



Our ref: SF21/136660

Mr Anthony McMahon
Acting Chief Executive Officer
Bega Valley Shire Council
PO Box 492
BEGA NSW 2550

Attention: Ms Sophie Thomson, Environmental Services Coordinator
sthomson@begavalley.nsw.gov.au

Planning Proposal – 3900 Princes Highway, Griegs Flat

Dear Mr McMahon

Thank you for the opportunity to comment on the planning proposal for 3900 Princes Highway, Griegs Flat under *Bega Valley Local Environmental Plan 2013* (LEP).

The planning proposal proposes to:

- rezone approximately 26,000 m² of the site to E4 Environmental Living with a minimum lot size (MLS) of 8,000 m²
- rezone the remainder of the site to E2 Environmental Conservation with a MLS of 120 ha.

The planning proposal has been reviewed and the following comments are provided:

State and local heritage considerations under the *Heritage Act 1977*

As delegate of the Heritage Council

The subject site is located adjacent to the State Heritage Register (SHR) listed 'Yowaka Bridge near Eden' (SHR 01486). The Statement of Significance for Yowaka Bridge near Eden describes the property as follows:

High state significance. It demonstrates how bridge designs evolved to address the structural capabilities or reinforced concrete compared to the traditional materials of masonry, timber and steel. It is a fine example of a continuous girder reinforced concrete bridge, a type constructed in a limited period between 1934 and World War 2. It is part of the upgrade of the Princes Highway which commenced in 1924. It includes aesthetic qualities such as shuttering / formwork patterning, curved lines and a light graceful form, which addresses the construction process and structural characteristics unique to reinforced concrete. It is one of four continuous two girder reinforced concrete bridges in NSW and the only example with concrete bearings.

Based on the information provided we do not believe the planning proposal will have any impacts on the heritage values of the SHR item.

Based on the information provided, we have reviewed the planning proposal against our records and do not believe that there are any identified impacts on any State significant historic archaeology. In relation to historic archaeology, if the proponent has not already undertaken their own investigation to assess the likelihood of 'relics' and any subsequent management required under the *Heritage Act 1977*, they should do so.

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 South East and Tablelands Regional Plan 2036 which has the following actions:

23.2 Consult with Aboriginal people and the broader community to identify heritage values at the strategic planning stage.

23.3 Conserve heritage assets during local strategic planning and development.

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 Andreana Kennedy, Acting Senior Team Leader, Strategic Relationships and Planning at Heritage NSW, Department of Premier and Cabinet by phone on 02 8289 6692 or email at andreana.kennedy@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rochelle Johnston', with a stylized flourish at the end.

Rochelle Johnston
Manager, Heritage Act Programs
As delegate of the Heritage Council of NSW
and
For Heritage NSW

10 November 2021