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Department of Planning, Industry and Environment  
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Advice provided via the Major Projects Portal

Dear Stephen,

**Advice on Response to Submissions – State Significant Development – Alterations and additions to Kincoppal-Rose Bay School (SSD-10325)**

Thank you for your referral uploaded to the Major Projects Portal on 19 July 2021 seeking advice on the response to submissions for the above state significant development (SSD). In preparing the following advice we have reviewed the following documents:

- Submissions Report - prepared by Urbis dated 15 July 2021.
- Additional Aboriginal heritage advice – prepared by Coast History & Heritage (Coast), dated 13 May 2021.
- Aboriginal Cultural Heritage Assessment Report – prepared Coast dated January 2020
- Revised Construction Management Plan – prepared by Mahady Management, dated June 2021.
- Revised Architectural Plans Appendices E2, E3 and E4 – prepared by BVN Architecture dated 17 June 2021.
- Concept Architectural Plans Appendices D2, D3 and D4 - prepared by BVN Architecture dated 4 June 2021.

It is understood that the “Additional Aboriginal heritage advice” included with the Response to Submissions has been provided to address concerns raised by Heritage NSW in reference to the Environmental Impact Statement (EIS) and Aboriginal Cultural Heritage Assessment Report (ACHAR) submitted for the project. This advice contains the following:

- An updated impact assessment based on the analysis of the results of additional geotechnical investigation undertaken since the preparation of the ACHAR.
- An updated AHIMS search (dated 2 March 2021).

Coast concluded that based on the updated impact assessment the management strategies proposed in Section 6.4 of the ACHAR were appropriate to manage potential harm to Aboriginal cultural heritage within the subject area.

The revised Construction Management Plan does not however, reference Aboriginal cultural heritage or include policies to manage or avoid impacts to Aboriginal cultural heritage within the subject area during construction. No detailed plans have been submitted for the design of the proposed Boarding Accommodation building near AHIMS site #45-6-3754. The concept drawings included as Appendix D4 show a cross section of the proposed building located in close proximity to AHIMS site #45-6-3754.

Heritage NSW is satisfied that the depth of impacts and location of natural soil profiles has been considered and there would be no harm to potential archaeological deposits within the EIS subject area. Therefore, an archaeological test excavation program would not be required.

Heritage NSW does not however, consider that the Response to Submission has adequately addressed other concerns raised in our advice provided for the EIS. The Additional Aboriginal heritage advice provided by Coast has identified that there would be reduced impacts to areas of Aboriginal archaeological potential. However, the management and mitigation measures in Section 6.4 of the ACHAR have not been updated to reflect this assessment. Heritage NSW is also concerned that the Registered Aboriginal Parties have not been consulted on the updated impact assessment or the changes to the proposed designs. No management plans for Aboriginal cultural heritage have been provided with the submission. The close proximity of the proposed Boarding Accommodation building to AHIMS site #45-6-3754 indicates that additional assessment of long-term impacts may be required and therefore additional management and mitigation measures may be necessary.

As the recommendations outlined in the ACHAR are no longer in line with the revised assessment provided in the Additional Aboriginal heritage advice, Heritage NSW provides the following advice:

- An updated ACHAR should be submitted for the proposed development. This needs to include:
  - Further refinement of the archaeological potential mapping for the EIS subject site based on the analysis of the geotechnical investigation results.
  - Consideration of the potential impacts (immediate and long term) to AHIMS site #45-6-3754 based on the location and construction requirements of the proposed Boarding Accommodation building. Potential impacts associated with vibration caused during piling of footings should also be considered.
  - The results of the updated impact assessment.
  - Revised management and mitigation measures that relate to the findings of the updated impact assessment.
  - Evidence of continued consultation with Registered Aboriginal Parties including review of all new information and project designs.
- An Aboriginal Cultural Heritage Management Plan (ACHMP) needs to be prepared prior to construction in consultation with Heritage NSW and the Registered Aboriginal Parties to address the following:
  - Unexpected finds procedure.
  - Management and mitigation measures required before, during and after construction.
  - The ongoing management of AHIMS site #45-6-3754.
  - Ongoing consultation with Registered Aboriginal Parties.
  - Aboriginal cultural heritage Induction for all staff, contractors and visitors involved in the construction phase of the project.

If you have any further questions in relation to this matter, please contact Claire Rayner – Archaeologist, Aboriginal Cultural Heritage Regulation North, Heritage NSW on 9995 6824 or email at [claire.rayner@environment.nsw.gov.au](mailto:claire.rayner@environment.nsw.gov.au).

Yours sincerely



**Jackie Taylor**  
**Senior Team Leader, Aboriginal Cultural Heritage Regulation - South**  
**Heritage NSW**  
2 August 2021