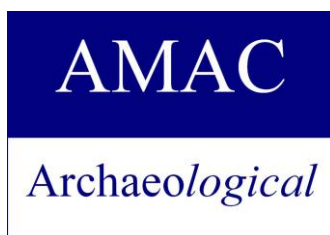


ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

Lot 11 DP 1250131, Lots 2-7 DP 14761 and Lot
469 DP821073

Central Coast Quarter
26 - 32 Mann Street
Gosford, NSW
(Central Coast Council LGA)



**Benjamin Streat, Yolanda Pavincich
& Steven J. Vasilakis**

Archaeological Management & Consulting Group
and Streat Archaeological Services

**for
SH Gosford Residential Pty Ltd**

February 2020

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Cover Image

Site Inspection Photo.
B. Streat (AMAC, 2019) [DSCN3126].

ACKNOWLEDGEMENT OF COUNTRY

SH Gosford Residential Pty Ltd would like to acknowledge the Traditional Custodians of the Gosford area– the Darkinjung Peoples and the Wanangine a.k.a. Guringai Peoples– and pay respect to their cultural heritage, beliefs and continuing relationship with the land.

SH Gosford Residential Pty Ltd would also like to acknowledge the post contact experiences of Aboriginal peoples who have attachment to the Gosford area. “We pay our respect to the Elders – past, present and future – for they hold the memories, traditions, culture and hopes of Aboriginal Peoples in the area”.

SH Gosford Residential Pty Ltd recognises the role of the registered Aboriginal parties in the management of the Aboriginal cultural heritage sites, landscape features and values of this project.

SH Gosford Residential Pty Ltd would like to thank the Registered Aboriginal Parties for their participation in this project and for their valuable contribution to this Aboriginal Archaeological Assessment which has been enriched by their willingness to share valuable aspects of their cultural knowledge especially in respect of Caring for Country

INTERNAL REVIEW

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EXECUTIVE SUMMARY

Study Area

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd was commissioned by SH Gosford Residential Pty Ltd in August 2019, to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) and accompanying Aboriginal Archaeological Technical Report for the proposed mixed-use development at 26-32 Mann Street, Gosford, New South Wales.

A full Aboriginal Cultural Heritage Assessment Report has been prepared for final submission including Aboriginal Archaeological Technical Report. Full consultation has taken place in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). These final documents will be included and submitted in response to requirement 12 of the SEARs SSD #10114.

Requirement 12: Heritage

Prepare an Aboriginal archaeology report in accordance with the relevant offices of Environment and Heritage (OEH) guidelines. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted.

Aboriginal Consultation

Consultation for this report has been undertaken in accordance with the National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

A mandatory 28-day period for the Aboriginal stakeholders to comment on this document has taken place. This is the final Aboriginal stakeholder approved version of this report.

Physical Evidence

Test excavation was undertaken over two days 05/12/19 – 06/12/19. The programme was conducted under the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales and consisted of the excavation of nine test trenches (50cm x 50cm) of which three were abandoned due to high level of disturbance and modern fill (Att3, 7 and 8).

The proposed development and associated infrastructure will impact the study area. In review of the test excavation results, of which intact soils were found to be present in areas, however, the majority of the site has been disturbed due to past land use. No Aboriginal objects and/or deposits or features of cultural and archaeological significance were present. Therefore, further investigation is not warranted, and works may proceed with caution.

Significance

The site is found to be of nil-low archaeological significance this is on account to the test excavation resulting in no Aboriginal objects and/or deposits of cultural or archaeological significance being located. The A horizon (artefact bearing deposit) was present in areas but was found to be disturbed. A significant portion of the study area was found to be heavily disturbed particularly towards the northern end where access works have taken place for the adjacent development and the western end where the reclamation works and retaining wall are located.

Recommendations

The proposed mixed-use development has the potential to disturb the ground surface. A background analysis of the environment and archaeological context revealed that the study area has moderate – high surface disturbance. However, the eastern slope has the potential for natural intact soils to be present. Where intact soils are present, these may contain Aboriginal objects and/or deposits as identified with AHIMS site# 45-3-3699.

The findings from the test excavation indicate the site to be of nil-low archaeological significance, an A horizon was present but disturbed and no Aboriginal objects and/or deposits of cultural significance were located, therefore the development should be allowed to proceed with caution.

The following recommendations have been formulated after consultation with the proponent and the Environment, Energy and Science Group (EES Group) of the Department of Planning, Industry and Environment (DPIE);

- Consultation with the registered Aboriginal stakeholders should continue. Stakeholders have been given the opportunity to comment on the recommendations of this report and these comments are included in this report;
- These final documents have been produced and will be submitted in accordance with requirement 12 of the SEARs SSD #10114;
- The archaeological test excavation in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010)* revealed no Aboriginal archaeological objects or deposits. The proposed development as outlined in Figures 7.1-7.6, should be allowed to 'proceed with caution';
- After this and before any ground disturbance takes place all development staff, contractors and workers should be briefed prior to works commencing on site, as to the status of the area and their responsibilities in ensuring preservation of said area. They should also be informed of their responsibilities regarding any Indigenous archaeological deposits and/or objects that may be located during the following development;

Should any human remains be located during the following development;

- all excavation in the immediate vicinity of any objects of deposits shall cease immediately and the area is to be secured so no further harm is to come to these remains;
- the NSW police and EES Group's Environment Line 131 555 are to be informed as soon as possible including any available details of the remains and their location;
- once it has been established that the human remains are Aboriginal ancestral remains, authorisation is required by EES Group in consultation with relevant Registered Aboriginal Parties identifying the appropriate course of action

Should any Aboriginal archaeological deposits and/or objects be found during the development:

- All excavation in the area shall cease immediately;
- The EES Group's Enviroline 131 555 shall be contacted and a suitably qualified archaeologist shall be notified so the significance of the said deposits or objects

can be evaluated and presented in another report and recorded as an archaeological site;

- The archaeological features or objects shall be subject to a course of action advised by EES Group;

CONTACT DETAILS

The contact details for the following archaeologist, NSW Police, EES Group and the RAPs are as follows:

Organisation	Contact	Contact Details
NSW Environment Line		131 555
NSW Brisbane Water Police Area Command (PAC)		PAC Office: Level 3, 9- 11 Mann Street Gosford NSW 2250 Ph: (02) 4323 5599 Fax: (02) 4323 5509
Archaeological Management & Consulting Group	Mr. Benjamin Streat or Mr. Martin Carney	122c-d Percival Road Stanmore NSW 2048 Ph:(02) 9568 6093 Fax:(02) 9568 6093 Mob: 0405 455 869 Mob: 0411 727 395 benjaminstreat@archaeological.com.au
Environment, Energy and Science Group of the NSW Department of Planning, Industry and Environment	Archaeologist – Head Office	PO Box 488G Newcastle 2300 Ph: (02) 4927 3119 rog.hcc@environment.nsw.gov.au
Darkinjung Local Aboriginal Land Council (DLALC)	Barry Williams & Amanda Shields	PO Box 401 Wyong NSW 2259 Ph: (02) 4351 2930 darkinjung@dlalc.org.au
Awabakal & Guringai Pty Ltd	Tracey Howie	tracey@guringai.com.au
Corroboree Aboriginal Corp.	Marilyn Johnson	corroboreecorp@bigpond.com
Didge Ngunawal Clan	Lilly Carroll & Paul Boyd	didgengunawalcla@yahoo.com.au
Widescope Group	Steven Hickey	Widescope.group@live.com

1.0 INTRODUCTION

1.1 BACKGROUND

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd was commissioned by SH Gosford Residential Pty Ltd in August 2019, to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) and accompanying Aboriginal Archaeological Technical Report for the proposed mixed-use development at 26-32 Mann Street, Gosford, New South Wales.

A full Aboriginal Cultural Heritage Assessment Report has been prepared for final submission including an Aboriginal Archaeological Technical Report. Full consultation has taken place in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). These final documents have been completed in response to requirement 12 of the SEARs SSD #10114.

Requirement 12: Heritage

Prepare an Aboriginal archaeology report in accordance with the relevant offices of Environment and Heritage (OEH) guidelines. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted.

Test excavation was undertaken over two days 05/12/19 – 06/12/19. The programme was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010)* and consisted of the excavation of nine test trenches (50cm x 50cm) of which three were abandoned due to high level of disturbance and modern fill (Att3, 7 and 8).

The findings from the test excavation indicate the site to be of nil-low archaeological significance. The A horizon (artefact bearing deposit) was present in areas but was found to be disturbed and no Aboriginal objects and/or deposits of cultural significance were located. A significant portion of the study area was found to be heavily disturbed particularly towards the northern end where access works have taken place for the adjacent development and the western end where the reclamation works and retaining wall are located.

1.2 STUDY AREA

The study site is that piece of land described as Lots 11 of the Land and Property Information Deposited Plan 1250131; Lots 2-7 DP 14761 and Lot 469 DP821073 forming 26-32 Mann Street, Gosford, NSW in the Parish of Gosford, County of Northumberland (hereafter known as the study area).

Address	Lot	Deposited Plan
32 Mann Street, Gosford	11	1250131
26 Mann Street, Gosford	2-7	14761
26 Mann Street, Gosford	469	821073

1.3 SCOPE

The aims of this cultural heritage assessment are to assess the Aboriginal cultural heritage values of the study area, to provide registered Aboriginal persons or

organisations who hold cultural knowledge relevant to determining the cultural significance of Aboriginal object(s) and/or place(s) within, or in the vicinity of the area of the proposed development to present this knowledge for synthesis, analysis and compilation into a Cultural Heritage Assessment about the study area.

This report will assess the impact of the proposed development on any identified items or places of Aboriginal cultural heritage value and to develop mitigative strategies under the appropriate legislation for the management of Aboriginal archaeological and cultural heritage values of the study area. The process has also allowed the proponent and/or the proponent's representative to outline the project details and the participating Aboriginal stakeholders to have input into formulating mitigative strategies at identified points in the impact assessment process.

A methodology and a timeline for the completion of assessment process and report delivery was developed and distributed to all stakeholders. With these clearly identified roles the methodology and project background had been submitted to the participating Aboriginal stakeholders for review and input for a period of no less than 28 days.

This assessment is intended for submission in conjunction with the Final Aboriginal Archaeological Technical Report.

1.4 AUTHOR IDENTIFICATION

The analysis of the archaeological background and the reporting were undertaken by Mr. Benjamin Streat (BA, Grad Dip Arch Her, Grad Dip App Sc), archaeologist and Director of Streat Archaeological Services Pty Ltd in association with Ms. Yolanda Pavincich (B Arch, Grad Dip Cul Her) and Steven J. Vasilakis (B. Arch. Hons.), under the guidance of Mr. Martin Carney archaeologist and Managing Director of AMAC Group.

1.5 LEGISLATIVE CONTEXT AND STATUTORY CONTROLS

This section of the report provides a brief outline of the relevant legislation and statutory instruments that protect Aboriginal archaeological and cultural heritage sites within the state of New South Wales. Some of the legislation and statutory instruments operate at a federal or local level and as such are applicable to Aboriginal archaeological and cultural heritage sites in New South Wales. This material is not legal advice and is based purely on the author's understanding of the legislation and statutory instruments. This document seeks to meet the requirements of the legislation and statutory instruments set out within this section of the report.

1.5.1 Commonwealth Heritage Legislation and Lists

One piece of legislation and two statutory lists and one non-statutory list are maintained and were consulted as part of this report: the National Heritage List; the Commonwealth Heritage List and the Register of the National Estate.

1.5.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) offers provisions to protect matters of national environmental significance. This act establishes the National Heritage List and the Commonwealth Heritage List which can include natural, Indigenous and historic places of value to the nation. This Act helps ensure that the natural, Aboriginal and historic heritage values of places under Commonwealth

ownership or control are identified, protected and managed (Australian Government 1999).

1.5.1.2 National Heritage List

The National Heritage List is a list which contains places, items and areas of outstanding heritage value to Australia; this can include places, items and areas overseas as well as items of Aboriginal significance and origin. These places are protected under the Australian Government's EPBC Act.

1.5.1.3 Commonwealth Heritage List

The Commonwealth Heritage List can include natural, Indigenous and historic places of value to the nation. Items on this list are under Commonwealth ownership or control and as such are identified, protected and managed by the Federal Government.

1.5.1.4 Register of the National Estate

The Register of the National Estate is a list of natural, Indigenous and heritage places throughout Australia. It was originally established under the *Australian Heritage Commission Act 1975 (AHC Act)*. This has now been replaced by the Environment Protection and Biodiversity Conservation Act 1999. The register will continue to operate until February 2012 when it will be completely replaced by The Commonwealth Heritage List.

1.5.2 New South Wales State Heritage Legislation and Lists

The state (NSW) based legislation that is of relevance to this assessment comes in the form of the acts which are outlined below.

1.5.2.1 National Parks and Wildlife Act 1974

The NSW National Parks and Wildlife Act 1974 (as amended) defines Aboriginal objects and provides protection to any and all material remains which may be evidence of the Aboriginal occupation of lands continued within the state of New South Wales. The relevant sections of the Act are sections 84, 86, 87 and 90.

An Aboriginal object, formerly known as a relic is defined as:

any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains" (NSW Government, 1974).

It is an offence to harm or desecrate an Aboriginal object or places under Part 6, Section 86 of the NPW Act:

Part 6, Division 1, Section 86: Harming or desecrating Aboriginal objects and Aboriginal places:

(1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object.*

Maximum penalty:

(a) *in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or*

(b) *in the case of a corporation—10,000 penalty units.*

- (2) A person must not harm an Aboriginal object.

Maximum penalty:

- (a) in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or
- (b) in the case of a corporation—2,000 penalty units.

- (3) For the purposes of this section, **circumstances of aggravation** are:

- (a) that the offence was committed in the course of carrying out a commercial activity, or
- (b) that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.

This subsection does not apply unless the circumstances of aggravation were identified in the court attendance notice or summons for the offence.

- (4) A person must not harm or desecrate an Aboriginal place.

Maximum penalty:

- (a) in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, or
- (b) in the case of a corporation—10,000 penalty units.

- (5) The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.
- (6) Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.
- (7) A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.
- (8) If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).

1.5.2.2 Environmental Planning & Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) states that environmental impacts of proposed developments must be considered in land use planning procedures. Four parts of this act relate to Aboriginal cultural heritage.

- Part 3, divisions 3 and 4 refer to Regional strategic plans and both Local Environmental Plans (LEP) and Development Control Plans (DCP), which are environmental planning instruments and call for the assessment of Aboriginal heritage among other requirements.
- Part 4 determines what developments require consent and what developments do not require consent. Section 4.15 calls for the evaluation of
The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality (NSW Government 1979).

This part of the legislation also addresses State Significant Developments as mentioned in division 4.7 with section 4.38 outlining the consent for State Significant Development in relation to the environmental planning instruments.

- Part 5 of this Act requires that impacts on a locality which may have an impact on the aesthetic, anthropological, architectural, cultural, historic, scientific,

recreational or scenic value are considered as part of the development application process (NSW Government, 1979).

1.5.2.3 State Environmental Planning Policy 2011

The study area is identified under Schedule 2 State Significant Development – Identified sites Clause 15;

15 Development in Gosford City Centre

Development that has a capital investment value of more than \$75 million on land identified on the Land Application Map (within the meaning of State Environmental Planning Policy (Gosford City Centre) 2018).

1.5.2.4 State Environmental Planning Policy (Gosford City Centre) 2018

The State Environmental Planning Policy is specific for the Gosford City Centre of which includes the area subject of this report. This document was endorsed in 2018. Part 5; Section 5.10 outlines the requirements regarding heritage conservation.

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Gosford,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Policy, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

1.5.2.5 The Aboriginal Land Rights Act 1983

The NSW *Aboriginal Land Rights Act 1983* (ALR Act), administered by the NSW Department of Aboriginal Affairs, established the NSW Aboriginal Land Council (NSWALC) and Local Aboriginal Land Councils (LALCs). The ALR Act requires these bodies to:

- take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law;
- promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

These requirements recognise and acknowledge the statutory role and responsibilities of New South Wales Aboriginal Land Council and Local Aboriginal Land Councils. The ALR Act also establishes the Office of the Registrar whose functions include but are not limited to, maintaining the Register of Aboriginal Land Claims and the Register of Aboriginal Owners.

Under the ALR Act the Office of the Registrar is to give priority to the entry in the Register of the names of Aboriginal persons who have a cultural association with:

- lands listed in Schedule 14 to the NPW Act;
- lands to which section 36A of the ALR Act applies (NSW Government, 1974 & DECCW 2010).

1.5.2.6 The Native Title Act 1993

The *Native Title Act 1993* (NTA) provides the legislative framework to:

- recognise and protect native title;
- establish ways in which future dealings affecting native title may proceed, and to set standards for those dealings, including providing certain procedural rights for registered native title claimants and native title holders in relation to acts which affect native title;
- establish a mechanism for determining claims to native title;
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The National Native Title Tribunal has a number of functions under the NTA including maintaining the Register of Native Title Claims, the National Native Title Register and the Register of Indigenous Land Use Agreements and mediating native title claims (NSW Government, 1974 & DECCW 2010).

1.5.2.7 New South Wales Heritage Register and Inventory 1999

The State Heritage Register is a list of places and objects of particular importance to the people of NSW. The register lists a diverse range of over 1,500 items, in both private and public ownership. Places can be nominated by any person to be considered to be

listed on the Heritage register. To be placed an item must be significant for the whole of NSW. The State Heritage Inventory lists items that are listed in local council's local environmental plan (LEP) or in a regional environmental plan (REP) and are of local significance.

1.5.2.8 Register of Declared Aboriginal Places 1999

The NPW Act protects areas of land that have recognised values of significance to Aboriginal people. These areas may or may not contain Aboriginal objects (i.e. any physical evidence of Aboriginal occupation or use). Places can be nominated by any person to be considered for Aboriginal Place gazettal. Once nominated, a recommendation can be made to EPA/OEH for consideration by the Minister. The Minister declares an area to be an 'Aboriginal place' if the Minister believes that the place is or was of special significance to Aboriginal culture. An area can have spiritual, natural resource usage, historical, social, educational or other type of significance. Under section 86 of the NPW Act it is an offence to harm or desecrate a declared Aboriginal place. Harm includes destroying, defacing or damaging an Aboriginal place. The potential impacts of the development on an Aboriginal place must be assessed if the development will be in the vicinity of an Aboriginal place (DECCW 2010).

1.5.3 Local Planning Instruments

1.5.3.1 Gosford Local Environment Plan 2014

The Gosford Local Environmental Plan was prepared by Gosford City Council in 2014. Section 5.10 deals with Heritage Conservation. The plan states in Clause 1:

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Gosford
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The plan states in Clause 2, that consent is required when:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area.
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance.
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or

- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

In addition to this Clause 8 states:

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

This report is fulfilling section 8 (a) of this clause.

1.5.3.2 Gosford Waterfront Development Control Plan 2014

The Gosford Waterfront Development Control Plan was prepared by Gosford City Council in 2014. Section 8.0 deals with Heritage Items. The plan states:

As part of the assessment process, the consent authority must have regard to:

- Heritage Provisions in Part 5.10 of the Gosford LEP 2014,

It is based on this provision that the protection and conservation of Aboriginal places of heritage significance are assessed.

1.5.4 Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales

This assessment conforms to the parameters set out in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010).

The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales states that if;

- a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely, then further archaeological investigation and impact assessment is necessary.

1.5.5 Code of Practice for Archaeological Investigation of Aboriginal objects in New South Wales

This assessment conforms to the parameters set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974*, (DECCW 2010).

1.5.6 Guidelines

This report has been carried out in consultation with the following documents which advocate best practice in New South Wales:

- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (DECCW 2010);
- Aboriginal Archaeological Survey, Guidelines for Archaeological Survey Reporting (NSW NPWS 1998);
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);
- Aboriginal Cultural Heritage Standards and Guidelines Kit (NPWS 1998);
- Australia ICOMOS 'Burra' Charter for the conservation of culturally significant places (Australia ICOMOS 1999);
- Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010);
- Protecting Local Heritage Places: A Guide for Communities (Australian Heritage Commission 1999).

1.6 ACKNOWLEDGEMENTS

The author would like to thank the following for advice and input into this assessment:

- Mr F. Katsanevas and Mr J. Ng of St Hilliers Property;
- Mr B. Taylor of St Hilliers Property;
- Mr B. Williams and Ms. A Shields of Darkinjung Local Aboriginal Land Council;
- Ms T. Howie and Mr K. Howie of Awabakal & Guringai Pty Ltd;
- Ms M. Johnson of Corroboree Aboriginal Corp.;
- Ms L. Carroll and Mr P. Boyd of Didge Ngunawal Clan;
- Mr S. Hickey of Widescope Group;

2.0 DESCRIPTION OF STUDY AREA

The study site is those pieces of land described as Lots 2-7 DP1476, Lot 11 DP1250131 and Lot 469 DP821073. The street address is currently known as 26 - 32 Mann Street, Gosford, in the Parish of Gosford, County of Northumberland.

Address	Lot	Deposited Plan
32 Mann Street, Gosford	11	1250131
26 Mann Street, Gosford	2-7	14761
26 Mann Street, Gosford	469	821073

It should be noted that the study site forms a recent subdivision of land following development at 32 Mann Street that AMAC Group assessed and completed (land directly fronting Mann Street). Current Lot 11 was part of former Lot 2 DP1210298 that also contained current Lot 12 of the study site.



Figure 2.1 Aerial map with site location.
Study site outlined in red. Six Maps, LPI Online, accessed 21/08/19.



Figure 2.2 Topographic map with study area location.
Study site indicated in purple with black arrow. Six Maps, LPI Online, accessed 21/08/19.

2.1 REGISTERED ARCHAEOLOGICAL SITE NEARBY

The author of this report is aware of no previous Aboriginal archaeological study being conducted within the study area.

The following areas have been previously investigated by AMAC Group regarding the foreshore development. This includes the northern end of the proposed study area subject of this report.

Past investigations have resulted in the following observation that the western end of the site has been subject to past reclamation works resulting in significant amounts of fill (over 1m) being imported onto the site. This fill ceases where the land slopes of which test excavation has found natural to be located as well as areas of disturbance present. Artefacts were located at the ATO site (AHIMS site no. 45-3-3699) within an intact A horizon along the eastern slope indicated intact soils have the potential of being present.



Figure 2.3 Previous archaeological works on site and vicinity.
AMAC (2019).

2.2 ENVIRONMENTAL CONTEXT

To adequately understand and assess the potential Aboriginal archaeological resource that may be present within the study area it is vital to understand the environment in which the Aboriginal inhabitants of the study area carried out their activities. The environment that Aboriginal inhabitants lived in is a dominant factor in shaping their activity and therefore the archaeological evidence created by this activity. Not only will the resources available to the Aboriginal population have an influence on the evidence created but the survival of said evidence will also be influenced by the environment.

2.2.1 Landscape

Sections of the study area have been impacted as a result of the construction of previous buildings, several smaller structures, service provisions and earthworks. The structures do not possess significant basements and as such the soil profile of the study area – specifically the eastern end should be largely intact and therefore intact Aboriginal archaeological deposits still exists. The western section of the site, however, has been significantly modified as a result of earthworks and levelling events.

2.2.2 Topography

The study area lies on a topographic zone which consists of a gentle gradient towards the western boundary. It is situated at the base of the western face of a hill, therefore site elevations range between 2-10m, but is otherwise relatively flat. The natural site surface has been modified in areas where levelling and filling events have occurred.

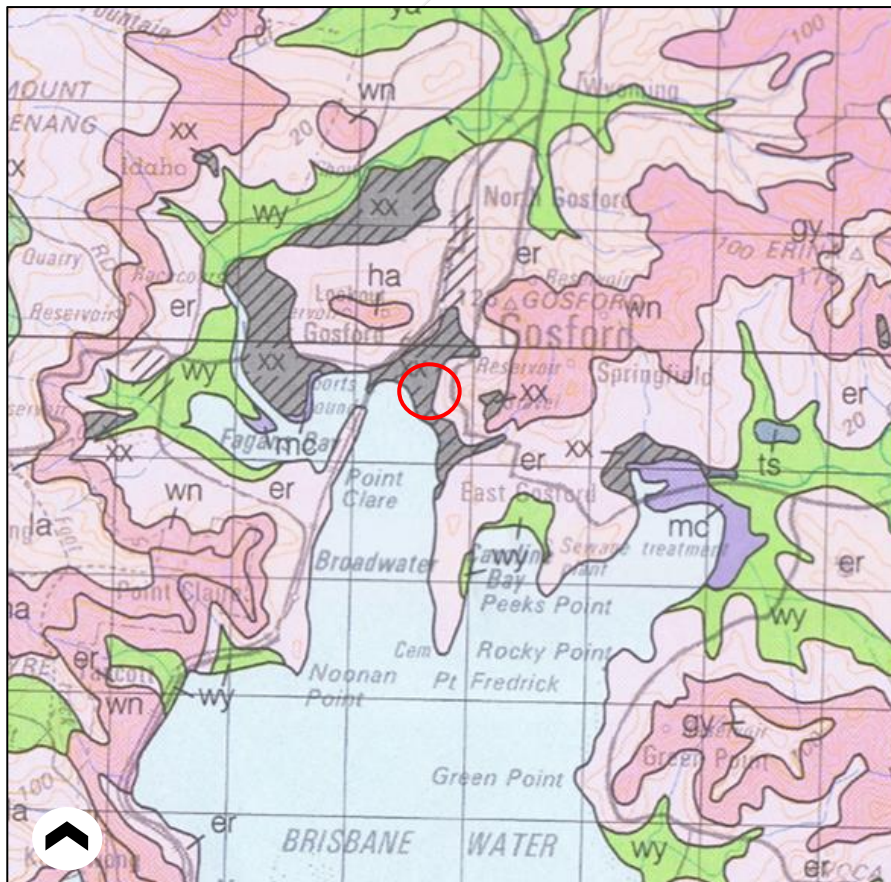


Figure 2.4 Gosford - Lake Macquarie Soil Landscape 1:100 000 sheet map, approximate study area indicated in red.

Gosford – Lake Macquarie Soil Landscape (Murphy, 1993).

2.2.3 Geology and Soils

The soil landscape as identified in the Gosford – Lake Macquarie 1:100 000 map sheet, shows the study area lies on disturbed terrain (xx) (Murphy, 1993). The soils have been identified as being disturbed to a certain extent, of which the original soil has either been removed, buried or greatly disturbed. This classification is due to the reclamation work of the Gosford foreshore in the late 1930s. This is evident in the spread of the (xx) terrain along the foreshore (Figure 3.1). Test excavations of the rear property, as part of the 32 Mann Street programme of test excavation conducted by AMAC in 2017, revealed a significant amount of reclaimed fill (>1.5m) overlaying intertidal flats. This suggests the study area will contain a similar amount of fill as the majority of the study area is within the reclaimed tidal flats and has been subject to significant filling events.

The local geology of the study area consists of Quaternary alluvium of sand, silt and clay at considerable depths towards the western side of the site and Triassic-aged Terrigal Formation in the eastern side of the site which typically comprises of fine grained, lithic quartz sandstone and siltstone with shale interbeds (Douglas Partners, 2014).

Surrounding this disturbed terrain is the Erina (er) soil landscape, this consists of the following soil profile;

Table 2.1 Description of dominant soil material

Dominant Soil Material	Soil Horizon	Description
Er1	A1 Horizon	Brownish-black fine sandy loam with a weak structure and course texture. It also contains inclusions such as sandstone and charcoal fragments as well as roots.
Er2	A2 Horizon	Brown sandy clay loam with an earthy fabric and light sandy clay loam texture. Sandstone and shale rock fragments are common as well as charcoal and roots
Er3	B1 Horizon	Yellowish brown sandy clay loam to sandy clay with a rough fabric. Colours also range from orange, red and grey mottles. Small sandstone rock fragments are present with few roots
Er4	B2 Horizon	Brown strongly pedal clay. Generally occurring as subsoil on shale parent material. Colours range from yellowish brown, dull brown, bright brown and dull orange with red and grey mottling at depth. Rock fragments, roots rare and charcoal fragments absent.
Er5	B2 Horizon	Light grey mottled strongly pedal clay, usually as deep subsoil on shale bedrock. Colour ranges from light grey to greyish yellow brown and commonly with red, yellow or grey mottles. Small shale fragments are present, but roots are rare and charcoal absent.
Er6	B3 Horizon	Brown earthy sandy clay loam, occurs as subsoil on foot-slopes. Colours usually brown, yellowish brown, and brownish yellow. Floaters (sandstone boulders) sometimes present, few roots, and charcoal absent.

In undisturbed/ minor disturbed areas of the site, it is likely that the Erina soil landscape will be present given the nature and positioning of this soil along the Brisbane Waters foreshore. Intact Erina soil profile was located on the property towards the eastern boundary fronting Mann Street.

Table 2.2 Expected Gosford soil profile depth based on landform

Crest
➤ up to 15cm of brownish black fine sandy loam (er1) ➤ 10 - 30cm of brown sandy clay loam (er2) ➤ up to 100cm of reddish-brown clay (er4) <i>N.B The total soil profile will not exceed 100cm, boundaries between the soil horizons generally clear.</i>
Upper Slopes and Mid Slopes
➤ up to 20cm of brownish black fine sandy loam (er1) ➤ up to 20-35cm of brown sandy clay loam (er3) ➤ up to 150cm of yellow brown sandy clay (er4) <i>N.B The total soil profile will not exceed 150cm on slopes, and boundaries between the soil horizons are sharp.</i>
Lower Slopes
➤ up to 40cm of brownish black fine sandy loam (er1) ➤ 20 - 50cm of brown sandy clay loam (er2) ➤ up to 150cm of light grey mottled clay (er3) <i>N.B The total soil profile will exceed 200cm and the boundaries between the soil horizons are gradual.</i>
Poor Drainage
➤ over 100cm of brownish black fine sandy loam (er1) ➤ or up to 60cm of er1 overlies >150cm of er6 Brown earthy sandy clay loam <i>N.B The total soil profile will not exceed 150cm.</i>

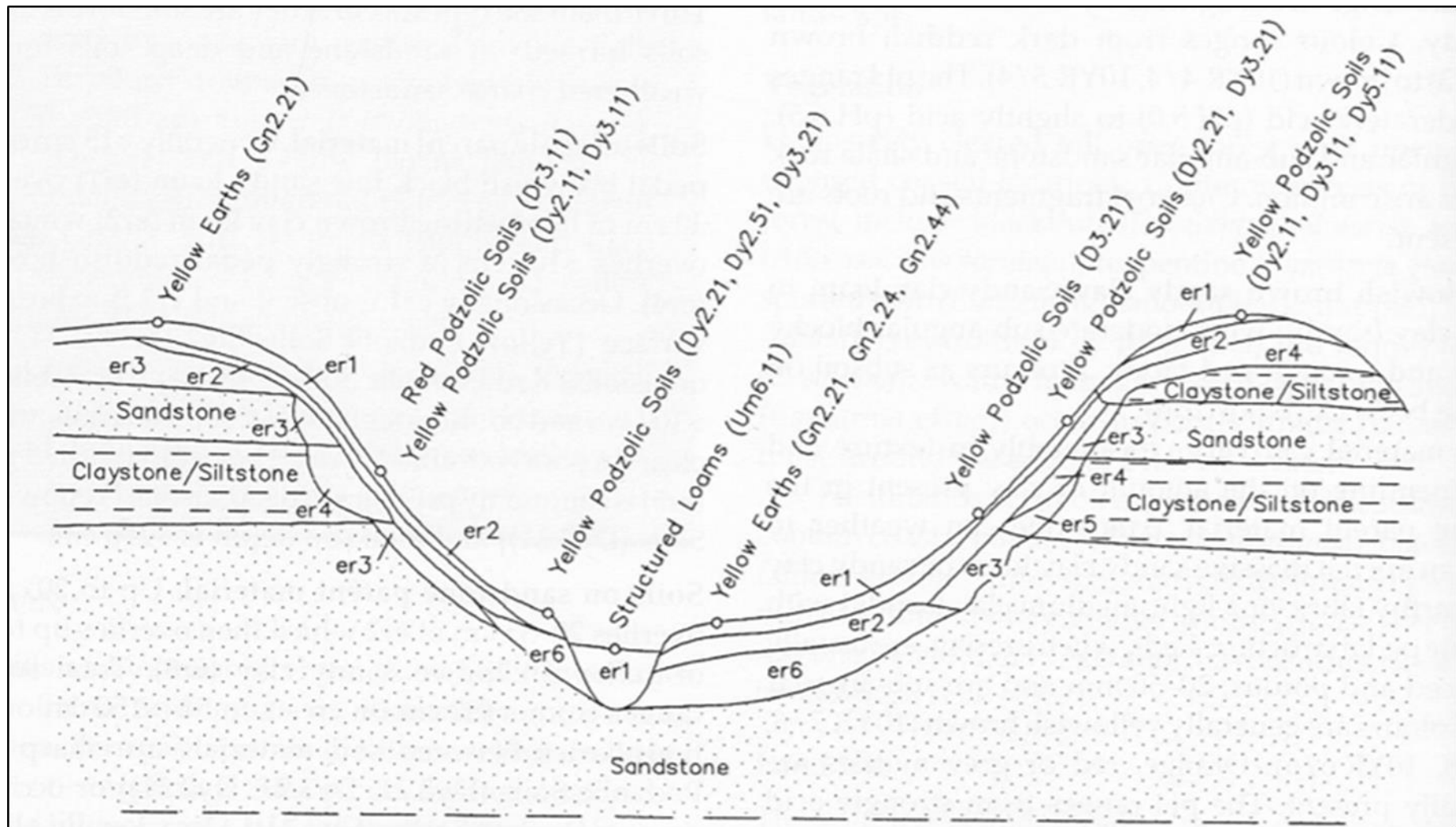


Figure 2.5 Cross Section of the Erina Soil landscape illustrating the relationship of dominant soil deposits.
Soil Landscapes of the Gosford-Lake Macquarie 1:100 000 sheet (Murphy, 1993).

2.2.4 Watercourse

The study area is located within 200m of a major high order stream – Brisbane Waters and within 750m of a lower order unnamed creek. The study area would have originally been within 50m of the original shoreline before the land was reclaimed (see Figure 2.5).

2.2.5 Vegetation

The vegetation found in the study area is no longer in a native state and is comprised of a variety of introduced and noxious types of vegetation. This movement away from the natural vegetation is a result of previous land clearing for farming, residential and urban development. These lands were cleared soon after European settlement due to the positioning of the allotment for development and agriculture.

The native vegetation of this area probably comprised of tall open forest with open heath in exposed coastal areas. It is likely species such as blackbutt (*Eucalyptus pilularis*), forest oak (*Allocasuarina torulosa*), turpentine (*Syncarpia glomulifera*), spotted gum (*E. maculata*), smooth – barked apple (*Angophora costata*), grey ironbark (*E. paniculata*) and the Sydney blue gum (*E. saligna*), swamp mahogany (*E. robusta*) and swamp oak (*Casuarina glauca*) would have been found along the Brisbane Waters edge in account to the poor drainage of the area.

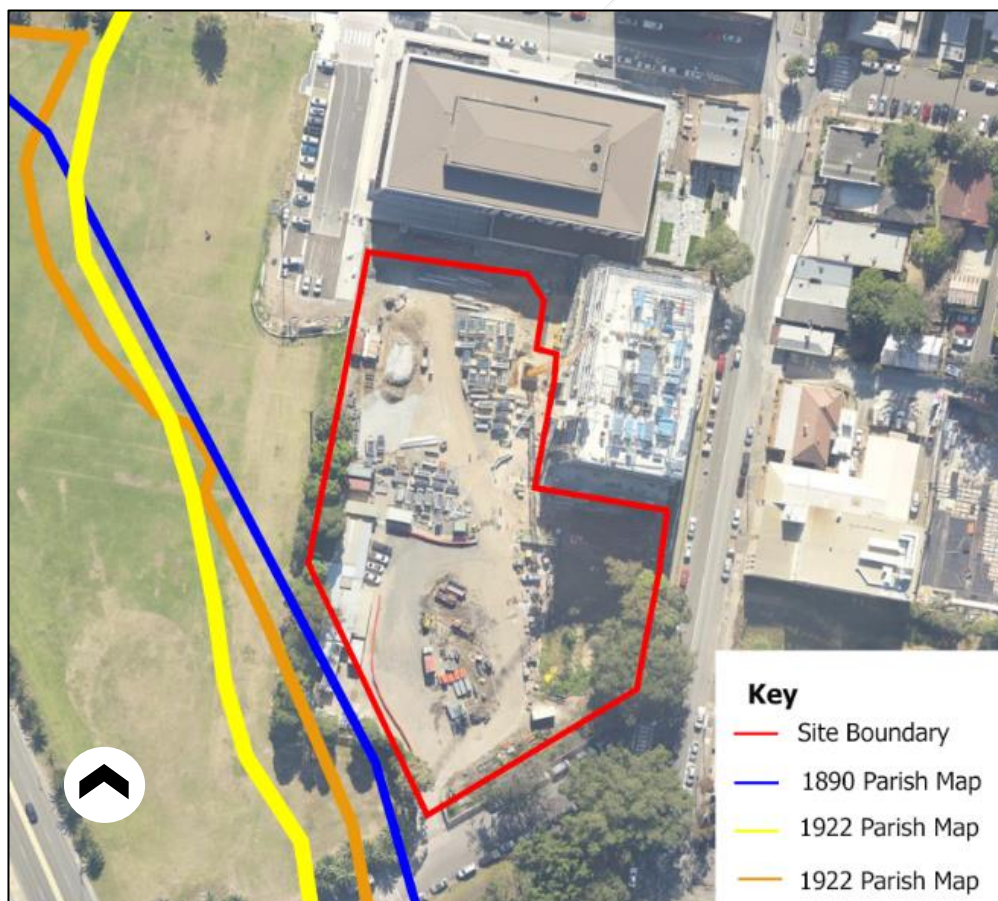


Figure 2.6 Aerial map showing location of study site (indicated in red) with original Gosford foreshore as drawn on Parish maps, pre-reclamation works. Land and Property Information – Historical Land Records Viewer; Blue – 1890 Parish Map (10858601), Yellow - 1922 Parish Map (10858401) and Orange - 1935 Parish Map (10858301). Six Maps accessed 22/08/19.

2.3 LAND USE AND DISTURBANCE FACTORS

This section of the report provides an assessment of land use, the level of disturbance and the likely archaeological potential of the study area. The archaeological potential is based on the level of previous disturbance as well as the previously discussed predictive model for the region.

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010); defines disturbed lands as given below.

“Land is disturbed if it has been the subject of a human activity that has changed the land’s surface, these being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure and construction of earthworks)”

This definition is based on the types of disturbance as classified in The Australian Soil and Land Survey Field Handbook (CSIRO 2010). The following is a scale formulated by CSIRO (2010) of the levels of disturbances and their classification.

Minor Disturbance		Moderate Disturbance		Major Disturbance	
0	No effective disturbance; natural	3	Extensive clearing (eg: poisoning and ringbarking)	6	Cultivation; grain fed
1	No effective disturbance other than grazing by hoofed animals	4	Complete clearing; pasture native or improved, but never cultivated	7	Cultivation; irrigated, past or present
2	Limited clearing (eg: selected logging)	5	Complete clearing; pasture native or improved, cultivated at some stage	8	Highly disturbed (quarrying, road works, mining, landfill, urban)

The above scale is used in determining the level of disturbance of the study area and its impact on the potential archaeology which may be present.

2.3.1 Aboriginal Land Use and Resources

The Brisbane Waters provided a rich dietary intake for the local inhabitants of the Darkinjung Peoples and the Wanangine a.k.a Guringai¹ Peoples who occupied the small strip of the coastal land between Gosford and Wyong. The surrounding landscape formed natural borders between other nearby coastal groups including the Awabakal people and Wonnarua people of the north. With a population of approximately 5,000 (at the time of settlement, historical and archaeological documentation suggests that these

¹ Please see comments by Barry Williams of Darkinjung LALC on the term “Guringai” in Consultation Log. While AMAC Group understands DLALC’s concerns, it would refer all such matters to the Environment, Energy and Science Group of the NSW Department of Planning, Industry, and Environment where some members of the community are registered with the term in question.

coastal tribes were semi-sedentary, where social arrangements allowed for a large number to cohabit within one camp.

These coastal tribes depended heavily on marine resources such as fish and shellfish but were not limited to such diets, as cabbage palms and bracken fern roots were also included (Dyall 1971). Farming practices were also utilised in the form of land clearing. This was conducted through the burning of grasslands in order to encourage new growth which attracted local game. Based on the predominance of rock shelters found within the Hawkesbury sandstone landscape, it is also evident that natural rock overhangs were utilised as an alternate place of temporary and/or repeated occupation. However, open camps were the preferred site due to spiritual beliefs surrounding the collapse of rock shelters if spirits were not appeased.

The procurement of specific resources for ceremonial or domestic purposes would rely on the accessibility and availability of these resources. There are readily mapped resources within the region that may have been exploited by Aboriginal occupants, with more being present before the land was cleared and settled.

The events of colonisation later saw the decimation of the Darkinjung population between 1790, 1830 and 1850 due to the spread of the smallpox epidemic within the region. Of those who survived, were found to regroup with neighbouring peoples in order to form mixed groups within the region of which the Darkinjung land now encompassing what would have been boundaries of neighbouring groups.

Sites containing fresh water and sedentary food sources, coupled with the presence of other resources which may have been exploited or available on a seasonal basis, would suggest that Aboriginal land use of the study area was regular and repeated, with this reflected in the archaeological record. These areas will possess a high archaeological potential (Goodwin 1999).

2.3.2 European Land Use

The northern portion of the study site forms part of a wider portion of the early settlement of the Gosford government village and police paddocks since the 1840s. The southern portion of the study site was originally subdivided into three allotments that were publicly for sale and used as private paddocks. No development is known to have occurred on the study site until the construction of Gosford Public School during the mid-20th century. Known structures including the c.1880 Police Sergeant's Quarters., c.1888-1891 stables and privy that related to the occupation of the police paddocks have all been archaeologically excavated in adjacent sites (32 and 38 Mann Street) and they were constructed to front either Mann Street or Georgiana Terrace.

The southern end of the study area appears to have been used as paddocks following land clearing and surface disturbances.

Only one development phase has occurred to this portion of the site for its conversion to a public school, to which three raised demountable buildings were placed and surrounded by a bitumen surface.



Figure 2.7 2005 aerial of the study area when an active public school.
AMAC 2019, Six Maps accessed 22/08/19.

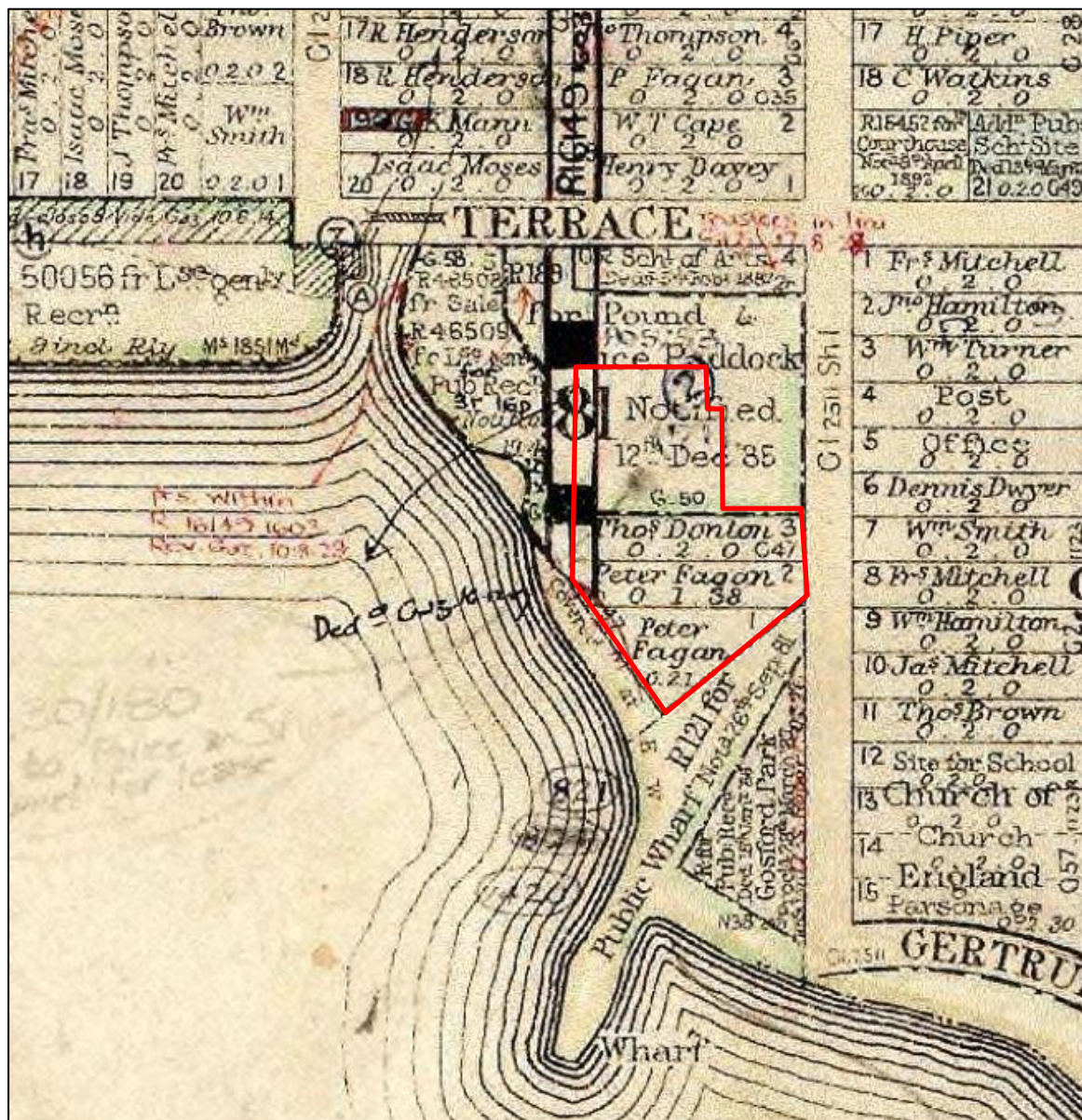


Figure 2.8 Parish Map 1922 unknown creek adjacent to study area.
Approximate location of study area indicated in red. 1922 Parish Map (10858401).

2.3.3 Disturbance and Archaeological Potential

It is important to note that the following assessments describe the archaeological potential of the study area. It is acknowledged that if the study area has little or no archaeological potential, the study area may still have cultural significance to the Aboriginal community.

European activities have taken place within the study area including the levelling and earth movement of the western section of the site as part of the reclamation works of which over 1m of fill exists. Intact soils have the potential to be present within the eastern section of the site along the slope as there is no evidence to suggest developments and/or structures of significant depth have taken place and as the soil profile of the area is expected to be considerably deep it is therefore believed that the A horizon (artefact bearing deposit) may be intact.

The proposed activity is not:

- located within a sand dune system, or;
- located on a ridge top, ridge line or headland, or;
- located within 200m below or above a cliff face, or;
- within 20m of or in a cave, rock shelter, or a cave mouth.

The proposed activity is:

- located within 200m of waters

The study area lies in a location that is within 200m of a major high order stream – Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 50m of the original shoreline before the land was reclaimed. There is permanent freshwater within the vicinity of the study area. Archaeological sites will be larger, more complex and have a relatively higher density the closer they are to permanent fresh water (Kohen 1986) with regularly exploitable food resources.

Sites with ephemeral water sources or those which are located in the vicinity of the headwaters of upper tributaries (first order streams) have a sparse distribution and density (McDonald 1992). The study area may contain artefacts which are representative of concentrated and repeated Aboriginal occupation within undisturbed soil profiles.

Moderate - Major disturbance to sections of the landscape: Sub-surface Aboriginal objects with potential conservation value have a low- moderate probability of being present within the study area.

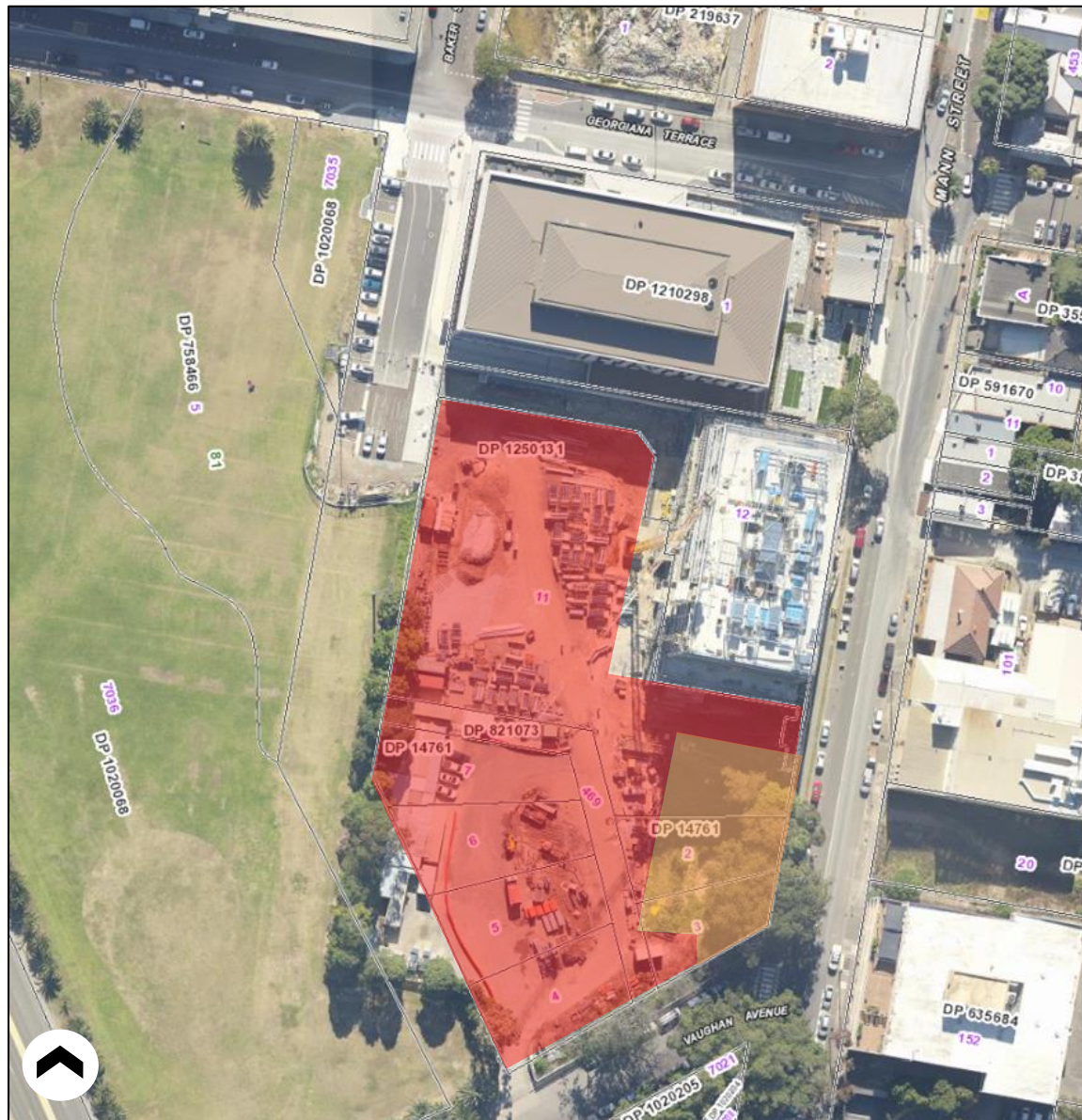


Figure 2.9 Archaeological potential and disturbance map of study area.
Areas of low potential and moderate disturbance indicated in orange, areas of no potential and major disturbance indicated in red.
Six Maps (2016), Spatial technologies (2015), overlay AMAC (2019).

2.3.4 Geotechnical Investigations

2.3.4.1 Douglas Partners 'Report on Preliminary site investigation for contamination – Proposed waterfront development Gosford Public School. Mann Street, Gosford (March 2014).

Douglas Partners conducted a preliminary investigation for contamination of the site in early 2014. 26 bore holes were drilled across the wider original school site area in January 2014. Boreholes 3-8, 13, 16, 17 and 20-26 were sampled within the study site. However, only bore holes 16, 17, 20 and 21 are in the location of the proposed building and driveway. The whole site is defined as 'disturbed terrain' within the *Soil Landscapes of Gosford – Lake Macquarie 1:100 000 Sheet*. The report notes that site elevations range between 2-10m AHD; geological mapping indicates that the eastern portion of the

site is underlain by the Terrigal Formation and the western portion of the site is underlain by the Quaternary alluvium. The report further notes that quantities of fill have been introduced to the site in the steeply sloping area to create level surfaces for structures and site facilities.

A wider study of the Gosford Waterfront area was conducted by Douglas Partners in 2011. The following summary of the geotechnical findings was provided in relation to the Gosford Public school site in 2011:

- filling up to depths of up to 2m, particularly within the lower, western area of the site, underlain by alluvial, loose and very loose sand and silty sand to depths of up to 5-7m.
- The alluvial soils are anticipated to be underlain by stiff to very stiff, becoming hard residual silty clay and sandy clay, grading to sandstone bedrock at depths ranging from about 5m to 14m.
- The bedrock is anticipated to be initially extremely low to very low strength, becoming medium strength within the upper 2-3m of the rock profile, with possible high strength bedrock within 3m, to over 10m from the surface of the bedrock.
- Groundwater is anticipated to be within about 1-2m of the ground surface within the lower (western) sections of this area.

2.3.4.2 Coffey Services Australia Pty Ltd, SH Gosford Residential Pty Ltd (St Hillier's), Contamination Detailed Site Investigation, 32 Mann Street, Gosford (17 April 2018).

Coffey Services Australia on behalf of St Hillier's, conducted a detailed site investigation for contamination of the site in April 2018 (Figure 2.10). The program consisted of soil sampling from nine geotechnical boreholes (BH1 to BH9), eight push tube holes (P1 to P8), three test pits (TP1 to TP3), five surface sampling points (SS1 to SS5) and two hand auger boreholes (HA1 to HA2). Three geotechnical boreholes were converted into monitoring wells for groundwater and hazardous ground gas.

The eastern end of the study area along the slope to Mann Street has the potential for intact soils as the remainder of the study area has been impacted by reclamation works and filling events. The RL of the basement is seen to intersect with these fills or otherwise clay subsoils that have a low-nil potential for Aboriginal objects. BH6 and BH3 taken along the slope which is the target of the proposed testing programme indicates natural soil profiles are present.

BH3 resulted in the following soils of interest.

- 1m of topsoil: Brown silty clay containing traces of organics and root fibres.
- 85cm of alluvium soil: Dark brown clayey sand, fine – medium grained.

BH6 resulted in the following soils of interest.

- 25cm of topsoil: Brown silty clay containing traces of organics and root fibres.
- 1.45m of alluvium soil: grey-brown sandy clay with traces of sand and silt.

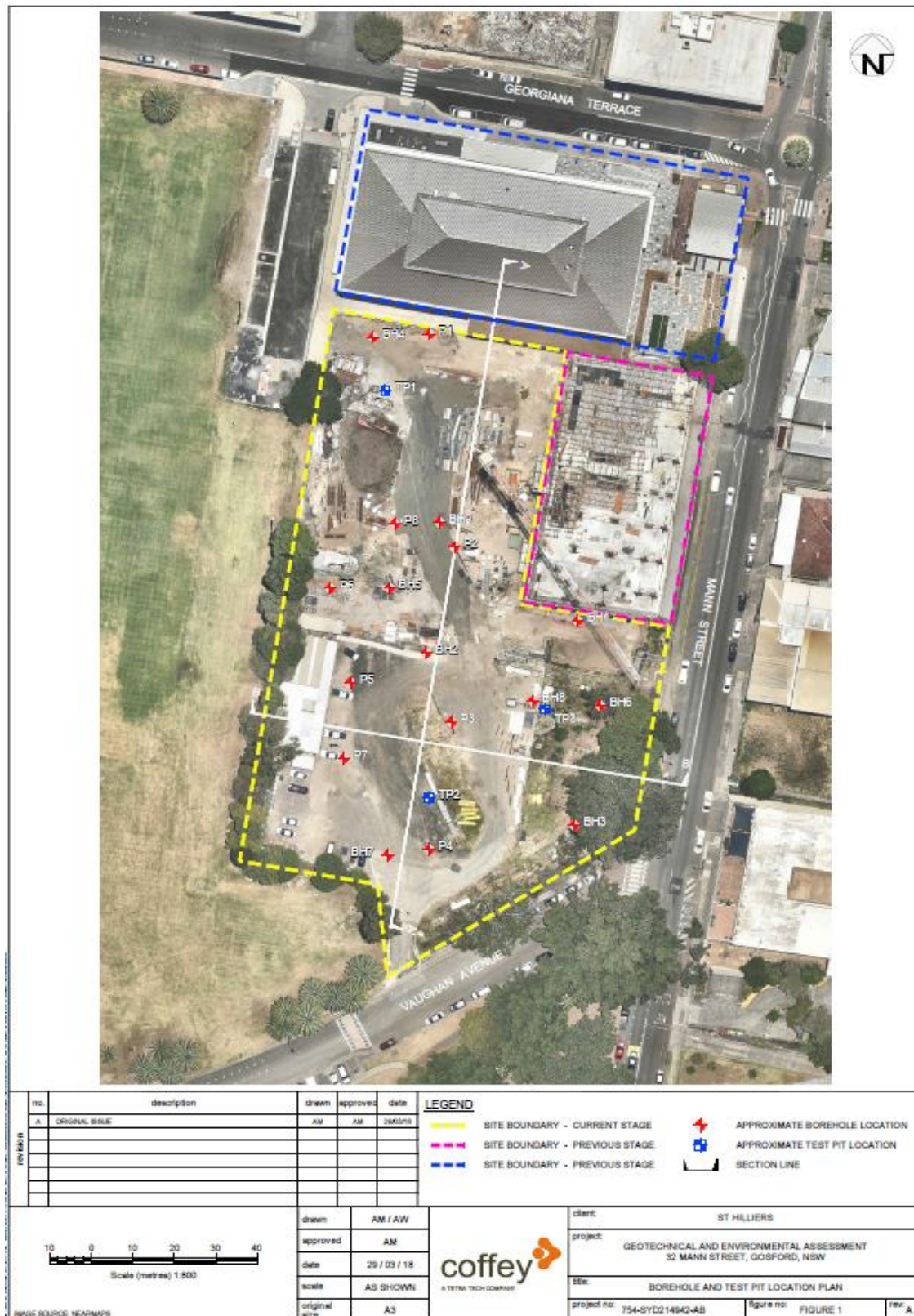


Figure 2.10 Coffey 2018 Geotechnical investigation programme.
Coffey 2018.

Engineering Log - Borehole

client: **St Hilliers**

principal:

project: **Geotechnical and Environmental Assessment**

location: **32 Mann Street, Gosford, NSW**

Borehole ID. **BH3**

sheet: 1 of 3

project no. **SYDGE214942**

date started: **23 Feb 2018**

date completed: **23 Feb 2018**

logged by: **LP**

checked by: **AM**

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Figure 2.11 **Borehole 3 engineering log.**
Coffey 2018.



Engineering Log - Borehole

client: **St Hilliers**

principal:

project: **Geotechnical and Environmental Assessment**

location: **32 Mann Street, Gosford, NSW**

Borehole ID: **BH6**

sheet: 1 of 3

project no.: **SYDGE214942**

date started: **01 Mar 2018**

date completed: **01 Mar 2018**

logged by: **LP**

checked by: **AM**

position: E: 345,761.69; N: 6,299,796.39 (MGA84)		surface elevation: 4.00 m (AHD)		angle from horizontal: 90°					
drill model: Geoprobe 7822DT, Track mounted		drilling fluid: Water		hole diameter: 100 mm					
drilling information			material substance						
method & support	penetration	samples & field tests	depth (m)	classification symbol	material description	moisture condition	consistency / relative density	hand penetrometer (kPa)	structure and additional observations
AD AS HA W PT	AD AS HA W PT	AD AS HA W PT	0.0	SP	TOPSOIL: SILTY SAND: fine to medium grained, brown-pale brown, trace of organics (root fibres).	M	L		TOPSOIL
			0.5		SILTY SAND: fine to medium grained, dark brown-black, trace of low plasticity clay and root fibres.				ALLUVIUM
			1.0	CL	SANDY CLAY: medium to high plasticity, grey-brown, with fine grained sand, trace of silt.	W	VS		PID: 1.3ppm
			2.0						PID: 1.0ppm
			2.5						PID: 2.2ppm
			3.0	CH	2.6 m: clay to sand ratio increases	M	VSt		RESIDUAL SOIL
			3.5		CLAY: high plasticity, grey, with fine grained sand, trace of tree root fibres.				
			4.0	CH	SILTY CLAY: medium plasticity, pale grey-white mottled red-orange, trace of sand (iron stained).	H			
			5.0						
			6.0						
7.0	Borehole BH6 continued as cored hole								
method		support		samples & field tests		classification symbol & soil description		consistency / relative density	
AD: auger drilling* AS: auger sampling* HA: hand auger W: washbore PT: push tube		M: mud N: nil C: casing		B: bulk disturbed sample D: disturbed sample E: environmental sample SS: split spoon sample US: undisturbed sample HP: hand penetrometer (kPa) N: standard penetration test (SPT) N*: SPT - sample recovered Nc: SPT with solid cone VS: vane shear; peak/undrained (kPa) R: refusal HB: hammer bouncing		based on Unified Classification System		VS: very soft S: soft F: firm St: stiff VSt: very stiff H: hard Fb: friable VL: very loose L: loose MD: medium dense D: dense VD: very dense	
* bit shown by suffix AD/T: AD/T B: blank bit TC: TC bit V: V		penetration 10-12 water level on data shown water inflow water outflow				moisture D: dry M: moist W: wet Wp: plastic limit Wl: liquid limit			

Figure 2.12 Borehole 6 engineering log.
Coffey 2018.

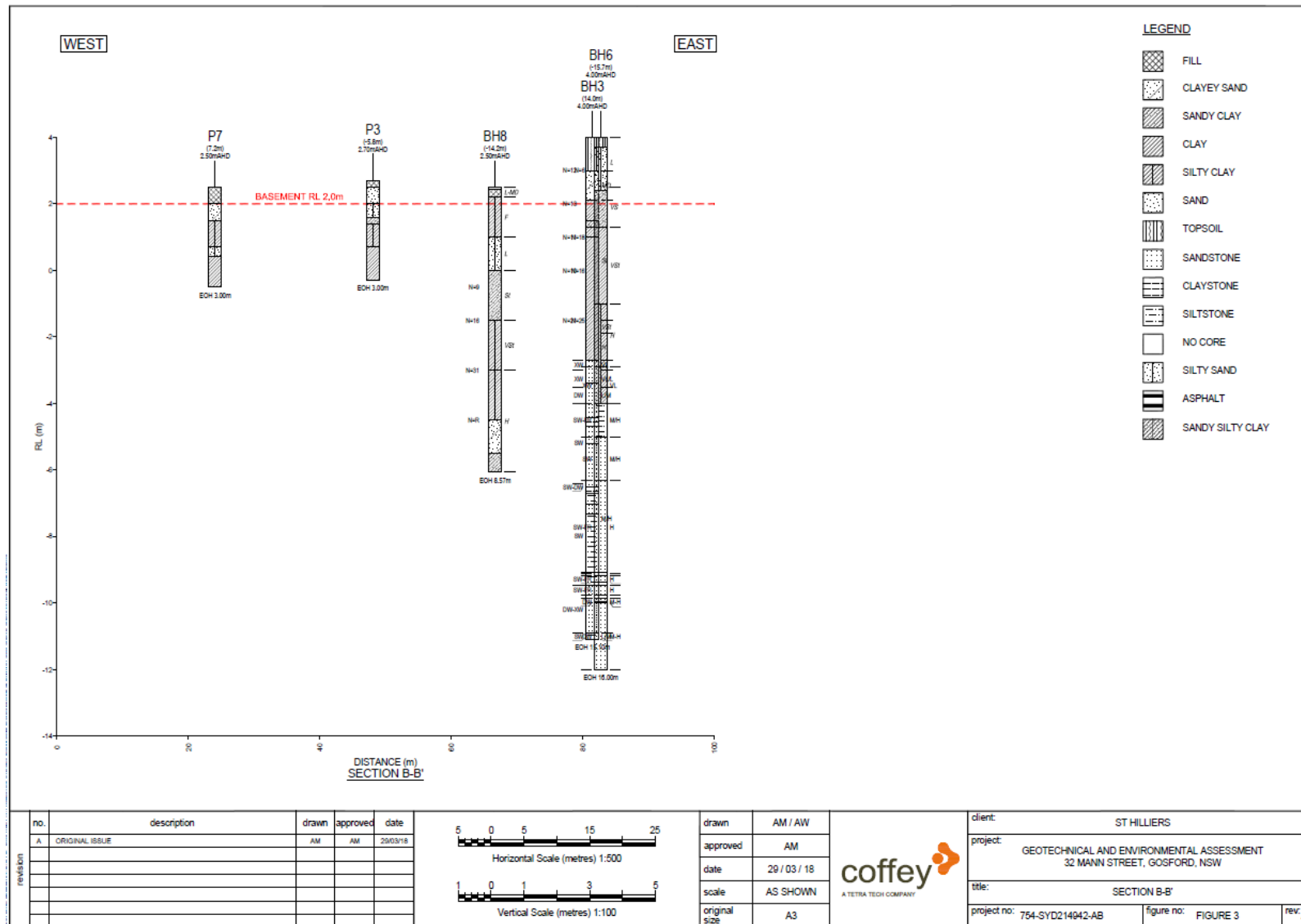


Figure 2.13
Section B-B of
borehole profiles.
Coffey 2018.

3.0 ABORIGINAL CONSULTATION

This section documents the requirements of the Aboriginal consultation process that should be undertaken as part of any Aboriginal archaeological and cultural heritage assessment where an Aboriginal Heritage Impact Permit (AHIP) or test excavation is required. Section 3.1 outlines the guidelines for Aboriginal consultation issued by the DECCW.

3.1 EES GROUP CONSULTATION REQUIREMENTS

Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010), referring to Part 6 Approvals under the NPW Act were released in April 2010. The responsibilities of the proponent when test excavation is to take place and/or permit under section 90 of the NPW Act are listed below.

<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreg.pdf>

Stage 1 – Notification of project proposal and registration of interest

Stage 1 states that:

“4.1.2- Proponents are responsible for ascertaining, from reasonable sources of information, the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal *objects* and/or *places*. Reasonable sources of information could include (a) to (g) below. Proponents must compile a list of Aboriginal people who may have an interest for the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal *objects* and/or *places* by writing to:

- (a) the relevant DECCW (sic) EPRG regional office
- (b) the relevant Local Aboriginal Land Council(s)
- (c) the Registrar, *Aboriginal Land Rights Act 1983* for a list of Aboriginal owners
- (d) the National Native Title Tribunal for a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements
- (e) Native Title Services Corporation Limited (NTSCORP Limited)
- (f) the relevant local council(s)
- (g) the relevant catchment management authorities for contact details of any established Aboriginal reference group.

4.1.3- Proponents must write to the Aboriginal people whose names were obtained in step 4.1.2 and the relevant Local Aboriginal Land Council(s) to notify them of the proposed project. The proponent must also place a notice in the local newspaper circulating in the general location of the proposed project explaining the project and its exact location. The notification by letter and in the newspaper must include:

- (a) the name and contact details of the proponent

- (b) a brief overview of the proposed project that may be the subject of an application for an AHIP, including the location of the proposed project
- (c) a statement that the purpose of community consultation with Aboriginal people is to assist the proposed applicant in the preparation of an application for an AHIP and to assist the Director General of DECCW in his or her consideration and determination of the application
- (d) an invitation for Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) in the area of the proposed project to register an interest in a process of community consultation with the proposed applicant regarding the proposed activity
- (e) a closing date for the registration of interests.

4.1.4- There must be a minimum of 14 days from the date the letter was sent or notice published in the newspaper to register an interest. The time allowed to register an interest should reflect the project's size and complexity.

4.1.5- The proponent must advise Aboriginal people who are registering an interest that their details will be forwarded to DECCW and the Local Aboriginal Land Council (LALC) unless they specify that they do not want their details released.

4.1.6- The proponent must make a record of the names of each Aboriginal person who registered an interest and provide a copy of that record, along with a copy of the notification from 4.1.3 to the relevant DECCW EPRG regional office and LALC within 28 days from the closing date for registering an interest.

4.1.7- LALCs holding cultural knowledge relevant to determining the significance of Aboriginal objects and places in the proposed project area who wish to register an interest to be involved in consultation must register their interest as an Aboriginal organisation rather than as individuals.

4.1.8- Where an Aboriginal organisation representing Aboriginal people who hold cultural knowledge has registered an interest, a contact person for that organisation must be nominated. Aboriginal cultural knowledge holders who have registered an interest may indicate to the proponent they have appointed a representative to act on their behalf. Where this occurs, the registered Aboriginal party must provide written confirmation and contact details of those individuals to act on their behalf.

Stage 2 – Presentation of information about the proposed project

Stage 2 states that:

“4.2.1- The proponent must initiate arrangements for presenting the proposed project information to the registered Aboriginal parties (from Stage 1).

4.2.2- The presentation of proposed project information should provide the opportunity for:

- (a) the proponent to present the proposal, outline project details relevant to the nature, scope, methodology and environmental and other impacts
- (b) the proponent to outline the impact assessment process including the input points into the investigation and assessment activities

- (c) the proponent to specify critical timelines and milestones for the completion of assessment activities and delivery of reports
- (d) the proponent and registered Aboriginal parties to clearly define agreed roles, functions and responsibilities
- (f) the registered Aboriginal parties to identify raise and discuss their cultural concerns, perspectives and assessment requirements (if any).

4.2.3- The proponent should record or document that the proposed project information has been presented. This record or documentation should include any agreed outcomes, and any contentious issues that may require further discussion to establish mutual resolution (where applicable). The proponent should provide a copy of this record or documentation to registered Aboriginal parties.

4.2.4- Depending on the nature, scale and complexity of the proponent's project, it may be reasonable and necessary for the proponent to:

- (a) conduct additional project information sessions to ensure that all necessary information about the project is provided and enable registered Aboriginal parties to provide information about the cultural significance of Aboriginal object(s) and/or place(s) that may be present on the proposed project area
- (b) create the opportunity for registered Aboriginal parties to visit the project site" (DECCW 2010).

Stage 3 – Drafting, review and finalisation of the Cultural Heritage Assessment Report

Stage 3 states that:

"4.3.1- The proponent must present and/or provide the proposed methodology(s) for the cultural heritage assessment to the registered Aboriginal parties.

4.3.2- The registered Aboriginal parties must be given the opportunity to review and provide feedback to the proponent within a minimum of 28 days of the proponent providing the methodology. The review should identify any protocols that the registered Aboriginal parties wish to be adopted into the information gathering process and assessment methodology and any matters such as issues/areas of cultural significance that might affect, inform or refine the assessment methodology. Comments should be provided in writing, or may be sought verbally by the proponent and accurately recorded.

4.3.3- As part of this consultation, the proponent must also seek cultural information from registered Aboriginal parties to identify:

- (a) whether there are any Aboriginal objects of cultural value to Aboriginal people in the area of the proposed project
- (b) whether there are any places of cultural value to Aboriginal people in the area of the proposed project (whether they are Aboriginal places declared under s.84 of the NPW Act or not). This will include places of social, spiritual and cultural value, historic places with cultural significance, and potential places/areas of historic, social, spiritual and/or cultural significance.

4.3.4- Some information obtained from registered Aboriginal parties may be sensitive or have restricted public access. The proponent must, in consultation with

registered Aboriginal parties, develop and implement appropriate protocols for sourcing and holding cultural information. In some cases, the sensitive information may be provided to the proponent by an individual and the proponent should not share that information with all registered Aboriginal parties or others without the express permission of the individual.

4.3.5- Information obtained in 4.3.4 is used to understand the context and values of Aboriginal object(s) and/or place(s) located on the proposed project site. This information must be integrated with the scientific (archaeological) assessment of significance. Together the context, values, and scientific assessment provide the basis for assessing Aboriginal heritage values and recommending management options.

The information collected by the proponent during the consultation process must be used only to inform decision making for any application for an AHIP, unless the registered Aboriginal parties agree otherwise.

4.3.6- The proponent must seek the views of registered Aboriginal parties on potential management options. Management options will include ways to avoid or mitigate harm and/or conserve known Aboriginal object(s) and/or place(s). Management options should consider how Aboriginal people can continue their association with identified Aboriginal heritage values.

4.3.7- The proponent must document all feedback received in Stage 3 from registered Aboriginal parties in the final cultural heritage assessment report. This must include copies of any submissions received and the proponent's response to the issues raised. In some cases, this may require an acknowledgment of sensitive information and a list of Aboriginal people who should be contacted for permission to receive further details" (DECCW 2010).

Stage 4 – Review of draft cultural heritage assessment report.

Stage 4 states that:

"4.4.1- The proponent must prepare a draft cultural heritage assessment report.

4.4.2- The proponent must provide a copy of the draft cultural heritage assessment report to registered Aboriginal parties for their review and comment.

4.4.3- The proponent must give registered Aboriginal parties a minimum of 28 days from sending the draft report to make submissions. The time allowed for comment on the draft report should reflect the project's size and complexity. Comments should be provided in writing or, where provided verbally, accurately recorded.

4.4.4- After considering the comments received on the draft report the proponent must finalise the report. The final report must include copies of any submissions received, including submissions on the proposed methodology and on the draft report. The final report must also include the proponent's response to each submission. The report must then be submitted to DECCW for consideration with the proponent's application for an AHIP.

4.4.5- The proponent must provide or make available copies of the final cultural heritage assessment report and the AHIP application to registered Aboriginal parties and the relevant LALC(s) (whether or not the LALC is registered in Stage

1). The report and application must be provided or made available within 14 days of the AHIP application being made” (DECCW 2010).

3.2 CONSULTATION SUMMARY

As part of the reporting process the conditions and requirements of Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010) have been adhered to.

An archaeological test excavation programme has been carried out and all registered parties have had the opportunity to review and comment on this document.

A summary has been provided below, however, a full log containing documented evidence and submissions can be seen in *Appendix B; Aboriginal Consultation Log; 26-32 Mann Street Gosford Central Coast Council (LGA)*.

Table 3.1 Consultation Log

STAGE 1					
Authority Letters & Advertisement					
Authority Body/ Organisation	Contact Details	Date Sent	Method	Response Rcc	Date
Central Coast Council	49 Mann St. Gosford NSW 2250	26/08/2019	Mail	Yes/Email	2/09/2019
Greater Sydney LLS	PO Box 4515, Westfield Penrith NSW 2750	26/08/2019	Mail	Yes/Email	6/09/2019
Darkinjung LALC	PO BOX 401, Wyong NSW 2259	26/08/2019	Mail	Yes/Email	3/09/2019
NSW Native Title Service	PO Box 2105, Strawberry Hills NSW 2012	26/08/2019	Mail		
National Native Title Tribunal	GPO Box 9973, Sydney NSW 2001	26/08/2019	Mail	Yes/Email	17/09/2019
Native Title Services Corp. (NTSCorp)	PO Box 2105, Strawberry Hills NSW 2012	26/08/2019	Mail		
OEH	Locked Bag 1002, Dangar NSW 2309	25/09/2019	Mail/Email	Yes/Email	30/09/2019
Office of Registrar	PO Box 112, Glebe NSW 2037	26/08/2019	Mail		
Newspaper Advertisement: Central Coast Express		Published: 17/10/2019 - End Period: 31/10/2019			
Stakeholders Contacted	Minimum 14 days to register	(30/09/2019) - (14/10/2019)			
Name/Organisation	Contact Person	Contact Details	Date Sent	Method	Notes
A1 Indigenous Services	Carolyn Hickey	10 Marie Pitt Place Glenmore Park NSW 2745	30/09/2019	Mail	
Amanda Hickey Cultural Services	Amanda Hickey	57 Gough St. Emu Plains NSW 2750	30/09/2019	Mail	
Awabakal & Guringai Pty Ltd	Tracey Howie & Kerrie Brauer	PO Box 4061, Wyongah NSW 2259	30/09/2019	Mail	

Awabakal Descendants Traditional Owners	Peter Leven	PO Box 137, Budgewoi NSW 2262	30/09/2019	Mail	
Awabakal Traditional Owners Aboriginal Corporation	Kerrie Brauer	PO Box 122, Rutherford NSW 2320	30/09/2019	Mail	
B.H. Heritage Consultants	Nola, Darren, & Ralph Hampton	95 Mt Ettalong Rd. Umina Beach NSW 2257	30/09/2019	Mail	
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnson	PO Box 3340, Rouse Hill NSW 2155	30/09/2019	Mail	
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll	33 Carlyle Crescent, Cambridge Gardens NSW 2747	30/09/2019	Mail	DPIE Address Invalid, e.g. 7 Siskin St. Quakers Hill NSW 2763
Kawul Pty Ltd	Arthur Fletcher	619 Main Rd. Glendale NSW 2285	30/09/2019	Mail	
Lower Hunter Aboriginal Incorporated	David Ahoy	5 Killara Dr. Cardiff South NSW 2285	30/09/2019	Mail	
Roger Matthews Consultancy	Roger Matthews	105 View St. Gunnedah NSW 2380	30/09/2019	Mail	
Awabakal & Guringai Pty Ltd	Tracey Howie	PO Box 122, Rutherford NSW 2320	30/09/2019	Mail	
Wattaka Wonnarua CC Service	Des Hickey	4 Kennedy St. Singleton NSW 2330	30/09/2019	Mail	
Widescope Indigenous Group	Steven Hickey	73 Russell St. Emu Plains NSW 2750	30/09/2019	Mail	
Yinarr Cultural Services	Kathleen Steward Kinchela	Lot 5 Westwood Estate, Merriwa NSW 2329	30/09/2019	Mail	
Yinarr Cultural Services	Kevin Duncan	95 Moala Parade, Charmhaven NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	Sharon Hodgetts	47 Kent St. Greta NSW 2334	30/09/2019	Mail	
Yinarr Cultural Services	Kyle Howie	25 Athol St. Toukley NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	David Pross	8 Tracie Close, Kariong NSW 2250	30/09/2019	Mail	

Yinarr Cultural Services	Trudy Smith	PO Box 141, Toukley NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	Yvette & Jackson Walker	19 Wakehurst Dr. Wyong NSW 2259	30/09/2019	Mail	
		-			
Registered Organisations/Individuals	Contact Person	Email Address	Date	Method	Notes
Darkinjung LALC	Amanda Shields	amanda.shields@dlalc.org.au	3/09/2019	Email	
Awabakal & Guringai Pty Ltd	Tracey Howie	tracey@guringai.com.au	11/10/2019	Email	
Corroboree Aboriginal Corp.	Marilyn Johnson	corroboreecorp@bigpond.com	7/10/2019	Email	
Didge Ngunawal Clan	Lilly Carroll & Paul Boyd	didgengunawalcla@yahoo.com.au	2/10/2019	Email	
Widescope Group	Steven Hickey	widescope.group@live.com	14/10/2019	Email	
		-			
		-			
Additional Consultation					
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes

STAGE 2 & 3					
ACHAR Methodology (/Test Excavation Methodology)		Minimum 28 days to respond	(05/11/2019) - (03/12/2019)		
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPS	AMAC/Steven J. Vasilakis	Dispatch ACHAR Research Design & Testing Methodology	5/11/2019	Email	
AMAC/Steven J. Vasilakis	Didge Ngunawal Clan/Lilly Carroll & Paul Boyd	ACHAR Research Design & Testing Methodology	5/11/2019	Email	Support Recommendations
Darkinjung LALC; Awabakal & Guringai Pty Ltd; Corroboree Aboriginal Corp.; Widescope Group	AMAC/Steven J. Vasilakis	ACHAR Research Design & Testing Methodology	11/11/2019	Phone	All RAPs Support Recommendations. Amanda Shields of Darkinjung LALC Supports Doc, however, requested review by senior DLALC Cultural Heritage Officer
AMAC/Benjamin Streat	Darkinjung LALC/Barry Williams	ACHAR Research Design & Testing Methodology	6/12/2019	Email	Barry Williams notes that Darkinjung Local Aboriginal Land Council do not support the claims made by members of the community that the “guringai” are Traditional Owners within the Darkinyung cultural landscape nor to the use of the term “guringai.”
Test Excavation		(05/12/2019) - (06/12/2019)			

Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
Darkinjung LALC; Awabakal & Guringai Pty Ltd; Didge Ngunawal Clan; Widescope Group	AMAC/Steven J. Vasilakis	Test Excavation Dates	20/11/2019	Email	
STAGE 4					
ACHAR Report		Minimum 28 days to respond (20/12/2019) - (17/01/2020)			
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPs	AMAC/Yolanda Pavincich	Dispatch ACHAR Report	20/12/2019	Email	
All RAPs	AMAC/Steven J. Vasilakis	Review ACHAR Report	8/01/2020	Phone	DNC/Widescope/Corroboree support ACHAR; DLALC to review; Awabakal & Guringai no response
Darkinjung LALC/Awabakal & Guringai	AMAC/Steven J. Vasilakis	Review ACHAR Report	13/01/2020	Phone	DLALC to respond/Awabakal & Guringai support ACHAR
AMAC/Steven J. Vasilakis	Darkinjung LALC/Barry Williams	Review ACHAR Report	17/01/2020	Email	Barry Williams commented that despite the conjecture surrounding the use of the term “guringai” (raised previously), it remains in the report.

4.0 BACKGROUND INFORMATION

Pre-field work research consisted of an analysis and synthesis of the background data to determine the nature of the potential archaeological and cultural heritage resource in the region.

The research of this cultural heritage assessment consisted of stages which are listed below:

- Background research;
- Aboriginal consultation and oral history interviews;
- Site inspection and cultural heritage mapping;

Background research entailed a detailed review of sources of information on the history, oral history, ethno-history and archaeological background of the study area and surrounds and will include but not be limited to material from:

- EES Group archaeological assessment and excavation reports and cultural heritage assessments;
- EES Group Library;
- State Library of NSW including the Mitchell Library;
- Local libraries and historical associations;
- National Library of Australia.

A search of the EES Group AHIMS was undertaken and the results examined. The site card for each site within 1000m in all directions from the centre of the study area was inspected (where available) and an assessment made of the likelihood of any of the sites being impacted by the proposed development. The EES Group library of archaeological reports (Hurstville) was searched and all relevant reports were examined. Searches were undertaken on the relevant databases outlined in Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);

Further to this the following sources were examined:

- The National Heritage List;
- The Commonwealth Heritage List;
- The NSW State Heritage Inventory;
- The Register of the National Estate;
- The National Native Title Register;
- The Register of Declared Aboriginal Places;
- Prevailing local and regional environmental plans;
- Environmental background material for the study area.

4.1 AHIMS SEARCH RESULTS

The Archaeological Heritage and Information Management System Database (AHIMS) is located at the EES Group Offices at Hurstville in New South Wales. This database

comprises information about all the previously recorded Aboriginal archaeological sites registered with EES Group. Further to the site card information that is present about each recorded site, the assessments and excavation reports that are associated with the location of many of these sites are present in a library of reports. The location of these sites shown (Figure 4.1) must be viewed as purely indicative as errors in the recording of the locations of sites often occurs due to the disparate nature of the recording process, the varying level of experience of those locating the sites and the errors that can occur when transferring data. If possible, sites that appear to be located near a study area should be relocated.

An AHIMS extensive search was conducted on the date 21/08/19 (Client No.443357). The following table is comprised of the results listed from the extensive search.

Table 4.1 AHIMS Search Results

Site ID	Site name	Context	Site features
45-3-3282	Shelter with deposit	Open site	PAD - shell
45-3-3340	Dane Drive PAD	Open site	PAD - 1
45-3-3430	Rumbalara 2	Open site	Artefact – Shell 2
45-3-3699	ATO Mann Street	Open site	Artefact



Figure 4.1 AHIMS search results.
Registered sites indicated in pink with the study area indicated in purple. EES Group AHIMS (2019).

4.2 OTHER SEARCH RESULTS

Results for other statutory databases searched are given below;

Heritage Listings/ Register/ Other	Result
National Heritage List	N/A
Commonwealth Heritage List	N/A
NSW State Heritage Register	N/A
Register of Declared Aboriginal Places	N/A
National Native Title Register	N/A

4.3 SUMMARY OF ARCHAEOLOGICAL PREDICTIVE MODEL FOR THE REGION

Predictive modelling is an adaptive process which relies on a framework formulated by a number of factors, including but not limited to the use of local land systems, the environmental context, archaeological work and any distinctive sets of constraints that would influence land use patterns. This is based on the concept that different landscape zones may offer different constraints, which is then reflected in the spatial distributions and forms of archaeological evidence within the region (Hall and Lomax 1996).

Early settlement models focused on seasonal mobility, with the exploitation of inland resources being sought once local ones become less abundant. These principles were adopted by Foley (1981) who developed a site distribution model for forager settlement patterns. This model identifies two distinctive types of hunter and gather settlements; 'residential base camps' and 'activities areas.' Residential base camps are predominately found located in close proximity to a reliable source of permanent water and shelter. From this point the surrounding landscape is explored and local resources gathered. This is reflected in the archaeological record, with high density artefact scatters being associated with camp bases, while low density and isolated artefacts are related to the travelling routes and activity areas (Foley 1981).

However, more recently, investigation into understanding the impacts of various episodes of occupation on the archaeological record has been explored, of which single or repeated events are being identified. This is often a complex process to establish, specifically within predictive models as land use and disturbance can often result in post depositional processes and the superimposition of archaeological materials by repeated episodes of occupation.

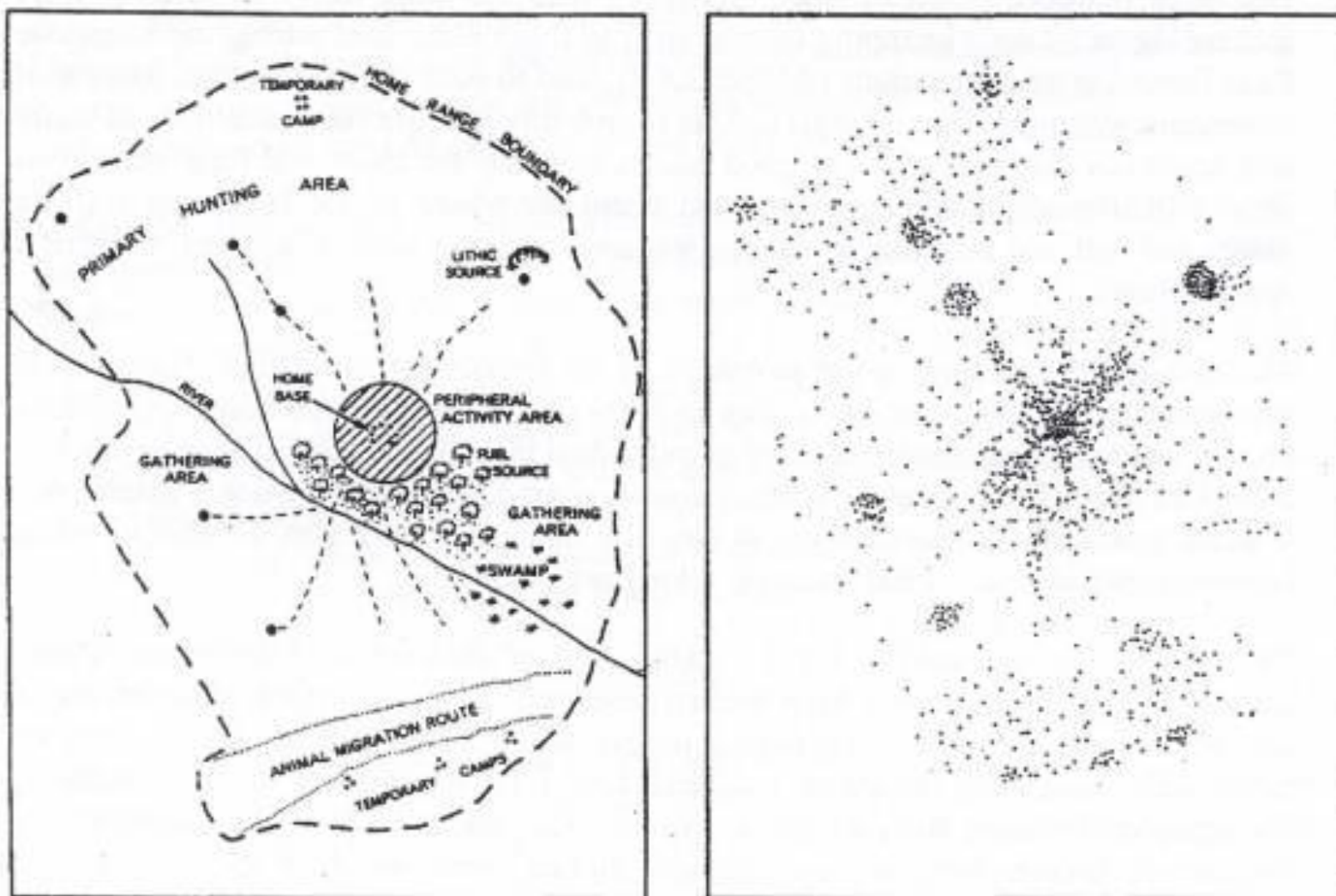


Figure 4.2 Examples of forager settlement patterns.
Foley (1981).

The principles behind this model have been incorporated into other predictive models such as that of McBryde (1976). McBryde's model is centred on the utilisation of food resources as a contributor to settlement patterns, specifically with reference to the predictability and reliability of food resources for Aboriginal people within the immediate coastal fringe and/or hinterland zone, with migratory behaviour being a possibility. Resources such as certain species of animals, particularly; small marsupials and reptiles, plant resources and nesting seabirds may have been exploited or only available on a seasonal or intermittent basis. As such, archaeological sites which represent these activities whilst not being representative of permanent occupation may be representative of brief, possibly repeated occupation.

Jo McDonald and Peter Mitchell have since contributed to this debate, with reference to Aboriginal archaeological sites and proximity to water using their Stream order model (1993). This model utilises Strahler's hierarchy of tributaries. This model correlates with the concept of proximity to permanent water and site locations and their relationship with topographical units. They identify that artefact densities are greatest on terraces and lower slopes within 100m of water.

Intermittent streams, however, also have an impact on the archaeological record. It was discovered that artefacts were most likely within 50 – 100m of higher (4th) order streams, within 50m (2nd) order streams and that artefact distributions around (1st) order streams was not significantly affected by distance from the watercourse. Landscapes associated with higher order streams (2nd) order streams were found to have higher artefact densities and more continuous distribution than lower order streams.

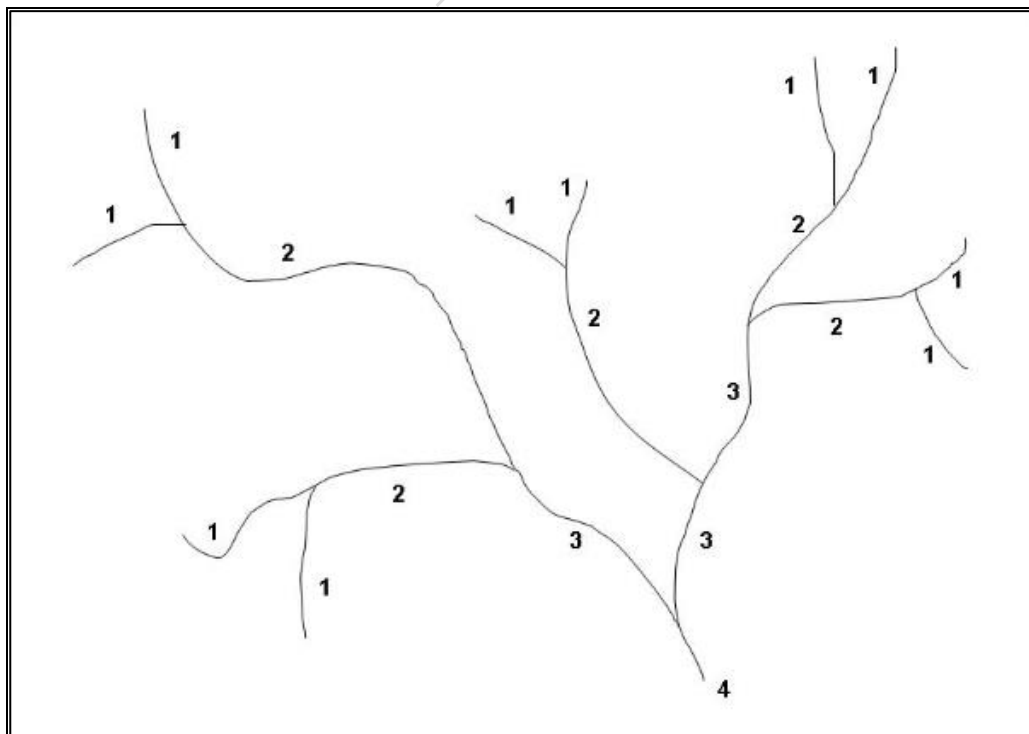


Figure 4.3 Strahler's hierarchy of tributaries.
Strahler (1957).

Table 4.2 Relationship between landscape unit and site distribution for region

Landscape Unit /Site types	Site Distribution and activity
1st order stream	Archaeological evidence will be sparse and reflect little more than a background scatter
Middle reaches of 2nd Order Stream	Archaeological evidence will be sparse but focus activity (one off camp locations, single episodes and knapping floor)
Upper reaches of 2nd order stream	Archaeological evidence will have a relatively sparse distribution and density. These sites contain evidence of localised one-off behaviour.
Lower reaches of 3rd order stream	Archaeological evidence for frequent occupation. This will include repeated occupation by small groups, knapping floors (used and unused material) and evidence of concentrated activities.
Major creeklines 4th order streams	Archaeological evidence for more permanent or repeated occupation. Sites will be complex and may be stratified with a high distribution and density.
Creek junctions	This landscape may provide foci for site activity, the size of the confluence in terms of stream rankings could be expected to influence the size of the site, with the expectation of there being higher artefact distribution and density.
Ridge top locations between drainage lines	Ridge Tops will usually contain limited archaeological evidence, although isolated knapping floors or other forms of one-off occupation may be in evidence in such a location.
Raw Materials near watersources	The most common raw materials are silcrete and chert in sites closer to coastal headlands, though some indurated mudstone/silicified tuff and quartz artefacts may also be found.
Grinding Grooves	Grinding Grooves may be found in the sandstone or shale/sandstone transition areas.
Scarred trees -	May occur in stands of remnant vegetation.
Ceremonial Sites	Consultation with relevant Aboriginal Stakeholder groups, individuals and review of ethnographic sources often reveal the presence of ceremonial or social sites.

Vinnicombe (1980) devised a predictive model for the Gosford -Wyong area based on the location and distribution of known sites. She established that there is a high site density around Broad/Brisbane Waters with a ratio of 11.5 sites/sq. km and also associated with proximity to Marine resources. She also predicted that within the city limits 13,000 sites are expected to occur as a result of ecological zoning with a predominance in engraving and deposits.

Additional studies were conducted by Bonhomme and Buzer (1994) on strategic models for the Central Coast concluding that seasonally scheduled mobility based within the Central Coast was the most likely model to explain Aboriginal occupation and exploitation with regards to the topographic nature of the region of which coastal, estuarine and hinterland environments are present.

The following site location trends were identified;

- Higher densities and/or greater occupation evidence are found around major watershed ridgelines, due to their use as access routes;
- Rock shelter sites with deposits and/or rock paintings are commonly found in weathered areas in major, minor or discontinuous escarpments – especially at the break of a slope along a ridge crest, as well as isolated stone tors which have moved downslope;
- Midden sites are likely to be located on elevated ground close to estuarine environments such as Narara Creek of the foreshore of Broad/Brisbane Water or within rock shelters in close proximity to these locations;
- Large sites are most likely associated with permanent water sources;
- Grinding grooves are likely to be located in ridgetop contexts where relatively level rock faces of sandstone occur and near a local water source;
- Rock paintings are commonly located in rock shelters where the floor is predominately rock and/or sloping.

The Aboriginal Cultural Heritage Data Audit (DOP, 2005) produced the following table as part of the NSW Comprehensive Coastal Assessment Toolkit (DOP, 2005) which made the following statements outlined in table 6.3 about the predictive location of Aboriginal sites in Coastal NSW. These statements support the conclusions drawn in the following predictive model established for the study area. The study makes one very important claim which is that Aboriginal Ceremonial or Dreaming Sites can only be identified by Aboriginal community knowledge.

All models state that the primary requirement of all repeated, concentrated or permanent occupation is reliable access to fresh water. Brief and possibly repeated occupation may be represented in areas that have unreliable access to ephemeral water sources, however these areas will not possess a high archaeological potential (Goodwin 1999).

Table 4.3 Aboriginal Cultural Heritage Data Audit, Predictive Modelling for Coastal Aboriginal Sites, NSW.

Site Type	Archaeological/ Predictive Modelling
Aboriginal Ceremony and Dreaming Sites	Can only be identified on the basis of Aboriginal community knowledge.
Aboriginal Resource and Gathering Sites	Can occur at any location where plant and animal target species are found at present or were available in the past.
Art Sites:	All rock paintings or drawings and some rock engravings will occur within rock shelters/overhangs, most commonly within sandstone cliff lines and in granite boulder fields. Rock engravings may occur wherever there are suitable rock-surface exposures.
Artefacts:	Will occur in all landscapes with varying densities. Artefacts of greatest scientific significance will occur in stratified open contexts (such as alluvial terraces, sand bodies) and rock shelter floors.
Burials:	Most likely (but not always) to be buried in, or eroding from, sandy soils. Can occur within rock shelters/overhangs, most commonly within sandstone cliff lines and in granite boulder fields.
Ceremonial Ring Sites:	Environmental factors may be of particular importance in site location including association with sources of water, ridges, unstructured soils and geological boundaries. Distance to adjacent ceremonial ring sites may influence site location.
Conflict Sites:	Can only be identified on the basis of historical records and community knowledge.
Grinding Grooves:	Most likely to occur on surface exposures of sandstone. Occasionally occur within sandstone rock shelters.
Modified Trees	Will only occur where target tree species survive and if these are of an age generally greater than 100 years old.
Non-Human Bone and Organic Material Sites:	Will occur in any surface or buried context where preservation conditions allow. Most commonly survive in open shell midden sites and in rock shelter floor deposits.
Ochre Quarry Sites:	Can occur at any location where suitable ochre sources are found, either as isolated nodules or as suitable sediments (clays).
Potential Archaeological Deposits:	Can occur in all landscape types. PADs of greatest scientific significance will occur in stratified open contexts (such as alluvial terraces, sand bodies) and rock shelter floors.
Shell Middens:	Will occur as extensive packed shell deposits to small shell scatters in all coastal zones along beaches, headlands and estuaries, both in open situations and in rock shelters. May occur along rivers and creeks where edible shellfish populations exist or existed in the past.
Stone Arrangements	Tend to be on high ground, often on the tops of ridges and peaks commanding views of the surrounding country. Often situated in relatively inaccessible places.
Stone Quarry Sites:	Can occur at any location where suitable raw materials outcrop, including pebble beds/beaches.
Waterholes	May occur within any river or creek. Rare examples may occur in open exposures of rock.

4.4 ARCHAEOLOGICAL PREDICTIVE MODEL FOR THE STUDY AREA

The following section gives an indication of the likelihood of certain site types being located within the study area. These indications are based on the research and results of assessments and excavations in the vicinity of the study area and also from the Central Coast Region. The predictive model also takes into account the variables of landscape features, landscape resources, landscape disturbance and ethnographic evidence gathered from Aboriginal Stakeholder groups and individuals.

Site Type	Research	Likelihood
Open Artefact Scatters	Archaeological sites are more extensive and complex in landscapes near permanent water and higher order streams. The study site is located within 200m of a major watercourse– Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 100m of the original shoreline before the land was reclaimed. Therefore, the study area has the potential to display sparse background artefact scatters.	Likely within undisturbed parts of the study area.
Isolated Artefacts	Archaeological sites are more extensive and complex in landscapes near permanent water and higher order streams. The study site is located within 200m of a major high order stream – Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 100m of the original shoreline before the land was reclaimed. Therefore, the study area has the potential to display sparse background artefact scatters.	Likely within undisturbed parts of the study area.
Midden Deposits	Given the proximity of the study area to the Brisbane Waters foreshore, it is likely to be the site of food procurement, consumption, and refuse discard. It is presently unclear whether intact original soil profiles are present, however, if they are, associated archaeological material may occur within said deposits.	Likely within undisturbed parts of the study area.
Grinding Grooves	Boulders of sandstone or outcrops do not occur in the landscape units represented in the study area.	Unlikely within the study area.
Stone Resource Sites	Rock outcrops of suitable flaking material are almost absent from the soil landscapes represented within the study area.	Unlikely within the study area.
Scarred Trees	Trees of sufficient age onsite were inspected. No scarring/modified was present.	Unlikely within the study area.
Sandstone Shelters	The soil landscapes of the study area do not contain sandstone overhangs	Unlikely within the study area.
Burials	Undisturbed sandy loam deposits do not lie within the study area and the soil landscapes in which the study area is located are generally acidic. Skeletal remains tend to decompose very quickly in acidic soil profiles.	Unlikely within the study area.
Ceremonial Sites	Consultation with relevant Aboriginal stakeholder groups and individuals is taking place, however, it is possible that such information may become available in the future, as a result, of further consultation.	Possible that Ceremonial/Social sites may be present within the study area.

4.5 ARCHAEOLOGICAL CONTEXT

It is generally accepted that Aboriginal occupation of Australia dates back at least 40,000 years (Attenbrow 2002 p.20 - 21 & Kohen et al 1983). The result of this extensive and continued occupation which includes the Sydney region has left a vast amount of accumulated depositional evidence and the Cumberland Lowlands is no exception. The oldest date generally considered to be reliable for the earliest occupation around the region comes from excavations at Parramatta which contain objects or features which have been dated to 30,735 ± 407 BP (McDonald et al 2005).

The majority of reliably dated archaeological sites within the region are less than 5,000 years old which places them in the mid to late Holocene period. A combination of reasons has been suggested for this collection of relatively recent dates. There is an argument that an increase in population and 'intensification' of much of the continent took place around this time, leading to a great deal more evidence being deposited than was deposited as a result of the sparser prior occupation period. It is also the case that many archaeological sites along the past coastline may have been submerged as the seas rose approximately to their current level around 6,000 years ago. This would have had the effect of covering evidence of previous coastal occupation. In addition, it is also true that the acidic soils which are predominate around the Sydney region do not allow for longer-term survival of sites (Hiscock 2008 p. 106).

Different landscape units not only influence the preservation of sites but can determine where certain site types will be located. Across the whole of the Sydney Basin, the most common Aboriginal archaeological site type is occupation evidence within Rock Shelters. However, the most common Aboriginal archaeological site type in the Cumberland Lowlands is Open Artefact Scatters or Open Campsites, which are locations where two or more pieces of stone show evidence of human modification. These sites can sometimes be very large, with up to thousands of artefacts and include other habitation remains such as animal bone, shell or fireplaces [known as *hearths*] (Attenbrow 2002 p. 75 – 76). Many hundreds of artefact sites have been recorded within the Cumberland Lowlands. This is despite the fact that at least 50% of the Cumberland Lowlands has already been developed to such an extent that any archaeological evidence which may have once been present has been destroyed.

4.6 PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS NEAR THE STUDY AREA

The study of a midden deposit on the bank of a drainage channel (or possibly former creek) which extended 6m x 1.8m in diameter with the possibility of having extended further but it had been destroyed through erosion. In establishing the dimensions 7 auger holes were dug around the expected perimeter of the site with intact soils present. The site is also 15m away from Narara Creek. The results of this study correlate with the predictive model of the region in which deposits are likely to be present within the vicinity of water tributaries.

Navin Officer 2004 – Aboriginal Cultural Heritage Assessment – Tathra Street, West Gosford

In 2004, Navin Officer conducted a cultural heritage assessment at Tathra Street, West Gosford for a proposed Concrete Batching Plant. The study area is located towards the base slopes of a hill, of which is predominately covered with woodland

vegetation. The on-site survey resulted in the location of three rock shelters with midden deposits. These were recorded but since they were not situated within the development footprint no further archaeological investigation was recommended. The study area was within 500m of Narara Creek.

AHMS 2007 – Aboriginal Cultural Heritage Assessment – Dane Drive and Masons Parade, Gosford

In 2007, an Aboriginal Heritage Assessment was conducted by AHMS (2007) at the intersection of Dane Drive and Masons Parade in response to a roads upgrade. The results of the investigation led to the registration of a Potential Archaeological Deposit (PAD). The AHMS coordinates of site 45-3-3340 places it just outside the boundary of the study area. AMAC Group confirmed through test excavations at 32 Smith Street, Gosford in 2017, that this PAD was located within reclaimed fill and resulted in no Aboriginal objects and/or features of archaeological and/or cultural significance being located. This testing programme resulted in the site card 45-3-3340 being amended.

A.R.C Heritage 2008 – Test Excavation – Avoca Drive, Green Point

Test Excavations were undertaken by A.R.C Heritage in 2008, for the proposed extensions to Avoca Drive, Green Point. A total of 10 test pits (0.50 x 0.50m) were excavated as well as an additional 5 test trenches (1.0 x 1.0m) along intersecting transects conducted on the site. The test excavation programme resulted in the discovery of one quartzite flake, extracted from the A1 horizon within the Erina soil landscape.

AMAC Group 2016 – Test Excavation – 38 Mann Street, Gosford

Test excavation was conducted by AMAC group in 2016, on the ATO development property next door at 38 Mann Street, Gosford. A total of 10 pits were excavated of which two Aboriginal artefacts were located. A layer of fill was found to encompass the site from past filling event. The depths of fill varied along the landscape of the site. Below this fill, intact natural soil profiles were present including the A horizon – artefact bearing deposit. The soil landscape although initially identified as disturbed, contained soils of the Erina soil landscape.

AMAC Group 2017 – Test Excavation – 32 Mann Street, Gosford

Test excavation was recently conducted by AMAC Group in 2017 on the land bounding the study area towards the north and east as part of the initial 32 Mann Street, Gosford development. A total of 10 test pits were excavated resulting in no Aboriginal objects and/or features of archaeological and/or cultural significance. It was demonstrated that a significant amount of fill covered the western end of the site. This was found to extend >1.5m as part of the reclamation works of what would have been the intertidal zone of the original Brisbane Waters foreshore. An intact A horizon was located towards the eastern end of the site.

The practical ramifications of the results of the previously mentioned archaeological assessments and excavations, infers that there is a potential for Aboriginal archaeological objects and/or deposits to be present within any intact original soil profiles located within study area. Higher order streams are located in the landscape units represented in the study area, chiefly Brisbane Waters. The lack of archaeological assessments near the study area is not a reflection of the archaeology present but a reflection of the development within the area where investigation has not been required.

5.0 PHYSICAL EVIDENCE

5.1 SITE INSPECTION

Ben Streat of AMAC Group Pty Ltd and Barry Williams of Darkinjung Local Aboriginal Land Council inspected the study site on the 22nd August 2019. The study site is vacant land but contained within a larger construction zone for development occurring at the adjacent sites.

5.1.1 Inspection Methods

The study site was inspected on foot. Where practical the whole of the study area was inspected, however, there were a number of limiting factors, such as there being a considerable amount of grass cover. It was therefore not possible to cover the entirety of the study area. Any areas of exposed soil or areas of erosion were inspected in detail. The level of surface visibility was less than ten percent.

All visible landscape units were inspected as well as photographed where informative details as to land use and disturbance could be ascertained. Information was also collected regarding land surface and vegetation conditions as encountered during the survey.

The following broadly outlines the methods adopted;

- field inspections will be carried out on foot;
- attempts will be made to relocate the registered sites within the study area and assess their condition;
- highly disturbed areas indicated on plans will be inspected to verify the level of disturbance and depending on level of disturbance will be included or excluded from the additional survey;
- undisturbed areas will be inspected in as much detail as the remaining surface coverage and environment will allow and the results will be recorded;
- areas of exposed ground such as tracks or eroded surfaces which allow good surface visibility will form the focus of the field inspections;

5.1.2 Inspection Summary

The entrance to the study site is via Vaughan Avenue at the south end of the site. The natural topography of the site is sloping east to west down from Mann Street to a flat level a result of the reclamation works. The highest level of the site is along the eastern boundary (fronting Mann Street). Thick vegetation and trees were encountered on the slope and the base of the slope is covered by bitumen.

To the north of the site there is a large office building and a large rectangular multi storey building is currently being constructed along Mann Street. Demountable site offices are situated along the western fence as well as trees.

The study area has been significantly cleared. The former Public School buildings appear to have been demountable structures rather than brick, subsurface impacts from this later development appear to be shallow.

The site appears to remain relatively intact with some topsoils identified. Due to dense overgrown vegetation coverage, visibility was poor along the slope but high along the bitumen surface on the flat.

Unit	Landform	Area (sq. m)	Visibility (%)	Exposure (%)	Effective Coverage (sq. m)	Effective Coverage (%)
1	Slope	2,019	20	20	81	4%
2	Flat	26,753	80	10	2,140	7.9%



Figure 5.1 Site inspection results with unit boundaries.
AMAC 2019, Six Maps accessed 27/08/19.



Figure 5.2 Northern end of study site (Unit 2). Facing north.
AMAC, 22nd August 2019, digital image DSCN3114.



Figure 5.3 Northern end of study site (Unit 2). Facing north.
AMAC, 22nd August 2019, digital image DSCN3123.



Figure 5.4 Eastern sloping edge of the study site, looking towards Mann Street (Unit 1). Facing southeast.
AMAC, 22nd August 2019, digital image DSCN3117.



Figure 5.5 Southern end of the study site (Unit 1 and 2), facing south.
AMAC, 22nd August 2019, digital image DSCN3119.



Figure 5.6 Manhole for services, facing north east.
Note photograph taken prior to any excavation works.
AMAC Group - DSCN0430 (06/02/2017).

5.2 TEST EXCAVATION

The testing programme involved the excavation of nine test trenches (50cm x 50cm). These were situated evenly across the eastern slope of the study area outside of the reclamation zone in order to obtain information and data that could systematically determine a distribution pattern and/or density pattern within a localised scale of the site. Of the nine proposed test trenches three were abandoned (ATT3, 7, 8), due to a high level of disturbance encountered and modern fill in these areas. All test pits resulted in no Aboriginal objects of cultural and archaeological significance being encountered.

The soil profile encountered was heavily disturbed with natural soils found to be truncated and/or disturbed with European material and building fragments from past land use as well as evidence of erosional behaviour such as reformed topsoils.

Due to the level of disturbance observed, an excavator was used to remove the modern fill in high areas of disturbance in order to establish if a natural soil horizon was present. It was observed in past test excavations at the ATO site adjacent (AMAC 2016) that an intact soil profile was observed at depth due to reclamation works which saw the introduction of modern fill within what was an intertidal zone in the past. Three of the nine test trenches saw modern filling coming directly onto the B horizon. All test pits ceased when a B horizon and/or sterile deposit was observed.

It is clear and observable that where natural soils including A horizon soils were exposed (the A horizon is found to be the artefact bearing deposit), they were found to be truncated or disturbed from past land use and erosional behaviour along the slope. This was evident particularly towards the northern end of the site where soils had been redeposited as part of the access way to the adjacent development.

No Aboriginal archaeological and cultural material/ deposits were located as a result of the programme of test excavation. A high level of disturbance was observed, and natural soils were found to be sterile.

Further investigation is not warranted and works may proceed with caution.

6.0 CULTURAL HERITAGE ASSESSMENT RESPONSES

All registered stakeholders were given a copy of this report and were given a minimum of 28 days to comment on this report. All comments have been incorporated into this report. This section outlines the research questions and responses concerning the cultural heritage of the study area.

6.1 REGISTERED STAKEHOLDER QUESTIONS

All registered stakeholders were given a copy of a proposed Aboriginal Cultural Heritage Assessment Report (ACHAR) research methodology and given 28 days to respond to this methodology.

The following is a questionnaire that was included with the ACHA methodology.

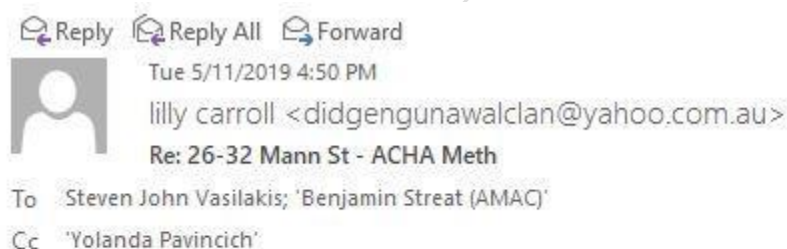
- Does the study area hold any social, spiritual or cultural values to the participating Aboriginal stakeholders? If so, what are these values and are they confined to particular parts of the study area?
- Why are these parts or the whole of the study area culturally significant to the participating Aboriginal stakeholders?
- Are particular parts of the study area more important than others?
- Are any previously unidentified known culturally significant places present within the study area? If so, where are they located?
- Are any previously unidentified Aboriginal objects or Aboriginal places present within the study area? If so, where are they located?
- Are any previously unidentified natural or archaeological resources present within the study area? If so, where are they located?
- Are there any traditional stories or legends associated with the study area?
- Are there any recollections of Aboriginal people living within the study area?
- Is there any information to suggest the presence of burials within the study area?
- Are any traditional flora or fauna resources associated with the study area?
- Does the study area have any sensory scenic or creatively significant cultural values?
- If so, what are these values and are they confined to particular parts of the study area and where are they located?

- In what way if any will the proposed development harm the identified cultural heritage and archaeological values of the study area?
- Do the participants have suggestions on the mitigative strategies for the management of the cultural and archaeological values of the study area?
- Are there any gender specific cultural values associated with the study area which cannot be raised in a male presence?
- Are there any gender specific cultural values associated with the study area which cannot be raised in a female presence? If so, how would the Aboriginal stakeholders like these be dealt with?
- Do the participants have any concerns not yet raised in this interview?

6.2 REGISTERED STAKEHOLDER SUBMISSIONS TO QUESTIONS AND RESEARCH METHODOLOGY

The following submissions were received from Registered Aboriginal Parties in response to the ACHAR research design and test excavation methodology.

6.2.1 Didge Ngunawal Clan



Hi guys,

DNC are happy with the methodology

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC

6.2.2 Responses from RAPs contacted by phone on 11th November 2019

Darkinjung LALC – Support ACHAR Methodology recommendations
Awabakal & Guringai Pty Ltd – Support ACHAR Methodology recommendations
Corroboree Aboriginal Corp. - Support ACHAR Methodology recommendations
Widescope Group - Support ACHAR Methodology recommendations

6.2.3 Darkinjung Local Aboriginal Land Council


 Tue 3/12/2019 3:41 PM
Amanda Shields <amanda.shields@dlalc.org.au>
RE: 26-32 Mann St - ACHAR Meth
To: Steven John Vasilakis

Hi Steve,

I apologise for the late response but Darkinjung LALC has now reviewed the recommendations set out in the 26-32 Mann St, ACHAR Methodology and we are happy with the recommendations.

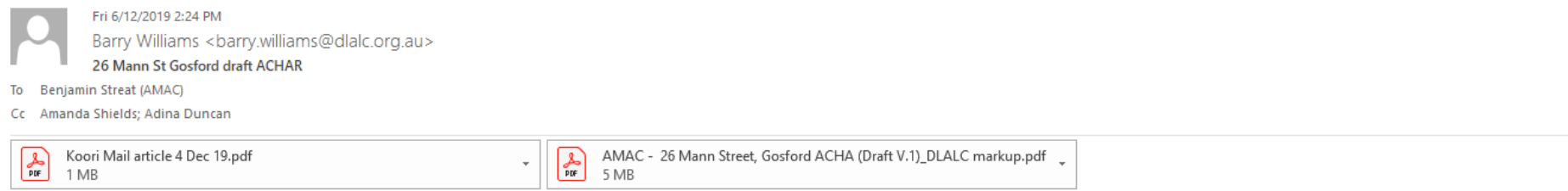
Kind regards,

Amanda Shields | Culture and Heritage Project Officer
P 02 4351 2930 **F** 02 4351 2946
A 168 Pacific Highway Watanobbi NSW 2259
M PO Box 401 Wyong NSW 2259
W darkinjung.com.au



I acknowledge that the land on which I work is the traditional land of the Darkinjung people. I pay my respect to the Elders, both past and present.

6.2.4 Darkinjung Local Aboriginal Land Council comments on the term ‘Guringai’



G'day Ben,

Please find attached some comments regarding the draft ACHAR that was circulated a few months back. We understand that comments should have been provided earlier and apologise for the delay in getting back to you re this.

Please note that Darkinjung Local Aboriginal Land Council do not support the claims made by members of the community that the "guringai" are Traditional Owners within the Darkinjung cultural landscape.

There has been some conjecture as to the use of the term "guringai" and this is discussed in length by a report from the Aboriginal Heritage Office (link appears below). This report provides a summary based on the accounts of early colonial journals, various studies by linguists and archaeologists (such as archaeologist, researcher and author Val Attenbrow) and the accounts of Aboriginal peoples of the Central Coast, Northern Sydney, the Hunter Valley and Lake Macquarie.

In addition, Tindale's Map does not make any mention of "guringai". This map, as you would know, was based on research that he conducted into the distribution of Aboriginal language groups across Australia in the early 20th century.

The report by the Aboriginal Heritage Office provides further detail as to how the term came to be used and adopted by some on the Central Coast.

Recent advice from the Department of Planning, Industry and Environment states that they are moving away from the term "guringai" in their publications, web content and interpretive signage.

<https://www.aboriginalheritage.org/news/2015/filling-a-void/>

Finally, I include some text from an email from Robert Syron that talks further about this subject (this is also the subject of a recent article in the Koori Mail dated 4 Dec 19 and attached).

He says:

I would like to share my video Guringai also spelt Gringai or Guringay Barrington NSW. **The Worimi , Biripi Guringay or spelt Gringai and Guringai people are of the kutthung language group' from Port Stephens NSW** the Guringau language or so called Tribe is not from Sydney or Broken Bay.

Guringai <https://www.youtube.com/watch?v=l0geN8vuoCw>

My Family from the Barrington NSW Guringay country <https://hunterlivinghistories.com/2018/08/15/the-kabook-watoo/>

The Guringai There was a story published in the Daily telegraph "Misunderstanding: The historical fiction of the word Guringai that has filled a void in our knowledge of the original inhabitants by John Morcombe, Manly Daily February 20, 2015 2:41pm."
<https://www.dailytelegraph.com.au/newslocal/northern-beaches/misunderstanding-the-historical-fiction-of-the-word-guringai-that-has-filled-a-void-in-our-knowledge-of-the-original-inhabitants/news-story/b1aec152c74220c535883621081a2fd2>

Filling A Void, by the Aboriginal heritage office <http://www.aboriginalheritage.org/news/2015/filling-a-void/>

The Aboriginal heritage office also states "there is no record of the word Guringai /Guringay or any of its derivatives, including Ku-ring-gai, in any of the early accounts of the colony after white settlement and no hint that the Aborigines of the northern beaches or any other part of Sydney had ever heard the word".

<snip>

Regards

Kind regards

Robert Syron

Registered Aboriginal owner of Worimi Guringai Lands

Australian Rwandan War veteran 1994-95

<https://hunterlivinghistories.com/2018/08/15/the-kabook-watoo/>

We acknowledge the Traditional Lands of the Worimi , Guringai or spelt Guringay and Biripi people of the kutthung language the Custodians, spiritual and cultural owners of these lands. We acknowledge our Elders past and present to all Aboriginal and Torres Strait Islander people. The Gringai continue to practice Culture and have a strong connection to our lands and secrete sites where our ancestors lay in the Barrington / Gloucester Manning Valley area

Accordingly, any reference to “guringal’ should be removed from the ACHAR as well as the EIS for this project.

If you have any questions please contact me.

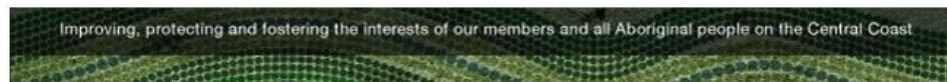
Regards, Barry

Barry Williams
Senior Aboriginal Culture and Heritage Officer

Email: barry.williams@dlalc.org.au
P: [02 4351 2930](tel:0243512930) F : [02 4351 2946](tel:0243512946)



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I acknowledge that the land on which I work is the traditional land of the Darkinyung people. I pay my respect to the Elders, both past and present.

'Guringai' identity fallacy

bob syron

By NICK PATON



THE Metropolitan Local Aboriginal Land Council (MLALC) is seeking to refer to itself as the Guringai people.

Referring to themselves as Guringai is they say, is a matter of identity, not of land. The MLALC is seeking to refer to itself as the Guringai people for the protection, preservation and promotion of all Aboriginal culture and heritage within its boundaries including the entirety of Sydney's Western Beaches, Mosman, North Sydney, Warringah, Ryde, Lane Cove, and Harrows Hill local government areas.

MLALC chief executive Neil Brown said that the MLALC is seeking to refer to itself as the Guringai people for the protection, preservation and promotion of all Aboriginal culture and heritage within its boundaries including the entirety of Sydney's Western Beaches, Mosman, North Sydney, Warringah, Ryde, Lane Cove, and Harrows Hill local government areas.



Bob Syron is pleased to see acknowledgement and recognition being given to the right people.



Guringai/Guringai man Bob Syron.

This is a fallacy, Mr Brown said. "And finally, despite the fact that the MLALC is seeking to refer to itself as the Guringai people for the protection, preservation and promotion of all Aboriginal culture and heritage within its boundaries including the entirety of Sydney's Western Beaches, Mosman, North Sydney, Warringah, Ryde, Lane Cove, and Harrows Hill local government areas."

MLALC chief executive Neil Brown said that the MLALC is seeking to refer to itself as the Guringai people for the protection, preservation and promotion of all Aboriginal culture and heritage within its boundaries including the entirety of Sydney's Western Beaches, Mosman, North Sydney, Warringah, Ryde, Lane Cove, and Harrows Hill local government areas.

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The Barrington area of NSW.

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For more information on the Guringai/Guringai people, contact the MLALC at 02 9550 1111. The MLALC is seeking to refer to itself as the Guringai people for the protection, preservation and promotion of all Aboriginal culture and heritage within its boundaries including the entirety of Sydney's Western Beaches, Mosman, North Sydney, Warringah, Ryde, Lane Cove, and Harrows Hill local government areas.

6.3 REGISTERED STAKEHOLDER SUBMISSIONS TO ACHAR

The following submissions were received from Registered Aboriginal Parties in response to the ACHAR document.

6.3.1 Responses from RAPs contacted by phone on 8th January 2020

Darkinjung LALC – Amanda Shields advised would review ACHAR & AATR and respond
Awabakal & Guringai Pty Ltd – No response and left message
Corroboree Aboriginal Corp. - Support ACHAR & AATR recommendations
Widescope Group - Support ACHAR & AATR recommendations
Didge Nguanwal Clan – Support ACHAR & AATR recommendations

6.3.2 Responses from RAPs contacted by phone on 13th January 2020

Darkinjung LALC – Amanda Shields advised would review ACHAR & AATR and respond
Awabakal & Guringai Pty Ltd – Support ACHAR & AATR recommendations

6.3.3 Darkinjung Local Aboriginal Land Council

 Reply  Reply All  Forward



Fri 17/01/2020 4:25 PM

Barry Williams <barry.williams@dlalc.org.au>

RE: 26 Mann Street, Gosford - ACHA and AATR reports for review

To Consultation

Cc stevenvasilakis@archaeological.com.au; Ben Streat; Amanda Shields; Adina Duncan; Gavi Duncan

 You replied to this message on 20/01/2020 12:18 PM.

 26 Mann St Gosford draft ACHAR (7.03 MB)
Outlook item

G'day Ben, Yolanda and Steven,

I have the following comments re the ACHAR received on 20 Dec 2019.

In the 2nd paragraph of the Executive Summary, should the word "Full" instead read "full".

In Recommendations, delete the 4th paragraph "All need to change to past tense as we...."

At 1.4, should the qualifications of Mr Martin carney also be included for uniformity?

At 2.3.1, despite the conjecture surrounding the use of the term "guringai" (raised previously), it remains in the report.

Regards, Barry

7.0 SIGNIFICANCE ASSESSMENT

The processes of assessing significance for items of cultural heritage value are set out in *The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance: the Burra Charter* (amended 1999) formulated in 1979 and based largely on the Venice Charter of International Heritage established in 1966. Archaeological sites may be significant according to four criteria, including scientific or archaeological significance, cultural significance to Aboriginal people, representative significance which is the degree to which a site is representative of archaeological and/or cultural type, and value as an educational resource. In New South Wales the nature of significance relates to the scientific, cultural, representative or educational criteria and sites are also assessed on whether they exhibit historic or cultural connections.

7.1 ARCHAEOLOGICAL SIGNIFICANCE

7.1.1 Educational Significance

The educational value of any given location will depend on the importance of any archaeological material located, on its rarity, quality and the contribution this material can have on any educational process (Australia ICOMOS, 1999 p. 11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no educational significance can be assigned to the study area.

7.1.2 Scientific Significance

The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no scientific significance can be assigned to the study area.

7.1.3 Representative Significance

The representative value of any given location will depend on rarity and quality of any archaeological material located and on the degree to which this representativeness may contribute further substantial information to an educational or scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no representative significance can be assigned to the study area.

7.2 SOCIAL AND CULTURAL SIGNIFICANCE

As defined in the 'Burra Charter' (ICOMOS, 1999) cultural significance is broken into three parts: aesthetic, historic and scientific value for past, present or future generations. Cultural significance is a concept which assists in estimating the value of any given place. Places that are likely to be of significance are those which can contain information which may assist with the understanding of the past or enrich the present, and which will be of value to future generations. The meaning of these terms in the context of cultural

significance is outlined below. It should be noted that they are not mutually exclusive, (Australia ICOMOS, 1999 p.12).

7.2.1 Historic Significance

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. (Australia ICOMOS, 1999 p.11).

No specific Historical Significance has been assigned by registered Aboriginal Stakeholders.

7.2.2 Scientific Significance

The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process. (Australia ICOMOS, 1999 p.11).

No specific Scientific Significance has been assigned by registered Aboriginal Stakeholders.

7.2.3 Aesthetic Significance

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with the place and its use. (Australia ICOMOS, 1999 p.11).

No specific Aesthetic Significance has been assigned by registered Aboriginal Stakeholders.

8.0 PROPOSED ACTIVITY

This section outlined the proposed activity including the staging and timeframes along with the potential harm of the proposed activity on Aboriginal objects and or declared Aboriginal places, assessing both the direct and indirect result of the activity on any cultural heritage values associated with the study area.

It also aims to outline the justification for harm with the intention of avoiding and minimising harm where possible.

8.1 DESCRIPTION OF PROPOSED ACTIVITY

The proposed development seeks to construct three multi-storey buildings, public space and landscaping works. Buildings 1 and 3 will consist of mixed residential, commercial and retail use and Building 2 will be a hotel with a conference centre. The proposed development requires subterranean excavation.

- Excavation for levelling of the site including filling and cutting of the current ground surface.
- Excavation for pavement and public space surrounding the three buildings.
- Excavation across the site for the foundations of the three building (pilings, footings, foundation slab).
- Excavation below the current ground surface for the ground, first and second level car parks.
- Excavation for a loading zone on the ground floor.
- Excavation for several lift shafts on the ground floor.
- Landscaping works that include excavation for planting of large trees.

A sample of the development application proposed plans are provided in Figures 7.1- Figure 8.6.

No exclusion areas have been planned.

8.2 POTENTIAL HARM TO ABORIGINAL OBJECTS AND CULTURAL HERITAGE

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.3 ASSESSING HARM

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The level of disturbance observed across majority of the study area indicates there is a nil-low possibility of their being artefacts present and harmed, as such works may proceed with caution.

8.4 AVOIDING AND MINIMISING HARM TO ABORIGINAL OBJECTS

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.5 JUSTIFICATION OF HARM TO ABORIGINAL OBJECTS

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

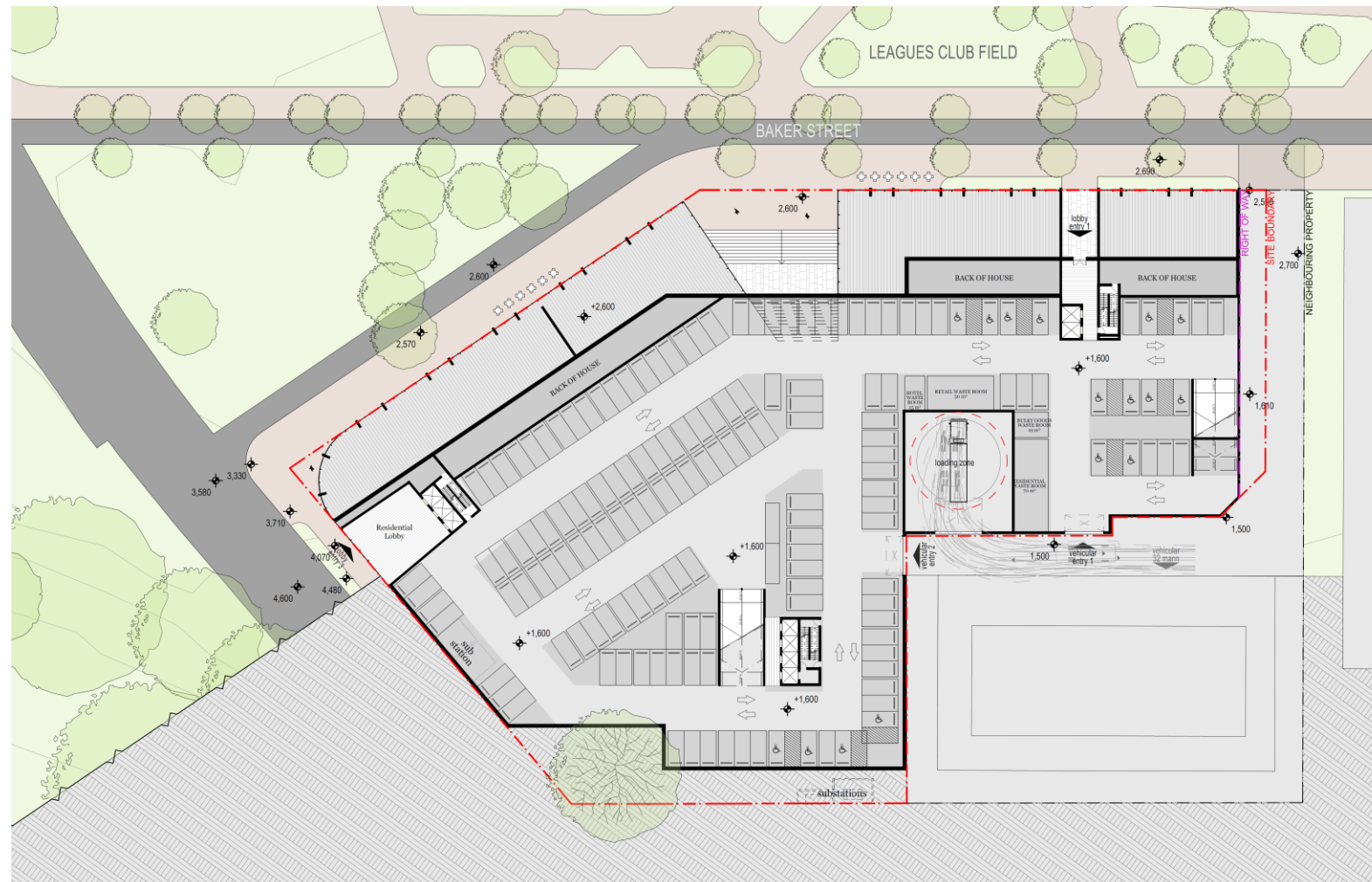


DKO
Figure 8.1

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Site plan
Tuesday, 13 August 2019
Scale: 1:1000
Revision: P3

Proposed Site Plan.
DKO – Revision: P3 (13/08/2019).

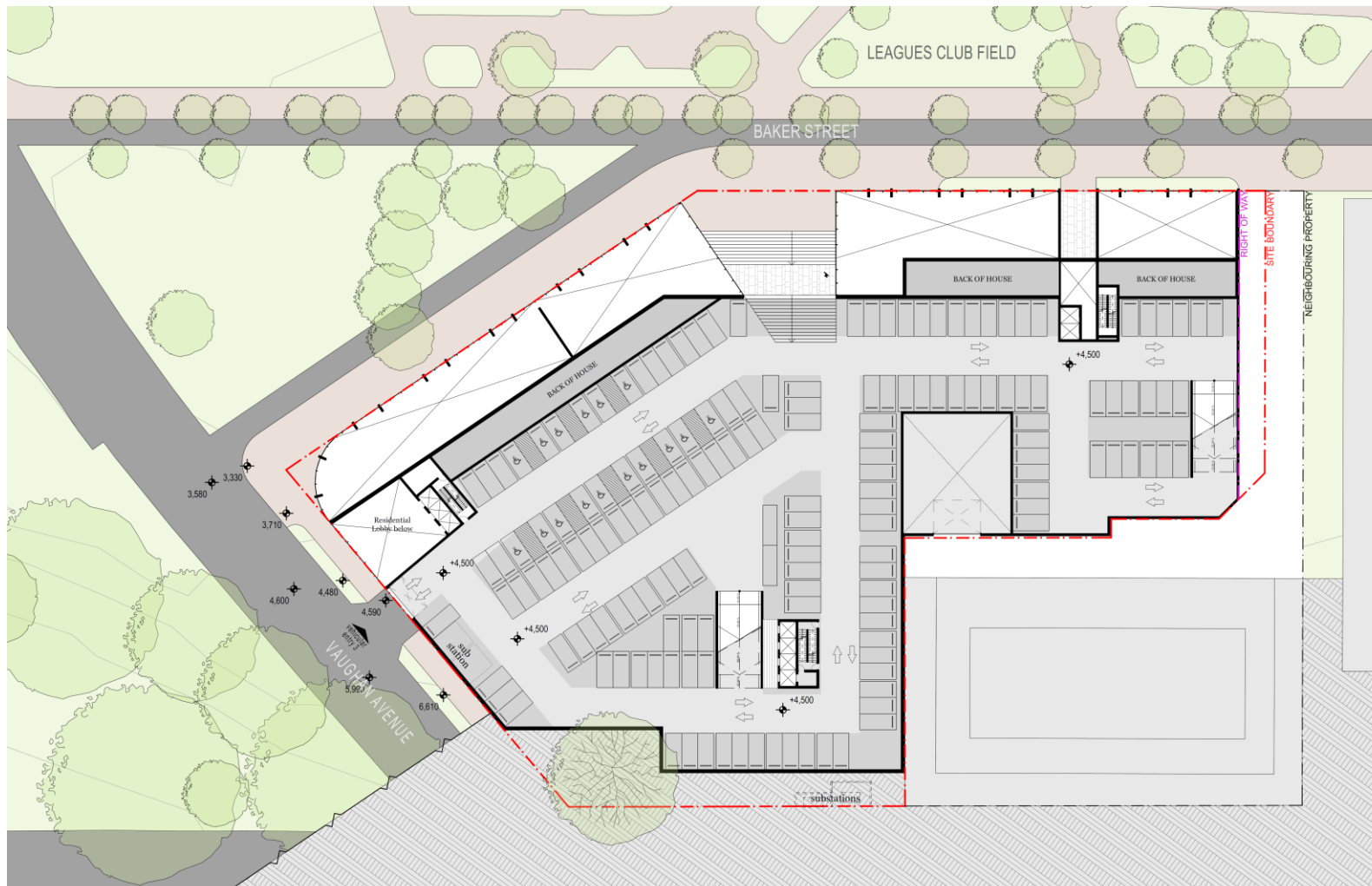


DKO
Figure 8.2

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Ground Floor (Baker St)
Tuesday, 13 August 2019
Scale: 1:500
Revision: P4

Proposed Ground Floor.
DKO – Revision: P4 (13/08/2019).



DKO

Figure 8.3

Proposed Level One.
DKO – Revision: P4 (13/08/2019).

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Level One
Tuesday, 13 August 2019
Scale: 1:500
Revision: P4



DKO

Figure 8.4

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
East Site Elevation
Tuesday, 13 August 2019
Scale: 1:500

Revision: P3

Proposed East Site Elevation.
DKO – Revision: P3 (13/08/2019).

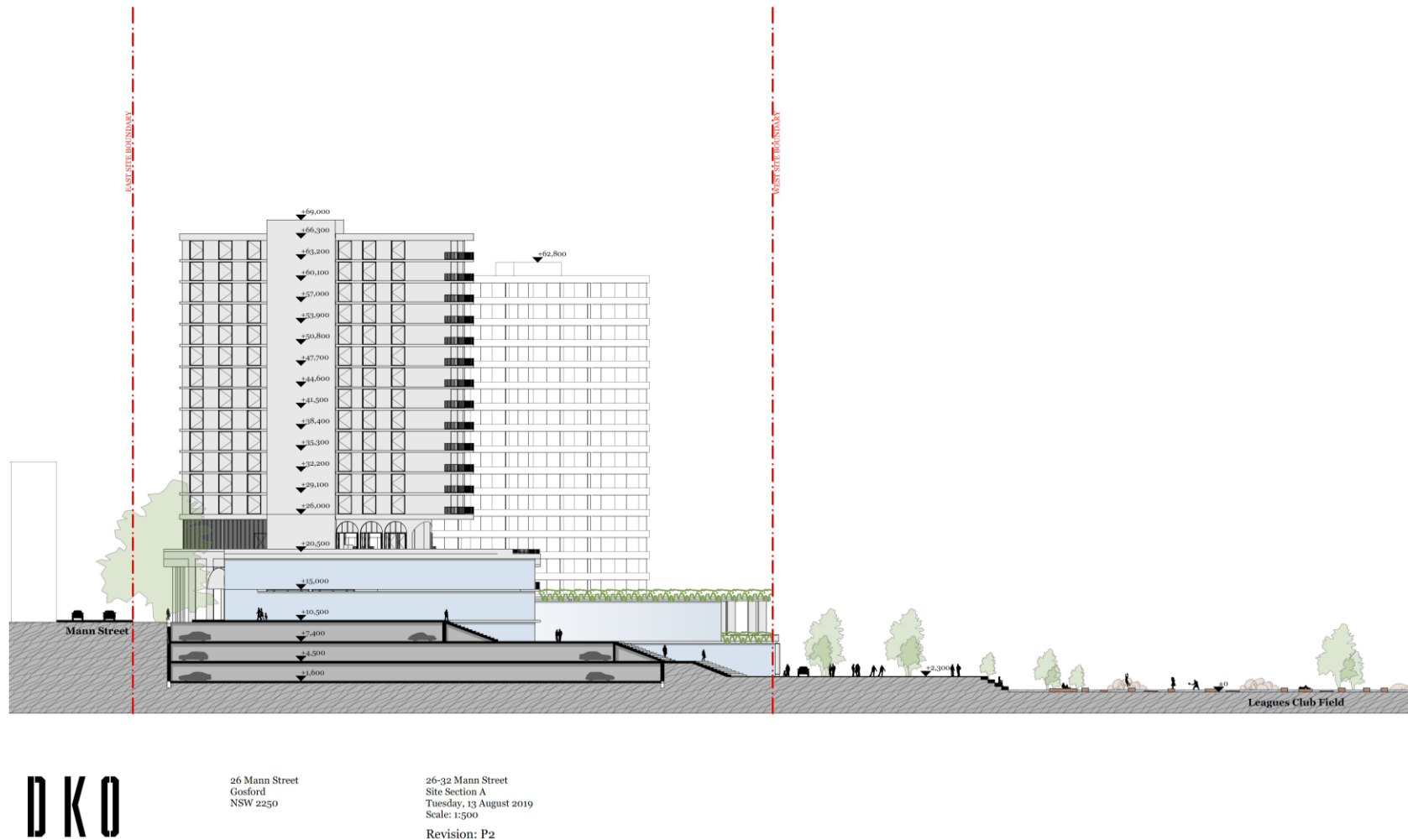
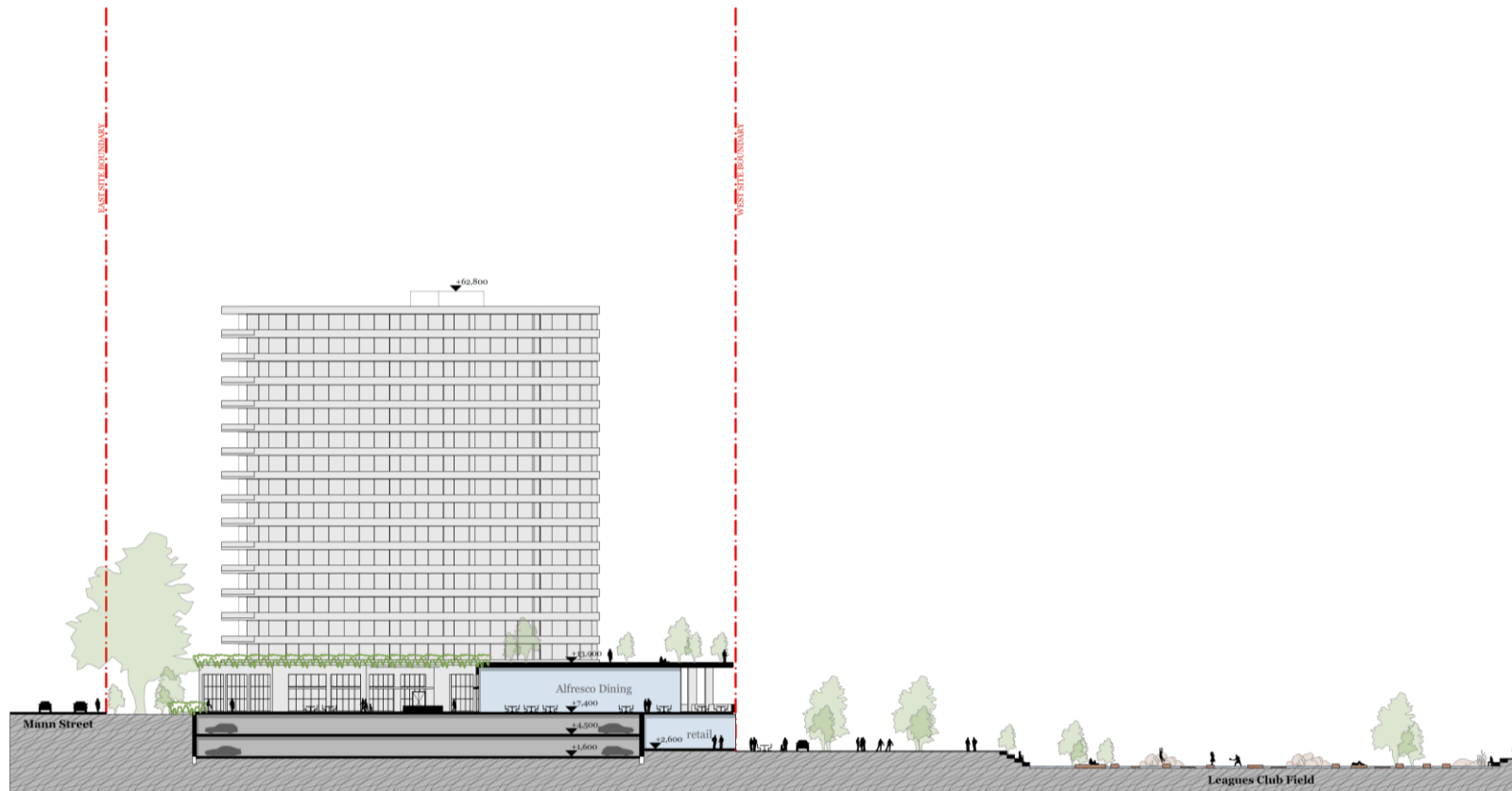


Figure 8.5 Proposed Site Section A.
DKO – Revision: P2 (13/08/2019).



DKO

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Site Section B
Tuesday, 13 August 2019
Scale: 1:500
Revision: P2

Figure 8.6

Proposed Site Section B
DKO – Revision: P2 (13/08/2019).

9.0 MANAGEMENT AND MITIGATION

The management recommendations presented in the following section of the report take into account the following:

- Legislation outlined in this report which protects Aboriginal cultural and archaeological objects and places in New South Wales;
- Research and assessment carried out by the author/s of this report;
- Results of previous archaeological assessment and excavation in the vicinity of the study area;
- The concerns and views of the Aboriginal stakeholders listed in this report;
- The impact of the proposed development on any Aboriginal archaeological material that may be present;
- The requirements of the consent authority (Central Coast Council).

9.1 CARE AND CONTROL

Any artefacts recovered shall be reburied as soon as practicable in a secure temporary storage location in accordance with requirement 26 of the *Code of Practice for the investigation of Archaeological objects in NSW*, pending any agreement reached as to the long-term management of the salvaged Aboriginal objects. The excavation director is responsible for ensuring that procedures are put in place so that Aboriginal objects that are reburied are not harmed. The location of the secure temporary storage location must be submitted to AHIMS with a site update record card for the site(s) in question.

If any archaeological material is recovered it shall be subject to a care and control agreement established after the nature and significance of the archaeological or cultural material is understood as per requirement 26 of the *Code of Practice for the investigation of Archaeological objects in NSW*.

9.2 RECOMMENDATIONS

The proposed mixed-use development has the potential to disturb the ground surface. A background analysis of the environment and archaeological context revealed that the study area has moderate – high surface disturbance. However, the eastern slope has the potential for natural intact soils to be present. Where intact soils are present, these may contain Aboriginal objects and/or deposits as identified with AHIMS site# 45-3-3699.

The findings from the test excavation indicate the site to be of nil-low archaeological significance, an A horizon was present but disturbed and no Aboriginal objects and/or deposits of cultural significance were located, therefore the development should be allowed to proceed with caution.

The following recommendations have been formulated after consultation with the proponent and the Environment, Energy and Science Group (EES Group) of the Department of Planning, Industry and Environment (DPIE);

- Consultation with the registered Aboriginal stakeholders should continue. Stakeholders have been given the opportunity to comment on the recommendations of this report and these comments are included in this report;
- These final documents have been produced and will be submitted in accordance with requirement 12 of the SEARs SSD #10114;
- Archaeological test excavation in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010)* revealed no Aboriginal archaeological objects or deposits. The proposed development as outlined in Figures 7.1-7.6, should be allowed to 'proceed with caution';
- After this and before any ground disturbance takes place all development staff, contractors and workers should be briefed prior to works commencing on site, as to the status of the area and their responsibilities in ensuring preservation of said area. They should also be informed of their responsibilities regarding any Indigenous archaeological deposits and/or objects that may be located during the following development;

Should any human remains be located during the following development;

- all excavation in the immediate vicinity of any objects of deposits shall cease immediately and the area is to be secured so no further harm is to come to these remains;
- the NSW police and EES Group's Environment Line 131 555 are to be informed as soon as possible including any available details of the remains and their location;
- once it has been established that the human remains are Aboriginal ancestral remains, authorisation is required by EES Group in consultation with relevant Registered Aboriginal Parties identifying the appropriate course of action

Should any Aboriginal archaeological deposits and/or objects be found during the development:

- All excavation in the area shall cease immediately;
- The EES Group's Enviroline 131 555 shall be contacted and a suitably qualified archaeologist shall be notified so the significance of the said deposits or objects can be evaluated and presented in another report and recorded as an archaeological site;
- The archaeological features or objects shall be subject to a course of action advised by EES Group;

GLOSSARY

Term	Definition
Aboriginal/ Aborigine	These terms apply to indigenous Australians throughout time.
Aboriginal Object	A term now used (formerly 'relic') within the NSW <i>National Parks and Wildlife Act, 1974</i> to refer to "...any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains."
AHIP	Aboriginal Heritage Impact Permit, issued under Part 6 of the National Parks and Wildlife Act 1974, where harm to an Aboriginal object or Aboriginal place cannot be avoided.
Alluvial	Describes material deposited by, or in transit in flowing water.
AMAC	Archaeological Management and Consulting Group.
Artefact	Any object, usually portable, that has been made or shaped by human hand.
Assemblage	A collection of artefacts found in close proximity with one another often excavated together.
Axe grinding Grooves	Areas on a stone surface where other items such as stone tools, wood or bones have been sharpened.
Basalt	A dark coloured, basic volcanic rock.
Bioturbation	Reworking of sediments through the action of ground dwelling life forms. This can also include soil cracking and root activity.
Broken Flake	A flake fragment which displays only part of the diagnostic features of a complete flake.
BP	Before present (AD1950).
Burial	Sites containing the physical remains of deceased Aboriginal people.
Ceremonial Sites	Places or objects of ceremonial, religious or ritual significance to Aboriginal people.
Chert	A hard siliceous rock suitable for flaking into tools.
DCP	Development Control Plan.
DP	Deposited Plan.
DPIE	Department of Planning, Industry and Environment (Formerly Department of Planning and Environment)
EES Group	Environment, Energy and Science Group (formerly Office of Environment and Heritage)
Erosion	Process where particles are detached from rock or soil and transported away principally via water, wind and ice.
Flake	A piece of stone, detached by striking a core with another stone.
Flaking/Knapping	The process of making stone tools by detaching flakes from a piece of stone.
Friable	Easily crumbled or cultivated.
Hard setting	Soil which is compact and hard. It appears to have a pedal structure when dried out.

Term	Definition
Heritage Division	Formerly known as the Heritage Branch
Holocene	The period of time since the last retreat of the polar icecaps, commencing approximately 10,000 – 110,000
Intensification	Increased social and economic complexity.
Landscape Unit	An area of land where topography and soils have distinct characteristics, are recognisable, describable by concise statements and capable of being represented on a map.
Laminite	A thinly bedded, fine grained sedimentary rock.
LEP	Local Environment Plan.
LGA	Local Government Area.
Lithics	A term used to describe stone and stone artefacts.
Loam	A medium textured soil of approximate composition of 10- 25% clay, 25-50% silt and 2% sand.
Loose	A soil which is not cohesive.
Matrix	Finer grained fraction, typically a cementing agent within soil or rock in which larger particles are embedded.
Midden	Aboriginal occupation site consisting chiefly of shells, which can also include bone, stone artefacts and other debris.
NPW Act	National Parks and Wildlife Act 1974
OEH	NSW Office of Environment and Heritage (formerly known as the DECCW)
Open Campsite	A surface accumulation of stone artefacts and/ or other artefacts exposed on the ground surface.
Potential Archaeological Deposit (PAD)	An area where no surface archaeological remains are visible but where it has been assessed that there is some potential for sub-surface archaeological remains to be present.
Ped	An individual, natural soil aggregate.
Pedal	Describes a soil in which some or all of the soil material occurs in the form of peds in a moist state.
Plastic	Describes soil material which is in a condition which allows it to undergo permanent deformation without appreciable volume change or elastic rebound and without rupture.
Pleistocene	The epoch of geological time starting 1.8 million years ago.
Quartz	Common mineral with naturally sharp edges and poor fracturing properties. Colour ranging from clear, to milky white and pink.
Quartzite	Homogenous medium to coarse grained metamorphosed sandstone.
Rock Painting	Encompassing drawing, paintings or stencils that have been placed on a rock surface usually within a rock shelter.
Rock Engraving	Pictures which have been carved, pecked or abraded into a rock surface, usually sandstone and predominantly open, flat surfaces.
Sandstone	A detrital sedimentary rock with predominantly sand sized particles.
Scarred/ Carved Tree	A tree from which bark has been deliberately removed.
Sclerophyll	Denoting the presence of hard stiff leaves, typically used to classify forest and indicative of drier conditions.

Term	Definition
Sedimentation	Deposition of sediment typically by water.
Silcrete	A sedimentary rock comprising of quartz grains in a matrix of fine grained – amorphous silica.
Silt	Fine soil particles in size ranges of 0.02 – 0.002mm.
Slope	A landform element inclined from the horizontal at an angle measured in degrees or as a percentage.
SHI	State Heritage Inventory
SHR	State Heritage Register
Subsoil	Subsurface material comprising the B and C horizons of soils with distinct profiles.
Stone Resource Site	A geological feature in the landscape from which raw material for the manufacture of stone tools was obtained.
Texture	The coarseness or fineness of a soil as measured by the behaviour of a moist ball of soil when pressed between the thumb and forefinger.
Topsoil	A part of the soil profile, typically the A1 Horizon, containing material which is usually darker, more fertile and better structured than the underlying layers.
Weathering	The physical and chemical disintegration, alteration and decomposition of rocks and minerals at or near the earth's surface by atmospheric and biological agents.

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APPENDICES

APPENDIX ONE AHIMS SEARCH RESULT



Office of
Environment
& Heritage

AHIMS Web Services (AWS) Search Result

Purchase Order/Reference : 26-32 Mann
Client Service ID : 443357

Benjamin Streat
122 c-d Percival Road
Stanmore New South Wales 2048
Attention: Benjamin Streat
Email: streatarchaeological@netspace.net.au

Date: 21 August 2019

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -33.4309, 151.339 - Lat, Long To : -33.4286, 151.3425 with a Buffer of 1000 meters, conducted by Benjamin Streat on 21 August 2019.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

4	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

APPENDIX TWO PLANNING SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS SSD#10114

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the Environmental Planning and Assessment Act 1979
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Application Number	SSD-10114
Project Name	26-32 Mann Street, Gosford - Concept DA
Development Description	Mixed use development including commercial, retail (including food and drink premises), hotel accommodation and residential accommodation.
Location	26-32 Mann Street, Gosford (Lot 469 in DP 821073; Lots 2 -7 in DP 14761; Lot 1 DP 1235203) within Central Coast Council Local Government Area.
Applicant	St Hilliers Property Pty Ltd
Date of Issue	22 July 2019
General Requirements	The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and - a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: - a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; - an estimate of jobs that will be created during the construction and operational phases of the proposed development; and - certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: 1. Statutory Provisions and Strategic Provisions • Address all relevant Environmental Planning Instruments, plans, policies and guidelines, including (but not limited to those) outlined at Attachment A.

	• Provide details of the proposed use for each component of the development, and the relationship between the different uses within the building. • Detail the nature and extent of any prohibitions that apply to the development. • Identify compliance with the development standards applying to the site and provide a detailed justification for any non-compliances. • Address the adequacy of floor space provided for commercial purposes and provide relevant justification. 2. Design Excellence • Prepare a Design Excellence Statement to demonstrate how the proposal exhibits design excellence and contributes to the natural, cultural, visual and built character values of Gosford City Centre. In considering whether the development exhibits design excellence, demonstrate compliance with Clause 8.3 of State Environmental Planning Policy (SEPP) (Gosford City Centre) 2018. • Demonstrate how the City of Gosford Design Advisory Panel (the Panel) advice (dated 26 March and 28 May 2019) has been considered and incorporated into the design of the proposal. 3. Built Form and Urban Design • Demonstrate how the proposal is informed by the Gosford Urban Design Framework (GANSW, 2018) and the Gosford Development Control Plan 2018 (DPE). • Address the height, bulk and scale of the proposed development, including consideration of the building layout, separation, tower and podium heights, massing, setbacks and the size of the proposed floor plates. • Address the design quality of the proposed development, including consideration of building articulation, street activation and interface with the public domain. • Address section 6.7 (Key Site 6 principles) contained within Chapter 6 of Gosford Development Control Plan 2018 (DPE). • Demonstrate how above ground parking and services (including waste management, loading zones and mechanical plant) would be fully integrated into the design of the development. This includes how on-site car parking is provided wholly underground, or otherwise is not visible from, or minimises visual impacts to, the street. • Demonstrate how the future development potential of adjoining properties would not be compromised by the proposal. • Detail the location, size and content of any proposed signage zones and provide an assessment of the proposed signage zones against the requirements of SEPP 64 - Advertising and Signage. • Address the issues raised by Central Coast Council in correspondence dated 19 July 2019. 4. Public Domain/Landscaping • Outline the scope of public domain improvements, pedestrian linkages, street activation, and landscaping to be provided as a part of the proposal. • Investigate options to improve the proposed pedestrian through-site link and the visual connection from Mann Street to Baker Street (and to the Waterfront).
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	• Address the proposal's relationship with the ATO and DFSI buildings and investigate options to provide an additional pedestrian link between Baker Street and Mann Street at the northern most property boundary. • Demonstrate how the proposal considers and addresses the draft concept design for Leagues Club Field, prepared by Hunter & Central Coast Development Corporation. • Demonstrate how the proposal would: ◦ maximise permeability throughout the development and to adjoining sites ◦ maximise street activation within the town centre ◦ provide sufficient open space for future residents ◦ provide access for people with disabilities ◦ minimise potential vehicle, bicycle and pedestrian conflicts. 5. Visual Impacts • Prepare a comprehensive Visual Impact Assessment and view analysis of the proposal to/from key vantage points (including: the Gosford Waterfront, Brisbane Water and the Point Clare to Gosford railway crossing, Brian McGowan Bridge, the railway station, Mann Street, Rumbalara Reserve, Presidents Hill, Leagues Club Field, Poppy Park, Memorial Park and Kibble Park). • Photomontages or perspectives should be provided showing the project. • Demonstrate how the proposal respects and maintains key view corridors (for example to the ridgelines of Presidents Hill and Rumbalara Reserve) and street vistas. 6. Environmental and Residential Amenity • Assess the environmental and residential amenity impacts associated with the proposal, including solar access, acoustic impacts, visual privacy, view loss, overshadowing, lighting impacts and wind impacts. A high level of environmental amenity must be demonstrated. • Demonstrate how the proposal protects solar access to key public open spaces (including the Leagues Club Field, Baker Street, Memorial Park, Poppy Park, The waterfront) and the surrounding public domain. • Demonstrate that the proposed building envelopes are capable of complying with SEPP 65 and the Apartment Design Guide (ADG) and ensure the proposal achieves a high level of environmental and residential amenity. 7. Ecologically Sustainable Development (ESD) • Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development. • Demonstrate how future buildings would meet or exceed minimum building sustainability and environmental performance standards. • Demonstrate how the proposal meets the Water Sensitive Urban Design principles and incorporates Water Sensitive Urban Design practices. 8. Transport and Accessibility (Construction and Operation) The EIS must be accompanied by a Traffic Impact Assessment (TIA) prepared in accordance with relevant guidelines. The TIA must:
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	- Assess the traffic impacts of the development on the surrounding local and classified road network using SIDRA or similar traffic model and specify any road upgrade works (local and classified) required to maintain acceptable levels of service. - The assessment is to include traffic and parking generated by existing and approved developments, as well as that by the proposal, and consider car sharing facilities to reduce overall parking demands in the area. - Estimate the total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips. - Assess the adequacy of public transport, pedestrian and bicycle provisions to meet the likely future demand of the proposed development - Demonstrate the proposed road layout, access points, and car parking can comply with the relevant Australian Standards and Council requirements. - Demonstrate sufficient on-site car parking, loading/unloading, pedestrian and cycling facilities (including bicycle parking and end-of-trip facilities) would be provided for the development. - Assess the impact of the proposal on car parking within the Gosford CBD during construction and operation of the proposed development. - Describe the measures to be implemented to promote sustainable means of travel, including public transport use, pedestrian and bicycle linkages. - Prepare a preliminary Construction Traffic Management Plan for the proposal and outline how construction traffic, public transport, bicycle and pedestrian impacts, and parking impacts would be appropriately managed and mitigated. - Detail the public transport options and pedestrian links for future residents of the proposed development. - Address the issues raised by Central Coast Council in correspondence dated 19 July 2019. - Address the issues raised by Roads and Maritime Services in correspondence dated 19 July 2019. 9. Flooding - Assess the potential flooding impacts associated with the development and consider the relevant provisions of the NSW Floodplain Development Manual (2005), including the potential impacts of climate change, sea level rise and increase in rainfall intensity. 10. Stormwater - Prepare a preliminary stormwater management report demonstrating how stormwater would be appropriately managed in accordance with Council's requirements. 11. Water Quality - Assess water quality and hydrology impacts of the development, including any downstream impacts for both surface and groundwater and any impacts on natural processes and functions. 12. Heritage - Assess any impacts on State and local heritage items, including conservation areas, natural heritage areas, relics, gardens, landscapes, views and trees and recommend mitigation and management measures where required. - Prepare an aboriginal archaeology report in accordance with the relevant Office of Environment and Heritage (OEH) guidelines. Should any aboriginal heritage items
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	be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted. 13. Social & Economic Impacts - The EIS must include an assessment of the social and economic impacts of the development, including consideration of any increase in demand for community infrastructure and services. 14. Public Benefit and Contributions: - Outline the contributions and proposed public benefits to be delivered as a part of the proposal including details of any Voluntary Planning Agreement. 15. Noise and Vibration - Prepare a noise and vibration assessment in accordance with the relevant EPA guidelines. This assessment must detail construction and operational noise impacts on nearby sensitive receivers and outline the proposed management and mitigation measures that would be implemented. 16. Contamination - Prepare a contamination assessment for the site, by a qualified environmental consultant and demonstrate that the site is suitable for the proposed development, in accordance with the requirements of SEPP 55. 17. Biodiversity - Assess any biodiversity impacts associated with the proposal in accordance with the requirements of the <i>Biodiversity Conservation Act 2016</i>, including the preparation of a Biodiversity Development Assessment Report, where required. - Ensure the existing Ficus on the corner of Vaughan Avenue and Mann Street is preserved. 18. Soil and Water - The EIS shall include a: - Geotechnical assessment - Acid Sulfate Soils Assessment - Groundwater Assessment. 19. Utilities - In consultation with relevant agencies prepare a services and utilities impact assessment which: - assesses the capacity of existing services and utilities and identify any upgrades required to facilitate the development - assesses the impacts of the proposal on existing utility infrastructure and service provider assets and describe how any potential impacts would be managed. 20. Staging and consents - Provide details regarding the staging of the proposed development.
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	• Demonstrate how the visual and amenity impacts of staged construction will be mitigated. • Provide details of any temporary activation of the land during staged construction. • Demonstrate how the staged construction will not adversely impact public use of Leagues Club Field and will not compromise works completed by Hunter and Central Coast Development Corporation. • Detail the proposal's relationship to, and/or consistency with, any existing development consents. 21. Construction Management Plans • Prepare a preliminary Construction Management Plan for the proposed works and outline how construction impacts would be appropriately managed and mitigated. • Demonstrate how public safety will be maintained during construction and operation, including any public safety measures that will be implemented. 22. Air Quality & Pollution • Assess the construction and operation air quality impacts and ensure they meet the requirements of Council and/or the Environment Protection Authority. • Demonstrate whether any activities associated with the proposed development would be a scheduled activity as listed in Schedule 1 of the Protection of the Environment Operations Act 1997 (the POEO Act), or other legislative requirements administered by the EPA.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, local community groups and affected landowners. In particular, you must consult with: • Central Coast Council • Hunter & Central Coast Development Corporation • NSW Office of Environment and Heritage • Transport for NSW • NSW Roads and Maritime Services • Environment Protection Authority • Ausgrid • NSW Department of Industry (Crown Land, NRAR, Office of Water) • Surrounding residents, businesses and local community groups The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.
Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.
Documents and Plans	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000.

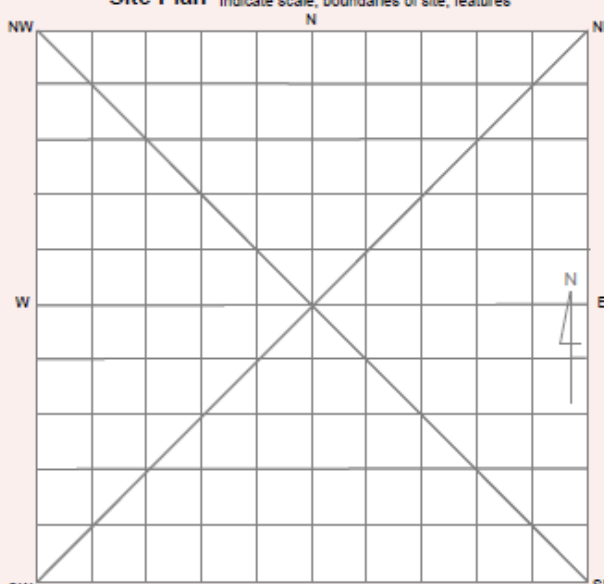
7

	In addition to the documents and plans listed in the key issues above, the EIS must include the following: • Survey plan (A3) • Overall site plan (A3) • Concept elevations, floor plans and sections of the proposal (A3) • 3D digital model (refer Central Coast Council's requirements) • Visual Impact Assessment • Design verification statement • Compliance tables for all relevant planning controls • Detailed overshadowing diagrams (A3) • Cross ventilation diagrams (A3) • Energy Efficiency Report • Concept landscape and public domain plans (A3) • A table identifying the proposed land uses including a floor-by-floor breakdown of GFA, total GFA and site coverage • Water Cycle Management Plan Strategy • Arborist report (if required) • Pre-submission consultation statement • Quantity surveyor report
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APPENDIX THREE AHIMS SITE #45-3-3699

		Aboriginal Site Recording Form		 Office of Environment & Heritage	
AHIMS Registrar PO Box 1967, Hurstville NSW 2220					
Office Use Only					
Site Number		4 5 - 3 - 3 6 9 9			
Date received		Date entered into system		Date catalogued	
Entered by (I.D.)					
Information Access					
☐ Gender/male ☐ Gender/female ☐ Location restriction ☐ General restriction ☐ No access					
For Further Information Contact:					
☐ Nominated Trustee					
Title	Surname	First Name	Initials		
Organisation					
Address					
Phone number					
Fax					
☐ Knowledge Holder					
Title	Surname	First Name	Initials		
Organisation					
Address					
Phone number					
Fax					
Aboriginal Heritage Unit or Cultural Heritage Division Contacts					
Geographic Location					
Site Name A T O M a n n S t					
Easting	3 4 5 7 6 4	Northing	6 2 9 9 8 7 4	AGD/GDA	GDA
Mapsheet					
Zone	56	Location Method Non-Differential GPS			
Other Registration					
Primary Recorder					
Title	Surname	First Name	Initials		
M r	S t r e a t	B e n j a m i n			
Organisation A M A C G r o u p					
Address 1 2 2 c P e r c i v a l R o a d S t a n m o r e					
Phone number 2 9 5 6 8 6 0 9 3					
Fax 2 9 5 6 8 6 0 9 3					
Date recorded 16/04/2016					
Office Use Only					
Client on system					
Client on system					

**Archaeological Management & Consulting Group
And Streat Archaeological Services Pty Ltd
February 2020**

NPWS Aboriginal Site Recording Form - Site Information			page 3
General Site Information			Features
Closed Site Shelter/Cave Formation ☐ Boulder ☐ Wind erosion ☐ Water erosion ☐ Rock collapse Condition of Ceiling ☐ Boulder ☐ Sandstone platform ☐ Silica gloss ☐ Tessellated ☐ Weathered ☐ Other platform Open Site Rock Surface Condition ☐ Boulder ☐ Sandstone platform ☐ Silica gloss ☐ Tessellated ☐ Weathered ☐ Other platform Shelter Aspect ☐ North ☐ North East ☐ East ☐ South East ☐ South ☐ South West ☐ West ☐ North West Site Orientation ☐ N-S ☒ NE-SW ☐ E-W ☐ SE-NW ☐ N/A			☐ 1. Aboriginal Ceremony & Dreaming ☐ 2. Aboriginal Resource & Gathering ☐ 3. Art ☒ 4. Artefact ☐ 5. Burial ☐ 6. Ceremonial Ring ☐ 7. Conflict ☐ 8. Earth Mound ☐ 9. Fish Trap ☐ 10. Grinding Groove ☐ 11. Habitation Structure ☐ 12. Hearth ☐ 13. Non Human Bone & Organic Material ☐ 14. Ochre quarry ☐ 15. Potential Archaeological Deposit ☐ 16. Stone Quarry ☐ 17. Shell ☐ 18. Stone Arrangement ☐ 19. Modified Tree ☐ 20. Water Hole
Site Plan Indicate scale, boundaries of site, features  Site Dimensions Closed Site Dimensions (m) Internal length Internal width Shelter height Shelter floor area Open Site Dimensions (m) Total length of visible site Average width of visible site Estimated area of visible site Length of assessed site area			

NPWS Aboriginal Site Recording Form - Site Interpretation and Community Statement page 4

Aboriginal Community Interpretation and Management Recommendations

Preliminary Site Assessment

Site Cultural & Scientific Analysis and Preliminary Management Recommendations

A total of two artefacts were recovered. This site is overlayed with modern fills however intact subsoils were located below and were moderately undisturbed. Due to the insufficient data gained from the assemblage, little comparison can be made or information can be contributed to a local and/or regional context and model. It therefore has low archaeological significance however has the potential to hold high Aboriginal cultural significance. It is recommended that an AHIP be sought prior to the commencement of development works.

This section should only be filled in by the Endorsees

Endorsed by: ☐ Knowledge Holder ☐ Nominated Trustee ☐ Native Title Holder ☐ Community Consensus

Title	Surname	First Name	Initials

Organisation

Address

Phone number Fax

Attachments (No.)

- ☐ A4 location map
- ☐ B/W photographs
- ☐ Colour photographs
- ☐ Slides
- ☐ Aerial photographs
- ☐ Site plans, drawings
- ☐ Recording tables
- ☐ Other
- ☐ Feature inserts-No.

Comments

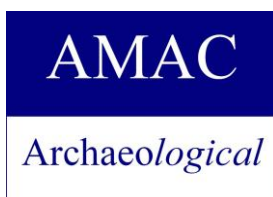
NPWS FEATURE RECORDING FORM - ARTEFACT				page 1
Site I.D.		Site Name	ATO Mann St	
First recorded date	16/4/16	Importance	Contributes to secondary site impo	
No. of instances				
Recorded by	Ben Streat			
Stone artefacts only	Yes			
Artefacts collected	Yes			
Permit issued	No			
		Percentage of Non-stone Artefacts to Percentage of Stone Artefacts 0-9% 10-19% 20-29% 30-39% 40-49% 50-59% 60-69% 70-79% 80-89% 90-100% 90-100%		
Feature Context & Condition				
Scatter No.		N/A		
Easting		334562		Northing 629980
Density	Dimensions		Yes No	
(Artefact count per square metre)	1	Length (m) 45 Width (m) 0.5 Depth (m)	In situ Yes Stratified Yes	
Feature Condition				
General Condition		Recommended Action		
☐ Very good	☐ Weathered	☐ Boardwalk ☐ Revegetation ☐ Good ☐ Vehicle damage ☐ Fencing ☐ Signage ☐ Poor ☐ Surface water wash ☐ Closure to public ☐ Soil erosion control ☐ Fire damage ☐ Continued inspection ☐ Track closure/re-routing ☐ Erosion ☐ Fire hazard reduction ☐ Additional recording ☐ Stock damage ☐ Expert assessment ☐ Exposed archaeological material ☐ Meeting with land manager		
Feature Plan (Indicate scale, location of Instances)				
		Feature Environment (Complete when feature environment differs to site environment, use attributes from cover card, p. 2)		
		Rolling Hills Land form Inter-tidal Flat Land form unit 6 Slope re-vegetated/ cleared Vegetation established urban Land use		
		Water Distance to permanent water source 175 metres Distance to temporary water source 0 metres Name of nearest permanent water source Broad/ Brisbane Waters Name of nearest temporary water		

**Archaeological Management & Consulting Group
And Streat Archaeological Services Pty Ltd
February 2020**

APPENDIX A: ABORIGINAL ARCHAEOLOGICAL TECHNICAL REPORT

**Lot 11 DP 1250131, Lot 2-7 DP 14761 and Lot
469 DP 821073**

***Central Coast Quarter
26 Mann Street
Gosford NSW
(Central Coast Council LGA)***



Benjamin Streat and Yolanda Pavincich

Archaeological Management and Consulting Group
& Streat Archaeological Services

**For
SH Gosford Residential Pty Ltd**

February 2020

Disclaimer

The veracity of this report is not guaranteed unless it is a complete and original copy.

This report may be inaccurate, incomplete, not original, or modified, if it appears in monochrome form and the signature below is a copy.



Benjamin Streat
Director of Aboriginal Archaeology



Archaeological Management & Consulting Group

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Cover Image

General shot of testing area facing north
AMAC IMG_DSCN3332

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EXECUTIVE SUMMARY

Document History

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd was commissioned by SH Gosford Residential Pty Ltd in August 2019, to undertake an Aboriginal Cultural Heritage Assessment Report and accompanying Aboriginal Archaeological Technical Report for the proposed mixed-use development at 26-32 Mann Street, Gosford, New South Wales.

An Interim Aboriginal Cultural Heritage Assessment report has been prepared based on the conceptual plans proposed for submission. A Full Aboriginal Cultural Heritage Assessment Report has been prepared including full Aboriginal consultation. These final documents will be included as part of the State Significant Development Application (SSDA) determination. This is in response to requirement 12 of the SEARs SSD #10114. The status of said document is in Stage 4 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

Requirement 12: Heritage

Prepare an Aboriginal archaeology report in accordance with the relevant offices of Environment and Heritage (OEH) guidelines. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted.

As part of this investigation a programme of test excavation was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010). This Aboriginal Archaeological Technical Report forms the results and analysis of said test excavation. This report is to accompany the Aboriginal Cultural Heritage Assessment Report upon submission.

Aboriginal Consultation

Consultation for this report has been undertaken in accordance with the National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

A mandatory 28-day period for the Aboriginal stakeholders to comment on this document has taken place. This is the final Aboriginal stakeholder approved version of this report.

Physical Evidence

Test excavation was undertaken over two days 05/12/19 – 06/12/19. The programme was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* and consisted of the excavation of nine test trenches (50cm x 50cm) of which three were abandoned due to high level of disturbance and modern fill (Att3, 7 and 8).

The proposed development and associated infrastructure will impact the study area. In review of the test excavation results, of which intact soils were found to be present in areas, however, the majority of the site has been disturbed due to past land use. No Aboriginal objects and/or deposits or features of cultural and archaeological significance were present. Therefore, further investigation is not warranted, and works may proceed with caution.

Significance

The site is found to be of nil-low archaeological significance this is on account to the test excavation resulting in no Aboriginal objects and/or deposits of cultural or archaeological significance being located. The A horizon (artefact bearing deposit) was present in areas but was found to be disturbed. A significant portion of the study area was found to be heavily disturbed particularly towards the northern end where access works have taken place for the adjacent development and the western end where the reclamation works and retaining wall are located.

Recommendations

The proposed mixed-use development has the potential to disturb the ground surface. A background analysis of the environment and archaeological context revealed that the study area has moderate – high surface disturbance. However, the eastern slope has the potential for natural intact soils to be present. Where intact soils are present, these may contain Aboriginal objects and/or deposits as identified with AHIMS site# 45-3-3699.

The findings from the test excavation indicate the site to be of nil-low archaeological significance, an A horizon was present but disturbed and no Aboriginal objects and/or deposits of cultural significance were located, therefore the development should be allowed to proceed with caution.

The following recommendations have been formulated after consultation with the proponent and the Environment, Energy and Science Group (EES Group) of the Department of Planning, Industry and Environment (DPIE);

- Consultation with the registered Aboriginal stakeholders should continue. Stakeholders will be given the opportunity to comment on the recommendations of this report and these comments are included in this report;
- These final documents have been produced and will be submitted in accordance with requirement 12 of the SEARs SSD #10114;
- Archaeological test excavation in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010)* revealed no Aboriginal archaeological objects or deposits. The proposed development as outlined in Figures 8.1-8.6, should be allowed to 'proceed with caution';
- After this and before any ground disturbance takes place all development staff, contractors and workers should be briefed prior to works commencing on site, as to the status of the area and their responsibilities in ensuring preservation of said area. They should also be informed of their responsibilities regarding any Indigenous archaeological deposits and/or objects that may be located during the following development;

Should any human remains be located during the following development;

- all excavation in the immediate vicinity of any objects of deposits shall cease immediately and the area is to be secured so no further harm is to come to these remains;
- the NSW police and EES Group's Environment Line 131 555 are to be informed as soon as possible including any available details of the remains and their location;

- once it has been established that the human remains are Aboriginal ancestral remains, authorisation is required by EES Group in consultation with relevant Registered Aboriginal Parties identifying the appropriate course of action

Should any Aboriginal archaeological deposits and/or objects be found during the development:

- All excavation in the area shall cease immediately;
- The EES Group's Enviroline 131 555 shall be contacted and a suitably qualified archaeologist shall be notified so the significance of the said deposits or objects can be evaluated and presented in another report and recorded as an archaeological site;
- The archaeological features or objects shall be subject to a course of action advised by EES Group;

CONTACT DETAILS

The contact details for the following archaeologist, NSW Police, EES Group and Registered Aboriginal Parties are as follows:

Organisation	Contact	Contact Details
NSW Environment Line		131 555
NSW Brisbane Water Police Area Command (PAC)		PAC Office: Level 3, 9- 11 Mann Street Gosford NSW 2250 Ph: (02) 4323 5599 Fax: (02) 4323 5509
Archaeological Management & Consulting Group	Mr. Benjamin Streat or Mr. Martin Carney	122c-d Percival Road Stanmore NSW 2048 Ph:(02) 9568 6093 Fax:(02) 9568 6093 Mob: 0405 455 869 Mob: 0411 727 395 benjaminstreat@archaeological.com.au
Environment, Energy and Science Group of the Department of Planning, Industry and Environment	Archaeologist – Head Office	PO Box 488G Newcastle 2300 Ph: (02) 4927 3119 rog.hcc@environment.nsw.gov.au
Darkinjung Local Aboriginal Land Council (DLALC)	Barry Williams & Amanda Shields	PO Box 401 Wyong NSW 2259 Ph: (02) 4351 2930 darkinjung@dlalc.org.au
Awabakal & Guringai Pty Ltd	Tracey Howie	tracey@guringai.com.au
Corroboree Aboriginal Corp.	Marilyn Johnson	corroboreecorp@bigpond.com
Didge Ngunawal Clan	Lilly Carroll & Paul Boyd	didgengunawalcla@yahoo.com.au
Widescope Group	Steven Hickey	widescope.group@live.com

1.0 INTRODUCTION

1.1 BACKGROUND

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services Pty Ltd was commissioned by SH Gosford Residential Pty Ltd in August 2019, to undertake an Aboriginal Cultural Heritage Assessment Report (ACHAR) and accompanying Aboriginal Archaeological Technical Report for the proposed mixed-use development at 26-32 Mann Street, Gosford, New South Wales.

A Full Aboriginal Cultural Heritage Assessment Report has been prepared for final submission including Aboriginal Archaeological Technical Report. Full consultation has taken place in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). These final documents will be included and submitted in response to requirement 12 of the SEARs SSD #10114.

Requirement 12: Heritage

Prepare an Aboriginal archaeology report in accordance with the relevant offices of Environment and Heritage (OEH) guidelines. Should any Aboriginal heritage items be impacted by the proposed development, an Aboriginal Heritage Cultural Assessment must be submitted.

As part of this investigation a programme of test excavation was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010). This Aboriginal Archaeological Technical Report forms the results and analysis of said test excavation. This report is to accompany the Aboriginal Cultural Heritage Assessment Report upon submission.

1.2 STUDY AREA

The study site is that piece of land described as Lots 11 of the Land and Property Information Deposited Plan 1250131; Lots 2-7 DP 14761 and Lot 469 DP821073 forming 26-32 Mann Street, Gosford, NSW in the Parish of Gosford, County of Northumberland (hereafter known as the study area).

Address	Lot	Deposited Plan
32 Mann Street, Gosford	11	1250131
26 Mann Street, Gosford	2-7	14761
26 Mann Street, Gosford	469	821073

1.3 SCOPE

This report forms the results of the programme of test excavation that was conducted, including the synthesis and analysis of information of which may contribute to our understanding of the site characteristics and local and/or regional prehistory. The results of the test excavation will aid in the formalisation of appropriate management recommendations and conservation goals for the proposed development and any archaeological material recovered.

This assessment is intended for submission in conjunction with an Aboriginal Cultural Heritage Assessment Report (AMAC 2019), to the New South Wales, Department of Planning, Industry and Environment.

1.4 ABORIGINAL CONSULTATION & PARTICIPATION SUMMARY

Consultation for this report has been undertaken in accordance with the National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010).

A mandatory 28-day period for the Aboriginal stakeholders to comment on this document has taken place. This is the final Aboriginal stakeholder approved version of this report

1.5 AUTHOR IDENTIFICATION

The analysis of the archaeological background and the reporting were undertaken by Mr. Benjamin Streat (BA, Grad Dip Arch Her, Grad Dip App Sc), archaeologist and Director of Streat Archaeological Services Pty Ltd in association with archaeologists Ms. Yolanda Pavincich (B. Arch, Grad Dip Cul Her) and Steven J. Vasilakis (B. Arch. Hons.), under the guidance of Mr. Martin Carney archaeologist and Managing Director of AMAC Group.

1.6 ACKNOWLEDGEMENTS

The author would like to thank the following for advice and/or input into this assessment:

- Mr F. Katsanevas and Mr J. Ng of St Hilliers Property;
- Mr B. Williams of Darkinjung Local Aboriginal Land Council;
- Ms T. Howie of Awabakal & Guringai Pty Ltd;
- Ms M. Johnson of Corroboree Aboriginal Corp.;
- Ms L. Carroll and Mr P. Boyd of Didge Ngunawal Clan;
- Mr S. Hickey of Widescope Group.

2.0 LEGISLATIVE CONTEXT AND STATUTORY CONTROLS

This section of the report provides a brief outline of the relevant legislation and statutory instruments that protect Aboriginal archaeological and cultural heritage sites within the state of New South Wales. Some of the legislation and statutory instruments operate at a federal or local level and as such are applicable to Aboriginal archaeological and cultural heritage sites in New South Wales. This material is not legal advice and is based purely on the author's understanding of the legislation and statutory instruments. This document seeks to meet the requirements of the legislation and statutory instruments set out within this section of the report.

2.1 COMMONWEALTH HERITAGE LEGISLATION AND LISTS

One piece of legislation and two statutory lists and one non-statutory list are maintained and were consulted as part of this report: The National Heritage List and the Commonwealth Heritage List.

2.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) offers provisions to protect matters of national environmental significance. This act establishes the National Heritage List and the Commonwealth Heritage List which can include natural, Indigenous and historic places of value to the nation. This Act helps ensure that the natural, Aboriginal and historic heritage values of places under Commonwealth ownership or control are identified, protected and managed (Australian Government 1999).

2.1.2 National Heritage List

The National Heritage List is a list which contains places, items and areas of outstanding heritage value to Australia; this can include places, items and areas overseas as well as items of Aboriginal significance and origin. These places are protected under the Australian Government's EPBC Act.

2.1.3 Commonwealth Heritage List

The Commonwealth Heritage List can include natural, Indigenous and historic places of value to the nation. Items on this list are under Commonwealth ownership or control and as such are identified, protected and managed by the Federal Government.

2.2 NEW SOUTH WALES STATE HERITAGE LEGISLATION AND LISTS

The state (NSW) based legislation that is of relevance to this assessment comes in the form of the acts which are outlined below.

2.2.1 National Parks and Wildlife Act 1974

The NSW National Parks and Wildlife Act 1974 (as amended) defines Aboriginal objects and provides protection to any and all material remains which may be evidence of the Aboriginal occupation of lands continued within the state of New South Wales. The relevant sections of the Act are sections 84, 86, 87 and 90.

An Aboriginal object, formerly known as a relic, is defined as:

any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains” (NSW Government, 1974).

It is an offence to harm or desecrate an Aboriginal object or places under Part 6, Section 86 of the NPW Act:

Part 6, Division 1, Section 86: Harming or desecrating Aboriginal objects and Aboriginal places:

- (1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object.*

Maximum penalty:

- (a) *in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, and*
- (b) *in the case of a corporation—10,000 penalty units.*

- (2) *A person must not harm an Aboriginal object.*

Maximum penalty:

- (a) *in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or*
- (b) *in the case of a corporation—2,000 penalty units.*

- (3) *For the purposes of this section, **circumstances of aggravation** are:*

- (a) *that the offence was committed in the course of carrying out a commercial activity, or*
- (b) *that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.*

This subsection does not apply unless the circumstances of aggravation were identified in the court attendance notice or summons for the offence.

- (4) *A person must not harm or desecrate an Aboriginal place.*

Maximum penalty:

- (a) *in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, and*
- (b) *in the case of a corporation—10,000 penalty units.*

- (5) *The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.*

- (6) *Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.*

- (7) *A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.*

- (8) *If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).*

2.2.2 Environmental Planning & Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) states that environmental impacts of proposed developments must be considered in land use planning procedures. Four parts of this act relate to Aboriginal cultural heritage.

- Part 3, divisions 3 and 4 refer to Regional strategic plans and both Local Environmental Plans (LEP) and Development Control Plans (DCP), which are environmental planning instruments and call for the assessment of Aboriginal heritage among other requirements.
- Part 4 determines what developments require consent and what developments do not require consent. Section 4.15 calls for the evaluation of

The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality (NSW Government 1979).

This part of the legislation also addresses State Significant Developments as mentioned in division 4.7 with section 4.38 outlining the consent for State Significant Development in relation to the environmental planning instruments.

- Part 5 of this Act requires that impacts on a locality which may have an impact on the aesthetic, anthropological, architectural, cultural, historic, scientific, recreational or scenic value are considered as part of the development application process (NSW Government, 1979).

2.2.3 State Environmental Planning Policy 2011

The study area is identified under Schedule 2 State Significant Development – Identified sites Clause 15;

15 Development in Gosford City Centre

Development that has a capital investment value of more than \$75 million on land identified on the Land Application Map (within the meaning of State Environmental Planning Policy (Gosford City Centre) 2018).

2.2.4 State Environmental Planning Policy (Gosford City Centre) 2018

The State Environmental Planning Policy is specific for the Gosford City Centre of which includes the area subject of this report. This document was endorsed in 2018. Part 5; Section 5.10 outlines the requirements regarding heritage conservation.

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Gosford,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

- (i) a heritage item,
- (ii) an Aboriginal object,
- (iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

- (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
- (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:

- (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Policy, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

2.2.5 The Aboriginal Land Rights Act 1983

The NSW *Aboriginal Land Rights Act 1983* (ALR Act), administered by the NSW Department of Aboriginal Affairs, established the NSW Aboriginal Land Council (NSWALC) and Local Aboriginal Land Councils (LALCs). The ALR Act requires these bodies to:

- take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law;
- promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

These requirements recognise and acknowledge the statutory role and responsibilities of New South Wales Aboriginal Land Council and Local Aboriginal Land Councils. The ALR Act also establishes the Office of the Registrar whose functions include but are not limited to, maintaining the Register of Aboriginal Land Claims and the Register of Aboriginal Owners.

Under the ALR Act the Office of the Registrar is to give priority to the entry in the Register of the names of Aboriginal persons who have a cultural association with:

- lands listed in Schedule 14 to the NPW Act;
- lands to which section 36A of the ALR Act applies (NSW Government, 1974 & DECCW 2010).

2.2.6 The Native Title Act 1993

The *Native Title Act 1993* (NTA) provides the legislative framework to:

- recognise and protect native title;
- establish ways in which future dealings affecting native title may proceed, and to set standards for those dealings, including providing certain procedural rights for registered native title claimants and native title holders in relation to acts which affect native title;
- establish a mechanism for determining claims to native title;
- provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The National Native Title Tribunal has a number of functions under the NTA including maintaining the Register of Native Title Claims, the National Native Title Register and the Register of Indigenous Land Use Agreements and mediating native title claims (NSW Government, 1974 & DECCW 2010).

2.2.7 New South Wales Heritage Register and Inventory 1999

The State Heritage Register is a list of places and objects of particular importance to the people of NSW. The register lists a diverse range of over 1,500 items, in both private and public ownership. Places can be nominated by any person to be considered to be listed on the Heritage register. To be placed an item must be significant for the whole of NSW. The State Heritage Inventory lists items that are listed in local council's local environmental plan (LEP) or in a regional environmental plan (REP) and are of local significance.

2.2.8 Register of Declared Aboriginal Places 1999

The NPW Act protects areas of land that have recognised values of significance to Aboriginal people. These areas may or may not contain Aboriginal objects (i.e. any physical evidence of Aboriginal occupation or use). Places can be nominated by any person to be considered for Aboriginal Place gazettal. Once nominated, a recommendation can be made to EPA/DPIE for consideration by the Minister. The Minister declares an area to be an 'Aboriginal place' if the Minister believes that the place is or was of special significance to Aboriginal culture. An area can have spiritual, natural resource usage, historical, social, educational or other type of significance. Under section 86 of the NPW Act it is an offence to harm or desecrate a declared Aboriginal place. Harm includes destroying, defacing or damaging an Aboriginal place. The potential impacts of the development on an Aboriginal place must be assessed if the development will be in the vicinity of an Aboriginal place (DECCW 2010).

2.3 LOCAL PLANNING INSTRUMENTS

2.3.1 Gosford Local Environmental Plan 2014

The Gosford Local Environmental Plan was prepared by Gosford City Council in 2014. Section 5.10 deals with Heritage Conservation. The plan states in Clause 1:

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Gosford
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The plan states in Clause 2, that consent is required when:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

- (i) a heritage item,
- (ii) an Aboriginal object,
- (iii) a building, work, relic or tree within a heritage conservation area.

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance.

(e) erecting a building on land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

In addition to this Clause 8 states:

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

This report is fulfilling section 8 (a) of this clause.

2.3.2 Gosford Waterfront Development Control Plan 2014

The Gosford Waterfront Development Control Plan was prepared by Gosford City Council in 2014. Section 8.0 deals with Heritage Items. The plan states:

As part of the assessment process, the consent authority must have regard to:

- Heritage Provisions in Part 5.10 of the Gosford LEP 2014,

It is based on this provision that the protection and conservation of Aboriginal places of heritage significance are assessed.

2.4 DUE DILIGENCE CODE OF PRACTICE FOR THE PROTECTION OF ABORIGINAL OBJECTS IN NEW SOUTH WALES

This assessment conforms to the parameters set out in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010).

The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales states that if;

- a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely, then further archaeological investigation and impact assessment is necessary.

2.5 CODE OF PRACTICE FOR ARCHAEOLOGICAL INVESTIGATION OF ABORIGINAL OBJECTS IN NEW SOUTH WALES

This assessment conforms to the parameters set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010).

2.6 GUIDELINES

This report has been carried out in consultation with the following documents which advocate best practice in New South Wales:

- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (DECCW 2010);
- Aboriginal Archaeological Survey, Guidelines for Archaeological Survey Reporting (NSW NPWS 1998);
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);
- Aboriginal Cultural Heritage Standards and Guidelines Kit (NPWS 1998);
- Australia ICOMOS 'Burra' Charter for the conservation of culturally significant places (Australia ICOMOS 1999);
- Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010);
- Protecting Local Heritage Places: A Guide for Communities (Australian Heritage Commission 1999).

3.0 DESCRIPTION OF STUDY AREA

The study site is those pieces of land described as Lots 2-7 DP1476, Lot 11 DP1250131 and Lot 469 DP821073. The street address is currently known as 26 - 32 Mann Street, Gosford, in the Parish of Gosford, County of Northumberland.

Address	Lot	Deposited Plan
32 Mann Street, Gosford	11	1250131
26 Mann Street, Gosford	2-7	14761
26 Mann Street, Gosford	469	821073

It should be noted that the study site forms a recent subdivision of land following development at 32 Mann Street that AMAC Group assessed and completed (land directly fronting Mann Street). Current Lot 11 was part of former Lot 2 DP1210298 that also contained current Lot 12 of the study site.



Figure 3.1 Aerial of study area.
Study area indicated in red. Six Maps, LPI Online (accessed 29/11/19).



Figure 3.2 Topographic map with site location.
Study area outlined in purple and black arrow. Six Maps, LPI Online, accessed 29/11/2019.

4.0 ENVIRONMENTAL CONTEXT

To adequately understand and assess the potential Aboriginal archaeological resource that may be present within the study area it is vital to understand the environment in which the Aboriginal inhabitants of the study area carried out their activities. The environment that Aboriginal inhabitants lived in is a dominant factor in shaping their activity and therefore the archaeological evidence created by this activity. Not only will the resources available to the Aboriginal population have an influence on the evidence created but the survival of said evidence will also be influenced by the environment.

4.1 TOPOGRAPHY

The study area lies on a topographic zone which consists of a gentle gradient towards the western boundary. It is situated at the base of the western face of a hill, therefore site elevations range between 2-10m, but is otherwise relatively flat. The natural site surface has been modified in areas where levelling and filling events have occurred.

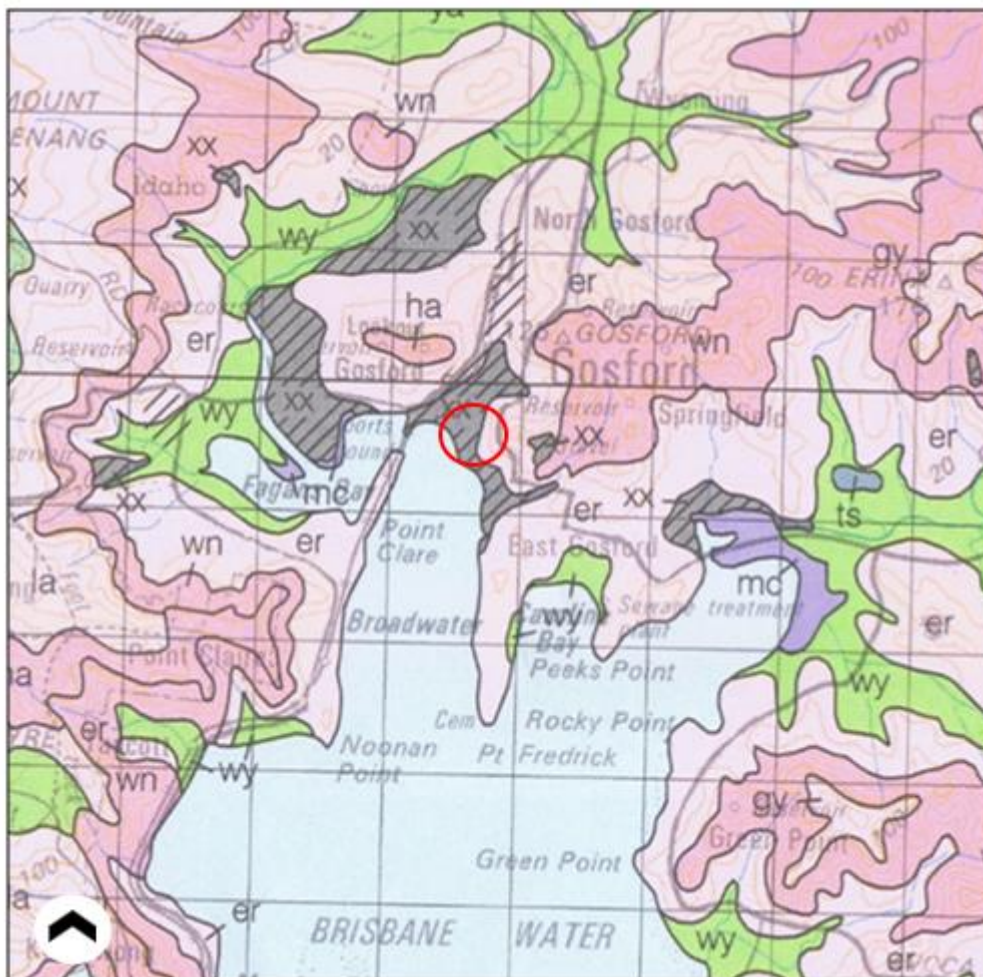


Figure 4.1 Gosford - Lake Macquarie Soil Landscape 1:100 000 sheet map, approximate study area indicated in red.

Gosford – Lake Macquarie Soil Landscape (Murphy, 1993).

4.2 GEOLOGY AND SOILS

The soil landscape as identified in the Gosford – Lake Macquarie 1:100 000 map sheet, shows the study area lies on disturbed terrain (xx) (Murphy, 1993). The soils have been identified as being disturbed to a certain extent, of which the original soil has either been removed, buried or greatly disturbed. This classification is due to the reclamation work of the Gosford foreshore in the late 1930s. This is evident in the spread of the (xx) terrain along the foreshore (Figure 4.1). Test excavations of the rear property, as part of the 32 Mann Street programme of test excavation conducted by AMAC in 2017, revealed a significant amount of reclaimed fill (>1.5m) overlaying intertidal flats. This suggests the study area will contain a similar amount of fill as the majority of the study area is within the reclaimed tidal flats and has been subject to significant filling events.

The local geology of the study area consists of Quaternary alluvium of sand, silt and clay at considerable depths towards the western side of the site and Triassic-aged Terrigal Formation in the eastern side of the site which typically comprises of fine grained, lithic quartz sandstone and siltstone with shale interbeds (Douglas Partners, 2014).

Surrounding this disturbed terrain is the Erina (er) soil landscape, this consists of the following soil profile;

Table 4.1 Description of dominant soil material

Dominant Soil Material	Soil Horizon	Description
Er1	A1 Horizon	Brownish-black fine sandy loam with a weak structure and course texture. It also contains inclusions such as sandstone and charcoal fragments as well as roots.
Er2	A2 Horizon	Brown sandy clay loam with an earthy fabric and light sandy clay loam texture. Sandstone and shale rock fragments are common as well as charcoal and roots
Er3	B1 Horizon	Yellowish brown sandy clay loam to sandy clay with a rough fabric. Colours also range from orange, red and grey mottles. Small sandstone rock fragments are present with few roots
Er4	B2 Horizon	Brown strongly pedal clay. Generally occurring as subsoil on shale parent material. Colours range from yellowish brown, dull brown, bright brown and dull orange with red and grey mottling at depth. Rock fragments, roots rare and charcoal fragments absent.
Er5	B2 Horizon	Light grey mottled strongly pedal clay, usually as deep subsoil on shale bedrock. Colour ranges from light grey to greyish yellow brown and commonly with red, yellow or grey mottles. Small shale fragments are present, but roots are rare and charcoal absent.
Er6	B3 Horizon	Brown earthy sandy clay loam, occurs as subsoil on foot-slopes. Colours usually brown, yellowish brown, and brownish yellow. Floaters (sandstone boulders) sometimes present, few roots, and charcoal absent.

In undisturbed/minor disturbed areas of the site, it is likely that the Erina soil landscape will be present given the nature and positioning of this soil along the Brisbane Waters foreshore. Intact Erina soil profile was located on the property towards the eastern boundary fronting Mann Street.

Table 4.2 Expected Gosford soil profile depth based on landform

Crest
➤ up to 15cm of brownish black fine sandy loam (er1) ➤ 10 - 30cm of brown sandy clay loam (er2) ➤ up to 100cm of reddish-brown clay (er4) <i>N.B The total soil profile will not exceed 100cm, boundaries between the soil horizons generally clear.</i>
Upper Slopes and Mid Slopes
➤ up to 20cm of brownish black fine sandy loam (er1) ➤ up to 20-35cm of brown sandy clay loam (er3) ➤ up to 150cm of yellow brown sandy clay (er4) <i>N.B The total soil profile will not exceed 150cm on slopes, and boundaries between the soil horizons are sharp.</i>
Lower Slopes
➤ up to 40cm of brownish black fine sandy loam (er1) ➤ 20 - 50cm of brown sandy clay loam (er2) ➤ up to 150cm of light grey mottled clay (er3) <i>N.B The total soil profile will exceed 200cm and the boundaries between the soil horizons are gradual.</i>
Poor Drainage
➤ over 100cm of brownish black fine sandy loam (er1) ➤ or up to 60cm of er1 overlies >150cm of er6 Brown earthy sandy clay loam <i>N.B The total soil profile will not exceed 150cm.</i>

4.3 WATERCOURSES

The study area is located within 200m of a major high order stream – Brisbane Waters and within 750m of a lower order unnamed creek. The study area would have originally been within 50m of the original shoreline before the land was reclaimed (see Figure 4.2).

4.4 VEGETATION

The vegetation found in the study area is no longer in a native state and is comprised of a variety of introduced and noxious types of vegetation. This movement away from the natural vegetation is a result of previous land clearing for farming, residential and urban development. These lands were cleared soon after European settlement due to the positioning of the allotment for development and agriculture. The native vegetation of

this area probably comprised of tall open forest with open -heath in exposed coastal areas. It is likely species such as blackbutt (*Eucalyptus pilularis*), forest oak (*Allocasuarina torulosa*), turpentine (*Syncarpia glomulifera*), spotted gum (*E. maculata*), smooth – barked apple (*Angophora costata*), grey ironbark (*E. paniculata*) and the Sydney blue gum (*E. saligna*). Swamp mahogany (*E. robusta*) and swamp oak (*Casuarina glauca*) would have been found along the Broad/Brisbane Waters edge in account to the poor drainage of the area

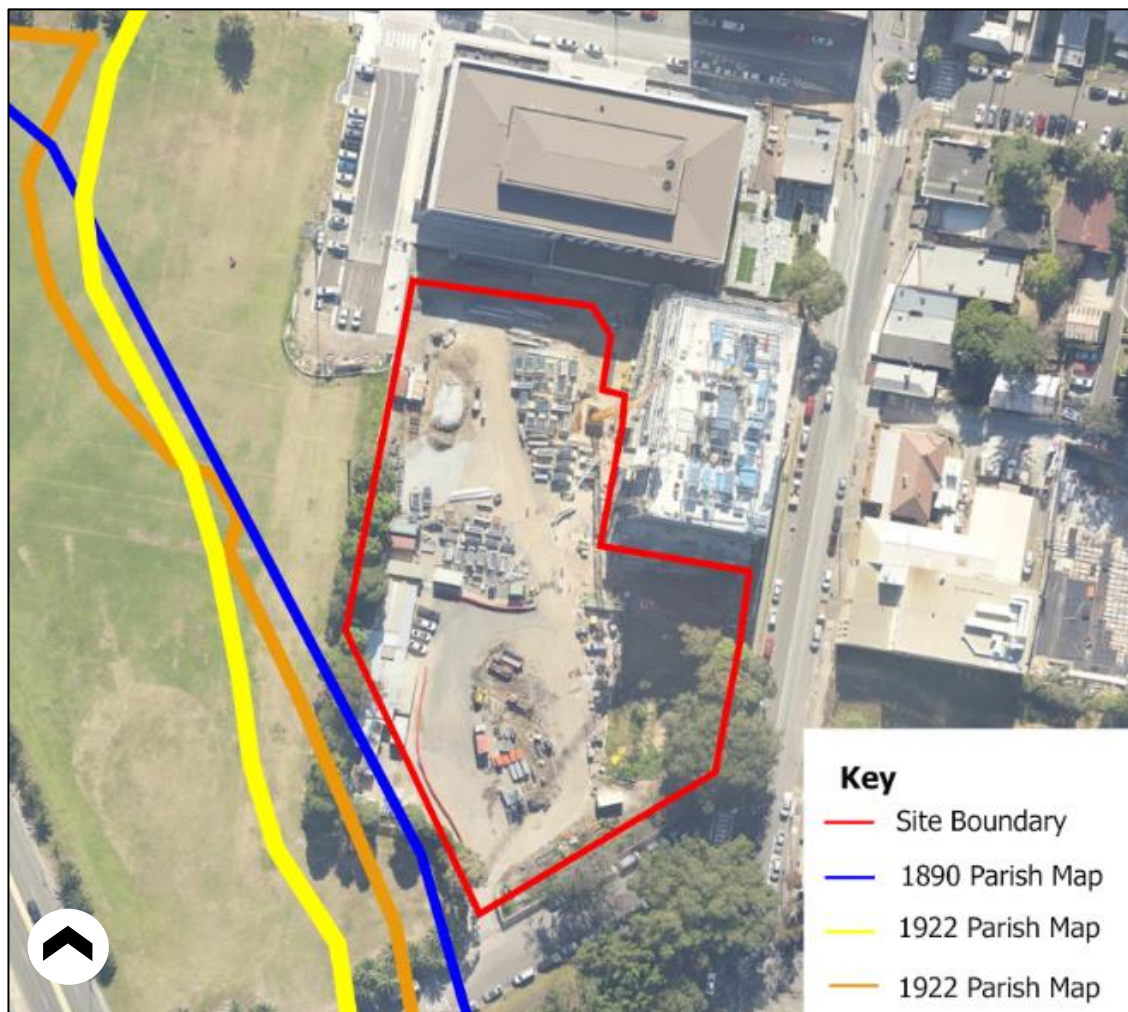


Figure 4.2 Aerial map showing location of study site (indicated in red) with original Gosford foreshore as drawn on Parish maps, pre-reclamation works. Land and Property Information – Historical Land Records Viewer; Blue – 1890 Parish Map (10858601), Yellow - 1922 Parish Map (10858401) and Orange - 1935 Parish Map (10858301). Six Maps accessed 22/08/19.

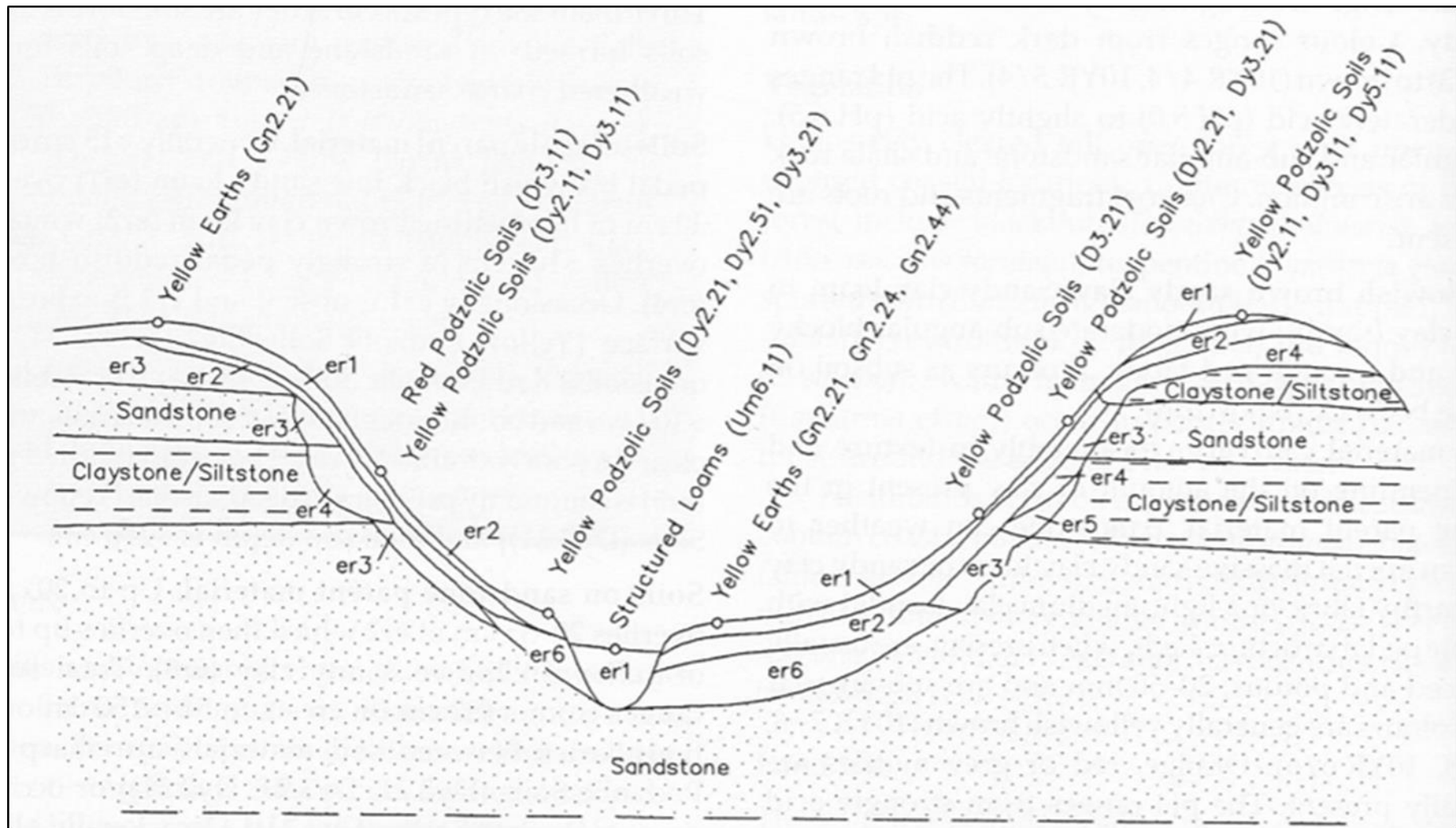


Figure 4.3 Cross Section of the Erina Soil landscape illustrating the relationship of dominant soil deposits.
Soil Landscapes of the Gosford-Lake Macquarie 1:100 000 sheet (Murphy, 1993).

5.0 RESEARCH CONTEXT

Pre-field work research consisted of an analysis and synthesis of the background data to determine the nature of the potential archaeological and cultural heritage resource in the region.

The research of this cultural heritage assessment consisted of stages which are listed below:

- Background research;
- Aboriginal consultation and oral history interviews;
- Site inspection and cultural heritage mapping;

Background research entailed a detailed review of sources of information on the history, oral history, ethno-history and archaeological background of the study area and surrounds and will include but not be limited to material from:

- EES Group archaeological assessment and excavation reports and cultural heritage assessments;
- EES Group Library;
- State Library of NSW including the Mitchell Library;
- Local libraries and historical associations;
- National Library of Australia.

A search of the EES Group AHIMS was undertaken and the results examined. The site card for each site within 1000m in all directions from the centre of the study area was inspected (where available) and an assessment made of the likelihood of any of the sites being impacted by the proposed development. The EES Group library of archaeological reports (Hurstville) was searched and all relevant reports were examined. Searches were undertaken on the relevant databases outlined in *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010);

Further to this the following sources were examined:

- The National Heritage List;
- The Commonwealth Heritage List;
- The NSW State Heritage Inventory;
- The National Native Title Register;
- The Register of Declared Aboriginal Places;
- Prevailing local and regional environmental plans;
- Environmental background material for the study area.

5.1 ARCHAEOLOGICAL CONTEXT

It is generally accepted that Aboriginal occupation of Australia dates back at least 40,000 years (Attenbrow 2002 p.20-21 & Kohen et al 1983). The result of this extensive and continued occupation has left a vast amount of accumulated depositional evidence, and

the Central Coast area is no exception. Archaeological evidence of occupation of the region by Aboriginal people dates from the Pleistocene period. Evidence for the earliest occupation includes C14 dates from Moffats Swamp of 14,750 BP, north of Newcastle (AMBS, 1993) and 10 000 – 13000 BP, at Glennies Creek (Dallas 2003 p.17). The majority of reliably dated archaeological sites within the region are less than 5,000 years old which places them in the mid to late Holocene period. A combination of reasons has been suggested for this collection of relatively recent dates. There is an argument that an increase in population or 'intensification' of resource use across much of the continent took place around this time leading to a great deal more evidence being deposited compared to the sparser prior occupation period. It is also the case that many archaeological sites along the past coastline may have been submerged as the seas rose to approximately their current level around 6,000 years ago. This would have had the effect of covering evidence of previous coastal occupation.

Different landscape units not only influence the preservation of sites but can determine where certain site types will be located. On the coastal fringe of the most common Aboriginal archaeological site type are Open Artefact Scatters or Open Campsites which are locations where two or more pieces of stone show evidence of human modification. These sites can sometimes be very large, up to thousands of artefacts and include other habitation remains such as animal bone, shell or fireplaces known as *hearths*, (Attenbrow 2002 p. 75-76). Evidence of open scatters can be located in areas where erosion has taken place or embedded in stratified sediments visible only if erosion or excavation has occurred. Open scatters are most likely to occur near water sources and are generally found on ridges, saddles, spurs and headlands (Brayshaw 1985, AMBS 1993, p.3).

5.2 ABORIGINAL LAND USE AND RESOURCES

The Brisbane Waters provided a rich dietary intake for the local inhabitants of the Darkinjung Peoples and the Wanangine a.k.a. Guringai Peoples who occupied the small strip of the coastal land between Gosford and Wyong. The surrounding landscape formed natural borders between other nearby coastal groups including the Awabakal people and Wonnarua people of the north. With a population of approximately 5,000 (at the time of settlement, historical and archaeological documentation suggests that these coastal tribes were semi-sedentary, where social arrangements allowed for a large number to cohabit within one camp.

These coastal tribes depended heavily on marine resources such as fish and shellfish but were not limited to such diets, as cabbage palms and bracken fern roots were also included (Dyall 1971). Farming practices were also utilised in the form of land clearing. This was conducted through the burning of grasslands in order to encourage new growth which attracted local game. Based on the predominance of rock shelters found within the Hawkesbury sandstone landscape, it is also evident that natural rock overhangs were utilised as an alternate place of temporary and/or repeated occupation. However, open camps were the preferred site due to spiritual beliefs surrounding the collapse of rock shelters if spirits were not appeased.

The procurement of specific resources for ceremonial or domestic purposes would rely on the accessibility and availability of these resources. There are readily mapped resources within the region that may have been exploited by Aboriginal occupants, with more being present before the land was cleared and settled.

The events of colonisation later saw the decimation of the Darkinjung population between 1790, 1830 and 1850 due to the spread of the smallpox epidemic within the region. Of those who survived, were found to regroup with neighbouring peoples in order to form mixed groups within the region of which the Darkinjung land now encompassing what would have been boundaries of neighbouring groups.

Sites containing fresh water and sedentary food sources, coupled with the presence of other resources which may have been exploited or available on a seasonal basis, would suggest that Aboriginal land use of the study area was regular and repeated, with this reflected in the archaeological record. These areas will possess a high archaeological potential (Goodwin 1999).

5.3 PREVIOUS ARCHAEOLOGICAL STUDIES NEAR THE STUDY AREA

The study of a midden deposit on the bank of a drainage channel (or possibly former creek) which extended 6m x 1.8m in diameter with the possibility of having extended further but it had been destroyed through erosion. In establishing the dimensions 7 auger holes were dug around the expected perimeter of the site with intact soils present. The site is also 15m away from Narara Creek. The results of this study correlate with the predictive model of the region in which deposits are likely to be present within the vicinity of water tributaries.

Navin Officer 2004 – Aboriginal Cultural Heritage Assessment – Tathra Street, West Gosford

In 2004, Navin Officer conducted a cultural heritage assessment at Tathra Street, West Gosford for a proposed Concrete Batching Plant. The study area is located towards the base slopes of a hill, of which is predominately covered with woodland vegetation. The on-site survey resulted in the location of three rock shelters with midden deposits. These were recorded but since they were not situated within the development footprint no further archaeological investigation was recommended. The study area was within 500m of Narara Creek.

AHMS 2007 – Aboriginal Cultural Heritage Assessment – Dane Drive and Masons Parade, Gosford

In 2007, an Aboriginal Heritage Assessment was conducted by AHMS (2007) at the intersection of Dane Drive and Masons Parade in response to a roads upgrade. The results of the investigation led to the registration of a Potential Archaeological Deposit (PAD). The AHMS coordinates of site 45-3-3340 places it just outside the boundary of the study area. AMAC Group confirmed through test excavations at 32 Smith Street, Gosford in 2017, that this PAD was located within reclaimed fill and resulted in no Aboriginal objects and/or features of archaeological and/or cultural significance being located. This testing programme resulted in the site card 45-3-3340 being amended.

A.R.C. Heritage 2008 – Test Excavation – Avoca Drive, Green Point

Test Excavations were undertaken by A.R.C Heritage in 2008, for the proposed extensions to Avoca Drive, Green Point. A total of 10 test pits (0.50 x 0.50m) were excavated as well as an additional 5 test trenches (1.0 x 1.0m) along intersecting transects conducted on the site. The test excavation programme resulted in the discovery of one quartzite flake, extracted from the A1 horizon within the Erina soil landscape.

AMAC Group 2016 – Test Excavation – 38 Mann Street, Gosford

Test excavation was conducted by AMAC group in 2016, on the ATO development property next door at 38 Mann Street, Gosford. A total of 10 pits were excavated of which two Aboriginal artefacts were located. A layer of fill was found to encompass the site from past filling event. The depths of fill varied along the landscape of the site. Below this fill, intact natural soil profiles were present including the A horizon – artefact bearing deposit. The soil landscape although initially identified as disturbed, contained soils of the Erina soil landscape.

AMAC Group 2017 – Test Excavation – 32 Mann Street, Gosford

Test excavation was recently conducted by AMAC Group in 2017 on the land bounding the study area towards the north and east as part of the initial 32 Mann Street, Gosford development. A total of 10 test pits were excavated resulting in no Aboriginal objects and/or features of archaeological and/or cultural significance. It was demonstrated that a significant amount of fill covered the western end of the site. This was found to extend >1.5m as part of the reclamation works of what would have been the intertidal zone of the original Brisbane Waters foreshore. An intact A horizon was located towards the eastern end of the site.

The practical ramifications of the results of the previously mentioned archaeological assessments and excavations, infers that there is a potential for Aboriginal archaeological objects and/or deposits to be present within any intact original soil profiles located within study area. Higher order streams are located in the landscape units represented in the study area, chiefly Brisbane Waters. The lack of archaeological assessments near the study area is not a reflection of the archaeology present but a reflection of the development within the area where investigation has not been required

5.4 AHIMS SEARCH RESULTS

The Archaeological Heritage and Information Management System Database (AHIMS) is located at the EES Group Offices at Hurstville in New South Wales. This database comprises information about all the previously recorded Aboriginal archaeological sites registered with EES Group. Further to the site card information that is present about each recorded site, the assessments and excavation reports that are associated with the location of many of these sites are present in a library of reports. The location of these sites shown (Figure 5.1) must be viewed as purely indicative as errors in the recording of the locations of sites often occurs due to the disparate nature of the recording process, the varying level of experience of those locating the sites and the errors that can occur when transferring data. If possible, sites that appear to be located near a study area should be relocated.

An AHIMS extensive search was conducted on the date 21/08/19 (Client No.443357). The following table is comprised of the results listed from the extensive search.

Table 5.1 AHIMS Search Results

Site ID	Site name	Context	Site features
45-3-3282	Shelter with deposit	Open site	PAD - shell
45-3-3340	Dane Drive PAD	Open site	PAD - 1
45-3-3430	Rumbalara 2	Open site	Artefact – Shell 2
45-3-3699	ATO Mann Street	Open site	Artefact



Figure 5.1 AHIMS search results.
Registered sites indicated in pink with the study area indicated in purple. EES Group AHIMS (2019).

5.5 OTHER SEARCH RESULTS

Results for other statutory databases searched are given below;

Heritage Listings/ Register/ Other	Result
National Heritage List	N/a
Commonwealth Heritage List	N/a
NSW State Heritage Register	N/a
Register of Declared Aboriginal Places	N/a
National Native Title Register	N/a

5.6 SUMMARY OF ARCHAEOLOGICAL PREDICTIVE MODEL FOR THE REGION

Predictive modelling is an adaptive process which relies on a framework formulated by a number of factors, including but not limited to the use of local land systems, the environmental context, archaeological work and any distinctive sets of constraints that would influence land use patterns. This is based on the concept that different landscape zones may offer different constraints, which is then reflected in the spatial distributions and forms of archaeological evidence within the region (Hall and Lomax 1996).

Early settlement models focused on seasonal mobility, with the exploitation of inland resources being sought once local ones become less abundant. These principles were adopted by Foley (1981) who developed a site distribution model for forager settlement patterns. This model identifies two distinctive types of hunter and gatherer settlements; 'residential base camps' and 'activities areas.' Residential base camps are predominately found located in close proximity to a reliable source of permanent water and shelter. From this point the surrounding landscape is explored and local resources gathered. This is reflected in the archaeological record, with high density artefact scatters being associated with camp bases, while low density and isolated artefacts are related to the travelling routes and activity areas (Foley 1981).

However, more recently, investigation into understanding the impacts of various episodes of occupation on the archaeological record has been explored, of which single or repeated events are being identified. This is often a complex process to establish, specifically within predictive models as land use and disturbance can often result in post depositional processes and the superimposition of archaeological materials by repeated episodes of occupation.

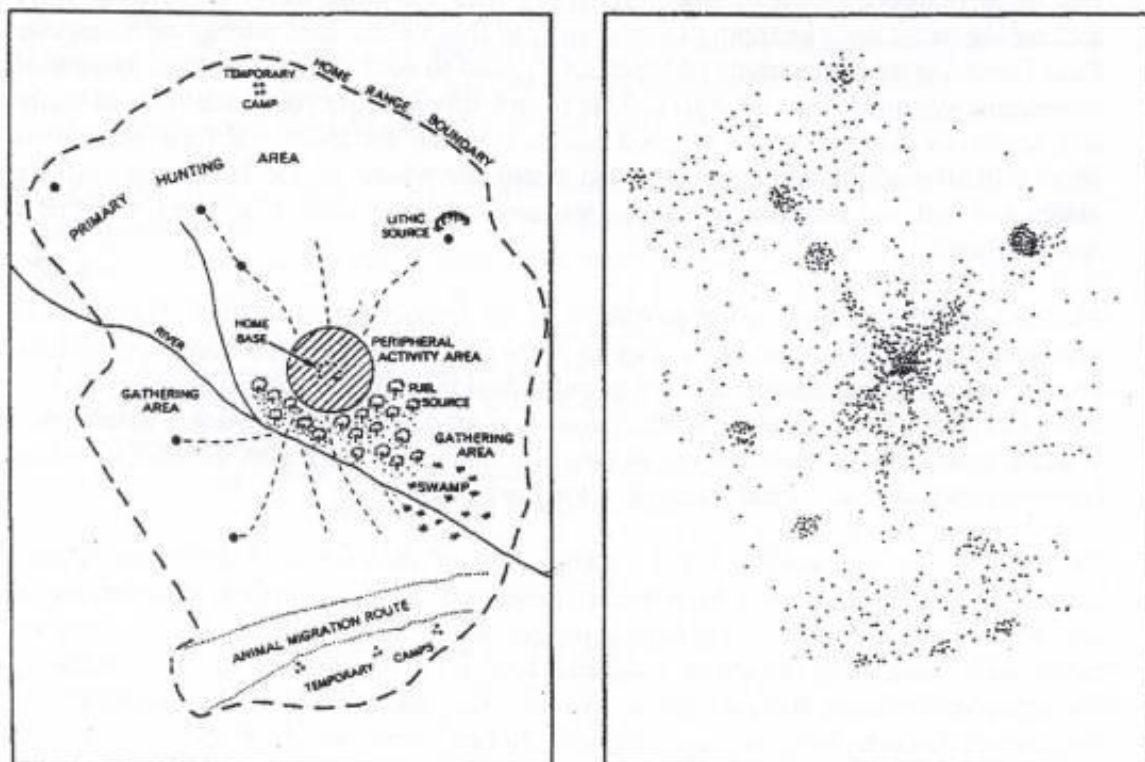


Figure 5.2 Examples of forager settlement patterns.
Foley (1981).

The principals behind this model have been incorporated into other predictive models such as that of McBryde (1976). McBryde's model is centred on the utilisation of food resources as a contributor to settlement patterns, specifically with reference to the predictability and reliability of food resources for Aboriginal people within the immediate coastal fringe and/or hinterland zone, with migratory behaviour being a possibility. Resources such as certain species of animals, particularly; small marsupials and reptiles, plant resources and nesting seabirds may have been exploited or only available on a seasonal or intermittent basis. As such, archaeological sites which represent these activities whilst not being representative of permanent occupation may be representative of brief, possibly repeated occupation.

Jo McDonald and Peter Mitchell have since contributed to this debate, with reference to Aboriginal archaeological sites and proximity to water using their Stream order model (1993). This model utilises Strahler's hierarchy of tributaries. This model correlates with the concept of proximity to permanent water and site locations and their relationship with topographical units. They identify that artefact densities are greatest on terraces and lower slopes within 100m of water.

Intermittent streams, however, also have an impact on the archaeological record. It was discovered that artefacts were most likely within 50-100m of higher (4th) order streams, within 50m (2nd) order streams and that artefact distributions around (1st) order streams was not significantly affected by distance from the watercourse. Landscapes associated with higher order streams (2nd) order streams were found to have higher artefact densities and more continuous distribution than lower order streams.

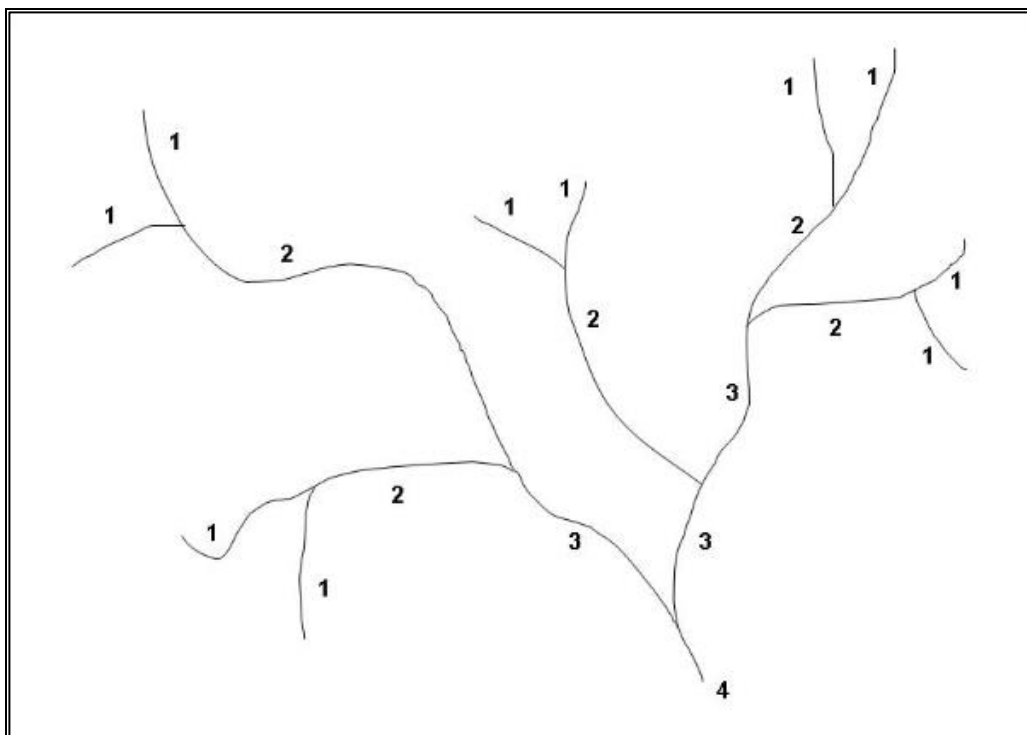


Figure 5.3 Strahler's hierarchy of tributaries.
Strahler (1957).

Table 5.2 Relationship between landscape unit and site distribution for region

Landscape Unit /Site types	Site Distribution and activity
1st order stream	Archaeological evidence will be sparse and reflect little more than a background scatter
Middle reaches of 2nd Order Stream	Archaeological evidence will be sparse but focus activity (one off camp locations, single episodes and knapping floor)
Upper reaches of 2nd order stream	Archaeological evidence will have a relatively sparse distribution and density. These sites contain evidence of localised one-off behaviour.
Lower reaches of 3rd order stream	Archaeological evidence for frequent occupation. This will include repeated occupation by small groups, knapping floors (used and unused material) and evidence of concentrated activities.
Major creeklines 4th order streams	Archaeological evidence for more permanent or repeated occupation. Sites will be complex and may be stratified with a high distribution and density.
Creek junctions	This landscape may provide foci for site activity, the size of the confluence in terms of stream rankings could be expected to influence the size of the site, with the expectation of there being higher artefact distribution and density.
Ridge top locations between drainage lines	Ridge Tops will usually contain limited archaeological evidence, although isolated knapping floors or other forms of one off occupation may be in evidence in such a location.
Raw Materials near water sources	The most common raw materials are silcrete and chert in sites closer to coastal headlands, though some indurated mudstone/silicified tuff and quartz artefacts may also be found.
Grinding Grooves	Grinding Grooves may be found in the sandstone or shale/sandstone transition areas.
Scarred trees -	May occur in stands of remnant vegetation.
Ceremonial Sites	Consultation with relevant Aboriginal Stakeholder groups, individuals and review of ethnographic sources often reveal the presence of ceremonial or social sites.

Vinnicombe (1980) devised a predictive model for the Gosford -Wyong area based on the location and distribution of known sites. She established that there is a high site density around Broad/Brisbane Waters with a ratio of 11.5 sites/sq. km also associated with proximity to Marine resources. She also predicted that within the city limits 13,000 sites are expected to occur as a result of ecological zoning with a predominance in engraving and deposits.

Additional studies were conducted by Bonhomme and Buzer (1994) on strategic models for the Central Coast concluding that seasonally scheduled mobility based within the Central Coast was the most likely model to explain Aboriginal occupation and exploitation with regards to the topographic nature of the region of which coastal, estuarine and hinterland environments are present.

The following site location trends were identified;

- Higher densities and/or greater occupation evidence are found around major watershed ridgelines, due to their use as access routes;
- Rock shelter sites with deposits and/or rock paintings are commonly found in weathered areas in major, minor or discontinuous escarpments – especially at the break of a slope along a ridge crest, as well as isolated stone tors which have moved downslope;
- Midden sites are likely to be located on elevated ground close to estuarine environments such as Narara Creek of the foreshore of Broad/Brisbane Water or within rock shelters in close proximity to these locations;
- Large sites are most likely associated with permanent water sources
- Grinding grooves are likely to be located in ridgetop contexts where relatively level rock faces of sandstone occur and near a local water source;
- Rock paintings are commonly located in rock shelters where the floor is predominately rock and/or sloping.

The Aboriginal Cultural Heritage Data Audit (DOP, 2005) produced the following table as part of the NSW Comprehensive Coastal Assessment Toolkit (DOP, 2005) which made the following statements outlined in table 6.3 about the predictive location of Aboriginal sites in Coastal NSW. These statements support the conclusions drawn in the following predictive model established for the study area. The study makes one very important claim which is that Aboriginal Ceremonial or Dreaming Sites can only be identified by Aboriginal community knowledge.

All models state that the primary requirement of all repeated, concentrated or permanent occupation is reliable access to fresh water. Brief and possibly repeated occupation may be represented in areas that have unreliable access to ephemeral water sources, however these areas will not possess a high archaeological potential (Goodwin 1999).

Table 5.3 Aboriginal Cultural Heritage Data Audit, Predictive Modelling for Coastal Aboriginal Sites, NSW.

Site Type	Archaeological/ Predictive Modelling
Aboriginal Ceremony and Dreaming Sites	Can only be identified on the basis of Aboriginal community knowledge.
Aboriginal Resource and Gathering Sites	Can occur at any location where plant and animal target species are found at present or were available in the past.
Art Sites:	All rock paintings or drawings and some rock engravings will occur within rock shelters/overhangs, most commonly within sandstone cliff lines and in granite boulder fields. Rock engravings may occur wherever there are suitable rock-surface exposures.
Artefacts:	Will occur in all landscapes with varying densities. Artefacts of greatest scientific significance will occur in stratified open contexts (such as alluvial terraces, sand bodies) and rock shelter floors.
Burials:	Most likely (but not always) to be buried in, or eroding from, sandy soils. Can occur within rock shelters/overhangs, most commonly within sandstone cliff lines and in granite boulder fields.
Ceremonial Ring Sites:	Environmental factors may be of particular importance in site location including association with sources of water, ridges, unstructured soils and geological boundaries. Distance to adjacent ceremonial ring sites may influence site location.
Conflict Sites:	Can only be identified on the basis of historical records and community knowledge.
Grinding Grooves:	Most likely to occur on surface exposures of sandstone. Occasionally occur within sandstone rock shelters.
Modified Trees	Will only occur where target tree species survive and if these are of an age generally greater than 100 years old.
Non-Human Bone and Organic Material Sites:	Will occur in any surface or buried context where preservation conditions allow. Most commonly survive in open shell midden sites and in rock shelter floor deposits.
Ochre Quarry Sites:	Can occur at any location where suitable ochre sources are found, either as isolated nodules or as suitable sediments (clays).
Potential Archaeological Deposits:	Can occur in all landscape types. PADs of greatest scientific significance will occur in stratified open contexts (such as alluvial terraces, sand bodies) and rock shelter floors.
Shell Middens:	Will occur as extensive packed shell deposits to small shell scatters in all coastal zones along beaches, headlands and estuaries, both in open situations and in rock shelters. May occur along rivers and creeks where edible shellfish populations exist or existed in the past.
Stone Arrangements	Tend to be on high ground, often on the tops of ridges and peaks commanding views of the surrounding country. Often situated in relatively inaccessible places.
Stone Quarry Sites:	Can occur at any location where suitable raw materials outcrop, including pebble beds/beaches.
Waterholes	May occur within any river or creek. Rare examples may occur in open exposures of rock.

5.7 ARCHAEOLOGICAL PREDICTIVE MODEL FOR THE STUDY AREA

The following section gives an indication of the likelihood of certain site types being located within the study area. These indications are based on the research and results of assessments and excavations in the vicinity of the study area and also from the Central Coast Region. The predictive model also takes into account the variables of landscape features, landscape resources, landscape disturbance and ethnographic evidence gathered from Aboriginal Stakeholder groups and individuals.

Site Type	Research	Likelihood
Open Artefact Scatters	Archaeological sites are more extensive and complex in landscapes near permanent water and higher order streams. The study site is located within 200m of a major watercourse– Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 100m of the original shoreline before the land was reclaimed. Therefore, the study area has the potential to display sparse background artefact scatters.	Likely within undisturbed parts of the study area.
Isolated Artefacts	Archaeological sites are more extensive and complex in landscapes near permanent water and higher order streams. The study site is located within 200m of a major high order stream – Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 100m of the original shoreline before the land was reclaimed. Therefore, the study area has the potential to display sparse background artefact scatters.	Likely within undisturbed parts of the study area.
Midden Deposits	Given the proximity of the study area to the Brisbane Waters foreshore, it is likely to be the site of food procurement, consumption, and refuse discard. It is presently unclear whether intact original soil profiles are present, however, if they are, associated archaeological material may occur within said deposits.	Likely within undisturbed parts of the study area.
Grinding Grooves	Boulders of sandstone or outcrops do not occur in the landscape units represented in the study area.	Unlikely within the study area.
Stone Resource Sites	Rock outcrops of suitable flaking material are almost absent from the soil landscapes represented within the study area.	Unlikely within the study area.
Scarred Trees	Trees of sufficient age onsite were inspected. No scarring/modified was present.	Unlikely within the study area.
Sandstone Shelters	The soil landscapes of the study area do not contain sandstone overhangs	Unlikely within the study area.
Burials	Undisturbed sandy loam deposits do not lie within the study area and the soil landscapes in which the study area is located are generally acidic. Skeletal remains tend to decompose very quickly in acidic soil profiles.	Unlikely within the study area.
Ceremonial Sites	Consultation with relevant Aboriginal stakeholder groups and individuals is taking place, however, it is possible that such information may become available in the future, as a result, of further consultation.	Possible that Ceremonial/Social sites may be present within the study area.

5.8 LAND USE AND DISTURBANCE FACTORS

This section of the report provides an assessment of land use, the level of disturbance and the likely archaeological potential of the study area. The archaeological potential is based on the level of previous disturbance as well as the previously discussed predictive model for the region.

The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010); defines disturbed lands as given below.

“Land is disturbed if it has been the subject of a human activity that has changed the land’s surface, these being changes that remain clear and observable. Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure and construction of earthworks).”

This definition is based on the types of disturbance as classified in The Australian Soil and Land Survey Field Handbook (CSIRO 2010). The following is a scale formulated by CSIRO (2010) of the levels of disturbances and their classification.

Minor Disturbance		Moderate Disturbance		Major Disturbance	
0	No effective disturbance; natural	3	Extensive clearing (eg: poisoning and ringbarking)	6	Cultivation; grain fed
1	No effective disturbance other than grazing by hoofed animals	4	Complete clearing; pasture native or improved, but never cultivated	7	Cultivation; irrigated, past or present
2	Limited clearing (eg: selected logging)	5	Complete clearing; pasture native or improved, cultivated at some stage	8	Highly disturbed (quarrying, road works, mining, landfill, urban)

The above scale is used in determining the level of disturbance of the study area and its impact on the potential archaeology which may be present.

5.9 EUROPEAN LAND USE

The northern portion of the study site forms part of a wider portion of the early settlement of the Gosford government village and police paddocks since the 1840s. The southern portion of the study site was originally subdivided into three allotments that were publicly for sale and used as private paddocks. No development is known to have occurred on the study site until the construction of Gosford Public School during the mid-20th century. Known structures including the c.1880 Police Sergeant’s Quarters., c.1888-1891 stables and privy that related to the occupation of the police paddocks have all been archaeologically excavated in adjacent sites (32 and 38 Mann Street) and they were constructed to front either Mann Street or Georgiana Terrace.

The southern end of the study area appears to have been used as paddocks following land clearing and surfaces disturbances.

Only one development phase has occurred to this portion of the site for its conversion to a public school, to which three raised demountable buildings were placed and surrounded by a bitumen surface.

5.10 DISTURBANCE AND ARCHAEOLOGICAL POTENTIAL

It is important to note that the following assessments describe the archaeological potential of the study area. It is acknowledged that if the study area has little or no archaeological potential, the study area may still have cultural significance to the Aboriginal community.

European activities have taken place within the study area including the levelling and earth movement of the western section of the site as part of the reclamation works of which over 1m of fill exists. Intact soils have the potential to be present within the eastern section of the site along the slope as there is no evidence to suggest developments and/or structures of significant depth have taken place and as the soil profile of the area is expected to be considerably deep it is therefore believed that the A horizon (artefact bearing deposit) may be intact.

The proposed activity is not:

- located within a sand dune system, or;
- located on a ridge top, ridge line or headland, or;
- located within 200m below or above a cliff face, or;
- within 20m of or in a cave, rock shelter, or a cave mouth.

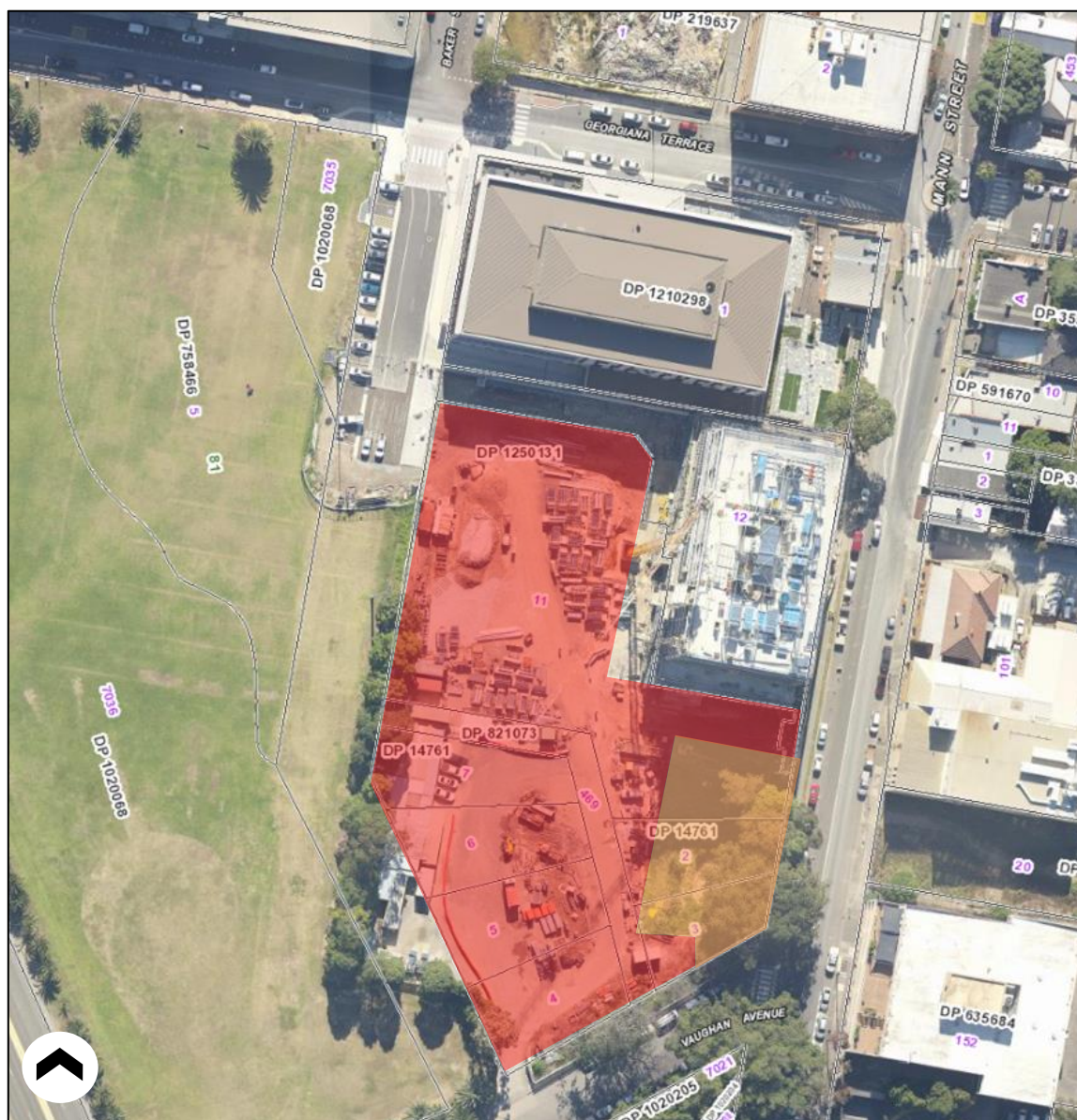
The proposed activity is:

- located within 200m of waters

The study area lies in a location that is within 200m of a major high order stream – Brisbane Waters and within 100m of a low order unnamed creek. The study area would have originally been within 50m of the original shoreline before the land was reclaimed. There is permanent freshwater within the vicinity of the study area. Archaeological sites will be larger, more complex and have a relatively higher density the closer they are to permanent fresh water (Kohen 1986) with regularly exploitable food resources.

Sites with ephemeral water sources or those which are located in the vicinity of the headwaters of upper tributaries (first order streams) have a sparse distribution and density (McDonald 1992). The study area may contain artefacts which are representative of concentrated and repeated Aboriginal occupation within undisturbed soil profiles.

Moderate - Major disturbance to sections of the landscape: Sub-surface Aboriginal objects with potential conservation value have a low- moderate probability of being present within the study area.



6.0 TEST EXCAVATION

Test excavation was undertaken by Streat Archaeological Services Pty Ltd in association with AMAC Group in response to the proposed development at 26 Mann Street, Gosford and its impact on potential intact Aboriginal archaeological and cultural deposits and/or objects. The study area was considered to have low-moderate potential in containing Aboriginal objects.

Previous reports have identified the area as a resource rich zone due to the site's proximity to reliable fresh water and distance to Brisbane Waters foreshore which is known to contain concentrated densities of Aboriginal objects and features of archaeological and cultural heritage. It is likely that Aboriginal movement and land use would be channelled to this location and therefore the site may hold information regarding cultural activities of the area.

Test excavations were carried out by Benjamin Streat as director of Indigenous archaeology as well as representatives from the following Registered Aboriginal Parties;

Organisation

Awabakal and Guringai Pty Ltd

Darkinjung Local Aboriginal Land Council

Didge Ngunawal Clan

Widescope

Test excavation was undertaken over two days 05/12/19 – 06/12/19. The programme was conducted under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* and consisted of the excavation of nine test trenches (50cm x 50cm) of which three were abandoned due to high level of disturbance and modern fill (Att3, 7 and 8).

The proposed development and associated infrastructure will impact the study area. In review of the test excavation results, of which intact soils were found to be present in areas, however, the majority of the site has been disturbed due to past land use. No Aboriginal objects and/or deposits or features of cultural and archaeological significance were present. Therefore, further investigation is not warranted, and works may proceed with caution.

6.1 AIMS

The purpose of subsurface test excavation is to identify the nature and extent of any intact archaeological deposit and/or objects which may be situated within the study area and its significance.

It aims to collate additional information regarding any site characteristics which may enhance our understanding of the local and/or regional prehistory of the area. The results of the test excavation aid in the formalisation of appropriate management recommendations and conservation goals for the proposed development and any archaeological material recovered.

The methodology and recommendations presented in the following section of the report take into account the following:

- Legislation which protects Aboriginal cultural and archaeological objects and places in New South Wales;
- Research and assessment carried out by the author/s of this report and previous reports;
- Results of previous archaeological assessment and excavation in the vicinity of the study area;
- The impact of the proposed development on any Aboriginal archaeological material that may be present;

6.2 TEST EXCAVATION UNDER THE CODE OF PRACTICE

As detailed in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Part 6 National Parks and Wildlife Act 1974 (DECCW 2010). The purpose for test excavation

“...is to collect information about the nature and extent of sub-surface Aboriginal objects, based on a sample derived from sub-surface investigations. Test excavations contribute to the understanding of site characteristics and local and regional prehistory and they can be used to inform conservation goals and harm mitigation measures for the proposed activity”

As the proposed test excavation is not being carried out in the following areas;

- in or within 50 m of an area where burial sites are known or are likely to exist
- in or within 50 m of a declared Aboriginal place
- in or within 50 m of a rock shelter, shell midden or earth mound
- in areas known or suspected to be Aboriginal missions or previous Aboriginal reserves or institutes
- in areas known or suspected to be conflict or contact sites.

It is therefore excluded from the definition of harm and as such will not require an Aboriginal Heritage Impact Permit and can be completed under the *Code of Practice* (DECCW 2010).

As set out in the *Code of Practice for the Investigation of Archaeological Objects in NSW*:

“The test excavation should be sufficiently comprehensive to allow characterisation of the Aboriginal objects present without having a significant impact on the archaeological value of the subject area” (DECCW 2010)

Any test excavation carried out under this requirement must cease when:

- suspected human remains are encountered;
- enough information has been recovered to adequately characterise the objects present, with regard to their nature and significance.

The *Code of Practice for the Investigation of Archaeological Objects in NSW* ‘enough information’ means that the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance, and may include things like:

- locally or regionally high object density

- presence of rare or representative objects
- presence of archaeological features or locally or regionally significant deposits, stratified or not.

Decisions regarding the nature and significance of the site and choices about discontinuing the test excavation program shall be made by the excavation director in consultation with the registered Aboriginal stakeholders and EES Group if required. Information will be reviewed on a daily basis and the excavation director reserves the right to cease all excavation if he/she believes the nature and extent of the site is understood in accordance with the *Code of Practice for the Investigation of Archaeological Objects in NSW*.

6.3 TESTING METHODOLOGY

The following measures were taken to establish the nature and extent of any such material discovered during test excavations under the *Code of Practice* (DECCW 2010)

The proposed development does have the potential to disturb any Aboriginal archaeological deposits and/or objects which are/or may be present. Therefore, in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974* (DECCW 2010), it is recommended a programme of test excavation be conducted before the development can proceed.

The first priority in test excavations, and recording Aboriginal objects during test excavations, must always be to avoid or minimise, as far as practicable, the risk of harm to the objects under investigation. This means due care must be taken when excavating and collecting objects.

In compliance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974*, (DECCW 2010) the following test excavation methodology will be conducted;

- Test excavation units will be placed on a systematic grid appropriate to the scale of the area – either PAD or site – being investigated e.g. 10 m intervals, 20 m intervals, or other justifiable and regular spacing.
- Any test excavation point will be separated by at least 5 m.
- Test excavations units will be excavated using hand tools only.
- Test excavations will be excavated in 50 cm x 50 cm units.
- Test excavations units may be combined and excavated as necessary to understand the site characteristics, however: the maximum continuous surface area of a combination of test excavation units at any single excavation point conducted in accordance with point (above) will be no greater than 3 m². The maximum surface area of all test excavation units will be no greater than 0.5% of the area – either PAD or site – being investigated.
- The first excavation unit will be excavated and documented in 5 cm spits at each area – either PAD or site – being investigated. Based on the evidence of the first excavation unit, 10 cm spits or sediment profile/stratigraphic excavation (whichever is smaller) will then be implemented.

- Test excavation units will be excavated to at least the base of the identified Aboriginal object-bearing units and will continue to confirm the soils below are culturally sterile.
- Photographic and scale-drawn records of the stratigraphy/soil profile, features and informative Aboriginal objects will be made for each single excavation point.
- Test excavations units will be backfilled as soon as practicable.
- Following test excavation, an Aboriginal Site Impact Recording form will be completed and submitted to the AHIMS Registrar as soon as practicable

6.3.1 Sieving

The excavated soil from each spit is to be placed in buckets of uniform size (9-10kg limit); these buckets will be counted, and all material excavated from the test excavation units will be wet sieved using a 5 mm aperture wire-mesh sieve. All archaeological material that is recovered from sieving will be placed in a zip lock bag and labelled with the site number, date, trench and spit. All of the bags will then be placed in a larger zip lock bag for processing.

6.3.2 Recording

A photographic record will be kept of the progress of each test trench as well as photographic and scale-drawn records of the stratigraphy/soil profile and features will be made for each single excavation point.

Details pertaining to individual spits will be recorded through the completion of site forms. The details on the form include site name, pit number, location and landform, area, spit number, spit depth, soil horizon, artefacts, stratigraphic profile as well as additional notes relating to the soil deposits encountered.

Personal records are also to be noted in the director's field journal. Any artefacts recovered shall be recorded under the parameters set out in the Code of practice for the investigation of Archaeological objects in NSW and will be stored as outlined in the care and control agreement.

6.3.3 Care and Control Agreement

Any archaeological material recovered shall be subject to a care and control agreement established after the nature and significance of the archaeological or cultural material is understood as per requirement 26 of *the Code of Practice for the investigation of Archaeological objects in NSW*.

Any artefacts recovered shall be subject to an as yet unestablished care and control agreement. A secure temporary storage location in accordance with requirement 26 of the *Code of Practice for the investigation of Archaeological objects in NSW*, shall be established (AMAC Offices) pending any agreement being reached as to the long-term management of the salvaged Aboriginal objects. The excavation director is responsible for ensuring that procedures are put in place so that Aboriginal objects are not harmed. The location of the secure temporary storage location will be submitted to AHIMS with a site update record card for the site(s) in question.

If long term management of any objects recovered has not been decided in a timely fashion, the objects will be lodged with the Australian Museum.

6.4 TEST PIT LOCATION

Test trench locations (Figure 6.1) were placed with reference to known or suspected locations of Aboriginal archaeological deposits, the location of development excavation and areas of known disturbance as well as services.

The order of excavation was established on site as logistics and site access were factors that needed to be considered, as well as ensuring the investigation of all landforms were performed accordingly in order to maximise the results.



Figure 6.1 Test pit location (not to scale).
Test pits indicated in yellow with corresponding test pit numbers in black.

6.5 RESULTS

The testing programme involved the excavation of nine test trenches (50cm x 50cm). These were situated evenly across the eastern slope of the study area outside of the reclamation zone in order to obtain information and data that could systematically determine a distribution pattern and/or density pattern within a localised scale of the site. Of the nine proposed test trenches three were abandoned (ATT3, 7, 8), due to a high level of disturbance encountered and modern fill in these areas. All test pits resulted in no Aboriginal objects of cultural and archaeological significance being encountered.

The soil profile encountered was heavily disturbed with natural soils found to be truncated and/or disturbed with European material and building fragments from past land use as well as evidence of erosional behaviour such as reformed topsoils.

Due to the level of disturbance observed, an excavator was used to remove the modern fill in high areas of disturbance in order to establish if a natural soil horizon was present. It was observed in past test excavations at the ATO site adjacent (AMAC 2016) that an intact soil profile was observed at depth due to reclamation works which saw the introduction of modern fill within what was an intertidal zone in the past. Three of the nine test trenches saw modern filling coming directly onto the B horizon. All test pits ceased when a B horizon and/or sterile deposit was observed.

It is clear and observable that where natural soils including A horizon soils were exposed (the A horizon is found to be the artefact bearing deposit), they were found to be truncated or disturbed from past land use and erosional behaviour along the slope. This was evident particularly towards the northern end of the site where soils had been redeposited as part of the access way to the adjacent development.

No Aboriginal archaeological and cultural material/ deposits were located as a result of the programme of test excavation. A high level of disturbance was observed, and natural soils were found to be sterile.

Further investigation is not warranted and works may proceed with caution.

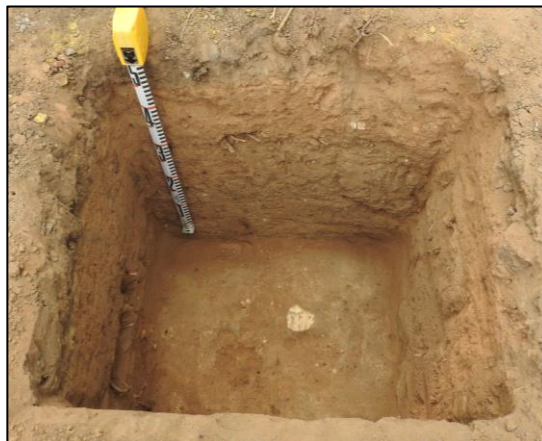
Table 6.1 Test Trench Summary

Test Trench No.	No. Spits	Final depth	Description	No. Artefacts
1	7	62cm	Sandy reformed topsoil with modern rubbish fill overlaying a disturbed brown sandy loam (A2 horizon) overlaying a brownish yellow sandy clay with roots from nearby trees (B1 horizon)	0
2	5	40cm	Disturbed brown grey sandy loam (A1 horizon) overlaying a yellowish-brown sandy loam (A2 horizon). Truncated with heavy bioturbation present. Overlaying a Brownish yellow sandy clay (B1 horizon)	0
3	N/a	N/a	Abandoned due to heavy compaction and disturbance overlaying B2 sterile horizon	0
4	5	45cm	Fill brown sand with modern rubbish overlaying a lens of compacted sandstone and brick wall containing European material. Overlaying Strong brown heavy clay.	0
5	5	42cm	Fill brown sand with modern rubbish overlaying a lens of compacted sandstone and brick wall containing European material. Overlaying Strong brown heavy clay.	0
6	4	35cm	Disturbed brown sandy loam mixed with yellow-brown sandy-brown loam containing fragments of charcoal (A2 horizon) overlaying dark brown heavy clay (B2 horizon)	0
7	N/a	N/a	Abandoned due to heavy compaction and disturbance overlaying B2 sterile horizon	0
8	N/a	N/a	Abandoned due to heavy compaction and disturbance overlaying B2 sterile horizon	0
9	6	55cm	Compact sandy fill containing modern material overlaying a disturbed mixed yellow brown sandy soil (A2 horizon) appears to be truncated and mixed with remnant A1 horizon. Overlaying Brown earthy clay with mottling as depth increases (B2 horizon).	0

6.5.1 Test Trench Photographs



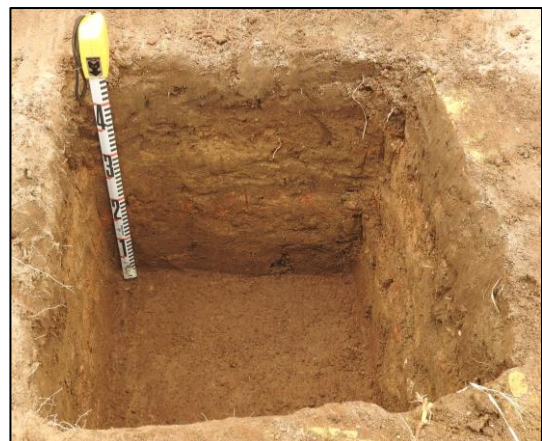
ATT1 Final Shot
Facing North [DSCN3310].



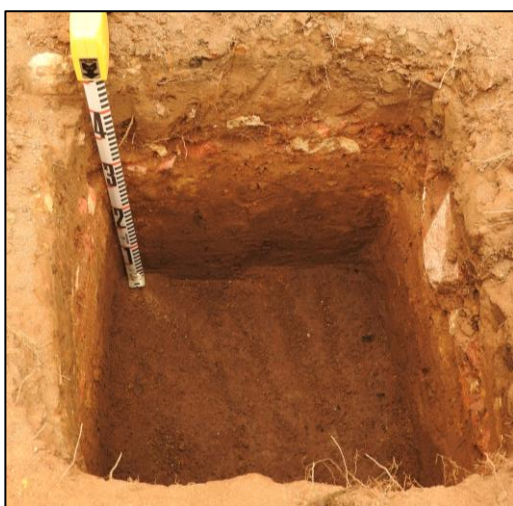
ATT2 Final Shot
Facing North [DSCN3313].



ATT3 Abandoned
Facing North [DSCN3322].



ATT4 Final Shot
Facing North [DSCN3320].



ATT5 Final Shot
Facing North [DSCN3325].



ATT6 Final Shot.
Facing North [DSCN3340].



ATT7 Abandoned
Facing North [DSCN3308].



ATT9 Final Shot.
Facing North [DSCN3343].

6.5.2 Stratigraphic Analysis

This section of the report is a summary of the soil profiles encountered. It aims to identify and ascertain the stratigraphic integrity of the site.

It has been indicated in the Soil Landscapes of Gosford – Lake Macquarie 1:100 000 sheet report that the site is located within a disturbed soil landscape. However, test excavation revealed a soil profile exhibiting characteristics of the Erina (er) soil landscape which surrounds the site towards the street frontage to the east. Towards the west of the site is intertidal flats which has been subject to major reclamation and filling events of which natural was encountered below 1.5m under significant fill deposits.

The soils in the Erina (er) soil landscape are typically moderately deep – reaching 100>cm in depth in well drained areas and 50-150cm in areas of poor drainage, with relatively strong acid soils of low fertility. Yellow earths are located on foot-slopes and within deep structured loams.

The site is likely associated with the lower slopes and intertidal zones of the landscape. Historical documentary evidence suggests there was a creek adjacent to the study area, which is considered to be a higher order stream. The A horizon in this area is a sandy silt loam, however, the A horizon was found to be significantly disturbed and truncated in areas from past land use and structures such as retaining walls which can still be observed.

Soil profile encountered;

- **A Horizon:** The soil profile consisted of a reformed topsoil overlaying a disturbed A1/A2 horizon comprising of either reformed/redeposited natural as a result of earth works, demolition and modern land use. The depth of this disturbance varied between 10cm – 40cm in areas and was concentrated towards the slope where European material was present in majority of the test trenches.
- **B Horizon:** In response to the natural landscape the B horizon was found to be a yellowish/orange brown sandy clay loam (er3), consisting of a moderate pedal structure with some small sandstone rock fragments. This stratigraphy is concurrent with the slopes and crests of the Erina soil landscape. The B horizon in all areas was found to be sterile and excavations stopped once down onto a natural and sterile B horizon.

No Aboriginal archaeological and cultural material/ deposits were located as a result of the programme of test excavation. A high level of disturbance was observed, and *intact* soils were found to be sterile.

Test trenches remained relatively shallow with a maximum excavation depth of 62cm. Excavation of the test trenches ceased once the sterility of the soil could be confirmed.

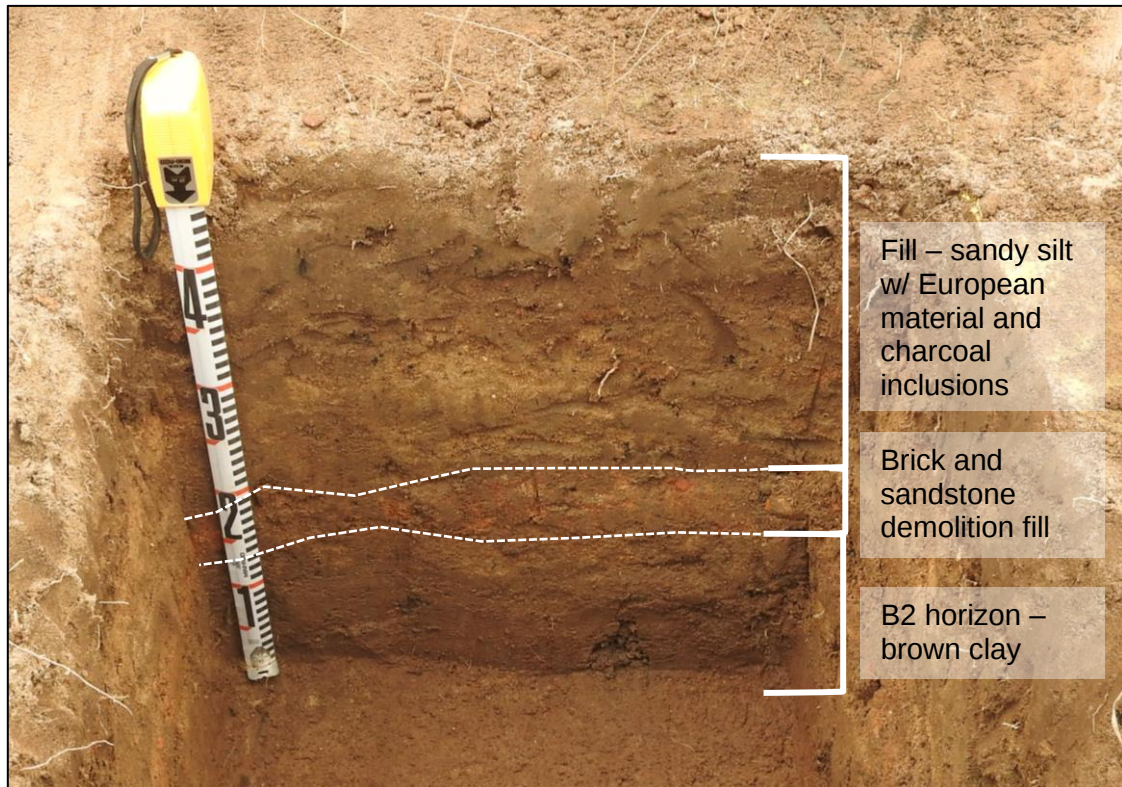


Figure 6.2 Aboriginal Test Trench 4 - Final short North Section.
AMAC 2019 [DSCN3320].

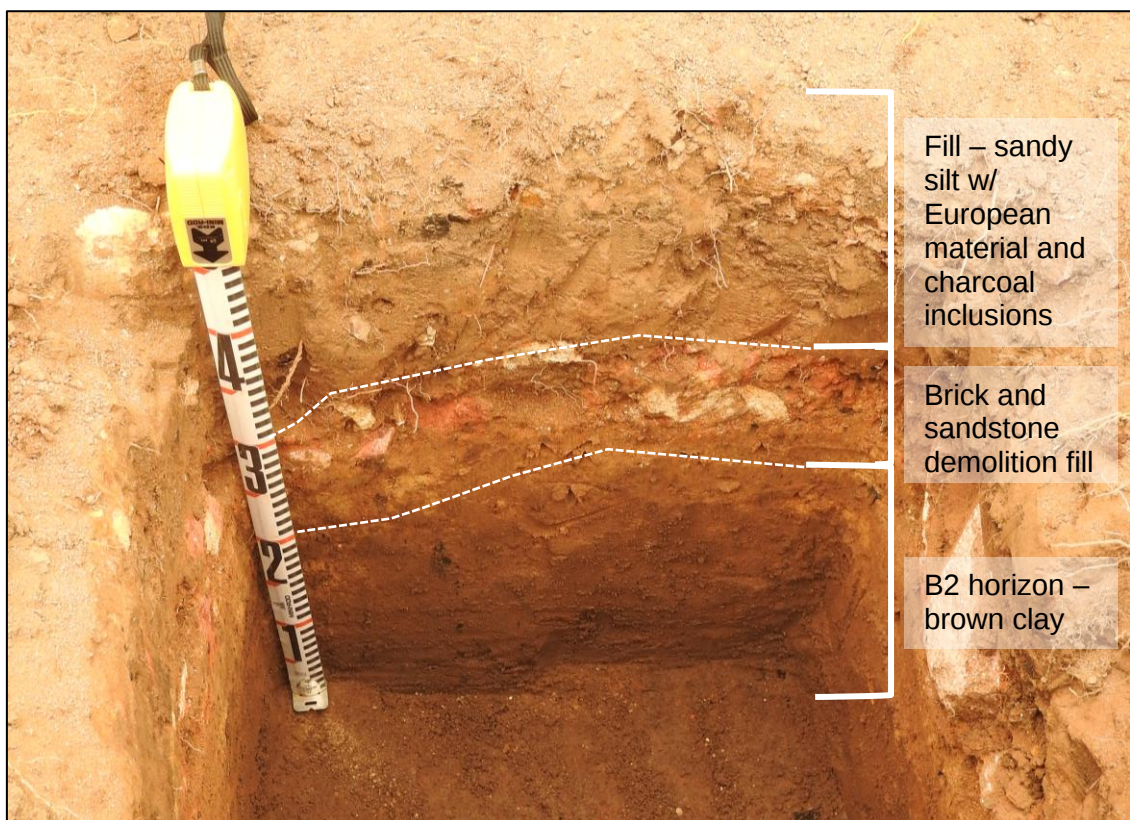


Figure 6.3 Aboriginal Test Trench 5 - Final short North Section.
AMAC 2019 [DSCN3326].

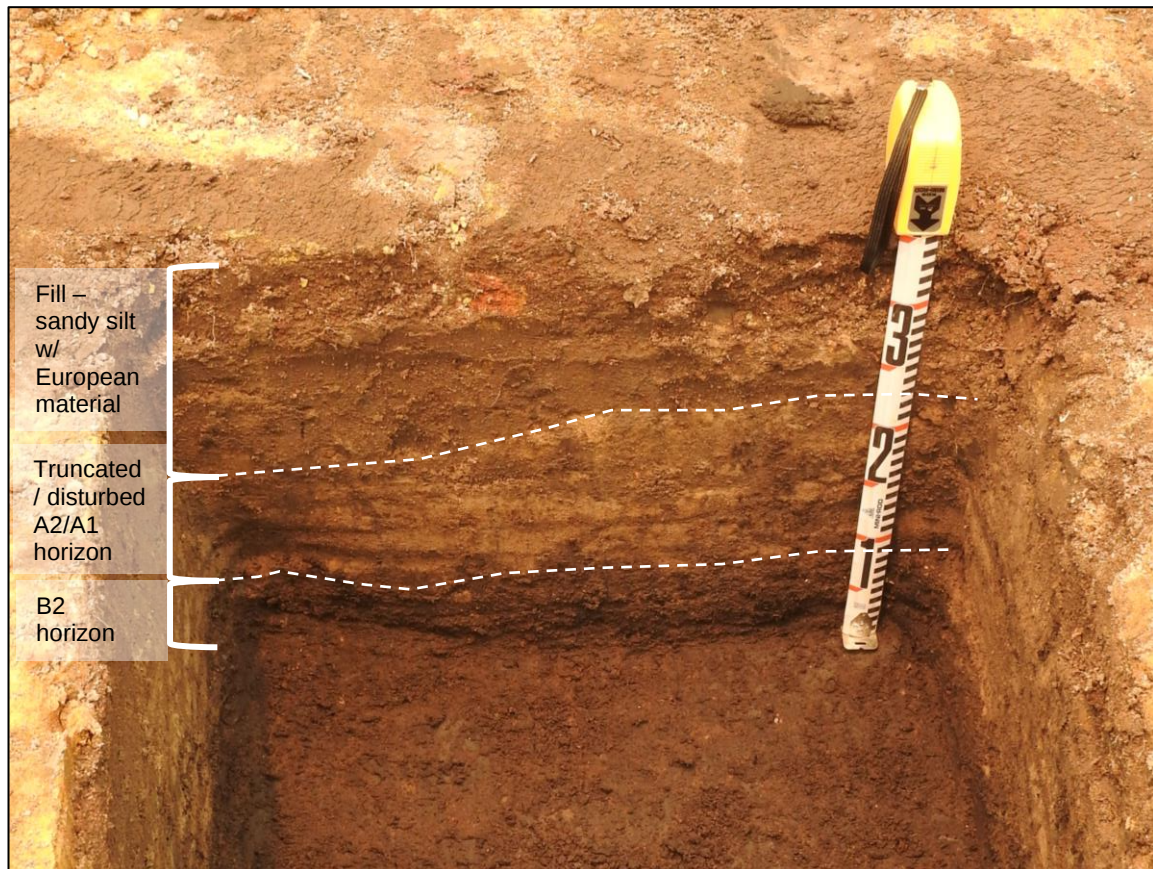


Figure 6.4 **Aboriginal Test Trench 6 - Final short North Section.**
AMAC 2019 [DSCN3340].

6.6 DISCUSSION

A background analysis of the environmental and archaeological context, revealed that parts of the study area were likely to contain Aboriginal archaeological material, however, test excavation revealed a disturbed landscape with regards to both the reclamation works resulting in significant filling events to the intertidal zone on the flat and at the west of the study area and erosional and demolition filling events along the slope to the east of the study area. This has resulted in the removal and disturbance of the A1/A2 horizon with only a reformed A1 horizon visible in areas. No Aboriginal objects of archaeological and cultural significance was present.

As the proposed development is intending to impact the entirety of the study area, all landscape units both identified as potentially disturbed and/or intact were tested as part of the programme of test excavation. All test trenches were found to be sterile and were excavated to a significant depth to confirm their sterility. The A horizon was found to be absent across majority of the study area with only a reformed A horizon present.

The results of this exercise should form the basis of decisions for ongoing management and further action of which further investigation is not warranted, however, caution is necessary.

6.7 RESEARCH CONTEXT

The research questions are based on the information that has been gathered from previous excavations within the vicinity of the study area as well as making an attempt to place the site in a regional context and offer some explanation for the activities that may have taken place within the study area.

6.7.1 Response to research questions

No artefacts were located as a result of the programme of test excavation; therefore, the following research questions could not be addressed.

- Are archaeological or cultural materials present in the Holocene Age deposits?
- If so, how do these artefact densities compare at a local and regional level?
- Are rare or representative archaeological or cultural materials present?
- Are locally or regionally significant archaeological or cultural material present in the Holocene age deposits?
- Is it possible to assign a temporal framework to any of the excavated material?
- What was the nature and extent of the activity that took place within the study area and how does the study area compare with other sites in the immediate vicinity and similar landforms to the study area?
- What raw materials were chosen for the manufacture of stone implements?
- Is the area suitable to be set aside for preservation of Aboriginal archaeological material?

7.0 SIGNIFICANCE ASSESSMENT

The processes of assessing significance for items of cultural heritage value are set out in *The Australian ICOMOS Charter for the Conservation of Places of Cultural Significance: the Burra Charter* (amended 1999) formulated in 1979 and based largely on the Venice Charter of International Heritage established in 1966. Archaeological sites may be significant according to four criteria, including scientific or archaeological significance, cultural significance to Aboriginal people, representative significance which is the degree to which a site is representative of archaeological and/or cultural type, and value as an educational resource. In New South Wales the nature of significance relates to the scientific, cultural, representative or educational criteria and sites are also assessed on whether they exhibit historic or cultural connections.

7.1 ARCHAEOLOGICAL SIGNIFICANCE

7.1.1 Educational Significance

The educational value of any given location will depend on the importance of any archaeological material located, on its rarity, quality and the contribution this material can have on any educational process (Australia ICOMOS, 1999 p. 11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no educational significance can be assigned to the study area.

7.1.2 Scientific Significance

The scientific value of any given location will depend on the importance of the data that can be obtained from any archaeological material located, on its rarity, quality and on the degree to which this may contribute further substantial information to a scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no scientific significance can be assigned to the study area.

7.1.3 Representative Significance

The representative value of any given location will depend on rarity and quality of any archaeological material located and on the degree to which this representativeness may contribute further substantial information to an educational or scientific research process. (Australia ICOMOS, 1999 p.11).

No archaeological and/or Aboriginal cultural material was located as a result of the programme of test excavation. Therefore, no representative significance can be assigned to the study area.

8.0 PROPOSED ACTIVITY

This section outlined the proposed activity including; the staging and timeframes along with the potential harm of the proposed activity on Aboriginal objects, and or declared Aboriginal places, assessing both the direct and indirect result of the activity on any cultural heritage values associated with the study area.

It also aims to outline the justification for harm with the intention of avoiding and minimising harm where possible.

8.1 DESCRIPTION OF PROPOSED ACTIVITY

The proposed development seeks to construct three multi-storey buildings, public space and landscaping works. Buildings 1 and 3 will consist of mixed residential, commercial and retail use and Building 2 will be a hotel with a conference centre. The proposed development requires subterranean excavation.

- Excavation for levelling of the site including filling and cutting of the current ground surface.
- Excavation for pavement and public space surrounding the three buildings.
- Excavation across the site for the foundations of the three building (pilings, footings, foundation slab).
- Excavation below the current ground surface for the ground, first and second level carparks.
- Excavation for a loading zone on the ground floor.
- Excavation for several lift shafts on the ground floor.
- Landscaping works that include excavation for planting of large trees.

A sample of the development application proposed plans are provided in Figures 8.1- Figure 8.6.

No exclusion areas have been planned.

8.2 POTENTIAL HARM TO ABORIGINAL OBJECTS AND CULTURAL HERITAGE

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.3 ASSESSING HARM

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The level of disturbance observed across majority of the study area indicates there is a nil-low possibility of their being artefacts present and harmed, as such works may proceed with caution.

8.4 AVOIDING AND MINIMISING HARM TO ABORIGINAL OBJECTS

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.5 JUSTIFICATION OF HARM TO ABORIGINAL OBJECTS

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.6 JUSTIFICATION OF DEVELOPMENT

No Aboriginal objects and/or features of cultural and archaeological significance were located during the programme of test excavation. The A horizon (artefact bearing deposit) was found to be present but in a disturbed state. In review of the results and level of disturbance observed across majority of the study area, there is a nil-low possibility of their being artefacts present and as such works may proceed with caution.

8.7 ECOLOGICALLY SUSTAINABLE DEVELOPMENT AND INTERGENERATIONAL EQUITY

The ability of any development to be completely ecologically sustainable will be limited by definition. However, the proponents of this subdivision appear to have made significant efforts to meet the needs of the current generation without compromising the ability of future generations to meet their own needs. This has been accomplished by proposing a plan on a manageable and affordable scale while still protecting and conserving the archaeological resources. This is being accomplished by a program of subsurface test excavation with the possibility of further salvage excavation if needed as well as extensive consultation with the relevant Aboriginal community.

Inter-generational equity refers to the equitable sharing of resources between current and future generations. The planet's current generation should ensure that future generations have the same opportunities and resources available. This idea is being accomplished by designing a building with as little disturbance to the ground surface as possible and as such any archaeological or cultural material that may be present in these areas either identified or unidentified will be left intact and preserved for future generations.

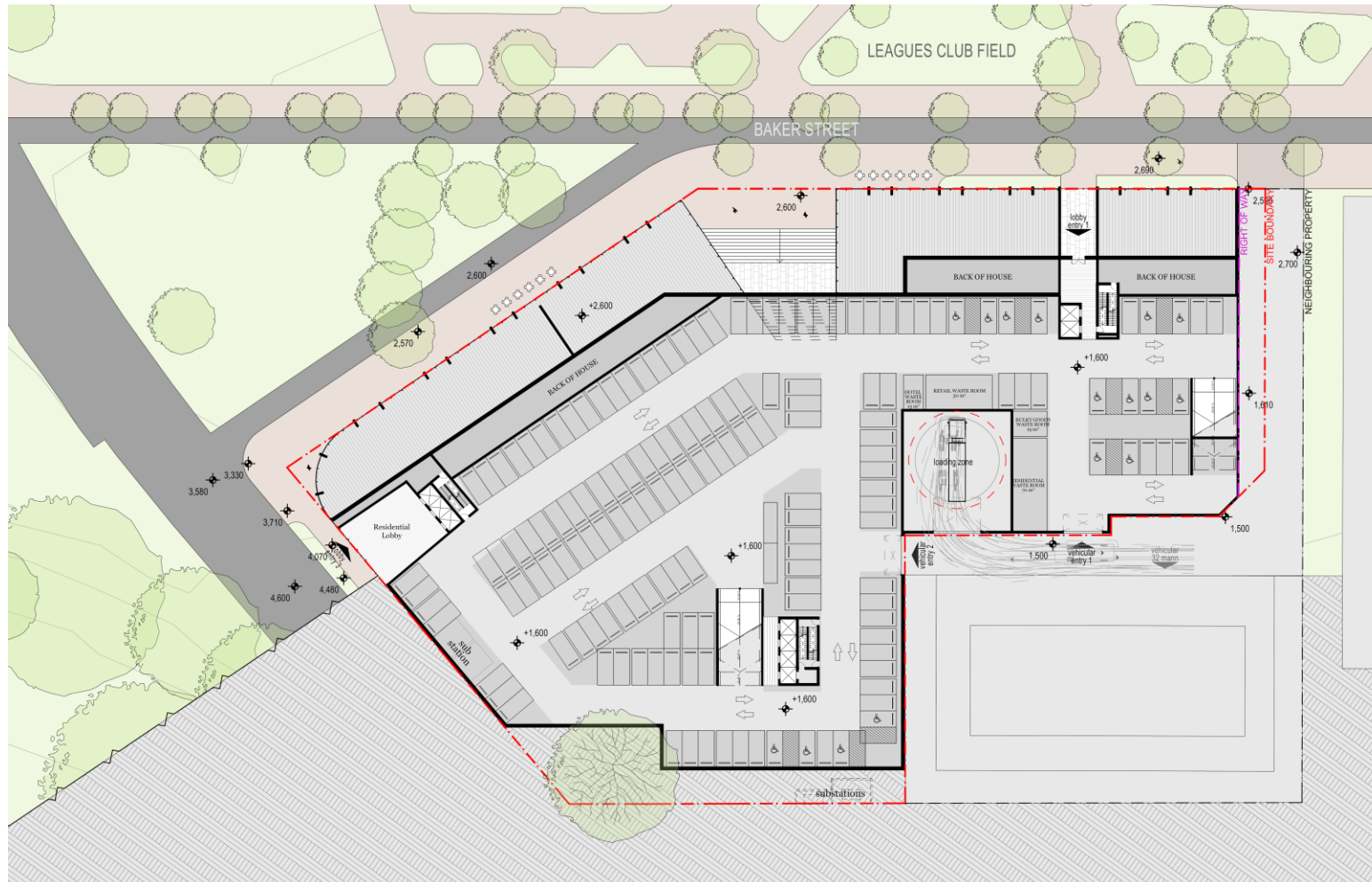


DKO
Figure 8.1

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Site plan
Tuesday, 13 August 2019
Scale: 1:1000
Revision: P3

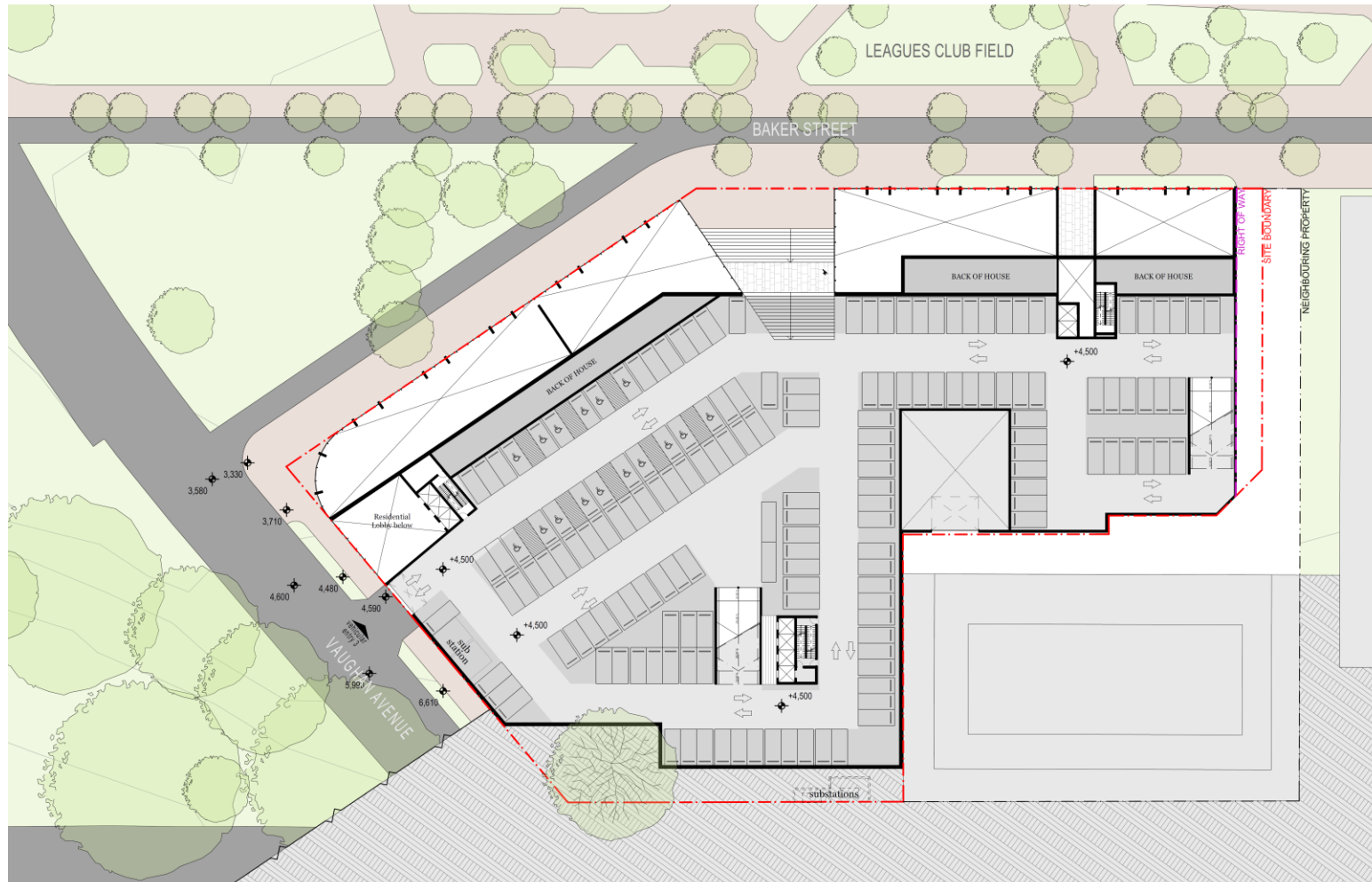
Proposed Site Plan.
DKO – Revision: P3 (13/08/2019).



DKO

26 Mann Street
Gosford
NSW 2250

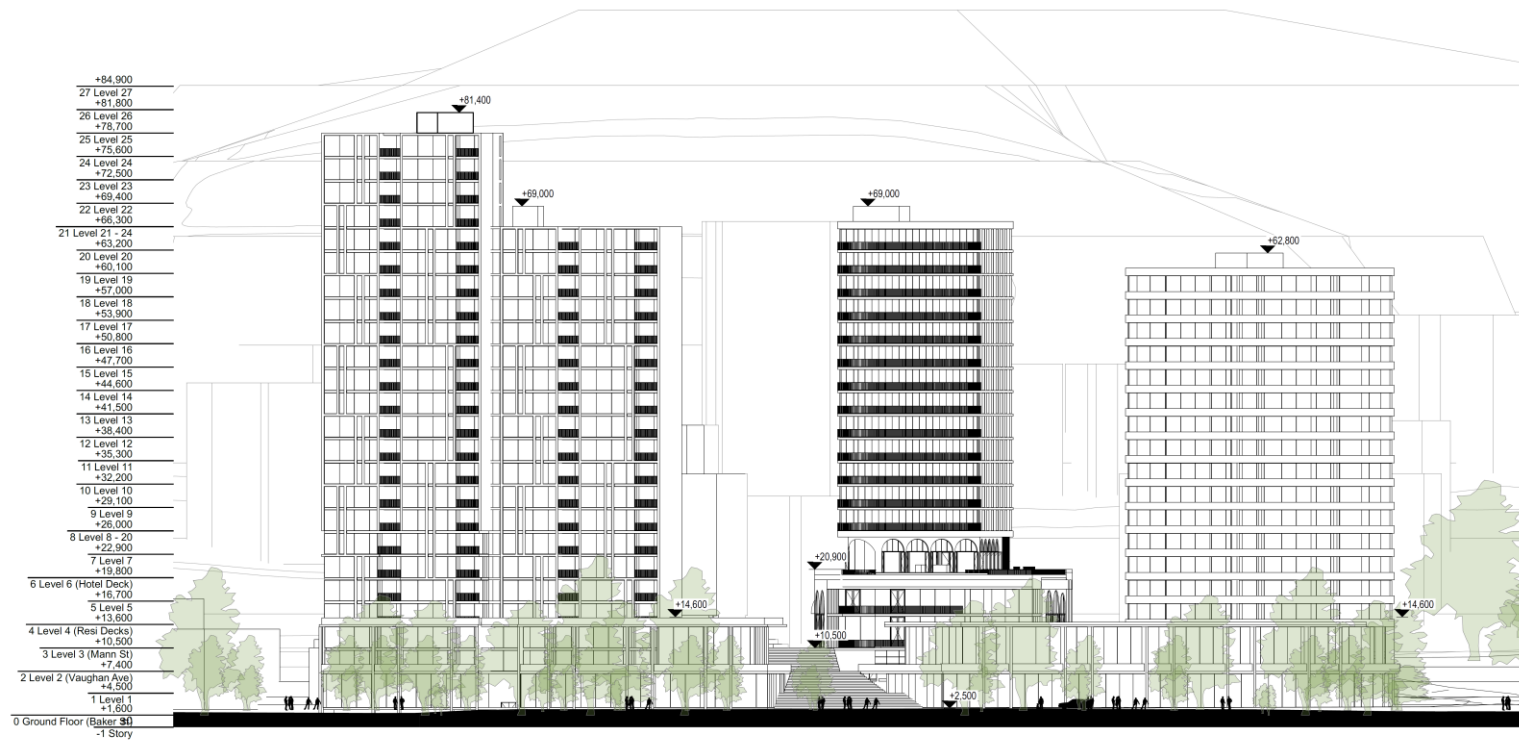
26-32 Mann Street
Ground Floor (Baker St)
Tuesday, 13 August 2019
Scale: 1:500
Revision: P4



DKO

26 Mann Street
Gosford
NSW 2250

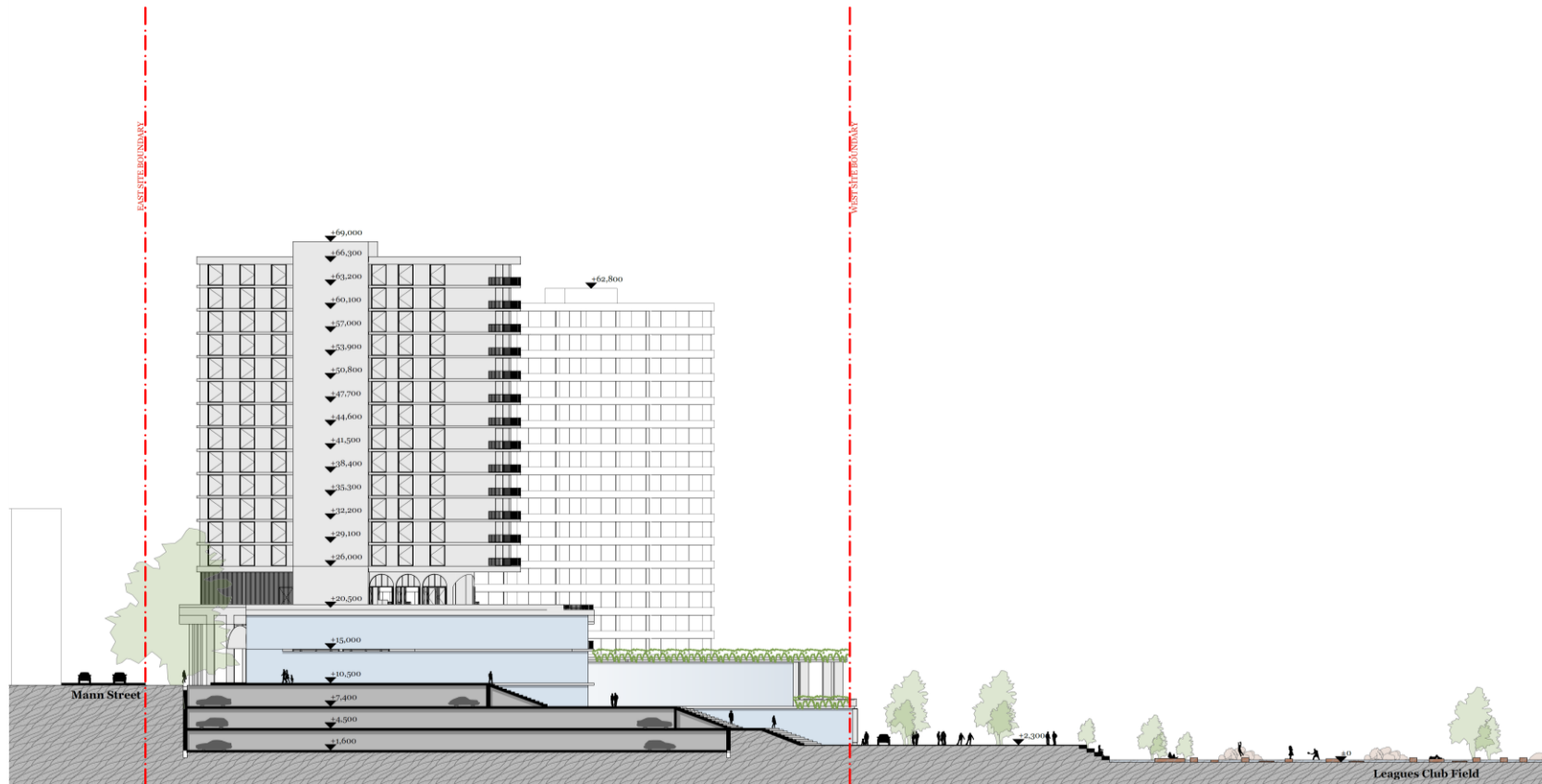
26-32 Mann Street
Level One
Tuesday, 13 August 2019
Scale: 1:500
Revision: P4



DKO

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
East Site Elevation
Tuesday, 13 August 2019
Scale: 1:500
Revision: P3



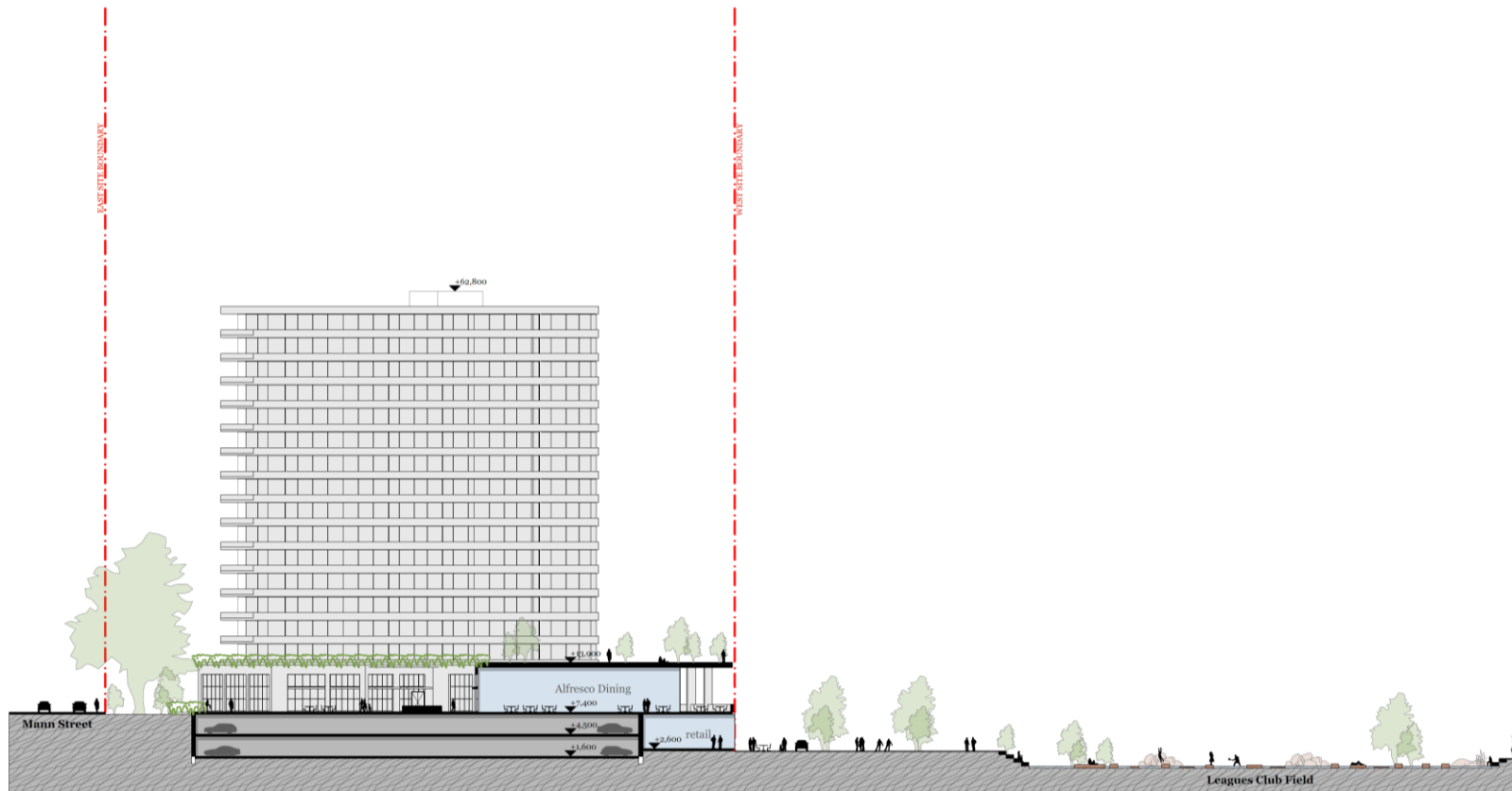
DKO

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Site Section A
Tuesday, 13 August 2019
Scale: 1:500
Revision: P2

Figure 8.5

Proposed Site Section A.
DKO – Revision: P2 (13/08/2019).



DKO

26 Mann Street
Gosford
NSW 2250

26-32 Mann Street
Site Section B
Tuesday, 13 August 2019
Scale: 1:500
Revision: P2

Figure 8.6

Proposed Site Section B.
DKO – Revision: P2 (13/08/2019).

9.0 MANAGEMENT AND MITIGATION

The management recommendations presented in the following section of the report take into account the following:

- Legislation outlined in this report which protects Aboriginal cultural and archaeological objects and places in New South Wales;
- Research and assessment carried out by the author/s of this report;
- Results of previous archaeological assessment and excavation in the vicinity of the study area;
- The concerns and views of the Aboriginal stakeholders listed in this report;
- The impact of the proposed development on any Aboriginal archaeological material that may be present;
- The requirements of the consent authority (Central Coast Council).

9.1 RECOMMENDATIONS

Recommendations

The proposed mixed-use development has the potential to disturb the ground surface. A background analysis of the environment and archaeological context revealed that the study area has moderate – high surface disturbance. However, the eastern slope has the potential for natural intact soils to be present. Where intact soils are present, these may contain Aboriginal objects and/or deposits as identified with AHIMS site# 45-3-3699.

The findings from the test excavation indicate the site to be of nil-low archaeological significance, an A horizon was present but disturbed and no Aboriginal objects and/or deposits of cultural significance were located, therefore the development should be allowed to proceed with caution.

The following recommendations have been formulated after consultation with the proponent and the Environment, Energy and Science Group (EES Group) of the Department of Planning, Industry and Environment (DPIE);

- Consultation with the registered Aboriginal stakeholders should continue. Stakeholders have been given the opportunity to comment on the recommendations of this report and these comments are included in this report;
- These final documents have been produced and will be submitted in accordance with requirement 12 of the SEARs SSD #10114;
- Archaeological test excavation in accordance with the *Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010)* revealed no Aboriginal archaeological objects or deposits. The proposed development as outlined in Figures 8.1- 8.6, should be allowed to 'proceed with caution';
- After this and before any ground disturbance takes place all development staff, contractors and workers should be briefed prior to works commencing on site, as to the status of the area and their responsibilities in ensuring preservation of said area. They should also be informed of their responsibilities regarding any Indigenous archaeological deposits and/or objects that may be located during the following development;

Should any human remains be located during the following development;

- all excavation in the immediate vicinity of any objects of deposits shall cease immediately and the area is to be secured so no further harm is to come to these remains;
- the NSW police and EES Group's Environment Line 131 555 are to be informed as soon as possible including any available details of the remains and their location;
- once it has been established that the human remains are Aboriginal ancestral remains, authorisation is required by EES Group in consultation with relevant Registered Aboriginal Parties identifying the appropriate course of action

Should any Aboriginal archaeological deposits and/or objects be found during the development:

- All excavation in the area shall cease immediately;
- The EES Group's Enviroline 131 555 shall be contacted and a suitably qualified archaeologist shall be notified so the significance of the said deposits or objects can be evaluated and presented in another report and recorded as an archaeological site;
- The archaeological features or objects shall be subject to a course of action advised by EES Group;

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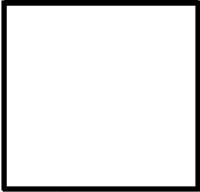
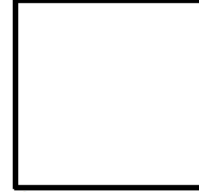
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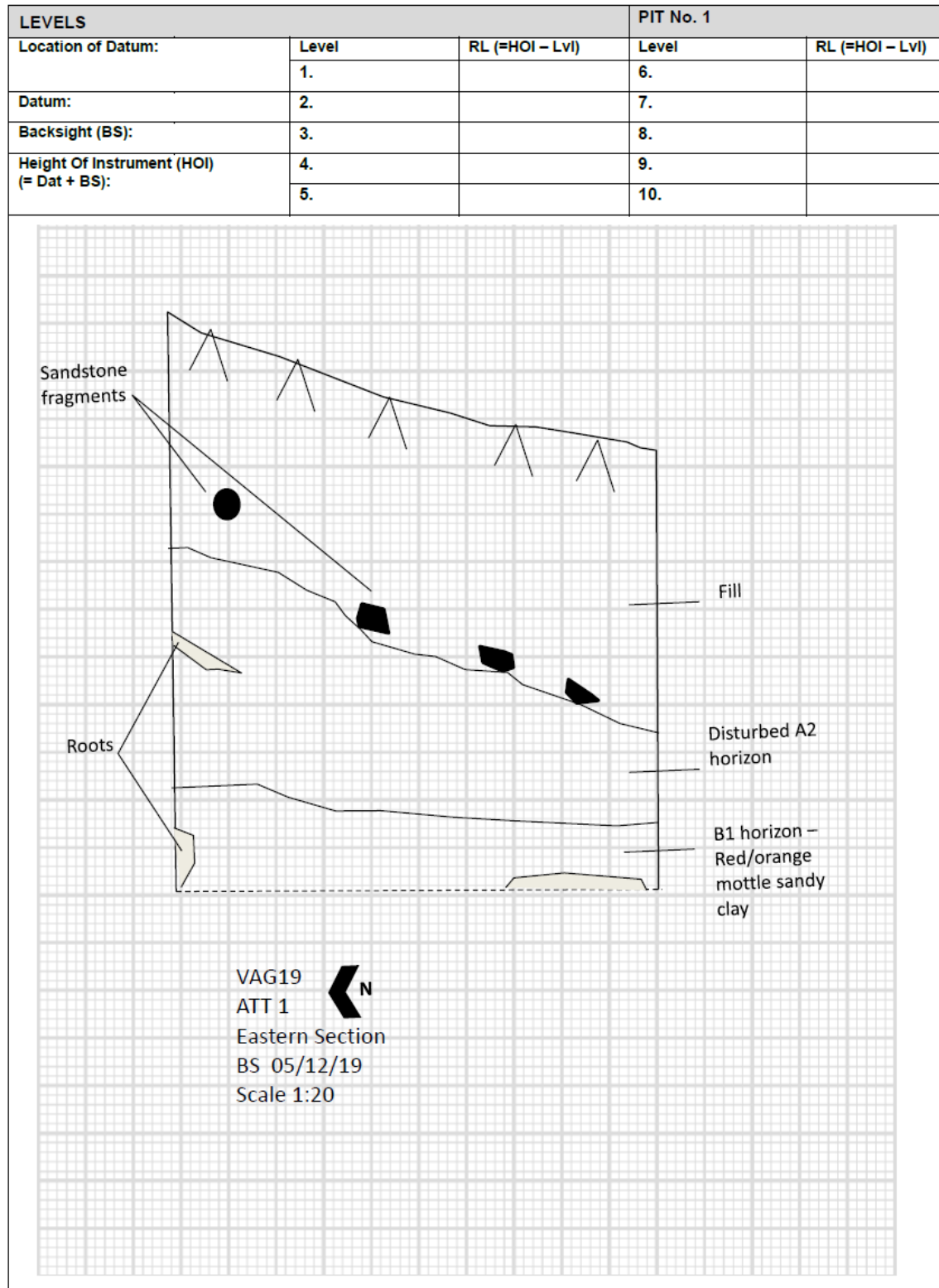
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APPENDICES

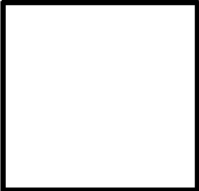
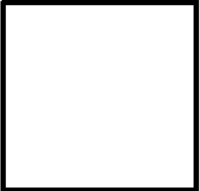
APPENDIX ONE TEST EXCAVATION RECORDING FORMS

AMAC Group Aboriginal Archaeology Recording Form - Test Excavation										VAG19
Excavator		Recorded By		Date:		Area		Pit Number		
KH/AS		BS		05/12/19				ATT 1		
Dimensions		Transect (GPS)			Location/Landform			Pit GPS:		
0.5m x 0.5m ☒ 1m x 1m ☐										
Description of Pit: (e.g Historical Features, Natural Features)										
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)						Artefacts (NPW)	
1	50	Fill	Sandy reformed topsoil, roots, sandstone, Modern rubbish fill							
2	100	Fill	Sandy reformed topsoil, roots, sandstone, Modern rubbish fill							
3	100	Fill	Compact sandy clay with sandstone and European artefacts (metal) as well as roots present.							
4	100	A2	Brown sandy loam, sandstone fragments, European rubbish, disturbed A2 horizon. Roots are common. Slopes to North – possible original soil slope in profile.							
5	100	A2	Brown sandy loam, sandstone fragments, European rubbish, disturbed A2 horizon. Roots are common. Slopes to North – possible original soil slope in profile.							
6	20-70	B1	Brownish yellow sandy clay, sandstone fragments, roots from nearby trees.							
7	100	B1	Brownish yellow sandy clay, sandstone fragments, roots from nearby trees.							
Additional Notes: (e.g section collapse, contamination etc)								Sample Charcoal (C14)		
								Spit:		
								Sample Soil (TL / OSL)		
								Spit:		
Photographs:										
Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir		
Sketches:										
										
Description:		Description:		Description:		Description:				

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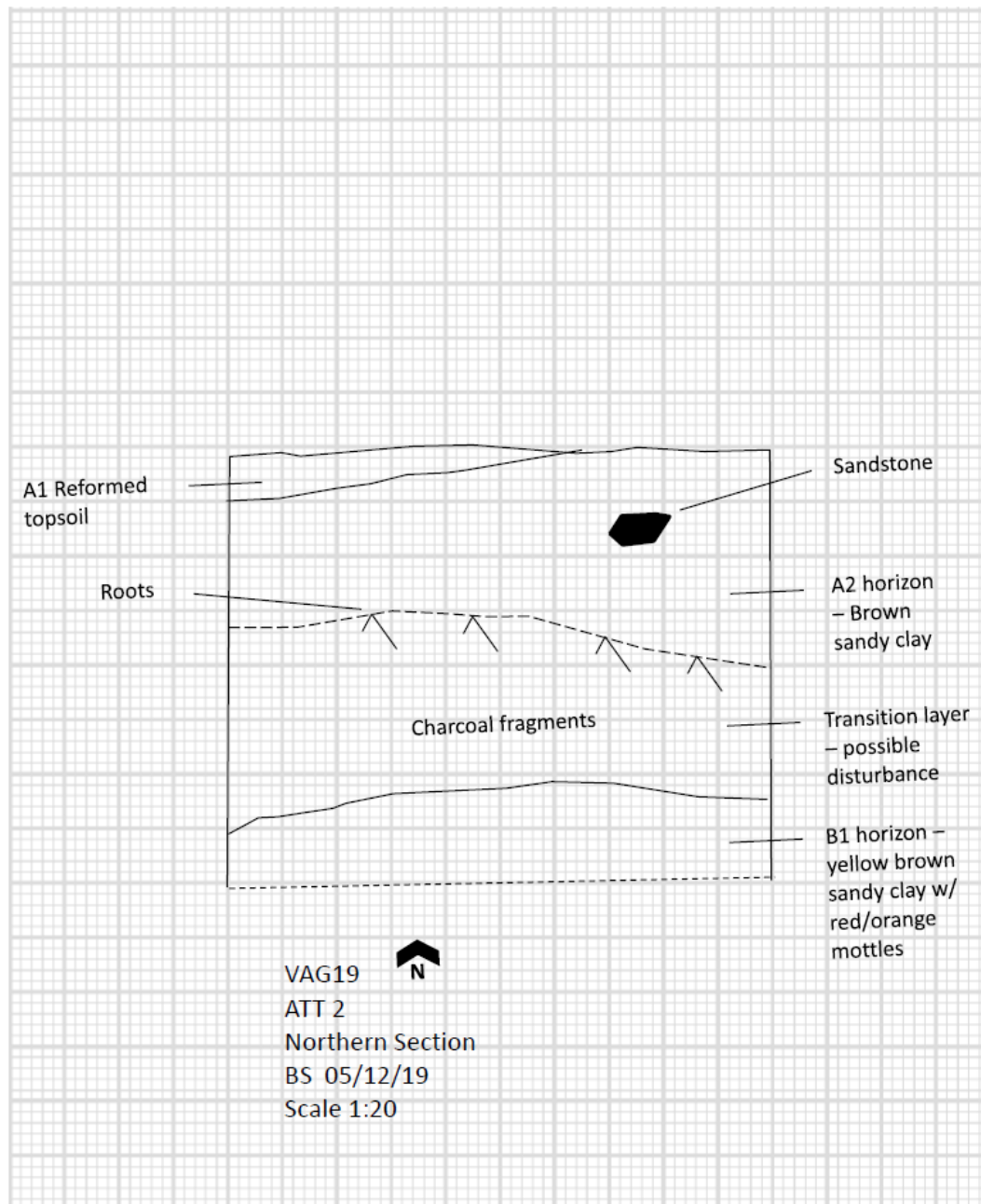


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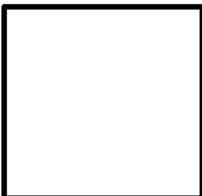
AMAC Group Aboriginal Archaeology Recording Form - Test Excavation						VAG19	
Excavator		Recorded By		Date:	Area		Pit Number
KH/AS		BS		05/06/12			ATT 2
Dimensions		Transect (GPS)		Location/Landform		Pit GPS:	
0.5m x 0.5m ☒ 1m x 1m ☐				Lower Slope			
Description of Pit: (e.g Historical Features, Natural Features)							
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)				Artefacts (NPW)
1	50	A1 distur bed	Possible remnant A1 or disturbed A1 horizon. Brown – grey sandy loam with sandstone and charcoal inclusions.				
2	100	A2 distur bed	Brown – yellowish brown, sandy loam with sandstone and charcoal inclusions. European artefacts absent.				
3	50-60	A2 distur bed	Possible disturbed A2 horizon, truncated but potentially intact, heavy bioturbation present.				
4	100	A2/B 1	Transition layer between A2 and B1.				
5	100	B1	Brownish yellow sandy clay with sandstone fragments.				
Additional Notes: (e.g section collapse, contamination etc)						Sample Charcoal (C14)	
						Spit:	
						Sample Soil (TL / OSL)	
						Spit:	
Photographs:							
Image	Notes	Dir	Image	Notes	Dir	Image	Notes
Sketches:							
							
Description:		Description:		Description:		Description:	

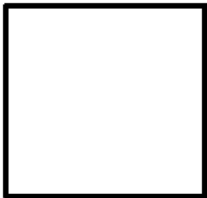
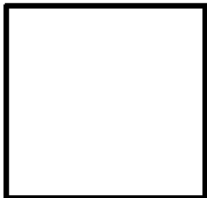
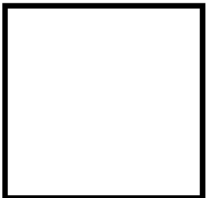
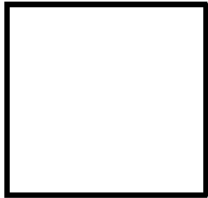
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LEVELS			PIT No. 2	
Location of Datum:	Level	RL (=HOI – Lvl)	Level	RL (=HOI – Lvl)
	1.		6.	
Datum:	2.		7.	
Backsight (BS):	3.		8.	
Height Of Instrument (HOI) (= Dat + BS):	4.		9.	
	5.		10.	

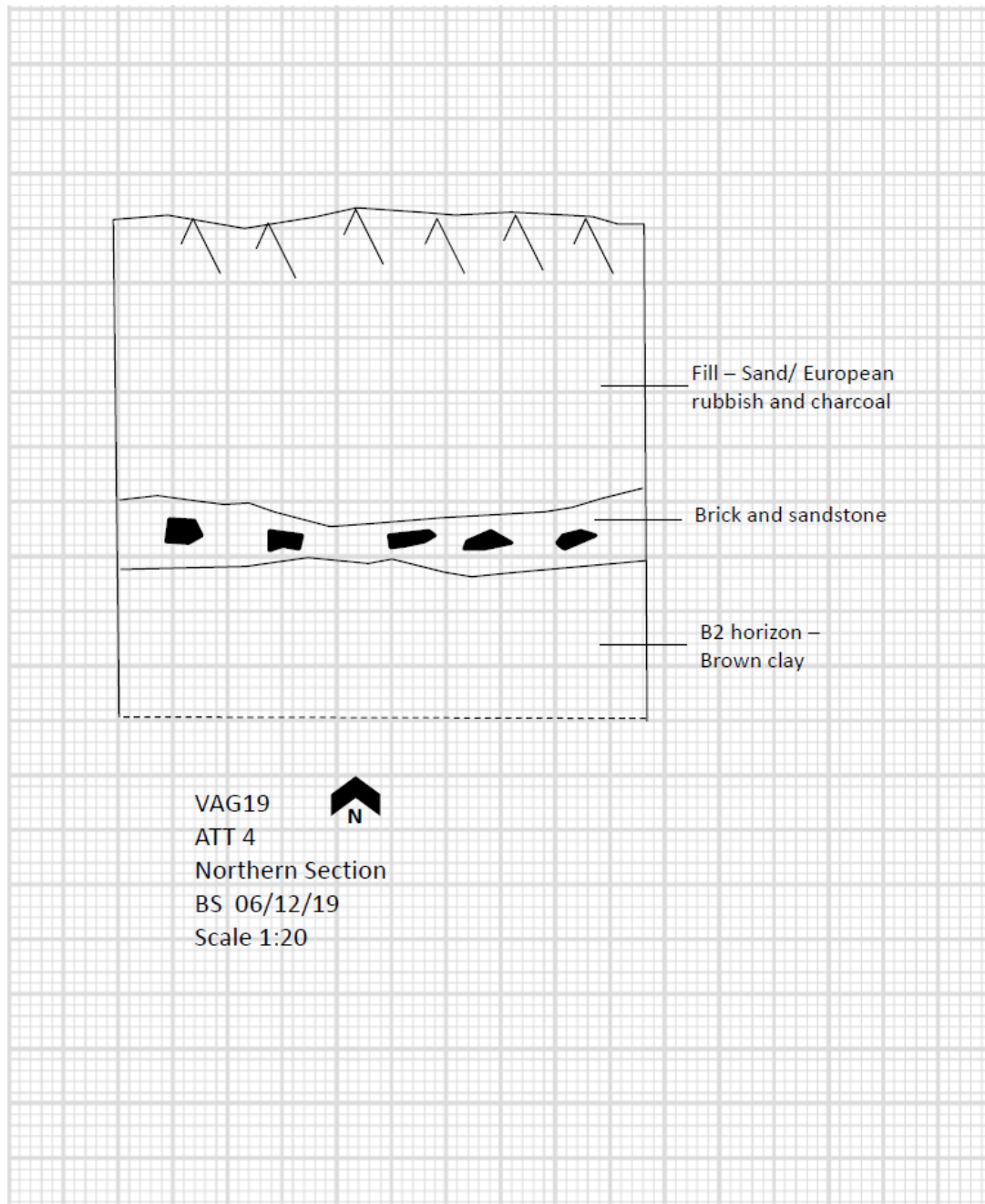


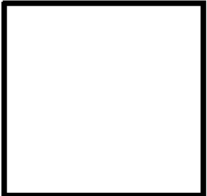
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AMAC Group Aboriginal Archaeology Recording Form - Test Excavation						VAG19	
Excavator		Recorded By		Date:	Area		Pit Number
N/A		BS		06/12/19			ATT 3
Dimensions		Transect (GPS)		Location/Landform		Pit GPS:	
0.5m x 0.5m ☐ 1m x 1m ☐							
Description of Pit: (e.g Historical Features, Natural Features)							
Abandoned							
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)				Artefacts (NPW)
			Abandoned due to fill and severe compaction/ disturbance				
			Fill onto B2 horizon				
Additional Notes: (e.g section collapse, contamination etc)						Sample Charcoal (C14)	
						Spit:	
						Sample Soil (TL / OSL)	
						Spit:	
Photographs:							
Image	Notes	Dir	Image	Notes	Dir	Image	Notes
Sketches:							
							
Description:		Description:		Description:		Description:	

AMAC Group Aboriginal Archaeology Recording Form - Test Excavation						VAG19	
Excavator		Recorded By		Date:	Area		Pit Number
SH		BS		06/12/19			ATT 4
Dimensions		Transect (GPS)		Location/Landform		Pit GPS:	
0.5m x 0.5m ☒ 1m x 1m ☐				Lower Slope			
Description of Pit: (e.g Historical Features, Natural Features)							
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)				Artefacts (NPW)
1	50	Fill	Brown sand with roots and charcoal inclusions as well as European artefacts and modern rubbish.				
2	100	Fill	Brown sand with roots and charcoal inclusions as well as European artefacts and modern rubbish.				
3	100	Fill	Lens of compact sandstone and brick wall. Brown sand containing glass and metal.				
4	100	Fill	Strong brown heavy clay mixed with some sandstone.				
5	100	B2	Strong brown, heavy clay, no roots or charcoal present.				
Additional Notes: (e.g section collapse, contamination etc)						Sample Charcoal (C14)	
						Spit:	
						Sample Soil (TL / OSL)	
						Spit:	
Photographs:							
Image	Notes	Dir	Image	Notes	Dir	Image	Notes
Sketches:							
							
Description:		Description:		Description:		Description:	

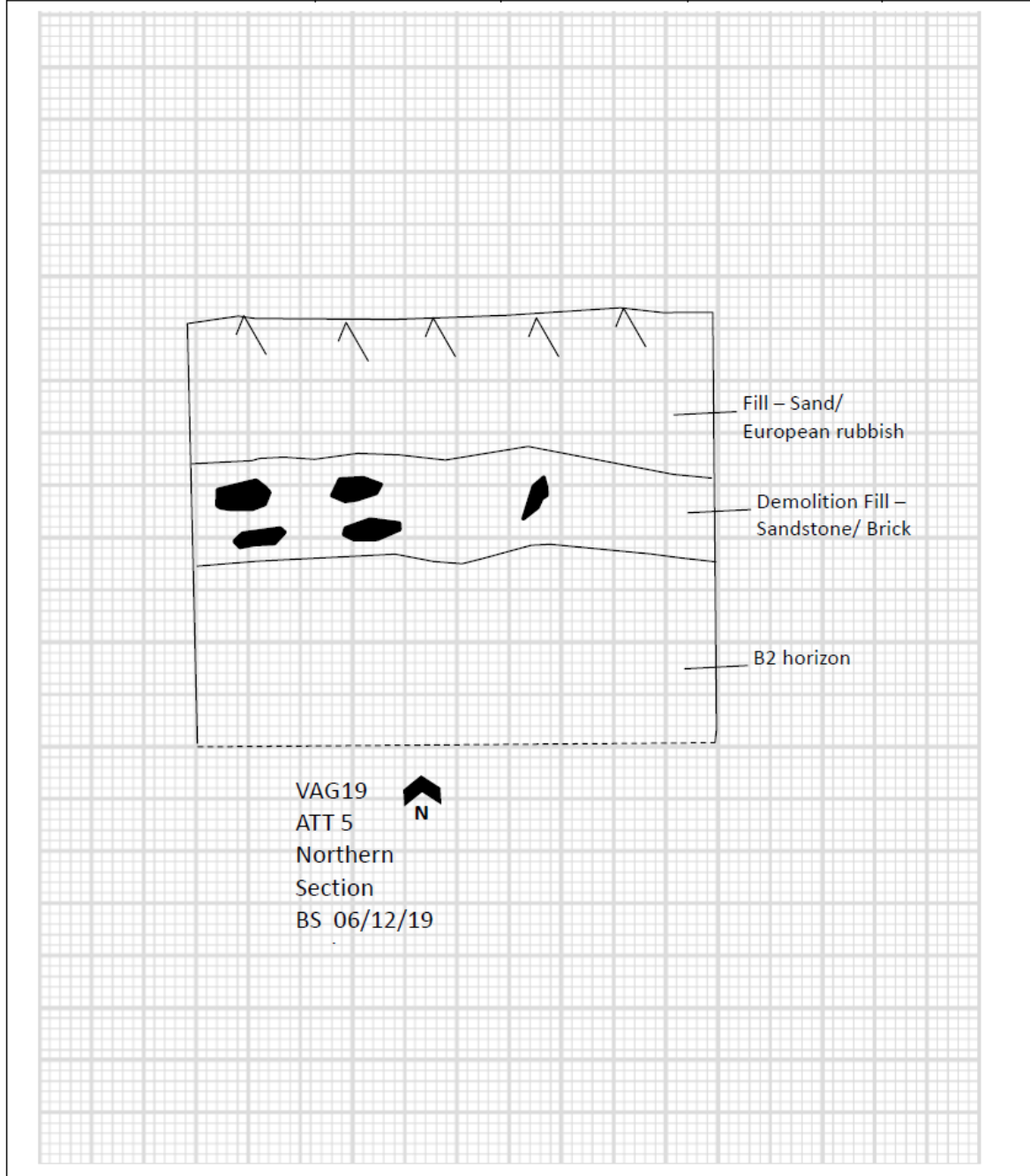
LEVELS			PIT No. 4	
Location of Datum:	Level	RL (=HOI – Lvl)	Level	RL (=HOI – Lvl)
	1.		6.	
Datum:	2.		7.	
Backsight (BS):	3.		8.	
Height Of Instrument (HOI) (= Dat + BS):	4.		9.	
	5.		10.	



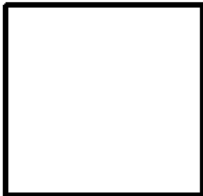
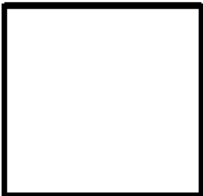
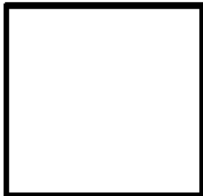
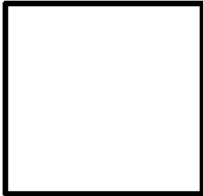
AMAC Group Aboriginal Archaeology Recording Form - Test Excavation							VAG19		
Excavator		Recorded By		Date:	Area		Pit Number		
SH		BS		06/12/19			ATT 5		
Dimensions		Transect (GPS)			Location/Landform			Pit GPS:	
0.5m x 0.5m ☒ 1m x 1m ☐					Lower Slope				
Description of Pit: (e.g Historical Features, Natural Features)									
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm,), Inclusions (grass roots, rocks, charcoal etc)					Artefacts (NPW)	
1	50	Fill	Mixed brown sand with charcoal, brick and European artefacts.						
2	70	Fill	Mixed brown sand with charcoal, brick and European artefacts.						
3	100	Fill	Lens of sandstone fragments and bricks as well as crushed sandstone.						
4	100	B2	Strong brown sandy clay, no roots or other inclusions.						
5	100	B2	Strong brown sandy clay, no roots or other inclusions.						
Additional Notes: (e.g section collapse, contamination etc)							Sample Charcoal (C14)		
							Spit:		
							Sample Soil (TL / OSL)		
							Spit:		
Photographs:									
Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir	
Sketches:									
									
Description:		Description:		Description:		Description:			

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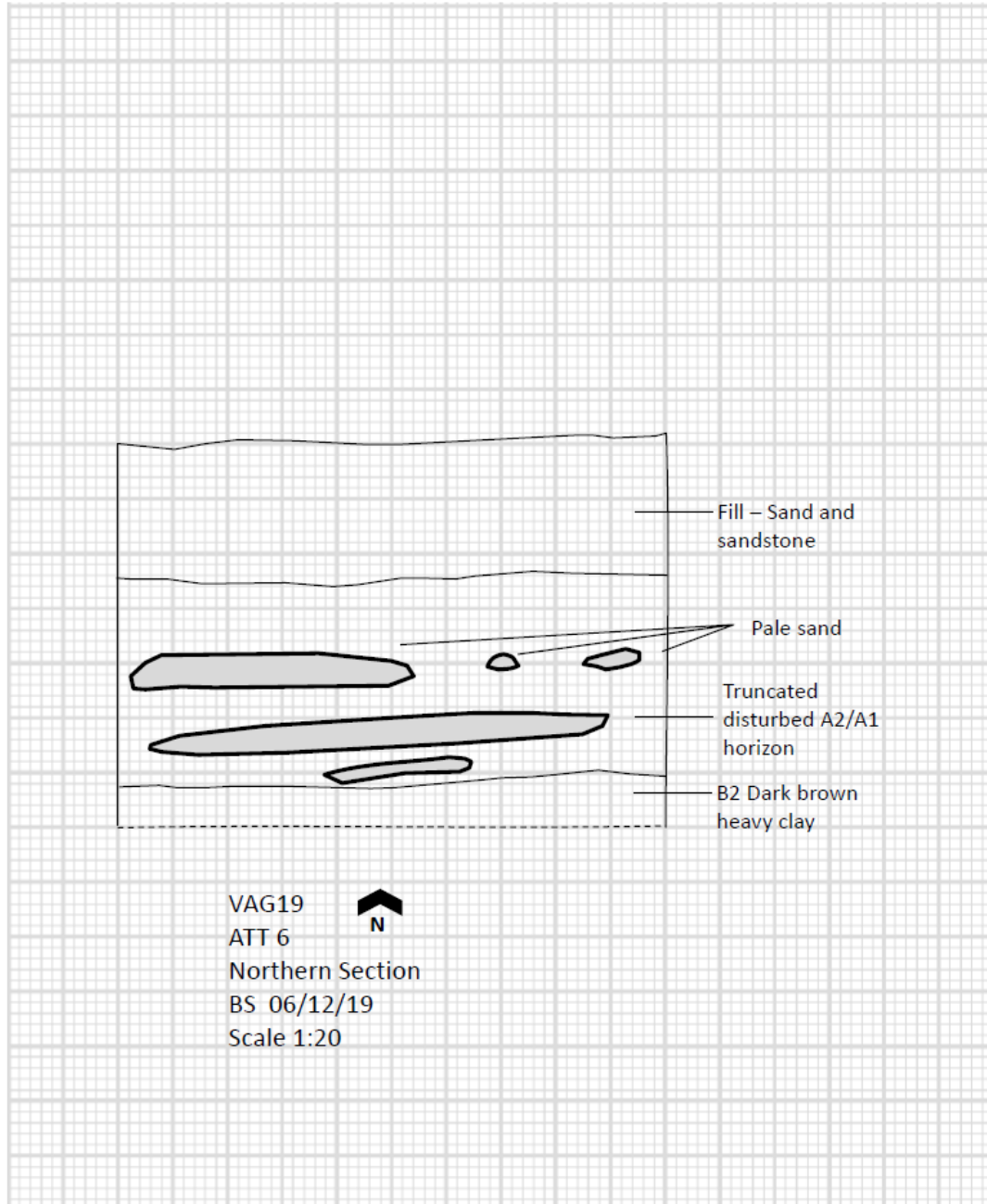
LEVELS			PIT No. 5	
Location of Datum:	Level	RL (=HOI – Lvl)	Level	RL (=HOI – Lvl)
	1.		6.	
Datum:	2.		7.	
Backsight (BS):	3.		8.	
Height Of Instrument (HOI) (= Dat + BS):	4.		9.	
	5.		10.	



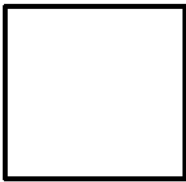
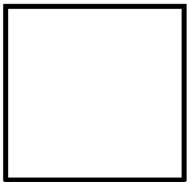
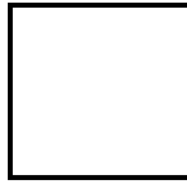
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AMAC Group Aboriginal Archaeology Recording Form - Test Excavation							VAG19		
Excavator		Recorded By		Date:		Area		Pit Number	
BS		BS		06/12/19				ATT 6	
Dimensions		Transect (GPS)			Location/Landform			Pit GPS:	
0.5m x 0.5m ☒ 1m x 1m ☐					Lower Slope				
Description of Pit: (e.g Historical Features, Natural Features)									
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)						Artefacts (NPW)
1	50	A2 Disturbed	Brown sandy loam mixed with yellowy brown sandy loam containing sandstone inclusions and with some small fragments of charcoal. Disturbed A1/A2 horizon.						
2	100	A2 Disturbed	Brown sandy loam mixed with yellowy brown sandy loam containing sandstone inclusions and with some small fragments of charcoal. Disturbed A1/A2 horizon.						
3	100	A2 Disturbed	Brown sandy loam mixed with yellowy brown sandy loam containing sandstone inclusions and with some small fragments of charcoal. Disturbed A1/A2 horizon.						
4	100	B2	Transition layer mixed disturbed A2 onto B2.						
Additional Notes: (e.g section collapse, contamination etc)								Sample Charcoal (C14)	
This pit has been covered by 300mm of sand and sandstone fill.								Spit:	
								Sample Soil (TL / OSL)	
								Spit:	
Photographs:									
Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir	
Sketches:									
									
Description:		Description:		Description:		Description:			

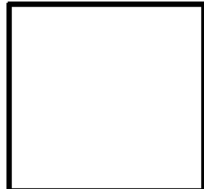
LEVELS			PIT No. 6	
Location of Datum:	Level	RL (=HOI – Lvl)	Level	RL (=HOI – Lvl)
	1.		6.	
Datum:	2.		7.	
Backsight (BS):	3.		8.	
Height Of Instrument (HOI) (= Dat + BS):	4.		9.	
	5.		10.	



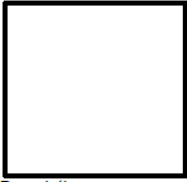
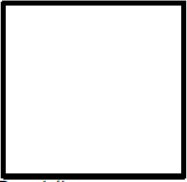
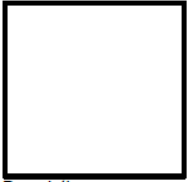
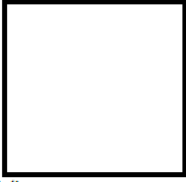
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AMAC Group Aboriginal Archaeology Recording Form - Test Excavation										VAG19	
Excavator		Recorded By		Date:		Area		Pit Number		ATT 7	
Machine		BS		05/12/19							
Dimensions		Transect (GPS)				Location/Landform				Pit GPS:	
0.5m x 0.5m ☐						Flat					
1m x 1m ☐											
Description of Pit: (e.g Historical Features, Natural Features)											
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm,), Inclusions (grass roots, rocks, charcoal etc)							Artefacts (NPW)	
			Fill onto B2 horizon								
Additional Notes: (e.g section collapse, contamination etc)										Sample Charcoal (C14)	
										Spit:	
										Sample Soil (TL / OSL)	
										Spit:	
Photographs:											
Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir
Sketches:											
											
Description:			Description:			Description:			Description:		

Archaeological Management and Consulting Group | amac@archaeological.com.au | (02)95686093 | 0411727395

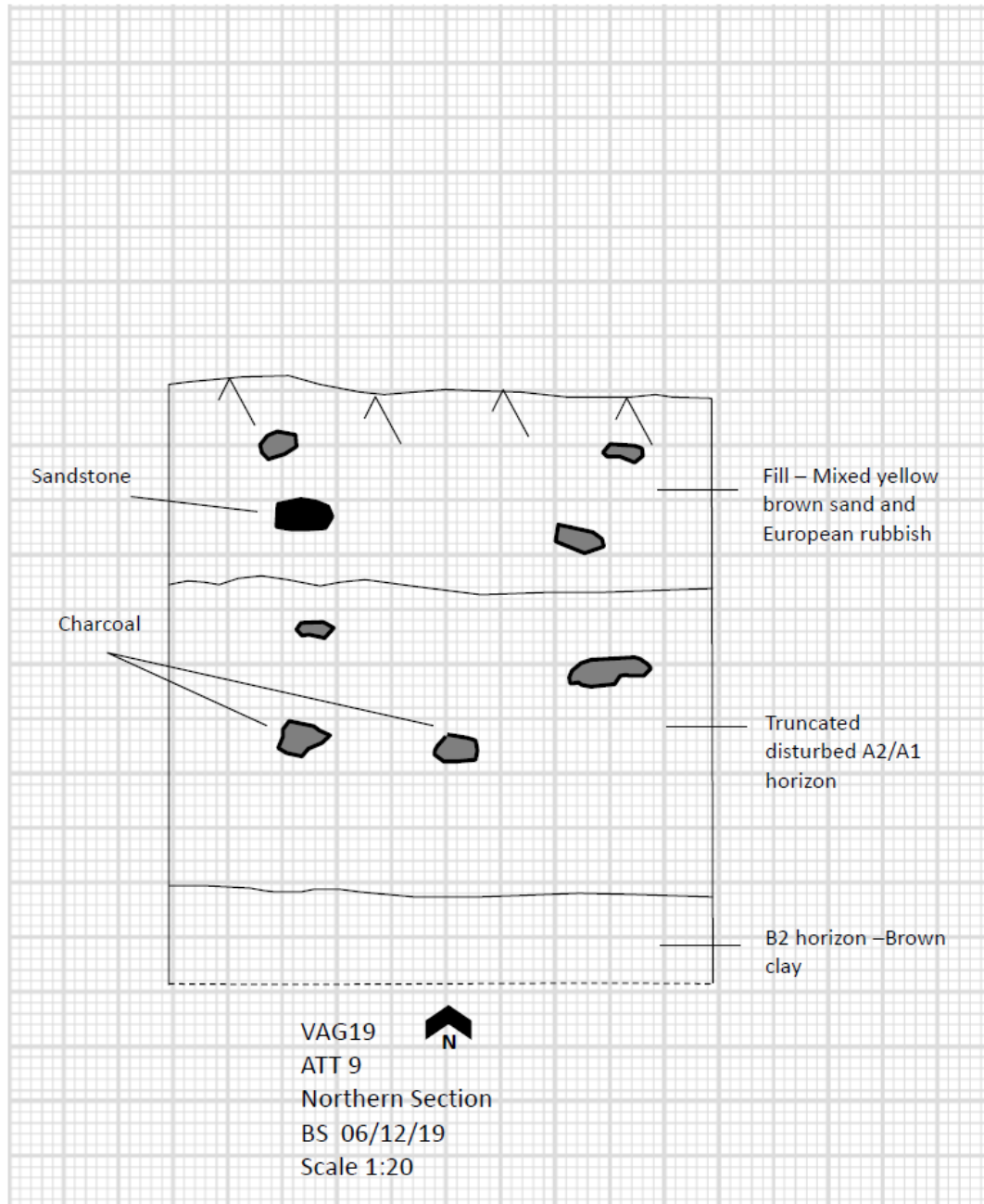
AMAC Group Aboriginal Archaeology Recording Form - Test Excavation										VAG19
Excavator		Recorded By		Date:		Area		Pit Number		
Machine		BS		05/12/19				ATT 8		
Dimensions		Transect (GPS)		Location/Landform		Pit GPS:				
0.5m x 0.5m ☐		1m x 2m		Flat						
1m x 1m ☐										
Description of Pit: (e.g Historical Features, Natural Features)										
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)						Artefacts (NPW)	
			Fill onto B2 Horizon							
Additional Notes: (e.g section collapse, contamination etc)								Sample Charcoal (C14)		
This pit was excavated fill by machine. No natural soil profile was visible until B2								Spit:		
								Sample Soil (TL / OSL)		
								Spit:		
Photographs:										
Image	Notes	Dir	Image	Notes	Dir	Image	Notes	Dir		
Sketches:										
										
Description:		Description:		Description:		Description:				

Archaeological Management and Consulting Group | amac@archaeological.com.au | (02)95686093 | 0411727395

AMAC Group Aboriginal Archaeology Recording Form - Test Excavation						VAG19	
Excavator		Recorded By		Date:	Area		Pit Number
PB		BS		06/12/19			ATT 9
Dimensions		Transect (GPS)		Location/Landform		Pit GPS:	
0.5m x 0.5m ☒							
1m x 1m ☐							
Description of Pit: (e.g Historical Features, Natural Features)							
Spit No.	Spit Depth (mm)	Soil Horizon	Notes eg. Matrix, Colour (mottled), Horizontal boundary (diffuse, sharp, clear), texture (grainy, smooth, plasticine, spongy), Moisture (dry, moist), Compaction (loose, weak, firm.), Inclusions (grass roots, rocks, charcoal etc)				Artefacts (NPW)
1	50	Fill	Charcoal and sandstone in a very compact sandy fill, contains glass and plastic.				
2	90-100	Fill	Charcoal and sandstone in a very compact sandy fill, contains glass and plastic.				
3	100	A2	Mixed yellowish-brown sandy soil contains small sandstone fragments and charcoal. Appears truncated and mixed with possible remnant A1 or reformed topsoil.				
4	100	A2	Mixed yellowish-brown sandy soil contains small sandstone fragments and charcoal. Appears truncated and mixed with possible remnant A1 or reformed topsoil.				
5	100	A2	Mixed yellowish-brown sandy soil contains small sandstone fragments and charcoal. Appears truncated and mixed with possible remnant A1 or reformed topsoil.				
6	100	B2	Brown earthy clay with no inclusions and mottling as depth increases.				
Additional Notes: (e.g section collapse, contamination etc)						Sample Charcoal (C14)	
						Spit:	
						Sample Soil (TL / OSL)	
						Spit:	
Photographs:							
Image	Notes	Dir	Image	Notes	Dir	Image	Notes
Sketches:							
							
Description:		Description:		Description:		Description:	

Archaeological Management and Consulting Group | amac@archaeological.com.au | (02)95686093 | 0411727395

LEVELS			PIT No. 9	
Location of Datum:	Level	RL (=HOI – Lvl)	Level	RL (=HOI – Lvl)
	1.		6.	
Datum:	2.		7.	
Backsight (BS):	3.		8.	
Height Of Instrument (HOI) (= Dat + BS):	4.		9.	
	5.		10.	



Archaeological Management and Consulting Group | amac@archaeological.com.au | (02)95686093 | 0411727395

APPENDIX B:

ABORIGINAL CONSULTATION LOG

**Lot 11 DP 1250131, Lots 2-7 DP 14761 and Lot
469 DP821073**

Central Coast Quarter
26 - 32 Mann Street
Gosford, NSW
(Central Coast Council LGA)



Archaeological



Benjamin Streat & Steven J. Vasilakis

Archaeological Management & Consulting Group
& Streat Archaeological Services

For
SH Gosford Residential Pty Ltd

February 2020

Disclaimer

The veracity of this report is not guaranteed unless it is a complete and original copy.

This report may be inaccurate, incomplete, not original, or modified, if it appears in monochrome form and the signature below is a copy.



*Benjamin Streat
Director of Aboriginal Archaeology
(mobile 0405 455 869)*



Archaeological Management & Consulting Group

AEGIS HERITAGE Pty Ltd ACN 121 655 020

Ph (02) 9568 6093
Fax (02) 9568 6093
Mob 0411 727 395
E-mail amac@archaeological.com.au



Streat Archaeological Services Pty Ltd

ACN 126 731 637 ABN 17 126 731 637

Ph (02) 9564 2206
Mob 0405 455 869
E-mail Streatarchaeological@netspace.net.au
Benjaminstreat@archaeological.com.au

Cover Image

Site Inspection Photo
B. Streat (AMAC, 2019) [DSCN3126].

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SUMMARY

Consultation for this report has been undertaken in accordance with the Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010).

The Aboriginal Consultation process was carried out by AMAC. An Aboriginal Cultural Heritage Assessment Report and Aboriginal Archaeological Technical Report have been compiled as part of requirement 12 of the SEARs SSD #10114 before the proposed development may proceed. These documents have been reviewed and commented on by the Registered Aboriginal Parties (RAPs).

The following consultation log table summaries all correspondence with Registered Aboriginal Parties with regards to the stages outlined in the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010).

CONSULTATION LOG SUMMARY TABLE

STAGE 1					
Authority Letters & Advertisement					
Authority Body/ Organisation	Contact Details	Date Sent	Method	Response Rec	Date
Central Coast Council	49 Mann St. Gosford NSW 2250	26/08/2019	Mail	Yes/Email	2/09/2019
Greater Sydney LLS	PO Box 4515, Westfield Penrith NSW 2750	26/08/2019	Mail	Yes/Email	6/09/2019
Darkinjung LALC	PO BOX 401, Wyong NSW 2259	26/08/2019	Mail	Yes/Email	3/09/2019
NSW Native Title Service	PO Box 2105, Strawberry Hills NSW 2012	26/08/2019	Mail		
National Native Title Tribunal	GPO Box 9973, Sydney NSW 2001	26/08/2019	Mail	Yes/Email	17/09/2019
Native Title Services Corp. (NTSCorp)	PO Box 2105, Strawberry Hills NSW 2012	26/08/2019	Mail		
OEH	Locked Bag 1002, Dangar NSW 2309	25/09/2019	Mail/Email	Yes/Email	30/09/2019
Office of Registrar	PO Box 112, Glebe NSW 2037	26/08/2019	Mail		
Newspaper Advertisement: Central Coast Express		Published: 17/10/2019 - End Period: 31/10/2019			
Stakeholders Contacted	Minimum 14 days to register	(30/09/2019) - (14/10/2019)			
Name/Organisation	Contact Person	Contact Details	Date Sent	Method	Notes
A1 Indigenous Services	Carolyn Hickey	10 Marie Pitt Place Glenmore Park NSW 2745	30/09/2019	Mail	
Amanda Hickey Cultural Services	Amanda Hickey	57 Gough St. Emu Plains NSW 2750	30/09/2019	Mail	
Awabakal & Guringai Pty Ltd	Tracey Howie & Kerrie Brauer	PO Box 4061, Wyongah NSW 2259	30/09/2019	Mail	
Awabakal Descendants Traditional Owners	Peter Leven	PO Box 137, Budgewoi NSW 2262	30/09/2019	Mail	
Awabakal Traditional Owners Aboriginal Corporation	Kerrie Brauer	PO Box 122, Rutherford NSW 2320	30/09/2019	Mail	
B.H. Heritage Consultants	Nola, Darren, & Ralph Hampton	95 Mt Ettalong Rd. Umina Beach NSW 2257	30/09/2019	Mail	
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnson	PO Box 3340, Rouse Hill NSW 2155	30/09/2019	Mail	
Didge Ngunawal Clan	Paul Boyd & Lilly Carroll	33 Carlyle Crescent, Cambridge Gardens NSW 2747	30/09/2019	Mail	DPIE Address Invalid, e.g. 7 Siskin St. Quakers Hill NSW 2763
Kawul Pty Ltd	Arthur Fletcher	619 Main Rd. Glendale NSW 2285	30/09/2019	Mail	
Lower Hunter Aboriginal Incorporated	David Ahoy	5 Killara Dr. Cardiff South NSW 2285	30/09/2019	Mail	
Roger Matthews Consultancy	Roger Matthews	105 View St. Gunnedah NSW 2380	30/09/2019	Mail	
Awabakal & Guringai Pty Ltd	Tracey Howie	PO Box 122, Rutherford NSW 2320	30/09/2019	Mail	
Wattaka Wonnarua CC Service	Des Hickey	4 Kennedy St. Singleton NSW 2330	30/09/2019	Mail	

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

Widescope Indigenous Group	Steven Hickey	73 Russell St. Emu Plains NSW 2750	30/09/2019	Mail	
Yinarr Cultural Services	Kathleen Steward Kinchela	Lot 5 Westwood Estate, Merriwa NSW 2329	30/09/2019	Mail	
Yinarr Cultural Services	Kevin Duncan	95 Moala Parade, Charmhaven NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	Sharon Hodgetts	47 Kent St. Greta NSW 2334	30/09/2019	Mail	
Yinarr Cultural Services	Kyle Howie	25 Athol St. Toukley NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	David Pross	8 Tracie Close, Kariiong NSW 2250	30/09/2019	Mail	
Yinarr Cultural Services	Trudy Smith	PO Box 141, Toukley NSW 2263	30/09/2019	Mail	
Yinarr Cultural Services	Yvette & Jackson Walker	19 Wakehurst Dr. Wyong NSW 2259	30/09/2019	Mail	
		-			
Registered Organisations/Individuals					
Registered Organisations/Individuals	Contact Person	Email Address	Date	Method	Notes
Darkinjung LALC	Amanda Shields	amanda.shields@dlalc.org.au	3/09/2019	Email	
Awabakal & Guringai Pty Ltd	Tracey Howie	tracey@guringai.com.au	11/10/2019	Email	
Corroboree Aboriginal Corp.	Marilyn Johnson	corroboreecorp@bigpond.com	7/10/2019	Email	
Didge Ngunawal Clan	Lilly Carroll & Paul Boyd	didgengunawalcla@yahoo.com.au	2/10/2019	Email	
Widescope Group	Steven Hickey	widescope.group@live.com	14/10/2019	Email	
		-			
		-			
Additional Consultation					
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
STAGE 2 & 3					
ACHAR Methodology (/Test Excavation Methodology)	Minimum 28 days to respond	(05/11/2019) - (03/12/2019)			

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPS	AMAC/Steven J. Vasilakis	Dispatch ACHA Research Design & Testing Methodology	5/11/2019	Email	
AMAC/Steven J. Vasilakis	Didge Ngunawal Clan/Lilly Carroll & Paul Boyd	ACHAR Research Design & Testing Methodology	5/11/2019	Email	Support Recommendations
Darkinjung LALC; Awabakal & Guringai Pty Ltd; Corroboree Aboriginal Corp.; Widescope Group	AMAC/Steven J. Vasilakis	ACHAR Research Design & Testing Methodology	11/11/2019	Phone	All RAPS Support Recommendations. Amanda Shields of Darkinjung LALC Supports Doc, however, requested review by senior DLALC Cultural Heritage Officer
AMAC/Benjamin Streat	Darkinjung LALC/Barry Williams	ACHAR Research Design & Testing Methodology	6/12/2019	Email	Barry Williams notes that Darkinjung Local Aboriginal Land Council do not support the claims made by members of the community that the “guringai” are Traditional Owners within the Darkinyung cultural landscape nor to the use of the term “guringai.”
Test Excavation (05/12/2019) - (06/12/2019)					
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
Darkinjung LALC; Awabakal & Guringai Pty Ltd; Didge Ngunawal Clan; Widescope Group	AMAC/Steven J. Vasilakis	Test Excavation Dates	20/11/2019	Email	
STAGE 4					
ACHAR Report Minimum 28 days to respond (20/12/2019) - (17/01/2020)					
Contacted Organisation/ Individuals	Contacted by Organisation/ Individual	Subject	Date	Method	Notes
All RAPS	AMAC/Yolanda Pavincich	Dispatch ACHAR Report	20/12/2019	Email	
All RAPS	AMAC/Steven J. Vasilakis	Review ACHAR Report	8/01/2020	Phone	DNC/Widescope/Corroboree support ACHAR; DLALC to review; Awabakal & Guringai no response
Darkinjung LALC/Awabakal & Guringai	AMAC/Steven J. Vasilakis	Review ACHAR Report	13/01/2020	Phone	DLALC to respond/Awabakal & Guringai support ACHAR
AMAC/Steven J. Vasilakis	Darkinjung LALC/Barry Williams	Review ACHAR Report	17/01/2020	Email	Barry Williams commented that despite the conjecture surrounding the use of the term “guringai” (raised previously), it remains in the report.

1.0 STAGE ONE: NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Consultation for this report was undertaken in accordance with the Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010). The following consultation log and supporting documentation is used to demonstrate that stage one of Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) have been fulfilled.

This stage of the consultation process was undertaken by AMAC Group. The following is a summary consultation log compiled outlining this stage of the process.

1.1 STAGE ONE: SUPPORTING DOCUMENTATION

1.1.1 Agency Letters

The following letters were sent to the appropriate agencies for the local area in order to establish a list of possible stakeholders.

1.1.1.1 Central Coast Council

AMAC Group & SAS

Heritage Officer
 Central Coast Council
 49 Mann Street
 Gosford NSW 2250

AMAC Group &
 Streat Archaeological Services
 122c Percival Road,
 Stanmore, 2048
 (02) 9568 6093
consultation@archaeological.com.au
 26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact Central Coast Council, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any Aboriginal community groups or individuals registered with council who may have an interest.

Yours sincerely,



Benjamin Streat
 Senior Archaeologist
 (Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd
 122c Percival Road, Stanmore NSW 2048
 (02) 9568 6093
consultation@archaeological.com.au

1.1.1.2 Greater Sydney Local Land Services

AMAC Group & SAS

Heritage Officer
Greater Sydney Local Land Service
PO BOX 4515
Westfield Penrith NSW 2750

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact the Greater Sydney Local Land Service, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.3 Darkinjung Local Aboriginal Land Council

AMAC Group & SAS

Heritage Officer
Darkinjung Local Aboriginal Land Council
PO BOX 401
Wyong NSW 2259

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact the Darkinjung LALC, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.4 NSW Native Title Service

AMAC Group & SAS

Heritage Officer
NSW Native Title Service
PO BOX 2105
Strawberry Hills NSW 2012

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact the NSW NTS, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.5 NNTT

AMAC Group & SAS

Heritage Officer
NNTT
GPO BOX 9973
Sydney NSW 2001

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact NNTT, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.6 NTSCorp

AMAC Group & SAS

Heritage Officer
NTSCorp
PO Box 2105
Strawberry Hills NSW 2012

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact NTSCorp, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.7 Department of Planning, Industry & Environment

AMAC Group & SAS

Dept. of Planning, Industry, & Environment
Office of Environment & Heritage
Hunter Central Coast Planning Team
Locked Bag 1002
Dangar NSW 2309

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
25th September 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact DPIE (formerly OEH), in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.1.8 Office of the Registrar

AMAC Group & SAS

Office of the Registrar
Aboriginal Land Rights Act 1983
PO Box 112
Glebe NSW 2037

AMAC Group &
Streat Archaeological Services
122c Percival Road,
Stanmore, 2048
(02) 9568 6093
consultation@archaeological.com.au
26th August 2019

Dear Sir or Madam

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

As per the Office of Environment, and Heritage [sic] Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, we are required to contact the Office of the Registrar, in order to identify any registered Aboriginal stakeholder groups who may have an interest in the project.

Could you please provide the contact details of any registered Aboriginal community groups or individuals who may have an interest in the assessment.

Yours sincerely,



Benjamin Streat
Senior Archaeologist
(Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
(02) 9568 6093
consultation@archaeological.com.au

1.1.2 Advertisement

The following advertisement was placed in the Central Coast Express on the 17/10/19.

**NATIONAL PARKS AND WILDLIFE ACT 1974 –
PART 6 APPROVALS:**

In recognition and respect for the role that Aboriginal people play in managing and protecting their cultural heritage and in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, SH Gosford Residential Pty Ltd (C/o Justyn Ng, GPO Box 5370 Sydney NSW 2001) and Archaeological Management and Consulting Group (AMAC) in conjunction with Streat Archaeological Services, invite Aboriginal persons or organisations who hold cultural knowledge relevant to determining the cultural significance of Aboriginal object(s) and/or place(s) in the area of the proposed development, to register their interest in participating in the consultation process, regarding the Aboriginal cultural significance and archaeological assessment of the land at 26-32 Mann Street, Gosford New South Wales 2250.

This will be carried out with the view to assist SH Gosford Residential Pty Ltd in completing an Aboriginal Cultural Heritage Assessment and test excavation under the Code of Practice for the Investigation of Aboriginal Objects in NSW (DECCW, 2010), for the proposed development for a Mixed-Use State Significant Development (SSD-10114).

Registered parties will be included in the formal consultation process.

To register for consultation about this project please contact:

Archaeological Management and Consulting Group, 122c Percival Road, Stanmore 2048

Or via email:
consultation@archaeological.com.au

The closing date for registration is 31/10/19

1.1.3 Agency Responses

The following responses from agencies were received.

1.1.3.1 Greater Sydney Local Land Services

 Reply  Reply All  Forward



Fri 6/09/2019 8:06 AM

Margaret Bottrell <margaret.bottrell@lls.nsw.gov.au>

Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

To Consultation@archaeological.com.au

 Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

To Benjamin Street,

RE: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Thank you for your letter dated 26 August 2019, requesting assistance with identifying Aboriginal stakeholder groups or persons who may have an interest in your project area.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services have been listed in *Section 4.1.2 (g)* of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, under *Part 6, National Parks and Wildlife Act 1974* as a source of information to obtain the “names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal *objects* and/or *places*”.

GS LLS is a partner with many Aboriginal communities in the region on many natural resource management (NRM) projects. However, GS LLS is not the primary source for contacting or managing contact lists for Aboriginal communities or persons that may inform or provide comment on planning issues. GS LLS considers cultural heritage issues that relate to land-use planning in general and only considers culture and heritage issues in the context of NRM.

We strongly recommend that you make contact with the Office of Environment and Heritage (OEH), Cultural Heritage Division, for all-inclusive contact lists of persons and organisations that may assist with your investigation.

Note: Hawkesbury Nepean Catchment Management Authority (HNCMA) no longer exists. All work previously carried out by HNCMA is now delivered by Greater Sydney Local Land Services (GS LLS).

Regards,

--

Margaret Bottrell Senior Strategic Land Services Officer
(Aboriginal Communities)

Greater Sydney Local Land Service

Level 4, 2-6 Station Street Penrith

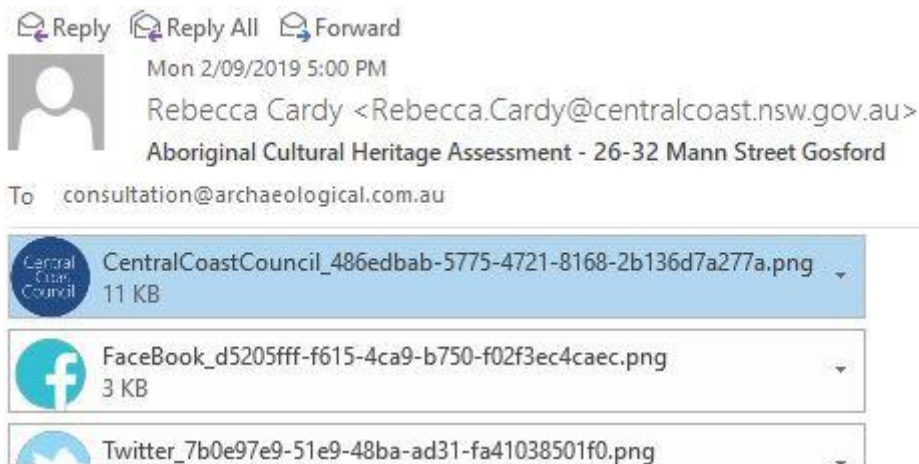
PO Box 4515 Penrith Westfields NSW 2750

T: 02 47242111

E: margaret.bottrell@lls.nsw.gov.au

W: <http://www.lls.nsw.gov.au>

1.1.3.2 Central Coast Council



Dear Benjamin,
 Thank you for your inquiry.

Darkinjung Local Aboriginal Land Council
 PO Box 401 Wyong NSW 2259
 168 Pacific Highway Watanobbi 2259
 Ph. 43512930
 Fax. 43512946
 Email darkinjung@dlalc.org.au

And
 Garingai Tribal Link Aboriginal Corporation
 PO Box 4061 Wyongah NSW 2259
 Ph. 43968743
 Email: tracey@guringai.com.au

Please do not hesitate to contact me if I can be of any further assistance.
 Regards
 Rebecca

Rebecca Cardy
 Heritage Officer
 Local Planning and Policy
Central Coast Council
 P.O. Box 21 Gosford, NSW 2250
 t: 02 4325 8869
 m: 0434 652 610
 e: Rebecca.Cardy@centralcoast.nsw.gov.au



1.1.3.3 National Native Title Tribunal

 Reply  Reply All  Forward



Tue 17/09/2019 5:14 PM

Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>

26-32 Mann Street, Gosford NSW

To Benjamin Streat



Search Form_Request for Search of Tribunal Registers 2018.docx
 68 KB

UNCLASSIFIED

Native title search – NSW

Your ref: 26-32 Mann Street - **Our ref:** N/A

Change of e-mail address for Geospatial Searches

To ensure your search requests are received and processed in a timely manner, please forward to GeospatialSearch@NNTT.gov.au with a **completed search request form**. The form is available from the Tribunal's website at this address: <http://www.nntt.gov.au/News-and-Publications/Pages/Forms.aspx>

Dear Benjamin Streat,

Thank you for your search request received on 17 September 2019. To enable us to complete the search appropriately and adequately, please fill out the attached search form and return to us via GeospatialSearch@NNTT.gov.au

Cultural Heritage Searches in NSW

The National Native Title Tribunal (the Tribunal) has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

Interested parties are invited to use Native Title Vision (NTV) the Tribunal's online mapping system to discover native title matters in their area of interest. Access to NTV is available at <http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>. Training and self-help documents are available on the NTV web page under "Training and help documents". For additional assistance or general advice on NTV please contact GeospatialSearch@NNTT.gov.au

Additional information can be extracted from the Registers available at <http://www.nntt.gov.au/searchRegApps/Pages/default.aspx>

If you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

1.1.3.4 Darkinjung Local Aboriginal Land Council

 Reply  Reply All  Forward



Tue 3/09/2019 8:41 AM

Amanda Shields <amanda.shields@dlalc.org.au>

26-32 Mann St, Gosford

To AMAC consultation

Cc Barry Williams

Hi Ben,

I would like to register Darkinjung's interest in the ACHA and possible test excavation for 26-32 Mann Street, Gosford.

Kind regards,

Amanda Shields | Culture and Heritage Project Officer

P 02 4351 2930 **F** 02 4351 2946

A 168 Pacific Highway Watanobbi NSW 2259

M PO Box 401 Wyong NSW 2259

W darkinjung.com.au



I acknowledge that the land on which I work is the traditional land of the Darkinyung people. I pay my respect to the Elders, both past and present.

1.1.3.5 Office of the Registrar

 Reply  Reply All  Forward

 Wed 16/10/2019 4:48 PM
Elizabeth LOANE <ELIZABETH.LOANE@aboriginalaffairs.nsw.gov.au>
Registered Aboriginal Owners Search Request - Gosford - Darkinjung

To consultation@archaeological.com.au

 AMAC Group & SAS - Gosford - Darkinjung.pdf
214 KB

Dear Mr Streat,

We refer to the attached letter.

Kind regards,

Liz

Elizabeth Loane
Project Officer, Aboriginal Owners
Office of The Registrar *Aboriginal Land Rights Act 1983* (NSW)

Phone: 02 8633 1266
elizabeth.loane@det.nsw.edu.au
Level 3, 2-10 Wentworth Street
PARRAMATTA NSW 2150
www.oralra.nsw.gov.au



15 October 2019

By email: consultation@archaeological.com.au

Mr Benjamin Streat
Senior Archaeologist (Aboriginal Heritage)
AMAC Group & Streat Archaeological Services
122c Percival Street
STANMORE NSW 2048

Dear Mr Streat,

Request - Search for Registered Aboriginal Owners

We refer to your letter dated 26 August 2019 regarding an Aboriginal Cultural Heritage Assessment for the proposed development at 26-32 Mann Street, Gosford NSW.

Under Section 170 of the *Aboriginal Land Rights Act 1983* the Office of the Registrar is required to maintain the Register of Aboriginal Owners (RAO). A search of the RAO has shown that there are not currently any Registered Aboriginal Owners in the project area.

We suggest you contact Darkinjung Local Aboriginal Land Council on 02 44351 2930 as they may be able to assist you in identifying Aboriginal stakeholders who wish to participate.

Yours sincerely

Elizabeth Loane
Project Officer, Aboriginal Owners
Office of the Registrar, ALRA

Address: Level 3, 2 – 10 Wentworth Street, PARRAMATTA NSW 2150
Post: P.O Box 5068, PARRAMATTA NSW 2124
Phone: 02 8633 1266

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

1.1.3.6 Office of Environment & Heritage

 Reply  Reply All  Forward



Mon 30/09/2019 9:10 AM

Brendan Mee <Brendan.Mee@environment.nsw.gov.au>

RE: 26-32 Mann St. Gosford - Stakeholder List

To: Steven John Vasilakis

Cc: Peter Nichols



Letter - 26-32 Mann Street, Gosford – Aboriginal Stakeholder List – Central Coast Council LGA_September 2019.pdf
206 KB

Dear Steven,

Please find attached Aboriginal Stakeholder list for 26-32 Mann St Gosford.

Kind regards,

Brendan Mee

A/ Senior Team Leader Planning, Hunter Central Coast Branch

Biodiversity and Conservation Division | Department of Planning, Industry and Environment

T 02 49042730 M 0438 106 129 | E Brendan.mee@environment.nsw.gov.au

Level 4, 26 Honeysuckle Drive, Newcastle, NSW 2300

www.dpie.nsw.gov.au



Planning,
Industry &
Environment

Our ref:DOC19/837819

Benjamin Streat
Senior Archaeologist
Streat Archaeological Services Pty Ltd
122c Percival Road, Stanmore NSW 2048

consultation@archaeological.com.au

Dear Mr Streat

Subject: 26-32 Mann Street, Gosford – Aboriginal Stakeholder List – Central Coast Council LGA

In response to your request under Section 4.1.2(a) of the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010), please find attached a list of known Aboriginal parties that have self-nominated for Central Coast Council Local Government Area (LGA). Please note the following information with respect to Aboriginal consultation for your project.

Aboriginal stakeholder lists maintained by BCD are comprised of self-nominated individuals and organisations

Please note that the attached list is comprised only of self-nominated individuals and Aboriginal organisations who could have an interest in your project. The list is not vetted by the Biodiversity and Conservation Division (BCD) (formerly Office of Environment and Heritage) of the Department of Planning Industry and Environment (the Department). As the list comprises only of self-nominated individuals and Aboriginal organisations, it is not necessarily an exhaustive list of all Aboriginal parties who may hold an interest in the project. Further consultation in accordance with step 4.1.2 of the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) is required to identify Aboriginal people who may hold either cultural or historical knowledge relevant to determining the significance of Aboriginal objects or places within your proposed project area.

Aboriginal stakeholder lists may cover multiple Local Aboriginal Land Council boundaries

Please note that the attached list may contain two or more Local Aboriginal Land Councils (LALCs) that occur in the LGA. Please review the boundary of your specific project area and ensure you consult with all LALC(s) that overlap with your project area. BCD does not require you to contact any LALCs on the attached list that you determine are wholly located outside your project area.

Ensure you document the consultation process

Please ensure all consultation undertaken in accordance with the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010) is documented within an Aboriginal Cultural Heritage Assessment Report (ACHAR). This must include copies of all correspondence sent to or received from all Registered Aboriginal Parties (RAPs) throughout the entire consultation process. Omission of these records in the final ACHAR may cause delays in the assessment of an Aboriginal Heritage Impact Permit (AHIP) application or a major project Aboriginal cultural heritage

assessment, and could require parts of the consultation process to be repeated if the evidence provided to BCD does not demonstrate that the consultation process has been conducted in accordance with our consultation requirements.

Demonstrate that reasonable consultation attempts have been made

Please ensure you provide evidence to demonstrate that reasonable attempts have been made to contact the relevant parties identified through step 4.1.2 of the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010). If this evidence is not provided, BCD may deem that the consultation process has not complied with the consultation requirements. Similarly, the proponent is required to record all feedback received from RAPs, along with the proponent's response to the feedback. Where concerns or contentious issues are raised by RAPs during the consultation process, BCD expects that reasonable attempts are made to address and resolve these matters, however BCD acknowledges that in some cases, this may not be achievable. In the case where conflict cannot be resolved, it is the responsibility of the proponent to record these differences and provide the necessary information in their ACHAR with their AHIP application or major project ACHAR.

Consultation should not be confused with employment

As outlined in Section 3.4 of the Aboriginal cultural heritage consultation requirements for proponents (DECCW 2010), the consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. BCD does not have any role with respect to commercial engagement. Where RAPs are engaged commercially to provide field services as part of an assessment process, that is a matter for the proponent to manage as they see fit. However, if a proponent is proposing to undertake consultation processes or elicit cultural information from RAPs during the course of conducting a field survey, BCD considers this to form part of the consultation process, and expects that all RAPs would be afforded the opportunity to be involved in the process.

Contacting our office

To ensure we can respond to enquiries promptly, please direct future correspondence to our central mailbox: rog.hcc@environment.nsw.gov.au.

Should you require any further information, please do not hesitate to contact us.

Yours sincerely



BRENDAN MEE

**A/Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division**

Enclosure: Attachment A

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

Attachment A

Hunter Central Coast Branch - Aboriginal Stakeholder List for Central Coast Council LGA

Organisation	First name	Surname	Address 1	City	State	Post code	Landline	Mobile	Email
A1 Indigenous Services	Carolyn	Hickey	10 Marie Pitt Place	GLENMORE PARK	NSW	2745		0411 650 057	Cazadirect@live.com
Amanda Hickey Cultural Services	Amanda	Hickey/Dezwart	57 Gough Street	EMU PLAINS	NSW	2750		0434 480 558	amandahickey@live.com.au
Awabakal & Guringai Pty Ltd	Tracey Howie	& Kerrie Brauer	PO Box 4061	WYONGAH	NSW	2259	Tracey Howie 0404 182 049	Kerrie Brauer 0412 866 357	traceyhowie@icloud.com , kerrie@awabakal.com.au
Awabakal Descendants Traditional Owners	Peter	Leven	PO Box 137	BUDGEWOI	NSW	2262		0405 149 684	awabakal.to@gmail.com
Awabakal Traditional Owners Aboriginal Corporation	Kerrie	Brauer	PO Box 122	RUTHERFORD	NSW	2320		0412 866 357	Kerrie@awabakal.com.au
B-H Heritage Consultants	Nola Hampton, Darren Hampton & Ralph Hampton		95 Mount Ettalong Road	UMINA BEACH	NSW	2257		Nola 0401662531	kinghampton77@gmail.com (Nola), darrenhampton4@gmail.com (Darren), Hamptonralph46@gmail.com (Ralph)
Corroboree Aboriginal Corporation	Carroll-Johnson	Marilyn	PO Box 3340	ROUSE HILL	NSW	2155	0288 244 324	0415 911 159	corroboreecorp@bigpond.com
Darkinjung Local Aboriginal Land Council	CEO		168 Pacific Highway	WATANOBBI	NSW	2259	02 4351 2930		darkinjung@dlalc.org.au
Didge Ngunawal Clan	Paul Boyd	& Lilly Carroll	7 Siskin St	QUAKERS HILL	NSW	2763		0426 823 944	didgekungunawalclan@yahoo.com.au
Kawul Pty Ltd trading as Wonn1 Sites	Arthur	Fletcher	619 Main Road	GLENDALE	NSW	2285	02 4954 7751	0402 146 193	Wonn1sites@gmail.com
Lower Hunter Aboriginal Incorporated	David	Ahoy	5 Killara Drive	CARDIFF SOUTH	NSW	2285		0421 329 520	lowerhunterai@gmail.com
Metropolitan Local Aboriginal Land Council	CEO		PO Box 1103	STRAWBERRY HILLS	NSW	2012	02 8394 9666		metrolalc@metrolalc.org.au
Roger Matthews Consultancy	Roger	Matthews	105 View Street	GUNNEDAH	NSW	2380		0455 671 288	
Awabakal & Guringai Pty.Ltd	Tracey	Howie	PO Box 122	RUTHERFORD NSW 2320	NSW	2320		0412866357	kerrie@awabakal.com.au
Wattaka Wonnarua CC Service	Des	Hickey	4 Kennedy Street	SINGLETON	NSW	2330	02 6573 3786	0432 977 178	desickey@bigpond.com
Widescope Indigenous Group	Steven	Hickey	73 Russell Street	EMU PLAINS	NSW	2750		0425 230 693 0425 232 056	Widescope.group@live.com

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

Organisation	First name	Surname	Address 1	City	State	Post code	Landline	Mobile	Email
Yinarr Cultural Services	Kathleen	Steward Kinchella	Lot 5 Westwood Estate	MERRIWA	NSW	2329		0475 436 589	yinarrculturalservices@bigpond.com dontminemezy@gmail.com
	Kevin	Duncan	95 Moala Parade	CHARMHAVEN	NSW	2263	02 4392 9346	0431 224 099	kevin.duncan@bigpond.com
	Sharon	Hodgetts	47 Kent Street	GRETA	NSW	2334		0405 288 814	sharonhodgetts@hotmail.com
	Kyle	Howie	25 Athol Street	TOUKLEY	NSW	2263		0413 500 031	kyle@guringai.com.au
	David	Pross	8 Tracie Close	KARIONG	NSW	2250		0490 054 177	kooredave@gmail.com
	Trudy	Smith	PO Box 141	TOUKLEY	NSW	2263		0409 449 609	hunters_1@bigpond.com
	Yvette and Jackson	Walker	19 Wakehurst Drive	WYONG	NSW	2259		0459 194 215 0476 218 076	yvettewalker1@hotmail.com

1.1.4 Stakeholder Letter

The following letter was sent to all stakeholders who appeared on the list of any agency.

AMAC Group & SAS

AMAC Group &
 Streat Archaeological Services
 122c Percival Road,
 Stanmore, 2048
 (02) 9568 6093
consultation@archaeological.com.au
 30th September 2019

To whom it may concern,

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation
 for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Archaeological Management and Consulting in conjunction with Streat Archaeological Services has been commissioned by St Hilliers Property Pty Ltd (C/o Frank Katsanevas, 8 Windmill Street, Millers Point NSW 2000) to conduct an Aboriginal Cultural Heritage Assessment and test excavation for the area of land located at 26-32 Mann Street, Gosford New South Wales. The proposed development is for a Mixed-Use State Significant Development (SSD-10114).

In recognition and respect of the role that Aboriginal people play in managing and protecting their cultural heritage and in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010, St Hilliers Property Pty Ltd and AMAC Group in conjunction with SAS invite Aboriginal persons and/or organisations who hold cultural knowledge relevant to determining the cultural significance of Aboriginal object(s) and/or place(s) in the area of the proposed development, to register their interest in participating in the consultation process, regarding the Aboriginal cultural significance and archaeological assessment of the land at 26-32 Mann Street, Gosford NSW.

On account to the increase of numbers of registered stakeholders in the region, AMAC Group and SAS have developed a tender process which will be utilised for this project. This will assist in determining who will participate in the programme of test excavation. This tender will be dispatched to those who register an interest for the project and who would like to participate in the test excavation.

At present consultation is unpaid, we will be in discussion with the client regarding payment for fieldworks.

To register in being consulted about this project please contact;

122c Percival Road,
 Stanmore NSW 2048
 Or via email:
consultation@archaeological.com.au

The closing date for registration is close of business 14/10/2019.

Please advise if you do not want your details forwarded to the Dept. of Planning, Industry & Environment (formerly OEH) or any other body, or authority included in the reports.

Yours sincerely,



Benjamin Streat
 Senior Archaeologist
 (Aboriginal Heritage)



Archaeological Management & Consulting Group and Streat Archaeological Services Pty Ltd

122c Percival Road, Stanmore NSW 2048
 (02) 9568 6093
consultation@archaeological.com.au

1.1.5 Registration Letters

The following registration responses were received.

1.1.5.1 Awabakal & Guringai Pty Ltd

 Reply  Reply All  Forward



Fri 11/10/2019 7:46 PM

Tracey Howie <tracey@guringai.com.au>

26-32 Mann St Gosford

To Ben Streat

Cc Steven John Vasilakis; Kerrie Brauer

Dear Ben,

Please be advised that Guringai Tribal Link Aboriginal Corporation (GTLAC) has merged with our Awabakal cousins into Awabakal & Guringai Pty.Ltd.(A & G)

All future engagements/correspondences intended for GTLAC is now represented through A & G.

Our new contact details are as follows;

Awabakal & Guringai Pty.Ltd.

PO Box 122

RUTHERFORD NSW 2320

Please amend your contacts list to reflect our new Company details.

My mobile number (0404182049) and email (tracey@guringai.com.au) are still the best way to contact me directly.

Please register Awabakal & Guringai Pty.Ltd. for the proposed Aboriginal Cultural heritage assessment at 26-32 Mann St Gosford, NSW.

We wish to be consulted with and actively involved in all aspects relating to our cultural heritage, as the direct descendants of the traditional owners of this region and the representatives for the Awabakal & Guringai Native Title Claimant Group.

Kind regards

Tracey

A W A B A K A L & G U R I N G A I

Tracey Howie | Director | Awabakal & Guringai Pty Ltd
ABN : 81 609 498 491 | ACN : 609 498 491
M : 0404 182 049 | E : tracey@guringai.com.au
PO Box 122 Rutherford NSW 2320 Australia

Appendix C: Aboriginal Consultation Log
 Central Coast Quarter – 26 - 32 Mann Street, Gosford

1.1.5.2 Corroboree Aboriginal Corp.

 Reply  Reply All  Forward



Mon 7/10/2019 10:59 AM

Corroboree Aboriginal Corporation <corroboreecorp@bigpond.com>

Registration for Aboriginal Cultural Heritage assessment & possible test excavation for 26-32 Mann Street, Gosford NSW

To Steven John Vasilakis

Cc Marilyn Carroll-Johnson

Hi Ben & Steve

Please register Corroboree Aboriginal Corporation for possible cultural heritage assessment and possible test excavation. Thanks.

Kind regards

Marilyn Carroll-Johnson

Director

Corroboree Aboriginal Corporation

 Reply  Reply All  Forward



Mon 7/10/2019 1:40 PM

Corroboree Aboriginal Corporation <corroboreecorp@bigpond.com>

Registration for Aboriginal Cultural Heritage assessment & possible test excavation for 26-32 Mann Street, Gosford NSW. Do not disclose our details to at all to the LALC. Thanks.

To Steven John Vasilakis

Cc Marilyn Carroll-Johnson

Hi Ben & Steve

Please register Corroboree Aboriginal Corporation for possible cultural heritage assessment and possible test excavation. Please do not disclose our details to LALC nor publish our correspondence. Register our name only for your record and proponent please. But, do not disclose our details to at all to the LALC. Thanks.

Kind regards

Marilyn Carroll-Johnson

Director

Corroboree Aboriginal Corporation

1.1.5.3 Darkinjung Local Aboriginal Land Council

 Reply
  Reply All
  Forward
 Tue 3/09/2019 8:41 AM
 Amanda Shields <amanda.shields@dlalc.org.au>
 26-32 Mann St, Gosford
 To AMAC consultation
 Cc Barry Williams

Hi Ben,

I would like to register Darkinjung's interest in the ACHA and possible test excavation for 26-32 Mann Street, Gosford.

Kind regards,

Amanda Shields | Culture and Heritage Project Officer
P [02 4351 2930](tel:0243512930) **F** [02 4351 2946](tel:0243512946)
A [168 Pacific Highway Watanobbi NSW 2259](#)
M [PO Box 401 Wyong NSW 2259](#)
W darkinjung.com.au



I acknowledge that the land on which I work is the traditional land of the Darkinyung people. I pay my respect to the Elders, both past and present.

1.1.5.4 Didge Ngunawal Clan

 Reply  Reply All  Forward

 Wed 2/10/2019 4:23 PM
lilly carroll <didgengunawalclan@yahoo.com.au>
EOI

To Steven John Vasilakis

Hi Steve,

DNC would like to register an interest into 26-32 Mann St Gosford NSW 2250,

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC

1.1.5.5 Widescope Group

 Reply  Reply All  Forward



Mon 14/10/2019 9:43 AM

WIDESCOPE . <widescope.group@live.com>

Registration for ACHA at 26-32 Mann Street Gosford NSW

To: consultation@archaeological.com.au

Hi

Please register my interest in the ACHA for the proposed project at 26-32 Mann Street Gosford NSW

Regards

Steven Hickey

2.0 STAGE TWO AND THREE: PRESENTATION OF INFORMATION ABOUT THE PROPOSED PROJECT AND GATHERING INFORMATION ABOUT CULTURAL SIGNIFICANCE

The following consultation log and supporting documentation is used to demonstrate that stages two and three of Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) have been fulfilled with regards to the proposed development at 26 - 32 Mann Street Gosford, NSW.

A site inspection was conducted by Ben Streat of AMAC Group Pty Ltd and Barry Williams of Darkinjung Local Aboriginal Land Council on the 22nd August 2019.

2.1 DISPATCH ACHAR AND RESEARCH DESIGN

On 5th November 2019 the following email was sent to all RAPs. Attached were the drafts of the Aboriginal Cultural Heritage Assessment Report Research Design for review and comment with submissions due C.O.B. on the 3rd December 2019.

2.1.1 Darkinjung Local Aboriginal Land Council; Awabakal & Guringai Pty Ltd; Corroboree Aboriginal Corp.; Didge Ngunawal Clan; Widescope Group

 Reply  Reply All  Forward



Tue 5/11/2019 2:31 PM

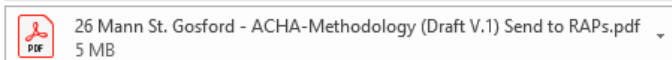
Steven John Vasilakis <consultation@archaeological.com.au>

26-32 Mann St - ACHA Meth

To 'Benjamin Street (AMAC)'

Cc 'Yolanda Pavincich'

Bcc 'Amanda Shields'; 'Tracey Howie'; 'Corroboree Aboriginal Corporation'; 'lilly carroll'; 'WIDESCOPE .'



Good Afternoon,

Re: Preparation of an Aboriginal Cultural Heritage Assessment and possible test excavation for an area of land located at 26-32 Mann Street, Gosford New South Wales 2250

Please find attached the ACHA Research Design and Test Excavation Methodology for **26-32 Mann Street, Gosford** for review and comment.

The closing date for review and comments for the ACHA & Methodology is the **3rd December 2019**.

Please forward comments and submissions to:

122c Percival Road,
Stanmore NSW 2048

Or via email:

consultation@archaeological.com.au

All Best,

Steve

*Steven J. Vasilakis
Field Archaeologist
Aboriginal Cultural Heritage*

**AMAC Group
Archaeological Management & Consulting Group**

122c-d Percival Road
Stanmore NSW 2048

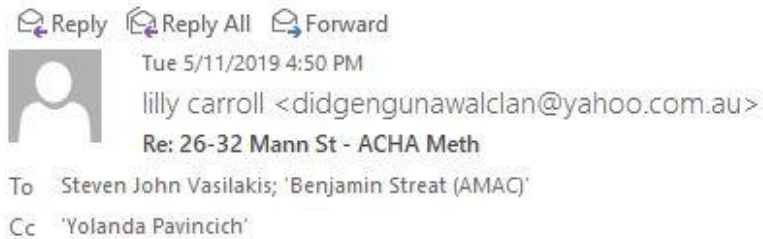
Phone: (02) 9568 6093
Fax: (02) 9568 6093
Mobile: 0428 682 981

www.archaeological.com.au

I acknowledge and pay my respects to the traditional custodians and ancestors of the lands on which I live and work across, and pay my deep respects to the Elders past, present and future generations

2.2 ACHAR RESEARCH DESIGN RESPONSES

2.2.1 Didge Ngunawal Clan



Hi guys,

DNC are happy with the methodology

Kind regards
 Paul Boyd & Lilly Carroll
 Directors DNC

2.2.2 Responses from RAPs contacted by phone on 11th November 2019

Darkinjung LALC – Support ACHAR Methodology recommendations
 Awabakal & Guringai Pty Ltd – Support ACHAR Methodology recommendations
 Corroboree Aboriginal Corp. - Support ACHAR Methodology recommendations
 Widescope Group - Support ACHAR Methodology recommendations

2.2.3 Darkinjung Local Aboriginal Land Council



Hi Steve,

I apologise for the late response but Darkinjung LALC has now reviewed the recommendations set out in the 26-32 Mann St, ACHAR Methodology and we are happy with the recommendations.

Kind regards,

Amanda Shields | Culture and Heritage Project Officer
 P 02 4351 2930 F 02 4351 2946
 A 168 Pacific Highway Watanobbi NSW 2259
 M PO Box 401 Wyong NSW 2259
 W darkinjung.com.au



I acknowledge that the land on which I work is the traditional land of the Darkinjung people. I pay my respect to the Elders, both past and present.

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

2.2.4 Darkinjung Local Aboriginal Land Council comments on the term ‘Guringai’



Fri 6/12/2019 2:24 PM

Barry Williams <barry.williams@dlalc.org.au>

26 Mann St Gosford draft ACHAR

To Benjamin Streat (AMAC)

Cc Amanda Shields; Adina Duncan



Koori Mail article 4 Dec 19.pdf
1 MB



AMAC - 26 Mann Street, Gosford ACHA (Draft V.1)_DLALC markup.pdf
5 MB

G'day Ben,

Please find attached some comments regarding the draft ACHAR that was circulated a few months back. We understand that comments should have been provided earlier and apologise for the delay in getting back to you re this.

Please note that Darkinjung Local Aboriginal Land Council do not support the claims made by members of the community that the “guringai” are Traditional Owners within the Darkinjung cultural landscape.

There has been some conjecture as to the use of the term “guringai” and this is discussed in length by a report from the Aboriginal Heritage Office (link appears below). This report provides a summary based on the accounts of early colonial journals, various studies by linguists and archaeologists (such as archaeologist, researcher and author Val Attenbrow) and the accounts of Aboriginal peoples of the Central Coast, Northern Sydney, the Hunter Valley and Lake Macquarie.

In addition, Tindale’s Map does not make any mention of “guringai”. This map, as you would know, was based on research that he conducted into the distribution of Aboriginal language groups across Australia in the early 20th century.

The report by the Aboriginal Heritage Office provides further detail as to how the term came to be used and adopted by some on the Central Coast.

Recent advice from the Department of Planning, Industry and Environment states that they are moving away from the term “guringai” in their publications, web content and interpretive signage.

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

<https://www.aboriginalheritage.org/news/2015/filling-a-void/>

Finally, I include some text from an email from Robert Syron that talks further about this subject (this is also the subject of a recent article in the Koori Mail dated 4 Dec 19 and attached).

He says:

I would like to share my video Guringai also spelt Gringai or Guringay Barrington NSW. **The Worimi , Biripi Guringay or spelt Gringai and Guringai people are of the kutthung language group' from Port Stephens NSW** the Guringau language or so called Tribe is not from Sydney or Broken Bay.

Guringai <https://www.youtube.com/watch?v=l0geN8vuoCw>

My Family from the Barrington NSW Guringay country <https://hunterlivinghistories.com/2018/08/15/the-kabook-watoo/>

The Guringai There was a story published in the Daily telegraph "Misunderstanding: The historical fiction of the word Guringai that has filled a void in our knowledge of the original inhabitants by John Morcombe, Manly Daily February 20, 2015 2:41pm."

<https://www.dailytelegraph.com.au/newslocal/northern-beaches/misunderstanding-the-historical-fiction-of-the-word-guringai-that-has-filled-a-void-in-our-knowledge-of-the-original-inhabitants/news-story/b1aec152c74220c535883621081a2fd2>

Filling A Void, by the Aboriginal heritage office <http://www.aboriginalheritage.org/news/2015/filling-a-void/>

The Aboriginal heritage office also states "there is no record of the word Guringai /Guringay or any of its derivatives, including Ku-ring-gai, in any of the early accounts of the colony after white settlement and no hint that the Aborigines of the northern beaches or any other part of Sydney had ever heard the word".

<snip>

Regards

Kind regards

Robert Syron

Registered Aboriginal owner of Worimi Guringai Lands

Australian Rwandan War veteran 1994-95

<https://hunterlivinghistories.com/2018/08/15/the-kabook-watoo/>

Appendix C: Aboriginal Consultation Log
Central Coast Quarter – 26 - 32 Mann Street, Gosford

We acknowledge the Traditional Lands of the Worimi , Guringai or spelt Guringay and Biripi people of the kutthung language the Custodians, spiritual and cultural owners of these lands. We acknowledge our Elders past and present to all Aboriginal and Torres Strait Islander people. The Gringai continue to practice Culture and have a strong connection to our lands and secrete sites where our ancestors lay in the Barrington / Gloucester Manning Valley area

Accordingly, any reference to “guringal’ should be removed from the ACHAR as well as the EIS for this project.

If you have any questions please contact me.

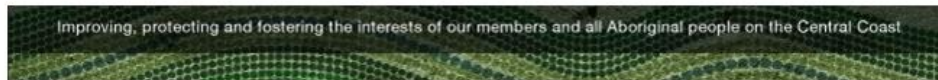
Regards, Barry

Barry Williams
Senior Aboriginal Culture and Heritage Officer

Email: barry.williams@dlalc.org.au
P: [02 4351 2930](tel:0243512930) F: [02 4351 2946](tel:0243512946)



A [168 Pacific Highway Watanobbi NSW 2259](#)
M [PO Box 401 Wyong NSW 2259](#)
W darkinjung.com.au



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www.koorimail.com

bob syron

Calls for action to end 'Guringai' identity fallacy

By NICK PATON

THE Metropolitan local Aboriginal land council (MLALC) is NSW's largest provider of traditional knowledge to the public.

The MLALC is responsible for the protection, preservation and promotion of Aboriginal culture, history and language, including the entirety of Sydney's Northern Beaches, Mosman, Ku-ring-gai, Warringah, Ryde, Lane Cove, and Hurstville local government areas.

MLALC chief executive Helen Mason told the *Koori Mail* that the Land Council is aware of a number of individuals who identify as Guringai and claim to be traditional owners of Northern Sydney.

"This is a fallacy," Mr Mason said.

"And I don't dispute the fact that people are entitled to their ancestral ownership under the respective NSW Aboriginal Land Rights Act and Commonwealth Aboriginal Land Rights Act."

Mr Mason said the MLALC supports the request on behalf of the Guringai/Guringai people to stop referring to Guringai as the traditional people of Northern Sydney.

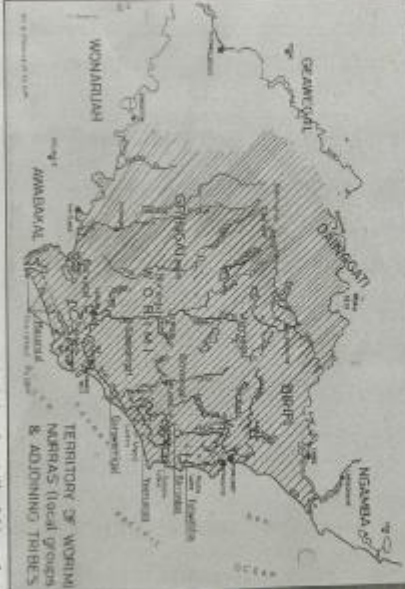
"Guringai is an ancient word of information and/or was caused politically by Guringai people being reported in the 1830s as coming, visiting and living on Gadigal country," Mr Mason said.

Guringai/Guringai people were reported to be living in the area of the current Northern Beaches Local Government Area (LGA) in the 1830s as coming, visiting and living on Gadigal country, Mr Mason said.

Mr Mason said the MLALC supports the request on behalf of the Guringai/Guringai people to stop referring to Guringai as the traditional people of Northern Sydney.

"Guringai is an ancient word of information and/or was caused politically by Guringai people being reported in the 1830s as coming, visiting and living on Gadigal country," Mr Mason said.

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Bob Syron is pleased to see acknowledgement and recognition being given to the right people.

at Northern Beaches Local Government Area



Bob Syron has an extensive connection to country through his ancestors the Cook family from the Barrington area of NSW.

and continue to be involved in the use of the name of Syron.

Bob Syron said the MLALC supports the request on behalf of the Guringai/Guringai people to stop referring to Guringai as the traditional people of Northern Sydney.

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3.0 STAGE FOUR: REVIEW OF DRAFT CULTURAL HERITAGE ASSESSMENT REPORT

The following consultation log and supporting documentation is used to demonstrate that stage four of Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) have been fulfilled. Aboriginal Cultural Heritage Assessment Report and Aboriginal Archaeological Technical Report drafts were sent to all stakeholders via email on the 20th December 2019.

3.1 DISPATCH ACHAR DOCUMENT

On the 20th December 2019, the following email was sent to all RAPs. Attached was a draft of the Aboriginal Cultural Heritage Assessment Report and Aboriginal Archaeological Technical Report for review and comments with submissions due C.O.B on the 17th January 2020.

3.1.1 Darkinjung Local Aboriginal Land Council; Awabakal & Guringai Pty Ltd; Corroboree Aboriginal Corp.; Didge Ngunawal Clan; Widescope Group

26 Mann Street, Gosford - ACHA and AATR reports for review

Print	Trusted senders	Block	Delete	Reply	Reply All	Forward	Previous	Next	Close
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From: Consultation [consultation@archaeological.com.au]  Full header
 Sent: 12/20/2019 9:51:29 AM
 To: Barry.williams@dalc.org.au [Barry.williams@dalc.org.au]
 Cc: stevenvasilakis@archaeological.com.au [stevenvasilakis@archaeological.com.au]; Ben Streat [benjaminsstreat@archaeological.com.au]
 Subject: 26 Mann Street, Gosford - ACHA and AATR reports for review
 Attachments:

Good Morning,

We have compiled our draft reports of the test excavation and Aboriginal Cultural Heritage Assessment conducted at 26 Mann Street, Gosford. These reports can be accessed for review and comment in the link below. Please send through any comments you may have regarding the reports and recommendations for inclusion in the final. This review period will close on the 17th January 2020.

-

<https://www.dropbox.com/sh/vjqr22aosvzjfov/AAAsdHXQxgFuPwMhJZMg11z6a?dl=0>

If you have any questions, we will be happy to address them.
 A big thank you again for your continued contribution, participation and patience this year.

Wishing you and your families a safe and happy holidays.

Regards,

Yolanda Pavincich

3.1.2 Responses from RAPs contacted by phone on 8th January 2020

Darkinjung LALC – Amanda Shields advised would review ACHAR & AATR and respond
 Awabakal & Guringai Pty Ltd – No response land left message
 Corroboree Aboriginal Corp. - Support ACHAR & AATR recommendations
 Widescope Group - Support ACHAR & AATR recommendations
 Didge Nguanwal Clan – Support ACHAR & AATR recommendations

3.1.3 Responses from RAPs contacted by phone on 13th January 2020

Darkinjung LALC – Amanda Shields advised would review ACHAR & AATR and respond
 Awabakal & Guringai Pty Ltd – Support ACHAR & AATR recommendations

3.1.4 Darkinjung Local Aboriginal Land Council

 Reply  Reply All  Forward



Fri 17/01/2020 4:25 PM

Barry Williams <barry.williams@dlalc.org.au>

RE: 26 Mann Street, Gosford - ACHA and AATR reports for review

To Consultation

Cc stevenvasilakis@archaeological.com.au; Ben Streat; Amanda Shields; Adina Duncan; Gavi Duncan

 You replied to this message on 20/01/2020 12:18 PM.

 26 Mann St Gosford draft ACHAR (7.03 MB)
 Outlook item

G'day Ben, Yolanda and Steven,

I have the following comments re the ACHAR received on 20 Dec 2019.

In the 2nd paragraph of the Executive Summary, should the word "Full" instead read "full".

In Recommendations, delete the 4th paragraph "All need to change to past tense as we...."

At 1.4, should the qualifications of Mr Martin carney also be included for uniformity?

At 2.3.1, despite the conjecture surrounding the use of the term "guringai" (raised previously), it remains in the report.

Regards, Barry

No other submissions were made