



Office of
Environment
& Heritage

DOC17/90895
SSD 7246

Mr Cameron Sargent
Team Leader Key Sites Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Sargent

SSD 7246 Foreshore and Public Domain Works at Campbell's Cove, The Rocks

I refer to your letter received by the Office of Environment and Heritage (OEH) on 3 February 2017, inviting OEH to provide comments on the foreshore and public domain works at Campbell's Cove during public exhibition.

OEH has reviewed the documentation and provides comments on the Aboriginal cultural heritage aspect of the proposal.

Aboriginal cultural heritage

OEH notes that the applicant has undertaken an Aboriginal heritage due diligence assessment. DPE is advised that OEH does not review or comment on due diligence reports. Due diligence is a legal defence against harm under the *National Parks and Wildlife Act 1974* and is not a substitute for undertaking an Aboriginal cultural heritage assessment. OEH does not consider that a due diligence report is adequate to assess the impacts of the development on the Aboriginal archaeological and cultural heritage values of the subject land.

If you have any further questions about this issue please contact Marnie Stewart on 9995 6868 or marnie.stewart@environment.nsw.gov.au.

Yours sincerely

S. Harrison 10/03/17

SUSAN HARRISON
Senior Team Leader Planning
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