



Office of Environment & Heritage

Your reference: DA-15-1088
Our reference: SF15/29943
Contact: Samantha Gibbins (02) 9895 6586

Wendy Wang
Assistant Team Leader Planning (Major Projects)
Blacktown City Council
PO Box 63
BLACKTOWN NSW 2148

Dear Ms Wang,

This letter contains Office of Environment and Heritage's (OEH) general terms of approval for an Integrated Development (development application DA-15-1088) for those known Aboriginal sites which would require an Aboriginal Heritage Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974 (the Act)*.

OEH has reviewed the following reports provided in support of this Application:

- "Sydney Business Park Development Application Stage 3.01: Assessment of Impact on Aboriginal Cultural Heritage" Letter prepared for Sydney Business Park by Kelleher Nightingale Consulting Pty Ltd (KNC) dated 23 April 2015 (KNC 2015).
- "Marsden Park Industrial Precinct Stage 3.01 Statement of Environmental Effects – Earthworks and Construction of a Building Pad at South Street, Marsden Park" prepared for Marsden Park Developments Pty Ltd by Calibre Consulting dated 13 May 2015 (Calibre Consulting 2015).

OEH notes that the proposed development area has been assessed in a comprehensive Aboriginal heritage report: "Marsden Park Industrial Precinct, Aboriginal Heritage Assessment" prepared for NSW Department of Planning by KNC in 2009. However, a copy was not provided to support this IDA. Only a letter summarising the report findings and the results of a recent search of the Aboriginal Heritage Information Management System (AHIMS) has been supplied.

OEH further notes that KNC (2015) identify four Aboriginal archaeological sites of at least moderate archaeological significance within the proposed bulk earthworks area encompassing Lots 32-35 in DP 262886. However, KNC (2015) have not included the proposed earthworks for road construction and tree removal in Lots 26, 27 and 47 in DP 262886 in their assessment. As shown on Figure 2 of KNC (2015), several previously recorded Aboriginal sites are located within, or in close proximity to, the area of these proposed works.

Considering the above, OEH provides the following Aboriginal cultural heritage general terms of approval:

- As Aboriginal objects will be harmed as a result of this development, a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works. Appropriate management and mitigation for harm must form part of the AHIP application.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants*.
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010*.

- Long term management of Aboriginal objects must be considered as part of the AHIP application.

If you have any further questions in relation to this matter, please contact Samantha Gibbins, Archaeologist, on (02) 9895 6586.

Yours sincerely,

S. Harrison 12/08/15

SUSAN HARRISON
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Office of Environment and Heritage