

HMS Application ID: 10280

Ms Fay Steward
Bega Valley Shire Council
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Letter uploaded to the NSW Planning Portal

Address: 22 Mine Lane, Wolumla

Proposal: Concept Master Plan for Wolumla Estate Project Area and the first stage of development (being Stage 1). The amended plans identify a reduction in lots in stage 1 to 136 residential lots, 1 future commercial lot, 4 lots of water sensitive urban design and / or public open space and 1 residue lot for future stages of development. Works include civil construction works, tree removal and landscaping works.

Development Application no: 2023.351, CNR-67078, A-81011. Received: 1 May 2025.

**Subject: Submission of amended plans for an Integrated Development Application,
*National Parks and Wildlife Act 1974***

Dear Ms Steward

Thank you for referring amended plans for the above proposal to our office under clause 37 of the *Environmental Planning and Assessment Regulation 2021* - amendment of development application. Heritage NSW have reviewed the amended plans and documents and provide the following comments in relation to Aboriginal cultural heritage matters pursuant to s.90 of the *National Parks and Wildlife Act 1974*.

Heritage NSW issued general terms of approval for the original integrated development application on 24 September 2024 (refer to DOC24/238086-12). We advise that due to amendments to the proposal, impacts to Aboriginal cultural heritage have not changed. The revised Statement of Environmental Effects prepared by Habitat Planning states the outcomes of the Aboriginal Cultural Heritage Assessment Report prepared by On Site Heritage remain relevant for the revised development proposal.

The amended plans identify that Aboriginal objects known as 7 stone artefact sites will be impacted by the proposed development. Mitigation is proposed in the form of archaeological salvage excavation at two sites (62-6-0669 and 62-6-0675) under an Aboriginal Heritage Impact Permit. These two sites are located in stage 2 and 3 of the proposed development.

The other 5 sites (62-6-0671, 62-6-0662, 62-6-0685, 62-6-0737 and 62-6-0833) that will be impacted are located in stage 1 of the proposed development.

Considering the above, and in accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, updated references and the following new general terms of approval are granted:

Approved Development

1. Development must be in accordance with:
 - a. Aboriginal Cultural Heritage Assessment Proposed Subdivision of Lot 2 DP1287077, 22 Mine Lane, Wolumla NSW 2550, Bega Valley Shire (On Site Cultural Heritage Management, 13 October 2023).
 - b. Statement of Environmental Effects Report, Lot 2 DP1287077, No. 22 Mine Lane, Wolumla NSW (Planned, 17 April 2025).
 - c. Lot 2 DP1287077 Wolumla, NSW, Concept Master Plan Report (Human Habitats, April, 2025).
 - d. Lot 2 DP1287077, 22 Mine Lane Wolumla, Residential Subdivision – Stage 1 Engineering Concept Design For Development Application (Osgood Civil Resource Engineering, 2025).

Except as amended by the following general terms of approval:

1. A s.90 Aboriginal Heritage Impact Permit for the proposed works must be sought and granted prior to the commencement of works
<https://www.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/aboriginal-objects-and-places>
2. The Aboriginal Heritage Impact Permit application must be accompanied by appropriate documentation and mapping as outlined in *Applying for an Aboriginal Heritage Impact Permit: Guide for applicants* <https://www.environment.nsw.gov.au/publications/applying-aboriginal-heritage-impact-permit-guide-applicants>
3. Consultation with the Aboriginal community undertaken as part of the Aboriginal Heritage Impact Permit application must be in accordance with the *Aboriginal cultural heritage consultation requirements for proponents* <https://www.environment.nsw.gov.au/publications/aboriginal-cultural-heritage-consultation-requirements-proponents>
4. The Aboriginal Heritage Impact Permit application must be completed with reference to the requirements of the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* <https://www.environment.nsw.gov.au/publications/guide-investigating-assessing-and-reporting-aboriginal-cultural-heritage-new-south-wales>
5. The Aboriginal Heritage Impact Permit application must include complete records satisfying the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New*

South Wales <https://www.environment.nsw.gov.au/publications/code-practice-archaeological-investigation-aboriginal-objects-nsw>

6. Long term management of Aboriginal objects must be considered as part of the Aboriginal Heritage Impact Permit application.
7. An archaeological salvage excavation methodology must be submitted with the Aboriginal Heritage Impact Permit application.

Advice

It is recommended that the Aboriginal Cultural Heritage Assessment Report is updated with the following information for submission at the Aboriginal Heritage Impact Permit application stage:

- Archaeological survey results from the most recent field inspection in July 2023.
- Updated AHIMS search results within 12 months currency of the submission date.
- Map previously issued AHIPs in relation to the application area using the AHIP map layer on SEED: <https://datasets.seed.nsw.gov.au/dataset/aboriginal-heritage-impact-permit-boundaries>

Aboriginal community consultation must be maintained

Consultation with the registered Aboriginal parties must be maintained. We recommend a project update is provided to the registered Aboriginal parties, and then at a minimum every 6 months prior to submission of the Aboriginal Heritage Impact Permit application to ensure the consultation is continuous.

Please note that any modification of the above development that will result in impacts to Aboriginal cultural heritage must be referred to Heritage NSW to determine whether changes to these general terms of approval are required.

If you have any questions in relation to these general terms of approval, please contact Lyndon Patterson, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Tempe Beaven

Tempe Beaven
Practice Lead, Heritage Referrals
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

20 May 2025