

300 Burns Bay Road, Lane Cove, Early Works

Aboriginal Cultural Heritage
Assessment Report

LGA: Lane Cove

Report to Lane Cove Developments
No.1 Pty Ltd.

10 March 2026



 artefact

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EXECUTIVE SUMMARY

This Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Artefact Heritage and Environment Services, hereafter Artefact, on behalf of Lane Cove Developments No.1 Pty Ltd (the proponent).

This report supports an Early Works State Significant Development Application (SSDA) (SSD-100293708) being lodged with the Department of Planning, Housing and Infrastructure (DPHI) for the demolition of all existing buildings and structures, excavation, augmentation of existing services and ground works at 300 Burns Bay Road, Lane Cove (the site). This would enable the proposed redevelopment of the site for a residential development sought separately under SSD- 87925706. The proponent for the SSDA is Lane Cove Developments No 1 Pty Ltd.

In line with the above requirement, Artefact has prepared an ACHAR (this report). Artefact have previously prepared a standalone Archaeological Technical Report (ATR) that included an archaeological survey of the study area that did not identify any Aboriginal objects or areas of archaeological potential. The background research and consultation with Registered Aboriginal Parties (RAPs) for the project will be used to inform the Aboriginal Cultural Heritage Values discussed in this ACHAR.

The assessment found that:

- Sandstone outcrops in this area have been exposed through construction cut and fill processes. However, none of the original surface of the sandstone remains and, therefore, has nil potential to contain sites such as engravings or shelters.
- The study area has been subject to significant disturbance during the 19th and 20th century, which has removed all the original ground surface. As a result, Aboriginal objects are unlikely to be present in the study area due to the development of the site.
- The current proposal is unlikely to impact Aboriginal objects.

Based on the findings of the assessment, it is recommended that:

- No further Aboriginal heritage assessment is required for the works to proceed. However, if changes are made to the proposal that will result in impacts to areas not assessed by this report, additional Aboriginal heritage assessment may be required.
- An Unexpected Finds Procedure is prepared prior to the commencement of works.
- A heritage induction be prepared and presented to all site workers.
- To support the development of the Unexpected Finds Procedure and Heritage Induction, maintained consultation with Registered Aboriginal Parties is recommended.
- It is recommended that the proponent incorporate recognition of the Aboriginal cultural values of the area through heritage interpretation where possible to celebrate and explain the Aboriginal heritage significance of the area. This could include interpretive elements such as the integration of Aboriginal artworks, landscaping, design and digital interpretation. Development of this content must involve consultation with the project Registered Aboriginal Parties conducted in reference to the principles of the NSW Government Architects 2023 Connecting with Country framework.

- Any changes made to the project may warrant further investigation and result in changes to the recommended management and mitigation measures.

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NOTE ON LANGUAGE IN QUOTES

A number of quotes used in this report come from documents written in the nineteenth and twentieth centuries by European observers. They have been included because they provide information on the lives of Aboriginal people in the region, though the language used and views expressed by these writers can be offensive and distressing.

GLOSSARY OF TECHNICAL TERMS

Aboriginal cultural heritage: The material (objects) and intangible (mythological places, dreaming stories etc) traditions and practices associated with past and present-day Aboriginal communities.

Aboriginal object: Any deposit, object or material evidence (not being a handicraft made for sale), including Aboriginal remains, relating to the Aboriginal habitation of NSW.

Aboriginal place: Any place declared to be an Aboriginal place under s.94 of the *National Parks and Wildlife Act 1974*.

AHIMS: Acronym for 'Aboriginal heritage information management system'. AHIMS is a register that contains information about NSW Aboriginal heritage, and it is maintained by DECCW.

Archaeological object: any object that was made, affected, used, or modified in some way by humans in the past and has been discarded.

Archaeology: The scientific study of human history, with focus on material remains and ethnographic evidence.

Artefact: An item of cultural material created by humans.

Easting: This is a measurement used to determine location. The easting is the x-coordinate and relates to the vertical lines on a map, which divide east to west. It increases in size when moving

Exposure: The level of ground exposure is based on the whether the landform is eroding, aggrading or stable.

In situ: A description of any cultural material that lies undisturbed in its original point of deposition.

Northing: This is a measurement used to determine location. The northing is the y-coordinate and relates to the horizontal lines on a map, which divide north to south. It increases in size when moving further north.

Potential Archaeological Deposit (PAD): A PAD is a location that is considered to have a potential for subsurface Aboriginal objects. This is determined from a visual inspection of the site, background research of the area and the landform's cultural importance.

Sand: A material composed of small grains (0.625-2.0 mm). Sand is formed from a variety of minerals and rocks, but commonly contains silica, such as quartz.

Sandstone: Is a sedimentary rock formed from sand-sized grains.

Stratigraphy: The study of soil stratification (layers) and deposition.

Survey: In archaeological terms, this refers to walking over a surface while studying the location of artefacts and landmarks. These are then recorded and photographed.

Visibility: Refers to the degree to which the surface of the ground can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the ground surface visible for an observer on foot.

1.0 INTRODUCTION

1.1 Introduction

This Aboriginal Cultural Heritage Assessment report prepared by Artefact Heritage and Environment (Artefact) on behalf of Lane Cove Developments no.1 Pty Ltd ('the Applicant')

This report supports an Early works State Significant Development Application (SSDA) (SSD-100293708) being lodged with the Department of Planning, Housing and Infrastructure (DHPI) for the demolition of all existing buildings and structures, excavation, augmentation of existing services and ground works at 300 Burns Bay Road, Lane Cove (the site) to enable the proposed redevelopment of the site for a residential development sought separately under SSD- 87925706. The proponent for the SSDA is Lane Cove Developments No 1 Pty Ltd.

The proposal aims to:

- Facilitate the early works required for Ministerial declared HDA site under SSD-87925706, which will result in the construction of 225 dwellings.
- Enable the demolition, excavation and ground works to ensure the site is suitable for development of a residential development.
- Ensure the expedient delivery of the HDA application at the site (SSD-87925706), as per the requirements of the HDA approval pathway.

On 26 May 2025, the Housing Delivery Authority (HAD) recommended the proposed development for the purpose of residential flat building development including the construction of circa 215 dwellings at 300 Burns Bay Road, Lane Cove be declared a State Significant Development (SSD) under s4.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The main works SSD (Ref. SSD-87925706) will be lodged imminently with DPHI, with exhibition anticipated to commence in March 2026. This Early Works SSD is intended to facilitate the delivery of the residential flat building development through the following proposed works:

- Site establishment works including:
 - Erection of site hoarding, fencing and signage
 - Installation of site office and amenities.
- The demolition of all existing structures at the site comprising:
 - Office Building
 - Warehouse
 - Car Parking structure
- Removal of 32 trees on the site
- Shoring and bulk excavation works to enable the excavation of basement levels
- Extension and augmentation of services and infrastructure as required.

1.2 Project brief

The purpose of this ACHAR is to assess any impacts to any Aboriginal cultural heritage sites or values associated with the study area in under Item 21 of the Housing Secretary's Environmental Assessment Requirements (SEARs) (Table 1).

In line with the EP&A Act, and to fulfill the SEARs issued on 18 July 2025, Artefact has prepared this ACHAR. Artefact have previously prepared a standalone Archaeological Technical Report (ATR) that included an archaeological survey of the study area that did not identify any Aboriginal objects or

areas of archaeological potential. The background research and consultation with Registered Aboriginal Parties (RAPs) for the project has been used to inform the Aboriginal Cultural Heritage Values discussed in this ACHAR.

1.3 Overview of proposed development

This SSDA (Ref. SSD-100293708) seeks approval for early works associated with the delivery of the residential development of the site under SSD-87925706 at 300 Burns Bay Road, Lane Cove. This SSD comprises the following proposed development:

- Site establishment works including:
 - Erection of site hoarding, fencing and signage
 - Installation of site office and amenities.
- The demolition of all existing structures at the site comprising:
 - Office Building
 - Warehouse
 - Car Parking structure
- Removal of 32 trees on the site
- Shoring and bulk excavation works to enable the excavation of basement levels
- Extension and augmentation of services and infrastructure as required.

1.4 Description of the study area

The site is located at 300 Burns Bay Road, Lane Cove NSW 2066 and is legally described as Lot 15 DP1230609.

Situated within the Lane Cove Council (LCC) Local Government Area (LGA), the site is zoned R4 High Density Residential within the Lane Cove Local Environmental Plan 2009 (LCLEP). It has an area of 7,595 m² and comprises an existing office building and warehouse extension on the eastern portion of the site. A single storey structure providing car parking occupies the western part of the site. Car parking is also provided at grade along the southern site boundary and a tennis court is located on the western part of the site.

The site has a sloping topography, with a high point at 22.15m (AHD) along the boundary with the properties to the north, sloping south to a low point of 18.83m (AHD) along the southern boundary, representing an approx. 3.5m level change across the site from north to south.

Vehicle and pedestrian access to the site is via Burns Bay Road. A right of carriageway extends along the western site boundary for driveway access to the neighbouring buildings at 292-298 Burns Bay Road.

The study area is located within the boundaries of the Metropolitan Local Aboriginal Land Council (LALC).

1.5 Aims and objectives

This aim of this ACHAR is to identify and assess the Aboriginal heritage values of the study area, consult with Aboriginal stakeholders in this process and to present the findings of the archaeological investigation undertaken in the ATR. This report will be included in the Environmental Impact Statement (EIS) used to inform the SSD application for the project and fulfills Item 21 of the Housing SEARs issued on 18 July 2025.

The objectives of this report are to:

- Identify any Aboriginal cultural values in and around the study area
- Assess these cultural values, as related to the study area, through consultation with Aboriginal stakeholders
- Assess the impacts the proposed development might have on Aboriginal cultural heritage and the potential archaeological resources within the study area
- Document the process and outcomes of Aboriginal stakeholder consultation
- Provide a plain English summary of the results of the ATR to the RAPs.

1.6 Statutory framework

In accordance with section 4.39 of the EP&A Act, the Industry-specific SEARs for the Early Works SSDA (SSD-100293708) were issued on 15 December 2025. Email correspondence was shared with DPHI officers to review and agree the relevant SEARs deliverables which would be necessary for the Early Works SSD. The SEARs outlined below reflect the SEARs requirements agreed with DPHI.

This report has been prepared to respond to the issued SEARs, as set out in Table 1 below:

Table 1: Condition 21 of the project SEARs

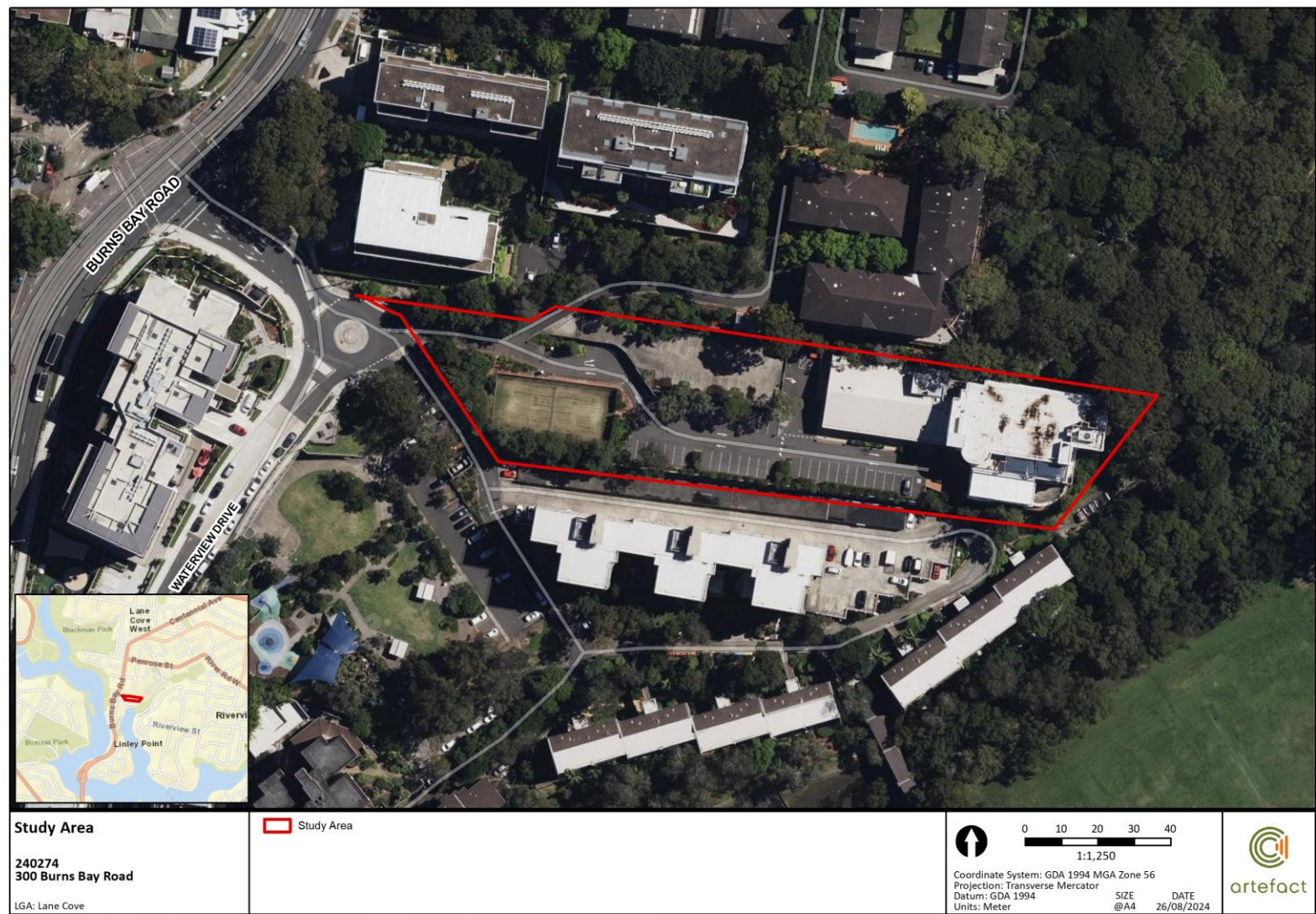
Issue and Assessment Requirements	Supporting Documentation
21. Aboriginal Cultural Heritage • Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: ○ Identifying that an appropriate prior planning process has already considered these impacts, e.g. <u>If required:</u> a rezoning or development application, or ○ Providing an initial assessment of the potential impacts. • If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: ○ Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site ○ Is prepared in accordance with relevant guidelines.	Aboriginal Cultural Heritage Assessment Report

The ACHAR has been prepared in accordance with the following guidelines:

- Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales (Department of Environment, Climate Change & Water 2010b); hereafter, the Code of Practice
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH 2011); hereafter, the Guide.
- Aboriginal cultural heritage consultation requirements for proponents 2010 (Department of Environment, Climate Change & Water 2010a); hereafter, the Consultation Requirements.

The appended ATR contains the full legislative context for this report (Appendix A).

Figure 1: Study area



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2.0 SUMMARY OF CONSULTATION

2.1 Stage 1

2.1.1 Agency letters

In accordance with Section 4.1.2 of the Consultation Requirements, Artefact corresponded with the following organisations by email on 3 September 2024 requesting the details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the local area:

- Heritage NSW
- Native Title Service Corporation (NTS Corp)
- National Native Title Tribunal
- Office of the Registrar, Aboriginal Land Rights Act 1983
- Lane Cove Council
- Metropolitan Local Aboriginal Land Council
- Greater Sydney Local Land Services

The due date for responses was 17 September 2024.

2.1.2 Advertisement

In accordance with Step 4.1.3 of the Consultation Requirements, an advertisement was placed in The Weekly Times for publication on 4 September and 11 September. The publication invited the participation of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the local area, requesting their response by 18 September 2024.

2.1.3 Registration of Aboriginal parties

In accordance with Section 4.1.3 of the Consultation Requirements, invitations to register an interest in the project were sent by email to all those identified through contacting the previously listed agencies on 17 September 2024, with a response requested by 1 October 2024.

As a result of the interest letters and advertisement, 11 individuals/ organisations responded. The stakeholders who registered their interest in the project are listed below.

Table 2: List of registered stakeholders

Contact	Organisation
Nathan Moran	Metropolitan Local Aboriginal Land Council
Philip Boney	Wailwan Aboriginal Group
Scott Franks	Yarrawalk Pty Ltd
Lilly Carroll and Paul Boyd	Didge Ngunawal Clan

Contact	Organisation
Robert Young	Konanggo Aboriginal Cultural Heritage Services
Ethan Trewlynn	Long Gully Cultural Services
Kaarina Slater	Ngambaa Cultural Connections
Jennifer Beale	Butucarbin Aboriginal Corporation
Carolyn Hickey	A1 Indigenous Services
Phil Khan	Kamilaroi-Yankuntjatjara working group
Thomas Dalhstrom	Thomas Dahlstrom Offers ACH value by using 3D Laser and Drone technology

In accordance with Section 4.1.5 of the Consultation Requirements, a list of the RAPs was issued to Heritage NSW and Metropolitan LALC on 3 October 2024.

2.2 Stage 2 and Stage 3

Stage 2 of the consultation process is to provide RAPs with information about the scope of the proposed project and the proposed cultural heritage assessment process. Stage 3 consultation facilitates a process whereby RAPs can contribute to culturally appropriate information gathering and the research methodology. RAPs provide information that will enable the cultural significance of Aboriginal objects and/or places on the proposed project area to be determined and have input into the development of any cultural heritage management options.

In accordance with Stages 2 and 3 of the Consultation Requirements a copy of the proposed assessment methodology was sent to the RAPs by Email on 3 October, requesting feedback by 31 October 2024. The draft assessment methodology presented information about the project and invited feedback on the cultural significance of the area. A summary of the comments received by Artefact is presented in Table 3.

Table 3: Summary of Aboriginal stakeholder comments on the assessment methodology

Person / RAP group	Comment	Response
Ethan Trewlynn - Long Gully Cultural Services	I've read the methodology and I'm happy with everything, so I agree with the methodology	Noted
Lilly Carroll - Didge Ngunawal Clan	We are happy with everything towards your methodology, and I have nothing else to add.	Noted
Carolyn Hickey - A1 Indigenous Service	I have reviewed the document and support the Information and Methodology. I Would like to be included in all Meetings, Reports, Sharing Cultural Information, and Field Work	Noted
Phil Khan - Kamilaroi Yankuntjatjara Working Group	The whole study area is sensitive to us Aboriginal people, for our ancestors walked this land for tens of thousands of years and we	Noted

Person / RAP group	Comment	Response
	continue to follow in their footsteps to protect conserve and manage country. It is highly important to save our cultural heritage before it is lost to development and to protect country where we can. There are tangible and intangible aspects to our culture that remain imbedded in country. There are water ways that are of significant to our dreaming stories, our way of life and healing waters with minerals that are utilised by many. We agree and support your methodology to investigate further in the way of site survey & potentially test excavations. We look forward to furthering consultation on this project.	

2.3 Stage 4

A copy of the draft ACHAR was sent to the RAPs by email on 19 November 2024, requesting feedback by E.O.D 18 December 2024. One response was received on 13 January 2025.

Table 4: Summary of Aboriginal stakeholder comments on the Draft ACHAR

Person / RAP group	Comment	Response
Phil Khan – Kamilaroi-Yankuntjatjara working group	Thank you for your Draft ACHA for 300 Burns Bay Road, Lane Cove. We would like to agree and support your recommendations.	Noted

2.4 RAP notification issuance of SEARs

A copy of the final ACHAR and ATR was sent to RAPs by email on 9 September 2025, notifying the issuance of SEARs for the project, minor plan revisions and an updated AHIMS search for the project.

3.0 SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION

3.1 Archaeological background

Most of the previous archaeological investigations undertaken around the study area are in relation to studies within the Lane Cove National Park, northwest of the study site. A summary of existing archaeological investigations and literature relating to the study areas local and regional archaeological context is summarised in Table 5. The majority of the studies were concentrated in high urban areas within 200 – 350 metres of Lane Cove River or within Lane Cove national park. The following report sites indicate a similar location pattern to the registered Aboriginal Heritage Information Management System sites detailed in Figure 2 and Figure 3.

Table 5: Summary of previous archaeological literature

Report	Summary
Bronwyn Conyers, 1990, Lane Cove River State Recreation Area, Aboriginal sites planning study Survey	Brown Conyers conducted an Aboriginal heritage survey totalling 348 hectares of land along recreational areas parallel to Lane Cove River, north of the study area. The aim of the study was to identify Aboriginal sites and areas of archaeological potential to formulate recommendations to guide the management of the park's Aboriginal heritage. Many Aboriginal sites had previously been recorded in the survey area however several new sites were recorded as part of this survey. They included five potential habitation sites along the cliff lines and sandstone outcrops, three shelters with archaeological deposits and two shell middens. Several engraving sites were also re-surveyed along the ridgelines.
Artefact, 2016, Lane Cove Syphon, Hunters Hill, Due Diligence prepared for OMP alliance	Artefact prepared a Due Diligence assessment for Lane Cove Syphon, Hunters Hill, approximately 500m west of the study area on the opposite side of the Lane Cove River. The subject area was situated within the Hawkesbury soil landscape. Based on the desktop assessment and survey the site was found to be heavily disturbed, no Aboriginal sites were identified. It was recommended that the study had low archaeological potential, and further assessment was not required.
Comber Consultants 2020, 115 Tambourine Bay Rd, Riverview NSW, ACHAR prepared for Riverview Saint Ignatius College	Comber Consultants prepared an ACHAR for Riverview Saint Ignatius College, Tambourine Bay Road, Riverview NSW, located approximately 876m southeast of the study area. The subject area was situated within the Lambert soil landscape and disturbed terrain, 270 m north of and 250 m east of Lane Cove River foreshore. Survey indicated that the study area had 'been subject to significant disturbance and is not an area demonstrating archaeological potential for sub-surface artefact scatters.'
Artefact, 2022, 706 Mowbray Road West, Lane Cove North, Data Centre, Aboriginal Heritage Assessment, prepared for Arup	Artefact prepared an Aboriginal Heritage Assessment for the proposed Mowbray Road Data Centre at 706 Mowbray Road West, Lane Cove North, approximately 1.8km northwest of the study area. The area was located approximately 230m to the east of Lane Cove River and approximately 100m to the north of Stringybark Creek within the Gynea and Lucas Heights soil landscapes. Two previously registered PADs were located within 200m of the subject area; however, no sites were identified within the subject area during the desktop assessment and survey. The assessment concluded the entirety of the area had been subject to past ground disturbance through the introduction of fill, construction of buildings, utilities, landscaping, concrete, and bitumen. Although the area was located within a 'culturally sensitive landform' in proximity to Lane Cove River, the subject area had been significantly modified that reduced the archaeological potential to nil. Further assessment was not recommended.

Report	Summary
Artefact, 2024, 2-8 Lanceley place and 14 Campbell Street, Artarmon, ACHAR, prepared for Goodman Property Services	Artefact prepared an ACHAR for 2-8 Lanceley Place and 14 Campbell Street, Artarmon, located approximately 3km east of the study area. The subject area was situated within the Glenorie and Disturbed Terrain soil landscape about 447m south of Gore Creek. Based on the desktop background and survey which did not identify any Aboriginal sites, the study area was found to be disturbed and to have a nil-low potential for Aboriginal objects to be located within it. It was therefore recommended that further assessment was not required.
Artefact, 2024, 618-624 Mowbray Road and 25-29 Mindarie Street, Lane Cove North, ACHAR prepared for Homes NSW	Artefact prepared an ACHAR for 618-624 Mowbray Road and 25-29 Mindarie Street, Lane Cove North, located approximately 1.9km north of the study area. The subject area was situated within the Lucas Heights soil landscape. Based on the desktop background and survey which did not identify any Aboriginal sites, the study area was found to be disturbed and to have a nil-low potential for Aboriginal objects to be located within it. The ACHAR recommended that further assessment was not required.

3.2 AHIMS search

NOTE: The location of Aboriginal sites is considered culturally sensitive information. It is advised that this information, including the AHIMS data appearing on mapping below must be removed from this report if it is to enter the public domain.

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken on 19 September 2024 (Client Service ID: 932306) to determine the location of Aboriginal sites in relation to the current study area (Figure 2). The search area was defined as and include 1.5km x 1.5km of land surrounding the study area to inform the characterisation of the local archaeological context. The AHIMS search parameters were as follows:

GDA 1994, MGA 56	Eastings: 327514-330510
	Northings: 6254691-6257689
Buffer	0 metres (m)
Number of sites	81

An additional AHIMS search was conducted on 8 September 2025 for the same 1.5km x 1.5km area and there were no changes to the results.

There is a total of 81 AHIMS registered sites located within the search area, none of which are located within the study area. The closest AHIMS site to the study area was AHIMS ID 45-6-3094 (Figure 3). This site is a low hanging rock shelter in the rock outcrop upslope of Linley point reserve located approximately 320m southwest.

Registered sites on the AHIMS database in the search area are concentrated in proximity to and along the waterways of Lane Cove River, where retained bushland and minimal historical disturbance has occurred, therefore preserving Aboriginal sites. The concentration near Lane Cove River predominately include shelter with midden and midden deposits, all site types are listed in Section 3.1 of the appended ATR.

3.3 Environmental background

3.3.1 Soils and geology

The majority of the western portion of the study area is Hawkesbury soil landscape. Topsoil in the Hawkesbury soil landscape has low erodibility and includes loose coarse sands and organic matter but can be greatly impacted by concentrated flow erosion. The eastern portion of the site is a disturbed terrain soil landscape context (NSW eSpade). This disturbed terrain encompasses the later added office building constructed between 1971 and 1990 as illustrated in Figure 5 and Figure 6.

The continued historical construction and resulting disturbed terrain has likely greatly impacted the capacity of Aboriginal heritage in the eastern side of the study area at the location of the extant office. Due to the nature of disturbed terrain, it is unlikely that sites will be visible on the surface. The study area is on a plateau elevated at 20 metres above Lane Cove River; part of a steep outcrop that reaches an elevation of 40 metres to the north of the study area. The extant carpark and office building have been built into this slope impacting the likelihood of Aboriginal archaeological deposits.

3.3.2 Hydrology and landforms

Lane Cove River lies approximately 125 metres south and 330 metres west of the study site and is a microtidal estuary, meaning that the difference between low and high tide levels does not exceed two metres in difference.

The study area is cut into a sandstone mound aligning with the topography of the Hawkesbury soil landscape characterised by steep Hawkesbury sandstone slopes. The landform has undergone extensive modifications from urban and commercial developments, the study area would have previously been moderately inclined. Some important material for landscaping was observed around the entrance driveway to the western side of the study area and urban and commercial construction in the area to level out the slopes. These works have severely reduced the likelihood for Aboriginal archaeological material to remain within the study area.

Figure 2: Extensive AHIMS search results

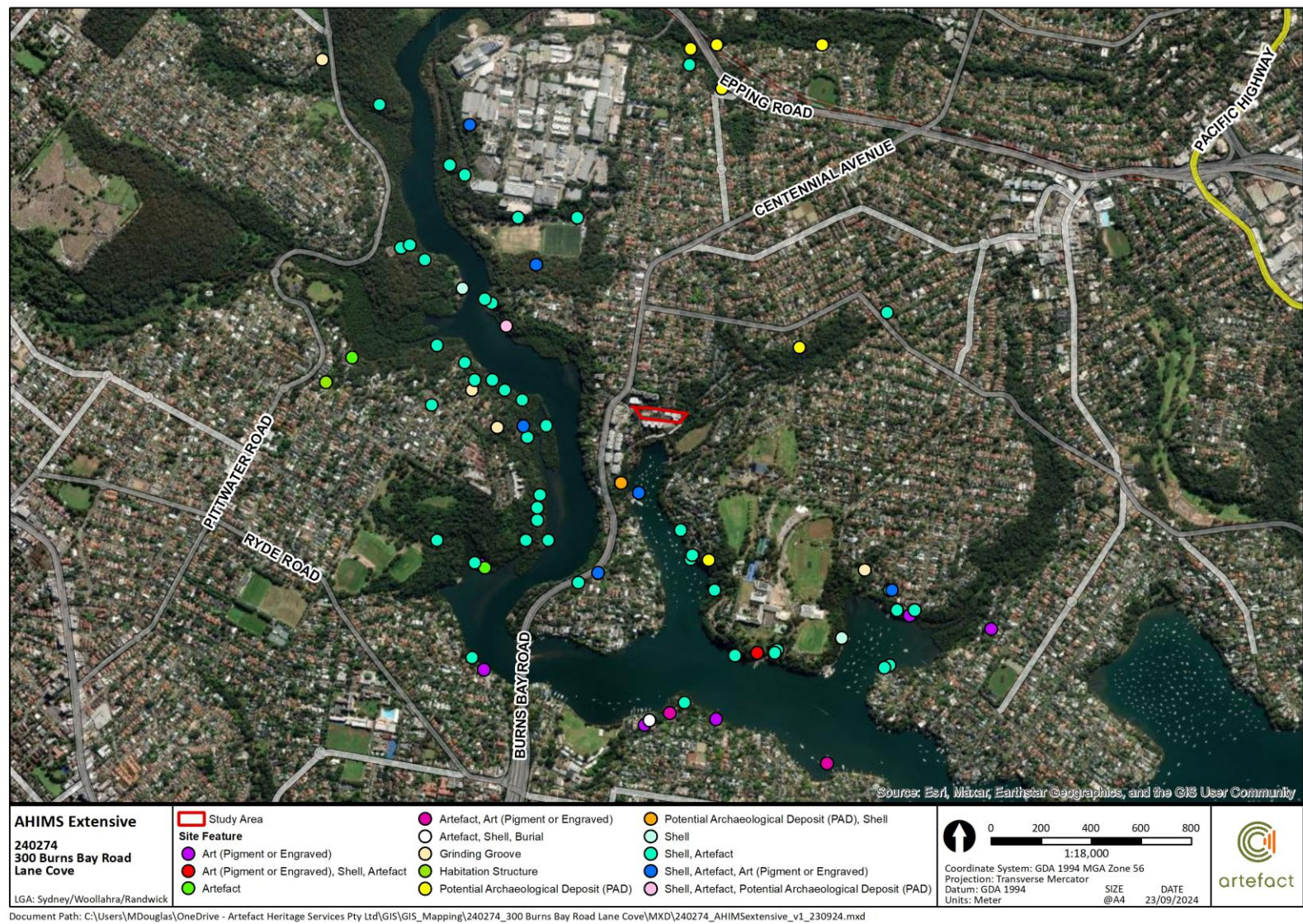


Figure 3: Detailed extensive AHIMS search results



Figure 4: 1943 aerial photograph

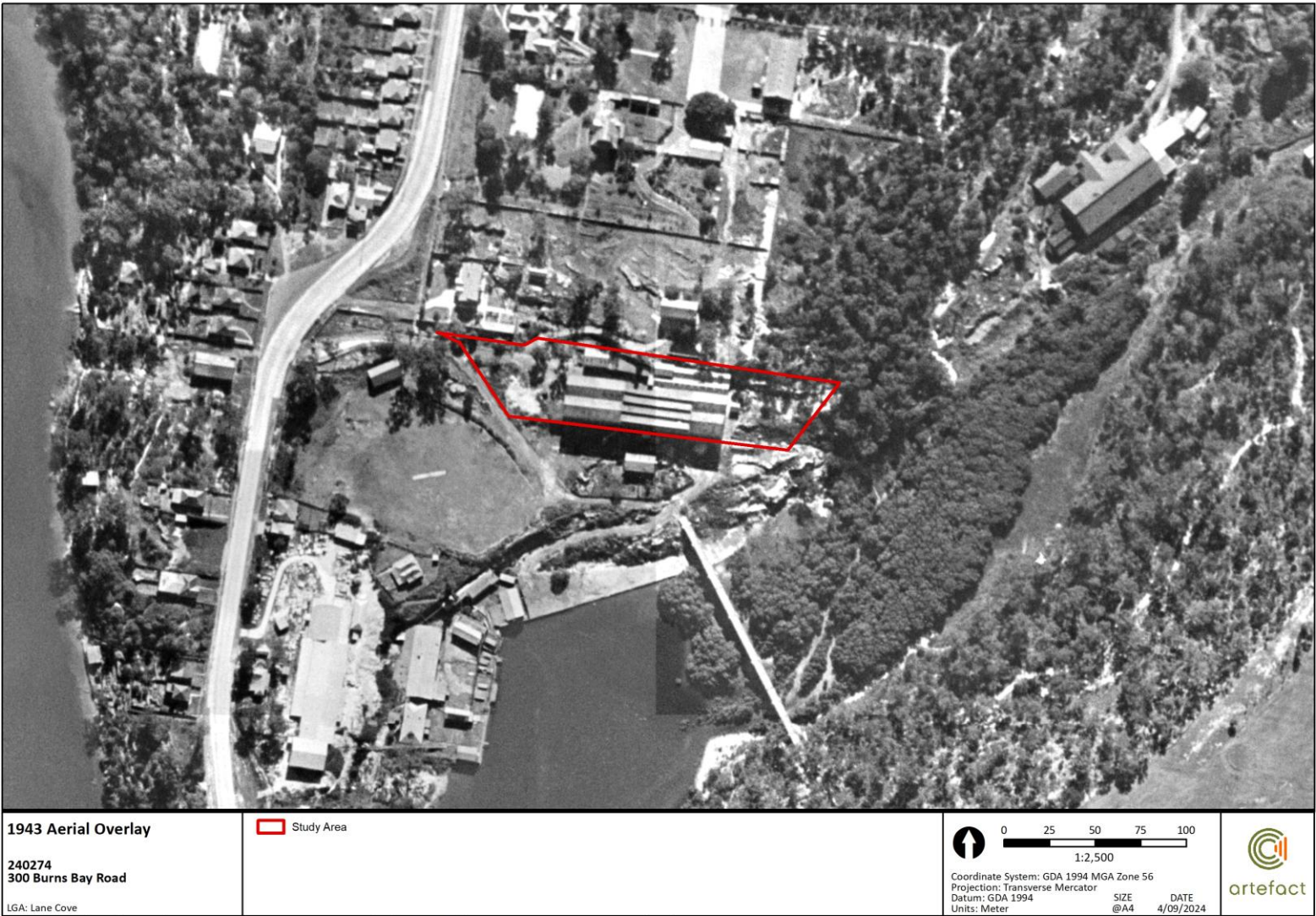


Figure 5: 1971 aerial photograph

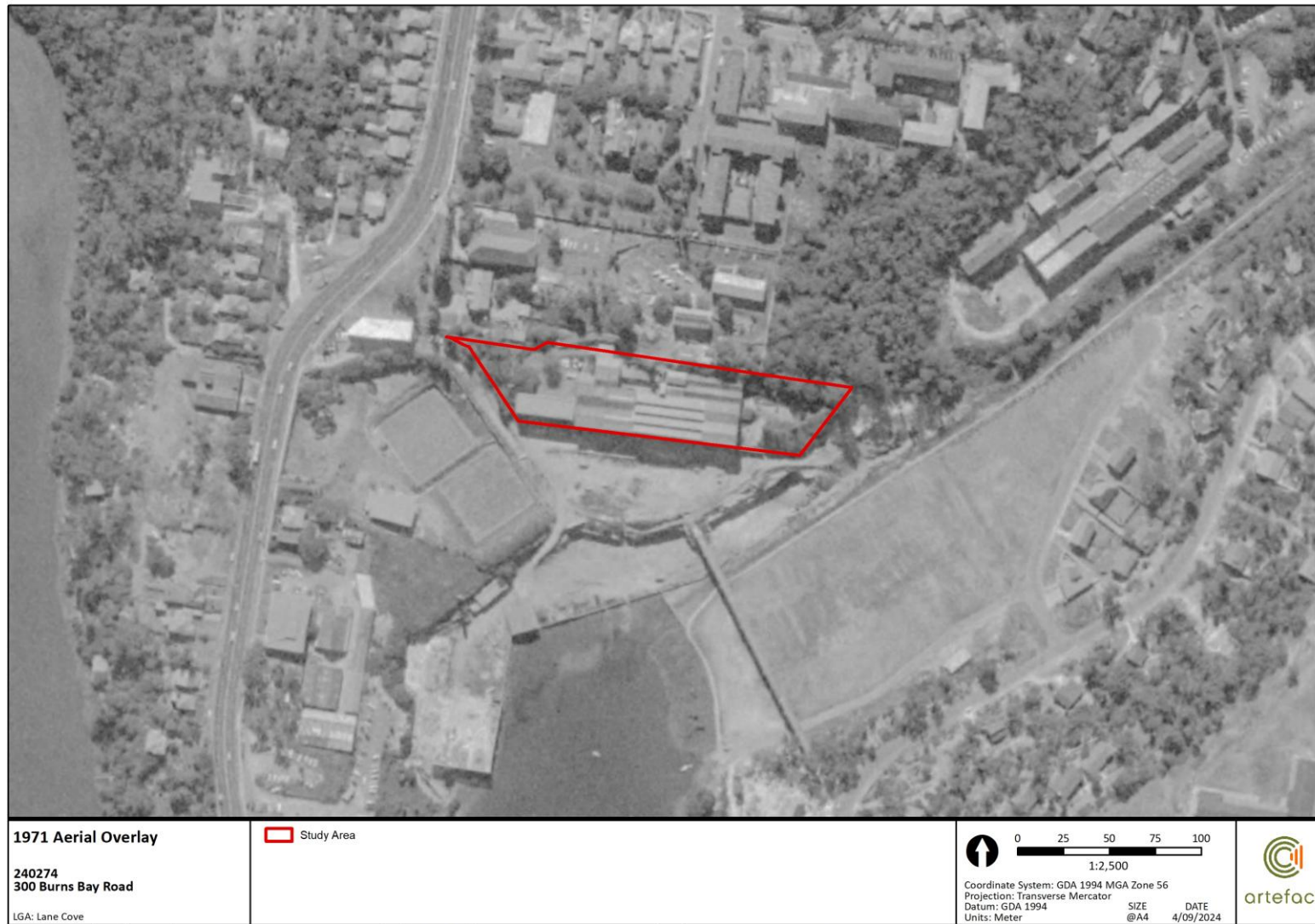


Figure 6: 1990 aerial photograph



3.4 Predictive model

The predictive model comprises a series of statements regarding the nature and distribution of evidence of Aboriginal land use that is expected in the study area. Based on a synthesis of information from the results gathered during the ATR, the following predictive statements were made:

- Vegetation clearance associated with extensive development is likely to impact the survival of mature native trees, yielding to a nil potential for Culturally Modified Trees, as observed in aerial imagery.
- Land with the least amount of historical ground disturbance has the greatest potential for artefact bearing deposits.
- The most likely site types to be present within the study area, conditional to limited ground disturbance, are midden assemblages and shelters.
- *In situ* soil deposits are unlikely to be present due to shallow Hawkesbury soil landscape and extensive historical disturbance likely impacting the preservation of archaeological sites.

3.5 Summary

The background information discussed in this section demonstrates that the Lane Cove River and other watercourses in the region were focal points of Aboriginal activity and occupation, reflected in the AHIMS sites identified around the study area concentrated along these waterways. However, due to the significant levels of urban development, it is unlikely that Aboriginal objects, or potential archaeological deposits are present within the study area (See Section 4.5: Historic land disturbance in the appended ATR).

4.0 SUMMARY OF FIELD INVESTIGATIONS

4.1 ATR (Artefact, October 2024)

In accordance with *Guide to investigating, assessing, and reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011) and the Code of Practice (DECCW 2010), an ACHAR must include a standalone ATR report. Artefact prepared an ATR report in November 2024 that included the following:

- An archaeological survey and desktop research of the predictive model
- Discussion of the results of the archaeological survey and background research and evaluation of the regional and local archaeological character
- Assessment of likely impacts to Aboriginal objects or Potential Archaeological Deposits based on proposed designs
- Assessment of likely impacts and provide recommendations for any practical measures that may be required to protect, and conserve identified Aboriginal objects and places identified within the study area.

An archaeological survey was completed on 29 October 2024 by Artefact. The results of the survey were consistent with background research results which indicated that the study area has been subjected to high levels of disturbance that have greatly reduced the potential for preserved Aboriginal archaeological material.

The study area is built onto a slope and has been subject to the process of cut and fill construction which levelled out the area for the inclusion of an asphalt road, tennis court, two level carpark, warehouse and office building, all built onto a concrete slab supported by extensive cement piers and foundations. The northern boundary wall of the subject area is an exposed sandstone retaining wall which extends behind the carpark, warehouse and office building.

The study area is significantly disturbed and shows evidence of removal of potential artefact bearing residual soils due to cuts into the natural slope for the construction of the retaining wall and leveling of the site. Soil fill is present in the garden landscape to the west of the study area with brick, cement and ceramic inclusions and construction fill with cement inclusions were found to the east underneath the office building and warehouse. Although intact Hawkesbury Sandstone was observed during the archaeological survey, it had been modified through cutting and machine scraping, and no remnant sandstone ground surfaces were observed. Therefore, no rock shelter evidence remains on the site.

No Aboriginal sites or areas of archaeological potential were identified, largely due to the removal of any *in-situ* soils. Furthermore, although sandstone was identified during the survey, it is unlikely to contain engravings or other evidence of habitation due to removal of the natural surface. It is unlikely that Aboriginal sites or objects are present in the study area.

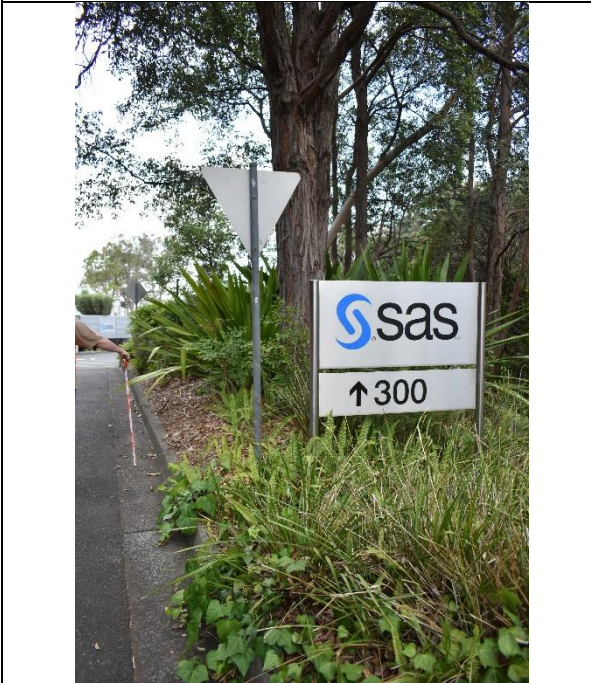
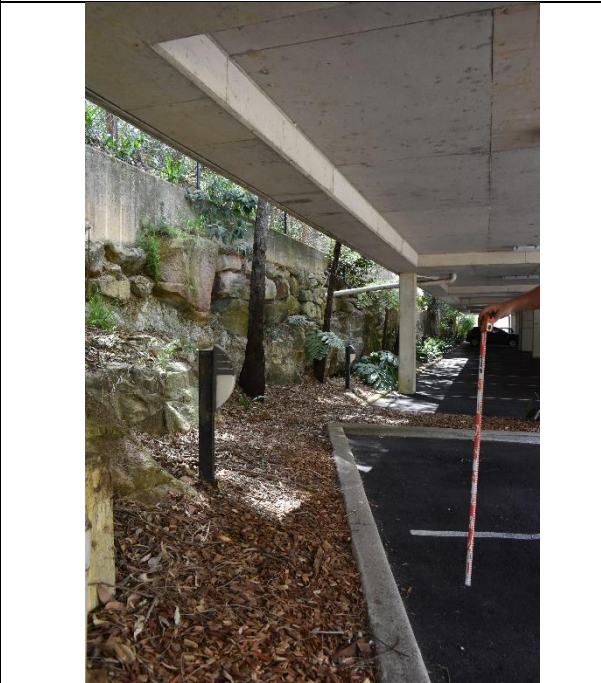
Figure 7: View east of tennis court  A photograph showing a tennis court with a chain-link fence in the foreground. The court is surrounded by trees and a grassy area. The sky is blue with some clouds.	Figure 8: Northeast view of carpark  A photograph of a carpark area with a concrete structure and a road. There are trees and a building in the background. The sky is blue with some clouds.
Figure 9: View east of the landscaping south of the asphalt road  A photograph of a landscaping area with a sign that says "sas" and "↑ 300". There are trees and a road in the background. The sky is blue with some clouds.	Figure 10: View east of sandstone retaining wall  A photograph of a sandstone retaining wall under a concrete structure. There are trees and a road in the background. The sky is blue with some clouds.

Figure 11: North view of warehouse



Figure 12: West view of cut exposed sandstone under warehouse



Figure 13: View North of debris under office building



Figure 14: Foundations at eastern end of the office building, and ceramic drainage pipes



5.0 CULTURAL HERITAGE VALUES

5.1 Methodology

The cultural assessment in this report includes information collected through desktop assessment and Aboriginal community consultation undertaken in accordance with the Consultation Requirements.

5.1.1 Cultural landscape

The World Heritage Convention of United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines a cultural landscape as one which has 'powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent' (UNESCO 1991). The relationship between Aboriginal Australians and the land is conceived in spiritual terms rather than primarily in material terms (Andrews et al 2006). Aboriginal cultural knowledge has been defined as:

Accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources, and relationships between people, which are reflected in language, narratives, social organisation, values, beliefs and cultural laws and custom (Andrews et al 2006).

Aboriginal cultural knowledge was traditionally bequeathed through oral traditions from generation to generation. Within all Aboriginal communities there was a time of dislocation and upheaval associated with the arrival of colonial settlers. This widespread disruption resulted in much of the detailed knowledge and understanding of many of the elements of the cultural landscape being lost from the Aboriginal community, nonetheless many Aboriginal people maintain a strong connection to the land of their ancestors and collectively possess a wealth of knowledge passed down through the generations.

5.1.2 Types of values

Aboriginal people hold significant knowledge about traditional use of land before and after contact. The landscape which encompasses the study area has cultural value of importance to the Aboriginal community. The Aboriginal community collectively holds values and knowledge that relate to:

- Traditional values: these are passed down by family and community as part of ancient tradition.
- Historical values: these are passed down by family and community and relate to the eras since colonisation; these may include information gained from historical source documents.
- Contemporary values: these are values of modern importance and relevance for Aboriginal stakeholder groups.

There is often no clear separation between these values, and they collectively co-exist with equal importance in forming the value that Aboriginal people place on landscape, cultural heritage, intangible heritage, and particular landforms or parts of the landscape.

5.2 Identified Aboriginal cultural heritage values

Table 6 provides a summary of the Aboriginal cultural heritage values associated with the study area which have been referenced in previous reports and historic sources. This table will be updated according to revisions made by RAPs during the ACHAR review.

Table 6: Cultural heritage values identified for the study and surroundings

Cultural heritage value	Description	Source
Traditional cultural values	The Cammeraygal people have been associated with country the study area is situated on, around what is now known as Willoughby, Lane Cove, and broader North Sydney Council areas for thousands of years where cultural knowledge of language, travelling and hunting routes, and ceremony have been passed down through generations.	Currie 2008; Hoskins 2019
Traditional cultural values	Cammeraygal women demonstrated great skills and cultural knowledge of fishing and maritime resource collection within the broader local area along Lane Cove River and in Middle harbour.	Tench 1789
Traditional historic and cultural values	The various creeks and rivers around Lane Cove and the North Shore contain hundreds of sites that comprise physical archaeological evidence of Aboriginal occupation. The often-exposed ridgelines and sandstone outcrops more likely to have been travelling and hunting routes and ceremonial areas.	Currie 2008;
Traditional cultural values	Charcoal and ochre artworks are often found in rock overhangs and shelters, where they often remain well preserved. Drawings and stencils in charcoal and red, white and yellow ochre are common at sites in the lower North Shore. These include white ochre fish and hand stencils, a red ochre eel, charcoal drawings of spirit figures and many others the subjects of which are no longer distinguishable.	Hoskins 2015
Traditional cultural values	<i>The whole study area is sensitive to us Aboriginal people, for our ancestors walked this land for tens of thousands of years and we continue to follow in their footsteps to protect conserve and manage country. It is highly important to save our cultural heritage before it is lost to development and to protect country where we can. There are tangible and intangible aspects to our culture that remain imbedded in country. There are water ways that are of significant to our dreaming stories, our way of life and healing waters with minerals that are utilised by many.</i>	Phil Khan - Kamilaroi Yankuntjatjara Working Group 2024

5.3 Aboriginal cultural values within the study area

Background research has demonstrated that Aboriginal people have occupied the region around the study area for tens of thousands of years, while many Aboriginal people believe that they have been living on country since 'time immemorial'. Lane Cove River and other permanent watercourses in the area are also highly significant to Aboriginal people. While the local region is significant to Aboriginal people through their connection to the land, no specific cultural values have been associated with the study area. Additionally, it is unlikely that Aboriginal objects that may hold cultural significance will be present in the study area due to previous historical disturbance.

6.0 SIGNIFICANCE ASSESSMENT

A significance assessment of the scientific, social, historic and aesthetic values of the study area is included below.

6.1 Significance assessment criteria

An assessment of the cultural heritage significance of an item or place is required in order to form the basis of its management. The Guide (OEH 2011: 10) provides guidelines, in accordance with the Burra Charter (Australia ICOMOS 2013) for significance assessment with assessments being required to consider the following criteria:

- Social values – does the area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
- Historic values – is the area important to the cultural or natural history of the local area and/or region and/or state
- Scientific values - does the area have the potential to yield information that will contribute to an understanding of the cultural and natural history of the local area and/or region and/or state
- Aesthetic values – is the area important in demonstrating aesthetic characteristics in the local area and/or region and/or state.

Scientific values should be considered in light of the following criteria:

- Research potential - does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness - how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity - is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential - does the subject area contain teaching sites or sites that might have teaching potential?

It is important to note that heritage significance is a dynamic value.

6.1.1 Historic value

Historic values refer to the association of place with aspects of Aboriginal history. Historic values are not necessarily reflected in physical objects, but may be intangible and relate to memories, stories or experiences.

The study area is situated in Country traditionally belonging to the Cammeraygal people. Historical records by early colonisers are often not accurate or reliable but the surviving sites and cultural values identified in the surrounding area give us a glimpse into their rich history pre and post invasion.

No specific historic values have been identified within the study area and it is assessed as being unlikely that any are present. Contributions as to historic values from the RAPs as part of the consultation process were welcomed but no specific historic values were identified.

6.1.2 Aesthetic value

Aesthetic values refer to the sensory, scenic, architectural and creative aspects of a place. These values may be related to the landscape and are often closely associated with socio/cultural values.

Disturbance through development of the study area and surrounding environment has removed the original context of the land. Therefore, no specific aesthetic values have been identified within the study area and it has been assessed as being unlikely that any are present. Contributions as to aesthetic values from the RAPs as part of the consultation process were welcomed but no specific aesthetic values were identified.

6.1.3 Socio/cultural value

Socio/cultural heritage values should be addressed by Aboriginal people who have a connection to, or interest in, the area. Phil Khan of Kamilaroi Yankuntjatjara Working Group provided input on the socio/cultural value of the greater area and connection to Country. Phil's comment does not indicate any specific values for the study area beyond its overall connection and place on Country.

6.1.4 Scientific value

No Aboriginal objects were identified during the archaeological survey due to the significant levels of disturbance. Due to the removal of *in-situ soils* it is considered unlikely that any are present. Although intact Hawkesbury Sandstone was observed during the archaeological survey, it has been modified through cutting and machine scraping, and no remnant sandstone ground surfaces were observed. Therefore, no rock shelter evidence remains on site. The study area contains no scientific value.

6.2 Statement of significance

The study area has demonstrated significant levels of disturbance. No Aboriginal objects or potential for objects have been identified within the study area. Due to this level of disturbance, the study area has no identified scientific significance (Table 7).

Table 7: Significance assessment

Site name (AHIMS ID)	Research potential	Representativeness	Rarity	Education potential	Overall significance assessment
No AHIMS sites	None	None	None	None	None

7.0 IMPACT ASSESSMENT

7.1 Proposed works

The proponent's proposal involves

- Site establishment works including:
 - Erection of site hoarding, fencing and signage
 - Installation of site office and amenities.
- The demolition of all existing structures at the site comprising:
 - Office Building
 - Warehouse
 - Car Parking structure
- Removal of 32 trees on the site
- Shoring and bulk excavation works to enable the excavation of basement levels
- Extension and augmentation of services and infrastructure as required.

7.2 Aboriginal heritage impact

No Aboriginal objects have been identified within the study area and there is no potential for Aboriginal objects to be present. Therefore, no impacts to Aboriginal objects through the proposed works have been identified.

7.3 Ecological Sustainable Development principles

The Guide (OEH 2011) specifies that Ecological Sustainable Development (ESD) principles must be considered when assessing harm and recommending mitigation measures in relation to Aboriginal objects.

The following relevant ESD principles are outlined in Section 3A of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*:

- Decision-making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle')
- If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle')
- The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational equity').

7.3.1 The integration principle

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle'). The preparation of this ACHAR demonstrates regard for the integration principle by considering Aboriginal heritage values

and impacts to these from the proposal during the planning phase. The nature of the proposal as a housing SSDA contributes to the long term economic and social needs of current and future residents of the area.

7.3.2 The precautionary principle

This ACHAR has determined that there are no Aboriginal objects or potential for Aboriginal objects within the study area.

7.3.3 The principle of intergenerational equity

The proposed works would adhere, as close as possible, to the principle of intergenerational equity by collating scientific and cultural information on former Aboriginal occupation of the study area through the previous investigations and this ACHAR. The ATR prepared an assessment of the study area and synthesised the regional character of Aboriginal objects and sites for posterity and future generations.

7.4 Cumulative impacts

A cumulative impact is an impact on Aboriginal cultural heritage resulting from the incremental impact of the action/s of a development when added to other past, present and reasonably foreseeable future actions. The study area has been impacted by previous development, which has removed any Aboriginal objects that may previously have been present within the study area. Therefore, it is determined that no further cumulative impacts are possible.

8.0 MANAGEMENT AND MITIGATION MEASURES

8.1 Guiding principles

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved.

Where unavoidable impacts occur then measures to mitigate and manage impacts are proposed. Mitigation measures primarily concern preserving the heritage values of sites beyond the physical existence of the site. The most common methods involve detailed recording of Aboriginal objects, archaeological test and salvage excavations, artefact analysis and, where appropriate, reburial of Aboriginal objects in a location determined by the RAPs.

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representatives and educational value. In general, the significance of a site would influence the choice of preferred conservation outcomes and appropriate mitigation measures, usually on the following basis:

- Low archaeological significance – conservation where possible. SSD Conditions of Approval would be required to impact the site before work can commence
- Moderate archaeological significance – conservation where possible. If conservation was not practicable, further archaeological investigation would be required such as salvage excavations or surface collection in accordance with the SSD Conditions of Approval.
- High archaeological significance – conservation as a priority. Where all other practical alternatives have been discounted mitigation measures such as comprehensive salvage excavations in accordance with the SSD Conditions of Approval would be required.

This report has determined that Aboriginal objects are unlikely to be present within the study area. As such, no active mitigation measures are proposed. Any unexpected Aboriginal objects encountered during the development would be managed under an Unexpected Finds Procedure (UFP).

8.2 Proposed measures

This report has determined that Aboriginal objects are unlikely to be present within the study area. As such, no active mitigation measures are proposed. Any unexpected Aboriginal objects encountered during the development would be managed under an UFP.

8.2.1 Unexpected Finds Procedure

The preparation of an UFP is recommended for the project. The UFP would provide guidance on further assessment, consultation and approvals which may be required in the event that any Aboriginal sites, objects or archaeological deposits are unexpectedly encountered during construction.

8.2.2 Heritage inductions

It is recommended that an Aboriginal heritage induction be prepared and provided to contractors working on the project. The induction must include summaries of the Aboriginal background of the site, legislation and the UFP.

8.2.3 Ongoing consultation with RAPs

Consultation with the RAPs is ongoing. Consultation with RAPs should continue to support the UFP.

8.3 Changes to the project area

Advice provided within this ACHAR is based upon the most recent information provided by the proponent at the time of writing. As no Aboriginal objects were found during survey and this report has determined that Aboriginal objects are unlikely to be present within the study area only an expansion of the project area beyond the boundary of 300 Burns Bay Road Lane Cove would require further assessment. Any changes that may impact on Aboriginal sites not assessed as part of the project through the increase of the project area may warrant further investigation and result in changes to the recommended management and mitigation measures.

9.0 CONCLUSION

9.1 Overview of findings

Desktop research and archaeological survey have identified the following:

- Sandstone outcrops in this area have been exposed through construction cut and fill processes. However, none of the original surface of the sandstone remains and, therefore, has nil potential to contain sites such as engravings or shelters.
- The study area has been subject to significant disturbance during the 19th and 20th century, which has removed all the original ground surface. As a result, Aboriginal objects are unlikely to be present in the study area due to the development of the site.
- The current proposal is unlikely to impact Aboriginal objects.

9.2 Recommendations

Based on the findings of the assessment, it is recommended that:

- No further Aboriginal heritage assessment is required for the works to proceed. However, if changes are made to the proposal that will result in impacts to areas not assessed by this report, additional Aboriginal heritage assessment may be required.
- An UFP is prepared prior to the commencement of works.
- A heritage induction be prepared and presented to all site workers.
- To support the development of the UFP and Heritage Induction, maintained consultation with RAPs is recommended.
- It is recommended that the proponent incorporate recognition of the Aboriginal cultural values of the area through heritage interpretation where possible to celebrate and explain the Aboriginal heritage significance of the area. This could include interpretive elements such as the integration of Aboriginal artworks, landscaping, design and digital interpretation. Development of this content must involve consultation with the project RAPs conducted in reference to the principles of the NSW Government Architects 2023 Connecting with Country framework.
- Any changes made to the project may warrant further investigation and result in changes to the recommended management and mitigation measures.

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APPENDIX A – TECHNICAL REPORT

APPENDIX B – CONSULTATION RECORDS



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