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Our Ref: 4210-2018

Waterbrook Bayview Pty Ltd
Level 8, 43 Bridge Street
Hurstville NSW 2220
Attention: Kevin Ryan

Dear Mr Ryan,

27th August 2018

**RE: Aboriginal Heritage Due Diligence Assessment
1825 Pittwater Road and 52 Cabbage Tree Road Bayview, NSW**

Kayandel has reviewed the Determination and Statement of Reason from 8 August 2018 in relation to the above project, to establish if there is an additional Aboriginal Heritage reporting and/or assessment that is specifically identified or may become necessary.

Kayandel prepared an Aboriginal Due Diligence Assessment in December 2017, that considered the proposal at that time. We have assessed the proposed changes to the proposal coming out of the Determination from 8 August 2018, and our opinion is that those changes have no material impact upon the results of the previous assessment, and that no further assessment is warranted at this point.

We take this opportunity to remind you of the legal requirements of the *National Parks and Wildlife Act 1974* (as amended), whereby it is illegal to damage, deface or destroy an Aboriginal relic without first obtaining the written consent of the Director General of National Parks & Wildlife Service. If an Aboriginal object is identified at any stage in the future that all work should cease in the immediate vicinity (including an adequate buffer [notionally 50m]). You are required to notify the Office of Environment and Heritage, and should retain the services of an appropriately qualified and experienced Archaeologist.

This Due Diligence Assessment (December 2018) and a copy of this letter, must be kept by the proponent so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the *National Parks and Wildlife Act 1974*;

All relevant staff and contractors should be made aware of their statutory obligations for heritage under the *National Parks and Wildlife Act 1974*, which may be implemented as a heritage induction.

Should the design and/or extent of the proposed development be altered, further archaeological assessment may be required. This may include the need to complete an Aboriginal Cultural Heritage



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Assessment (ACHA), the full Aboriginal Cultural Heritage Consultation Requirements (ACHCR), sub surface investigations under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a) and apply for an Aboriginal Heritage Impact Permit (AHIP) from the Office of Environment and Heritage (OEH), NSW.

If you have any questions about any aspect of this letter, please contact me on (02) 4627 8622.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Lance Syme'.

Lance Syme

Principal

B Arts (Arch/Paleo), Grad Dip (Heritage Conservation)

Full Member International Council on Monuments and Sites (M.ICOMOS)

Expert Member International Committee on Archaeological Heritage Management