

Transport  
for NSW

# Activity Package Heritage Impact Assessment Package 2 Temporary Works, Project Wide Works and Flyover

Richmond Road Upgrade  
(M7 Motorway to Townson Road)

May 2026



## Acknowledgement of Country

Transport for NSW acknowledges the traditional custodians of the land on which we work and live.

We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of NSW.

The project interfaces with land of State Significant Aboriginal and Non-Aboriginal Cultural Heritage – Blacktown Native Institute and the Colebee and Nurragingy land grant (1819).

We acknowledge the Dharug people as the traditional custodians of the land on which the RRM7 project is proposed

Transport for NSW is committed to honoring Aboriginal peoples' cultural and spiritual connections to the land, waters and seas and their rich contribution to society.



## Document control

Document owner	
Consultant	Artefact Heritage and Environment
Approved by	
Branch / division	
Review date	

## Versions

Version	Date	Amendment notes
1.0	29/05/2026	Draft v1
2.0		

DRAFT

## Table of contents

<b>1.</b>	<b>Proposed works</b> .....	<b>6</b>
<b>2.</b>	<b>Authorship</b> .....	<b>6</b>
2.1	Limitations to the assessment .....	6
<b>3.</b>	<b>Overview heritage information</b> .....	<b>6</b>
3.1	Summary of heritage listings .....	6
3.2	Additional Historical Context.....	8
<b>4.</b>	<b>Detail of proposed works within BNI SHR curtilage</b> .....	<b>12</b>
4.1	Temporary works .....	12
4.2	Project Wide works.....	12
4.3	Flyover .....	13
4.4	Aboriginal led design process .....	22
4.5	Finishes .....	22
<b>5.</b>	<b>Key heritage design principles</b> .....	<b>25</b>
5.1	<i>Design Guide</i> for Heritage Response.....	25
<b>6.</b>	<b>Options analysis</b> .....	<b>48</b>
6.1	Options Analysis.....	48
<b>7.</b>	<b>Impact Assessment</b> .....	<b>59</b>
7.1	Assessment of adverse impacts to Blacktown Native Institution .....	59
7.2	Preliminary results of archaeological investigations at BNI in 2026 .....	71
7.3	Consistency of heritage impacts from proposed temporary works, project wide works and flyover.....	72
<b>8.</b>	<b>Mitigation of Impact</b> .....	<b>74</b>
8.1	Heritage Act 1977 approval pathway .....	74
8.2	National Parks and Wildlife Act 1974 approval pathway .....	75
8.3	Recommendations and mitigation measures.....	75
<b>9.</b>	<b>Conclusion</b> .....	<b>82</b>
<b>10.</b>	<b>Definitions</b> .....	<b>83</b>
	<b>Appendix A: DSMG WG Concurrence</b> .....	<b>84</b>
	<b>Appendix B: Relevant Figures &amp; Plans</b> .....	<b>85</b>

**Appendix C: References ..... 86**

DRAFT

## 1. Proposed works

Detail	Requirement
Transport for NSW program	The Richmond Road Upgrade (M7 to Townson Road) (RRM7 or the Project) is a critical infrastructure initiative designed to support the rapid growth of Sydney's North West Growth Area (NWGA). The NWGA is a planned development encompassing approximately 10,000 hectares and projected to house 250,000 people across 90,000 homes. This growth necessitates significant upgrades to the existing road network to accommodate increased traffic and freight demands.
Summary of works	<p>This HIA covers three work components:</p> <ul style="list-style-type: none"><li>• Temporary works (Stage 1 and 2) which include temporary traffic arrangements, earthworks, fencing, utilities and bridge relocation to facilitate the construction of the roadway</li><li>• Permanent project wide works for the construction of the roadway including earthworks, roadworks, street lighting, drainage, bridges and retaining walls, intelligent transport systems, utilities, and landscaping</li><li>• Construction of the flyover. The flyover forms portion 2 of the permanent project wide works. This would be a flyover exit ramp from the M7 which crosses over Rooty Hill Road North.</li></ul>

## 2. Authorship

This report has been prepared by Sarah-Jane Zammit, Dr Elizabeth Bonshek and Josh Symons of Artefact Heritage and Environment.

### 2.1 Limitations to the assessment

This HIA is intended to be read in conjunction with the main project Statement of Heritage Impact (SoHI) prepared for the project REF.<sup>1</sup>

This HIA is for project footprint within Lot 1 DP 1043661 (Figure 1).

## 3. Overview heritage information

### 3.1 Summary of heritage listings

The project footprint within Lot 1 DP 1043661 is entirely within the State Heritage Register (SHR) curtilage of the Blacktown Native Institution. A search of relevant registers was undertaken on 19 July 2024 and 20 September 2024. The results are outlined in Table 3-1.

---

<sup>1</sup> Artefact Heritage and Environment, 2026, 'Richmond Road Widening between M7 and Townson Road: Statement of Heritage Impact'. Prepared for Transport for NSW

Table 3-1: Results of register searches for the study area and adjacent heritage items

Item	Address	Significance	Listing	Relationship to project area
Blacktown Native Institution	Richmond Road, Oakhurst	State	SHR No. 01866 BLEP 2015 No. A121 RNE Place ID. 159505 Transport for NSW s170 ID (unavailable)	Within
Colebee and Nurragingy Land Grant	Richmond Road, Colebee	State	SHR No. 01877 BLEP 2015 No. A120 RNE Place ID. 18986 Transport for NSW s170 ID (#4311607)	Opposite side of Richmond Road from northern portion of the project footprint within the BNI site

The statement of significance from the SHR listing for the Blacktown Native Institution is outlined in Table 3-2 below.

Table 3-2 Details of the State Heritage listed Blacktown Native Institution

Detail	Requirement
Street Address	Richmond Road OAKHURST NSW 2761
Lot/DP	Lot 1 DP 1043661 (project footprint is wholly within Lot 1) Lot 5001 DP 86940, Lot 60 DP 1055132, Lot 5 DP 792478
Heritage listings	<ul style="list-style-type: none"> <li>• NSW State Heritage Register (SHR) – 01866</li> <li>• Section 170 Heritage and Conservation Register (S170) – no number</li> <li>• Local Environmental Plan (LEP) listing – Blacktown LEP A121</li> </ul>
Statement of Significance	<p>The Blacktown Native Institution is a site of State significance because of its combination of historical, social and archaeological values. The Blacktown Native Institution played a key role in the history of colonial assimilation policies and race relations. The site is notable for the range of associations it possesses with prominent colonial figures including: Governor Macquarie, Governor Brisbane, Samuel Marsden, William Walker and Sydney Burdekin.</p> <p>The Blacktown Native Institution site is valued by the contemporary Aboriginal community and the wider Australian community as a landmark in the history of cross-cultural engagement in Australia. For Aboriginal people in particular, it represents a key historical site symbolising dispossession and child removal. The site is also important to the Sydney Maori community as an early tangible link with colonial history of</p>

Detail	Requirement
<p>Conservation Management Plan/Strategy/Heritage Asset Action Plan</p> <p>Heritage items in the vicinity</p>	<p>trans-Tasman cultural relations and with the history of children removed by missionaries.</p> <p>The Blacktown Native Institution is a rare site reflecting early 19th century missionary activity. The site has the potential to reveal evidence, that may not be available from other sources, about the lives of the children who lived at the school and the customs and management of the earliest Aboriginal school in the colony. The site also has the potential to contain archaeological evidence relating to later phases of land use, including the period the property was owned by Sydney Burdekin. In addition, the site may contain evidence of Aboriginal camps which may provide information about how Aboriginal people, accustomed to a traditional way of life, responded to the changes prompted by colonisation.</p>
	<p>Is there a site CMP  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>See also                      GML ‘Dharug Nura: The Blacktown Native Institution’ Draft CMP (2023)                      Richmond Road Widening between M7 and Townson Road Statement of Heritage Impact, February 2026                      Richmond Road Widening between M7 and Townson Road Historical Archaeological Methodology &amp; Research Design, Artefact for TfNSW (2026)</p>
	<p>Colebee and Nurragingy Land Grant</p>

### 3.2 Additional Historical Context

This report has been prepared in consultation with DSMG and Dharug knowledge holders, who have provided valuable oral history of the BNI site and the wider Dharug Country that this project is affecting.

The Dharug community’s understanding of the site and its archaeological story is continuing to evolve as more information is uncovered through contemporary research and physical investigations.



Figure 1: Location of the project (North and South) footprint within the BNI site



Figure 2: Proposed road work design (Southern Section)

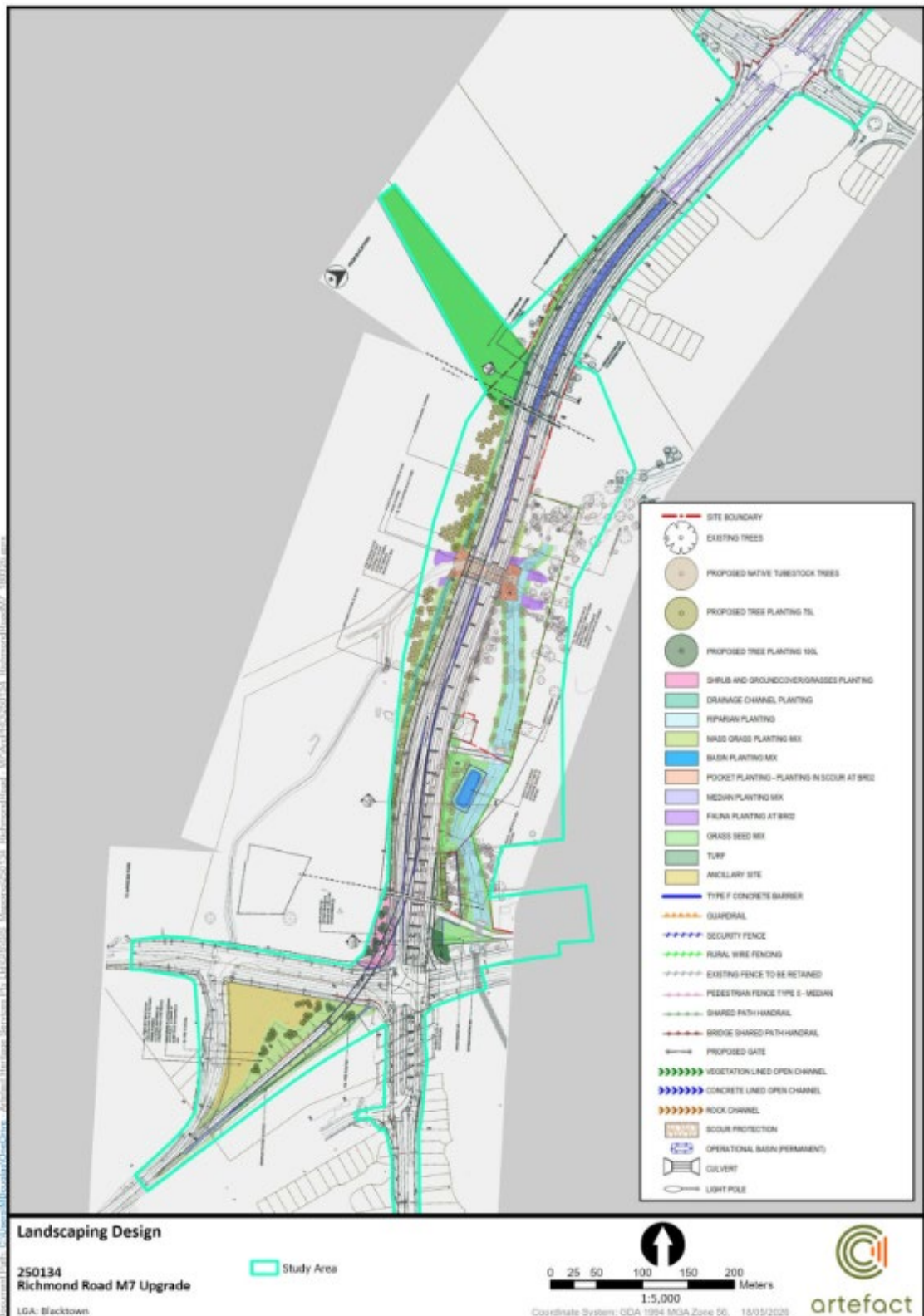


Figure 3: Proposed landscape design

## 4. Detail of proposed works within BNI SHR curtilage

### 4.1 Temporary works

The work project works is split up into two categories, permanent works the elements which are constructed as part of the overall project and the Temporary works the elements which are required to enable construction of the permanent works.

### 4.2 Temporary works

Details of the proposed temporary works have been provided by GDJV in their Design Presentation,<sup>2</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The temporary works would be undertaken in two stages.

The extent of the proposed temporary works is as follows:

#### **Stage 1 Temporary works (September 2026 – April 2027)**

- Construction of Southbound Richmond Road with traffic to be moved to existing Northbound Richmond Road
- Temporary traffic barriers
- Temporary shared user paths
- Temporary access arrangements
- Site clearing work

#### **Stage 2 Temporary works (April 2026 to October 2028)**

- Construction of Northbound Richmond Road, Flyover and RSW with traffic to be moved to Southbound Richmond Road
- Pavement removal and temporary traffic barriers
- Earthwork construction work

Temporary works would also include the following elements to facilitate construction of project wide works:

- Temporary relocation of footpath to facilitate construction of earthworks and Bells Creek Bridge (November 2026 to December 2028)
- Temporary fencing along the western boundary of the BNI site – approximately 800m of fencing (November 2026 to early 2028)
- Pedestrian bridge relocation – boardwalk to be relocated to allow for construction of new Bells Creek Bridge and surrounding earthworks (operational from October 2026 to November 2028).

### 4.3 Project Wide works

Details of the proposed project wide works have been provided by GDJV in their Design Presentation,<sup>3</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The extent of the project wide works is as follows:

---

<sup>2</sup> GDJV, 'RRM7: Construction Works at/ near the BNI Site', 2026

<sup>3</sup> GDJV, 'RRM7: Construction Works at/ near the BNI Site', 2026

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- Earthworks
  - Excavation
  - Embankments
  - Drainage channels
- Roadworks
  - Pavements
  - Kerbs, barriers
  - Signs
  - Fencing – boundary fencing, fauna fencing, handrails
  - Footpaths / shared user paths
- Street lighting
- Drainage
  - Pits and pipes
  - Open channels (grass or rock lined)
  - Bells Creek rehabilitation and Scour Protection
- Bridges and Retaining Walls
- Intelligent Transport Systems
- Utilities
- Landscaping

### 4.4 Flyover

Details of the proposed flyover (M7 off ramp bridge) have been provided by GDJV in the Design Report,<sup>4</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The construction of the flyover exit ramp from the M7 will form part of Portion 2 of the project wide works. Construction of flyover exit ramp from M7 which crosses over Rooty Hill Road North to allow road users to bypass two sets of traffic lights, reducing congestion and queuing onto the motorway allowing uninterrupted flow of traffic.

The work would also include retaining walls forming the approach to the bridge on the northern side. These would be made up on approximately 260m of reinforced soil wall and approximately 182m of L-shaped reinforced concrete retaining wall.

---

<sup>4</sup> GDJV, 'BR01 – M7 Off Ramp Bridge Over Rooty Hill Road North at Marsden Park', Report for Transport for New South Wales Richmond Road Upgrade (M7 to Townson Road), 2026.



Figure 4: Example of types of bulldozers that would be used for site clearing works

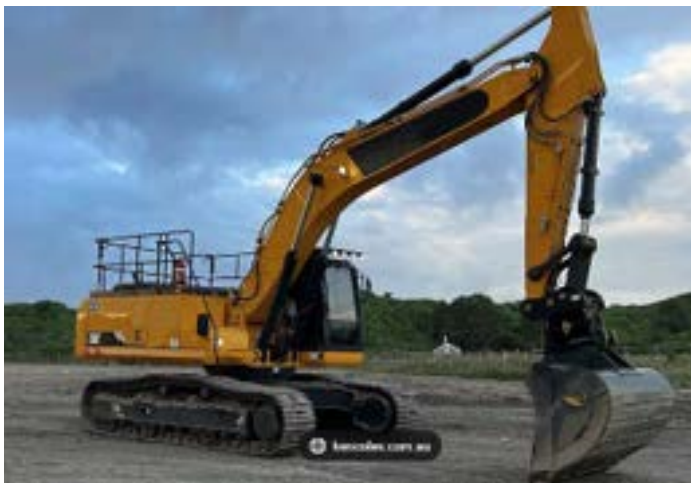


Figure 5: Example of large excavator which would be used for earthworks construction



Figure 6: Example of temporary traffic barrier setup



Figure 7: Example of pavement removal and temporary barrier set up



Figure 8: Example of temporary boundary fencing



Figure 9: Example of crane used for piling and installation of flyover superstructure

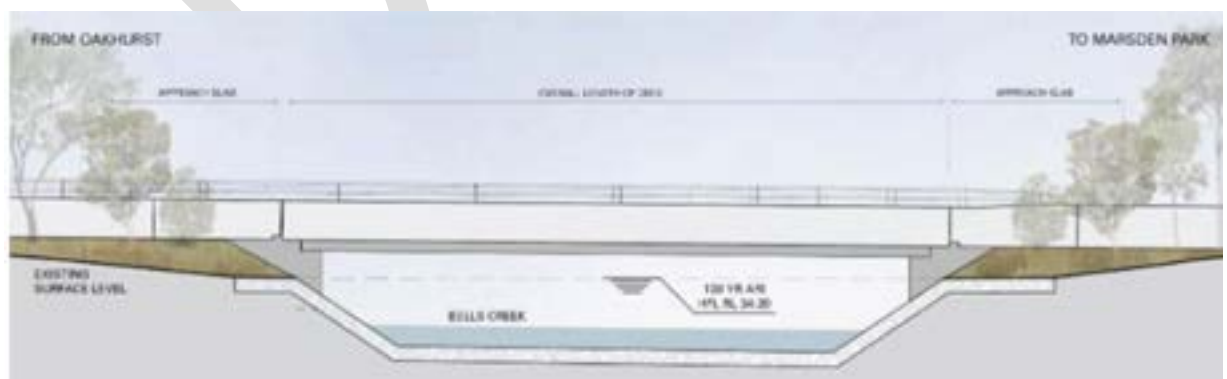


Figure 10: Section through bridge over Bells Creek

Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

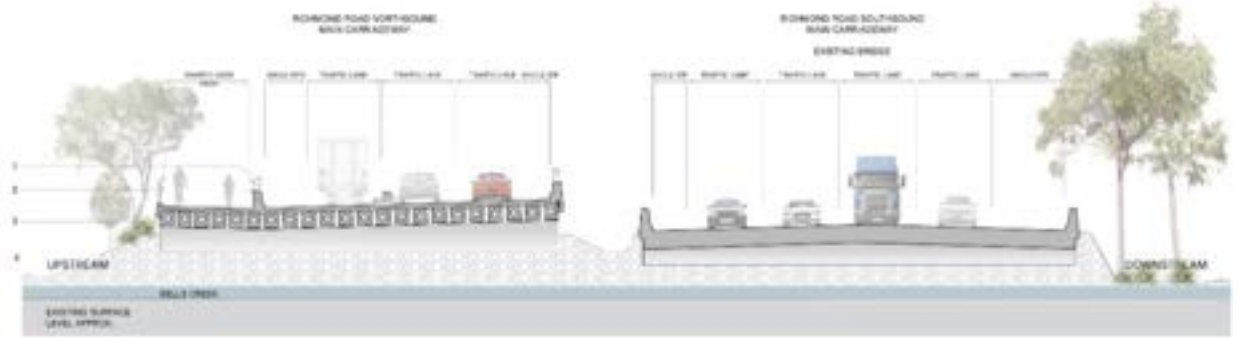


Figure 11: Section through Richmond Road north and south bound in relation to the Bells Creek water course

DRAFT

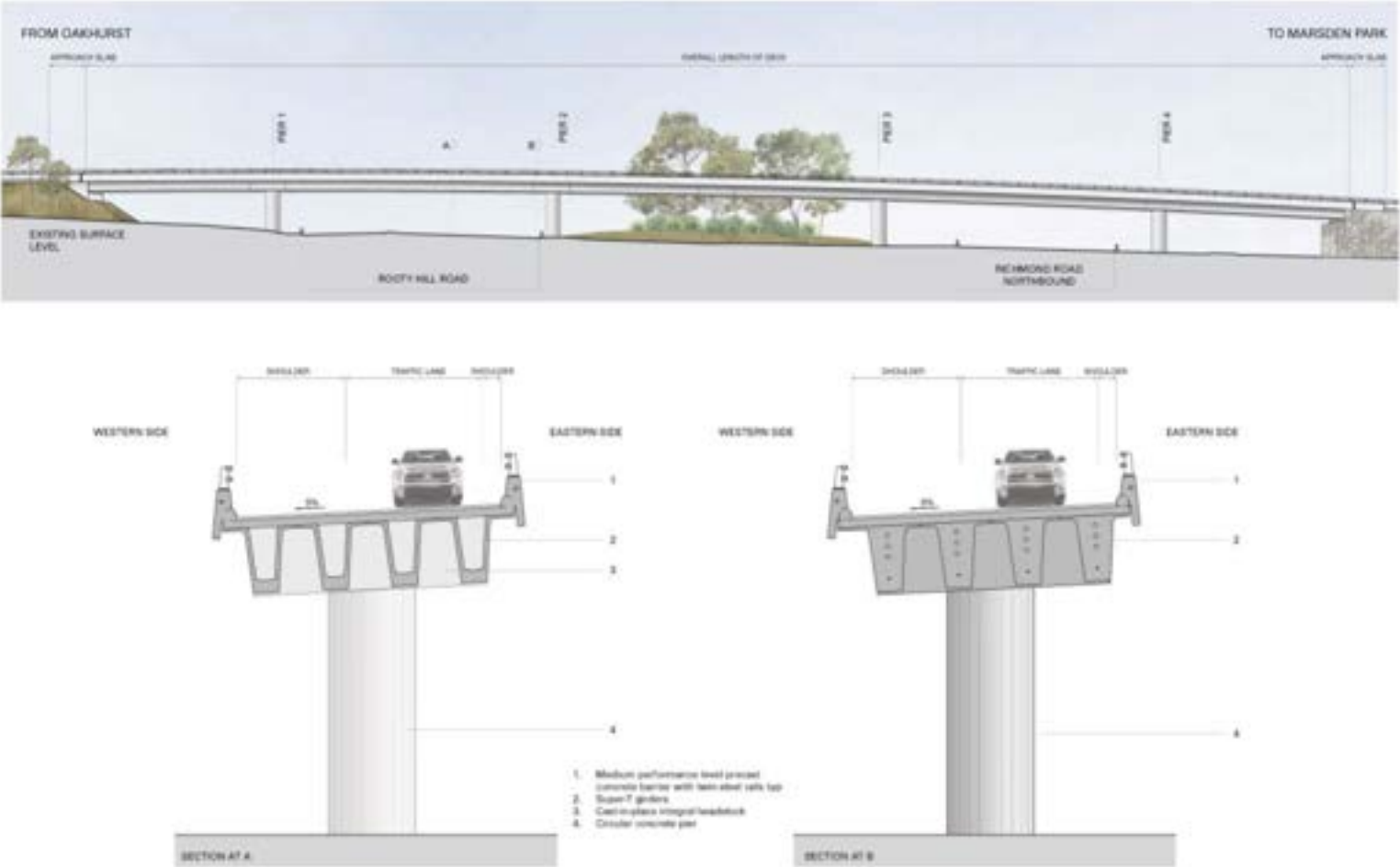


Figure 12: Sections through flyover



Figure 13: Visualisation of flyover and retaining wall (artwork is indicative only)



Figure 14: Visualisation of flyover and retaining wall, with landscaping and road works on Richmond Road (shown at 5 year maturity)



Figure 15: Visualisation of the Flyover and off-ramp at the corner of the BNI site (trees and landscape indicatively shown at 5 years maturity)



Figure 16: Visualisation of the Flyover bridge from the BNI site (all artwork is indicative only)

#### 4.5 Aboriginal led design process

Methodology for the design, development and endorsement of the integrated interpretive artwork during the design phase is summarized below and will be supported by Nguluway DesignInc. Some of these steps were undertaken during previous engagement.

- Held a meet and greet consultation with the Working Group at the earliest to confirm initial understanding and build a relationship for the consultation and design process. This included:
  - A walk on Country with Traditional Knowledge Holders to seek permission to work on Country
  - Learn about key stories, identify specific areas of site for telling/incorporation of stories into design (as appropriate), identify endemic species of flora and fauna that hold strong symbolism and associations of significance, identify key natural environment elements, identify key people or events associated with the area, identify functions, resources or artefacts that may be referenced in design, and identify words or phrases in language that may be suitable for use on-site
  - Obtain information from Custodians on local stories and Country, using these stories to inform design thinking through a co-design process with DesignInc and artists (selected through a separate process)
- Support the design team during the early design stage to develop and refine design strategies and concepts relating to the information obtained through meetings and consultation. This was undertaken during Workshop 1:
  - To facilitate acknowledgement and incorporation of the Working Group voices into the making of space
  - Present design strategies and proposed applications and holding a round table discussion on themes and narratives to inform the design, asking in depth questions to further explore and understand the narratives
  - Validate the approach and seek permission to develop the design
  - Confirm artwork canvas opportunities as identified during the Tender Design and obtain required endorsement from stakeholders
  - Write an artist's brief for an EOI to local artists, then co-design with the selected artist
- During later Detailed Design stages hold Workshops 2 and 3 with the Working Group, artist(s), and design team to understand aspirations, appropriate application, and potential implementation. Workshop 2 would be used to validate the approach and seek permission to develop the design:
  - Present the identified Design from Country opportunity, artwork and material application and facilitate acknowledgement and incorporation of Traditional Knowledge Holders' voices into the making of space
  - Host a round table discussion on the selected theme and narrative identified to inform the artwork, asking in depth questions to further explore and understand the narrative, and obtain feedback and further information on stories and content for cultural interpretation
- Hold Workshop 3 with traditional knowledge holders, artist(s), and the design team to:
  - Present the developed artwork and application/integration with the project scope
  - Obtain feedback and host a round table discussion of the design as required
  - Validate the outcomes and seek endorsement









#### 4.6 Finishes

Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

The project alignment creates large areas of concrete surfaces. Different methods for treatment of these surfaces are being explored through the Artwork Co-Design process, these have been listed below with precedent imagery. Through the artwork development stages, a final method will be selected based on the art, durability, and other technical requirements.

DRAFT

Table 3: Examples of finishes for different design details

Item No.	Location	Urban Design Material / Finishes Description	Reference Images	
1	Flyover Northern abutment - precast concrete RSW retaining wall panels	<p>Pre-cast concrete panels - interlocking 2 x 2m.</p> <p>The co-designed Aboriginal artwork will integrate pattern, texture and colour into the pre-cast panels using exposed aggregates and/ or cast-in rebated shapes to create relief or paint treatment to the surface.</p> <p>Locally sourced basalt aggregates will create an dark grey colouring and are appropriate to tell the stories of Country.</p>		
2	Flyover bridge piers	<p>The circular piers will be incorporated with the wider creative narrative applied to the RSW walls. This includes pattern, texture and colour, to match the materials and narrative of the adjacent RSW abutment retaining walls.</p> <p>The method would require wrapping around the circular face of the bridge pier. Motif painting, exposed aggregate, motif relief, and other surface treatments would be explored during the artwork development process.</p>		
3	Shared path	<p>Broom finish concrete with inlays, patterning or added coloured oxides, castings or sand blasting would be co-designed with an Aboriginal artist to reflect a selected Aboriginal narrative or theme. This will enhance the user experience and create an intimate-scale connection to Country.</p>		
4	Landscaped mound at south-western corner of BNI site	<p>A landscaped mound will protect and screen the BNI site. This is presently positioned outside the BNI site boundary in a small area however there may be an opportunity for a more significant intervention of a larger vegetated mound within the BNI site. This appears to be in line with the DSMG's masterplan vision and would need to occur in consultation with them.</p>		

## 5. Key heritage design principles

### 5.1 *Design Guide for Heritage Response*

The following criteria have been drawn from the *Better Placed, Design Guide for Heritage* (Heritage Council of NSW and Government Architect New South Wales, 2019). The design responses speak directly to the *Design Guide for Heritage* key design considerations but are site-specific to the BNI. Where applicable, relevant CMP policies which align with the *Design Guide for Heritage* objectives have been outlined and the project assessed against these as well. The following responses are informed by the assessment in the 2026 SoHI against the BNI CMP, and elaborated as necessary to respond to the *Design Guide*.

Table 4: Design Guide for Heritage responses

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
<p><b>Better fit</b> <i>Contextual, local and of its place</i></p>	<p>Understand the specific character of the place, precinct, or area. Design new work to respond to and, when appropriate, strengthen this character.</p> <ol style="list-style-type: none"> <li>1. Design new work to positively relate to the style, materiality, scale, massing, and grain of existing buildings and structures.</li> <li>2. Design new forms to respond to the predominant form of the streetscape.</li> <li>3. Locate new structures on sites in ways that support existing urban patterns. Careful consideration of height and setback is crucial to designing for a better fit.</li> <li>4. Where relevant, design new work to respond to and re-establish meaningful urban connections and views. Consider settlement patterns, tree canopy, and connections between places.</li> <li>5. Retain heritage landscape elements and planting schemes and design new landscape to relate to the existing.</li> </ol>	<p><b>Policy 36</b> <i>Planning and designing new development will be guided by the Connecting with Country framework. Any proposed new development at the Blacktown Native Institution should conserve significant features and aspects of the place and not detract from or materially impact on the cultural significance of the place. This includes areas which have been identified in this CMP as having historic archaeological potential for Aboriginal or historic relics. The Blacktown Native Institution holds an unknown level of potential for post-1788 human burials, possibly associated with the Blacktown Native Institution phase. The proposed new footprint of any new development must consider this potential and implement non-invasive actions to investigate the possibility during the planning phase.</i></p>	<p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma. The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	CMP Policies	Design response
		<p><b>Policy 39</b>  <i>New work will retain and enhance the important cultural plantings, views, vistas, visual qualities and the overall landscape character of the Blacktown Native Institution.</i></p>	<p>of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was repatriated to the Dharug people in 2018.</p> <hr/> <p>The site’s landscape character and setting would be impacted by this development and would further impact long-range views and vistas. Whilst the aesthetic and setting are not identified as part of the values which meet the threshold for State significance, the CMP 2023 in Policy 39 has identified that these views, vistas and visual qualities of the overall landscape character of the BNI contribute to the cultural significance of the site, and to its social use as a meeting place and calm location. As such, the proposed flyover and associated retaining wall</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><b>Policy 40</b></p>	<p>would result in a large new structure that is not sympathetic to this landscape setting and would be highly visible in the long-range views from the residential neighbours of the BNI, and provide a substantially large visual obstruction in the immediate setting along the northern site boundary.</p> <p>Further, the proposed new bridge across the Bells Creek would be in a location of known significant sites to the Dharug people and would impose upon significant parts of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the Post-Colonial ‘Women’s Place’ - a location for women to camp and watch children but also birthing place. The site is significant to the continued narrative of the connection between Nura and the BNI, and installation of structures, albeit temporary, would have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these cultural places.</p> <p>The new work will be identifiable: the proposed works involve the widening</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><i>New work will be identifiable and should not distort the interpretation of the site's significant cultural values.</i></p>	<p>of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover, abutment walls and retaining wall in the BNI, and temporary water construction measures. However, these works are located in areas which hold specific meaning to the Dharug community holding cultural connection to Nura and the regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>
		<p><b>Policy 43</b>  <i>No new structures or buildings (both temporary and permanent) proposed for the Blacktown Native Institution should impact the significant archaeological resources which have the potential to remain in situ.</i></p>	<p>Portions of the BNI have been identified as having limited potential to contain Aboriginal burials. Given the sensitivities involved, an approach to managing this potential in certain parts of the site will be developed together with the DSMG and Aboriginal community. Potential for impacts to significant archaeological remains have been identified and archaeological</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 44</b>  <i>Any new permanent structures must respond positively to the character of the Blacktown Native Institution and demonstrate sympathetic bulk, mass, scale, and materiality, as well as ensure visual impacts are minimised.</i></p>	<p>investigation has been undertaken to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site. This investigation has been completed since the preparation of the 2026 SoHI. (see Section 7.2)</p> <hr/> <p>The proposed new flyover will cause additional adverse impact to the setting of the BNI. However, the flyover will be located in an area of the BNI that is already highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The proposed flyover and associated retaining wall will be highly visible from long-range views and therefore will have a substantial visual impact in the immediate setting and views from the BNI.</p> <p>The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	CMP Policies	Design response
---	--	--------------	-----------------

women to camp and watch children but also a birthing place. The site is significant to the continued narrative of Nura and the BNI, and installation of structures, albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.  
 Given the overall setting of the BNI in this area, the visual impact of the new flyover, retaining wall, bridge and associated land works would result in an **adverse impact (major)**.

**Better performance**  
*Sustainable, adaptable and durable*

1. Analyse the opportunities and constraints of existing structures, environmental systems, and site organisation in terms of sustainability, durability, and adaptability
2. Identify existing effective passive design systems. Rejuvenate them if possible. Consider removing additions that compromise environmental performance.
3. Sensitively integrate new environmental initiatives where appropriate to improve environmental amenity and sustainability performance
4. Retain and recycle original fabric and materials to preserve embodied energy, where possible

N/A

Progressive Erosion and Sediment Control Plans (PESCPs) were prepared as site-specific planning documents that identify the layout and location of erosion and sediment control measures for each stage of construction — from initial clearing through to final rehabilitation. PESCPs are developed and implemented prior to commencing works in any area where there is a risk of erosion or sediment loss and are maintained until the site is stabilised.

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
	<ol style="list-style-type: none"> <li>5. Maximise passive heating and cooling and waste and water management in the design of any new work or additions</li> <li>6. Select new building materials and systems to enhance energy efficiencies.</li> </ol>		<p>Environmental Monitoring is to be undertaken to validate the impacts predicted for the project and measure the effectiveness of environmental controls and implementation of the Construction Environmental Management Plan (CEMP). Monitoring includes dust and air quality, noise and vibration, surface water monitoring in Bells Creek, water quality monitoring, groundwater monitoring and waste monitoring.</p> <p>The design includes species with low water needs, new shade trees and a large planted swale to assist with natural filtration. Vegetated swales below embankments and in the median apply Water Sensitive Urban Design (WSUD) strategies.</p> <p>The design features extensive areas of additional canopy / shade trees and of under-storey planting and ground cover. The proposed tree planting will provide additional shade to the shared path, improving amenity for pedestrians and cyclists. Some soft surface has been lost, with the grassed medians narrowed for extra traffic</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
			<p>lanes, but the medians are proposed to be replanted with native grasses that are low maintenance and hardy. The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established. The flyover has been carefully designed through an optioneering process to minimise its footprint. It lands on abutment to the north, within the Richmond Road corridor, atop vertical walls. This means that the road section including travel lanes and shared path has been kept as tight as possible.</p>
<p><b>Better for community</b> <i>Inclusive, connected and diverse</i></p>	<ol style="list-style-type: none"> <li>1. Investigate the cultural significance of the place at the outset of the project. Understand that the place may carry divergent and contested meanings for different groups</li> <li>2. Engage local communities early in the process in meaningful ways</li> </ol>	<p><b>Policy 17</b> <i>Consultation will occur with relevant Aboriginal stakeholders as part of any proposed project or works. This consultation should follow the guidelines in the 'Aboriginal Cultural Heritage Requirements for Proponents' (DECCW 2010).</i></p>	<p>TfNSW and GDJV have facilitated consultation with community stakeholders was undertaken at the time of the writing of the 2026 SoHI and as part of the preparation of a separate PACHCI report. TfNSW and GDJV have facilitated continued consultation with community stakeholders, which is</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<p>3. Draw on knowledge embedded within the community when identifying significance and developing interpretative strategies</p> <p>4. Assess potential impacts on existing communities. Will the project lead to social, economic, and environmental improvements? Is there a risk that it could disenfranchise some existing communities? If so, investigate how this can be ameliorated</p> <p>5. Assess the impacts of the method chosen to deliver the project on existing and new communities</p>	<p><b>Policy 73</b> <i>Interpretation should be implemented throughout the place to present the history and heritage values of the BNI to visitors as well as the wider community.</i></p> <p><i>Different types of interpretation should be planned for inside versus outside the fenced zone.</i></p> <p><b>Policy 81</b> <i>Physical forms of interpretation installed within the place should be placed in suitable locations which do not detract from the BNI's heritage significance and cultural values.</i></p>	<p>being undertaken as part of the design development of the works.</p> <p>During detailed design stages it is planned to hold workshops with DSMG Working Group, artists(s) and design team to understand aspirations, appropriate application and potential implementation of public art and interpretation.</p> <p>Workshop 2 will focus on identifying Design from Country opportunities, artworks and material applications which can facilitate acknowledgement and incorporation of Traditional Knowledge Holders' voices in the making of space and cultural interpretation content.</p> <p>Workshop 3 will present the developed artworks and planned locations for application ie. flyover and retaining wall, and how these would be integrated with the project scope. Feedback from BNI stakeholders/DSMG and discussion on the design would occur prior to seeking endorsement.</p>
<p><b>Better for people</b> <i>Safe, comfortable and liveable</i></p>		<p><b>Policy 11</b></p>	<p>This report has been prepared by Artefact as the nominated Heritage</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<ol style="list-style-type: none"> <li>1. Design any new work to be of a quality and approach that is commensurate with the quality and style of the heritage place</li> <li>2. Analyse existing circulation and urban relationships to help determine patterns of use important to the site</li> <li>3. Engage highly skilled consultants to deliver collaborative solutions that balance function, comfort, and compliance with heritage significance</li> <li>4. Consider how the project can help promote equitable access and walkable communities</li> </ol>	<p><i>All new development proposals and/or land use practices that may impact upon the significance of the site must be subject to a heritage impact assessment in accordance with the guidelines published by the Heritage Council of NSW, with the intent of ensuring conformity with the policies of this CMP. The heritage impact assessment should be prepared by a competent heritage consultant/archaeologist.</i></p>	<p>Consultant for the project. The report has identified the significance values of heritage items in and near the study area, and the possible impacts of the proposed works on those items.</p>
		<p><b>Policy 38</b>  <i>Any new development should ensure uses are compatible with the significance of the Blacktown Native Institution and support cultural, social, and economic life in the community.</i>  <i>New development should enhance visitor experience and amenity and be compatible with the conservation, commemoration, and celebration of the place's values.</i></p>	<p>The proposed design supports improved vehicular access to the site, which would improve the amenity and safe use of the BNI for the community. This proposed location is subject to further change and design development in discussion with the DSMG in the Working Group to achieve a suitable long-term outcome. The proposed works to Richmond Road have the potential to impact peaceful contemplation and use in parts of the site, including overshadowing, particularly along Richmond Road, and in areas of cultural sensitivity.</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 67</b>  <i>Improved pedestrian and vehicular access should be provided for visitors to and throughout the place to ensure improved access to significant heritage values for visitors to the Blacktown Native Institution. Current and potential future movements throughout the place should be considered as part of this process.</i></p>	<p>The proposed works have been designed to minimise physical impacts to the BNI, including the anticipated relocation of the driveway in order to preserve and enhance safe access to the site.</p> <p>The proposed relocated driveway access is in an area which is mostly open grass area and would not require the removal of significant landscape elements. The site’s landscape character and setting would be impacted by this development and would further impact long-range views and vistas.</p> <p>The design would be subject to further refinement during design development in consultation with the DSMG.</p>
		<p><b>Policy 70</b>  <i>Any new surfaces to support the movement of visitors, including driveways, pathways, roads, and parking zones, should ensure significance is retained. Any new surfaces added to the Blacktown Native Institution must be located well away from areas identified in this CMP as having</i></p>	<p>The proposed road upgrades (including the new flyover and widening of Richmond Road) will cause a <b>major adverse</b> impact to the heritage, cultural and social values of the BNI. The proposed road upgrades are unlikely to cause adverse impacts to significant ground surfaces. Potential for impacts to significant archaeological remains –</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><i>historic archaeological potential for Aboriginal or historic relics. Alternatively, new surfaces may be built up over existing ground surfaces where guided by specialist advice and where proposed loads are not likely to impact subsurface remains.</i></p> <p><b>Policy 71</b>  <i>Any proposed future road upgrades should not give rise to adverse impacts on the heritage significance of the Blacktown Native Institution. Future road upgrades should not compromise the safe access to and from the Blacktown Native Institution. Any road upgrades should consider the create of planted earth beams to improve the Blacktown Native Institution setting in keeping with healing, quiet commemoration, and enjoyment of cultural practices, traditions, and values.</i></p>	<p>archaeological investigation undertaken since the preparation of the 2026 SoHI have been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site.</p> <p>In response to comments from the DSMG and to the REF, the project is seeking to avoid impact to the BNI as much as possible. Any types of measures located within the SHR curtilage of the BNI, outside Transport land, would need to be carefully planned together with DSMG and Heritage NSW. Measures should align with stakeholder input and feed into the project through the detailed design development and refinement through inputs obtained via Connecting with Country consultation and reporting and LCVIA.</p>
<p><b>Better working</b>  <i>Functional, efficient and fit for purpose</i></p>	<p>1. Retain the existing use where it is both integral to the heritage significance and feasible in terms of current needs, economic viability, and standards</p>	<p><b>Policy 17</b>  <i>Consultation will occur with relevant Aboriginal stakeholders as part of any proposed project or works. This consultation should follow the</i></p>	<p>Consultation with community stakeholders was undertaken at the time of the writing the 2026 SoHI and as part of the preparation of a separate PACHCI report.</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<ol style="list-style-type: none"> <li>2. Establish a common understanding of appropriate re-uses early and in consultation with professionals, the local council and/or the Heritage Council of NSW</li> <li>3. Explore the history and signifiacnce of a heritage place as a possible generator for ideas for future use</li> <li>4. Consider temporary uses as a means to maintain heritage places</li> <li>5. Design new work to accommodate possibilities for future changes of use</li> </ol>	<p><i>guidelines in the 'Aboriginal Cultural Heritage Requirements for Proponents' (DECCW 2010).</i></p> <hr/> <p><b>Policy 29</b>  <i>Current and future uses of the BNI should also support and allow other people and groups who have an attachment to the place to gather, reflect, hold events and undertake activities within the boundaries of the BNI that are compatible with the place's significance.</i></p> <hr/> <p><b>Policy 45</b>  <i>When planning any new development DSMG should seek to engage early in the process with Transport for NSW and Sydney Water. For instance an enhanced design solution and</i></p>	<p>TfNSW and GDJV have facilitated continued consultation with community stakeholders, which is being undertaken as part of the design development of the works.</p> <hr/> <p>The proposed temporary, project wide works and flyover would not impact current and future uses of the BNI. The works will however have adverse impacts on areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018. The works could likewise have adverse impacts for other community groups which have attachment to the place outside the Aboriginal community.</p> <hr/> <p>TfNSW and GDJV are facilitating consultation with the DSMG, which has been an ongoing commitment undertaken as part of this project.</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
		<p><i>outcome for water management may be possible through a connecting with Country approach.</i></p>	
<p><b>Better value</b> <i>Creating and adding value</i></p>	<ol style="list-style-type: none"> <li>1. Explore how the project can add value for the community as well as the client and owner of the heritage place</li> <li>2. Ensure that careful project planning, upfront investment in design quality, and consideration of long-term maintenance are all embedded in the process</li> <li>3. Undertake cost assessment early in the planning stages and identify applicable financial incentives or concessions</li> <li>4. Engage specialist trades where appropriate</li> <li>5. Consider ongoing maintenance costs during the design process and embed these in management plans</li> </ol>	<p>N/A</p>	<p>These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>
<p><b>Better look and feel</b> <i>Engaging, inviting and attractive</i></p>	<ol style="list-style-type: none"> <li>1. Design new work to complement the heritage place, not compete with it</li> <li>2. New work should exemplify design excellence in its own right</li> <li>3. Respond sympathetically to existing planning and spatial structures</li> <li>4. Take an informed and strategic approach to colour, materials, and details. Consider their character and history, and identify opportunities for new and existing work to</li> </ol>	<p><b>Policy 25</b> <i>In evaluating potential uses for the BNI, the approach should ensure that the place retains its overall significance and character. Future uses for the BNI should support continuing conservation of significant heritage values associated with the BNI.</i></p>	<p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works will have negative heritage impacts on the cultural and social values of</p>
		<p><b>Policy 26</b></p>	

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
	<p>communicate through the design and selection of materials and details</p>	<p><i>Uses that extend and enhance the expression of significant heritage values associated with the site and continue to foster a connection between people and the place should be encouraged.</i></p>	<p>the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.</p> <p>The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and new bridge over Bells Creek. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><b>Policy 28</b>  <i>The BNI’s primary function should continue to be a place for the Dharug community to gather and reflect through participation in cultural events and activities. Any change in the use of the place must continue to support ecological and cultural healing, including but not limited to:</i></p> <ul style="list-style-type: none"> <li>• <i>Riparian revegetation;</i></li> <li>• <i>Wetland revegetation;</i></li> <li>• <i>Planting new trees, flowers and other vegetation;</i></li> <li>• <i>Mowing;</i></li> <li>• <i>Cultural burnings;</i></li> <li>• <i>Cultural dancing; and</i></li> <li>• <i>Cultural festivals</i></li> </ul>	<p>These works do not enhance the expression of significant heritage values associated with the BNI and do not assist in fostering connections between people and the place.</p> <hr/> <p>Construction works would include earthworks and revegetation. The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat. Vegetated swales below embankments and in the median apply WSUD strategies. As part of detailed design, the road alignment has been adjusted to reduce impacts on the existing natural landforms around the banks of Bells Creek. The riparian zone will be protected using rock scour treatment with pocket planting to enable and encourage fauna passage. The design also includes riparian planting to the large swale that runs parallel to and on the eastern side of Richmond Road. The planting palette comprises mainly low maintenance plants that are suited</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 36</b>  <i>Planning and designing new development will be guided by the Connecting with Country framework. Any proposed new development at the Blacktown Native Institution should conserve significant features and aspects of the place and not detract from or materially impact on the cultural significance of the place. This includes areas which have been identified in this CMP as having</i></p>	<p>to the local conditions. It has been prepared drawing on Council’s preferred species and is intended to be refined through consultation with local Aboriginal stakeholders in future project stages.</p> <p>Whilst the works have been designed to minimise impacts where possible to the setting and landscape of the BNI, the works will still amount to a visual change to the significant landscape environment due to the works and repair efforts, which can never truly remove changes to the environment, in light of its significant cultural associations with Nura and the Dharug people.</p> <hr/> <p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values.</p> <p>Whilst the proposed works have been guided by the Connecting with Country framework and design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
		<p><i>historic archaeological potential for Aboriginal or historic relics. The Blacktown Native Institution holds an unknown level of potential for post-1788 human burials, possibly associated with the Blacktown Native Institution phase. The proposed new footprint of any new development must consider this potential and implement non-invasive actions to investigate the possibility during the planning phase.</i></p>	<p>cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.</p> <p>The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
			returned to the Dharug people in 2018.
		<p><b>Policy 38</b>  <i>Any new development should ensure uses are compatible with the significance of the Blacktown Native Institution and support cultural, social, and economic life in the community.</i>  <i>New development should enhance visitor experience and amenity and be compatible with the conservation, commemoration, and celebration of the place’s values.</i></p>	<p>The proposed design supports improved vehicular access to the site, which would improve the amenity and safe use of the BNI for the community. This proposed location is subject to further change and design development on discussion with the DSMG in the Working Group to achieve a suitable long-term outcome.</p>
		<p><b>Policy 40</b>  <i>New work will be identifiable and should not distort the interpretation of the site’s significant cultural values.</i></p>	<p>Whilst the new work will be identifiable, the proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 41</b>  <i>Landscape improvement works will enhance and restore ecological health and resilience of the BNI land while avoiding impacts on significant heritage values and features. Trees and other plants should not be planted in areas where roots have the potential to interfere with or damage the archaeological remains, or views to and from significant areas of the BNI.</i></p> <p><b>Policy 43</b>  <i>No new structures or buildings (both temporary and permanent) proposed for the Blacktown Native Institution should impact the significant</i></p>	<p>and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p> <p>The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat. Vegetated swales below embankments and in the median apply WSUD strategies. The planting palette comprises mainly low maintenance plants that are suited to the local conditions. It has been prepared drawing on Council’s preferred species and is intended to be refined through consultation with local Aboriginal stakeholders in future project stages.</p> <p>Portions of the BNI have been identified as having limited potential to contain Aboriginal burials. Given the sensitivities involved, an approach to managing this potential in certain parts of the site will be developed</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><i>archaeological resources which have the potential to remain in situ.</i></p> <hr/> <p><b>Policy 44</b>  <i>Any new permanent structures must respond positively to the character of the Blacktown Native Institution and demonstrate sympathetic bulk, mass, scale, and materiality, as well as ensure visual impacts are minimised.</i></p>	<p>together with the DSMG and Aboriginal community members.</p> <hr/> <p>The proposed new flyover will cause additional adverse impact to the setting of the BNI. However, the flyover will be located in an area of the BNI that is already highly visually disrupted by the nearby M7 flyover, and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The proposed flyover and associated retaining wall will be highly visible from long-range views, and therefore will have a substantial visual impact in the immediate setting and views from the BNI.</p> <p>The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for women to camp and watch children but also birth. The site is significant to the continued narrative of Nura and the BNI, and installation of structures,</p>

*Design Guide for Heritage objectives*

*Design Guide for Heritage key design considerations*

**CMP Policies**

**Design response**

albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.

Given the overall setting of the BNI in this area, the visual impact of the new flyover, retaining wall, bridge and associated land works would result in an **adverse impact (major)**.

## 6.Options analysis

### 6.1 Options Analysis

Illustration	Description	Heritage comment
<b>Alignment</b>		
Do-Minimal	<p>‘Do Minimal’ option’                      The ‘Do-Minimal’ option would involve no upgrade to Richmond Road and involve routine traffic signals optimisation and ongoing maintenance of the existing road corridor.</p>	<p>This option would have the least heritage impact; however this option would not be viable for the infrastructure in the long run and cause strain on existing infrastructure.</p>
<b>Options 1, 1A, 2 and 2A</b>		
	<p>Change at-grade for the M7 Motorway                      Four options were identified for the potential upgrade to this intersection (Options 1, 1A and 2, 2A). Ultimately these options were ruled out as the strain on existing infrastructure.</p>	<p>These options would have minimal heritage impact; however this option would not be viable for the infrastructure in the long run and cause strain on existing infrastructure.</p>
<b>Option 2B</b>		
	<p>impacts on surrounding properties were not acceptable and there was little to no improvements in capacity of the intersection compared to ‘Do minimal’ option.</p>	

Illustration	Description	Heritage comment
--------------	-------------	------------------




**At-grade design option**

- Reduces impacts to surrounding properties, minor upgrades to the existing Richmond Road/Rooty Hill Road North intersection.
- Additional right turn lane from M7 Motorway Rooty Hill Road North off-ramp to achieve three right turn lanes onto Rooty Hill Road North.
- There would be two dedicated lanes for traffic turning right from the M7 Motorway Rooty Hill Road North off-ramp onto Rooty Hill Road North then left onto Richmond Road after which the two lanes would merge into one through lane adjacent to two northbound lanes on Richmond Road.
- There would be one dedicated right turn lane for traffic turning from the M7 Motorway Rooty Hill Road North offramp onto Rooty Hill Road North to turn right or continue straight through at the intersection with Richmond Road.
- The widening of Rooty Hill Road North would follow the existing road corridor and not encroach into the Blacktown Native Institution site.

This option would be preferred from a heritage perspective as it would not cause visual impacts to the cultural heritage landscape and would not require physical impacts to the BNI SHR site.

Option 3

Illustration	Description	Heritage comment
	<p>New flyover bridge linking M7 Motorway Rooty Hill Road North off-ramp to Richmond Road. Flyover to convey northbound traffic exiting from the M&amp; Motorway to Richmond Road and approximately 210metres long.</p>	<p>An above road-grade structure would cause significant visual impacts to the cultural landscape and surrounding heritage items including BNI and Colbee Nurrangingi Grant. The flyover would require support structures which would be located within the BNI SHR site and have the potential to physically impact culturally significant land and values.</p>

**Flyover landing**

Option 1

<p>Flyover bridge landing on Richmond Road outside/kerb side lane just south of Bells Creek</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Tight footprint providing more space for vegetation.</li> <li>• Smaller bridge spans</li> <li>• Less visual impact than Option 3</li> <li>• More traditional design, ie. more predicatble as the ramp enters from the left therefore potentially reduced driver confusion risk</li> <li>• Reduced impact on traffic compared to other options during construction as a lot if built offline</li> <li>• Less staging switches (similar to Option 1)</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• Very tightly constrained against the BNI land parcel (similar in all options)</li> <li>• Safety issue associated with the weave when the Castreagh connection is constructed</li> <li>• Potential need to undo work and for additional work to deal with the weave in future</li> </ul>	<p>This option would have less visual impact to the cultural landscape. Physical impacts due to constrained siting in the vicinity of BNI is similar to all options.</p>
--	--

Illustration	Description	Heritage comment
	<ul style="list-style-type: none"> <li>• The weave has more potential to cause a traffic incident causing tailback on both Richmond Road and the M7 Motorway</li> <li>• Additional traffic in the slow lane resulting in traffic impact (same as Option 3)</li> <li>• Access to shared path is not as good as Option2. On-road cyclists would also need to cross the entry ramp (same as Option 3)</li> </ul>	
Option 2	<p>Flyover bridge landing on Richmond Road within the median just south of Bells Creek</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Bridge is further away from the BNI ie. better visual impact and improved opportunities for active transport</li> <li>• Better access to the shared path. On-road cyclist do not need to cross any ramps</li> <li>• Safety benefit due to no weave in the future when the Castlereagh Connection is built</li> <li>• Similar tight footprint to Option 1 providing space for vegetation</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• More traffic stages because the bridge is in the median</li> <li>• 5.4m clearance required over two roads, therefore the structure would be slightly higher for this option compared to others</li> <li>• Possibly greater visual impact for road users due to the bridge landing in the median</li> <li>• Pier and abutment within the median more challenging to protect with barriers and for maintenance access</li> <li>• Most impact from a traffic perspective during construction due to longer construction timeframe</li> </ul>	<p>This is the preferred heritage option, as the increased distance from BNI helps to minimise visual impacts to the cultural landscape and BNI. Physical impacts due to constrained siting in the vicinity of BNI is similar to all options.</p>
Option 3		

Illustration	Description	Heritage comment
	<p>Flyover bridge landing on Richmond Road outside/kerb side lane with a future on-ramp in the median to separately carry traffic to the Castlereagh Connection (CC).</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Similar construction method to Option 1 with fewer staging switches compared to Option 2</li> <li>• Further away from the existing road (same as Option 1) ie. easier to build</li> <li>• More space in a large central median until Castlereagh Connection is built. Opportunities for planting</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• Very tightly constrained against the BNI therefore greatest visual and direct impact</li> <li>• Significant traffic issue with difficult/dangerous movement from Rooty Hill Road North to get onto the Castlereagh Connection</li> <li>• Lots of structure ie. significant visual impact</li> <li>• More difficult construction to the Castlereagh Connection in the future (eg. building in the median)</li> <li>• Tree maintenance, safety risks, and costs (similar in all options)</li> <li>• Bells Creek bridge would need to increase significantly to accommodate the wide median</li> </ul>	<p>This option is the least favourable from a heritage perspective due to the increased visual and physical impacts to the cultural landscape and BNI.</p>

**Flyover bridge design**

**Option 1**

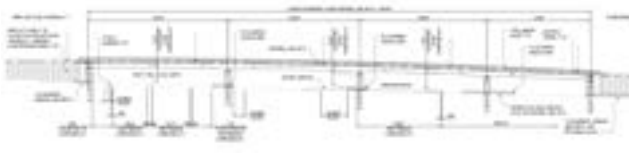
	<p>Conventionally constructed weathering steel trough girder bridge</p> <p>The bridge comprises two weathering steel trough girders that are continuous over the piers. The depth of the steel girders varies from 2.0 metres at</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape.</p>
--	--	--

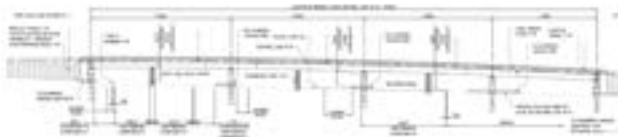
Illustration	Description	Heritage comment
	<p>mid-span to 2.5 metres above the piers. The 200 mm-thick cast-in-place deck will be supported on 90 mm-thick precast concrete formwork panels. The entire bridge may be constructed offline, except for Span 1 over Rooty Hill Road North. Whereas Spans 2-4 may be constructed offline using cranes, Span 1 could be installed using a self-propelled modular transporter (SPMT) to reduce the time for mobilisation and demobilisation of crawler cranes within the road.</p>	<p>Visually this would be inconsistent with existing roadway structures across the area, and further impact the significant cultural landscape.</p>
<p>Option 2</p>	 <p>Incrementally launched weathering steel trough girder bridge</p> <p>The bridge comprises two 2.5 metre-deep weathering steel trough girders that are continuous over the piers. Assembly, splicing and launching operations could either be carried out within the parcel of land at Abutment A, or alternatively at Abutment B with the additional benefit of launching uphill. The 200 mm-thick cast-in-place deck will be supported on 90 mm-thick precast concrete formwork panels. Temporary piers for the purpose of launching would be required to be constructed approximately mid-way between the permanent piers, including within the median of Rooty Hill Road North.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape.</p> <p>Visually this would be inconsistent with existing roadway structures across the area, and further impact the significant cultural landscape.</p>
<p>Option 3</p>		

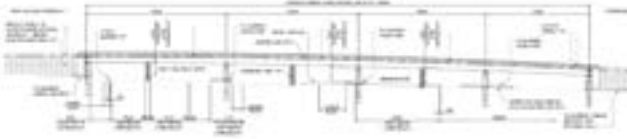
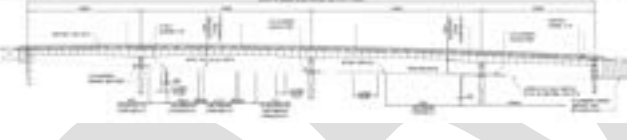
Illustration	Description	Heritage comment
	<p>Incrementally launched concrete box girder bridge The bridge comprises a 2.8 metre-deep concrete box girder that is continuous over the piers. Casting and launching operations could be carried out within the parcel of land at Abutment A, or alternatively at Abutment B with the additional benefit of launching uphill. Temporary piers for the purpose of launching would be required to be constructed approximately mid-way tween the permanent piers, including within the median of Rooty Hill Road North.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
Option 4		
	<p>Precast segmental balanced cantilever concrete box girder bridge The bridge comprises a concrete box girder that is continuous over the piers, varying in depth from 2.8 metres at the mid-span sections to 4.0 metres at the piers. The bridge would comprise approximately 70 precast girder segments, each approximately 3.5 metres in length.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
Option 5		


Illustration	Description	Heritage comment
	<p><b>Super T bridge</b>                      Key criteria for the selection of this construction method to meet Targeted Innovation #1 was to reduce traffic impact on Rooty Hill Road while maintaining the overall aesthetic of the bridge compared to the TfNSW Reference Design. The span arrangement includes six continuous spans comprising precast concrete 1815 deep Super-T girders built-in to the pier headstocks. Building in the pier headstocks/capitals buries it within the superstructure depth which reduces the overall height of the bridge while eliminating bridge bearings and the associated maintenance and whole of life costs for TfNSW. The built-in headstocks squares up the superstructure and substructures adjacent to Rooty Hill Road and Richmond Road Northbound, thus eliminating highly skewed piers. To achieve full continuity over the piers, high tensile bars will be provided to connect the pier capitals with the precast concrete Super-Ts and non-prestressed reinforcement provided on the bottom flange to account for the negative moment connections at the piers</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
<p><b>Bells Creek bridge design</b></p>		
<p>Option 1</p>		

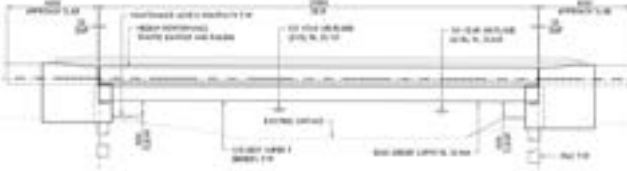
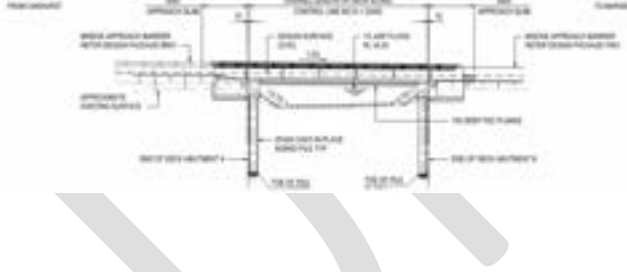
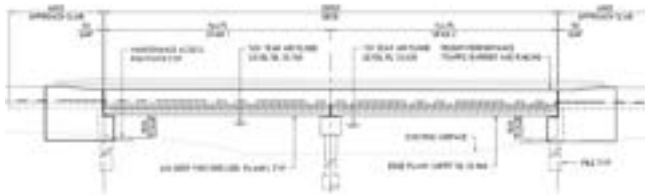
Illustration	Description	Heritage comment
	<p><b>Single-span super T bridge</b>                      The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 1490 mm, including the asphaltic surface. The bridge will be supported on laminated elastomeric bearings at both abutments. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock.</p>	<p>From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area. This option would have less physical impact on Bells Creek.</p>
Option 2		
	<p><b>Single Span Plank Bridge</b>                      Single span integral spaced plank bridge approximately 21m long and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 925 mm, including the asphaltic surface. The bridge will be integrally connected to the abutments to reduce any maintenance requirements. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock.</p>	<p>From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. As it is an integrally connected bridge there are no specific maintenance requirements and any maintenance activities would be largely eliminated. By not having a central pier it eliminates the permanent impact to Bells Creek Bridge. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.</p>
Option 3		

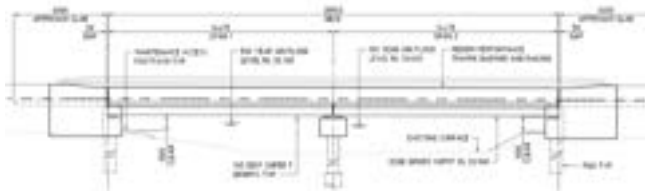
Illustration	Description	Heritage comment
--------------	-------------	------------------



**Two-span plank bridge**  
 The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 875 mm, including the asphaltic surface. The bridge will be supported on laminated elastomeric bearings at both abutments and the central pier, which is to be constructed within the creek. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock. The pier will comprise a reinforced concrete headstock supported on concrete columns and piles socketed into rock.

From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.

**Option 4**



**Two-span super T bridge**  
 The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 1040 mm, including the asphaltic surface. The substructure is proposed to comprise spill through abutments with sill beams. The concrete pier headstock is to be supported by bored piles socketed into rock. This option requires a pier to be constructed within the creek.

From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.

DRAFT

## 7. Impact Assessment

As part of the collaborative consultation approach between Transport for NSW and DSMG, the purpose of this document is to outline a consistency assessment of heritage impacts from the proposed temporary works and project wide works compared with the project heritage impact assessment in the February 2026 SoHI.

The 2026 SoHI<sup>5</sup> was a crucial part of the Determined REF<sup>6</sup> and provided a detailed statement of heritage impact for the road upgrade within the Blacktown Native Institute SHR curtilage, including all stages of construction and design. As a fundamental part of the construction and design process, project wide works and the flyover form part of the assessed scope in the 2026 SoHI. The proposed temporary works however were not discussed in the assessed scope in the 2026 SoHI, as these have been developed since concept design to enable the project wide works to be undertaken.

This 2026 SoHI impact assessment presents the following information:

- Impact assessment excerpts from the 2026 SoHI are included in italics. These are presented here in their entirety. This includes:
  - Assessment of potential adverse physical and visual impacts to the SHR significance values of the BNI site (Section 7.1.1)
  - Identification and summary of cultural values and potential adverse impacts to the cultural values of the site (Section 7.1.2 to Section 7.1.1)
- A summary of archaeological investigations which have been completed since finalisation of the SoHI. This information is critical as it provides additional context to some of the potential heritage impacts identified in the 2026 SoHI (Section 7.2)
- A summary of specific adverse impacts from the project wide works and consistency of those impacts with the 2026 SoHI and overall project approvals

### 7.1 Assessment of adverse impacts to Blacktown Native Institution<sup>7</sup>

**The text included below in italics has been taken from the original Statement of Heritage Impact prepared by Artefact in 2024 (amended in 2026). Inconsistencies and incorrect statements within this document are noted in line utilizing ~~red struck-through~~ text and **red bold italicised** text to indicate replacement.**

*The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works would have the potential to have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its*

---

<sup>5</sup> Artefact 2026

<sup>6</sup> Transport for NSW, 2024, 'Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park: Review of Environmental Factors'

<sup>7</sup> Artefact 2026 SoHI Section 9.1.1 Page 119

ability to truth tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.

The proposed works involve the widening of the northbound lanes on Richmond Road, ~~installation of a formal driveway access to the BNI property within the Rooty Hill Road North-road corridor and construction of a new flyover abutment walls and retaining wall in the BNI.~~ **relocation of the existing driveway access to the BNI from Richmond Road, and construction of a new flyover structure with piers located within the BNI Curtilage.** These works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018, and the land which is still owned and managed by TfNSW. The works also threaten community aspirations for the site, and their continued connection with the wider cultural landscape.

Road widening works and the construction of the new bridge over Bells Creek within the Blacktown Native Institution curtilage will be undertaken on land owned and managed by Transport. The road widening and bridge construction works will include bulk earthworks, grading, and construction of road infrastructure. This requires the relative ground level to be raised around 1 metre above the existing level. This would result in substantial unsympathetic changes to the landscape, impacting the ability to understand the Women's Area at Bells Creek in association with the overall cultural and physical landscape.

The proposed road widening works are limited to areas of the Blacktown Native Institution site with low historical archaeological potential. Historical archaeological potential in these areas is limited to identification of evidence of BNI contemporary Aboriginal encampments through the presence of artefact scatters and potential unmarked burials. There is not enough documentary evidence to suggest the location of these potential burials, although it is understood they are most likely to be situated in proximity to Bells Creek and may also be located in the northeast corner of the BNI. It is considered unlikely that impact to historical archaeological remains will result from the proposed road widening works within the Blacktown Native Institution. The site identified by Bickford in 1981 as being a potential encampment, evidenced by the presence of earthenware pottery and stone artefacts, has been subject to considerable impact since this time.<sup>8</sup> This site is unlikely to remain intact, and ongoing infrastructure works to the banks of Bells Creek is likely to have impacted any additional sites in the vicinity.

The new flyover and retaining wall are to be constructed at the southern end of the BNI site in an area that is already highly visually disrupted by the nearby M7 flyover, and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The new flyover and retaining wall will contribute further to the disruption of the setting and visual amenity of the BNI in this highly modified section of the. The scale and positioning of the flyover and associated retaining wall would be highly visible within the significant cultural landscape, sitting directly within the horizon view of the site. The site's landscape character and setting would be impacted by this development, and would further impact long-range views and vistas. Whilst the aesthetic and setting are not identified as part of the values which meet the threshold for State significance, the CMP 2023 in Policy 39 has identified that these views, vistas and visual qualities of the overall landscape character of the BNI contribute to the significance of the site, and to its social use as a meeting place and calm location. As such, the proposed flyover and associated retaining wall would result in a large new structure that is not sympathetic to this landscape setting, and would be highly visible in the long-range views from the residential neighbours of the BNI, and provide a substantially large visual obstruction in the immediate setting. Mitigation measures which seek to reduce the visual impact to the site are recommended by the project as outlined.....

---

<sup>8</sup> GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group; p. 138

*The proposed flyover will require the positioning of at least one pier footing within the Blacktown Native Institution site near the intersection with Rooty Hill Road North and Richmond Road. Construction of the pier footings is expected to require ground disturbance through excavation and auguring, which will result in impacts to the ground surface within the Blacktown Native Institution. A review of the AZP prepared for the 2023 CMP shows that the proposed flyover is within an area of low archaeological potential, situated away from the areas of historical activity, however, this area has consequently been identified by DSMG as having the potential to contain unmarked child burials.*

*The location of the works would be in the vicinity of or overlap with areas in the BNI which are known significant places to the Dharug people, specifically the **Post-Colonial** 'Women's Place' where women camped, watched over children and birthed, and the 'Men's **Place**' ~~camp~~ - where men in the community would watch over children. The **Post-Colonial** 'Women's Place' is also an area where possible baby burials may be located, however precise locations are unknown and require further consultation with the DSMG. Works in this area would perpetuate further impact on the social and cultural values of this place within the greater BNI area. These areas around the Bells Creek line towards the north of the BNI site feature ecological communities, flora and fauna, which are significant to the natural and cultural landscape of the BNI. Works in these areas particularly in relation to the construction impacts have the potential to impact endangered vegetation and animal corridors which are significant to the Dharug people's connection with Nura. Whilst this would be temporary, the extent of impact to the endangered vegetation and animal migration, and the ability for the landscape and animals to recover (or how long it would take) is unknown.*

*The area is also located in the vicinity of **the 'Men's Camp' an area** where males in the community would camp and watch **over women and** children. The clearing of vegetation in this area would impact the natural landscape and the ability for this area to continue to bear witness and tell the story of **this significant area the 'Men's Camp within the BNI**.*

*Works along Richmond Road are within the greater cultural landscape of the area, which holds specific history, memories and significance to the Aboriginal community. Works within this area by agencies other than DMSG disregard the cultural significance and value of this part of the BNI perimeter and reproduce aspects of colonial control over this land. Proposed works within the study area would further alter the cultural landscape and create greater separation of the BNI from this broader cultural landscape.*

*An optioneering exercise was undertaken by Transport in consultation with DSMG to formalise a new location for vehicular driveway access into the BNI. Option 2 was selected as a balance between improved safety for pedestrians and vehicles as well as ease of implementation. The proposed relocated driveway access as per Option 2 is in an area which is mostly open grass area and would not require the removal of significant landscape elements. Works in this area would be low-lying ground works and would not alter the open views across the Blacktown Native Institution. After the discussion and analysis on the driveway Options preferred Option 2, a Visioning Report was made available for the BNI site. The Visioning Report includes a location of the driveway, which is misaligned with Option 2. Careful placement along the Rooty Hill Road north boundary is advisable. The exact location of the driveway would be subject to further discussion and consultation with DSMG to minimise impacts to the Blacktown Native Institution as part of detailed design development.*

*The proposed driveway relocation will be entirely within areas of low archaeological potential. The driveway access on Rooty Hill Road North should be located to avoid impact to the remains of the Blacktown Native Institution site and its archaeological resources and the Grandmother tree. The final agreed location will be addressed through the mitigation measures proposed by the project, including the Working Group.*

*The project has separately undertaken Aboriginal community consultation and prepared an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the project area. The ACHAR identified that Aboriginal objects are likely to be found near Bells Creek in the Blacktown*

*Native Institution site on Transport owned land. It is proposed that impact to this site will be managed under an Aboriginal Heritage Impact Permit (AHIP) under the NPW Act. As this activity would be within the curtilage of the Blacktown Native Institution, prior approval to enable this activity, would also be sought under the Heritage Act.*

*In consideration of the significant social and cultural values which are associated with the BNI and have the potential to be impacted by the proposed works, and taking into consideration the design optioneering and possible mitigation measures, it has been assessed that the proposed works would have an **adverse impact (major)** impact on the heritage significance, social and cultural values of the Blacktown Native Institution. Further discussion and design iterations in consultation with stakeholders including the DSMG through the Working Group may have the potential to mitigate some of the impacts, however overall, due to the substantial change in the BNI and wider cultural landscape and the consequential loss and change to social and cultural values, it is expected despite these mitigation measures that the proposed works would still amount to an **adverse impact (major)**.*

*While the proposed works have been assessed as having ~~the potential to result in~~ an adverse impact (major) on the heritage significance of the BNI it is important to clarify that this level of impact does not constitute a total loss of significance, nor is it considered to reach a threshold that would justify reconsideration of the site's listing on the SHR. **The adverse impact (major) to the site does not constitute any overall loss of the cultural value of this Country or site to the Dharug people or the DSMG.***

*Although the proposed works will result in a reduction in landscape integrity and visual legibility, the site's historical, associative, social, **cultural**, and research values remain substantively intact. The affected areas do not represent the primary locations of significance **(to the SHR listing)** or the highest concentration of tangible or intangible values. The BNI will continue to retain State-level significance due to its enduring associations with the history of child removal, institutionalisation, and Aboriginal community identity (historical and associative values). These values remain embedded not only in the physical remnants and cultural landscape but also in the collective memory and ongoing cultural practices of the Aboriginal community. The site's importance as a place of **healing, connection**, reflection, remembrance, and advocacy—particularly for members of the Dharug community and former residents' descendants—remains a cornerstone of its significance.*

*Although the proposed works would alter aspects of the site's integrity through landscape and visual impacts, the core values underpinning the site's state significance, particularly its associative, commemorative, and symbolic importance, will endure. Design optioneering and engagement with community stakeholders, including the DSMG, have sought to minimise impacts through alignment, interpretation, and landscape response. Further collaboration will continue to play a role in mitigating impacts and enhancing the cultural legibility of the site. In summary, while the scale and nature of the proposed works justify a classification of an adverse impact (major), the site's core heritage values will remain present, and the BNI will continue to meet key SHR criteria (A, B, D, and E). The core areas of research potential identified at the site, particularly the site of the former homestead, are outside the study area. There are recommended management measures in place to investigate the research potential of the study area. The proposed impacts will not reduce the site's significance to a level that would justify its removal from the SHR.*

**Impact: Adverse impact (Major)**

#### 7.1.1 Summary of impacts to BNI SHR values from the temporary works

The temporary works in isolation of the project wide works for the road upgrade and flyover design will have the following impacts on the BNI site. As these were not discussed as part of the 2026 SoHI, the below is an assessment of the temporary works and the potential impact these would have on the BNI site.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- Temporary works would result in temporary visual impacts from machinery being on site, earth works and installation of traffic barriers
- Temporary fencing along the western boundary of the BNI site, amounting to approximately 800m of fencing would result in temporary visual impacts for the duration of their installation (November 2026 to early 2028)
- The proposed pavement removal and pedestrian bridge relocation would not result in physical impacts, as these are not located within the BNI curtilage

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.1 Summary of impacts to BNI SHR values from the project wide works

The project wide works for the road upgrade in isolation of the flyover design will have the following impacts on the BNI site as per the findings of the 2026 SoHI:

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed road widening of the northbound lanes on Richmond road and installation of a formal driveway will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- Road widening works and construction of the new bridge over Bells Creek within the BNI will result in unsympathetic changes to the BNI landscape and its place and association with the overall cultural and physical landscape of the area.
- The project wide works are located in areas of the BNI which are known significant places to the Dharug people, and would further impact the social and cultural values of the place, as well as ecological communities, flora and fauna, which contribute to the significant natural and cultural landscape of the BNI.
- The project wide works along Richmond Road are within the greater cultural landscape of the area, and works will further impact the BNI perimeter and alter the cultural landscape and BNI's connection to it.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.1 Summary of impacts to BNI SHR values from the flyover

The flyover design in isolation of the temporary and project wide works required for the road upgrade will have the following impacts on the BNI site as per the findings of the 2026 SoHI:

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed construction of a new flyover structure with piers located within the BNI curtilage will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- The new flyover and retaining wall are proposed to be located at the southern end of the BNI site which has already been highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunications infrastructures.
- The new flyover and retaining wall will contribute to the further disruption of the setting and visual amenity of the BNI in this highly modified section of the site.
- The scale and positioning of the flyover and associated retaining wall will be highly visible within the significant cultural landscape, sitting directly within the horizon view of the BNI.
- The BNI's landscape character and setting will be impacted by the construction of the flyover and retaining wall which will further impact long-range views and vistas, which contribute to the significance of the BNI and its social use as a meeting place and calm location.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.2 Impact criteria for Cultural Values based on UNESCO's domains of intangible heritage criteria<sup>9</sup>

*Drawing upon UNESCO's domains of intangible heritage criteria ..... impacts on these elements are assessed as either having a detrimental (or diminishing) effect or not. There is no measure to assess the degree of impact.*

*2026 SoHI Table 9-3 Concerns raised by DSMG and the impacts on the cultural values of BNI viewed through UNESCO domains*

	<b>UNESCO domains</b>	<b>Concerns raised by DSMG</b>	<b>Impact on Cultural Values</b>
1	<i>Oral traditions and expressions, including language</i>	<i>Not known</i>	<i>Not known</i>
2	<i>Performing arts</i>	<i>Not known</i>	<i>Not known</i>
3	<i>Cultural performance (action(s) that make something visible or audible)</i>	<i>Noise pollution will disrupt plan for <b>Post-colonial Women's place area</b> as peaceful ceremonial area</i>	<i>Disrupts</i>

<sup>9</sup> Artefact 2026 Section 9.1.4 Page 127-128

	<i>UNESCO domains</i>	<i>Concerns raised by DSMG</i>	<i>Impact on Cultural Values</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Cultural values are threatened, diminished - divide community</i>	<i>Diminishes</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Failure to protect social and cultural values will cause severe and lasting distress</i>	<i>Harms</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Post-colonial Women's place area around Bells Creek area will be overwhelmingly impacted by works in the curtilage. Men's place camp - also located in proximity and potential to celebrate and commemorate familial commitment in the future may be destroyed.</i>	<i>Destroys</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>DSMG considers TfNSW to be enacting power over Dharug by disregarding their cultural perspective</i>	<i>Disregards</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Cultural values are threatened because Land Grant is part of the broader cultural landscape of the Dharug and a connection to deep history and recent history</i>	<i>Threatens</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Removal of Casuarina and eucalypts would be distressing, as would the excavation of the site to construct the road</i>	<i>Harms</i>

	<i>UNESCO domains</i>	<i>Concerns raised by DSMG</i>	<i>Impact on Cultural Values</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Interference to regeneration and ecological restoration program</i>	<i>Disrupts</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Disruption of woodland pathway (landscape connection) between BNI and Shanes Park</i>	<i>Disrupts</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Potential for damage to the Grandmother tree by interim access driveway</i>	<i>Threatens</i>
6	<i>Knowledge and skills (intangible heritage) without which objects cannot be made, actions performed, or social practices enacted (past, present or future)</i>	<i>Proposed fly over overshadows site, and has implications for access to solar power as well as having an adverse visual affect</i>	<i>Diminishes</i>

*The comments raised by DSMG and listed in the above table reflect their concerns that the cultural values of the BNI will be threatened, diminished, harmed, disrupted or disregarded. The impacts on two of the UNESCO domains is unknown.*

### **7.1.3 Cumulative Heritage Impact Assessment for the Blacktown Native Institution<sup>10</sup>**

*Cumulative impacts refer to the combined, overlaid or added actions and interactions within a particular place associated with the past, present and the reasonably foreseeable future. The BNI site has been subject to substantial change and erosion of its physical boundaries, fabric, social and cultural values over the years, commencing during the treatment of ancestors by settlers and colonial governments. This has continued to occur with public works and road works occurring in and around the BNI site, despite the land being returned to the Dharug people in 2018. This includes the upgrade of Richmond Road during the mid 2010s (before it*

<sup>10</sup> 2026 SoHI 9.1.5 page 128

was returned to Dharug and before its SHR listing), which selected the current road corridor and widened the road to four lanes. This upgrade included community consultation which supported impacting the BNI site as a means of avoiding the Colebee and Nurragingy Land Grant further north.

The BNI is an area of great significance within a broader cultural landscape and Nura to the Dharug people in this area. The BNI is a significant site for truth telling, regeneration of cultural practices and language, but also healing of trauma. The site bears witness to these practices and the trauma which has occurred, and is important to conserve as a physical connection to the memories imbued in the site.

The proposed works contribute to the continued erosion of the land and ability for the Dharug people to heal and continue cultural practices and socially engage at the site. The CMP identifies a “strengths-based trauma-informed approach to heritage” which “centres power on the community in research and collaborative decision-making.”<sup>11</sup> The lack of consistent and considered community and collaborative consultation and design or decision-making as part of the REF further adds to the cumulative impact of the proposed works on the cultural and social significance of the site, further perpetuating a sense of trauma and loss to the Dharug people. The proposed works would result in the potential to adversely impact significant identified places within the BNI, significant burial locations (albeit precise locations unknown), and significant ecological communities. The proposed works would cause further adverse impacts and deterioration of the setting, and the social and cultural values of the site. Although there is a commitment by the project team and government to undertake community consultation with the DSMG and work iteratively to achieve acceptable design choices for both parties, the continued erosion of the cultural and social values caused by previous and current proposal, and the likelihood of future proposals in this area is considered to have the potential for **cumulative impacts (major)** on the BNI site and the broader cultural landscape in this area.

#### 7.1.4 Summary of impacts to cultural values from the temporary works, project wide works and flyover

Table 7-1 Summary of impacts to cultural values from the temporary works, project wide works and flyover

Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG	Adverse impacts to identified cultural values from temporary works, project wide works and flyover
--	--

<p>Spirit of the place</p>	<p><u>Truth telling, healing, reflection and diminished cultural values</u></p>
----------------------------	---

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• DSMG’s plan for BNI is for a Dharug truth-telling and healing place</li> <li>• The BNI is a place for reflection, healing and connection to Dharug culture beyond its association with practices in the colonial period</li> <li>• The project threatens and diminishes cultural values to the community</li> <li>• The flyover may jeopardize plans to utilise solar energy at the Dharug Culture Center if it affects future access to solar power</li> <li>• Noise pollution will affect connection to Nura and be detrimental to the experience of the place</li> </ul> | <p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability</p> |
|--|--|

<sup>11</sup> GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group; p. 12

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG** | **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

- *Road widening might affect ability to carry out cultural burns because the movement of smoke is not controllable.*
- *Water has uses in cultural practices, and water ways should be naturalised to remove hard edges*

to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.

The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned back to the Dharug people in 2018.

Solar

Add text

Noise pollution

Temporary construction works, project wide works and the construction of the flyover will involve temporary noise pollution to the BNI site for the duration of the construction timeline.

Road noise will increase as a result of the road widening, bridge over Bells Creek and flyover in the vicinity and within the BNI.

Cultural burns

Proposed works within Lot 1 DP 1043661 of the BNI will result in the irreversible removal of the possibility to undertake cultural burns within that portion of the BNI site.

Water

Vegetated swales below embankments and in the median apply WSUD strategies.

The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established.

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG**    **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

Integrated design approaches to drainage, hydrology and landscape will be further coordinated through the detail design process and applied wherever feasible. The demonstration of practical, sustainable water sensitive design measures will maximise on-site infiltration, reduce piping and kerbs, and minimise water table/natural drainage impacts to existing vegetation.

Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.

**Ecological restoration**

- *Trees should not be removed- Casuarina and eucalypts especially should be maintained. But not just trees, the whole area would be impacted through all the construction impacts*
- *TfNSW impacts disrupt efforts to regenerate and monitor ecological restoration projects within the BNI. Water/dust/disruption of wildlife, removal of seed bank resources*
- *Endangered vegetation should be maintained, as well as animal corridors.*
- *Water ways should be restored; quality and quantity of water is important and should not be impacted .*
- *Connectivity: should be movement corridors for animals (ie woodland pathway between BNI and Shanes Park (Yiraaldiya National Park) – noting the kangaroo, bird, reptile and amphibian families should be maintained.*

Tree removal

The temporary works, project wide works and flyover construction would not involve tree removal as this work would be undertaken as part of the vegetation clearance scope which has been assessed in a separate APHIA.

Ecological restoration and dust

The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat.

Vegetated swales below embankments and in the median apply WSUD strategies.

They planting palette are typically low maintenance and have low water needs once established.

Management measures will need to be in place to ensure that dust and water run-off are controlled during works.

Waterways

Vegetated swales below embankments and in the median apply WSUD strategies.

The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established.

Integrated design approaches to drainage, hydrology and landscape will be further coordinated through the detail design process and consultation with the DSMG, and applied wherever feasible. The demonstration of practical, sustainable water sensitive design measures will maximise on-site infiltration,

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG** **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

reduce piping and kerbs, and minimise water table/natural drainage impacts to existing vegetation.

Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.

Shanes Park fauna connectivity:

There is a possibility that construction works may disrupt fauna movement. However, there will still be opportunity for animals to move north within the BNI site and outside the project footprint.

Places

- **Post-colonial Women’s place area** - Bells Creek **area on both sides of the Richmond Road**. This is a women’s area - women camped here and watched children. Noise pollution will disrupt this area. Deep concern about damage to the area through proposed alterations to Bells Creek and its surrounds. Failure to protect will result in lasting distress
- **Men’s place camp** - Marsden Park (area north of Bells Creek). ~~From this vantage point the children residing in the BNI could be watched.~~ **In this place, families of the children that were institutionalised at the BNI attempted to retain connection to their children by way of observation, singing and other cultural practices.** The DMSG to incorporate this area into the cultural heritage centre. DSMG said that this value had not been adequately addressed in the PACHCI.
- **Richmond Road** – Aboriginal people were hanged in places along the Richmond Road (the exact location of these is not known)– These acts of violence were the result of colonial conflict –DSMG said that by disregarding the cultural values of the area TfNSW are reproducing violent acts of colonial power.
- **Colebee and Nurragingy Land Grant (SHR01877)**. The project may threaten values of the broader cultural landscape in which the BNI sits, and the historical connection between the two.
- **Grandmother tree** – need to maintain access to it and protect it. It is an important part of BNI commemoration and events
- **Baby burial area** – Northeastern corner of BNI site. Further consultation required to ensure appropriate mitigation measures are in place.

Post-colonial Women’s place

The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI.

The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for women to camp and watch children but also birth. The site is significant to the continued narrative of Nura and the BNI, and installation of structures, albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.

Men’s Place

The location of the proposed works would be in the vicinity of or overlaps with areas in the BNI which are known significant places to the Dharug people, including the ‘Men’s Place’ where men in the community would attempt to retain connection to their children which were institutionalised at the BNI by way of observation, singing and other cultural practices.

Wider context

The proposed temporary works, project wide works and flyover have been identified by DSMG as a continuation of the violent acts of colonial power and potentially threatening the wider cultural landscape and historical connection of the BNI site with the Colebee and Nurragingy Land Grant (SHR 01877).

Grandmother tree

The location of the driveway access from Rooty Hill Road North should be located to

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG**    **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

avoid impacts to the Grandmother tree. The final agreed location will be addressed through mitigation measures proposed by the project, including the Working Group.

Baby burial area

Proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials.

Although no grave cuts were identified during archaeological test excavation, the area maintains importance to the Dharug People as an area where burials took place.

**7.1.1 Summary of impacts to cultural values of the BNI site as a result of temporary works, project wide works and flyover**

Adverse impacts to cultural values are consistent with the findings of the 2026 SoHI. The proposed temporary works, project wide works and flyover will diminish and harm the cultural and spiritual values of the BNI site.

As part of detailed design, the road alignment has been adjusted to reduce impacts on the existing natural landforms around the banks of Bells Creek. The riparian zone will be protected using rock scour treatment with pocket planting to enable and encourage fauna passage. The design also includes riparian planting to the large swale that runs parallel to and on the eastern side of Richmond Road.

**7.2 Preliminary results of archaeological investigations at BNI in 2026**

**7.2.1 Aboriginal heritage salvage excavation**

Aboriginal heritage salvage excavation under AHIP 5455 within the BNI site was completed in early 2026. No further Aboriginal heritage excavation is conditioned under AHIP 5455 and works can proceed within the AHIP footprint.

**7.2.2 Historical archaeological test excavation**

Historical archaeological excavation for potential grave cuts was completed in early 2026. Noting that the results documenting this process is ongoing, at the time this HIA was prepared there was no indication that further historical archaeological excavation to investigate the presence of grave cuts will be recommended for the project.

Although no grave cuts were identified during that test excavation program, the area maintains importance to the Dharug People as an area where burials took place.

While pre-construction archaeological test excavations were utilized to proactively manage the risk of unexpected discovery during construction, the following measures continue to be applied to the construction works:

- Unexpected finds procedure

- Site inductions for all staff
- Cultural site inductions for all staff

### 7.3 Consistency of heritage impacts from proposed temporary works, project wide works and flyover

Overall, the proposed temporary works, project wide works and flyover form part of the broader road upgrade project and are, therefore, consistent with the impact assessment outlined in the 2026 SoHI.

Key overall summary from the 2026 SoHI of the overall impact of the broader road upgrade project to the BNI site:

*The proposed works ~~would have the potential~~ will have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.*

*In summary, while the scale and nature of the proposed works justify a classification of an adverse impact (major), the site's core heritage values will remain present, and the BNI will continue to meet key SHR criteria (A, B, D, and E). The core areas of research potential identified at the site, particularly the site of the former homestead, are outside the study area. There are recommended management measures in place to investigate the research potential of the study area. The proposed impacts will not reduce the site's significance to a level that would justify its removal from the SHR.*

The temporary works, project wide works and flyover will result in the following impacts to the SHR values of the BNI:

#### **Temporary Works**

- Temporary works would result in temporary visual impacts from machinery being on site, earth works and installation of traffic barriers
- Temporary fencing along the western boundary of the BNI site, amounting to approximately 800m of fencing would result in temporary visual impacts for the duration of their installation (November 2026 to early 2028)
- The Temporary access through Bells Creek for construction traffic to construct roadwork and new bridge, would result in physical impact.
- The proposed pavement removal and pedestrian bridge relocation would not result in physical impacts, as these are not located within the BNI curtilage

#### **Project Wide Works**

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI have been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed road widening of the northbound lanes on Richmond road and installation of a formal driveway will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- Road widening works and construction of the new bridge over Bells Creek within the BNI will result in unsympathetic changes to the BNI landscape and its place and association with the overall cultural and physical landscape of the area.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- The project wide works are located in areas of the BNI which are known significant places to the Dharug people, and would further impact the social and cultural values of the place, as well as ecological communities, flora and fauna, which contribute to the significant natural and cultural landscape of the BNI.
- The project wide works along Richmond Road are within the greater cultural landscape of the area, and works will further impact the BNI perimeter and alter the cultural landscape and BNI's connection to it.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

### Flyover

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed construction of a new flyover structure with piers located within the BNI curtilage will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- The new flyover and retaining wall are proposed to be located at the southern end of the BNI site which has already been highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunications infrastructures.
- The new flyover and retaining wall will contribute to the further disruption of the setting and visual amenity of the BNI in this highly modified section of the site.
- The scale and positioning of the flyover and associated retaining wall will be highly visible within the significant cultural landscape, sitting directly within the horizon view of the BNI.
- The BNI's landscape character and setting will be impacted by the construction of the flyover and retaining wall which will further impact long-range views and vistas, which contribute to the significance of the BNI and its social use as a meeting place and calm location.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

The temporary works, project wide works and flyover will result in the following impacts to cultural values (from Table 7-1):

- Truth telling, healing, reflection and diminished cultural values: The proposed works will have a negative heritage impact on the cultural and social values of the BNI. The works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned back to the Dharug people in 2018.
- Shadowing impact: The proposed temporary work will have negligible impact to BNI site for the duration of the construction timeline. The activities that will create any measurable shadowing impact are Cranes for lifting for the bridge elements. This temporary arrangement would not impact access to any solar power provisions. For permanent works the flyover visual height impact is approximately 9m, the shadowing effect from the flyover would impact the

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

BNI site during the morning in the southwestern section. The landscape mound will also provide shadowing impact of a similar nature to the Flyover. Access to solar would not impact BNI due to the Flyover.

- Noise pollution: The proposed works will involve temporary noise pollution to the BNI site for the duration of the construction timeline. Road noise will increase as a result of the road widening, bridge over Bells Creek and flyover in the vicinity and withing the BNI.
- Cultural burns: Proposed works within Lot 1 DP 1043661 of the BNI will result in the irreversible removal of the possibility to undertake cultural burns within that portion of the BNI site.
- Water and waterways: Detailed design includes water sensitive strategies to help manage and protect water sources during and after construction. These include WSUD strategies, low maintenance and low water plantings which are native and endemic species to the area, and an integrated design approach to drainage, hydrology and landscape. Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.
- Tree removal: the works would not involve tree removal as this work would have been undertaken as part of the vegetation clearance scope which has been assessed in a separate APHIA.
- Ecological restoration and dust: The revegetation strategy includes native and endemic species which will contribute to the biodiversity and habitat of the BNI and greater area. Management measures will need to be in place to ensure that dust and water run-off are controlled during works.
- Shanes Park fauna connectivity: There is a possibility that temporary works, project wide works and construction of the flyover may disrupt fauna movement. However, there will still be opportunity for animals to move north within the BNI site and outside the project footprint.
- Post-colonial Women's Place: The proposed bridge across the Bells Creek will be in the vicinity of the 'Women's Place'.
- Men's Place: The proposed temporary works, project wide works and flyover would be in the vicinity or overlap with the significant area known as the 'Men's Place'.
- Wider context: The proposed works have been identified by DSMG as a continuation of the violent acts of colonial power and potentially threatening the wider cultural landscape and historic connection of the BNI site with the Colebee and Nurragingy Land Grant (SHR 01877)
- Grandmother tree: The location of the proposed driveway access from Rooty Hill Road North may impact the Grandmother tree. The final agreed location will be addressed through mitigation measures proposed by the project, including the Working Group.
- Baby burial area: The proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials. Although no grave cuts were identified during archaeological test excavation, the area maintains importance to the Dharug People as an area where burials took place.

## 8. Mitigation of Impact

### 8.1 Heritage Act 1977 approval pathway

In accordance with advice provided to Transport for NSW by Heritage NSW, and subsequent internal legal review, Transport for NSW will pursue the approved **Site-Specific Exemption (SSE)** applicable to Lot 1 DP 1043661 for the Richmond Road upgrade. Works within the Blacktown Native Institution are exempt from the need to receive approval under Section 60 (s60) of the *Heritage Act 1977* (NSW) and are consistent with site-specific Exemption 1, outlined below:

**Exemption 1.** *The carrying out of road work or traffic control work, within the meaning of the Roads Act 1993, in connection with the Rooty Hill Road, Richmond Hill Road and / or the proposed Castlereagh Freeway, on land described as Lot 1 in Deposited Plan 1043661, Lot 5002 in Deposited Plan 869400 and / or Lot 5003 in Deposited Plan 869400, is exempt from subsection 57(1) of the Heritage Act 1977, subject to all excavation or disturbance of land being carried out in accordance with any archaeological management plan with which compliance is required by any approval for those works issued under the Environmental Planning and Assessment Act 1979.*

*Reason/Comment - Should archaeological relics or deposits be uncovered during excavation work, all work must cease in the immediate area. A suitably qualified and experienced archaeologist must be contacted to assess the archaeology and the Heritage Branch should be informed immediately ('Blacktown Native Institution' 2011).*

---

The archaeological management plan requirement is fulfilled by the project archaeological research design and excavation methodology (ARDEM).<sup>12</sup>

## 8.2 National Parks and Wildlife Act 1974 approval pathway

AHIP 5455 was issued to Transport for NSW on 10 September 2025. That AHIP approves undertaking all works associated with the road project within the AHIP boundary, and subject to the carrying out of Aboriginal archaeological salvage and surface collection.

The Aboriginal archaeological salvage and surface collection requirements of AHIP 5455 have been carried out.

## 8.3 Recommendations and mitigation measures

Recommendations and mitigations measures as per the 2026 SoHI apply to the temporary works, project wide works and flyover.

Specific recommendations and mitigation measures based on the 2026 SoHI and the findings of this HIA are outlined in Table 8-1.

Text copied from the 2026 SoHI in Table 8-1 is presented in *italics*.

The purpose of Table 8-1 is to present recommendations, how those recommendations will be managed, and feedback from DSMG (in process).

---

<sup>12</sup> Artefact Heritage, 2025, ARDEM

Table 8-1 Recommendations and input from DSMG for temporary works, project wide works and flyover. Recommendations in italics are from the 2026 SoHI

Recommendation Number	Recommendations	How addressed	DSMG input
HIA 1	<i>The Transport for NSW's Unexpected Heritage Items Procedure be implemented during all ground disturbing works</i>	Transport for NSW unexpected finds procedure to be in place during works	
HIA 2	<p><i>Consultation with the Dharug Strategic Management Group (DSMG) should be an ongoing commitment undertaken as part of this project</i></p> <p>This APHIA should be discussed and provided to DSMG for review and comment and discussed at a DSMG Working Group meeting(s). This consultation should particularly seek feedback from DSMG on the following:</p> <ul style="list-style-type: none"> <li>• Negative heritage impacts on the cultural and social values of the BNI and the ability for the community to undertake truth telling, healing and reflection. Are there design changes which can occur to help minimise or mitigate this impact?</li> <li>• Negligible impact to shadowing for temporary arrangement. In the permanent case the flyover will impact the southeastern corner of the site where the landscape mound is.</li> <li>• Noise pollution from construction works. Are there particular days or times when noisy works should not take place (ie. during on-site DSMG meetings).</li> <li>• Noise pollution from increased traffic in the vicinity. Are there particular design features which can be included in the design to help baffle the increased sound?</li> </ul>	<p>Transport for NSW will present and discuss with DSMG and this APHIA. This APHIA to be updated with DSMG feedback, including protocols and comments on works being undertaken within the Women's place, gathering places, and baby burial area</p> <p>Transport for NSW unexpected finds procedure to be in place during works</p> <p>GDJV to ensure:</p> <ul style="list-style-type: none"> <li>• Bells Creek is protected during works</li> <li>• bunds are in place to ensure no run-off goes into the creek</li> <li>• Temporary access through Bells Creek would be required and will go through environmental approvals to ensure all construction elements are considered suitable.</li> </ul> <p>GDJV to ensure that dust is controlled throughout works</p> <p>GDJV and Transport for NSW to ensure that the fauna corridor to Shanes Park is not affected by works</p>	<ul style="list-style-type: none"> <li>• Continued consultation with DSMG regarding the works and impacts to the BNI curtilage that is owned and maintained by TfNSW</li> <li>• Recognition of design efforts by GDJV DT Infrastructure Joint Venture in reducing the footprint of the project in and near the BNI SHR area.</li> <li>• propagation of casuarinas being removed during the vegetation clearing works</li> <li>• replacement of casuarinas along the creek line as part of the landscape design</li> </ul>

Recommendation Number	Recommendations	How addressed	DSMG input
	<ul style="list-style-type: none"> <li>• Removal of the possibility for cultural burns within the works footprint</li> <li>• Water and waterways. Comments on proposed management fo works around Bells Creek – measaures in place to ensure that construction works do not affect Bells Creek, including:                             <ul style="list-style-type: none"> <li>○ Bunds to reduce run-off</li> <li>○ No machinery to enter watercourse</li> </ul> </li> <li>• Shanes Park fauna connectivity</li> <li>• Post-colonial Women’s Place – proposed construction works will take place within a portion of this area</li> <li>• Men’s Place – proposed construction works will take place within a portion of this area</li> <li>• Grandmother tree. Discussion of driveway location to ensure that works do not impact the Grandmother tree</li> <li>• Baby burial area. The proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials. Although no grave cuts were identified during archaeolgocial test excavation, the area maintains importance to the Dharug People as an area where burials took place.</li> </ul>	<p>GDJV has noted that the DSMG owned portion of the BNI site is completely excluded from access (which is where the Grandmother tree is located) which will prevent harm.</p> <p>Noisy activities will go through noise approvals with specific restrictions regarding where works can occur.</p> <p>To manage night time noise and vibration, the Environmental Protection Licence (EPL) and Construction Noise and Vibration Guideline (CNVL) conditions strictly limit night-time activities. Specifically, night works:</p> <ul style="list-style-type: none"> <li>• Must not occur for more than two consecutive nights.</li> <li>• Must not occur on more than three nights per week.</li> <li>• Must not exceed ten nights per month in tot</li> </ul>	
HIA 3	<p><i>In keeping with the opportunities outlined in the Conservation Management Plan 2023, Connecting with Country 2024, and as per the possible mitigation measures outlined in the Heritage NSW Guidelines for Preparing A Statement of Heritage</i></p>	<p>DSMG to be consulted concerning design and art and artists / interpretation</p>	<ul style="list-style-type: none"> <li>•</li> </ul>

Recommendation Number	Recommendations	How addressed	DSMG input
	<p>impact, avenues for interpretation should be implemented within the Study Area. Opportunities for interpretation may include:</p> <ul style="list-style-type: none"> <li>• Interpretation could be included in the design of structures to assist in minimising the visual impact of the proposal and provide a positive outcome.</li> <li>• Engaging local artists to design suitable artworks to be added to the flyover and/or retaining wall could assist in mitigating the adverse visual impact caused by the new structures.</li> <li>• Interpretation should be sensitively designed and respond to what is appropriate for the project's corridor and interface with the broader Blacktown Native Institution site. The project should seek the input of the DSMG to ensure the interpretation is acceptable and consistent in communicating the BNI's story and that of the broader cultural landscape.</li> </ul>		
HIA 4	<p>Endangered vegetation in the wider cultural landscape (and within the Study Area) should be maintained in discussion with DSMG.<sup>13</sup> Endangered species include Cumberland Plains Shale Woodlands, Cumberland Plains River-Flat Forest.<sup>14</sup></p>	<p>Confirmation by GDJV and Transport for NSW on what harm to endangered vegetation will result from the proposed temporary works, project wide works and the flyover.</p>	
HIA 5	<p>Safe animal movement corridors should be maintained in discussion with the DSMG</p>	<p>GDJV and Transport for NSW to present to DSMG details of</p>	<p>Consider wider movement corridors between the DSMG BNI site and the</p>

<sup>13</sup> Nguluway Design Inc, 2024, Connecting with Country, p.12

<sup>14</sup> Cumberland Plains Shale Woodlands, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=20403>, accessed 4/6/25; River-Flat Eucalyptus Forest, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=10787>, accessed 4/6/25; Castlereagh Ironbark Forest, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=10174>, accessed 4/6/25

Recommendation Number	Recommendations	How addressed	DSMG input
		management of fauna movement during works	Castlereagh corridor, noting the proposed ancillary site facility north of the BNI. DSMG noted that there is a resident red-belly snake that frequents the area proposed for clearing and investigation. Requested to be informed regarding the management of potential relocation to protect the snake from adverse impacts of the works. Key seasons for sightings are end of Spring and Summer.
HIA 6	<i>Landscaping and vegetation planting should seek to replace exotic species with species endemic to the area (including grasses). Species used for landscaping would be discussed with the DSMG as part of the ecological regeneration of the BNI.</i>	Landscaping and vegetation planting are outside the scope of this HIA. Transport for NSW and GDJV to discuss any available details of long-term landscaping and vegetation planting works	Seek to accurately record locations, species and sizes of trees cleared from the BNI to allow for consideration within the landscape design
HIA 7	<i>Further consultation with DSMG should be implemented for resolution of the following items during design development and construction of the project. DSMG's concerns include, but are not limited to, the following items:</i> <ul style="list-style-type: none"> <li>• <i>The Grandmother tree should be protected from accidental damage</i></li> <li>• <i>Concerns about wildlife connectivity including affects from the proposed use of a site at the north edge of the SHR curtilage as an ancillary facility for construction should be addressed in consultation with DSMG</i></li> </ul>		Consultation with DSMG is all points

Recommendation Number	Recommendations	How addressed	DSMG input
	<ul style="list-style-type: none"> <li>• Protection of existing trees and flora from damage by construction activities</li> <li>• Water ways should be protected and restored and not impacted by construction activities</li> <li>• Construction noise from the proposed works, operational noise from the bridge and expanded traffic corridor, and the removal of vegetation in the BNI threaten the site as a place of quiet and reflection. Considerations of noise elimination, reduction and naturalisation of the area require further discussion with DSMG. Construction of planted earth berms should be considered in keeping with Conservation Management Policy 71, to improve the BNI setting and maintain atmosphere of quiet and reflection</li> <li>• Long term access to the site</li> <li>• Impacts on Bells Creek, the location of proposed structures and infrastructure and whether this impact can be reduced</li> <li>• Interpretation outcomes which seek to mitigate the visual impacts of the flyover, retaining wall and bridge</li> </ul>		
HIA 8	Updates to this report should there be changes to the temporary works, project wide works or flyover as assessed in this report	This report should be revised or addendum reports added where there are any changes to works, such as (but not limited to): temporary works, project wide works or flyover	
HIA 9	Access to the BNI site	GDJV to ensure that the proposed works do not stop access to the DSMG portion of the BNI site	Any damage or impacts to existing vehicle accesses must be made good (including but not limited to addition of hardstand and regrading of the gravel areas).

DRAFT

## 9. Conclusion

Temporary works, project wide works and construction of flyover and retaining wall are proposed within the Richmond Road Upgrade (M7 to Townson Road) project footprint within Lot 1 DP 1043661 of the BNI site.

The impact of the temporary works, project wide works and construction of the flyover and retaining wall has been assessed in this HIA, with a consistency check against the impacts assessment and findings of the 2026 SoHI.

The proposed works will have adverse impacts to the BNI site. The works will impact cultural values of the BNI site.

Specific recommendations and guidance for consultation with DSMG regarding the temporary works, project wide works and construction of the flyover and retaining wall are presented in Section 8.3 of this HIA. This includes application of the Transport for NSW unexpected finds procedure during works.

This report will be presented by Transport for NSW to DSMG for review and discussion, and the report subsequently updated and revised if required.

The works fall within the criterion for an exemption from the requirements for a Section 60 permit for impacts within the Blacktown Native Institution (SHR No. 01866) so no permit is required. The process for confirmation of the SSE for these works is outlined in Table 9-1. The temporary works, project wide works and flyover construction cannot commence until the process outlined in Table 9-1 is completed.

Table 9-1 Process for finalisation of this report and works approval. This table to be updated as each step progresses

Step #	Step	Completed?
1	Complete draft HIA	Completed
2	DSMG review and comment	To be completed
3	Finalise HIA with DSMG comments and feedback	To be completed
4	TfNSW internal SSE review process	To be completed
5	Approval to commence works as per recommendations of HIA	To be completed

## 10. Definitions

Term	Definition
CMP	Conservation Management Plan
CPT	Cone penetration test
HDR	Heritage Design Report
LEP	Local Environmental Plan
REF	Review of Environmental Factors
RRM7 or the Project	The Richmond Road Upgrade (M7 to Townson Road)
SHI	NSW State Heritage Inventory
SHR	NSW State Heritage Register
SOHI	Statement of Heritage Impact
TAM S170	Transport Asset Manager of New South Wales Section 170 Heritage and Conservation Register
Transport	Transport for NSW

## Appendix A: DSMG WG Concurrence

DRAFT

## Appendix B: Relevant Figures & Plans

DRAFT

## Appendix C: References

Artefact Heritage and Environment. Richmond Road Widening between M7 and Townson Road Statement of Heritage Impact. Artefact Heritage for Transport for NSW, 2026.

Artefact Heritage and Environment. *Richmond Road Widening between M7 and Townson Road Historical Archaeological Methodology & Research Design*. Artefact Heritage and Environment for Transport for NSW, 2006.

GDJV. Heritage Management Sub-Plan, Appendix B5. 2006.

GDJV. GE01 - Geotechnical Investigation Plan - Design Report Design Stage: Final Design Documentation. Nos. RRM7-GEDT-0537-GE-RPT-010001. Report for Transport for New South Wales Richmond Road Upgrade (M7 to Townson Road), 2026\

GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group

Transport for NSW. Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park Review of Environmental Factors November. 2024.

Transport for NSW. Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park REF Determination Report. 2025.

Transport  
for NSW

# Activity Package Heritage Impact Assessment Package 2 Temporary Works, Project Wide Works and Flyover

Richmond Road Upgrade  
(M7 Motorway to Townson Road)

May 2026



## Acknowledgement of Country

Transport for NSW acknowledges the traditional custodians of the land on which we work and live.

We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of NSW.

The project interfaces with land of State Significant Aboriginal and Non-Aboriginal Cultural Heritage – Blacktown Native Institute and the Colebee and Nurragingy land grant (1819).

We acknowledge the Dharug people as the traditional custodians of the land on which the RRM7 project is proposed

Transport for NSW is committed to honoring Aboriginal peoples' cultural and spiritual connections to the land, waters and seas and their rich contribution to society.



## Document control

Document owner	
Consultant	Artefact Heritage and Environment
Approved by	
Branch / division	
Review date	

## Versions

Version	Date	Amendment notes
1.0	29/05/2026	Draft v1
2.0		

DRAFT

## Table of contents

<b>1.</b>	<b>Proposed works</b> .....	<b>6</b>
<b>2.</b>	<b>Authorship</b> .....	<b>6</b>
2.1	Limitations to the assessment .....	6
<b>3.</b>	<b>Overview heritage information</b> .....	<b>6</b>
3.1	Summary of heritage listings .....	6
3.2	Additional Historical Context .....	8
<b>4.</b>	<b>Detail of proposed works within BNI SHR curtilage</b> .....	<b>12</b>
4.1	Temporary works .....	12
4.2	Project Wide works .....	12
4.3	Flyover .....	13
4.4	Aboriginal led design process .....	22
4.5	Finishes .....	22
<b>5.</b>	<b>Key heritage design principles</b> .....	<b>25</b>
5.1	<i>Design Guide</i> for Heritage Response .....	25
<b>6.</b>	<b>Options analysis</b> .....	<b>48</b>
6.1	Options Analysis .....	48
<b>7.</b>	<b>Impact Assessment</b> .....	<b>59</b>
7.1	Assessment of adverse impacts to Blacktown Native Institution .....	59
7.2	Preliminary results of archaeological investigations at BNI in 2026 .....	71
7.3	Consistency of heritage impacts from proposed temporary works, project wide works and flyover .....	72
<b>8.</b>	<b>Mitigation of Impact</b> .....	<b>74</b>
8.1	Heritage Act 1977 approval pathway .....	74
8.2	National Parks and Wildlife Act 1974 approval pathway .....	75
8.3	Recommendations and mitigation measures .....	75
<b>9.</b>	<b>Conclusion</b> .....	<b>82</b>
<b>10.</b>	<b>Definitions</b> .....	<b>83</b>
	<b>Appendix A: DSMG WG Concurrence</b> .....	<b>84</b>
	<b>Appendix B: Relevant Figures &amp; Plans</b> .....	<b>85</b>

**Appendix C: References ..... 86**

DRAFT

## 1. Proposed works

Detail	Requirement
Transport for NSW program	The Richmond Road Upgrade (M7 to Townson Road) (RRM7 or the Project) is a critical infrastructure initiative designed to support the rapid growth of Sydney's North West Growth Area (NWGA). The NWGA is a planned development encompassing approximately 10,000 hectares and projected to house 250,000 people across 90,000 homes. This growth necessitates significant upgrades to the existing road network to accommodate increased traffic and freight demands.
Summary of works	<p>This HIA covers three work components:</p> <ul style="list-style-type: none"><li>• Temporary works (Stage 1 and 2) which include temporary traffic arrangements, earthworks, fencing, utilities and bridge relocation to facilitate the construction of the roadway</li><li>• Permanent project wide works for the construction of the roadway including earthworks, roadworks, street lighting, drainage, bridges and retaining walls, intelligent transport systems, utilities, and landscaping</li><li>• Construction of the flyover. The flyover forms portion 2 of the permanent project wide works. This would be a flyover exit ramp from the M7 which crosses over Rooty Hill Road North.</li></ul>

## 2. Authorship

This report has been prepared by Sarah-Jane Zammit, Dr Elizabeth Bonshek and Josh Symons of Artefact Heritage and Environment.

### 2.1 Limitations to the assessment

This HIA is intended to be read in conjunction with the main project Statement of Heritage Impact (SoHI) prepared for the project REF.<sup>1</sup>

This HIA is for project footprint within Lot 1 DP 1043661 (Figure 1).

## 3. Overview heritage information

### 3.1 Summary of heritage listings

The project footprint within Lot 1 DP 1043661 is entirely within the State Heritage Register (SHR) curtilage of the Blacktown Native Institution. A search of relevant registers was undertaken on 19 July 2024 and 20 September 2024. The results are outlined in Table 3-1.

---

<sup>1</sup> Artefact Heritage and Environment, 2026, 'Richmond Road Widening between M7 and Townson Road: Statement of Heritage Impact'. Prepared for Transport for NSW

Table 3-1: Results of register searches for the study area and adjacent heritage items

Item	Address	Significance	Listing	Relationship to project area
Blacktown Native Institution	Richmond Road, Oakhurst	State	SHR No. 01866 BLEP 2015 No. A121 RNE Place ID. 159505 Transport for NSW s170 ID (unavailable)	Within
Colebee and Nurragingy Land Grant	Richmond Road, Colebee	State	SHR No. 01877 BLEP 2015 No. A120 RNE Place ID. 18986 Transport for NSW s170 ID (#4311607)	Opposite side of Richmond Road from northern portion of the project footprint within the BNI site

The statement of significance from the SHR listing for the Blacktown Native Institution is outlined in Table 3-2 below.

Table 3-2 Details of the State Heritage listed Blacktown Native Institution

Detail	Requirement
Street Address	Richmond Road OAKHURST NSW 2761
Lot/DP	Lot 1 DP 1043661 (project footprint is wholly within Lot 1) Lot 5001 DP 86940, Lot 60 DP 1055132, Lot 5 DP 792478
Heritage listings	<ul style="list-style-type: none"> <li>• NSW State Heritage Register (SHR) – 01866</li> <li>• Section 170 Heritage and Conservation Register (S170) – no number</li> <li>• Local Environmental Plan (LEP) listing – Blacktown LEP A121</li> </ul>
Statement of Significance	<p>The Blacktown Native Institution is a site of State significance because of its combination of historical, social and archaeological values. The Blacktown Native Institution played a key role in the history of colonial assimilation policies and race relations. The site is notable for the range of associations it possesses with prominent colonial figures including: Governor Macquarie, Governor Brisbane, Samuel Marsden, William Walker and Sydney Burdekin.</p> <p>The Blacktown Native Institution site is valued by the contemporary Aboriginal community and the wider Australian community as a landmark in the history of cross-cultural engagement in Australia. For Aboriginal people in particular, it represents a key historical site symbolising dispossession and child removal. The site is also important to the Sydney Maori community as an early tangible link with colonial history of</p>

Detail	Requirement
	<p>trans-Tasman cultural relations and with the history of children removed by missionaries.</p> <p>The Blacktown Native Institution is a rare site reflecting early 19th century missionary activity. The site has the potential to reveal evidence, that may not be available from other sources, about the lives of the children who lived at the school and the customs and management of the earliest Aboriginal school in the colony. The site also has the potential to contain archaeological evidence relating to later phases of land use, including the period the property was owned by Sydney Burdekin. In addition, the site may contain evidence of Aboriginal camps which may provide information about how Aboriginal people, accustomed to a traditional way of life, responded to the changes prompted by colonisation.</p>
<p>Conservation Management Plan/Strategy/Heritage Asset Action Plan</p>	<p>Is there a site CMP  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>See also</p> <p>GML ‘Dharug Nura: The Blacktown Native Institution’ Draft CMP (2023)</p> <p>Richmond Road Widening between M7 and Townson Road Statement of Heritage Impact, February 2026</p> <p>Richmond Road Widening between M7 and Townson Road Historical Archaeological Methodology &amp; Research Design, Artefact for TfNSW (2026)</p>
<p>Heritage items in the vicinity</p>	<p>Colebee and Nurragingy Land Grant</p>

### 3.2 Additional Historical Context

This report has been prepared in consultation with DSMG and Dharug knowledge holders, who have provided valuable oral history of the BNI site and the wider Dharug Country that this project is affecting.

The Dharug community’s understanding of the site and its archaeological story is continuing to evolve as more information is uncovered through contemporary research and physical investigations.



Figure 1: Location of the project (North and South) footprint within the BNI site



Figure 2: Proposed road work design (Southern Section)



Figure 3: Proposed landscape design

## 4. Detail of proposed works within BNI SHR curtilage

### 4.1 Temporary works

The work project works is split up into two categories, permanent works the elements which are constructed as part of the overall project and the Temporary works the elements which are required to enable construction of the permanent works.

### 4.2 Temporary works

Details of the proposed temporary works have been provided by GDJV in their Design Presentation,<sup>2</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The temporary works would be undertaken in two stages.

The extent of the proposed temporary works is as follows:

#### **Stage 1 Temporary works (September 2026 – April 2027)**

- Construction of Southbound Richmond Road with traffic to be moved to existing Northbound Richmond Road
- Temporary traffic barriers
- Temporary shared user paths
- Temporary access arrangements
- Site clearing work

#### **Stage 2 Temporary works (April 2026 to October 2028)**

- Construction of Northbound Richmond Road, Flyover and RSW with traffic to be moved to Southbound Richmond Road
- Pavement removal and temporary traffic barriers
- Earthwork construction work

Temporary works would also include the following elements to facilitate construction of project wide works:

- Temporary relocation of footpath to facilitate construction of earthworks and Bells Creek Bridge (November 2026 to December 2028)
- Temporary fencing along the western boundary of the BNI site – approximately 800m of fencing (November 2026 to early 2028)
- Pedestrian bridge relocation – boardwalk to be relocated to allow for construction of new Bells Creek Bridge and surrounding earthworks (operational from October 2026 to November 2028).

### 4.3 Project Wide works

Details of the proposed project wide works have been provided by GDJV in their Design Presentation,<sup>3</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The extent of the project wide works is as follows:

---

<sup>2</sup> GDJV, 'RRM7: Construction Works at/ near the BNI Site', 2026

<sup>3</sup> GDJV, 'RRM7: Construction Works at/ near the BNI Site', 2026

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- Earthworks
  - Excavation
  - Embankments
  - Drainage channels
- Roadworks
  - Pavements
  - Kerbs, barriers
  - Signs
  - Fencing – boundary fencing, fauna fencing, handrails
  - Footpaths / shared user paths
- Street lighting
- Drainage
  - Pits and pipes
  - Open channels (grass or rock lined)
  - Bells Creek rehabilitation and Scour Protection
- Bridges and Retaining Walls
- Intelligent Transport Systems
- Utilities
- Landscaping

### 4.4 Flyover

Details of the proposed flyover (M7 off ramp bridge) have been provided by GDJV in the Design Report,<sup>4</sup> and associated Design Drawings which outline the scope of works (see Appendix B: Relevant Figures & Plans).

The construction of the flyover exit ramp from the M7 will form part of Portion 2 of the project wide works. Construction of flyover exit ramp from M7 which crosses over Rooty Hill Road North to allow road users to bypass two sets of traffic lights, reducing congestion and queuing onto the motorway allowing uninterrupted flow of traffic.

The work would also include retaining walls forming the approach to the bridge on the northern side. These would be made up on approximately 260m of reinforced soil wall and approximately 182m of L-shaped reinforced concrete retaining wall.

---

<sup>4</sup> GDJV, 'BR01 – M7 Off Ramp Bridge Over Rooty Hill Road North at Marsden Park', Report for Transport for New South Wales Richmond Road Upgrade (M7 to Townson Road), 2026.



Figure 4: Example of types of bulldozers that would be used for site clearing works



Figure 5: Example of large excavator which would be used for earthworks construction



Figure 6: Example of temporary traffic barrier setup



Figure 7: Example of pavement removal and temporary barrier set up



Figure 8: Example of temporary boundary fencing



Figure 9: Example of crane used for piling and installation of flyover superstructure

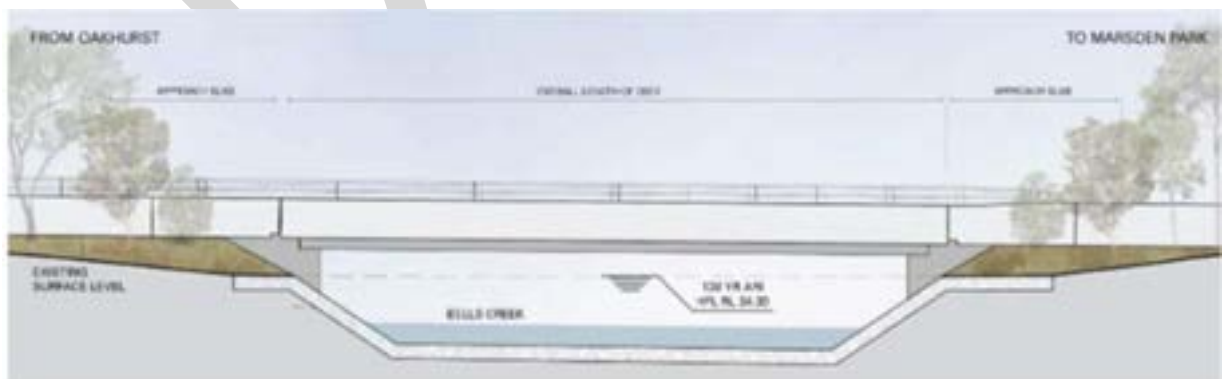


Figure 10: Section through bridge over Bells Creek

Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

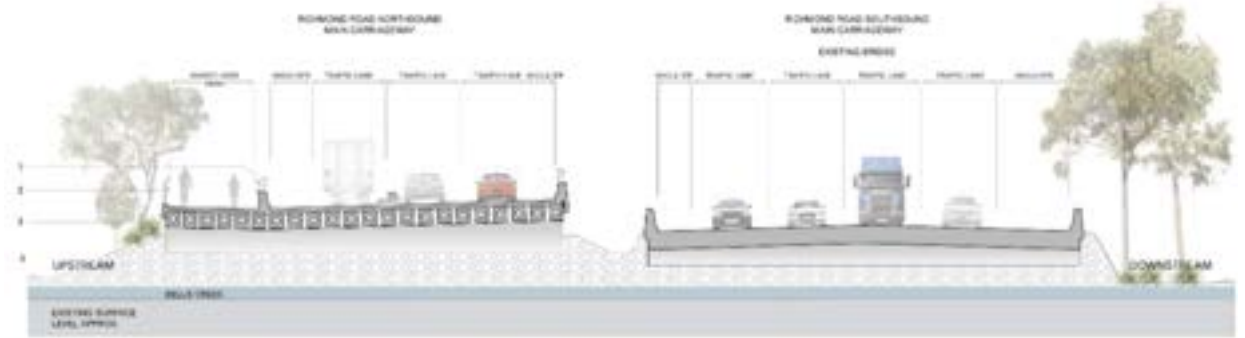


Figure 11: Section through Richmond Road north and south bound in relation to the Bells Creek water course

DRAFT

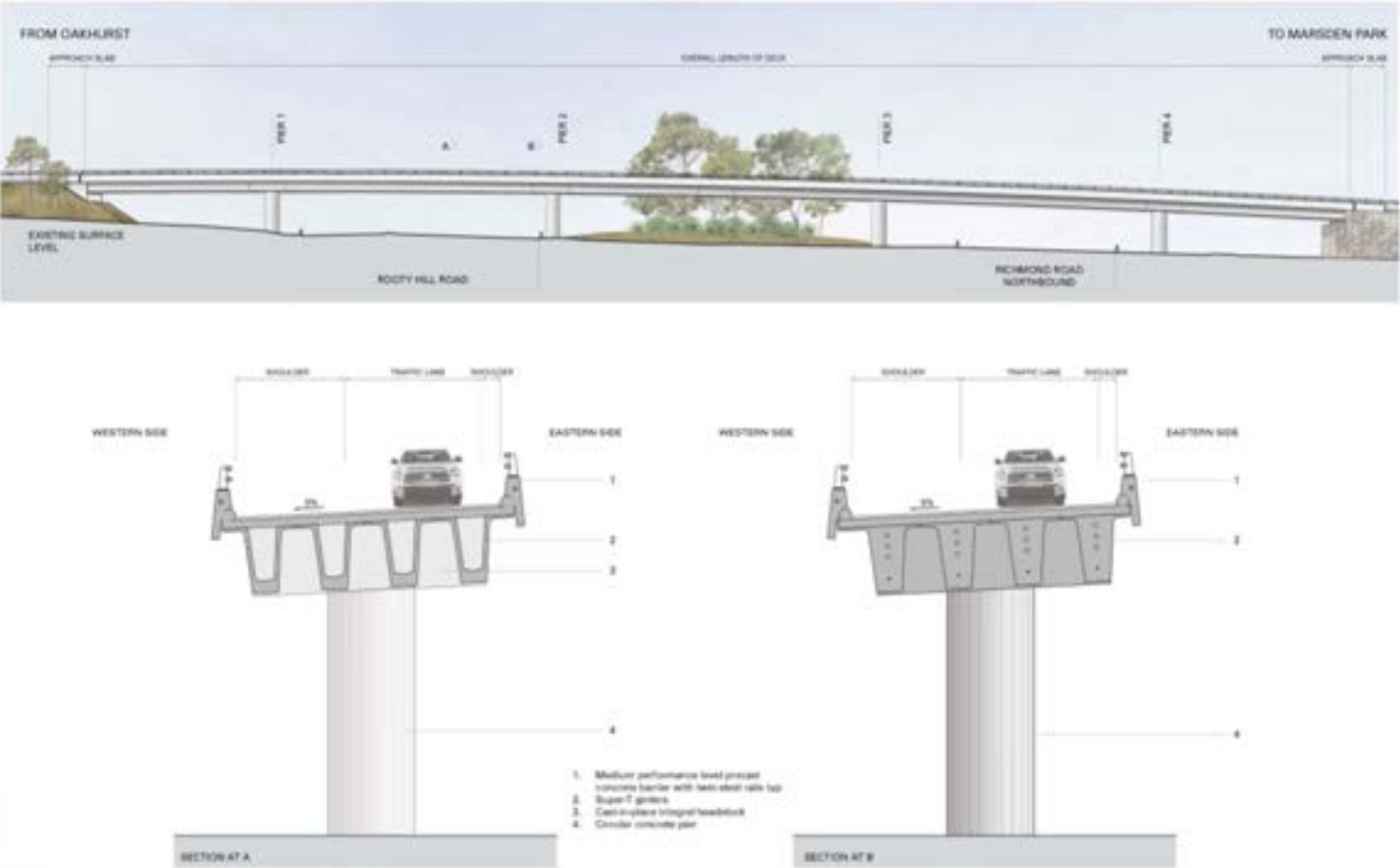


Figure 12: Sections through flyover



Figure 13: Visualisation of flyover and retaining wall (artwork is indicative only)



Figure 14: Visualisation of flyover and retaining wall, with landscaping and road works on Richmond Road (shown at 5 year maturity)



Figure 15: Visualisation of the Flyover and off-ramp at the corner of the BNI site (trees and landscape indicatively shown at 5 years maturity)



Figure 16: Visualisation of the Flyover bridge from the BNI site (all artwork is indicative only)

#### 4.5 Aboriginal led design process

Methodology for the design, development and endorsement of the integrated interpretive artwork during the design phase is summarized below and will be supported by Nguluway DesignInc. Some of these steps were undertaken during previous engagement.









- Held a meet and greet consultation with the Working Group at the earliest to confirm initial understanding and build a relationship for the consultation and design process. This included:
  - A walk on Country with Traditional Knowledge Holders to seek permission to work on Country
  - Learn about key stories, identify specific areas of site for telling/incorporation of stories into design (as appropriate), identify endemic species of flora and fauna that hold strong symbolism and associations of significance, identify key natural environment elements, identify key people or events associated with the area, identify functions, resources or artefacts that may be referenced in design, and identify words or phrases in language that may be suitable for use on-site
  - Obtain information from Custodians on local stories and Country, using these stories to inform design thinking through a co-design process with DesignInc and artists (selected through a separate process)
- Support the design team during the early design stage to develop and refine design strategies and concepts relating to the information obtained through meetings and consultation. This was undertaken during Workshop 1:
  - To facilitate acknowledgement and incorporation of the Working Group voices into the making of space
  - Present design strategies and proposed applications and holding a round table discussion on themes and narratives to inform the design, asking in depth questions to further explore and understand the narratives
  - Validate the approach and seek permission to develop the design
  - Confirm artwork canvas opportunities as identified during the Tender Design and obtain required endorsement from stakeholders
  - Write an artist's brief for an EOI to local artists, then co-design with the selected artist
- During later Detailed Design stages hold Workshops 2 and 3 with the Working Group, artist(s), and design team to understand aspirations, appropriate application, and potential implementation. Workshop 2 would be used to validate the approach and seek permission to develop the design:
  - Present the identified Design from Country opportunity, artwork and material application and facilitate acknowledgement and incorporation of Traditional Knowledge Holders' voices into the making of space
  - Host a round table discussion on the selected theme and narrative identified to inform the artwork, asking in depth questions to further explore and understand the narrative, and obtain feedback and further information on stories and content for cultural interpretation
- Hold Workshop 3 with traditional knowledge holders, artist(s), and the design team to:
  - Present the developed artwork and application/integration with the project scope
  - Obtain feedback and host a round table discussion of the design as required
  - Validate the outcomes and seek endorsement

#### 4.6 Finishes

The project alignment creates large areas of concrete surfaces. Different methods for treatment of these surfaces are being explored through the Artwork Co-Design process, these have been listed below with precedent imagery. Through the artwork development stages, a final method will be selected based on the art, durability, and other technical requirements.

DRAFT

Table 3: Examples of finishes for different design details

Item No.	Location	Urban Design Material / Finishes Description	Reference Images	
1	Flyover Northern abutment - precast concrete RSW retaining wall panels	<p>Pre-cast concrete panels - interlocking 2 x 2m.</p> <p>The co-designed Aboriginal artwork will integrate pattern, texture and colour into the pre-cast panels using exposed aggregates and/ or cast-in rebated shapes to create relief or paint treatment to the surface.</p> <p>Locally sourced basalt aggregates will create a dark grey colouring and are appropriate to tell the stories of Country.</p>		
2	Flyover bridge piers	<p>The circular piers will be incorporated with the wider creative narrative applied to the RSW walls. This includes pattern, texture and colour, to match the materials and narrative of the adjacent RSW abutment retaining walls.</p> <p>The method would require wrapping around the circular face of the bridge pier. Motif painting, exposed aggregate, motif relief, and other surface treatments would be explored during the artwork development process.</p>		
3	Shared path	<p>Broom finish concrete with intays, patterning or added coloured oxides, castings or sand blasting would be co-designed with an Aboriginal artist to reflect a selected Aboriginal narrative or theme. This will enhance the user experience and create an intimate-scale connection to Country.</p>		
4	Landscaped mound at south-western corner of BNI site.	<p>A landscaped mound will protect and screen the BNI site. This is presently positioned outside the BNI site boundary in a small area however there may be an opportunity for a more significant intervention of a larger vegetated mound within the BNI site. This appears to be in line with the DSMS's masterplan vision and would need to occur in consultation with them.</p>		

## 5. Key heritage design principles

### 5.1 *Design Guide for Heritage Response*

The following criteria have been drawn from the *Better Placed, Design Guide for Heritage* (Heritage Council of NSW and Government Architect New South Wales, 2019). The design responses speak directly to the *Design Guide for Heritage* key design considerations but are site-specific to the BNI. Where applicable, relevant CMP policies which align with the *Design Guide for Heritage* objectives have been outlined and the project assessed against these as well. The following responses are informed by the assessment in the 2026 SoHI against the BNI CMP, and elaborated as necessary to respond to the *Design Guide*.

Table 4: Design Guide for Heritage responses

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
<p><b>Better fit</b> <i>Contextual, local and of its place</i></p>	<p>Understand the specific character of the place, precinct, or area. Design new work to respond to and, when appropriate, strengthen this character.</p> <ol style="list-style-type: none"> <li>1. Design new work to positively relate to the style, materiality, scale, massing, and grain of existing buildings and structures.</li> <li>2. Design new forms to respond to the predominant form of the streetscape.</li> <li>3. Locate new structures on sites in ways that support existing urban patterns. Careful consideration of height and setback is crucial to designing for a better fit.</li> <li>4. Where relevant, design new work to respond to and re-establish meaningful urban connections and views. Consider settlement patterns, tree canopy, and connections between places.</li> <li>5. Retain heritage landscape elements and planting schemes and design new landscape to relate to the existing.</li> </ol>	<p><b>Policy 36</b> <i>Planning and designing new development will be guided by the Connecting with Country framework. Any proposed new development at the Blacktown Native Institution should conserve significant features and aspects of the place and not detract from or materially impact on the cultural significance of the place. This includes areas which have been identified in this CMP as having historic archaeological potential for Aboriginal or historic relics. The Blacktown Native Institution holds an unknown level of potential for post-1788 human burials, possibly associated with the Blacktown Native Institution phase. The proposed new footprint of any new development must consider this potential and implement non-invasive actions to investigate the possibility during the planning phase.</i></p>	<p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma. The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	CMP Policies	Design response
		<p><b>Policy 39</b>  <i>New work will retain and enhance the important cultural plantings, views, vistas, visual qualities and the overall landscape character of the Blacktown Native Institution.</i></p>	<p>of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was repatriated to the Dharug people in 2018.</p> <hr/> <p>The site’s landscape character and setting would be impacted by this development and would further impact long-range views and vistas. Whilst the aesthetic and setting are not identified as part of the values which meet the threshold for State significance, the CMP 2023 in Policy 39 has identified that these views, vistas and visual qualities of the overall landscape character of the BNI contribute to the cultural significance of the site, and to its social use as a meeting place and calm location. As such, the proposed flyover and associated retaining wall</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><b>Policy 40</b></p>	<p>would result in a large new structure that is not sympathetic to this landscape setting and would be highly visible in the long-range views from the residential neighbours of the BNI, and provide a substantially large visual obstruction in the immediate setting along the northern site boundary.</p> <p>Further, the proposed new bridge across the Bells Creek would be in a location of known significant sites to the Dharug people and would impose upon significant parts of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the Post-Colonial ‘Women’s Place’ - a location for women to camp and watch children but also birthing place. The site is significant to the continued narrative of the connection between Nura and the BNI, and installation of structures, albeit temporary, would have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these cultural places.</p> <p>The new work will be identifiable: the proposed works involve the widening</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><i>New work will be identifiable and should not distort the interpretation of the site's significant cultural values.</i></p>	<p>of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover, abutment walls and retaining wall in the BNI, and temporary water construction measures. However, these works are located in areas which hold specific meaning to the Dharug community holding cultural connection to Nura and the regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>
		<p><b>Policy 43</b>  <i>No new structures or buildings (both temporary and permanent) proposed for the Blacktown Native Institution should impact the significant archaeological resources which have the potential to remain in situ.</i></p>	<p>Portions of the BNI have been identified as having limited potential to contain Aboriginal burials. Given the sensitivities involved, an approach to managing this potential in certain parts of the site will be developed together with the DSMG and Aboriginal community. Potential for impacts to significant archaeological remains have been identified and archaeological</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 44</b>  <i>Any new permanent structures must respond positively to the character of the Blacktown Native Institution and demonstrate sympathetic bulk, mass, scale, and materiality, as well as ensure visual impacts are minimised.</i></p>	<p>investigation has been undertaken to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site. This investigation has been completed since the preparation of the 2026 SoHI. (see Section 7.2)</p> <hr/> <p>The proposed new flyover will cause additional adverse impact to the setting of the BNI. However, the flyover will be located in an area of the BNI that is already highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The proposed flyover and associated retaining wall will be highly visible from long-range views and therefore will have a substantial visual impact in the immediate setting and views from the BNI.</p> <p>The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	CMP Policies	Design response
			<p>women to camp and watch children but also a birthing place. The site is significant to the continued narrative of Nura and the BNI, and installation of structures, albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.</p> <p>Given the overall setting of the BNI in this area, the visual impact of the new flyover, retaining wall, bridge and associated land works would result in an <b>adverse impact (major)</b>.</p>
<p><b>Better performance</b> <i>Sustainable, adaptable and durable</i></p>	<ol style="list-style-type: none"> <li>Analyse the opportunities and constraints of existing structures, environmental systems, and site organisation in terms of sustainability, durability, and adaptability</li> <li>Identify existing effective passive design systems. Rejuvenate them if possible. Consider removing additions that compromise environmental performance.</li> <li>Sensitively integrate new environmental initiatives where appropriate to improve environmental amenity and sustainability performance</li> <li>Retain and recycle original fabric and materials to preserve embodied energy, where possible</li> </ol>	<p>N/A</p>	<p>Progressive Erosion and Sediment Control Plans (PESCPs) were prepared as site-specific planning documents that identify the layout and location of erosion and sediment control measures for each stage of construction — from initial clearing through to final rehabilitation. PESCPs are developed and implemented prior to commencing works in any area where there is a risk of erosion or sediment loss and are maintained until the site is stabilised.</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
	<ul style="list-style-type: none"> <li>5. Maximise passive heating and cooling and waste and water management in the design of any new work or additions</li> <li>6. Select new building materials and systems to enhance energy efficiencies.</li> </ul>		<p>Environmental Monitoring is to be undertaken to validate the impacts predicted for the project and measure the effectiveness of environmental controls and implementation of the Construction Environmental Management Plan (CEMP). Monitoring includes dust and air quality, noise and vibration, surface water monitoring in Bells Creek, water quality monitoring, groundwater monitoring and waste monitoring.</p> <p>The design includes species with low water needs, new shade trees and a large planted swale to assist with natural filtration. Vegetated swales below embankments and in the median apply Water Sensitive Urban Design (WSUD) strategies.</p> <p>The design features extensive areas of additional canopy / shade trees and of under-storey planting and ground cover. The proposed tree planting will provide additional shade to the shared path, improving amenity for pedestrians and cyclists. Some soft surface has been lost, with the grassed medians narrowed for extra traffic</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
			<p>lanes, but the medians are proposed to be replanted with native grasses that are low maintenance and hardy. The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established. The flyover has been carefully designed through an optioneering process to minimise its footprint. It lands on abutment to the north, within the Richmond Road corridor, atop vertical walls. This means that the road section including travel lanes and shared path has been kept as tight as possible.</p>
<p><b>Better for community</b> <i>Inclusive, connected and diverse</i></p>	<ol style="list-style-type: none"> <li>1. Investigate the cultural significance of the place at the outset of the project. Understand that the place may carry divergent and contested meanings for different groups</li> <li>2. Engage local communities early in the process in meaningful ways</li> </ol>	<p><b>Policy 17</b> <i>Consultation will occur with relevant Aboriginal stakeholders as part of any proposed project or works. This consultation should follow the guidelines in the 'Aboriginal Cultural Heritage Requirements for Proponents' (DECCW 2010).</i></p>	<p>TfNSW and GDJV have facilitated consultation with community stakeholders was undertaken at the time of the writing of the 2026 SoHI and as part of the preparation of a separate PACHCI report. TfNSW and GDJV have facilitated continued consultation with community stakeholders, which is</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<p>3. Draw on knowledge embedded within the community when identifying significance and developing interpretative strategies</p> <p>4. Assess potential impacts on existing communities. Will the project lead to social, economic, and environmental improvements? Is there a risk that it could disenfranchise some existing communities? If so, investigate how this can be ameliorated</p> <p>5. Assess the impacts of the method chosen to deliver the project on existing and new communities</p>	<p><b>Policy 73</b> <i>Interpretation should be implemented throughout the place to present the history and heritage values of the BNI to visitors as well as the wider community.</i></p> <p><i>Different types of interpretation should be planned for inside versus outside the fenced zone.</i></p> <p><b>Policy 81</b> <i>Physical forms of interpretation installed within the place should be placed in suitable locations which do not detract from the BNI's heritage significance and cultural values.</i></p>	<p>being undertaken as part of the design development of the works.</p> <p>During detailed design stages it is planned to hold workshops with DSMG Working Group, artists(s) and design team to understand aspirations, appropriate application and potential implementation of public art and interpretation.</p> <p>Workshop 2 will focus on identifying Design from Country opportunities, artworks and material applications which can facilitate acknowledgement and incorporation of Traditional Knowledge Holders' voices in the making of space and cultural interpretation content.</p> <p>Workshop 3 will present the developed artworks and planned locations for application ie. flyover and retaining wall, and how these would be integrated with the project scope. Feedback from BNI stakeholders/DSMG and discussion on the design would occur prior to seeking endorsement.</p>
<p><b>Better for people</b> <i>Safe, comfortable and liveable</i></p>		<p><b>Policy 11</b></p>	<p>This report has been prepared by Artefact as the nominated Heritage</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<ol style="list-style-type: none"> <li>1. Design any new work to be of a quality and approach that is commensurate with the quality and style of the heritage place</li> <li>2. Analyse existing circulation and urban relationships to help determine patterns of use important to the site</li> <li>3. Engage highly skilled consultants to deliver collaborative solutions that balance function, comfort, and compliance with heritage significance</li> <li>4. Consider how the project can help promote equitable access and walkable communities</li> </ol>	<p><i>All new development proposals and/or land use practices that may impact upon the significance of the site must be subject to a heritage impact assessment in accordance with the guidelines published by the Heritage Council of NSW, with the intent of ensuring conformity with the policies of this CMP. The heritage impact assessment should be prepared by a competent heritage consultant/archaeologist.</i></p>	<p>Consultant for the project. The report has identified the significance values of heritage items in and near the study area, and the possible impacts of the proposed works on those items.</p>
		<p><b>Policy 38</b>  <i>Any new development should ensure uses are compatible with the significance of the Blacktown Native Institution and support cultural, social, and economic life in the community.</i>  <i>New development should enhance visitor experience and amenity and be compatible with the conservation, commemoration, and celebration of the place's values.</i></p>	<p>The proposed design supports improved vehicular access to the site, which would improve the amenity and safe use of the BNI for the community. This proposed location is subject to further change and design development in discussion with the DSMG in the Working Group to achieve a suitable long-term outcome. The proposed works to Richmond Road have the potential to impact peaceful contemplation and use in parts of the site, including overshadowing, particularly along Richmond Road, and in areas of cultural sensitivity.</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><b>Policy 67</b>  <i>Improved pedestrian and vehicular access should be provided for visitors to and throughout the place to ensure improved access to significant heritage values for visitors to the Blacktown Native Institution. Current and potential future movements throughout the place should be considered as part of this process.</i></p>	<p>The proposed works have been designed to minimise physical impacts to the BNI, including the anticipated relocation of the driveway in order to preserve and enhance safe access to the site.</p> <p>The proposed relocated driveway access is in an area which is mostly open grass area and would not require the removal of significant landscape elements. The site’s landscape character and setting would be impacted by this development and would further impact long-range views and vistas.</p> <p>The design would be subject to further refinement during design development in consultation with the DSMG.</p>
		<p><b>Policy 70</b>  <i>Any new surfaces to support the movement of visitors, including driveways, pathways, roads, and parking zones, should ensure significance is retained. Any new surfaces added to the Blacktown Native Institution must be located well away from areas identified in this CMP as having</i></p>	<p>The proposed road upgrades (including the new flyover and widening of Richmond Road) will cause a <b>major adverse</b> impact to the heritage, cultural and social values of the BNI. The proposed road upgrades are unlikely to cause adverse impacts to significant ground surfaces. Potential for impacts to significant archaeological remains –</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><i>historic archaeological potential for Aboriginal or historic relics. Alternatively, new surfaces may be built up over existing ground surfaces where guided by specialist advice and where proposed loads are not likely to impact subsurface remains.</i></p> <p><b>Policy 71</b>  <i>Any proposed future road upgrades should not give rise to adverse impacts on the heritage significance of the Blacktown Native Institution. Future road upgrades should not compromise the safe access to and from the Blacktown Native Institution. Any road upgrades should consider the create of planted earth beams to improve the Blacktown Native Institution setting in keeping with healing, quiet commemoration, and enjoyment of cultural practices, traditions, and values.</i></p>	<p>archaeological investigation undertaken since the preparation of the 2026 SoHI have been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site.</p> <p>In response to comments from the DSMG and to the REF, the project is seeking to avoid impact to the BNI as much as possible. Any types of measures located within the SHR curtilage of the BNI, outside Transport land, would need to be carefully planned together with DSMG and Heritage NSW. Measures should align with stakeholder input and feed into the project through the detailed design development and refinement through inputs obtained via Connecting with Country consultation and reporting and LCVIA.</p>
<p><b>Better working</b>  <i>Functional, efficient and fit for purpose</i></p>	<p>1. Retain the existing use where it is both integral to the heritage significance and feasible in terms of current needs, economic viability, and standards</p>	<p><b>Policy 17</b>  <i>Consultation will occur with relevant Aboriginal stakeholders as part of any proposed project or works. This consultation should follow the</i></p>	<p>Consultation with community stakeholders was undertaken at the time of the writing the 2026 SoHI and as part of the preparation of a separate PACHCI report.</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
	<ol style="list-style-type: none"> <li>2. Establish a common understanding of appropriate re-uses early and in consultation with professionals, the local council and/or the Heritage Council of NSW</li> <li>3. Explore the history and signifiacnce of a heritage place as a possible generator for ideas for future use</li> <li>4. Consider temporary uses as a means to maintain heritage places</li> <li>5. Design new work to accommodate possibilities for future changes of use</li> </ol>	<p><i>guidelines in the 'Aboriginal Cultural Heritage Requirements for Proponents' (DECCW 2010).</i></p> <hr/> <p><b>Policy 29</b>  <i>Current and future uses of the BNI should also support and allow other people and groups who have an attachment to the place to gather, reflect, hold events and undertake activities within the boundaries of the BNI that are compatible with the place's significance.</i></p> <hr/> <p><b>Policy 45</b>  <i>When planning any new development DSMG should seek to engage early in the process with Transport for NSW and Sydney Water. For instance an enhanced design solution and</i></p>	<p>TfNSW and GDJV have facilitated continued consultation with community stakeholders, which is being undertaken as part of the design development of the works.</p> <hr/> <p>The proposed temporary, project wide works and flyover would not impact current and future uses of the BNI. The works will however have adverse impacts on areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018. The works could likewise have adverse impacts for other community groups which have attachment to the place outside the Aboriginal community.</p> <hr/> <p>TfNSW and GDJV are facilitating consultation with the DSMG, which has been an ongoing commitment undertaken as part of this project.</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><i>outcome for water management may be possible through a connecting with Country approach.</i></p>	
<p><b>Better value</b> <i>Creating and adding value</i></p>	<ol style="list-style-type: none"> <li>1. Explore how the project can add value for the community as well as the client and owner of the heritage place</li> <li>2. Ensure that careful project planning, upfront investment in design quality, and consideration of long-term maintenance are all embedded in the process</li> <li>3. Undertake cost assessment early in the planning stages and identify applicable financial incentives or concessions</li> <li>4. Engage specialist trades where appropriate</li> <li>5. Consider ongoing maintenance costs during the design process and embed these in management plans</li> </ol>	<p>N/A</p>	<p>These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>
<p><b>Better look and feel</b> <i>Engaging, inviting and attractive</i></p>	<ol style="list-style-type: none"> <li>1. Design new work to complement the heritage place, not compete with it</li> <li>2. New work should exemplify design excellence in its own right</li> <li>3. Respond sympathetically to existing planning and spatial structures</li> <li>4. Take an informed and strategic approach to colour, materials, and details. Consider their character and history, and identify opportunities for new and existing work to</li> </ol>	<p><b>Policy 25</b> <i>In evaluating potential uses for the BNI, the approach should ensure that the place retains its overall significance and character. Future uses for the BNI should support continuing conservation of significant heritage values associated with the BNI.</i></p> <p><b>Policy 26</b></p>	<p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works will have negative heritage impacts on the cultural and social values of</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
	<p>communicate through the design and selection of materials and details</p>	<p><i>Uses that extend and enhance the expression of significant heritage values associated with the site and continue to foster a connection between people and the place should be encouraged.</i></p>	<p>the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.</p> <p>The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and new bridge over Bells Creek. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
		<p><b>Policy 28</b>  <i>The BNI’s primary function should continue to be a place for the Dharug community to gather and reflect through participation in cultural events and activities. Any change in the use of the place must continue to support ecological and cultural healing, including but not limited to:</i></p> <ul style="list-style-type: none"> <li>• <i>Riparian revegetation;</i></li> <li>• <i>Wetland revegetation;</i></li> <li>• <i>Planting new trees, flowers and other vegetation;</i></li> <li>• <i>Mowing;</i></li> <li>• <i>Cultural burnings;</i></li> <li>• <i>Cultural dancing; and</i></li> <li>• <i>Cultural festivals</i></li> </ul>	<p>These works do not enhance the expression of significant heritage values associated with the BNI and do not assist in fostering connections between people and the place.</p> <hr/> <p>Construction works would include earthworks and revegetation. The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat. Vegetated swales below embankments and in the median apply WSUD strategies. As part of detailed design, the road alignment has been adjusted to reduce impacts on the existing natural landforms around the banks of Bells Creek. The riparian zone will be protected using rock scour treatment with pocket planting to enable and encourage fauna passage. The design also includes riparian planting to the large swale that runs parallel to and on the eastern side of Richmond Road. The planting palette comprises mainly low maintenance plants that are suited</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
		<p><b>Policy 36</b>  <i>Planning and designing new development will be guided by the Connecting with Country framework. Any proposed new development at the Blacktown Native Institution should conserve significant features and aspects of the place and not detract from or materially impact on the cultural significance of the place. This includes areas which have been identified in this CMP as having</i></p>	<p>to the local conditions. It has been prepared drawing on Council’s preferred species and is intended to be refined through consultation with local Aboriginal stakeholders in future project stages.</p> <p>Whilst the works have been designed to minimise impacts where possible to the setting and landscape of the BNI, the works will still amount to a visual change to the significant landscape environment due to the works and repair efforts, which can never truly remove changes to the environment, in light of its significant cultural associations with Nura and the Dharug people.</p> <hr/> <p>The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values.</p> <p>Whilst the proposed works have been guided by the Connecting with Country framework and design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
		<p><i>historic archaeological potential for Aboriginal or historic relics. The Blacktown Native Institution holds an unknown level of potential for post-1788 human burials, possibly associated with the Blacktown Native Institution phase. The proposed new footprint of any new development must consider this potential and implement non-invasive actions to investigate the possibility during the planning phase.</i></p>	<p>cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.</p> <p>The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<b>CMP Policies</b>	<b>Design response</b>
			returned to the Dharug people in 2018.
		<p><b>Policy 38</b>  <i>Any new development should ensure uses are compatible with the significance of the Blacktown Native Institution and support cultural, social, and economic life in the community.</i>  <i>New development should enhance visitor experience and amenity and be compatible with the conservation, commemoration, and celebration of the place’s values.</i></p>	<p>The proposed design supports improved vehicular access to the site, which would improve the amenity and safe use of the BNI for the community. This proposed location is subject to further change and design development on discussion with the DSMG in the Working Group to achieve a suitable long-term outcome.</p>
		<p><b>Policy 40</b>  <i>New work will be identifiable and should not distort the interpretation of the site’s significant cultural values.</i></p>	<p>Whilst the new work will be identifiable, the proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><b>Policy 41</b>  <i>Landscape improvement works will enhance and restore ecological health and resilience of the BNI land while avoiding impacts on significant heritage values and features. Trees and other plants should not be planted in areas where roots have the potential to interfere with or damage the archaeological remains, or views to and from significant areas of the BNI.</i></p> <p><b>Policy 43</b>  <i>No new structures or buildings (both temporary and permanent) proposed for the Blacktown Native Institution should impact the significant</i></p>	<p>and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018.</p> <p>The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat. Vegetated swales below embankments and in the median apply WSUD strategies. The planting palette comprises mainly low maintenance plants that are suited to the local conditions. It has been prepared drawing on Council’s preferred species and is intended to be refined through consultation with local Aboriginal stakeholders in future project stages.</p> <p>Portions of the BNI have been identified as having limited potential to contain Aboriginal burials. Given the sensitivities involved, an approach to managing this potential in certain parts of the site will be developed</p>

Design Guide for Heritage objectives	Design Guide for Heritage key design considerations	CMP Policies	Design response
		<p><i>archaeological resources which have the potential to remain in situ.</i></p> <hr/> <p><b>Policy 44</b>  <i>Any new permanent structures must respond positively to the character of the Blacktown Native Institution and demonstrate sympathetic bulk, mass, scale, and materiality, as well as ensure visual impacts are minimised.</i></p>	<p>together with the DSMG and Aboriginal community members.</p> <hr/> <p>The proposed new flyover will cause additional adverse impact to the setting of the BNI. However, the flyover will be located in an area of the BNI that is already highly visually disrupted by the nearby M7 flyover, and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The proposed flyover and associated retaining wall will be highly visible from long-range views, and therefore will have a substantial visual impact in the immediate setting and views from the BNI.</p> <p>The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI. The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for women to camp and watch children but also birth. The site is significant to the continued narrative of Nura and the BNI, and installation of structures,</p>

<i>Design Guide for Heritage objectives</i>	<i>Design Guide for Heritage key design considerations</i>	<i>CMP Policies</i>	<i>Design response</i>
---	--	---------------------	------------------------

DRAFT

albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.  
Given the overall setting of the BNI in this area, the visual impact of the new flyover, retaining wall, bridge and associated land works would result in an **adverse impact (major)**.

## 6.Options analysis

### 6.1 Options Analysis

Illustration	Description	Heritage comment
<b>Alignment</b>		
Do-Minimal	<p>‘Do Minimal’ option’                      The ‘Do-Minimal’ option would involve no upgrade to Richmond Road and involve routine traffic signals optimisation and ongoing maintenance of the existing road corridor.</p>	<p>This option would have the least heritage impact; however this option would not be viable for the infrastructure in the long run and cause strain on existing infrastructure.</p>
<b>Options 1, 1A, 2 and 2A</b>		
	<p>Change at-grade for the M7 Motorway                      Four options were identified for the potential upgrade to this intersection (Options 1, 1A and 2, 2A). Ultimately these options were ruled out as the strain on surrounding properties were not acceptable and there was little to no improvements in capacity of the intersection compared to ‘Do minimal’ option.</p>	<p>These options would have minimal heritage impact; however this option would not be viable for the infrastructure in the long run and cause strain on existing infrastructure.</p>
<b>Option 2B</b>		


Illustration	Description	Heritage comment
--------------	-------------	------------------



- At-grade design option**
- Reduces impacts to surrounding properties, minor upgrades to the existing Richmond Road/Rooty Hill Road North intersection.
  - Additional right turn lane from M7 Motorway Rooty Hill Road North off-ramp to achieve three right turn lanes onto Rooty Hill Road North.
  - There would be two dedicated lanes for traffic turning right from the M7 Motorway Rooty Hill Road North off-ramp onto Rooty Hill Road North then left onto Richmond Road after which the two lanes would merge into one through lane adjacent to two northbound lanes on Richmond Road.
  - There would be one dedicated right turn lane for traffic turning from the M7 Motorway Rooty Hill Road North offramp onto Rooty Hill Road North to turn right or continue straight through at the intersection with Richmond Road.
  - The widening of Rooty Hill Road North would follow the existing road corridor and not encroach into the Blacktown Native Institution site.

This option would be preferred from a heritage perspective as it would not cause visual impacts to the cultural heritage landscape and would not require physical impacts to the BNI SHR site.

Option 3

Illustration	Description	Heritage comment
	<p>New flyover bridge linking M7 Motorway Rooty Hill Road North off-ramp to Richmond Road. Flyover to convey northbound traffic exiting from the M&amp; Motorway to Richmond Road and approximately 210metres long.</p>	<p>An above road-grade structure would cause significant visual impacts to the cultural landscape and surrounding heritage items including BNI and Colbee Nurrangingi Grant. The flyover would require support structures which would be located within the BNI SHR site and have the potential to physically impact culturally significant land and values.</p>

**Flyover landing**

Option 1

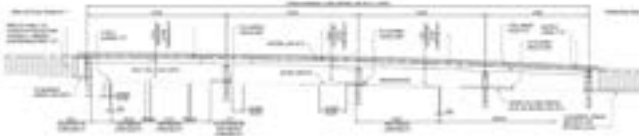
<p>Flyover bridge landing on Richmond Road outside/kerb side lane just south of Bells Creek</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Tight footprint providing more space for vegetation.</li> <li>• Smaller bridge spans</li> <li>• Less visual impact than Option 3</li> <li>• More traditional design, ie. more predicatble as the ramp enters from the left therefore potentially reduced driver confusion risk</li> <li>• Reduced impact on traffic compared to other options during construction as a lot if built offline</li> <li>• Less staging switches (similar to Option 1)</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• Very tightly constrained against the BNI land parcel (similar in all options)</li> <li>• Safety issue associated with the weave when the Castreagh connection is constructed</li> <li>• Potential need to undo work and for additional work to deal with the weave in future</li> </ul>	<p>This option would have less visual impact to the cultural landscape. Physical impacts due to constrained siting in the vicinity of BNI is similar to all options.</p>
--	--

Illustration	Description	Heritage comment
	<ul style="list-style-type: none"> <li>• The weave has more potential to cause a traffic incident causing tailback on both Richmond Road and the M7 Motorway</li> <li>• Additional traffic in the slow lane resulting in traffic impact (same as Option 3)</li> <li>• Access to shared path is not as good as Option2. On-road cyclists would also need to cross the entry ramp (same as Option 3)</li> </ul>	
<p>Option 2</p>	<p>Flyover bridge landing on Richmond Road within the median just south of Bells Creek</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Bridge is further away from the BNI ie. better visual impact and improved opportunities for active transport</li> <li>• Better access to the shared path. On-road cyclist do not need to cross any ramps</li> <li>• Safety benefit due to no weave in the future when the Castlereagh Connection is built</li> <li>• Similar tight footprint to Option 1 providing space for vegetation</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• More traffic stages because the bridge is in the median</li> <li>• 5.4m clearance required over two roads, therefore the structure would be slightly higher for this option compared to others</li> <li>• Possibly greater visual impact for road users due to the bridge landing in the median</li> <li>• Pier and abutment within the median more challenging to protect with barriers and for maintenance access</li> <li>• Most impact from a traffic perspective during construction due to longer construction timeframe</li> </ul>	<p>This is the preferred heritage option, as the increased distance from BNI helps to minimise visual impacts to the cultural landscape and BNI. Physical impacts due to constrained siting in the vicinity of BNI is similar to all options.</p>
<p>Option 3</p>		

Illustration	Description	Heritage comment
	<p>Flyover bridge landing on Richmond Road outside/kerb side lane with a future on-ramp in the median to separately carry traffic to the Castlereagh Connection (CC).</p> <p>Advantages:</p> <ul style="list-style-type: none"> <li>• Similar construction method to Option 1 with fewer staging switches compared to Option 2</li> <li>• Further away from the existing road (same as Option 1) ie. easier to build</li> <li>• More space in a large central median until Castlereagh Connection is built. Opportunities for planting</li> </ul> <p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• Very tightly constrained against the BNI therefore greatest visual and direct impact</li> <li>• Significant traffic issue with difficult/dangerous movement from Rooty Hill Road North to get onto the Castlereagh Connection</li> <li>• Lots of structure ie. significant visual impact</li> <li>• More difficult construction to the Castlereagh Connection in the future (eg. building in the median)</li> <li>• Tree maintenance, safety risks, and costs (similar in all options)</li> <li>• Bells Creek bridge would need to increase significantly to accommodate the wide median</li> </ul>	<p>This option is the least favourable from a heritage perspective due to the increased visual and physical impacts to the cultural landscape and BNI.</p>

**Flyover bridge design**

**Option 1**



Conventionally constructed weathering steel trough girder bridge  
 The bridge comprises two weathering steel trough girders that are continuous over the piers. The depth of the steel girders varies from 2.0 metres at

From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape.


Illustration	Description	Heritage comment
	<p>mid-span to 2.5 metres above the piers. The 200 mm-thick cast-in-place deck will be supported on 90 mm-thick precast concrete formwork panels. The entire bridge may be constructed offline, except for Span 1 over Rooty Hill Road North. Whereas Spans 2-4 may be constructed offline using cranes, Span 1 could be installed using a self-propelled modular transporter (SPMT) to reduce the time for mobilisation and demobilisation of crawler cranes within the road.</p>	<p>Visually this would be inconsistent with existing roadway structures across the area, and further impact the significant cultural landscape.</p>
<p>Option 2</p> 	<p>Incrementally launched weathering steel trough girder bridge</p> <p>The bridge comprises two 2.5 metre-deep weathering steel trough girders that are continuous over the piers. Assembly, splicing and launching operations could either be carried out within the parcel of land at Abutment A, or alternatively at Abutment B with the additional benefit of launching uphill. The 200 mm-thick cast-in-place deck will be supported on 90 mm-thick precast concrete formwork panels. Temporary piers for the purpose of launching would be required to be constructed approximately mid-way between the permanent piers, including within the median of Rooty Hill Road North.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape.</p> <p>Visually this would be inconsistent with existing roadway structures across the area, and further impact the significant cultural landscape.</p>
<p>Option 3</p>		

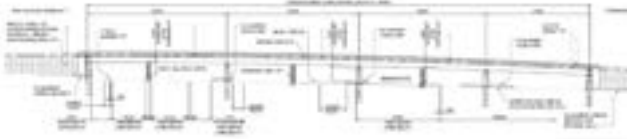
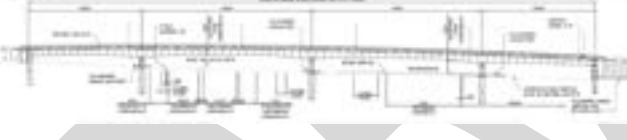
Illustration	Description	Heritage comment
	<p>Incrementally launched concrete box girder bridge                      The bridge comprises a 2.8 metre-deep concrete box girder that is continuous over the piers. Casting and launching operations could be carried out within the parcel of land at Abutment A, or alternatively at Abutment B with the additional benefit of launching uphill. Temporary piers for the purpose of launching would be required to be constructed approximately mid-way tween the permanent piers, including within the median of Rooty Hill Road North.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
Option 4		
	<p>Precast segmental balanced cantilever concrete box girder bridge                      The bridge comprises a concrete box girder that is continuous over the piers, varying in depth from 2.8 metres at the mid-span sections to 4.0 metres at the piers. The bridge would comprise approximately 70 precast girder segments, each approximately 3.5 metres in length.</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
Option 5		


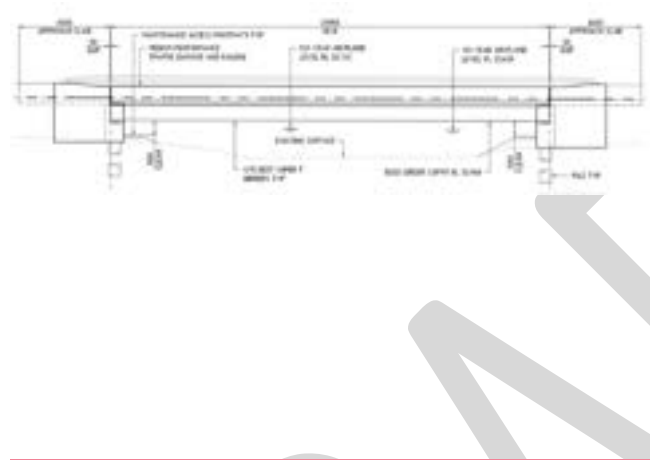
Illustration	Description	Heritage comment
	<p><b>Super T bridge</b>                      Key criteria for the selection of this construction method to meet Targeted Innovation #1 was to reduce traffic impact on Rooty Hill Road while maintaining the overall aesthetic of the bridge compared to the TfNSW Reference Design. The span arrangement includes six continuous spans comprising precast concrete 1815 deep Super-T girders built-in to the pier headstocks. Building in the pier headstocks/capitals buries it within the superstructure depth which reduces the overall height of the bridge while eliminating bridge bearings and the associated maintenance and whole of life costs for TfNSW. The built-in headstocks squares up the superstructure and substructures adjacent to Rooty Hill Road and Richmond Road Northbound, thus eliminating highly skewed piers. To achieve full continuity over the piers, high tensile bars will be provided to connect the pier capitals with the precast concrete Super-Ts and non-prestressed reinforcement provided on the bottom flange to account for the negative moment connections at the piers</p>	<p>From a heritage perspective, the flyover bridge design no matter its structure or construction methodology will have a significant visual impact to the significant cultural landscape. Visually this would be more consistent with the existing roadway structures across the area, and allow for opportunities to include interpretation on the concrete to help mitigate some of the visual impact and improve connectivity with the cultural landscape and traditional owners.</p>
<p><b>Bells Creek bridge design</b></p>		
<p>Option 1</p>		

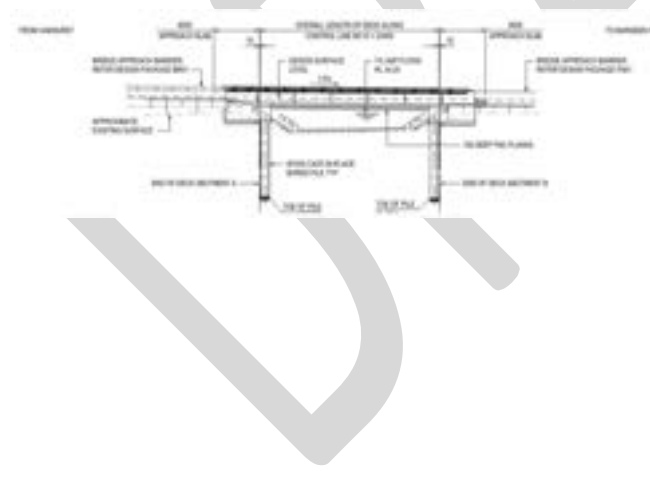
Illustration	Description	Heritage comment
--------------	-------------	------------------



**Single-span super T bridge**  
 The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 1490 mm, including the asphaltic surface. The bridge will be supported on laminated elastomeric bearings at both abutments. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock.

From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area. This option would have less physical impact on Bells Creek.

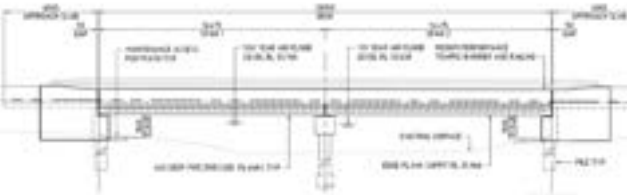
Option 2



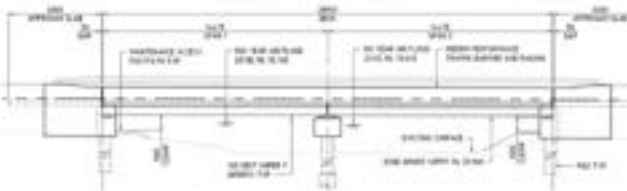
**Single Span Plank Bridge**  
 Single span integral spaced plank bridge approximately 21m long and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 925 mm, including the asphaltic surface. The bridge will be integrally connected to the abutments to reduce any maintenance requirements. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock.

From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. As it is an integrally connected bridge there are no specific maintenance requirements and any maintenance activities would be largely eliminated. By not having a central pier it eliminates the permanent impact to Bells Creek Bridge. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.

Option 3

Illustration	Description	Heritage comment
	<p>Two-span plank bridge                      The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 875 mm, including the asphaltic surface. The bridge will be supported on laminated elastomeric bearings at both abutments and the central pier, which is to be constructed within the creek. The abutments will comprise reinforced concrete sill beams supported on bored concrete piles socketed into rock. The pier will comprise a reinforced concrete headstock supported on concrete columns and piles socketed into rock.</p>	<p>From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.</p>

Option 4

	<p>Two-span super T bridge                      The total bridge width is approximately 21.4 metres and includes three northbound traffic lanes and a 4 metre-wide shared path. Medium performance barriers with twin steel rails are to be installed along both sides of the carriageway. The overall structure depth is 1040 mm, including the asphaltic surface. The substructure is proposed to comprise spill through abutments with sill beams. The concrete pier headstock is to be supported by bored piles socketed into rock. This option requires a pier to be constructed within the creek.</p>	<p>From a heritage perspective, the bridge over Bells Creek design, no matter its structure or construction methodology will have a visual impact to the significant cultural landscape. Visually this would be consistent with the existing roadway structures across the area, however would have a greater physical impact on the Bells Creek.</p>
--	---	---

DRAFT

## 7. Impact Assessment

As part of the collaborative consultation approach between Transport for NSW and DSMG, the purpose of this document is to outline a consistency assessment of heritage impacts from the proposed temporary works and project wide works compared with the project heritage impact assessment in the February 2026 SoHI.

The 2026 SoHI<sup>5</sup> was a crucial part of the Determined REF<sup>6</sup> and provided a detailed statement of heritage impact for the road upgrade within the Blacktown Native Institute SHR curtilage, including all stages of construction and design. As a fundamental part of the construction and design process, project wide works and the flyover form part of the assessed scope in the 2026 SoHI. The proposed temporary works however were not discussed in the assessed scope in the 2026 SoHI, as these have been developed since concept design to enable the project wide works to be undertaken.

This 2026 SoHI impact assessment presents the following information:

- Impact assessment excerpts from the 2026 SoHI are included in italics. These are presented here in their entirety. This includes:
  - Assessment of potential adverse physical and visual impacts to the SHR significance values of the BNI site (Section 7.1.1)
  - Identification and summary of cultural values and potential adverse impacts to the cultural values of the site (Section 7.1.2 to Section 7.1.1)
- A summary of archaeological investigations which have been completed since finalisation of the SoHI. This information is critical as it provides additional context to some of the potential heritage impacts identified in the 2026 SoHI (Section 7.2)
- A summary of specific adverse impacts from the project wide works and consistency of those impacts with the 2026 SoHI and overall project approvals

### 7.1 Assessment of adverse impacts to Blacktown Native Institution<sup>7</sup>

**The text included below in italics has been taken from the original Statement of Heritage Impact prepared by Artefact in 2024 (amended in 2026). Inconsistencies and incorrect statements within this document are noted in line utilizing ~~red struck-through~~ text and *red bold italicised* text to indicate replacement.**

*The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works would have the potential to have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its*

---

<sup>5</sup> Artefact 2026

<sup>6</sup> Transport for NSW, 2024, 'Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park: Review of Environmental Factors'

<sup>7</sup> Artefact 2026 SoHI Section 9.1.1 Page 119

ability to truth tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.

The proposed works involve the widening of the northbound lanes on Richmond Road, ~~installation of a formal driveway access to the BNI property within the Rooty Hill Road North-road corridor and construction of a new flyover abutment walls and retaining wall in the BNI.~~ **relocation of the existing driveway access to the BNI from Richmond Road, and construction of a new flyover structure with piers located within the BNI Curtilage.** These works threaten and diminish cultural values of the community through the continued erosion of the land which was returned to the Dharug people in 2018, and the land which is still owned and managed by TfNSW. The works also threaten community aspirations for the site, and their continued connection with the wider cultural landscape.

Road widening works and the construction of the new bridge over Bells Creek within the Blacktown Native Institution curtilage will be undertaken on land owned and managed by Transport. The road widening and bridge construction works will include bulk earthworks, grading, and construction of road infrastructure. This requires the relative ground level to be raised around 1 metre above the existing level. This would result in substantial unsympathetic changes to the landscape, impacting the ability to understand the Women's Area at Bells Creek in association with the overall cultural and physical landscape.

The proposed road widening works are limited to areas of the Blacktown Native Institution site with low historical archaeological potential. Historical archaeological potential in these areas is limited to identification of evidence of BNI contemporary Aboriginal encampments through the presence of artefact scatters and potential unmarked burials. There is not enough documentary evidence to suggest the location of these potential burials, although it is understood they are most likely to be situated in proximity to Bells Creek and may also be located in the northeast corner of the BNI. It is considered unlikely that impact to historical archaeological remains will result from the proposed road widening works within the Blacktown Native Institution. The site identified by Bickford in 1981 as being a potential encampment, evidenced by the presence of earthenware pottery and stone artefacts, has been subject to considerable impact since this time.<sup>8</sup> This site is unlikely to remain intact, and ongoing infrastructure works to the banks of Bells Creek is likely to have impacted any additional sites in the vicinity.

The new flyover and retaining wall are to be constructed at the southern end of the BNI site in an area that is already highly visually disrupted by the nearby M7 flyover, and surrounding road and telecommunication infrastructure (road carriageways, overhead traffic light booms, light poles, mobile phone tower). The new flyover and retaining wall will contribute further to the disruption of the setting and visual amenity of the BNI in this highly modified section of the. The scale and positioning of the flyover and associated retaining wall would be highly visible within the significant cultural landscape, sitting directly within the horizon view of the site. The site's landscape character and setting would be impacted by this development, and would further impact long-range views and vistas. Whilst the aesthetic and setting are not identified as part of the values which meet the threshold for State significance, the CMP 2023 in Policy 39 has identified that these views, vistas and visual qualities of the overall landscape character of the BNI contribute to the significance of the site, and to its social use as a meeting place and calm location. As such, the proposed flyover and associated retaining wall would result in a large new structure that is not sympathetic to this landscape setting, and would be highly visible in the long-range views from the residential neighbours of the BNI, and provide a substantially large visual obstruction in the immediate setting. Mitigation measures which seek to reduce the visual impact to the site are recommended by the project as outlined.....

---

<sup>8</sup> GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group; p. 138

*The proposed flyover will require the positioning of at least one pier footing within the Blacktown Native Institution site near the intersection with Rooty Hill Road North and Richmond Road. Construction of the pier footings is expected to require ground disturbance through excavation and auguring, which will result in impacts to the ground surface within the Blacktown Native Institution. A review of the AZP prepared for the 2023 CMP shows that the proposed flyover is within an area of low archaeological potential, situated away from the areas of historical activity, however, this area has consequently been identified by DSMG as having the potential to contain unmarked child burials.*

*The location of the works would be in the vicinity of or overlap with areas in the BNI which are known significant places to the Dharug people, specifically the **Post-Colonial** 'Women's Place' where women camped, watched over children and birthed, and the 'Men's **Place**' ~~camp~~ - where men in the community would watch over children. The **Post-Colonial** 'Women's Place' is also an area where possible baby burials may be located, however precise locations are unknown and require further consultation with the DSMG. Works in this area would perpetuate further impact on the social and cultural values of this place within the greater BNI area. These areas around the Bells Creek line towards the north of the BNI site feature ecological communities, flora and fauna, which are significant to the natural and cultural landscape of the BNI. Works in these areas particularly in relation to the construction impacts have the potential to impact endangered vegetation and animal corridors which are significant to the Dharug people's connection with Nura. Whilst this would be temporary, the extent of impact to the endangered vegetation and animal migration, and the ability for the landscape and animals to recover (or how long it would take) is unknown.*

*The area is also located in the vicinity of ~~the 'Men's Camp'~~ **an area** where males in the community would camp and watch **over women and** children. The clearing of vegetation in this area would impact the natural landscape and the ability for this area to continue to bear witness and tell the story of **this significant area the 'Men's Camp within the BNI**.*

*Works along Richmond Road are within the greater cultural landscape of the area, which holds specific history, memories and significance to the Aboriginal community. Works within this area by agencies other than DMSG disregard the cultural significance and value of this part of the BNI perimeter and reproduce aspects of colonial control over this land. Proposed works within the study area would further alter the cultural landscape and create greater separation of the BNI from this broader cultural landscape.*

*An optioneering exercise was undertaken by Transport in consultation with DSMG to formalise a new location for vehicular driveway access into the BNI. Option 2 was selected as a balance between improved safety for pedestrians and vehicles as well as ease of implementation. The proposed relocated driveway access as per Option 2 is in an area which is mostly open grass area and would not require the removal of significant landscape elements. Works in this area would be low-lying ground works and would not alter the open views across the Blacktown Native Institution. After the discussion and analysis on the driveway Options preferred Option 2, a Visioning Report was made available for the BNI site. The Visioning Report includes a location of the driveway, which is misaligned with Option 2. Careful placement along the Rooty Hill Road north boundary is advisable. The exact location of the driveway would be subject to further discussion and consultation with DSMG to minimise impacts to the Blacktown Native Institution as part of detailed design development.*

*The proposed driveway relocation will be entirely within areas of low archaeological potential. The driveway access on Rooty Hill Road North should be located to avoid impact to the remains of the Blacktown Native Institution site and its archaeological resources and the Grandmother tree. The final agreed location will be addressed through the mitigation measures proposed by the project, including the Working Group.*

*The project has separately undertaken Aboriginal community consultation and prepared an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the project area. The ACHAR identified that Aboriginal objects are likely to be found near Bells Creek in the Blacktown*

*Native Institution site on Transport owned land. It is proposed that impact to this site will be managed under an Aboriginal Heritage Impact Permit (AHIP) under the NPW Act. As this activity would be within the curtilage of the Blacktown Native Institution, prior approval to enable this activity, would also be sought under the Heritage Act.*

*In consideration of the significant social and cultural values which are associated with the BNI and have the potential to be impacted by the proposed works, and taking into consideration the design optioneering and possible mitigation measures, it has been assessed that the proposed works would have an **adverse impact (major)** impact on the heritage significance, social and cultural values of the Blacktown Native Institution. Further discussion and design iterations in consultation with stakeholders including the DSMG through the Working Group may have the potential to mitigate some of the impacts, however overall, due to the substantial change in the BNI and wider cultural landscape and the consequential loss and change to social and cultural values, it is expected despite these mitigation measures that the proposed works would still amount to an **adverse impact (major)**.*

*While the proposed works have been assessed as having ~~the potential to result in~~ an adverse impact (major) on the heritage significance of the BNI it is important to clarify that this level of impact does not constitute a total loss of significance, nor is it considered to reach a threshold that would justify reconsideration of the site's listing on the SHR. **The adverse impact (major) to the site does not constitute any overall loss of the cultural value of this Country or site to the Dharug people or the DSMG.***

*Although the proposed works will result in a reduction in landscape integrity and visual legibility, the site's historical, associative, social, **cultural**, and research values remain substantively intact. The affected areas do not represent the primary locations of significance **(to the SHR listing)** or the highest concentration of tangible or intangible values. The BNI will continue to retain State-level significance due to its enduring associations with the history of child removal, institutionalisation, and Aboriginal community identity (historical and associative values). These values remain embedded not only in the physical remnants and cultural landscape but also in the collective memory and ongoing cultural practices of the Aboriginal community. The site's importance as a place of **healing, connection**, reflection, remembrance, and advocacy—particularly for members of the Dharug community and former residents' descendants—remains a cornerstone of its significance.*

*Although the proposed works would alter aspects of the site's integrity through landscape and visual impacts, the core values underpinning the site's state significance, particularly its associative, commemorative, and symbolic importance, will endure. Design optioneering and engagement with community stakeholders, including the DSMG, have sought to minimise impacts through alignment, interpretation, and landscape response. Further collaboration will continue to play a role in mitigating impacts and enhancing the cultural legibility of the site. In summary, while the scale and nature of the proposed works justify a classification of an adverse impact (major), the site's core heritage values will remain present, and the BNI will continue to meet key SHR criteria (A, B, D, and E). The core areas of research potential identified at the site, particularly the site of the former homestead, are outside the study area. There are recommended management measures in place to investigate the research potential of the study area. The proposed impacts will not reduce the site's significance to a level that would justify its removal from the SHR.*

**Impact: Adverse impact (Major)**

#### 7.1.1 Summary of impacts to BNI SHR values from the temporary works

The temporary works in isolation of the project wide works for the road upgrade and flyover design will have the following impacts on the BNI site. As these were not discussed as part of the 2026 SoHI, the below is an assessment of the temporary works and the potential impact these would have on the BNI site.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- Temporary works would result in temporary visual impacts from machinery being on site, earth works and installation of traffic barriers
- Temporary fencing along the western boundary of the BNI site, amounting to approximately 800m of fencing would result in temporary visual impacts for the duration of their installation (November 2026 to early 2028)
- The proposed pavement removal and pedestrian bridge relocation would not result in physical impacts, as these are not located within the BNI curtilage

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.1 Summary of impacts to BNI SHR values from the project wide works

The project wide works for the road upgrade in isolation of the flyover design will have the following impacts on the BNI site as per the findings of the 2026 SoHI:

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed road widening of the northbound lanes on Richmond road and installation of a formal driveway will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- Road widening works and construction of the new bridge over Bells Creek within the BNI will result in unsympathetic changes to the BNI landscape and its place and association with the overall cultural and physical landscape of the area.
- The project wide works are located in areas of the BNI which are known significant places to the Dharug people, and would further impact the social and cultural values of the place, as well as ecological communities, flora and fauna, which contribute to the significant natural and cultural landscape of the BNI.
- The project wide works along Richmond Road are within the greater cultural landscape of the area, and works will further impact the BNI perimeter and alter the cultural landscape and BNI's connection to it.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.1 Summary of impacts to BNI SHR values from the flyover

The flyover design in isolation of the temporary and project wide works required for the road upgrade will have the following impacts on the BNI site as per the findings of the 2026 SoHI:

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed construction of a new flyover structure with piers located within the BNI curtilage will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- The new flyover and retaining wall are proposed to be located at the southern end of the BNI site which has already been highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunications infrastructures.
- The new flyover and retaining wall will contribute to the further disruption of the setting and visual amenity of the BNI in this highly modified section of the site.
- The scale and positioning of the flyover and associated retaining wall will be highly visible within the significant cultural landscape, sitting directly within the horizon view of the BNI.
- The BNI's landscape character and setting will be impacted by the construction of the flyover and retaining wall which will further impact long-range views and vistas, which contribute to the significance of the BNI and its social use as a meeting place and calm location.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

Impacts to cultural values are discussed in more detail in Section 7.1.2 – Section 7.1.1 below.

### 7.1.2 *Impact criteria for Cultural Values based on UNESCO's domains of intangible heritage criteria<sup>9</sup>*

*Drawing upon UNESCO's domains of intangible heritage criteria ..... impacts on these elements are assessed as either having a detrimental (or diminishing) effect or not. There is no measure to assess the degree of impact.*

*2026 SoHI Table 9-3 Concerns raised by DSMG and the impacts on the cultural values of BNI viewed through UNESCO domains*

	<i>UNESCO domains</i>	<i>Concerns raised by DSMG</i>	<i>Impact on Cultural Values</i>
1	<i>Oral traditions and expressions, including language</i>	<i>Not known</i>	<i>Not known</i>
2	<i>Performing arts</i>	<i>Not known</i>	<i>Not known</i>
3	<i>Cultural performance (action(s) that make something visible or ceremonial area audible)</i>	<i>Noise pollution will disrupt plan for <b>Post-colonial Women's place area</b> as peaceful</i>	<i>Disrupts</i>

<sup>9</sup> Artefact 2026 Section 9.1.4 Page 127-128

	<i>UNESCO domains</i>	<i>Concerns raised by DSMG</i>	<i>Impact on Cultural Values</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Cultural values are threatened, diminished - divide community</i>	<i>Diminishes</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Failure to protect social and cultural values will cause severe and lasting distress</i>	<i>Harms</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Post-colonial Women's place area around Bells Creek area will be overwhelmingly impacted by works in the curtilage. Men's place camp - also located in proximity and potential to celebrate and commemorate familial commitment in the future may be destroyed.</i>	<i>Destroys</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>DSMG considers TfNSW to be enacting power over Dharug by disregarding their cultural perspective</i>	<i>Disregards</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Cultural values are threatened because Land Grant is part of the broader cultural landscape of the Dharug and a connection to deep history and recent history</i>	<i>Threatens</i>
5	<i>Knowledge and practices concerning nature and the universe (past, present or future)</i>	<i>Removal of Casuarina and eucalypts would be distressing, as would the excavation of the site to construct the road</i>	<i>Harms</i>

	<b>UNESCO domains</b>	<b>Concerns raised by DSMG</b>	<b>Impact on Cultural Values</b>
5	Knowledge and practices concerning nature and the universe (past, present or future)	Interference to regeneration and ecological restoration program	Disrupts
5	Knowledge and practices concerning nature and the universe (past, present or future)	Disruption of woodland pathway (landscape connection) between BNI and Shanes Park	Disrupts
5	Knowledge and practices concerning nature and the universe (past, present or future)	Potential for damage to the Grandmother tree by interim access driveway	Threatens
6	Knowledge and skills (intangible heritage) without which objects cannot be made, actions performed, or social practices enacted (past, present or future)	Proposed fly over overshadows site, and has implications for access to solar power as well as having an adverse visual affect	Diminishes

*The comments raised by DSMG and listed in the above table reflect their concerns that the cultural values of the BNI will be threatened, diminished, harmed, disrupted or disregarded. The impacts on two of the UNESCO domains is unknown.*

### 7.1.3 Cumulative Heritage Impact Assessment for the Blacktown Native Institution<sup>10</sup>

*Cumulative impacts refer to the combined, overlaid or added actions and interactions within a particular place associated with the past, present and the reasonably foreseeable future. The BNI site has been subject to substantial change and erosion of its physical boundaries, fabric, social and cultural values over the years, commencing during the treatment of ancestors by settlers and colonial governments. This has continued to occur with public works and road works occurring in and around the BNI site, despite the land being returned to the Dharug people in 2018. This includes the upgrade of Richmond Road during the mid 2010s (before it*

<sup>10</sup> 2026 SoHI 9.1.5 page 128

was returned to Dharug and before its SHR listing), which selected the current road corridor and widened the road to four lanes. This upgrade included community consultation which supported impacting the BNI site as a means of avoiding the Colebee and Nurragingy Land Grant further north.

The BNI is an area of great significance within a broader cultural landscape and Nura to the Dharug people in this area. The BNI is a significant site for truth telling, regeneration of cultural practices and language, but also healing of trauma. The site bears witness to these practices and the trauma which has occurred, and is important to conserve as a physical connection to the memories imbued in the site.

The proposed works contribute to the continued erosion of the land and ability for the Dharug people to heal and continue cultural practices and socially engage at the site. The CMP identifies a “strengths-based trauma-informed approach to heritage” which “centres power on the community in research and collaborative decision-making.”<sup>11</sup> The lack of consistent and considered community and collaborative consultation and design or decision-making as part of the REF further adds to the cumulative impact of the proposed works on the cultural and social significance of the site, further perpetuating a sense of trauma and loss to the Dharug people. The proposed works would result in the potential to adversely impact significant identified places within the BNI, significant burial locations (albeit precise locations unknown), and significant ecological communities. The proposed works would cause further adverse impacts and deterioration of the setting, and the social and cultural values of the site. Although there is a commitment by the project team and government to undertake community consultation with the DSMG and work iteratively to achieve acceptable design choices for both parties, the continued erosion of the cultural and social values caused by previous and current proposal, and the likelihood of future proposals in this area is considered to have the potential for **cumulative impacts (major)** on the BNI site and the broader cultural landscape in this area.

#### 7.1.4 Summary of impacts to cultural values from the temporary works, project wide works and flyover

Table 7-1 Summary of impacts to cultural values from the temporary works, project wide works and flyover

Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG	Adverse impacts to identified cultural values from temporary works, project wide works and flyover
--	--

**Spirit of the place**

- DSMG’s plan for BNI is for a Dharug truth-telling and healing place
- The BNI is a place for reflection, healing and connection to Dharug culture beyond its association with practices in the colonial period
- The project threatens and diminishes cultural values to the community
- The flyover may jeopardize plans to utilise solar energy at the Dharug Culture Center if it affects future access to solar power
- Noise pollution will affect connection to Nura and be detrimental to the experience of the place

**Truth telling, healing, reflection and diminished cultural values**

The BNI is a site of State Heritage significance for its landscape and archaeological remains, as well as its historical, aesthetic, associative, social and cultural heritage values. Whilst the proposed works have been design optioneered to minimise and mitigate impacts to the heritage item where possible, the proposed works have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability

<sup>11</sup> GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group; p. 12

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG** | **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

- *Road widening might affect ability to carry out cultural burns because the movement of smoke is not controllable.*
- *Water has uses in cultural practices, and water ways should be naturalised to remove hard edges*

to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth-tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.

The proposed works involve the widening of the northbound lanes on Richmond Road, installation of a formal driveway access to the BNI property within the Rooty Hill Road North road corridor and construction of a new flyover abutment walls and retaining wall in the BNI, and temporary water construction measures. These works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned back to the Dharug people in 2018.

Solar

Add text

Noise pollution

Temporary construction works, project wide works and the construction of the flyover will involve temporary noise pollution to the BNI site for the duration of the construction timeline.

Road noise will increase as a result of the road widening, bridge over Bells Creek and flyover in the vicinity and within the BNI.

Cultural burns

Proposed works within Lot 1 DP 1043661 of the BNI will result in the irreversible removal of the possibility to undertake cultural burns within that portion of the BNI site.

Water

Vegetated swales below embankments and in the median apply WSUD strategies.

The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established.

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG** | **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

Integrated design approaches to drainage, hydrology and landscape will be further coordinated through the detail design process and applied wherever feasible. The demonstration of practical, sustainable water sensitive design measures will maximise on-site infiltration, reduce piping and kerbs, and minimise water table/natural drainage impacts to existing vegetation.

Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.

### Ecological restoration

- *Trees should not be removed- Casuarina and eucalypts especially should be maintained. But not just trees, the whole area would be impacted through all the construction impacts*
- *TfNSW impacts disrupt efforts to regenerate and monitor ecological restoration projects within the BNI. Water/dust/disruption of wildlife, removal of seed bank resources*
- *Endangered vegetation should be maintained, as well as animal corridors.*
- *Water ways should be restored; quality and quantity of water is important and should not be impacted .*
- *Connectivity: should be movement corridors for animals (ie woodland pathway between BNI and Shanes Park (Yiraaldiya National Park) – noting the kangaroo, bird, reptile and amphibian families should be maintained.*

### Tree removal

The temporary works, project wide works and flyover construction would not involve tree removal as this work would be undertaken as part of the vegetation clearance scope which has been assessed in a separate APHIA.

### Ecological restoration and dust

The re-vegetation and landscape planting palette includes native and endemic species including ecologically threatened species, that will contribute to biodiversity and habitat.

Vegetated swales below embankments and in the median apply WSUD strategies.

They planting palette are typically low maintenance and have low water needs once established.

Management measures will need to be in place to ensure that dust and water run-off are controlled during works.

### Waterways

Vegetated swales below embankments and in the median apply WSUD strategies.

The planting palette includes native and endemic species, including ecologically threatened species, that will contribute to biodiversity and habitat. They are typically low maintenance and have low water needs once established.

Integrated design approaches to drainage, hydrology and landscape will be further coordinated through the detail design process and consultation with the DSMG, and applied wherever feasible. The demonstration of practical, sustainable water sensitive design measures will maximise on-site infiltration,

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG** **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

reduce piping and kerbs, and minimise water table/natural drainage impacts to existing vegetation.

Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.

Shanes Park fauna connectivity:

There is a possibility that construction works may disrupt fauna movement. However, there will still be opportunity for animals to move north within the BNI site and outside the project footprint.

Places

- **Post-colonial Women’s place area - Bells Creek area on both sides of the Richmond Road.** This is a women’s area - women camped here and watched children. Noise pollution will disrupt this area. Deep concern about damage to the area through proposed alterations to Bells Creek and its surrounds. Failure to protect will result in lasting distress
- **Men’s place camp - Marsden Park (area north of Bells Creek).** ~~From this vantage point the children residing in the BNI could be watched.~~ **In this place, families of the children that were institutionalised at the BNI attempted to retain connection to their children by way of observation, singing and other cultural practices.** The DMSG to incorporate this area into the cultural heritage centre. DSMG said that this value had not been adequately addressed in the PACHCI.
- **Richmond Road – Aboriginal people were hanged in places along the Richmond Road (the exact location of these is not known)– These acts of violence were the result of colonial conflict –DSMG said that by disregarding the cultural values of the area TfNSW are reproducing violent acts of colonial power.**
- **Colebee and Nurragingy Land Grant (SHR01877).** The project may threaten values of the broader cultural landscape in which the BNI sits, and the historical connection between the two.
- **Grandmother tree – need to maintain access to it and protect it. It is an important part of BNI commemoration and events**
- **Baby burial area – Northeastern corner of BNI site. Further consultation required to ensure appropriate mitigation measures are in place.**

Post-colonial Women’s place

The proposed new bridge across the Bells Creek will be in a location of known significant sites to the Dharug people and significant part of the social and cultural values of the BNI.

The proposed bridge is in the vicinity of the ‘Women’s Place’ a location for women to camp and watch children but also birth. The site is significant to the continued narrative of Nura and the BNI, and installation of structures, albeit temporary will have a detrimental impact on the land and the ability for these areas to continue to bear witness and tell the story of these places.

Men’s Place

The location of the proposed works would be in the vicinity of or overlaps with areas in the BNI which are known significant places to the Dharug people, including the ‘Men’s Place’ where men in the community would attempt to retain connection to their children which were institutionalised at the BNI by way of observation, singing and other cultural practices.

Wider context

The proposed temporary works, project wide works and flyover have been identified by DSMG as a continuation of the violent acts of colonial power and potentially threatening the wider cultural landscape and historical connection of the BNI site with the Colebee and Nurragingy Land Grant (SHR 01877).

Grandmother tree

The location of the driveway access from Rooty Hill Road North should be located to

**Key cultural values as identified in the 2026 SoHI following consultation between TfNSW and DSMG**    **Adverse impacts to identified cultural values from temporary works, project wide works and flyover**

avoid impacts to the Grandmother tree. The final agreed location will be addressed through mitigation measures proposed by the project, including the Working Group.

Baby burial area

Proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials.

Although no grave cuts were identified during archaeological test excavation, the area maintains importance to the Dharug People as an area where burials took place.

**7.1.1 Summary of impacts to cultural values of the BNI site as a result of temporary works, project wide works and flyover**

Adverse impacts to cultural values are consistent with the findings of the 2026 SoHI. The proposed temporary works, project wide works and flyover will diminish and harm the cultural and spiritual values of the BNI site.

As part of detailed design, the road alignment has been adjusted to reduce impacts on the existing natural landforms around the banks of Bells Creek. The riparian zone will be protected using rock scour treatment with pocket planting to enable and encourage fauna passage. The design also includes riparian planting to the large swale that runs parallel to and on the eastern side of Richmond Road.

**7.2 Preliminary results of archaeological investigations at BNI in 2026**

**7.2.1 Aboriginal heritage salvage excavation**

Aboriginal heritage salvage excavation under AHIP 5455 within the BNI site was completed in early 2026. No further Aboriginal heritage excavation is conditioned under AHIP 5455 and works can proceed within the AHIP footprint.

**7.2.2 Historical archaeological test excavation**

Historical archaeological excavation for potential grave cuts was completed in early 2026. Noting that the results documenting this process is ongoing, at the time this HIA was prepared there was no indication that further historical archaeological excavation to investigate the presence of grave cuts will be recommended for the project.

Although no grave cuts were identified during that test excavation program, the area maintains importance to the Dharug People as an area where burials took place.

While pre-construction archaeological test excavations were utilized to proactively manage the risk of unexpected discovery during construction, the following measures continue to be applied to the construction works:

- Unexpected finds procedure

- Site inductions for all staff
- Cultural site inductions for all staff

### 7.3 Consistency of heritage impacts from proposed temporary works, project wide works and flyover

Overall, the proposed temporary works, project wide works and flyover form part of the broader road upgrade project and are, therefore, consistent with the impact assessment outlined in the 2026 SoHI.

Key overall summary from the 2026 SoHI of the overall impact of the broader road upgrade project to the BNI site:

*The proposed works ~~would have the potential~~ will have negative heritage impacts on the cultural and social values of the BNI. The BNI is significant to the Dharug people for its ability to connect and evidence the processes of colonisation, dispossession, assimilation, integration, and reconciliation of the Dharug people. It is a site valued for its ability to truth tell, provide a sense of belonging and activism, whilst also regeneration of culture, connection to Nura and healing of trauma.*

*In summary, while the scale and nature of the proposed works justify a classification of an adverse impact (major), the site's core heritage values will remain present, and the BNI will continue to meet key SHR criteria (A, B, D, and E). The core areas of research potential identified at the site, particularly the site of the former homestead, are outside the study area. There are recommended management measures in place to investigate the research potential of the study area. The proposed impacts will not reduce the site's significance to a level that would justify its removal from the SHR.*

The temporary works, project wide works and flyover will result in the following impacts to the SHR values of the BNI:

#### Temporary Works

- Temporary works would result in temporary visual impacts from machinery being on site, earth works and installation of traffic barriers
- Temporary fencing along the western boundary of the BNI site, amounting to approximately 800m of fencing would result in temporary visual impacts for the duration of their installation (November 2026 to early 2028)
- The Temporary access through Bells Creek for construction traffic to construct roadwork and new bridge, would result in physical impact.
- The proposed pavement removal and pedestrian bridge relocation would not result in physical impacts, as these are not located within the BNI curtilage

#### Project Wide Works

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI have been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed road widening of the northbound lanes on Richmond road and installation of a formal driveway will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- Road widening works and construction of the new bridge over Bells Creek within the BNI will result in unsympathetic changes to the BNI landscape and its place and association with the overall cultural and physical landscape of the area.

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

- The project wide works are located in areas of the BNI which are known significant places to the Dharug people, and would further impact the social and cultural values of the place, as well as ecological communities, flora and fauna, which contribute to the significant natural and cultural landscape of the BNI.
- The project wide works along Richmond Road are within the greater cultural landscape of the area, and works will further impact the BNI perimeter and alter the cultural landscape and BNI's connection to it.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

### Flyover

- Potential impacts to significant archaeological remains – archaeological investigation undertaken since the preparation of the 2026 SoHI has been completed (see Section 7.2) to mitigate impacts to archaeological contexts within the Lot 1 portion of the BNI site
- The proposed construction of a new flyover structure with piers located within the BNI curtilage will result in impacts to the cultural values of the BNI and the community. It will threaten and diminish cultural values of the community through the continued erosion of land which was returned to the Dharug people in 2018.
- The new flyover and retaining wall are proposed to be located at the southern end of the BNI site which has already been highly visually disrupted by the nearby M7 flyover and surrounding road and telecommunications infrastructures.
- The new flyover and retaining wall will contribute to the further disruption of the setting and visual amenity of the BNI in this highly modified section of the site.
- The scale and positioning of the flyover and associated retaining wall will be highly visible within the significant cultural landscape, sitting directly within the horizon view of the BNI.
- The BNI's landscape character and setting will be impacted by the construction of the flyover and retaining wall which will further impact long-range views and vistas, which contribute to the significance of the BNI and its social use as a meeting place and calm location.
- The project wide works will have an overall adverse (major) impact on the heritage significance, social and cultural values of the BNI.
- Whilst the proposed works will result in an adverse (major) impact on the heritage significance, social and cultural values of the BNI, this level of impact will not constitute a total loss of significance, nor is it considered to reach a threshold which would justify reconsideration for the site's listing on the SHR.

The temporary works, project wide works and flyover will result in the following impacts to cultural values (from Table 7-1):

- Truth telling, healing, reflection and diminished cultural values: The proposed works will have a negative heritage impact on the cultural and social values of the BNI. The works are located in areas which hold specific meaning to the Dharug community and connection to Nura and regeneration of culture. The works threaten and diminish cultural values of the community through the continued erosion of the land which was returned back to the Dharug people in 2018.
- Shadowing impact: The proposed temporary work will have negligible impact to BNI site for the duration of the construction timeline. The activities that will create any measurable shadowing impact are Cranes for lifting for the bridge elements. This temporary arrangement would not impact access to any solar power provisions. For permanent works the flyover visual height impact is approximately 9m, the shadowing effect from the flyover would impact the

## Activity Package Heritage Impact Assessment | Temporary Works, Project Wide works and Flyover

BNI site during the morning in the southwestern section. The landscape mound will also provide shadowing impact of a similar nature to the Flyover. Access to solar would not impact BNI due to the Flyover.

- Noise pollution: The proposed works will involve temporary noise pollution to the BNI site for the duration of the construction timeline. Road noise will increase as a result of the road widening, bridge over Bells Creek and flyover in the vicinity and withing the BNI.
- Cultural burns: Proposed works within Lot 1 DP 1043661 of the BNI will result in the irreversible removal of the possibility to undertake cultural burns within that portion of the BNI site.
- Water and waterways: Detailed design includes water sensitive strategies to help manage and protect water sources during and after construction. These include WSUD strategies, low maintenance and low water plantings which are native and endemic species to the area, and an integrated design approach to drainage, hydrology and landscape. Management of construction works to ensure no spoil run-off into Bells Creek will be required throughout the works.
- Tree removal: the works would not involve tree removal as this work would have been undertaken as part of the vegetation clearance scope which has been assessed in a separate APHIA.
- Ecological restoration and dust: The revegetation strategy includes native and endemic species which will contribute to the biodiversity and habitat of the BNI and greater area. Management measures will need to be in place to ensure that dust and water run-off are controlled during works.
- Shanes Park fauna connectivity: There is a possibility that temporary works, project wide works and construction of the flyover may disrupt fauna movement. However, there will still be opportunity for animals to move north within the BNI site and outside the project footprint.
- Post-colonial Women's Place: The proposed bridge across the Bells Creek will be in the vicinity of the 'Women's Place'.
- Men's Place: The proposed temporary works, project wide works and flyover would be in the vicinity or overlap with the significant area known as the 'Men's Place'.
- Wider context: The proposed works have been identified by DSMG as a continuation of the violent acts of colonial power and potentially threatening the wider cultural landscape and historic connection of the BNI site with the Colebee and Nurragingy Land Grant (SHR 01877)
- Grandmother tree: The location of the proposed driveway access from Rooty Hill Road North may impact the Grandmother tree. The final agreed location will be addressed through mitigation measures proposed by the project, including the Working Group.
- Baby burial area: The proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials. Although no grave cuts were identified during archaeological test excavation, the area maintains importance to the Dharug People as an area where burials took place.

## 8. Mitigation of Impact

### 8.1 Heritage Act 1977 approval pathway

In accordance with advice provided to Transport for NSW by Heritage NSW, and subsequent internal legal review, Transport for NSW will pursue the approved **Site-Specific Exemption (SSE)** applicable to Lot 1 DP 1043661 for the Richmond Road upgrade. Works within the Blacktown Native Institution are exempt from the need to receive approval under Section 60 (s60) of the *Heritage Act 1977* (NSW) and are consistent with site-specific Exemption 1, outlined below:

**Exemption 1.** *The carrying out of road work or traffic control work, within the meaning of the Roads Act 1993, in connection with the Rooty Hill Road, Richmond Hill Road and / or the proposed Castlereagh Freeway, on land described as Lot 1 in Deposited Plan 1043661, Lot 5002 in Deposited Plan 869400 and / or Lot 5003 in Deposited Plan 869400, is exempt from subsection 57(1) of the Heritage Act 1977, subject to all excavation or disturbance of land being carried out in accordance with any archaeological management plan with which compliance is required by any approval for those works issued under the Environmental Planning and Assessment Act 1979.*

*Reason/Comment - Should archaeological relics or deposits be uncovered during excavation work, all work must cease in the immediate area. A suitably qualified and experienced archaeologist must be contacted to assess the archaeology and the Heritage Branch should be informed immediately ('Blacktown Native Institution' 2011).*

---

The archaeological management plan requirement is fulfilled by the project archaeological research design and excavation methodology (ARDEM).<sup>12</sup>

## 8.2 National Parks and Wildlife Act 1974 approval pathway

AHIP 5455 was issued to Transport for NSW on 10 September 2025. That AHIP approves undertaking all works associated with the road project within the AHIP boundary, and subject to the carrying out of Aboriginal archaeological salvage and surface collection.

The Aboriginal archaeological salvage and surface collection requirements of AHIP 5455 have been carried out.

## 8.3 Recommendations and mitigation measures

Recommendations and mitigations measures as per the 2026 SoHI apply to the temporary works, project wide works and flyover.

Specific recommendations and mitigation measures based on the 2026 SoHI and the findings of this HIA are outlined in Table 8-1.

Text copied from the 2026 SoHI in Table 8-1 is presented in *italics*.

The purpose of Table 8-1 is to present recommendations, how those recommendations will be managed, and feedback from DSMG (in process).

---

<sup>12</sup> Artefact Heritage, 2025, ARDEM

Table 8-1 Recommendations and input from DSMG for temporary works, project wide works and flyover. Recommendations in italics are from the 2026 SoHI

Recommendation Number	Recommendations	How addressed	DSMG input
HIA 1	<i>The Transport for NSW's Unexpected Heritage Items Procedure be implemented during all ground disturbing works</i>	Transport for NSW unexpected finds procedure to be in place during works	
HIA 2	<p><i>Consultation with the Dharug Strategic Management Group (DSMG) should be an ongoing commitment undertaken as part of this project</i></p> <p>This APHIA should be discussed and provided to DSMG for review and comment and discussed at a DSMG Working Group meeting(s). This consultation should particularly seek feedback from DSMG on the following:</p> <ul style="list-style-type: none"> <li>Negative heritage impacts on the cultural and social values of the BNI and the ability for the community to undertake truth telling, healing and reflection. Are there design changes which can occur to help minimise or mitigate this impact?</li> <li>Negligible impact to shadowing for temporary arrangement. In the permanent case the flyover will impact the southeastern corner of the site where the landscape mound is.</li> <li>Noise pollution from construction works. Are there particular days or times when noisy works should not take place (ie. during on-site DSMG meetings).</li> <li>Noise pollution from increased traffic in the vicinity. Are there particular design features which can be included in the design to help baffle the increased sound?</li> </ul>	<p>Transport for NSW will present and discuss with DSMG and this APHIA. This APHIA to be updated with DSMG feedback, including protocols and comments on works being undertaken within the Women's place, gathering places, and baby burial area</p> <p>Transport for NSW unexpected finds procedure to be in place during works</p> <p>GDJV to ensure:</p> <ul style="list-style-type: none"> <li>Bells Creek is protected during works</li> <li>bunds are in place to ensure no run-off goes into the creek</li> <li>Temporary access through Bells Creek would be required and wil go through environmental approvals to ensure all construction elements are considered suitable.</li> </ul> <p>GDJV to ensure that dust is controlled throughout works</p> <p>GDJV and Transport for NSW to ensure that the fauna corridor to Shanes Park is not affected by works</p>	<ul style="list-style-type: none"> <li>Continued consultation with DSMG regarding the works and impacts to the BNI curtilage that is owned and maintained by TfNSW</li> <li>Recognition of design efforts by GDJV DT Infrastructure Joint Venture in reducing the footprint of the project in and near the BNI SHR area.</li> <li>propagation of casuarinas being removed during the vegetation clearing works</li> <li>replacement of casuarinas along the creek line as part of the landscape design</li> </ul>

Recommendation Number	Recommendations	How addressed	DSMG input
	<ul style="list-style-type: none"> <li>• Removal of the possibility for cultural burns within the works footprint</li> <li>• Water and waterways. Comments on proposed management fo works around Bells Creek – measaures in place to ensure that construction works do not affect Bells Creek, including:                             <ul style="list-style-type: none"> <li>○ Bunds to reduce run-off</li> <li>○ No machinery to enter watercourse</li> </ul> </li> <li>• Shanes Park fauna connectivity</li> <li>• Post-colonial Women’s Place – proposed construction works will take place within a portion of this area</li> <li>• Men’s Place – proposed construction works will take place within a portion of this area</li> <li>• Grandmother tree. Discussion of driveway location to ensure that works do not impact the Grandmother tree</li> <li>• Baby burial area. The proposed works will take place within the baby burial area. Archaeological test excavation undertaken to date has not identified any burials. Although no grave cuts were identified during archaeolgocial test excavation, the area maintains importance to the Dharug People as an area where burials took place.</li> </ul>	<p>GDJV has noted that the DSMG owned portion of the BNI site is completely excluded from access (which is where the Grandmother tree is located) which will prevent harm.</p> <p>Noisy activities will go through noise approvals with specific restrictions regarding where works can occur.</p> <p>To manage night time noise and vibration, the Environmental Protection Licence (EPL) and Construction Noise and Vibration Guideline (CNVL) conditions strictly limit night-time activities. Specifically, night works:</p> <ul style="list-style-type: none"> <li>• Must not occur for more than two consecutive nights.</li> <li>• Must not occur on more than three nights per week.</li> <li>• Must not exceed ten nights per month in tot</li> </ul>	
HIA 3	<p><i>In keeping with the opportunities outlined in the Conservation Management Plan 2023, Connecting with Country 2024, and as per the possible mitigation measures outlined in the Heritage NSW Guidelines for Preparing A Statement of Heritage</i></p>	<p>DSMG to be consulted concerning design and art and artists / interpretation</p>	<ul style="list-style-type: none"> <li>•</li> </ul>

Recommendation Number	Recommendations	How addressed	DSMG input
	<p>impact, avenues for interpretation should be implemented within the Study Area. Opportunities for interpretation may include:</p> <ul style="list-style-type: none"> <li>• Interpretation could be included in the design of structures to assist in minimising the visual impact of the proposal and provide a positive outcome.</li> <li>• Engaging local artists to design suitable artworks to be added to the flyover and/or retaining wall could assist in mitigating the adverse visual impact caused by the new structures.</li> <li>• Interpretation should be sensitively designed and respond to what is appropriate for the project's corridor and interface with the broader Blacktown Native Institution site. The project should seek the input of the DSMG to ensure the interpretation is acceptable and consistent in communicating the BNI's story and that of the broader cultural landscape.</li> </ul>		
HIA 4	<p>Endangered vegetation in the wider cultural landscape (and within the Study Area) should be maintained in discussion with DSMG.<sup>13</sup> Endangered species include Cumberland Plains Shale Woodlands, Cumberland Plains River-Flat Forest.<sup>14</sup></p>	<p>Confirmation by GDJV and Transport for NSW on what harm to endangered vegetation will result from the proposed temporary works, project wide works and the flyover.</p>	
HIA 5	<p>Safe animal movement corridors should be maintained in discussion with the DSMG</p>	<p>GDJV and Transport for NSW to present to DSMG details of</p>	<p>Consider wider movement corridors between the DSMG BNI site and the</p>

<sup>13</sup> Nguluway Design Inc, 2024, Connecting with Country, p.12

<sup>14</sup> Cumberland Plains Shale Woodlands, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=20403>, accessed 4/6/25; River-Flat Eucalyptus Forest, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=10787>, accessed 4/6/25; Castlereagh Ironbark Forest, <https://threatenedspecies.bionet.nsw.gov.au/profile?id=10174>, accessed 4/6/25

Recommendation Number	Recommendations	How addressed	DSMG input
		management of fauna movement during works	Castlereagh corridor, noting the proposed ancillary site facility north of the BNI. DSMG noted that there is a resident red-belly snake that frequents the area proposed for clearing and investigation. Requested to be informed regarding the management of potential relocation to protect the snake from adverse impacts of the works. Key seasons for sightings are end of Spring and Summer.
HIA 6	<i>Landscaping and vegetation planting should seek to replace exotic species with species endemic to the area (including grasses). Species used for landscaping would be discussed with the DSMG as part of the ecological regeneration of the BNI.</i>	Landscaping and vegetation planting are outside the scope of this HIA. Transport for NSW and GDJV to discuss any available details of long-term landscaping and vegetation planting works	Seek to accurately record locations, species and sizes of trees cleared from the BNI to allow for consideration within the landscape design
HIA 7	<i>Further consultation with DSMG should be implemented for resolution of the following items during design development and construction of the project. DSMG's concerns include, but are not limited to, the following items:</i> <ul style="list-style-type: none"> <li>• <i>The Grandmother tree should be protected from accidental damage</i></li> <li>• <i>Concerns about wildlife connectivity including affects from the proposed use of a site at the north edge of the SHR curtilage as an ancillary facility for construction should be addressed in consultation with DSMG</i></li> </ul>		Consultation with DSMG is all points

Recommendation Number	Recommendations	How addressed	DSMG input
	<ul style="list-style-type: none"> <li>• Protection of existing trees and flora from damage by construction activities</li> <li>• Water ways should be protected and restored and not impacted by construction activities</li> <li>• Construction noise from the proposed works, operational noise from the bridge and expanded traffic corridor, and the removal of vegetation in the BNI threaten the site as a place of quiet and reflection. Considerations of noise elimination, reduction and naturalisation of the area require further discussion with DSMG. Construction of planted earth berms should be considered in keeping with Conservation Management Policy 71, to improve the BNI setting and maintain atmosphere of quiet and reflection</li> <li>• Long term access to the site</li> <li>• Impacts on Bells Creek, the location of proposed structures and infrastructure and whether this impact can be reduced</li> <li>• Interpretation outcomes which seek to mitigate the visual impacts of the flyover, retaining wall and bridge</li> </ul>		
HIA 8	Updates to this report should there be changes to the temporary works, project wide works or flyover as assessed in this report	This report should be revised or addendum reports added where there are any changes to works, such as (but not limited to): temporary works, project wide works or flyover	
HIA 9	Access to the BNI site	GDJV to ensure that the proposed works do not stop access to the DSMG portion of the BNI site	Any damage or impacts to existing vehicle accesses must be made good (including but not limited to addition of hardstand and regrading of the gravel areas).

DRAFT

## 9. Conclusion

Temporary works, project wide works and construction of flyover and retaining wall are proposed within the Richmond Road Upgrade (M7 to Townson Road) project footprint within Lot 1 DP 1043661 of the BNI site.

The impact of the temporary works, project wide works and construction of the flyover and retaining wall has been assessed in this HIA, with a consistency check against the impacts assessment and findings of the 2026 SoHI.

The proposed works will have adverse impacts to the BNI site. The works will impact cultural values of the BNI site.

Specific recommendations and guidance for consultation with DSMG regarding the temporary works, project wide works and construction of the flyover and retaining wall are presented in Section 8.3 of this HIA. This includes application of the Transport for NSW unexpected finds procedure during works.

This report will be presented by Transport for NSW to DSMG for review and discussion, and the report subsequently updated and revised if required.

The works fall within the criterion for an exemption from the requirements for a Section 60 permit for impacts within the Blacktown Native Institution (SHR No. 01866) so no permit is required. The process for confirmation of the SSE for these works is outlined in Table 9-1. The temporary works, project wide works and flyover construction cannot commence until the process outlined in Table 9-1 is completed.

Table 9-1 Process for finalisation of this report and works approval. This table to be updated as each step progresses

Step #	Step	Completed?
1	Complete draft HIA	Completed
2	DSMG review and comment	To be completed
3	Finalise HIA with DSMG comments and feedback	To be completed
4	TfNSW internal SSE review process	To be completed
5	Approval to commence works as per recommendations of HIA	To be completed

## 10. Definitions

Term	Definition
CMP	Conservation Management Plan
CPT	Cone penetration test
HDR	Heritage Design Report
LEP	Local Environmental Plan
REF	Review of Environmental Factors
RRM7 or the Project	The Richmond Road Upgrade (M7 to Townson Road)
SHI	NSW State Heritage Inventory
SHR	NSW State Heritage Register
SOHI	Statement of Heritage Impact
TAM S170	Transport Asset Manager of New South Wales Section 170 Heritage and Conservation Register
Transport	Transport for NSW

## Appendix A: DSMG WG Concurrence

DRAFT

## Appendix B: Relevant Figures & Plans

DRAFT

## Appendix C: References

Artefact Heritage and Environment. Richmond Road Widening between M7 and Townson Road Statement of Heritage Impact. Artefact Heritage for Transport for NSW, 2026.

Artefact Heritage and Environment. *Richmond Road Widening between M7 and Townson Road Historical Archaeological Methodology & Research Design*. Artefact Heritage and Environment for Transport for NSW, 2006.

GDJV. Heritage Management Sub-Plan, Appendix B5. 2006.

GDJV. GE01 - Geotechnical Investigation Plan - Design Report Design Stage: Final Design Documentation. Nos. RRM7-GEDT-0537-GE-RPT-010001. Report for Transport for New South Wales Richmond Road Upgrade (M7 to Townson Road), 2026\

GML Heritage 2023. Dharug Nura: Blacktown Native Institution Conservation Management Plan (Draft). Prepared for Dharug Strategic Management Group

Transport for NSW. Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park Review of Environmental Factors November. 2024.

Transport for NSW. Richmond Road Upgrade between M7 Motorway and Townson Road, Marsden Park REF Determination Report. 2025.