

Our ref: DOC24/136884

Mr Christian Knight
Director, Master Plan, Civil and Utilities
Western Parkland City Authority
Level 7, 50 Belmore Street
PENRITH NSW 2750
Christian.Knight@wpca.sydney

Subject: Aboriginal Heritage Impact Permit 5244 - Bradfield City Centre Master Plan

Dear Christian

Thank you for your application for an Aboriginal Heritage Impact Permit under section 90 of the *National Parks and Wildlife Act 1974* received on 14 March 2024. Additional information was received on 4 March 2024, 13 March 2024 and 19 March 2024.

I understand that the proposed development involves the development of the Bradfield City Centre as per the Master plan and all associated works as documented in your Aboriginal Heritage Impact Permit application and the Bradfield Master Plan.

Your application has been assessed and approved. Your Aboriginal Heritage Impact Permit is attached.

Aboriginal cultural heritage is important and irreplaceable. Please be aware of your responsibilities in relation to Aboriginal cultural heritage and the conditions of the attached permit.

Advice

Your works may need approval from other local, State or Commonwealth government authorities.

You may need to report any discovery of Aboriginal remains under the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

The Aboriginal Heritage Impact Permit holder is responsible for obtaining permission to enter land from the owner and/or occupier of the land.

Section 164 of the *National Parks and Wildlife Act 1974* allows authorised officers to enter land if they suspect that an offence has been or is being committed.

Right of appeal

Under section 90L of the *National Parks and Wildlife Act 1974*, the Aboriginal Heritage Impact Permit holder may appeal to the Land and Environment Court if they are dissatisfied with any condition of this Aboriginal Heritage Impact Permit. The appeal must be lodged within 21 days of the date this Aboriginal Heritage Impact Permit was issued.

If you require any further assistance do not hesitate to contact Alison Lamond, Senior Assessments Officer, at Heritage NSW on 0419 762 918 or alison.lamond@environment.nsw.gov.au.

Yours sincerely



Kym McNamara
Manager Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

28 March 2024

Cc: Rebekah Hawkins, Senior Heritage Advisor, Extent Heritage - rhawkins@extent.com.au

Aboriginal Heritage Impact Permit: 5244

Aboriginal Heritage Impact Permit issued to:

Western Parkland City Authority

ABN: 84 369 219 084

Level 7, 50 Belmore Street

PENRITH NSW 2750

Additional details for Public Register	
Name of development or project	Bradfield City Centre Master Plan
Location	215 Badgerys Creek Road, Bradfield Lot 3101 DP 1282964
Local government area(s)	Liverpool City Council
Description of harm authorised	Salvage excavations Community collection Harm to certain Aboriginal objects through the proposed works
Aboriginal Heritage Impact Permit commencement date and duration	Commencement date: 28 March 2024 Duration: 2 years

Aboriginal Heritage Impact Permit to Harm Aboriginal objects

Part A. Aboriginal Heritage Impact Permit issued subject to conditions

This Aboriginal Heritage Impact Permit is issued pursuant to section 90 of the *National Parks and Wildlife Act 1974*. All actions on the land must be carried out in accordance with the application except as otherwise expressly provided by a condition of this Aboriginal Heritage Impact Permit.

An Aboriginal Heritage Impact Permit is issued to harm Aboriginal objects identified in Schedules B and C, in accordance with the conditions of this Aboriginal Heritage Impact Permit.

***Note:** a dictionary defining terms used in this document are in [Appendix A](#).

Part B. Commencement and duration of Aboriginal Heritage Impact Permit

This Aboriginal Heritage Impact Permit commences on the date it is signed unless otherwise provided by this Aboriginal Heritage Impact Permit.

Unless otherwise revoked in writing, this Aboriginal Heritage Impact Permit remains in force for 2 years from the date of commencement.

Part C. Proposed works

The proposed works include construction of roads and infrastructure services, Bulk earthworks, and construction of regional stormwater infrastructure, to prepare the site for future development as a high density, mixed use city centre and associated parklands and open spaces.

Part D. Land to which this Aboriginal Heritage Impact Permit applies

The land to which this Aboriginal Heritage Impact Permit applies is that land bound by the red line shown as AHIP to harm boundary and listed grid references in Attachment 1.

Part E. Conditions

The conditions of this Aboriginal Heritage Impact Permit specify the actions that are permitted and/or required in relation to areas and Aboriginal objects, detailed in the schedules that follow.

Any requirement to provide written notice to Heritage NSW may be complied with by emailing the notice to heritagemailbox@environment.nsw.gov.au

General conditions	
Condition number	
Persons undertaking actions or works covered by this Aboriginal Heritage Impact Permit	
1	The Aboriginal Heritage Impact Permit holder must ensure that all persons involved in actions or works covered by this Aboriginal Heritage Impact Permit (whether employees, contractors, sub-contractors, agents, or invitees) are made aware of and comply with the conditions of this Aboriginal Heritage Impact Permit.
2	A suitably qualified and experienced individual must be appointed as a project manager who is responsible for overseeing, for and on behalf of the Aboriginal Heritage Impact Permit holder, all the actions relating to this Aboriginal Heritage Impact Permit.
3	If an alternative to the nominated project manager is appointed, Heritage NSW must be notified of their contact details within 14 days of this appointment.
Notification of registered Aboriginal parties	
4	A copy of this Aboriginal Heritage Impact Permit must be provided to each registered Aboriginal party, within 14 days of receipt of the Aboriginal Heritage Impact Permit from Heritage NSW and at least 7 days before the start of works under this Aboriginal Heritage Impact Permit.
5	Where this Aboriginal Heritage Impact Permit is varied or transferred, a copy of the Aboriginal Heritage Impact Permit variation or transfer notice must be provided to each registered Aboriginal party, within 14 days of receipt of the notice.
Indemnity	
6	<p>This Aboriginal Heritage Impact Permit holder agrees to indemnify and keep indemnified, the Crown in right of NSW, the Minister administering the <i>National Parks and Wildlife Act 1974</i>, the Department Secretary, and their employees, agents, and contractors, in the absence of any wilful misconduct or negligence on their part, from and against all actions, demands, claims, proceedings, losses, damages, costs (including legal costs), charges or expenses suffered or incurred by them resulting from:</p> <p>a. Any damage or destruction to any real or personal property; and</p>

General conditions	
Condition number	
	b. Injury suffered or sustained (including death) by any persons arising out of or in connection with any actions undertaken pursuant to this Aboriginal Heritage Impact Permit.
Breach of Aboriginal Heritage Impact Permit conditions	
7	<p>The Aboriginal Heritage Impact Permit holder must notify Heritage NSW in writing as soon as practicable after becoming aware of:</p> <ul style="list-style-type: none"> a. Any contravention of s.86 of the <i>National Parks and Wildlife Act 1974</i> not authorised by an Aboriginal Heritage Impact Permit, and/or b. Any contravention of the conditions of this Aboriginal Heritage Impact Permit. <p>Where Heritage NSW suspects that an incident has occurred which may have breached the <i>National Parks and Wildlife Act 1974</i> or Aboriginal Heritage Impact Permit, Heritage NSW and/or Authorised Officer appointed under the <i>National Parks and Wildlife Act 1974</i> may request a written incident report, which includes the following:</p> <ul style="list-style-type: none"> a. the nature of the incident b. the actual or likely impact of the incident on Aboriginal objects and/or Aboriginal places c. the nature and location of these Aboriginal objects/or Aboriginal places, referring to and providing maps and photos where appropriate d. any conditions of an Aboriginal Heritage Impact Permit which may have been breached, and e. the measures which have been take or will be taken to prevent a recurrence of the incident. <p>The incident report must be provided to the Heritage NSW office within the timeframe specified in the request.</p>
Human remains	
8	All human remains in, on or under the land must not be harmed.

General conditions

Condition number

- | | |
|---|--|
| 9 | <p>If any human remains are discovered and/or harmed in, on or under the land, the Aboriginal Heritage Impact Permit holder must:</p> <ul style="list-style-type: none">a. Not further harm these remainsb. Immediately cease all work at the locationc. Secure the area to avoid further harm to the remainsd. Notify the local police and the <u>NSW Environment Line</u> on 131 555 as soon as practicable and provide any available details of the remains and their location, ande. Not recommence any work at the location unless authorised in writing by Heritage NSW. |
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Standard conditions	
Condition number	
Prevention of harm	
10	The Aboriginal objects described in Schedule A must not be harmed.
Harm	
Salvage excavation	
11	Salvage excavations may be carried out in, on or under each area described in Schedule B2.
12	<p>Aboriginal objects that are recovered during the excavations may be analysed on-site and/or may be taken off-site for further analysis.</p> <p>The excavations and analysis of Aboriginal objects must be carried out in accordance with Bradfield City Centre Master Plan Application: Cultural Heritage Study Salvage Excavation Methodology (Extent Heritage) dated 4 March 2024 that was provided with the application.</p>
Community collection of Aboriginal objects	
13	A representative or representatives of the registered Aboriginal parties must be provided with an opportunity to collect Aboriginal objects within the 'community collection area' described in Schedule B3.
14	<p>The opportunity for community collection must be provided:</p> <ul style="list-style-type: none"> a. in accordance with Appendix 8 Community Collection Methodology of Aboriginal Cultural Heritage Assessment Report (Extent Heritage) dated 4 March 2024 that was provided with the application and b. before any harm of Aboriginal objects described in Schedule C can commence in the area.
15	If an opportunity for community collection has been provided and this collection does not occur, the Aboriginal Heritage Impact Permit holder may proceed with any actions to harm Aboriginal objects described in Schedule C, in accordance with the conditions of this Aboriginal Heritage Impact Permit.
Harm through the proposed works	
16	The Aboriginal objects described in Schedule C may be harmed. Nothing in this condition authorises harm to Aboriginal objects described in Schedule A (whether human remains, Aboriginal objects or 'no-harm areas').
17	<p>Aboriginal objects described in Schedule C must not be harmed unless</p> <ul style="list-style-type: none"> a. all excavations described in Schedule B2 have been completed in the area,

Condition number	Standard conditions
	b. and all opportunities for community collection of Aboriginal objects described in Schedule B3 have been provided in the area.
Salvage report	
18	<p>A report must be prepared about the actions relating to the harm of Aboriginal objects (as permitted by this Aboriginal Heritage Impact Permit). The report must:</p> <ul style="list-style-type: none"> a. include a short summary of the report b. describe any ongoing consultation with or involvement of representatives of registered Aboriginal parties in relation to this Aboriginal Heritage Impact Permit c. provide details of the Aboriginal objects which were fully or partially harmed while undertaking the actions d. if any salvage excavations were authorised by this Aboriginal Heritage Impact Permit, provide a description of the methods and results of the salvage excavation e. detail any community collection of Aboriginal objects undertaken by the registered Aboriginal parties f. comment on the effectiveness of any mitigation measures that were implemented g. comment on the effectiveness of any management plan which was in place h. if any Aboriginal objects were moved to a temporary storage location, a description of the nature and types of Aboriginal objects which are now at that location i. detail the results of any analysis of Aboriginal objects j. detail the long-term management arrangements for any Aboriginal objects, and k. include a statement confirming that all Aboriginal Site Impact Recording Forms have been completed and submitted.
19	<p>The report must be submitted to Heritage NSW heritagemailbox@environment.nsw.gov.au and the Aboriginal Heritage Information Management System Registrar ahims@environment.nsw.gov.au within 4 months of the completion of the actions.</p>
20	<p>A copy of the report including a summary of the report in plain English must be sent to each registered Aboriginal party within 14 days of the report being submitted to Heritage NSW.</p>
Temporary storage	
21	<p>Any Aboriginal objects that are removed from the land by actions authorised by this Aboriginal Heritage Impact Permit, must be moved as soon as practicable to the temporary storage specified below:</p>

Standard conditions	
Condition number	
	Location name: Extent Heritage Offices Address: 3/73 Union Street, Pyrmont NSW 2009 Storage particulars: Locked storage cupboard
22	Heritage NSW must be notified of an alternative temporary storage location at least 7 days prior to the move.
23	Any Aboriginal objects stored at the temporary storage location must not be further harmed, except in accordance with the conditions of this Aboriginal Heritage Impact Permit.
Long term management	
24	If objects are to be transferred under a Care and Control Agreement to an Aboriginal person or organisation representing Aboriginal people in accordance with section 85A(1)(c) of the <i>National Parks and Wildlife Act 1974</i> an application for a Care and Control Agreement must be completed.
25	If reburial is to be undertaken of objects Requirement 26 'Stone artefact deposition and storage' in the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> , must be complied with unless the registered Aboriginal parties agree to an alternative deposition method.
Aboriginal site impact recording form	
26	<p>Aboriginal Site Impact Recording Form must be completed and submitted to the Aboriginal Heritage Information Management System Registrar, for each Aboriginal Heritage Information Management System site identified in Schedules B and C, within 4 months of the completion of salvage actions authorised by this Aboriginal Heritage Impact Permit.</p> <p>Note:</p> <ul style="list-style-type: none"> The Aboriginal Site Impact Recording Form must be updated with information about the site in each relevant field. Reference to a report is not an acceptable substitute for site information. The Aboriginal Site Impact Recording Form can be found here Contact details for the Aboriginal Heritage Information Management System Registrar can be found here

Schedule A: Aboriginal Objects that must not be harmed

A1. Human remains

All human remains in, on or under the land must not be harmed.

A2. Aboriginal objects that are identified on Aboriginal Heritage Information Management System

Not Applicable.

A3. No-harm areas

Not applicable.

Schedule B: Aboriginal objects that may be harmed through certain actions

B1. Movement only

Not applicable.

B2. Salvage excavations

Salvage excavations may be carried out in the area marked “TP 114”, on Salvage excavation area Attachment 2, but only in accordance with the conditions of this Aboriginal Heritage Impact Permit.

The salvage excavation area comprises the following known Aboriginal objects, as identified on Aboriginal Heritage Information Management System (excluding Aboriginal objects described in Schedule A):

Portion of site (whole or part)	AHIMS site number	Site feature	Site name	Restricted access (Y/N)	Easting	Northing	Datum and zone
Part	45-5-5491	Artefact, PAD	Thompson Creek	N	290915	6243526	GDA 56

***Note** – in this context “part” means “that part of the site is within the land to which this Aboriginal Heritage Impact Permit applies”

B3. Community collection

Community collection may be carried out in the area marked “AHIP to Harm Boundary”, Land to which this Aboriginal Heritage Impact Permit applies Attachment 1, but only in accordance with the conditions of this Aboriginal Heritage Impact Permit.

The community collection area includes the following know Aboriginal objects, as identified on Aboriginal Heritage Information Management System (excluding any Aboriginal objects described in Schedule A):

Portion of site (whole or part)	AHIMS site number	Site feature	Site name	Restricted access (Y/N)	Easting	Northing	Datum and zone
Whole	45-5-2620	Artefact	B 18	N	291100	6243960	AGD 56
Whole	45-5-2621	Artefact	B 19	N	291230	6243620	AGD 56
Whole	45-5-2622	Artefact	B 20	N	291110	6243510	AGD 56
Whole	45-5-2628	Artefact	B 38	N	290750	6243430	AGD 56
Whole	45-5-2639	Artefact	B 21	N	291060	6243490	AGD 56
Whole	45-5-2640	Artefact	B 22	N	290620	6243800	AGD 56
Whole	45-5-2641	Artefact, PAD	B 23	N	290710	6243460	GDA 56
Whole	45-5-2779	Artefact	B17	N	291060	6244300	AGD 56
Whole	45-5-5480	Artefact, PAD	ACIF01	N	290355	6243801	GDA 56
Whole	45-5-5481	Artefact	ACAS01	N	290949	6243534	GDA 56
Part	45-5-5491	Artefact, PAD	Thompson Creek	N	290915	6243526	GDA 56
Part	45-5-5492	Artefact, PAD	Moore Gully	N	290744	6243505	GDA 56
Whole	45-5-5588	Artefact	BCC Isolated Artefact 1	N	290896	6243466	GDA 56

Portion of site (whole or part)	AHIMS site number	Site feature	Site name	Restricted access (Y/N)	Easting	Northing	Datum and zone
Whole	45-5-5589	Artefact	BCC Isolated Artefact 2	N	290899	6243465	GDA 56
Whole	45-5-5590	Artefact	BCC Isolated Artefact 3	N	290781	6243634	GDA 56
Whole	45-5-5815	Artefact	ACAS02	N	290355	6243801	GDA 56

*Note – in this context “part” means “that part of the site that is within the land to which this Aboriginal Heritage Impact Permit applies”

B4. Other

Not applicable.

Schedule C: Aboriginal Objects which may be harmed through the proposed works

The Aboriginal objects described in this schedule may be harmed, but only in accordance with the conditions of this Aboriginal Heritage Impact Permit (excluding any Aboriginal objects described in Schedule A).

C1. Harm of Aboriginal objects identified on Aboriginal Heritage Information Management System

Portion of site (whole or part)	AHIMS site number	Site feature	Site name	Restricted access (Y/N)	Easting	Northing	Datum and zone
Whole	45-5-2620	Artefact	B 18	N	291100	6243960	AGD 56
Whole	45-5-2621	Artefact	B 19	N	291230	6243620	AGD 56
Whole	45-5-2622	Artefact	B 20	N	291110	6243510	AGD 56
Whole	45-5-2628	Artefact	B 38	N	290750	6243430	AGD 56

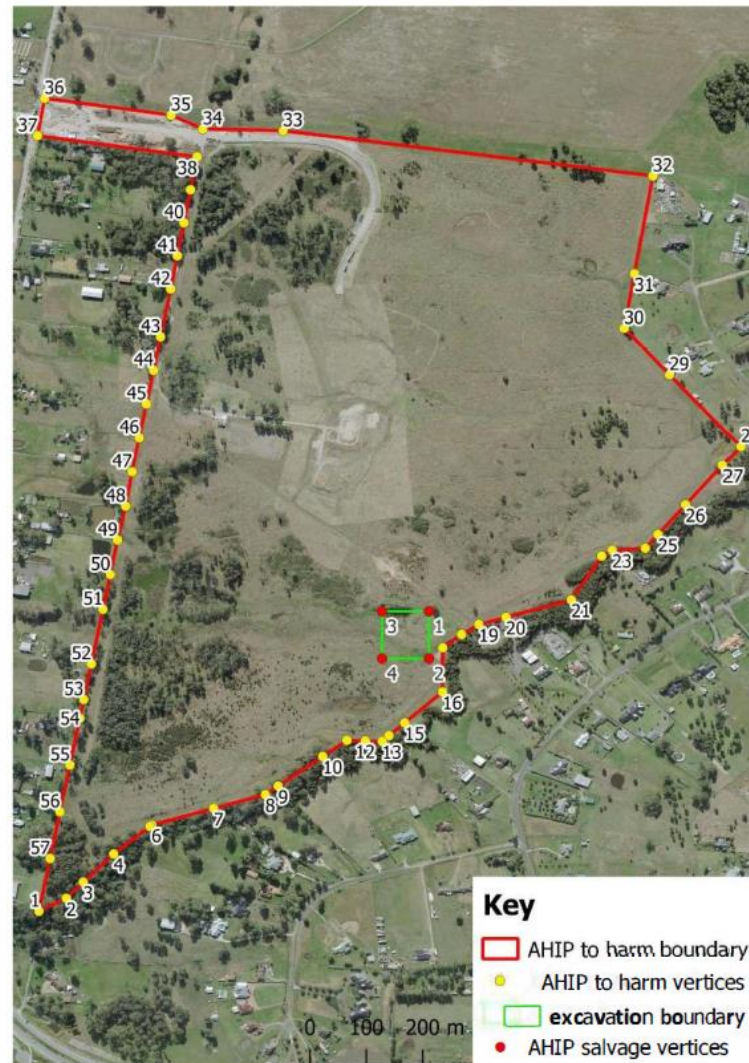
Portion of site (whole or part)	AHIMS site number	Site feature	Site name	Restricted access (Y/N)	Easting	Northing	Datum and zone
Whole	45-5-2639	Artefact	B 21	N	291060	6243490	AGD 56
Whole	45-5-2640	Artefact	B 22	N	290620	6243800	AGD 56
Whole	45-5-2641	Artefact, PAD	B 23	N	290710	6243460	GDA 56
Whole	45-5-2779	Artefact	B17	N	291060	6244300	AGD 56
Whole	45-5-5480	Artefact, PAD	ACIF01	N	290355	6243801	GDA 56
Whole	45-5-5481	Artefact	ACAS01	N	290949	6243534	GDA 56
Part	45-5-5491	Artefact, PAD	Thompson Creek	N	290915	6243526	GDA 56
Part	45-5-5492	Artefact, PAD	Moore Gully	N	290744	6243505	GDA 56
Whole	45-5-5588	Artefact	BCC Isolated Artefact 1	N	290896	6243466	GDA 56
Whole	45-5-5589	Artefact	BCC Isolated Artefact 2	N	290899	6243465	GDA 56
Whole	45-5-5590	Artefact	BCC Isolated Artefact 3	N	290781	6243634	GDA 56
Whole	45-5-5815	Artefact	ACAS02	N	290355	6243801	GDA 56

*Note – in this context “part” means “that part of the site that is within the land to which this Aboriginal Heritage Impact Permit applies”

C2. Areas where harm of Aboriginal Objects is authorised

All Aboriginal objects in, on or under the land which is identified on the Land to which this Aboriginal Heritage Impact Permit applies Attachment 1.

Attachment 1: Land to which this Aboriginal Heritage Impact Permit applies



AHIP to harm vertices

1	150.7302016433	-33.9334030086
2	150.7307300968	-33.9331582292
3	150.7310539923	-33.9328475376
4	150.7316388830	-33.9323093941
5	150.7323306064	-33.9317817563
6	150.7323665161	-33.9317543713
7	150.7335565830	-33.9314382655
8	150.7345499444	-33.9311744018
9	150.7347962746	-33.9310112933
10	150.7356510259	-33.9304452986
11	150.7361159068	-33.9301374486
12	150.7364666584	-33.9301475152
13	150.7367909304	-33.9301568108
14	150.7369244937	-33.9300482570
15	150.7372246705	-33.9298041231
16	150.7379496503	-33.9292144814
17	150.7379548314	-33.9283725844
18	150.7383167073	-33.9281157126
19	150.7386475230	-33.9279249054
20	150.7391693880	-33.9277867884
21	150.7404225165	-33.9274550494
22	150.7410074341	-33.9266193286
23	150.7412096077	-33.9265077719
24	150.7418425453	-33.9264684738
25	150.7420869751	-33.9262065642
26	150.7426181985	-33.9256373515
27	150.7433222384	-33.9248829699
28	150.7436543360	-33.9245272343
29	150.7423096135	-33.9231560054
30	150.7414394262	-33.9222705972

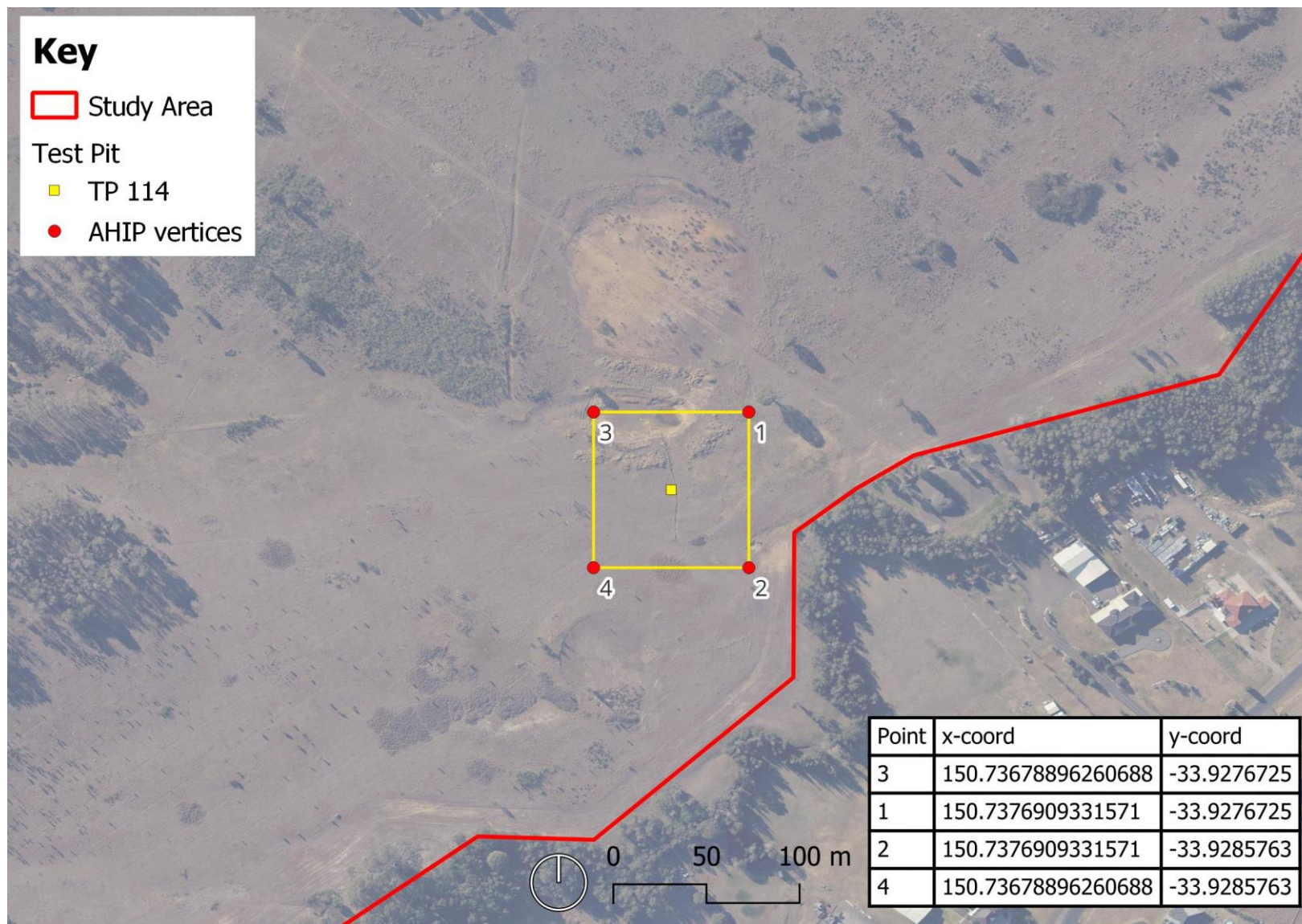
31	150.7416362573	-33.9212280236
32	150.7419887299	-33.9193609342
33	150.7348916244	-33.9184960805
34	150.733490042	-33.9184628241
35	150.7327413808	-33.9181990769
36	150.7303111831	-33.9178777541
37	150.7301756746	-33.9185930528
38	150.7332402442	-33.9189959030
39	150.7331134935	-33.9196240718
40	150.732863933	-33.9202539348
41	150.7328590061	-33.9208852231
42	150.7327312694	-33.9215181877
43	150.7325380598	-33.9224340644
44	150.7324021210	-33.9230724611
45	150.7322655279	-33.9237139683
46	150.7321282266	-33.9243587563
47	150.7319901276	-33.9250072734
48	150.7318673631	-33.9256654298
49	150.731719663	-33.9263135493
50	150.7315718055	-33.9269717385
51	150.7314308828	-33.9276334864
52	150.7312083789	-33.9286783010
53	150.7310633507	-33.9293587746
54	150.7309869238	-33.9297172890
55	150.7307970039	-33.9306097159
56	150.7306070751	-33.9315021518
57	150.7304171374	-33.9323945788

Salvage excavation vertices

1	150.7376909331571	-33.9276725
2	150.7376909331571	-33.9285763
3	150.73678896260688	-33.9276725
4	150.73678896260688	-33.9285763

Figure 67. AHIP boundaries.

Attachment 2: Salvage excavation area



Appendix A: Dictionary

In this Aboriginal Heritage Impact Permit, unless the contrary is indicated, the terms below have the following meanings:

Aboriginal object	has the same meaning as in the <i>National Parks and Wildlife Act 1974</i>
AHIMS	means the Aboriginal Heritage Information Management System maintained by Heritage NSW, as defined in section 90Q of the <i>National Parks and Wildlife Act 1974</i>
AHIP	means Aboriginal Heritage Impact Permit
Aboriginal Heritage Impact Permit holder	means the entity or person listed on the cover page under the heading “Aboriginal Heritage Impact Permit issued to”
Application	means the completed application form and all other documents in written or electronic form which accompanied the application when it was lodged, or which were subsequently submitted in support of the application
Community collection	means the collection of Aboriginal objects by one or more registered Aboriginal parties or their representatives
Community collection area	means an area described as a community collection area in relevant schedule
Department Secretary	means the Secretary of the NSW Government Department with current responsibility for the <i>National Parks and Wildlife Act 1974</i>
No-harm area	means those areas described in relevant schedule
Proposed works	means the works described in the table at the front of this Aboriginal Heritage Impact Permit under C. Proposed works.
Public register	means the public register established under section 188F of the <i>National Parks and Wildlife Act 1974</i> , that contains details of Aboriginal Heritage Impact Permits issued by Heritage NSW, as described under the heading “Additional details for Public Register”
Registered Aboriginal parties	means registered Aboriginal parties listed in the application
Salvage excavation	means an archaeological excavation carried out in accordance with the methodology accompanying the application, as per conditions of this Aboriginal Heritage Impact Permit. The purpose of salvage excavation is to recover a sample of Aboriginal objects as a record of Aboriginal life from a site that will be destroyed
Salvage excavation area	means any area described as a salvage excavation area in the relevant schedule
Test excavation	means an archaeological excavation carried out in accordance with methodology accompanying the application, as per conditions of this Aboriginal Heritage Impact Permit. The purpose of test excavation is to collect a sample of Aboriginal objects and to assist in the assessment of management options for the site
Test excavation area	means any area described as a test excavation in the relevant schedule