginal cultural heritage regulation review of EIS and ACHAR**

Heritage NSW has reviewed the EIS and ACHAR and notes that no Aboriginal objects, areas of potential archaeological deposit (PAD) or Aboriginal Places were identified within the development and construction footprint of the study area. No areas of cultural significance were identified by the Registered Aboriginal Parties (RAPs) within the study area. It is noted that the Eastern Creek area holds Aboriginal cultural values as an important area for hunting and camping for Darug People in the past as demonstrated by the existence of Aboriginal sites throughout the region (ACHAR p 20).

An archaeological survey of the study area was completed on 31 August 2020. We note that no RAPs were invited to take part in the survey. The study area was found to have been

significantly disturbed in some areas. Disturbance levels ranged from low to high and are mapped in Figure 10 (p 33) in the ACHAR.

It is understood that Aboriginal consultation for the project has been undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). The results of the archaeological survey and Aboriginal consultation were used to formulate the management recommendations. The RAPs for the project supported the recommendations included in the ACHAR.

#### **Aboriginal cultural heritage regulation advice for EIS**

Heritage NSW supports the mitigation measures and recommendations outlined by Kayandal in Section 12.2 (pages 57-58) of the ACHAR (3 November 2020). We note these measures are listed in section 6.11 of the EIS (page 59).

Heritage NSW recommends a correction is made to the following recommendation on page 59 and Table 12 page 64 of the EIS and where it occurs in the ACHAR:

*If, during the course of development works, suspected historic cultural heritage material is uncovered, work should cease in that area immediately. Heritage NSW should be notified and works only recommence when an approved management strategy has been developed;*

To be replaced by:

*If, during the course of development works, suspected **Aboriginal** cultural heritage material is uncovered, work should cease in that area immediately. Heritage NSW should be notified and works only recommence when an approved management strategy has been developed;*

This recommendation is based on the fact that provisions for non-Aboriginal (historic) heritage are provided in separate reports (see Appendix S and R of the EIS).

Heritage NSW also recommends an Aboriginal cultural heritage induction is included in the site induction for contractors and staff during the project construction phase in accordance with Section 7.2 of the Eastern Creek Hub Archaeological Management Plan (Biosis 2016).

Please note: the above comments relate only to Aboriginal cultural heritage regulation matters. You may wish to seek separate advice from Heritage NSW in relation to the State Heritage Register listed sites and matters under the *Heritage Act 1977*.

If you have any questions regarding the above advice, please contact Claire Rayner, Archaeologist at Heritage NSW, on 8289 6709 or [claire.rayner@environment.nsw.gov.au](mailto:claire.rayner@environment.nsw.gov.au).

Yours sincerely



**Rose O'Sullivan**  
**Acting Senior Team Leader**  
**Aboriginal Heritage Regulation Branch – North**  
**Heritage NSW**

Date: 18 February 2021