

# Moorebank Precinct West Intermodal Terminal Facility - Modification

## Aboriginal Heritage Assessment



**SIMTA**

SYDNEY INTERMODAL TERMINAL ALLIANCE

Part 4, Division 4.1, State Significant  
Development





artefact

30 May 2016

Shannon Blackmore  
Senior Environmental Consultant  
Arcadis

Dear Shannon,

**Re: MPW Concept Plan Modification – Aboriginal Heritage Memo**

**1.1 Introduction**

The Moorebank Intermodal Company (MIC) has received Concept Plan Approval, under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), to develop the Moorebank Intermodal Terminal Project (MPW Project) on the western side of Moorebank Avenue, Moorebank, in south-western Sydney (the MPW site).

On 4 June 2015, the MIC, with the approval of the Commonwealth Government, entered an agreement with the Sydney Intermodal Terminal Alliance (SIMTA) under which SIMTA will obtain approvals, build and operate all stages of the MPW Project at Moorebank. SIMTA is seeking approval to modify the Moorebank Intermodal Company (MIC) Concept Proposal and Early Works (Stage 1) approval (SSD\_5066) (MPW Concept Plan Approval).

The Environmental Impact Assessment (EIS) prepared for the Concept Plan Approval identified that fill material required for the development of the MPW site would be largely sourced from excavations within the MPW site and hence imported fill volumes for the project would be small. Subsequent civil design development for the MPW Project has identified that fill required to be imported to the MPW site is estimated at 1,600,000 cubic metres (m<sup>3</sup>). It is proposed to undertake additional site preparatory works, including the import, placement and stockpiling of clean fill, as a modification to the approved Stage 1 (Early Works).

This Aboriginal heritage assessment report has been prepared to support an application made under section (s) 96(2) of the EP&A Act to modify the MPW Concept Plan Approval (SSD\_5066).

**1.1.1 Proposed Works**

It is proposed to undertake additional site preparatory works, including the import, placement and stockpiling of clean fill, as a modification to the approved Early Works. The proposed modification would result in an intensification of activity associated with the approved Early Works. The works, for which a modification is sought (the Modification Proposal), include the following:

- Minor vegetation removal (not Endangered Ecological Communities, slightly above that provided within Early Works)
- Import, by truck, of approximately 1,600,000m<sup>3</sup> of fill (from offsite locations)

- Crushing and screening of oversized materials and demolition materials stockpiled during Early Works, for direct placement on site
- Stripping and stockpiling of topsoil within the area of impact, cut and fill (within the primary earthworks areas) and stockpiling of clean fill within the primary earthworks areas (see Figure 1)
- Temporary sediment and erosion control works, including onsite detention basins (greater than those envisaged within the Early Works)
- Establishment of temporary internal haulage routes, construction compounds (including, but not limited to, a materials crusher and other plant and equipment) (additional to those included within Early Works).

Figure 1 shows the location and extent of the Modification Proposal, which would occur largely within the footprint of the approved Early Works.

Figure 1 Location and extent of Modification Proposal



- Materials crushing
- Construction parking area
- Earthworks Compound
- Offices
- Pre-construction & bulk earthworks stockpiling
- Truck marshalling area

- LEGEND**
- Area of impact (modification subject)
  - Temporary construction sediment basins
  - Primary earthworks areas (modification subject)
  - Northern access
  - Southern access
  - Watercourse
  - Existing railway
  - Primary haul road

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### 1.1.2 Assessment Purpose

This Aboriginal heritage assessment report has been prepared to provide further information on, and environmental assessment of, the Modification Proposal. The Modification Proposal has been reviewed against the documentation prepared for the MPW Concept Plan Approval, the Secretary's Environmental Assessment Requirements (SEARs) issued for the MPW Concept Plan (SSD\_5066) and applicable legislation and guidelines to determine whether the works and associated impacts of the Modification Proposal are 'substantially the same development' as that proposed under the MPW Concept Plan Approval.

## 1.2 Recorded Aboriginal Sites

An extensive search of the Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) was conducted on 4 May 2016 within the following coordinates:

- 305900E – 308730E and 6239220N – 6243200N GDA 94 MGA 56 with a buffer of 50 m
- AHIMS Client Service ID 223834
- Recorded Aboriginal sites – 23
- Recorded Aboriginal Place – 1

One recorded Aboriginal site, 45-5-4427 (MA13) is listed within the area of impact of the Modification Proposal. However, the northing coordinate listed against that site is erroneous. The site is intended to be located one kilometre to the north on the western side of Georges River.

Sites located in the immediate vicinity of the Modification Proposal include:

- 45-5-4273 (MA2) – 30 m outside
- 45-5-4274 (MA3) – 45 m outside
- 45-5-4275 (MA4) – 25 m outside
- 45-5-4276 (MA5) – 12 m outside, although greater site extent identified in EIS extends into Modification Proposal area (see Section 1.3.1)
- 45-5-4278 (MA8) – 30 m outside
- MA14 (not provided an AHIMS number yet) – 40 m outside

### 1.2.1 Previous Aboriginal heritage investigations

Navin Officer Heritage Consultants (NOHC) were commissioned in 2010 by Parson Brinckerhoff (PB) to produce the Aboriginal Heritage Technical Paper for the MPW Concept Plan EIS.<sup>1</sup> In addition to NOHC's assessment, Biosis collated information from previously conducted assessments within the MPW Site to produce the Aboriginal Heritage chapter of the MPW Concept Plan EIS.<sup>2</sup>

The Ministers Conditions of Approval (MCoA) outlines heritage impact remediation works approved for Early Works at each of the Aboriginal sites identified within the MPW Site.

<sup>1</sup> Navin Officer Heritage Consultants (NOHA), 2014 'Moorebank Intermodal Terminal Aboriginal Heritage Assessment Report. Report prepared for Parsons Brinckerhoff

<sup>2</sup> Biosis, 2014 'Moorebank Intermodal Terminal Project Environmental Impact Statement – European Heritage', Chapter 21.

### 1.3 Impact Assessment

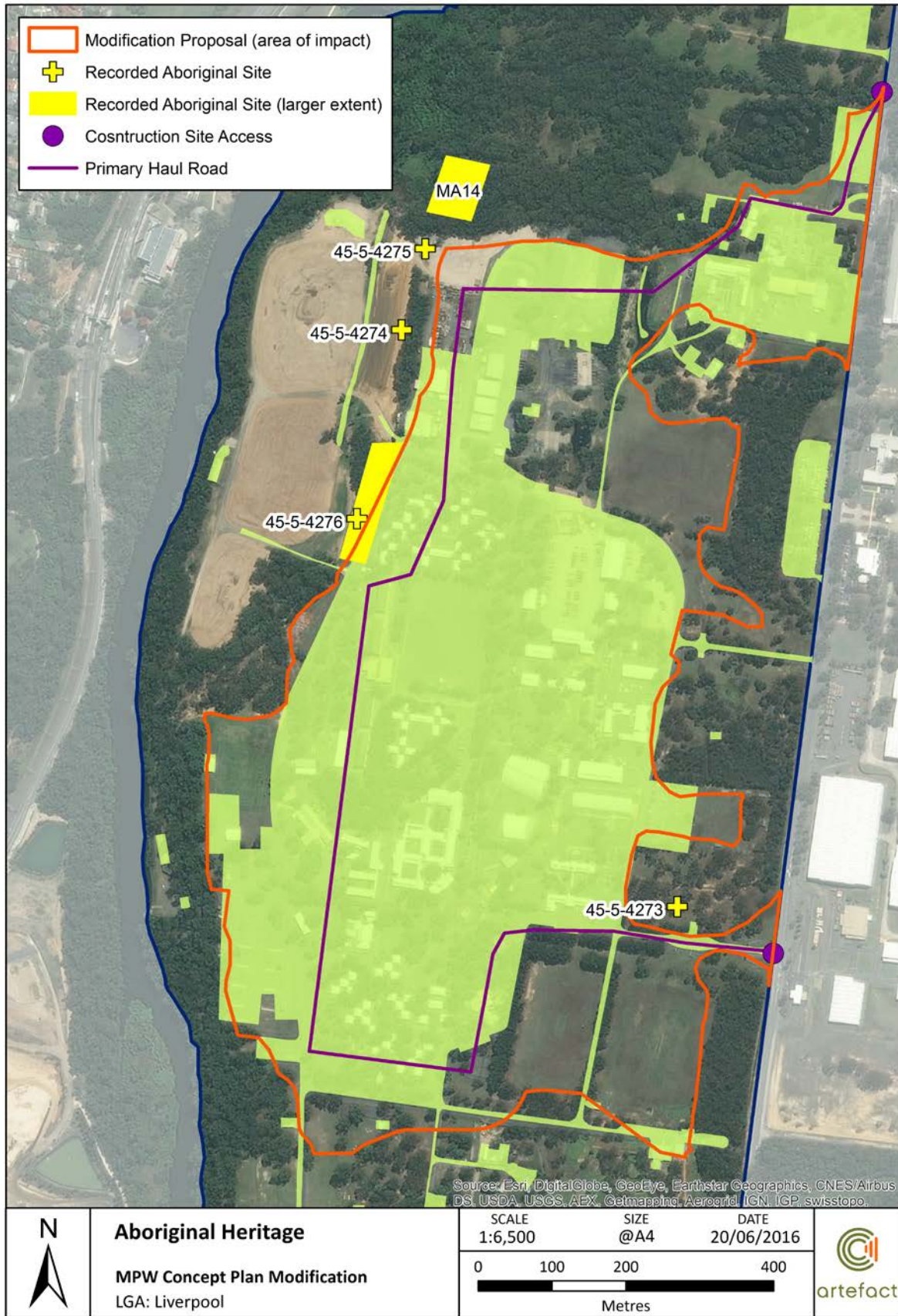
The proposed works include substantial surface impact within the Modification Proposal area of impact. This includes vegetation removal, stripping and stockpiling of topsoil within the area of impact, temporary sediment and erosion control works and establishment of internal haulage routes. A more detailed description of the proposed works is included in Section 1.1.1.

The location of recorded Aboriginal sites in relation to Early Works and the Modification Proposal is included as Figure 2. A summary of impacts with regard to the Modification Proposal is outlined in Table 3.

**Table 1: Modification Proposal impact**

Site ID (Name)	Type of harm	Degree of harm	Consequence of harm	Increase in impacts from Early Works?
45-5-4273 (MA2)	None	None (outside Modification Proposal)	No loss of value (assessed against the Modification Proposal)	No
45-5-4274 (MA3)	None	None (outside Modification Proposal)	No loss of value (assessed against the Modification Proposal)	No
45-5-4275 (MA4)	None	None (outside Modification Proposal)	No loss of value (assessed against the Modification Proposal)	No
45-5-4276 (MA5)	Direct	Partial	Partial	No
45-5-4278 (MA8)	None	None (outside Modification Proposal)	No loss of value (assessed against the Modification Proposal)	No

Figure 2: Location of identified Aboriginal sites in relation to the Modification Proposal and Early Works footprints





## 1.4 Mitigation Measures

A summary of mitigation measures from the revised environmental mitigation measures (REMMs) and the Ministers Conditions of Approval (CoA) as applicable to the approved Modification Proposal are outlined in Table 2. This information is based on the assumption that all mitigation measures for each individually identified Aboriginal sites within the Modification Proposal area has been completed as part of Early Works.

**Table 2: Mitigation measures from REMMs and MCoA**

Item/s	REMMs / RCoA	Mitigation Measure to be implemented as part of approved Early Works
MPW site	RCoA D20(c)	As part of the CEMP for the SSD, the Applicant shall prepare and implement a Construction Heritage Management Plan (CHMP) to ensure construction impacts on Aboriginal heritage will be appropriately avoided, minimised and managed. The Plan shall be developed in consultation with OEH, the relevant Council and the Local Aboriginal Land Council. The specific requirements for the CHMP are outlined in Section 1.6.1 below.
Unanticipated Discoveries	REMM 12F	The Unanticipated Discoveries Protocol described in Appendix 10 of Technical Paper 10 – Aboriginal Heritage Impact Assessment in Volume 7 of the EIS, would be followed in the event that historical items or relics or suspected burials are encountered during construction works.
Aboriginal stakeholder consultation	REMM 12G	<p>Consultation would be ongoing with the registered Aboriginal parties during construction of the Project and would include:</p> <ul style="list-style-type: none"> <li>• Consultation on the future care and management of Aboriginal objects</li> <li>• Methodologies for any future investigations</li> </ul> <p>Finalisation of management and mitigation strategies subject to detailed design</p>

## 1.5 Recommendations

The following recommendations from the EIS, REMMs and MCoA are made for the Modification Proposal prior to commencement of Early Works. No additional recommendations / mitigation measures are proposed for the Modification Proposal.

### 1.5.1 MPW Site

A CHMP should be prepared as part of the CEMP for the SSD. An outline from the RCoA (D20[c]) of what the CHMP should include is presented in Table 5.

**Table 3: RCoA recommendations for preparation of a CHMP**

RCoA item number (D20)	Description
(i) a)	Details of management measures to be carried out in relation to Aboriginal heritage, including a detailed methodology and strategies for protection, monitoring, and conservation of sites and items.
(i) b)	Procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including cessation of works in the vicinity, assessment of the significance of the item(s) and determination of appropriate mitigation measures, including when works can re-commence, by a suitably qualified and experienced archaeologist in consultation with the Secretary and Aboriginal stakeholders, assessment of the consistency of any Aboriginal heritage impacts against the approved impacts of the SSD, and, where relevant, registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register.
(i) c)	procedures for dealing with human remains, including cessation of works in the vicinity, notification of Secretary, NSW Police Force, OEH and Aboriginal stakeholders, and commitment to cease recommencing any works in the area unless authorised by the OEH and/or the NSW Police Force.
(i) d)	Heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) and obligations under the conditions of this approval including site identification, protection and conservation of Aboriginal cultural heritage.
(ii) e)	procedures for ongoing Aboriginal consultation and involvement for the duration of the Early Works.
(iii)	Mechanisms for the monitoring, review and amendment of this plan.

### 1.5.2 Specific REMMs and RCoA Mitigation Measures

Specific mitigation measures as listed in Table 5 should be completed prior to commencement of any works that will affect those items. In summary, Aboriginal heritage impacts associated with the Modification Proposal would result in no increase in impacts from those assessed for the Early Works under the MPW Concept Plan EIS, RtS and RStS. Through the implementation of the mitigation measures approved for the MPW Concept Plan and the MCoA identified above, Aboriginal heritage impacts associated with the Modification Proposal are expected to be consistent with the impacts predicted within the MPW Concept Plan EIS.