

Our ref: HMS ID 14941

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Department of Planning, Housing and Infrastructure
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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: Residential Flat Building at 64-66 Lavender St & 3-7 Middlemiss St, Lavender Bay

Major Project reference: SSD-867977808

Received: 4 June 2026

Dear Ryan,

Thank you for your referral seeking advice on the above State Significant Development (SSD) proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- Relevant sections of Environmental Impact Statement and Planning Proposal 64-66 Lavender Street and 3-7 Middlemiss Street, Lavender Bay - prepared by Planning&Co, dated 15 May 2026
- Appendix H: Aboriginal Cultural Heritage Assessment 64-66 Lavender Street and 3-7 Middlemiss Street, Lavender Bay - prepared by Artefact Heritage and Environment, dated March 2026
- Appendix OO: Geotechnical Investigation 64-66 Lavender Street and 3-7 Middlemiss Street, Lavender Bay - prepared by Rapid Geo, dated 18 March 2026

The Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared with reference to the relevant guidelines as required by the Secretary's Environmental Assessment Requirements (SEARs). Heritage NSW notes that the last recorded consultation with the Registered Aboriginal Parties (RAPs) was in November 2026. Heritage NSW requires that consultation with Registered Aboriginal Parties (RAPs) is continuous and under our guidelines, breaks in consultation of over six months may not constitute continuous consultation. Please ensure that future consultation is kept continuous throughout the assessment of the application. Heritage NSW supports the proposed Management Measures and Recommendations (Section 8 of the ACHAR). Draft Conditions of Approval are included in **Attachment A**.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Corey O'Driscoll

Corey O'Driscoll
A/Practice Lead- Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
18 June 2026

Attachment A – Recommended Draft Conditions for Aboriginal Heritage

Below are our recommended draft conditions for the protection of Aboriginal Heritage.

Aboriginal Heritage

1. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
2. The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
3. A procedure for the management of unexpected Aboriginal objects and human remains must be developed in consultation with the RAPs for inclusion in the project's Construction Environmental Management Plan (CEMP). The procedure must be prepared in accordance with Heritage NSW guidelines and code of practice and must be implemented for the duration of the project.