



Nick Hearfield
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Infrastructure Assessments
Department of Planning, Industry & Environment
Email: nick.hearfield@dpie.nsw.gov.au

Your reference: SSD-9579147
Our reference: EF21/6983

Dear Nick,

Advice on EIS and recommended conditions – State Significant Development – Pendle Hill High School Redevelopment (SSD-9579147)

**Project: Pendle Hill High School Redevelopment
SSD/SSI application no: SSD-9579147**

Thank you for your referral uploaded to the Major Projects Portal on 12 May 2021 seeking advice on the EIS for the above state significance development (SSD) proposal.

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

- Environmental Impact Statement: State Significant Development Application No. 9579147 – prepared by Architectus Australia Pty Ltd, dated May 2021;
- Appendix A: Planning Secretary's Environmental Assessment Requirements for SSD-9579147 – issued October 2020;
- Appendix M: Aboriginal Cultural Heritage Assessment Report – Pendle Hill High School, Lot 101 DP 1141329, Cornock Avenue, Toongabbie NSW – prepared by Tocomwall Pty Ltd (Tocomwall), dated April 2021; and
- Appendix S: Report on Remediation Action Plan Pendle Hill High School Development – prepared by Douglas Partners Pty Ltd, dated May 2021.

The Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared in reference to the relevant guidelines as required by the SEARs (Requirement 8). It is noted that there are no registered Aboriginal sites, areas of Potential Archaeological Deposit (PAD), or Aboriginal Places located within the proposed development area.

Much of the proposal area has been heavily modified with variable depths of fill material (0.2-2.3 m). The Remediation Action Plan found that several areas contained modern fill (i.e., asbestos, cement, brick, and tile), and a red-brown and brown silty clay which is possibly natural clay that has been reworked during prior leveling of the site. Therefore, there is low potential that *ex situ* Aboriginal Objects are present in this reworked material. The ACHAR outlines that owing to the location of the project area and the disturbed nature of the sediment that an Unexpected Finds Protocol will suffice.

Consultation with Registered Aboriginal Parties (RAPs) has met Heritage NSW guidelines, with no issues raised during this process. Six responses were received from the RAPs, five providing support for the project with no additional comments. One response, while supporting the ACHAR, recommends that test excavations occur and an Aboriginal Interpretation process be put in place. In response, Tocomwall outlined that the development area has been heavily disturbed with low to nil potential for Aboriginal Objects to be present and that test excavations would not be required. Tocomwall will be undertaking further consultation regarding a strategy for Connection to Country. The RAP accepted that response provided by Tocomwall (ACHAR Appendix 3).

There are minimal management and mitigation recommendations provided in Section 10 (pages 52-53) of the ACHAR and Section 8 of the EIS as the project area has been heavily disturbed and there is low to nil potential for archaeological material, nor does it contain any known Aboriginal Objects, PADs, or Aboriginal Places. The ACHAR (Section 10.4) outlines that if any Aboriginal Objects and/or human remains are identified during the project then work would cease and contact made with the relevant agencies (e.g., NSW Police and Heritage NSW).

Heritage NSW agrees with the ACHAR outcomes, though recommends that while the predictive model presented in Section 6 of the ACHAR is sufficient for this project, for future assessments Tocomwall should critique other predictive models rather provide a generalised overview as presented here.

Heritage NSW Recommended Conditions:

- that material be produced ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site and;
- that a detailed Unexpected Finds Protocol be produced for the Project Manager.

If you have any questions regarding these comments, please contact Corey O'Driscoll, Archaeologist, at Heritage NSW Aboriginal Cultural Heritage Regulations - North, on 6229 7079 and corey.odriscoll@environment.nsw.gov.au.

Yours sincerely



Dr. Samantha Higgs
Senior Team Leader
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Heritage NSW
Date: 8 June 2021