



Darkinjung LALC Letter of Participation - Narara Eco Village – Lot 13 - DP 1126998
Proposed Rezoning.
23rd October 2015.

Background

Darkinjung Local Aboriginal Land Council (DLALC) was contacted by Fenella Atkinson from Artefact Heritage Services on behalf of Narara Eco Village Co-Operative Ltd to request Darkinjung LALC Aboriginal Culture Heritage Officer to carry out a site inspection of the Narara Eco Village located at Lot 13 DP 1126998, 25 Research Road Narara. Two additional areas of the site are proposed for rezoning

This inspection was carried out on the 19th October 2015.

In 2006 Danny O'Brien of Environmental Appraisal and Planning Pty Ltd along with a representative from Darkinjung LALC carried out a Aboriginal Archaeological and Cultural Heritage Assessment in relation to proposed rezoning of the property from 5(a) Special Uses to 2(a) Residential (approximately 11.5 hectares), 7(a) Conservation, 7(c2) Scenic Protection Rural Small Holdings, and 6(a) Open Space. These zones are now known as R2 Low Density Residential, E2 Environmental Conservation, E3 Environmental Management and RE1 Public Recreation.

The results of this assessment found that the proposed development area has a low potential for Aboriginal cultural heritage while the non-development area has a high potential for Aboriginal Cultural Heritage sites. Several Aboriginal sites were recorded within the non-development area as part of this assessment.

In 2014 Darkinjung LALC carried out an inspection on the property in relation to the proposed rezoning and the Stage 1 development. As a result of this assessment inspection, Darkinjung LALC produced the '*Darkinjung LALC Letter of Participation - Narara Eco Village – Lot 13 - DP 1126998 4th June 2014*'.

The assessments found that the Aboriginal sites are located within the elevated bushland region of the property zoned environment (E2) and is not proposed for any future development.

The rezoning and Development Application (DA) has now been approved and the property developer would like to apply to rezone additional areas of the property.

The additional areas proposed for rezoning require extending the current zone of R2 into an area to the north-west of the area currently zoned E2 and to extend the current zoning of R2 into an area in the east of the property near the 100 year flood line which is currently zoned RE1.

The parties involved in the assessment were:

- Sharon Hodgetts, Senior Project Officer, Culture and Heritage, DLALC.
- Fenella Atkinson, Senior Heritage Consultant from Artefact Heritage Services.
- Alyce Haast from Artefact Heritage Services.

Discussion

The assessment site is situated within the proposed Narara Eco Village. The assessment area covers approximately 11.5 hectares of the total 62 hectares of the property. The topography within the property consists of heavily vegetated ridgelines to the north, north-east, west and south-west, while Narara Creek flows through the valley in the mid-section of the property. Strickland State Forest is situated to the west and north of the assessment site while urban development lies to the east.

The site was once part of Gosford Horticultural Research Station and as a result has undergone varying levels of disturbance. Most disturbances were created by agriculture/horticulture activities, construction of buildings, roads, electricity lines, fences and other infrastructure associated with agriculture/horticulture. The main infrastructure and disturbance is located within the mid-slopes and valley of the property. This is the area designated for the proposed Narara Eco Village, approximate 11.5 hectares in size.

The ridge lines and upper slopes of the assessment site remain relatively undisturbed with native vegetation. This area is proposed to be retained as environmental and not impacted by the proposed development. The environmental area is also the location of the two (2) Registered Aboriginal sites, Site #45-3-3332- Stone Arrangement and Site #45-3-3319-Scar Tree.

The elevated section proposed for rezoning from E2 to R2 is located adjacent to an area currently zone R2. This zone is situated within a cleared area near the vegetated slope of the ridge to the west of the property. This area is on a rise below the slope of the ridgeline and to the south of the dam.

The section proposed for rezoning from RE1 to R2 is located within the lower east of the property. This is an area between the current zone of E2 and the designated 100 year flood line which is currently zoned RE1.

Both areas have undergone previous disturbance such as land clearing and possible cultivation associated with the past use as a Horticultural Research Station and therefore these areas have a low potential for Aboriginal cultural heritage.

Along with previous recommendations the following is also recommended.

Recommendations

1. A Cultural Heritage Plan of Management should be developed in consultation with DLALC. This should include but not limited to;
 - i. Limiting public knowledge of the location of Aboriginal sites.
 - ii. Limiting unauthorized access to Aboriginal sites.
2. The site developers, employees and / or contractor must give notice to Darkinjung LALC 30 days prior to any commencement of construction work.

3. When development commences, the sites project manager and or developer, should ensure all employees, contractors and personnel of the developers (particularly those involved with excavation and land clearing) receive basic training in the recognition of Aboriginal Cultural Heritage material and sites as part of site induction.
4. When any soil excavation, earth works, vegetation clearing and leaf litter removal activities are conducted workers should be observant and keep a look out for, surface shell, bone, rocks or any other Aboriginal Cultural Heritage material.
5. If Aboriginal Cultural Heritage sites or material including bones are discovered, work should cease. The area should then be avoided and the Office of Environment and Heritage (OEH) and Darkinjung LALC should be notified immediately.
6. Any impacts, including excavations, to an area containing an Aboriginal Cultural Heritage site will require the application of an Aboriginal Heritage Impact Permit (AHIP) from the Office of Environment and Heritage (OEH) prior to any soil disturbance taking place.
7. Please Note. Under the *National Parks and Wildlife Act (1974)* it is an offence to harm (destroy, deface, or damage) or desecrate an Aboriginal object or Aboriginal place, or in relation to an object, move the object from the land on which it has been situated. Penalties range from \$275,000 and 1 year imprisonment to \$555,000 and 2 years imprisonment for an individual up to \$1,100,000 for a Corporation.
8. Penalties for failure to notify OEH of the location of an Aboriginal object range from \$11,000 to \$22,000 including from \$1,100 to \$2,000 for each day the offence continues.
9. Registered Aboriginal Site information in this report is confidential and not to be made public or for public interest.

If you require any additional information regarding the issues and recommendations as listed above I can be contacted on the numbers provided.

Kind Regards



Sharon Hodgetts
Senior Project Officer, Culture and Heritage