

# Appendix D

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PACHCI clearance letters

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31 August 2017

File No: A18822550  
SF2015/100323

Jenny McKinney  
Senior Environment Officer  
Greater Sydney Program Office  
Environment Stakeholder and Community Engagement

Dear Jennifer,

**Preliminary assessment results for Empire Bay Drive/ The Scenic Rd, Kincumber intersection upgrade based on Stage 1 of the *Procedure for Aboriginal cultural heritage consultation and investigation* (the procedure).**

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The project, as described in the Stage 1 assessment checklist was assessed as being unlikely to have an impact on Aboriginal cultural heritage. The project area is a former mineral sands processing facility and highly disturbed. (see attached A),

The assessment is based on the following due diligence considerations:

- The project is unlikely to harm known Aboriginal objects or places (AHIMS).
- The AHIMS search did not indicate moderate to high concentrations of Aboriginal objects or places in the study area.
- The study area does not contain landscape features that indicate the presence of Aboriginal objects, based on the Office of Environment and Heritage's *Due diligence Code of Practice for the Protection of Aboriginal objects in NSW* and the Roads and Maritime Services' procedure.
- The cultural heritage potential of the study area appears to be reduced due to past disturbance.
- There is an absence of sandstone rock outcrops likely to contain Aboriginal art.
- Notification of when auger hole sampling takes place, so that I can be in site to inspect

Your project may proceed in accordance with the environmental impact assessment process, as relevant, and all other relevant approvals.

If the scope of your project changes, you must contact me and your regional environmental staff Deborah Swan [deborah.swan@rms.nsw.gov.au](mailto:deborah.swan@rms.nsw.gov.au) to reassess any potential impacts on Aboriginal cultural heritage.

**Roads and Maritime Services**

If any potential Aboriginal objects (including skeletal remains) are discovered during the course of the project, all works in the vicinity of the find must cease. Follow the steps outlined in the Roads and Maritime Services' *Unexpected Archaeological Finds Procedure*.

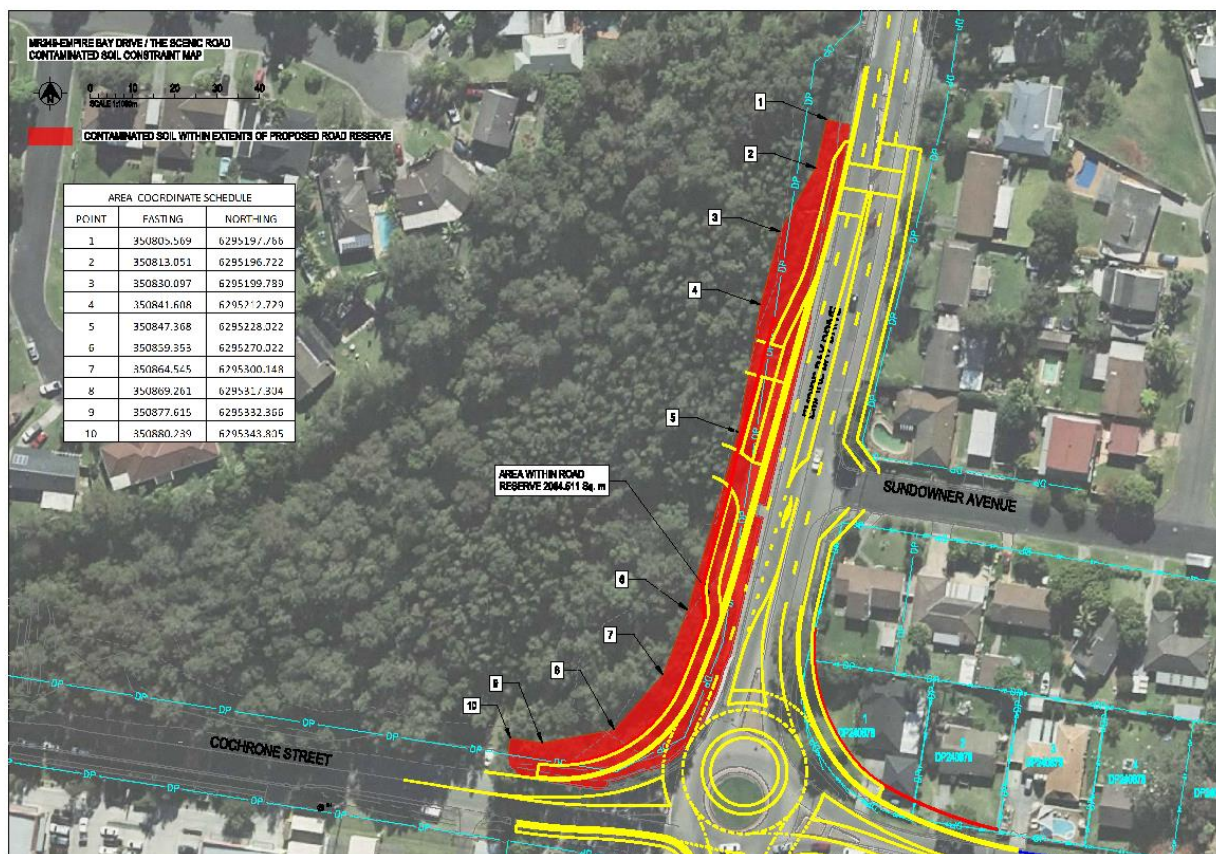
For further assistance in this matter and do not hesitate to contact me.

Yours sincerely



Deborah Swan  
Aboriginal Cultural Heritage Advisor – Hunter

Attachment 'A' Project and survey area Contaminated soil constraint map on Lot 500 Empire Bay Drive Kincumber.





9 February 2018

File No: A20923778  
SF2015/157678

Jenny McKinney  
Senior Environment Officer  
Greater Sydney Program Office  
Environment Stakeholder and Community Engagement

Dear Jennifer,

**Preliminary assessment results for extended study area Empire Bay Drive, Kincumber located within the Central Coast LGA, based on Stage 1 of the *Procedure for Aboriginal cultural heritage consultation and investigation* (the procedure).**

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The project (attached A), as described in the Stage 1 assessment checklist (attachment B) was assessed as being unlikely to have an impact on Aboriginal cultural heritage. The project area

The assessment is based on the following due diligence considerations:

- The project is unlikely to harm known Aboriginal objects or places (AHIMS).
- The AHIMS search did not indicate moderate to high concentrations of Aboriginal objects or places in the study area.
- The study area does not contain landscape features that indicate the presence of Aboriginal objects, based on the Office of Environment and Heritage's *Due diligence Code of Practice for the Protection of Aboriginal objects in NSW* and the Roads and Maritime Services' procedure.
- There is an absence of sandstone rock outcrops likely to contain Aboriginal art.
- The cultural heritage potential of the study area appears to be reduced due to past disturbance and previous urban infrastructure.

Your project may proceed in accordance with the environmental impact assessment process, as relevant, and all other relevant approvals.

If the scope of your project changes, you must contact me and your regional environmental staff Deborah Swan [deborah.swan@rms.nsw.gov.au](mailto:deborah.swan@rms.nsw.gov.au) to reassess any potential impacts on Aboriginal cultural heritage.

Please be vigilant for further potential Aboriginal objects when any earth works commence. If any potential Aboriginal objects (including skeletal remains) are discovered during the course of the



# Activity checklist

## Procedure for Aboriginal cultural heritage consultation and investigation - Resource 1

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### 1. Project details

Project name: Empire Bay Drive Extended Study Area, Kincumber Central Coast LGA

Name of project manager: Tony Lai

Name of Aboriginal cultural heritage advisor: Deborah Swan

Project WBS#: P.0023793.03.001

### 2. Purpose of this assessment

This resource provides a checklist of actions associated with the four stages of the *Procedure for Aboriginal cultural heritage consultation and investigation*. It can be used to:

- Assist Roads and Maritime Services staff to ensure that the appropriate actions have been completed for a particular project.
- Demonstrate that the Roads and Maritime Services has been duly diligent in considering potential harm to Aboriginal cultural heritage prior to project implementation.


A copy of this checklist must be kept on the project file.

### Glossary

The following terms are used in this resource:

ACHA – Aboriginal cultural heritage advisor  
AFG – Aboriginal focus group meeting  
AHIMS – OEH’s Aboriginal heritage information management system  
CHAR – Cultural heritage assessment report  
OEH – Office of Environment and Heritage  
PM – Project manager  
RES – Regional environmental staff  
SES(H) – Senior Environmental Specialist (Heritage)

### 3. Action checklist

Stage	Action	Completed <input checked="" type="checkbox"/>	Date completed and signature
Stage 1	<b>Action 1:</b> Is the activity exempt development in accordance with the <i>Environmental assessment procedure for routine and minor works</i> ? If <b>yes</b> , the project may proceed in accordance with all other relevant approvals. If <b>no</b> , proceed to Action 2.	<input checked="" type="checkbox"/>	09/02/2018
	<b>Action 2:</b> Undertake a Basic Search of AHIMS. Are sites located in the study area? If <b>yes</b> , undertake an Extensive Search.	<input checked="" type="checkbox"/>	02/02/2018
	<b>Action 3:</b> Provide project details and AHIMS results to ACHA and RES.	<input checked="" type="checkbox"/>	02/02/2018
	<b>Action 4:</b> ACHA and RES to advise PM whether the project is likely to harm Aboriginal objects or places.	<input checked="" type="checkbox"/>	09/02/2018
	<p><b>Outcomes:</b> Are known or potential impacts to objects or places likely?</p> <p>If <b>no</b>, proceed in accordance with all other relevant approvals and environmental impact assessment processes.</p> <p>If <b>yes</b>, proceed to Stage 2.</p> <p><u>Note:</u> For large or complex projects, it may not be feasible to do a Stage 2 survey. Has a cultural heritage constraints mapping been suggested instead? If <b>yes</b>, engage an archaeologist and Aboriginal stakeholders to prepare this.</p>	No	09/02/2018 
Stage 2	<b>Action 1:</b> ACHA to identify Stage 2 Aboriginal stakeholders.	<input type="checkbox"/>	
	<b>Action 2:</b> Engage Aboriginal stakeholders to do survey.	<input type="checkbox"/>	