



Office of Environment & Heritage

Your reference: DA/560/2017
Our reference: SF17/34961
Contact: Samantha Gibbins (02) 9895 6586

Alex McDougall
Executive Planner
City Significant Development
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124

Dear Mr McDougall,

Re: OEH General Terms of Approval for Integrated Development Application DA/560/2017

This letter contains the Office of Environment and Heritage's (OEH) general terms of approval for Integrated Development Application DA/560/2017 for those known Aboriginal sites which would require an Aboriginal Heritage Impact Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974*.

OEH previously sent a stop the clock letter in relation to this referral, dated 31 July 2017. In response, an Aboriginal Cultural Heritage Assessment report (ACHAR) prepared by Comber Consultants, dated 16 January 2018, was provided to OEH on 16 January 2018.

OEH has reviewed the ACHAR. The report has identified that there is potential for Aboriginal objects, including contact archaeology, to be impacted by the proposed works. It is stated in the report that "...it will be necessary to apply for an AHIP for harm, with testing and salvage, prior to redevelopment of the site." Please note that OEH cannot issue an AHIP for testing and harm (including salvage excavation). As noted in OEH's letter dated 31 July 2017, as it has been identified that contact archaeology may be present at the subject site, an AHIP for test excavation would be required and, dependent on the results of the test excavation, a subsequent AHIP for harm may be necessary. The subsequent AHIP may include mitigation of harm to Aboriginal objects, such as salvage excavation, if appropriate.

Please also note that the area of potential archaeological deposit that is to be tested under the AHIP must be registered on the Aboriginal Heritage Information Management System (AHIMS) database prior to the AHIP application being submitted to OEH. Based on the information presented in the ACHAR, the AHIMS registration does not appear to have been completed.

As a final observation, OEH notes the potential for historical archaeological deposits to be present within the subject land that may require permits under the *Heritage Act 1977*. Any such permitting requirements should be dealt with at the same time as the AHIP application for test excavation.

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

- A s.90 Aboriginal Heritage Impact Permit (AHIP) for Aboriginal archaeological test excavations must be sought and granted, and the test excavations must be undertaken, prior to the commencement of works. The results of this testing must inform recommendations for the appropriate management and mitigation of harm to Aboriginal objects. These options can include (but are not limited to) avoidance of harm and/or salvage excavation where harm cannot be avoided.
- 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*.

- The AHIP application must include an appropriate Aboriginal archaeological research design and test excavation methodology. Documentary evidence that this has been provided to the registered Aboriginal parties (RAPs) for mandatory 28-day review and comment must be presented. It must also be documented how any issues raised by the RAPs have been addressed.
- 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 9895 6586.

Yours sincerely,

S. Harrison 17/01/18

SUSAN HARRISON
Senior Team Leader Planning
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Office of Environment and Heritage