



Office of Environment & Heritage

Our Ref: DOC16/307605
Your Ref: MP06_0316 MOD 4

Ms Natasha Harras
Team Leader Modification Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Harras

Re: MP 06_0316 MOD 4 - Cobaki Lakes Residential Community Development (modification to the concept plan)

Thank you for your e-mail dated 15 June 2016 regarding the proposed Modification 4 to the Cobaki Lakes Concept Plan approval requesting comments from the Office of Environment and Heritage (OEH). I appreciate the opportunity to provide input.

We have reviewed the proposed modification in relation to biodiversity and Aboriginal cultural heritage and provide the following comments and recommendations.

Biodiversity

The OEH previously provided comments on part of this modification relating to the restriction on the keeping of cats in our letter to the Department of Planning and Environment (DPE) dated 18 November 2015, and a letter to Leda Developments dated 15 December 2015.

The further information submitted by the applicant is not considered to be substantially different from the previous information. As such we do not support the modification in relation to removing the restriction on the keeping of cats.

- The OEH recommends that the condition of approval requiring a restriction on the keeping of cats is retained unless other conservation measures are put in place to address biodiversity impacts.

Aboriginal Cultural Heritage

The OEH has reviewed the proposed modification, including the Environmental Impact Statement and relevant attachments, from the perspective of Aboriginal cultural heritage (ACH) management and has the following comments.

Results of earlier archaeological investigations have identified an Aboriginal cultural heritage site within the project area that has produced unconfirmed dates for Aboriginal occupation which significantly predate any other recorded dates for open sites on the east coast of Australia.

The OEH further notes that the proposed changes to the proposal, although resulting in the removal of one proposed Cultural Heritage Park, will provide greater protection for known Aboriginal cultural heritage values within the project area by increasing the area of ground included in Cultural Heritage Parks. Furthermore we note that the increased overall protection area will include an increase in the conserved area of highest archaeological and cultural sensitivity identified in the plans as 'Cultural Heritage Park 8'.


The OEH notes that consultation with the Registered Aboriginal Parties (RAPs) for the project has been conducted and they have provided their support for the proposed modification. The proposed management protocols for the Cultural Heritage Park areas include a requirement that no further harm occur in those areas without agreement from the RAPs. In addition, no further harm should occur without the agreement of OEH also.

The OEH has no further concerns with the modification from the perspective of Aboriginal cultural heritage matters.

- The OEH recommends that the management protocols for the proposed Cultural Heritage Park areas are amended to require the agreement of the OEH as well as the Registered Aboriginal Parties for any further harm within those areas.

If you have any further questions about this issue, Mr Krister Waern, Senior Operations Officer, Regional Operations, OEH, can be contacted on 6640 2503 or at krister.waern@environment.nsw.gov.au.

Yours sincerely

 1 July 2016

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