Marcia Macke Garrido
Woollahra Municipal Council
contact email: david.booth@woollahra.nsw.gov.au

Response submitted via the NSW Government Concurrence and Referral Portal

HERITAGE NSW – GENERAL TERMS OF APPROVAL
INTEGRATED DEVELOPMENT APPLICATION
NATIONAL PARKS & WILDLIFE ACT 1974

Proposal: Demolition of existing seawall and promenade at Shark Beach/Nielsen Park, their reconstruction, together with associated landscape works.
Address: 6 Steele Point Road, Vaucluse NSW 2030
IDA application no: DA223/2020/1 (CNR-9843)

Thank you for referring the above Integrated Development Application (IDA) to Heritage NSW via the NSW Concurrence and Referral Portal. We understand that Council is seeking our General Terms of Approval (GTAs) pursuant to s4.46 of the *Environmental Planning & Assessment Act 1979* relating to the demolition of an existing seawall and promenade at Shark Beach/Nielsen Park, their reconstruction, together with associated landscape works.

We have reviewed the following documents provided with the application:
- *Statement of Environmental Effects, Reconstruction of Existing Seawall & Promenade, Nielsen Park Vaucluse*, prepared by Helen Mulcahy Urban Planning, dated June 2020.
- *Aboriginal Cultural Heritage Assessment Progress Statement for the Nielsen Park Seawall Project (Nielsen Park, Vaucluse, NSW)*, prepared by Coast History & Heritage, dated 18 June 2020.
- *Nielsen Park Seawall Re-development Landscape Development Application and Plans,* prepared by Oculus, dated 24 June 2020
- *Nielsen Park Seawall Draft Construction Management Plan*, prepared by Oculus, dated July 2020

We note one public submission was received and provided via the NSW Government Concurrence and Referral Portal on 2 November 2020. The public submission provided did not raise any Aboriginal cultural heritage concerns.

An AHIP has been issued for these works
Heritage NSW has issued an Aboriginal Heritage Impact Permit (AHIP) for the proposed Nielsen Park Seawall Project. The AHIP (No. 4670) was issued to the National Parks and Wildlife Service on 10 November 2020 for a period of two years.

General Terms of Approval for Aboriginal cultural heritage
Should Council consider approving this development application, we request that the following GTAs are included in the development consent:

- All works must be in accordance with Aboriginal Heritage Impact Permit No. 4670 issued on 10 November 2020.
- No harm to Aboriginal objects may occur through the proposed works unless they are covered by a valid Aboriginal Heritage Impact Permit.
- If human skeletal remains that are likely to be Aboriginal Ancestral remains are identified the find must be reported immediately to Heritage NSW by telephone: 131 555 or email: info@environment.nsw.gov.au.

Heritage NSW should be informed if the development footprint changes
If the development footprint changes from that shown in the information provided with this referral, Heritage NSW must be further consulted to determine whether our GTAs need to be modified.

If any required works cannot comply with the conditions of AHIP No. 4670, the applicant must either apply to Heritage NSW to vary AHIP No. 4670 or apply for a new AHIP to cover those works. Further advice from Heritage NSW should be sought if this occurs.

Please note: the above comments relate only to Aboriginal cultural heritage regulation matters pursuant to the *National Parks and Wildlife Act 1974*. Please contact Heritage NSW separately if Council requires advice in relation to matters under the *Heritage Act 1977*.

If you have any questions regarding these GTAs, please contact me on (02) 6229 7089 or via email jackie.taylor@environment.nsw.gov.au.

Yours sincerely

Jackie Taylor
Senior Team Leader, Aboriginal Cultural Heritage Regulation - South
Heritage NSW
27 November 2020