

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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10 July 2025

Meg D'souza
Senior Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Dear Ms D'souza,

GOSFORD ALIVE – SSD-9813 - CONDITION B1 - ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT (ACHAR)

This letter has been prepared by Urbis on behalf of Universal Property Group c/o Bathla in relation to Condition B1 of Schedule 3 of the Concept and Stage 1 State Significant Development Application for Gosford Alive (SSD-9813).

Approval was granted by the Department of Planning, Housing and Infrastructure (DPHI) on 25 September 2020 for concept and stage 1 works for a mixed-use development, comprising commercial, retail and residential uses at 136-146 and 148 Donnison Street, Gosford.

Condition B1 of Schedule 3 states:

Prior to the commencement of demolition, the Applicant shall prepare, and submit to the Planning Secretary for approval, an Aboriginal Cultural Heritage Assessment Report (ACHAR). The Applicant shall consult with the local Aboriginal community and the Biodiversity and Conservation Division of the Department of Planning, Industry and Environment (BCD) to inform the consideration of cultural value(s). Any ACHAR recommended management and mitigation measures shall be implemented.

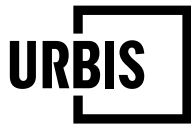
To address the requirements of this condition of consent, Apex Archaeology has reviewed the above condition and prepared the enclosed Aboriginal Cultural Heritage Assessment Report (ACHAR). Urbis has reviewed the ACHAR and confirm that it reflects the requirements of Condition B1 as:

- The ACHAR has been prepared in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010* (Code of Practice)
- The ACHAR was prepared in consultation with Heritage NSW (previously included as part of the Biodiversity Conservation Division of DPHI) who provided a list of Aboriginal people and organisations to consult with in the preparation of the ACHAR (refer to Section 2.2 of the ACHAR).
- The local Aboriginal community was consulted as part of the preparation of the ACHAR in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* which involved identifying ten registered Aboriginal parties, providing details of the proposal and

proposed methodology for undertaking cultural heritage and archaeological assessments and review of draft ACHAR (refer to Section 2 of the ACHAR).

On 9 July 2025, the Applicant received advice from the DPHI that additional information was required before accepting the ACHAR for assessment. A response to the queries raised by the Department is provided in the table below.

DPHI Request	Applicant Response
Cite the condition number of the consent under which the ACHA has been submitted.	The ACHA has been submitted in accordance with Condition B1, Schedule 3 of the Concept Approval (SSD-9813).
Correct/clarify the reference to Condition C17 under which the report has been prepared (viz. the requirement of Condition B1 (of Schedule 3 Condition of Consent for Stage 3 Works, Part B, Prior to Commencement of Demolition of Works)).	Noted. This letter seeks to clarify that the ACHAR has been prepared in accordance with Condition B1 of Schedule 3 the Concept Approval (SSD-9813) rather than Condition C17 of Schedule 1 of the Concept Approval (SSD-9813). It should be noted these conditions are linked.
The Report states that the ACHA “was completed in consultation with the Aboriginal communities”, however, evidence of such consultation is not provided. And page iii, states that “Although the Darkinjung Local Aboriginal Land Council confirmed a representative would be participating in this survey, they were unable to make it on the day.”	The local Aboriginal community was consulted as part of the preparation of the ACHAR in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> which involved identifying ten registered Aboriginal parties, providing details of the proposal and proposed methodology for undertaking cultural heritage and archaeological assessments and review of draft ACHAR (refer to Section 2 of the ACHAR). Appendix F includes evidence of consultation with Aboriginal parties. Correspondence provided by Darkinjung LALC confirms agreement that the site has been highly disturbed and recommends all work is ceased if any Aboriginal heritage is found, which is reflected in the recommendations made in the report.
Appendix H is not attached.	Please see updated submission which includes Appendix H.
Evidence of consultation with the, then, Biodiversity and Conservation Division, and how its comments are addressed in the Report, is required.	The ACHAR was prepared in consultation with Heritage NSW (previously included as part of the Biodiversity Conservation Division of DPHI) who provided a list of Aboriginal people and organisations to consult with in the preparation of the ACHAR (refer to Section 2.2 of the ACHAR). More recently, additional consultation with Heritage NSW was undertaken to inform the preparation of the ACHAR to accompany a detailed SSD submission on the site. Please find evidence of this consultation attached.



We trust that the above has satisfied the submission requirements of Condition B1, Schedule 3 of SSD-9813. If you have any further questions, please do not hesitate to contact me on the undersigned details.

Kind regards,

A handwritten signature in blue ink, appearing to read "Annika Hather". The signature is fluid and cursive, with a large loop at the start.

Annika Hather
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