

Appendix F

Aboriginal cultural heritage advice



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RE. SINGLETON BYPASS – ADDENDUM REF JUNE 2024
ABORIGINAL CULTURAL HERITAGE ADVICE

Background

Acciona Construction Australia ('Acciona') have been engaged by Transport for NSW to undertake the design and construction of the Singleton Bypass project on the New England Highway at Singleton, NSW ('the project'). The project was assessed under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* via a Review of Environmental Factors (REF) (Transport for NSW, December 2019) and preparation of a Submissions Report (Transport for NSW, August 2020) following the exhibition process. Addendum REFs to accommodate project changes were prepared in May 2023 and October 2023.

The project's environmental assessment process and approved documentation included Aboriginal cultural and archaeological heritage matters in the following reports:

- AECOM Australia Pty Ltd & Roads and Maritime Services, December 2019. Singleton Bypass, Technical Working Paper: Stage 3 PACHCI – Aboriginal Cultural Heritage Assessment Report.
- AECOM Australia Pty Ltd & Transport for NSW, November 2022. Singleton Bypass, Technical Working Paper: Addendum Aboriginal Cultural Heritage Assessment Report.

The 2019 Aboriginal Cultural Heritage Assessment Report (ACHAR) identified that 16 Aboriginal archaeological sites comprising Aboriginal objects would be at least partially impacted by the project. An Aboriginal Heritage Impact Permit (AHIP) #4985 was issued by Heritage NSW in September 2022 under Section 90 of the NSW *National Parks and Wildlife Act 1974* (NPW Act), authorising harm to Aboriginal objects within the project boundary and AHIP area in accordance with AHIP conditions.

Changes to the project boundary were detailed in the Addendum REFs and 2022 Addendum CHAR. These resulted in a change to the project impact area and an AHIP Variation under Section 90(D) of the NPW Act was issued in May 2023 to accommodate the additional impact areas and additional harm to three Aboriginal archaeological sites. Both the original AHIP and the AHIP variation included mitigation measures for certain impacted sites including archaeological salvage excavation.

Additional design changes between the October 2023 Addendum REF and detailed design are now being assessed in a further 2024 Addendum REF. Kelleher Nightingale Consulting (KNC) was engaged to provide Aboriginal cultural heritage advice for the proposed changes.

Assessment

KNC undertook a review of the information supplied regarding the 2024 Addendum REF design changes against previous Aboriginal cultural heritage assessment and the extent of existing AHIP approvals.

Acciona has indicated that all proposed changes fall within the “disturbance area” previously assessed for Aboriginal heritage impacts in the Addendum ACHAR (AECOM 2022:143-146, Figures 41-44) (noting that this is smaller than the 2023/2024 Addendum REF boundary). The “disturbance area” formed the basis for the AHIP #4985 variation and is the same as the approved (varied) AHIP boundary.

Existing AHIP #4985 (as varied) allows for impacts to Aboriginal heritage within the AHIP boundary, provided that works are undertaken in accordance with AHIP conditions.

As the proposed changes fall wholly within the existing AHIP #4985 area (as varied), and no additional impacts are proposed outside of the existing approved AHIP area, the 2024 Addendum REF works are considered to be consistent with the existing approval for Aboriginal heritage impacts.

Conclusion

No further Aboriginal heritage assessment of the 2024 Addendum REF works is required, as they fall wholly within the existing AHIP #4985 area (as varied). Acciona should ensure works are undertaken in accordance with the existing AHIP conditions.

If you have any questions or require further information, please do not hesitate to contact me on 02 9232 5373 or email Matthew.Kelleher@knconsult.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Kelleher', written in a cursive style.

Dr Matthew Kelleher
Director/Archaeologist