



Our ref: DOC20/931063

Western Sydney Aerotropolis Team
Western Sydney Planning Partnership
engagement@ppo.nsw.gov.au

Western Sydney Aerotropolis – Precinct Plans, Master Planning and Non-Aboriginal Heritage

Dear Western Sydney Aerotropolis Team

Thank you for the opportunity to comment on the precinct plans, master planning process and non-Aboriginal heritage assessment for the Western Sydney Aerotropolis.

Heritage NSW has provided written advice on this matter on three previous occasions (provided at **Attachments 1, 2 and 3** for your information):

- 4 March 2020, providing advice on State heritage items and proposed DCP controls
- 11 August 2020, on State and Local heritage and Historic archaeology requirements, and
- 18 August 2020, in relation to Aboriginal cultural heritage assessment requirements.

In addition, Heritage NSW and the Western Sydney Aerotropolis team have had several meetings relating to the Aerotropolis Master Planning process, which have included discussion of:

- your suggestion to 'bringing forward' *Heritage Act 1977* (Heritage Act) requirements into the Master Planning stage instead of at the Development Application stage, and
- including heritage considerations and related parameters within a Master Plan's complying development code, to allow for complying development to be carried out.

Notwithstanding these discussions, our previous written advice remains unchanged. However, we have reviewed the Precinct Plans and Non-Aboriginal Heritage Assessment and provide the following advice on non-Aboriginal heritage considerations under the *Heritage Act 1977*.

State Heritage

Your proposal to 'bring forward' Heritage Act approvals and to allow complying development on State Heritage Register (SHR) items is not supported. There are no provisions under the Heritage Act for complying development in relation to SHR items and therefore the standard heritage approval processes apply. However, some works can be carried out under the Standard Exemptions provisions, which can be found at heritage.nsw.gov.au/assets/StandardExemptions.pdf.

As noted in our previous correspondence, there are two SHR items located within the Aerotropolis initial precincts or the buffer area:

- Kelvin (SHR 00046), in the Aerotropolis Core and Wianamatta-South Creek precincts, and
- Church of the Holy Innocents (SHR 02005), within the buffer area.

The most appropriate time to undertake a detailed heritage assessment of the potential impacts on these SHR items is at the development application stage. We do not believe that assessment at the Master Planning stage would be sufficient and/or detailed enough to fully consider the heritage impacts on these SHR items and achieve a high quality heritage outcome.

Section 170 Heritage and Conservation Register

There is one heritage item listed in the Department of Education's Heritage and Conservation Register (under s170 of the Heritage Act) in the Aerotropolis initial precincts and two in the buffer area:

- Luddenham Public School – Building B00C, in the Agribusiness precinct
- Bringelly Public School, in the buffer of the Aerotropolis Core, and
- Rossmore Public School Group, in the buffer of Wianamatta-South Creek.

As these items are owned by the Department of Education, if you have not already done so you should consult with them about any potential heritage impacts.

Local Heritage

There are 14 Local heritage items located within the Aerotropolis precincts and one Local item located within the precinct buffer area. As these items are listed under the Camden, Penrith and Liverpool Local Environmental Plans (LEP), the local councils are the consent authority, and the assessment and consideration of any impacts on these items rests with those councils.

Potential Heritage Items

The Non-Aboriginal Heritage Assessment prepared to inform this project identified 45 potential heritage items (potential extant (built) structures and/or archaeological sites) within the Aerotropolis precincts and a further eight potential sites in the precinct buffer area.

Of these sites, the McMaster Field Station/McMaster Farm (in the Northern Gateway precinct) was assessed in the report as having potential State significance, while the other sites were assessed as being of Local significance. Consideration should be given to protecting these potential heritage items by listing them in the council LEPs and/or the Aerotropolis SEPP. Considering that the McMaster Field Station/McMaster Farm has been identified as potentially having State heritage significance further assessment should be undertaken.

If you have any further questions please contact James Sellwood, Senior Heritage Programs Officer, Strategic Relationships and Planning at Heritage NSW by phone on 02 9274 6354 or by email at james.sellwood@environment.nsw.gov.au.

Yours sincerely



Rochelle Johnston
Manager, Heritage Act Programs
Heritage NSW

As delegate of the Heritage Council of NSW

19 March 2021

Heritage NSW

The former Office of Environment and Heritage (Heritage Division) is now Heritage NSW.

Correspondence should be sent to us via email at HeritageMailbox@environment.nsw.gov.au. If you need to provide hard copies, please send to Heritage NSW, Locked Bag 5020, Parramatta NSW 2124.

Please update your records as using an incorrect name and address could cause significant delays or non-delivery of your correspondence.



Our ref: DOC20/140121

Western Sydney Aerotropolis Team
Western Sydney Planning Partnership
PO Box 257
Parramatta NSW 2124
engagement@ppo.nsw.gov.au

Draft Western Sydney Aerotropolis Plan and Supporting Documents

Dear Western Sydney Aerotropolis Team

Thank you for the opportunity to provide comment on the draft Western Sydney Aerotropolis Plan, the State Environmental Planning Policy (SEPP) Discussion Paper and Development Control Plan (DCP) for Phase 1 of the project. I apologise for the delay in our response.

Heritage, culture, history and tradition, both Aboriginal and non-Aboriginal, define the local character of a place and help create and maintain a sense of meaning for communities. As such, it is important to identify heritage values and opportunities to protect and celebrate those values.

Heritage NSW congratulates the Planning Partnership on the level of detail and consideration given to Aboriginal and non-Aboriginal heritage in the draft Aerotropolis planning package, including:

- the strong focus on Aboriginal cultural heritage and the proposed Connecting with Country approach to planning for the Aerotropolis, which will include Cultural Design Principals and guidance from leaders in the Aboriginal community
- opportunities to include cultural infrastructure for Aboriginal people to practice and share culture and for the wider community to visit to interact with and understand the Aboriginal culture, history and heritage of Western Sydney
- the recognition of the importance of heritage as part of the wider cultural infrastructure of the area, and the need to preserve and activate heritage and integrate it with new development, and
- consideration of specific heritage conservation strategies and controls during the precinct planning process and in DCPs, including detailed site investigations which will inform master planning and development applications

The SEPP Discussion Paper identifies three State Heritage Register (SHR) items in the Aerotropolis:

- Kelvin Park Homestead (SHR 00046)
- Church of the Holy Innocents (SHR 02005), and
- Belfield Farm.

We note that Bellfield Farm is not listed on the SHR. The farm was nominated for SHR listing and considered by the Heritage Council of NSW's State Heritage Register Committee in October 2016. The SHR Committee found that the farm was of local significance only. Therefore, it is appropriate that the farm is listed as a Local heritage item under *Liverpool Local Environmental Plan 2008*.

Care must be taken to avoid impacts on the SHR items, and consideration needs to be given as to how to mitigate any impacts where they are unavoidable. We can provide specific information and more detailed advice on these items if required.

We support the proposed mapping of Local and State Heritage items located within the Western Sydney Aerotropolis precincts in the proposed Aerotropolis SEPP and the consideration of these items at the precinct planning stage.

The proposed aims and objectives and performance outcomes included in the Phase 1 DCP in relation to heritage conservation, historic archaeology and Aboriginal culture and heritage are considered to be a positive heritage outcome.

If you have any questions please contact James Sellwood, Senior Heritage Programs Officer, Statewide Programs at Heritage NSW, Department of Premier & Cabinet by email at [REDACTED] or phone on [REDACTED]

Yours sincerely



Rochelle Johnston
Manager, Statewide Programs
Heritage NSW

4 March 2020



Our ref: DOC20/628947

Ms Deanne Frankel
Director, Western Sydney Aerotropolis Team
Western Sydney Planning Partnership
engagement@ppo.nsw.gov.au

Attn: Ms Patrice Rando, Planning Officer
[REDACTED]

Guideline to Master Planning in the Western Sydney Aerotropolis

Dear Ms Frankel

Thank you for the opportunity to comment on the draft *Guideline to Master Planning in the Western Sydney Aerotropolis*. We provide the following advice in relation to State and local heritage and historical archaeology under the *Heritage Act 1977*.

State and Local Heritage

A Statement of Heritage Impact (SOHI) should be prepared by a suitably qualified heritage professional in accordance with the guideline *Statements of Heritage Impact (2002)* – heritage.nsw.gov.au/assets/Uploads/a-z-publications/s-u/Statements-of-Heritage-Impact.pdf.

The SOHI should identify:

- what State and Local heritage items exist in the project area and in the vicinity. This should include built heritage, landscapes and historical archaeology, detailed mapping of these items, and assessment of why the items and sites are of heritage significance
- where relevant Conservation Management Plans (CMPs) exist and what key conservation policies should guide your project in design and delivery
- potential impacts on the heritage significance of State and Local items within the project area and in the vicinity, including both direct and indirect physical and visual impacts, and potential noise and vibration impacts
- proposed measures to mitigate impacts on State and Local items within the project area and in the vicinity
- justification for any changes proposed to heritage fabric or landscape elements and for why more sympathetic solutions are not viable, and
- options analysis of the placement or movement of proposed activities or development to avoid impacts to State and Local heritage items.

Historical Archaeology

A Historical Archaeological Assessment should be prepared by a suitably qualified historical archaeologist in accordance with these guidelines:

- *Archaeological Assessments* (1996) – heritage.nsw.gov.au/assets/Uploads/files/archaeological-assessments-guidelines.pdf
- *Assessing Significance for Historical Archaeological Sites and Relics* (2009) – heritage.nsw.gov.au/assets/Uploads/a-z-publications/a-c/Assessing-Significance-A-Historical-Archaeological-Sites-and-Relics.pdf

This Historical Archaeological Assessment should:

- identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource
- where harm is likely to occur to archaeological resources, consider appropriate mitigation strategies according to their significance, and
- if harm cannot be avoided in whole or part, a Research Design and Excavation Methodology should also be prepared to guide any proposed archaeological mitigation.

Aboriginal Cultural Heritage

Heritage NSW's Aboriginal Cultural Heritage Regulation team will provide separate requirements for the project in relation to Aboriginal heritage considerations under the *National Parks and Wildlife Act 1974*.

If you have any questions regarding this matter please contact James Sellwood, Senior Heritage Programs Officer, Statewide Programs at Heritage NSW, Department of Premier and Cabinet by phone on [REDACTED] or via email at [REDACTED]

Yours sincerely



Rochelle Johnston
Manager, Statewide Programs
Heritage NSW

As delegate of the Heritage Council of NSW

11 August 2020



Our ref: DOC20/665572

Ms Deanne Frankel
Director, Western Sydney Aerotropolis Team
Western Sydney Planning Partnership
engagement@ppo.nsw.gov.au

Attn: Ms Patrice Rando, Planning Officer
[REDACTED]

Dear Ms Frankel

Guideline to Master Planning in the Western Sydney Aerotropolis

Thank you for the opportunity to comment on the draft *Guideline to Master Planning in the Western Sydney Aerotropolis*. We have reviewed the draft Guideline and provide the following advice in relation to Aboriginal cultural heritage matters.

Aboriginal cultural heritage assessment requirements

A precinct wide Aboriginal Cultural Heritage Assessment Report (ACHAR) should be prepared to identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the proposal. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (OEH 2010), and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (DECCW 2011) and consultation with Aboriginal Cultural Heritage Regulation staff of Heritage NSW.

Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.

Impacts on Aboriginal cultural heritage values need to be assessed and documented in the ACHAR. The ACHAR needs to demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must also be documented and notified to Heritage NSW.

If you have any questions about this advice, please do not hesitate to [REDACTED]

Yours sincerely

18 August 2020

Jackie Taylor
Senior Team Leader
Aboriginal Heritage Regulation Branch (South)
Heritage NSW