



Office of
Environment
& Heritage

Our Ref: DOC18/495272

Your Ref: SSD 9103

Department of Planning and Environment
GPO Box 39
Sydney NSW 2000

Attention: Ms Teresa Gizzi

Dear Ms Gizzi

Re: New Macksville Hospital Old Coast Road, North Macksville, SSD 9103 EIS exhibition

Thank you for your email dated 16 July 2018 about the public exhibition of the proposed new Macksville Hospital Environmental Impact Statement (EIS) seeking comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input and apologise for the delay in responding.

The OEH has statutory responsibilities relating to biodiversity (including threatened species, populations, ecological communities, or their habitats), Aboriginal and historic heritage, National Parks and Wildlife Service (NPWS) estate, flooding and estuary management.

The OEH previously determined that the proposal was unlikely to have a significant effect on biodiversity values and issued a waiver from the need to prepare a Biodiversity Development Assessment Report (BDAR) as part of the submission of the state significant development application for the Macksville Hospital.

We have reviewed the EIS and associated reports and have determined that we have no further matters to raise with respect to Biodiversity (as indicated above), flooding and estuary management or NPWS estate.

However, in reviewing the Aboriginal cultural heritage assessment reports and EIS, the OEH notes the following.

The Secretary's Environmental Assessment Requirements (SEARs) 8 requires that the proponent "Address Aboriginal Heritage in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011)* and *Aboriginal Cultural Heritage Consultation Requirement for Proponents 2010*"

The OEH notes that on Page 2 of Appendix J4_Aboriginal Heritage Assessment which has been provided in support of the EIS, the consultant archaeologist states that "it is considered that undertaking investigations and consultation in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011* and the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* is not necessary in this instance". This contradicts SEAR 8.


We note that there may be several other Aboriginal cultural heritage reports that have been prepared for other projects in the locality. The OEH considers that if other research and investigation reports exist and are relevant to the project then these findings may be utilised. However, it is the responsibility of the assessing consultant to incorporate this information into a consolidated document to fulfil the requirement of SEAR 8.

The OEH recommends that:

1. An Aboriginal Cultural Heritage Assessment in compliance with the project SEARS should be carried out and reported to inform the EIS.
2. The Aboriginal Cultural Heritage Assessment report must be provided to the OEH for review before the application is determined.

If you have any further questions about this issue, Mr Ross Wellington, Senior Conservation Planning Officer, Conservation and Regional Delivery, OEH, can be contacted on 6640 2514 or at ross.wellington@environment.nsw.gov.au.

Yours sincerely

 14 August 2018

DIMITRI YOUNG
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