



Our ref: DOC21/21396-2

Robert Eyre
Central Coast Council
Email: robert.eyre@centralcoast.nsw.gov.au

Dear Mr Eyre

**HERITAGE NSW, ACH REGULATION – ADVICE – DEVELOPMENT
APPLICATION REFERRAL**

Address: 83 Gindurra Road, Somersby NSW 2250 (Lot 11 DP 616412)
DA no: 59244/2020 (CNR-11672; A-19896) received 15 January 2021

Thank you for referring the above Development Application to our office via the NSW Concurrence and Referral Portal for comment with reference to the *National Parks and Wildlife Act 1974* (NPW Act).

We understand this development is not considered integrated for the purposes of the NPW Act.

Documentation provided in support of this application indicates that while there is potential for Aboriginal objects to be present within the subject land there are currently no known Aboriginal objects.

The *Environmental Planning and Assessment Act* states that development is not integrated development in respect of an Aboriginal Heritage Impact Permit under the NPW Act unless an Aboriginal object is known, immediately before the development application is made, to exist on the land to which the development application applies (s.4.46(2)(a)).

Accordingly, Heritage NSW's understanding is that since there are no known Aboriginal objects on the subject site, the development is not integrated for the purposes of the NPW Act. We are therefore providing the below comments to Council in an advisory capacity.

The proponent must ensure that they have adequately assessed the potential for Aboriginal objects to be harmed and taken all reasonable precautions to prevent harm to Aboriginal objects.

If Aboriginal objects are identified during works then all work must stop and Heritage NSW must be contacted immediately by calling 131 555 or emailing info@environment.nsw.gov.au.

We have no further comment to make in relation to Aboriginal cultural heritage matters at this time.

If you have any questions in relation to this matter, please contact Sam Gibbins, Archaeologist, at Heritage NSW on 9895 6586, or email samantha.gibbins@environment.nsw.gov.au.

Yours sincerely

Rose O'Sullivan
**A/Senior Team Leader Aboriginal Cultural Heritage Regulation – North
Heritage NSW
Department of Premier and Cabinet
5 February 2021**