



Fadi Shakir
Senior Planning Officer
Infrastructure Assessments
Department of Planning, Industry and Environment
Email: Fadi.Shakir@planning.nsw.gov.au

Your reference: SSI-10049
Our reference: DOC21/579608-6

Advice provided via the Major Project Portal

Dear Mr Shakir

Notice of Exhibition – Kamay Ferry Wharf Project (SSI-10049) (Sutherland Shire, Randwick City)

Thank you for referring the Environmental Impact Statement (EIS) for the above State Significant Infrastructure (SSI) to Heritage NSW for comment on 12 July 2021. We understand that Transport for NSW are seeking to reinstate the ferry wharves at La Perouse and Kurnell in Kamay Botany Bay under Division 5.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as State Significant Infrastructure (SSI).

The project involves the reinstatement of two public ferry wharves and associated infrastructure to allow a ferry service to operate between La Perouse and Kurnell in Kamay Botany Bay, and includes;

- Two new wharves, one at La Perouse and one at Kurnell
- Landscaping
- Reconfiguration of existing car parking
- Reconfiguration of footpaths around the new car parking area at La Perouse
- Installation of utilities to service the wharves.

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

- Secretary's Environmental Assessment Requirements (SEARs) for SSI-10049, issued 1 July 2020
- Kamay Ferry Wharves Project PACHCI Stage 3 Aboriginal Cultural Heritage Assessment Report (ACHAR) - prepared by Artefact to Arup on behalf of Transport for NSW, dated June 2021
- Transport for NSW Kamay Ferry Wharves Environmental Impact Statement (EIS) - prepared by Arup for Transport for NSW, dated June 2021.

Aboriginal cultural heritage regulation review of EIS and ACHAR

Heritage NSW has reviewed the EIS and ACHAR and notes that sufficient survey and assessment has been undertaken of the project area. In addition, Aboriginal archaeological test excavations have been undertaken as required.

Two Aboriginal sites will be impacted by the excavation work for the proposed utilities trench at Kurnell. While the overall heritage impact has been reduced in selecting the preferred project, this impact cannot be avoided. There is also potential to impact unknown heritage and

archaeology within the Foreshore Midden Potential Archaeological Deposit (PAD) at Kurnell and Low Potential PAD and rock engravings at La Perouse.

A salvage program and archaeological supervision have been proposed during construction in these areas to help to avoid impacts on Aboriginal cultural heritage. The likelihood of indirect impacts from vibration activities would be reduced through adopting safe working distances and vibration monitoring.

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, test excavation and Aboriginal consultation were used to formulate the management recommendations. The Registered Aboriginal Parties for the project supported the recommendations included in the ACHAR.

Aboriginal cultural heritage regulation advice for EIS

Heritage NSW supports the management and mitigation measures outlined by Artefact in Section 9.6 (on pages 110-115) and the recommendations provided in section 10.0 (on pages 116-119) of the ACHAR (June 2021).

We recommend the EIS and any Construction Environmental Management Plan prepared for the project incorporate an unanticipated finds procedure for Aboriginal objects to ensure the management and mitigation measures and recommendations outlined in the ACHAR are included.

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 matters under the *Heritage Act 1977*.

If you have any questions regarding the above advice please contact Kym McNamara, Archaeologist, Aboriginal Cultural Heritage Regulation – South, Heritage NSW, on (02) 6229 7028 or via email at kym.mcnamara@environment.nsw.gov.au.

Yours sincerely



Jackie Taylor

**Senior Team Leader, Aboriginal Cultural Heritage Regulation – South
Heritage NSW**

16 August 2021