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Attention: Ms Jema Samonte  
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### **Planning Proposal - Tranche 41 Part Pondicherry, Oran Park**

Dear Mr Moore

Thank you for the opportunity to comment on the planning proposal for Tranche 41 Part Pondicherry, Oran Park. I apologise for the late reply.

I understand that the proposal seeks to make amendments to *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP) and *Camden Local Environmental Plan 2010* to rezone the subject site from RU1 Primary Production to R2 Low Density Residential and E2 Environmental Conservation.

We have reviewed the planning proposal and make the following comments:

#### **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 directions and actions set out in the Western City District Plan including:

- Action 21 - Identify, conserve and enhance environmental heritage by:
  - a) engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place
  - b) applying adaptive re-use and interpreting of heritage to foster distinctive local places
  - c) managing and monitoring the cumulative impact of development on the heritage values and character of places.
- Action 76 - Identify and protect ridgelines, scenic and cultural landscapes, specifically the Scenic Hills, Mulgoa Valley and the escarpments of the Blue Mountains.

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. 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* (<https://www.heritage.nsw.gov.au/assets/Uploads/files/Applying-for-an-Aboriginal-Heritage-Impact-Permit-Guide-for-applicants..pdf>).

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

#### **As delegate of the Heritage Council**

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 items listed on the State Heritage Register. 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.

#### **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, Senior Heritage Policy Office, Strategic Relationships & Planning at Heritage NSW, Department of Premier and Cabinet by phone on 02 8289 6692 or via email at [andreana.kennedy@environment.nsw.gov.au](mailto:andreana.kennedy@environment.nsw.gov.au).

Yours sincerely



**Rochelle Johnston**  
**Manager, Heritage Act Programs**

**As delegate of the Heritage Council of NSW**  
**and**  
**For Heritage NSW**

13 July 2021