



19 March 2020

**Meriton Group**

Level 11, Meriton Tower,  
528 Kent St, Sydney 2000

Attention: Matthew Lennartz (Executive Manager – Planning and Government)

Dear Matthew,

**Meriton Re-zoning Proposal at 1408 Anzac Parade, Little Bay.**

We understand Meriton are currently in the process of a Planning Proposal at 1408 Anzac Parade, Little Bay. We also understand Council has requested additional information to confirm that the proposed new layout will not entail any additional impact on Aboriginal heritage objects, sites or values (with specific reference to the additional ochre deposits identified during works in 2012) beyond those previously considered in our<sup>1</sup> assessment, conservation management plan and advice set out in:

- Wheeler, J (2009) 1408 Anzac Parade, Little Bay, Aboriginal Heritage Impact Assessment. Report prepared for Charter Hall by Archaeological & Heritage Management Solutions Pty Ltd.
- Wheeler, J. & McIntyre, S. (2010) Little Bay Ochre & Geological Conservation Site. Conservation Management Plan for CHOF5 Little Bay Pty Ltd by Archaeological & Heritage Management Solutions Pty Ltd. Referred to as the 'CMP'.
- Letter of Advice re: Recording and Management – Ochre Deposit Related to AHIMS 45-6-2670. Lisa Newell (Archaeological & Heritage Management Solutions Pty Ltd) to Lou Ewins (Office of Environment and Heritage) 25.6.12
- Letter re: Anzac Parade, Little Bay Planning Proposal – Aboriginal Cultural Heritage – Consistency Assessment. Alan Williams (Extent Heritage Pty Ltd) to Matthew Lennartz (Executive Manager – Planning and Government, Meriton) 12.7.19

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<sup>1</sup> Archaeological and Heritage Management Solutions Pty Ltd was incorporated into Extent Heritage Pty Ltd as part of a merger completed in 2016

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Our understanding is the new layout will not involve impact on the Miocene and Ochre Conservation Area as set out in the 2010 Little Bay Ochre and Geological Conservation Site CMP.

An overlay of the additional ochre deposits that were the subject of our letter of advice dated 25.6.12 onto the new layout indicates the new layout built form will not directly overly the ochre deposits (see Figure 1 overleaf).

Therefore, we agree that the new layout proposed by Meriton for the Planning Proposal process should not impact directly on either the agreed Miocene and Ochre Conservation Area as established in the CMP or the additional ochre deposits area identified in 2012 (as shown on Figure 1), subject to the following:

1. Meriton should ensure any bulk excavation works, piling or other sub-ground disturbance works required in proximity to the Miocene and Ochre Conservation Area set out in the 2010 CMP or in proximity to the 2012 additional ochre deposits (marked blue on figure 1) do not impact on the buried ochre deposits. Protocols required in the CMP buffer zone, set out in the 2010 CMP should also be implemented.
2. Meriton should ensure full compliance with the recommendations, policies, management requirements and statutory requirements set out in the previous advice, assessments, plans and studies prepared by Extent Heritage Pty Ltd and Archaeological and Heritage Management Solutions Pty Ltd (listed on page 1 of this letter). As there are a large number of detailed compliance requirements and implementation tasks, we recommend Meriton develop an implementation plan with La Perouse LALC to ensure all compliance and implementation tasks are completed at appropriate stages in the development.
3. Meriton should ensure continued consultation with the La Perouse Local Aboriginal Land Council (LALC) about any aspects of the proposed works that may affect Aboriginal heritage values in the proposed development area. In particular, Meriton should continue their consultation with La Perouse LALC about any proposed walkways or crossings over the Miocene and Ochre Conservation Area; ensure that buffer zones and protocols set out in the CMP are established and ensure the requirements of La Perouse LALC in regards to ongoing access to the ochre deposits and requirements to cover and protect the additional ochre deposits identified in 2012 (as set out in the letter of advice dated 25.6.12) are implemented in full.
4. Meriton must comply with the Aboriginal heritage protection provisions of the National Parks and Wildlife Act 1974 at all times, including all current regulatory requirements and policy of DPIE. It is a blanket offence to harm Aboriginal objects in NSW.

We understand that the proposed layout may be subject to further change during the course of the planning approval process. In our opinion there should be no requirement for additional new Aboriginal heritage assessments provided that the layout and design is in accord with the requirements of the CMP and previous recommendations made in the studies and advice provided by AHMS and Extent, and provided that works associated with the design will not impact on the Miocene and Ochre conservation area nor on the additional ochre deposits found in 2012.

If you have any queries about our advice, please do not hesitate to contact me.

Kind regards,



**Jim Wheeler MAACAI MICOMOS GAICD**  
**Executive Director | Extent Heritage**



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Figure 1 – Proposed Meriton Layout for Re-zoning Application. Additional Ochre Identified in 2012 overlain on Overlay (source: Meriton)