



Bruce Zhang
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Department of Planning, Industry and Environment

Your reference: SSD-10436
Our reference: DOC20/706818

By email: bruce.zhang@planning.nsw.gov.au

Dear Mr Zhang

**HERITAGE NSW – ABORIGINAL CULTURAL HERITAGE REGULATION
STATE SIGNIFICANT DEVELOPMENT (SSD)
EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT**

Proposal: ESR Horsley Logistics Park
SSD application no: SSD-10436, received 27 July 2020

Thank you for referring the Environmental Impact Statement (EIS) for the above State Significant Development (SSD) to Heritage NSW for comment. We understand this SSD relates to the proposed construction, fit out and operation of six warehousing distribution buildings and includes loading docks, hardstand areas, truck and car parking spaces, landscaping and utilities. We note the Secretary's Environmental Assessment Requirements (SEARs) issued in June 2020 did not include any requirements for Aboriginal cultural heritage matters.

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

- SEARs for SSD-10436 issued June 2020
- *Environmental Impact Statement Horsley Logistics Park SSD – 10436* prepared by Urbis Pty Ltd, dated July 2020.
- *Aboriginal Objects Due Diligence Assessment* - prepared by Urbis Pty Ltd, dated 27 March 2020.

Aboriginal cultural heritage regulation review of EIS

Heritage NSW has reviewed the EIS and notes the proposed area for development has undergone disturbance as part of previous quarrying and land use activities. Urbis (March 2020) provide advice that due to this disturbance the proposed development footprint contains nil to low potential to disturb any natural soil deposits. Despite the prior disturbance, two Aboriginal sites have previously been located within the project footprint. We note the Urbis report was undertaken as a desktop review only.

As the assessment was undertaken following the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) there has also been no consultation undertaken with the Aboriginal community which may have provided more information about cultural values of the land.

Aboriginal cultural heritage regulation advice for EIS

While the proposed development appears to have low potential to impact on Aboriginal cultural heritage, based on the information provided, several mitigation measures are outlined in Table 29 of the EIS (pages 113 – 114). These measures have been taken from the recommendations listed on page 25 of the Urbis due diligence assessment (March 2020).

As two Aboriginal sites have previously been located within the project footprint, we recommend additional measures be included to ensure that if any other Aboriginal objects are uncovered these are appropriately recorded and managed. These measures need to include, but not be limited to;

- If any Aboriginal objects are uncovered during development activities work must stop and the objects assessed.
- Any Aboriginal objects uncovered are to be recorded on the Aboriginal Heritage Information Management System (AHIMS).
- Works should not recommence until unless authorised in writing by the Secretary.

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 me on (02) 6229 7089 or via email at jackie.taylor@environment.nsw.gov.au.

Yours sincerely



28 August 2020

Jackie Taylor
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