

Our ref: DOC24/133865

Your ref: F12/281 Scoping proposal Lot 1 & 5 Mount Darragh Rd Lochiel

Elizabeth Schindler

Strategic Planner

Bega Valley Council

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Subject: Lot 5/DP750207 and Lot 1/DP130034 Mount Darragh Road, Lochiel

Dear Ms Schindler

Thank you for the opportunity to comment on the planning proposal for Lot 5 DP 750207 and Lot 1 DP 130034 Mount Darragh Road, Lochiel under *Bega Valley LEP 2013*.

The following comments are based on the information provided as part the planning:

**Aboriginal cultural heritage considerations under the *National Parks and Wildlife Act 1974***

Ministerial Direction 2.3, Heritage Conservation, requires planning proposals to address the conservation of Aboriginal objects. Heritage NSW recommends that a comprehensive Aboriginal cultural heritage assessment report is needed and should inform this planning proposal.

The results of this assessment should inform the proposal. Early assessment provides the best opportunity to identify and protect Aboriginal cultural heritage values. It also provides certainty to all parties about any future Aboriginal cultural heritage management requirements.

The requirement for a full assessment to be prepared at the planning proposal stage is consistent with the Bega Valley LEP. It is important that any management, mitigation, and conservation mechanisms are developed at the planning proposal stage to help mitigate the cumulative impact of development in this region on Aboriginal cultural heritage.

We recommend the planning proposal also consider impacts to the Aboriginal cultural landscape, including potential impacts on visual corridors. These potential impacts can only be understood through consultation with the Aboriginal community. Measures to limit any impacts to identified Aboriginal cultural landscape values should be developed and integrated into the planning proposal.

If the planning proposal is approved and future development proceeds, the proponent would need to consider the Aboriginal cultural heritage impacts within their environmental assessments. Where harm to Aboriginal objects cannot be avoided the proponent would be required to obtain an Aboriginal Heritage Impact Permit (AHIP) before proceeding. Further information is available in the guide, [Applying for and Aboriginal Heritage Impact Permit: Guide for applicants](#).

### **General Comments**

Prior to finalisation of the proposal, Council should be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Council's assessment should include, but not be limited to, a search of the State Heritage Inventory (<https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/>) and the Aboriginal Heritage Information Management System (<https://www.heritage.nsw.gov.au/protecting-our-heritage/record-aboriginal-sites/>).

If you have any questions, please contact Heritage NSW at [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au) or on 9873 8500.

Yours sincerely

*Nicole Davis*

Nicole Davis

Manager Assessments

**Heritage NSW**

**Department of Climate Change, Energy, the Environment and Water**

**As Delegate under National Parks and Wildlife Act 1974**

5 March 2024