

Belinda Scott  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

By email: belinda.scott@planning.nsw.gov.au

Dear Ms Scott

**RE: Notice of Exhibition – Botany Rail Duplication (SSI – 9714)**

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I refer to your email dated 14 October 2019 inviting comments and advice from the Heritage Council of NSW for the above State Significant Infrastructure application for Botany Rail Duplication. The proposal involves duplication of the Botany Rail Line including Realignment of the existing track, new crossovers, bridge works, embankment/retaining structures and ancillary work including signalling upgrades.

Environmental Impact Statement (EIS) prepared by ARTC including Technical Report 9, Statement of Heritage Impact (SOHI) and Technical Report 11, Landscape and Visual Impact Assessment, have been reviewed and the following comments are provided:

**Built Heritage**

The SOHI identifies one State Heritage Register (SHR) listed item, Botany Water Reserves (SHR No 01317) whose curtilage is adjacent to the rail corridor. The project footprint is limited to land within the existing Botany Rail Line corridor and the design avoids direct impacts to SHR listed item. It is noted that associated works including new rail bridge, retaining walls and embankments would result in a minor visual impact to the Botany Water Reserve and its setting.

Heritage NSW had provided comments during the Consistency Review stage for the Draft SOHI to include recommendation for any design amendments and additional mitigation measures to reduce these impacts including appropriate landscaping and planting. The SOHI has been amended and Section 11.1 *Impact management and avoidance* recommends additional mitigation measures including establishment of fenced exclusion zones around the SHR curtilage, and engagement of an arborist to ensure significant plantings are protected. *Table 9-2. Heritage impact assessment and mitigation measures* also recommends *reinstatement of any vegetation within the existing corridor (where space and operational requirements permit)*. The SOHI must also recommend appropriate new planting to screen and mitigate visual impacts. Detailed design of new built elements should mitigate visual impacts by employing recessive and low scaled forms, materials and colour schemes. The Construction Environment Management Plan (CEMP) for the project must provide comprehensive mitigation strategies detailing the above to ensure that the landscape setting of the SHR item is not adversely impacted by the project works.

The SOHI states the study area is wholly or partially located within the curtilage of six heritage items listed on LEPs and the ARTC and Sydney Water s.170 registers. Close consultation with relevant local councils and state agencies is recommended to mitigate impacts to affected items and to improve urban design and visual amenities associated with the project.

### Historical Archaeology

Technical Report 9 – Statement of Heritage Impact, includes a non-Aboriginal archaeological assessment in Section 7.0. That document has been reviewed. That document advises that the eastern extent of the study area has been occupied by the Botany Rail Line since 1925, with no known previous structures although it was in the vicinity of Simeon Lord's mill establishment (Phase 1) and Botany Pumping Station (Phase 2). Evidence of these phases likely to have been highly impacted. The central part of the study area has been occupied by the Botany Rail Line since 1925. Prior to this it was generally undeveloped, although structures were located to the south of General Holmes Drive. Some deep structural remains such as building footings, wells, rubbish pits or cesspits may be present. The western extent of the study area has been subject to an accumulation of subsurface impacts over time, ending when the Botany Rail Line was deviated and brought into its current alignment during Phase 4 occupation. Despite these impacts, structural remains of Phase 3 residences within the Robey Street road corridor and Botany Rail Line corridor are likely to have survived these activities.

The Section 7.0 assessment concludes: 'In regard to archaeological impacts, the majority of the study area is not likely to contain significant archaeological remains associated with Phase 1 and 2 occupation. Therefore, localised subsurface excavations to accommodate the new rail corridor, CSR, drainage routes utilities relocation and protection, and the construction of retaining walls along the rail corridor would have a negligible impact to significant archaeological resources.'

The Section 7.0 assessment has then recommended (11.5, page 126):

- a) that the location of subsurface excavations are designed to avoid areas containing low or moderate potential for State and locally significant Phase 1 and 2 resources, as shown in Figure 7-1.
- b) that archaeological management is likely to be required in areas of low or moderate potential for locally significant archaeology and any areas with the potential to contain State significant archaeology. The locations of these areas and potential archaeological management are shown in Figure 7-1 namely, **East:** Land surrounding Mill Pond and immediately south of Southern Cross Drive – archaeological monitoring and recording with potential for salvage; **Central:** Land to the north and south of General Holmes Drive, west of the Botany Rail Line – archaeological test excavations or monitoring and recording to the south and archaeological monitoring and recording to the north, both with potential for salvage

Heritage NSW concurs with recommendation (a) above.

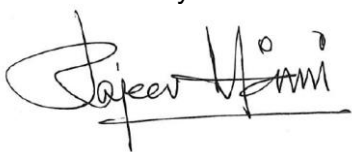
Heritage NSW does not agree with recommendation (b) above.

The SOHI/Archaeological Assessment has not clearly explained why these items would provide meaningful and substantive research questions which is needed to justify the argument for an archaeological program under this Project. The management of 'archaeology' without a clear research agenda and meaningful outcomes, is not consistent with the relevant Heritage Council Guidelines. The SOHI also tends to describe potential landscape features, which would not be 'relics' requiring management if the Heritage Act, 1977, applied to the Project area.

A further Historical Archaeological Research Design and associated monitoring and salvage does not appear to be necessary for this Project. Heritage NSW recommends that if approved, the Project proceeds with a site induction and an Unexpected Finds Protocol established within a Heritage Management Plan to cover historical archaeological 'relics' within the meaning of the NSW Heritage Act.

If you have any questions regarding the above advice please contact Shikha Jhaldiyal, Senior Heritage Assessment Officer, at the Heritage, Community Engagement, Department of Premier and Cabinet, on 9873 8545 or [Shikha.Jhaldiyal@environment.nsw.gov.au](mailto:Shikha.Jhaldiyal@environment.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rajeev Maini', with a horizontal line drawn underneath.

**Rajeev Maini**  
Senior Team Leader  
Regional Heritage Assessments South  
Heritage NSW, Department of Premier and Cabinet  
**As Delegate of the Heritage Council of NSW**  
13 November 2019