



Office of  
Environment  
& Heritage

DOC16/636820  
SSD 7684

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

Dear Mr Roberts

**SSD 7684 Concept proposal for the redevelopment of Cockle Bay Wharf**

I refer to your letter received by the Office of Environment and Heritage (OEH) on 16 December 2016, inviting OEH to provide comments on the concept proposal for the redevelopment of Cockle Bay Wharf 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 Aboriginal Heritage Due Diligence Report. 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. OEH therefore recommends that Aboriginal cultural heritage assessment be undertaken.

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

Yours sincerely

*S. Harrison 09/02/17*

**SUSAN HARRISON**  
**Senior Team Leader Planning**  
**Regional Operations**

