

Brendan Gavin
Northern Beaches Council
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Email: brendan.gavin@northernbeaches.nsw.gov.au.

Dear Mr Gavin

DEVELOPMENT APPLICATION REFERRAL HERITAGE NSW COMMENT

Address: 5 Chiltern Road, Ingleside NSW 2101

**Development
Application no:** DA2023/0520

I refer to your submission received by Heritage NSW on 3 July 2023 referring the above-named development application (DA) for comment.

The proposed development involves:

- Construction of a two (2) storey passenger lift

The following key documents provided in the application were subject to review:

- Report: 'Development Application. Statement of Environmental Effects. 5 Chiltern Road, Ingleside NSW 210.' Prepared by ES Planning, dated May 2023

Aboriginal cultural heritage

The following comments are provided in relation to the proposal:

- Heritage NSW advises that it is the responsibility of the proponent to ensure that they comply with Part 6 of the *National Parks and Wildlife Act 1974*.
- If Aboriginal objects are present, or likely to be present, and the proposed activity will harm those objects, an Aboriginal Cultural Heritage assessment must be undertaken. This assessment should inform appropriate management and mitigation measures, which may include the requirement for an Aboriginal Heritage Impact Permit.
- Heritage NSW recommends that the Aboriginal Cultural Heritage assessment is guided by the following documents:
 - [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales.](#)

- consultation with the Aboriginal community undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents.
- satisfy the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW.

Environmental heritage

The following comments are provided under delegation from the Heritage Council of NSW in relation to the proposal:

- The proposed works are not in the vicinity of, nor do they affect any known State Heritage Register (SHR) items or archaeological sites.
- An Unexpected Heritage Finds procedure is recommended for the proposed works.

Recommendations

It is recommended that the following conditions are included on the Development Application:

Unexpected Heritage Finds

1. If any archaeological deposits or relics are discovered during works, works must cease and the Heritage Council of NSW must be notified immediately. To address this discovery, a s146 notification to the Heritage Council of NSW must be lodged through HMS. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. Advice would be provided in response to the lodged s146 notification.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

If you have any questions about this correspondence, please contact Jodi Cameron, Senior Assessments Officer - Historical Archaeology at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

Michael Ellis.

Michael Ellis
Heritage NSW
Department of Planning and Environment

Environmental heritage comments made as delegate of the Heritage Council of NSW

19 July 2023