

Aboriginal Objects Due Diligence Assessment

Opal Bella Vista

28 Norbrik Drive, Bella Vista, NSW

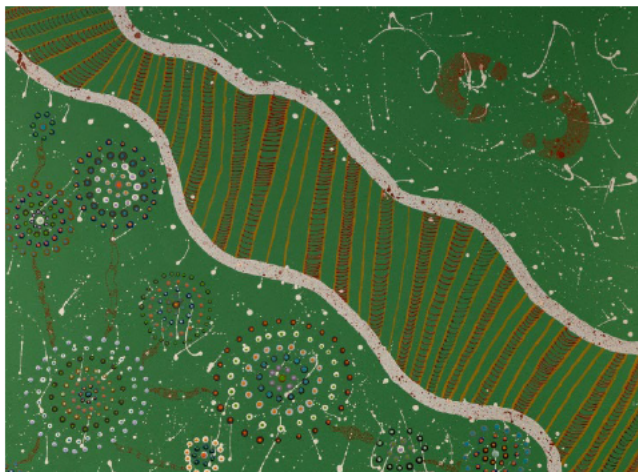
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Acknowledgment of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on. We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years. We pay our respects to First Nations Elders, past and present.

Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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Glossary

Term	Definition
Aboriginal ceremony and dreaming site	Previously referred to as mythological sites, these are spiritual/story places where no physical evidence of previous use of the place may occur, e.g. natural unmodified landscape features, ceremonial or spiritual areas, men's/women's sites, dreaming (creation) tracks, marriage places etc. These are Aboriginal site features recordable on AHIMS.
Aboriginal cultural heritage	The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.
Aboriginal object	As defined in the NPW Act, any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.
Aboriginal place	As defined in the NPW Act, any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the NSW Government Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.
Aboriginal resource and gathering sites	Related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade. These are Aboriginal site features recordable on AHIMS.
AHIMS	Aboriginal Heritage Information Management System. A register of previously reported Aboriginal objects and Aboriginal places in NSW, managed under Section 90 of the NPW Act.
AHIP	Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the NPW Act.
Archaeology	The scientific study of material remains of past human life, including artefacts, relics, ruins, buildings and their environment and context.
Art	Art is found in shelters, overhangs and across rock formations. Techniques include painting, drawing, scratching, carving engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants. These are Aboriginal site features recordable on AHIMS.
Artefact	Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people. These are Aboriginal site features recordable on AHIMS.
Artefact scatter	Multiple artefacts associated with one another in the same context. These are recordable on AHIMS as 'artefacts'.
Burial	A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked, e.g. in caves,

marked by stone cairns, in sand areas, along creek banks etc. These are Aboriginal site features recordable on AHIMS.

Ceremonial ring	A Raised earth ring associated with ceremony. These are Aboriginal site features recordable on AHIMS.
Cliff	A steep rock face
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010b).
Conflict site	Previously referred to as massacre sites where confrontations occurred between Aboriginal and non-Aboriginal people, or between different Aboriginal groups. These are Aboriginal site features recordable on AHIMS.
DECCW	Department of Environment, Climate Change and Water NSW.
Due Diligence Code	<i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> (DECCW 2010a)
Dune	As defined in the Due Diligence Code, a sand ridge or sand hill formed by the wind.
Earth mound	A mounded deposit of round to oval shape containing baked clay lumps, ash, charcoal and, usually, black or dark grey sediment. The deposit may be compacted or loose and ashy. Mounds may contain various economic remains such as mussel shell and bone as well as stone artefacts. Occasionally they contain burials. These are Aboriginal site features recordable on AHIMS.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EP&BC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
Fish trap	A modified area on watercourses where fish were trapped for short-term storage and gathering. These are Aboriginal site features recordable on AHIMS.
Grinding grooves	A groove in a rock surface resulting from manufacture of stone tools such as ground edge hatchets and spears, or rounded depressions resulting from grinding of seeds and grains. These are Aboriginal site features recordable on AHIMS.
Harm	As defined in the NPW Act, to destroy, deface, damage or move an Aboriginal object or destroy, deface or damage a declared Aboriginal place. Harm may be direct or indirect (e.g. through increased visitation or erosion). Harm does not include something that is trivial or negligible.
Habitation structure	Structures constructed by Aboriginal people for short- or long-term shelter. Temporary structures are commonly preserved away from the coastline and may include historic camps of contemporary significance. Smaller structures may make use of natural materials such as branches, logs and bark sheets or manufactured materials such as corrugated iron to form shelters. Archaeological remains of a former structure such as chimney/fireplace, raised earth building platform, excavated pits, rubble mounds etc. These are Aboriginal site features recordable on AHIMS.
Headland	A narrow piece of coastal land that projects from a coastline into the sea or ocean
Hearth	Aboriginal site feature recordable on AHIMS. Cultural deposit sometimes marked by hearth stones, usually also contains charcoal and may also contain heat treated stone fragments.

Isolated find	A single artefact found in an isolated context. These are recordable on AHIMS as 'artefacts'.
Modified Trees	Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burials shrouds, for medicinal purposes, foot holds etc, or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area, again these carvings may also act as territorial or burial markers. These are Aboriginal site features recordable on AHIMS.
Non-human bone and organic material	Objects which can be found within cultural deposits as components of an Aboriginal site such as fish or mammal bones, ochres, cached objects which may otherwise have broken down such as resin, twine, dilly bags, nets etc. These are Aboriginal site features recordable on AHIMS.
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019</i>
Ochre quarry	A source of ochre used for ceremonial occasions, burials, trade and artwork. These are Aboriginal site features recordable on AHIMS.
PAD	A 'potential archaeological deposit'. An area where Aboriginal objects may occur below the ground surface. These are Aboriginal site features recordable on AHIMS.
Ridge	A compound landform element comprising a narrow crest that is longer than its width
Ridge top (or ridgeline)	The crest of a ridge that extends along its highest contours
Shell	An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering and consumption. Usually found in deposits previously referred to as 'shell middens.' These are Aboriginal site features recordable on AHIMS.
SSDA	State Significant Development Application, under Division 4.7 of the EP&A Act
Stone arrangement	Human produced arrangements of stone usually associated with ceremonial activities, or used as markers for territorial limits or to mark/protect burials. These are Aboriginal site features recordable on AHIMS.
Stone quarry	A source of stone which was quarried and used for the production of stone tools by Aboriginal people. These are Aboriginal site features recordable on AHIMS.
Waterhole	A source of fresh water for Aboriginal groups which may have traditional ceremonial or dreaming significance and/or may also be used to the present day as a rich resource gathering area (e.g. waterbirds, eels, clays, reeds etc). These are Aboriginal site features recordable on AHIMS.
Waters	As defined in the Due Diligence Code, the whole or any part of any river, stream, lake, lagoon, swamp, wetlands, natural watercourse and tidal waters (including the sea), where the boundary of tidal waters is defined as the high-water mark.

Executive Summary

Urbis has been engaged by Bloompark on behalf of Opal HealthCare ('the Proponent') to conduct an Aboriginal Objects Due Diligence Assessment ('ADD') of 28 Norbrik Drive, Bella Vista, legally defined as Lot 1 DP 1217654 ('the subject area').

The Proponent is preparing a State Significant Development Application (SSDA) (SSD-53300464) to construct a Residential Aged Care Facility (RACF) with associated infrastructure and services.

The Housing Specific Planning Secretary's Environmental Assessment Requirement's (SEARs) requests an Aboriginal Cultural Heritage Assessment (ACHA) in Issue 21 if there is known or reasonably likely to be Aboriginal cultural heritage. The ADD was undertaken to determine whether any Aboriginal objects or Aboriginal places are likely to be harmed by the proposed development of the subject area.

The ADD was undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010) ('Due Diligence Code') and included the following:

- Searches of the Australian Heritage Database ('AHD'), Aboriginal Heritage Information Management System ('AHIMS') and State Heritage Inventory ('SHI')
- Review of previous archaeological assessments relevant to the subject area
- Landscape analysis
- Analysis of historical land use and its impact on the subject area

The present due diligence assessment concluded that:

- 1) The proposed activity is not a 'low impact activity' and will disturb the ground surface. The proposal consists of the construction of a 5-storey Residential Aged Care Facility and basement car parking.
- 2) There are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area.
- 3) No previous assessments addressing the subject area were identified.
- 4) No relevant landscape features are present within the subject area. An unnamed tributary of Caddie's Creek was located within the subject area prior to historical ground disturbance. While this may have originally indicated sensitivity for Aboriginal objects, the Due Diligence Code specifies that the landscape features are of relevance only if the subject area has not been subjected to ground disturbance.
- 5) Clear and observable ground disturbance has occurred at the subject area. Historical ground disturbance has included clearance of vegetation and topsoils, agricultural activity, machinery activity for cut and fill activities, vehicle activity in use of the area as a carpark, and construction of a multi-storey development with deep drainage basins.
- 6) The due diligence assessment determined that no Aboriginal Cultural Heritage Assessment Report or any other further investigation is required.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Record Keeping**

This ADD report should be kept as evidence of the Due Diligence Process having been applied to the subject area.

- **Recommendation 2 – No Further Investigation**

The development may proceed with caution, subject to the following archaeological chance finds and human remains procedures being implemented and followed.

- **Recommendation 3 – Unexpected Archaeological Finds Procedure**

Should any archaeological deposits be uncovered during any site works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds. The find must not be moved 'out of the way' without assessment.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS).
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

▪ **Recommendation 4 – Human Remains Procedure**

In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds.
2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.
5. Works are not to recommence until the find has been appropriately managed.

1

Introduction

- 1.1. **Subject Area**
- 1.2. **Proposed Works**
- 1.3. **Statutory Context**
- 1.4. **Methodology**
- 1.5. **Limitations**

1 Introduction

Urbis has been engaged by Bloompark on behalf of Opal HealthCare ('the Proponent') to conduct an Aboriginal Objects Due Diligence Assessment ('ADD') of 28 Norbrik Drive, Bella Vista, legally defined as Lot 1 DP 1217654 ('the subject area'). The regional location and boundary of the subject area are shown in Figure 1 and Figure 2 respectively.

The proponent is seeking to lodge a State Significant Development Application (SSDA) (SSD-53300464). The works comprise of the construction of a Residential Aged Care Facility (RACF) with associated facilities and infrastructure services.

The Housing Specific Planning Secretary's Environmental Assessment Requirement's (SEARs) were issued for SSD-53300464 on 28 January 2025. Item 21 of the SEARs specifies the following requirement in relation to Aboriginal cultural heritage:

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. 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.*

The ADD has been prepared to meet the requirements for due diligence under the *National Parks and Wildlife Act 1974* (NSW). The ADD follows the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010a) ('the Due Diligence Code') and aims to establish whether any Aboriginal objects or Aboriginal places would be harmed, or would be likely to be harmed, by the proposed activity and to ascertain whether further investigation is required.

1.1 Subject Area

The subject area is located at 28 Norbrik Drive, Bella Vista, legally defined as Lot 1 DP 1217654, and is located within The Hills Shire Local Government Area (LGA) as well as the administrative catchment of the Deerubbin Local Aboriginal Land Council (LALC). Located 28km north west of the Sydney CBD, the subject area is irregularly shaped and has an area of approximately 5.9 hectares (ha). The subject area is fronted by Old Windsor Road to the west and Norbrik Drive to the north. There is currently vehicular access from Norbrik Drive into the existing Aveo Bella Vista seniors housing development. The subject area is zoned SP4 – Special Activities. The Aveo Bella Vista Haven Retirement Village is currently extant within the subject area in the western portion. The remaining area is comprised of two large drainage basins and cleared land.

1.2 Proposed Works

The proponent is seeking to lodge a State Significant Development Application (SSDA) (SSD-53300464).

The proposal involves the construction and operation of a Residential Aged Care Facility at 28 Norbrik Drive, Bella Vista, including :

- Site preparation works;
- Construction of a 5-storey Residential Aged Care Facility (RACF), comprising of:
 - 135 one-bed units, including 15 bed high care and memory care wing at ground floor level;
 - Back of house, including commercial kitchens and laundry facilities at basement level

- Staff administration area;
- Resident amenities including central social hub, café, function room, shared resident spaces, gym and wellness rooms;
- Outdoor courtyard, activity space, shared garden areas, and children’s play area
- Augmentation and extension of existing services including electrical supply, hydraulic services, and fire services;
- Construction of basement car parking for 35 spaces;
- Construction of 9 on grade parking spaces, drop off bay, and ambulance bay; and;
- Provision of associated landscaping.

Plans of the proposed development are provided in Figure 3 and Figure 7.

1.3 Statutory Controls

1.3.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (‘the EPBC Act’) provides protection for properties and places listed on the World Heritage List (‘WHL’), the National Heritage List (‘NHL’) and the Commonwealth Heritage List (‘CHL’).

The WHL is a list of properties around the world considered to be of outstanding value to humanity, the NHL is a list of places of outstanding significance to the nation and the CHL is a list heritage places owned or controlled by the Australian Government. The WHL, NHL and CHL may include properties and places of Aboriginal heritage significance, in addition to places of natural and historical significance.

It is an offence under sections 15A, 15C, 27A and 27C of the EPBC Act to take any action that is likely to have a significant impact of the relevant heritage values of a place listed on the WHL, NHL or CHL. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the WHL, NHL or CHL.

Properties and places listed on the WHL, NHL or CHL, are included in the Australian Heritage Database (‘AHD’). The AHD also includes places under consideration, or that may have been considered, for any one of these lists. A search of the AHD was undertaken on 30 September 2025. A search of the Australian Heritage Database identified the item ‘Sydney Cultural Crescent Rock Art’ covers the subject area. This item is only a nominated place and is not approved. Therefore, the item is not relevant for this assessment.

1.3.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NSW) (‘the NPW Act’) and *National Parks and Wildlife Regulation 2019* (NSW) (‘the NPW Reg’) protect ‘Aboriginal objects’ and ‘Aboriginal places’ in NSW.

The NPW Act defines ‘Aboriginal objects’ and ‘Aboriginal places’ as follows:

- **Aboriginal object** means 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.
- **Aboriginal place** means any place, which may or may not contain Aboriginal objects, that is declared to be an Aboriginal place under section 84 of the NPW Act because it is or was of special significance with respect to Aboriginal culture.

Under section 86 of the NPW Act, it is an offence to harm or desecrate an Aboriginal object or Aboriginal place. Section 87 of the NPW Act provides the following defences to prosecution under s. 86 of the NPW Act:

- The harm was to a previously unknown Aboriginal object, other than a modified tree, and was caused by a low impact activity as defined in reg. 58 of the NPW Reg.
- The harm was to a previously unknown Aboriginal object and due diligence was exercised by the Proponent to determine whether the activity would harm an Aboriginal object and reasonably determined that no Aboriginal object would be harmed, per section 87(2) of the NPW Act.
- The harm or desecration was authorised by an Aboriginal Heritage Impact Permit ('AHIP'), per section 87(1) of the NPW Act.
- The harm or desecration was authorised by an approved State Significant Development Application, per section 4.41(1)(d) of the *Environmental Planning and Assessment Act 1979* (NSW).

Regulation 58 of the NPW Reg defines 'low impact' activities as:

- Maintenance of existing roads, fire and other trails and tracks and existing utilities and other similar services, on disturbed land.
- Farming and land management work for cropping and leaving paddocks fallow, the construction of water storage works, the construction of fences, the construction of irrigation infrastructure, ground water bores or flood mitigation works, or the construction of erosion control or soil conservation works (such as contour banks), on disturbed land.
- Farming and land management work that involved the maintenance of existing grain, fibre or fertiliser storage areas, existing water storage works, existing irrigation infrastructure, ground water bores or flood mitigation works, existing fences, or existing erosion control or soil conservation works.
- The grazing of animals.
- An activity on land that has been disturbed that comprises exempt development or was the subject of a complying development certificate issued under the *Environmental Planning and Assessment Act 1979*.
- Mining exploration work that involved costeaning, bulk sampling or drilling, on disturbed land.
- Geological mapping, surface geophysical surveys (excluding seismic surveys), sub-surface geophysical surveys that involve downhole logging and sampling and coring using hand-held equipment (except when carried out as part of an archaeological investigation).
- The removal of isolated, dead or dying vegetation, but only if there is minimal disturbance to the surrounding ground surface.
- Seismic surveying and the construction and maintenance of ground water monitoring bores on disturbed land.
- Environmental rehabilitation work (excluding erosion control or soil conservation works).

For the purposes of the above, land is 'disturbed' if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable (reg. 58(4)).

The proposed works described in Section 1.2 above are not 'low impact' activities as defined in reg. 58 of the NPW Reg. Therefore, the present ADD was undertaken to exercise due diligence to determine whether the proposed activity would harm an Aboriginal object or Aboriginal place.

1.4 Methodology

In accordance with section 87(3) of the NPW Act, due diligence may be exercised by compliance with the requirements set out in the NPW Regulation or a code of practice adopted or prescribed by the NPW Regulation.

The present ADD was undertaken in accordance with the generic due diligence process described in Section 8 of the Due Diligence Code. It is noted that there is an inconsistency between the due diligence process depicted

in the flowchart on page 10 of the Due Diligence Code and the process described on pages 11 to 14. The latter was adopted in *Williams v Graham* [2016] NSWLEC 151 and has been applied for the present ADD.

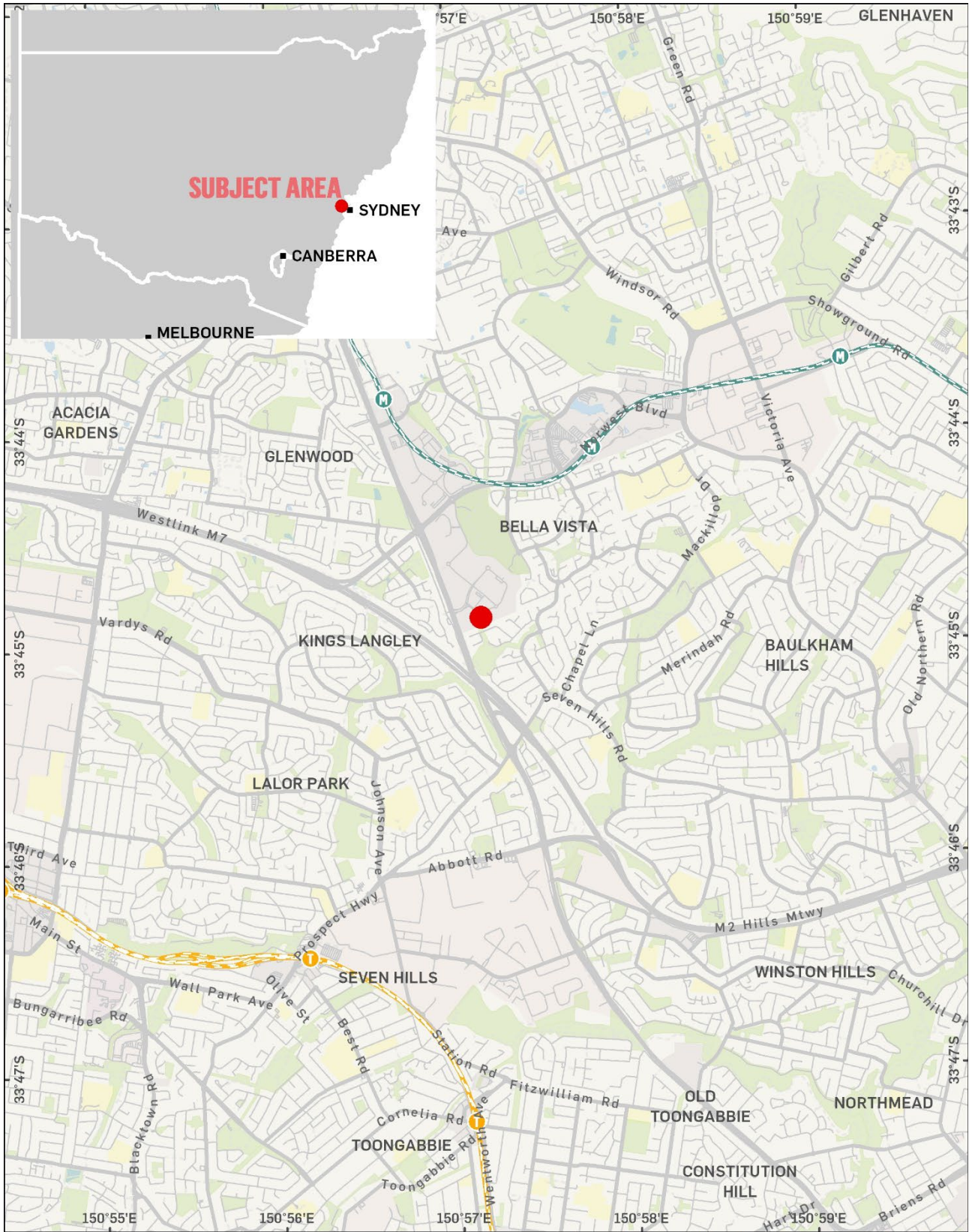
The ADD included the following:



- Searches of the Australian Heritage Database ('AHD'), Aboriginal Heritage Information Management System ('AHIMS') and State Heritage Inventory ('SHI')
- Review of previous archaeological assessments relevant to the subject area
- Landscape analysis
- Analysis of historical land use and its impact on the subject area

1.5 Limitations

The ADD is limited to consideration of Aboriginal objects and places. Historical heritage properties and places protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and historical heritage items and relics protected under the *Heritage Act 1977* (NSW) are not considered.

The ADD is limited to the due diligence process outlined in the Due Diligence Code. The ADD did not include consultation with the Aboriginal community or consideration of intangible cultural heritage. No site inspection was undertaken for the project.



GDA 1994 MGA Zone 56

 Project No: P0063579
 Project Manager: Ali Byrne
 Subject Area

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REGIONAL LOCATION
 Opal Bella Vista
 Opal HealthCare

Figure 1 – Regional location



GDA 1994 MGA Zone 56

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Project No: P0063579
Project Manager: Ali Byrne

Subject Area
 Contours
 Hydrology
 Ephemeral

LOCATION OF THE SUBJECT AREA
Opal Bella Vista
Opal HealthCare

Figure 2 – Location of the subject area

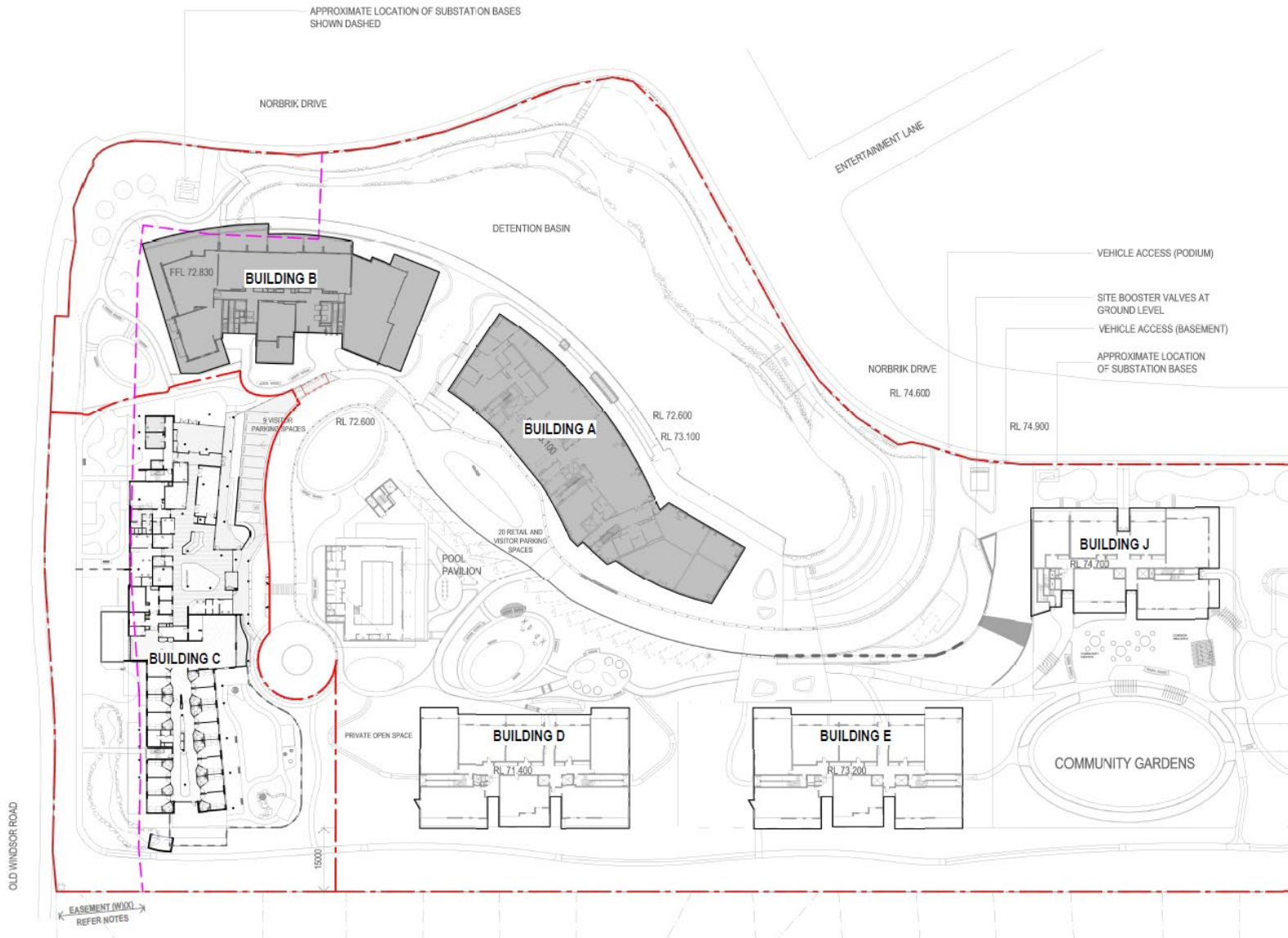


Figure 3 – Proposed ground level plan.

Source: Jackson Teece, 2025

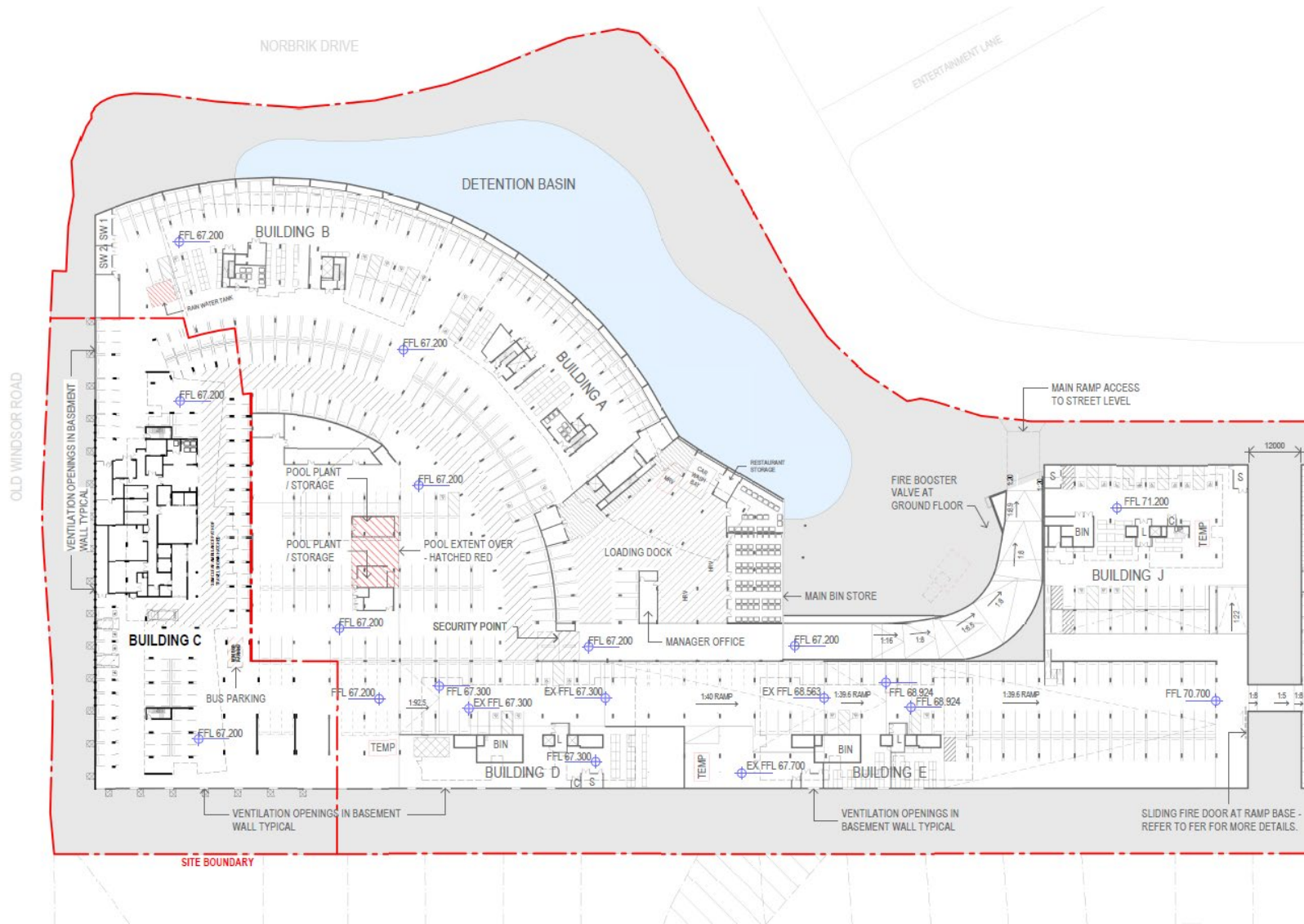
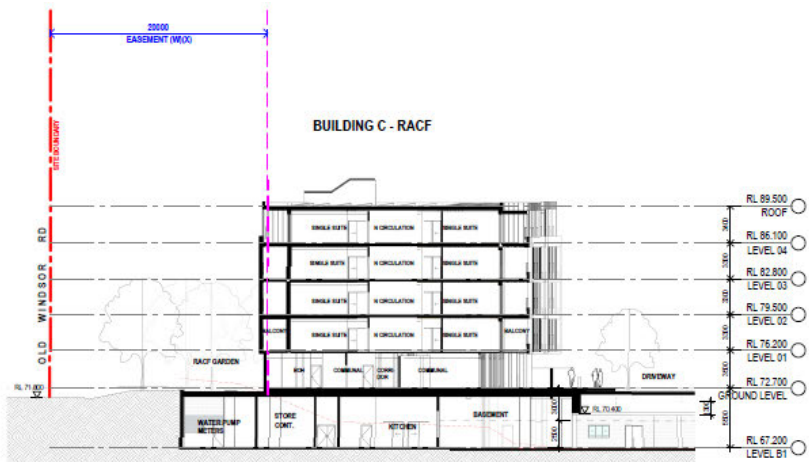
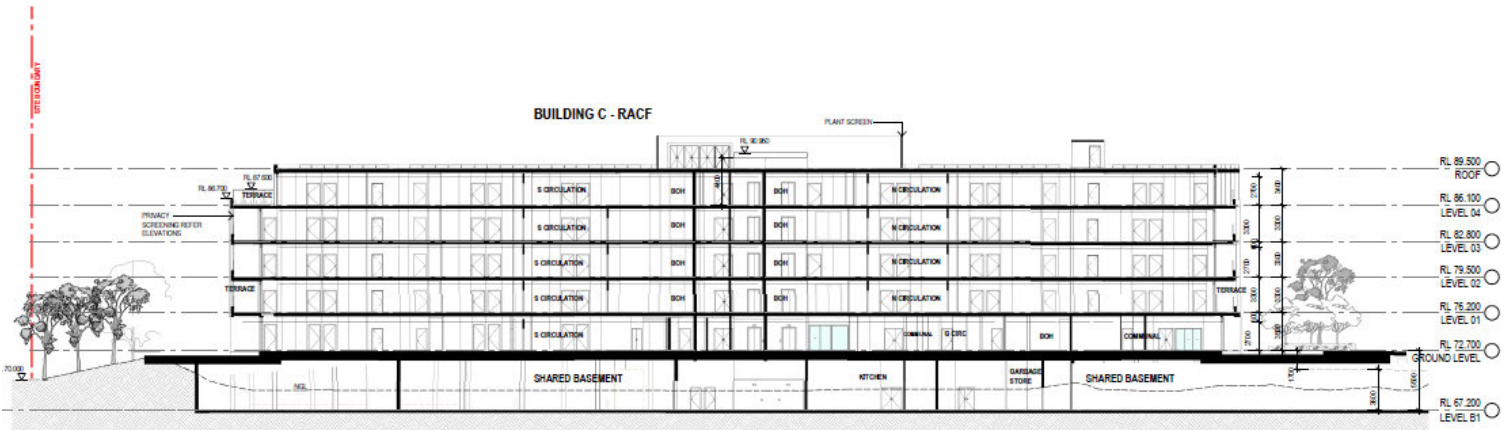


Figure 4 – Proposed basement level plan.

Source: Jackson Teece, 2025



1 EAST/WEST SECTION



2 NORTH/SOUTH SECTION

Figure 6 – Proposed sections for the development.

Source: Jackson Teece, 2025



Figure 7 – Proposed landscape area plan and deep soil planting area.

Source: Jackson Teece, 2025

2

Aboriginal Cultural Heritage

2.1. Archaeological Context

2.1.1. Declared Aboriginal Places

2.1.2. Registered Aboriginal Objects

2.1.3. Previous Archaeological Investigations

2.2. Environmental Context

2.2.1. Landscape Features

2.2.2. Historical Ground Disturbance

2.3. Summary

2 Aboriginal Cultural Heritage

The following discussion of archaeological context and environmental context of the subject area provides the relevant background information necessary for applying the due diligence process to the subject area.

2.1 Archaeological Context

2.1.1 Declared Aboriginal Places

The NSW State Heritage Inventory (SHI) includes all declared Aboriginal places within NSW, in addition to historic heritage items listed on the State Heritage Register (SHR), listed Interim Heritage Orders (IHOs) and items listed on Local Environment Plans (LEPs) and State Environmental Planning Policies (SEPPs).

A search of the SHI was undertaken on 30 September 2025. Items listed on the SHI in the vicinity of the subject area are shown in Figure 5. No Aboriginal places were identified as a result of the search. One heritage item is located outside the western curtilage of the subject area. This item is not relevant to the present assessment and is addressed in the Historical Advice Letter prepared by Urbis 2025.

2.1.2 Registered Aboriginal Objects

The Aboriginal Heritage Information Management System (AHIMS) is a database of registered Aboriginal sites in NSW. Each registered Aboriginal site includes one or more site 'features', which may be considered an Aboriginal object under the NPW Act.

The *Guide to completing the AHIMS Site Recording Form* (OEH 2012) lists 20 different features that may be recorded on AHIMS. The most common site features registered in NSW are artefacts, modified trees, art, grinding grooves and shell deposits (see Glossary for definitions). However, the likelihood of any particular site feature being found will vary according to region and environment. Less common site features that are encountered are burials, ceremonial rings, earth mounds, fish traps, habitation structures, hearths, non-human bone and organic material, ochre quarries, stone arrangements and stone quarries (see Glossary for definitions).

Other Aboriginal site features that are recorded on AHIMS but are not necessarily 'Aboriginal objects' within the meaning of that term as it is defined in the NPW Act (i.e. are not a 'deposit, object or material evidence... relating to the Aboriginal habitation of the area') are potential archaeological deposits (PADs), Aboriginal ceremony and dreaming sites, Aboriginal resource and gathering sites, conflict sites and waterholes (see Glossary for definitions). These features are only considered to be 'Aboriginal objects' for the purpose of the NPW Act if accompanied by at least one of the other site types defined above.

The AHIMS database also provides information on the context of registered Aboriginal sites. Sites that are recorded as 'closed' contexts are those that include a cave or rock overhang, while all other sites are recorded as 'open' context.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or places as it is limited to sites that have been previously identified and registered. Registration is typically the result of previous archaeological investigation, so the number of registered Aboriginal sites in area is dependent on the amount of such research previously undertaken.

A search of the AHIMS was carried out on 30 September 2025 (AHIMS Client Service IDs: 1050250 and 1050253) for an area of approximately 5 km x 5 km centred on the subject area. A summary of all previously registered Aboriginal objects and Aboriginal places within the search area is provided in Table 1 and their spatial distribution is shown in Figure 6. The Basic and Extensive AHIMS search results are included in Appendix A. The results of the search are discussed below.

The search of the broader region around the subject area was undertaken to determine if:

- (i) there are any registered Aboriginal sites near the subject area that might extend into it; and

- (ii) to determine if there is any association of Aboriginal sites certain landscape features within the broader region that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

Table 1 – Registered Aboriginal sites in AHIMS search area

Site Feature	Context	Number	% of Sites	% of Features
Artefact	Open	66	94%	93%
Grinding Groove	Open	2	3%	3%
PAD	Open	2	3%	3%
Non-Human Bone and Organic Material	Open	1	1%	1%
Shell	Open	1	1%	1%

2.1.2.1 Identified Sites

The search did not identify any Aboriginal objects, or Aboriginal places are located within the curtilage of the subject area. In the broader search area, a total of 72 Aboriginal objects, and no Aboriginal places are registered. Two of the recorded Aboriginal objects were identified as 'not a site' in the search results, reducing the total number of identified Aboriginal objects to 70. The locations of the 70 identified Aboriginal sites are shown in Figure 5 and Figure 6.

The search identified ten previously registered Aboriginal sites within 500m of the subject area in Table 2 below. Five of the ten AHIMS sites were recorded by Michael Guider in 1997. He submitted the forms to AHIMS after they had been destroyed by a housing development. Helen Brayshaw was engaged by Norwest Business Park to locate these sites and provide further information. The sites recorded by Guider were not able to be located and Brayshaw questions the legitimacy of the sites as the artefacts were not lodged with the Australian Museum. Further discussion of the report is provided in Section 2.1.3 below.

Table 2 – AHIMS sites within 500m of the subject area.

AHIMS site ID	Name of Site	Site Feature	Distance from subject area (m)	Description
45-5-2017	Belvis 7 (Bella Vista)	Artefact	60m north	This site was registered in 1997 by Michael Guider. There was no AHIP associated with the site card and the site was registered from 'personal investigation'. The site was also recorded after the artefacts had been destroyed by a Housing Estate. It was noted that the developers were not required to submit a Environmental Impact Study prior to undertaking development. The site was described as an open campsite consisting of red silcrete situated on high flat ground. Noted as disturbed by quarry work and rubbish dumping.
45-5-3703	Kings Langley 1	Artefact	400m west	This site was recorded by Micheal Guider in 1997. Open campsite with red silcrete, indurated mudstone, and quartz artefacts located on a

				ridge. Noted as destroyed by a housing estate development.
45-5-3704	Kings Langely 2	Artefact	300m west	This site was recorded by Micheal Guider in 1997. Open campsite consisting of red silcrete situated on high flat ground 50m away from a creek. Noted as destroyed by a housing estate development
45-5-3705	Kings Langely 3	Artefact	700m south	This site was recorded by Micheal Guider in 1997. Open campsite consisting of indurated mudstone and red silcrete situated on a ridge base. Noted as disturbed by manmade and natural erosion as well as rubbish dumping.
45-5-3706	Kings Langely 4	Artefact	300m west	This site was recorded by Micheal Guider in 1997. Open campsite consisting of red silcrete, indurated mudstone, quartz, and chert situated on a ridge top. Noted as destroyed by a housing estate development.
45-5-0936	Powers Lane 2	Artefact	450m west	This site was recorded by Denis Byrne in 1993. Open artefact site consisting of 2 flaked stone artefacts situated on a spur. The site was noted as being disturbed by a vehicle track.
45-5-0937	Powers Lane 3	Artefact	700 m west	This site was recorded by Denis Byrne in 1993. Open artefact site consisting of 2 flaked stone artefacts situated on the mid flank slope of a spur. The site was noted as being disturbed by a vehicle track.
45-5-3291	BVFP4	Artefact	600 north	Recorded by Fiona Leslie in 2006, this site comprised of 1 complete flake of white tuff located on a mid-slope adjacent to a former drainage line running off the knoll to the west. The site card noted the artefacts were found in a disturbed context and have since been destroyed under a permit.
45-5-3288	BVFP3	Artefact	450m north	Recorded by Fiona Leslie in 2006, this site comprised of 1 core of white tuff located on a hill crest. The site card noted that the artefacts were located in highly disturbed ground adjacent to a driveway with introduced gravels and fills.
45-5-2409	Bella Vista 3	Artefact	400m north	Recorded by Helen Brayshaw in 1997, the site comprises of two stone artefacts were found 20m apart on a vehicle track made from grey banded chert and ochre/pink coloured chert. The site card notes there had been bulldozing activity in the area and the vicinity of the site was disturbed. A piece of glass with flaking marks was also identified though was not noted to be an artefact.

2.1.2.2 Site Features

The highest occurring site feature in the search area was Artefact occurring at 94% of all sites and 93% of all features (n=66). The Artefact sites identified in the AHIMS extensive search are associated with numerous and interconnected waterways in the surrounding landscape as shown in Figure 5 and Figure 6. The predictive model of the Due Diligence Code notes that areas within 200m of a water source are sensitive for Aboriginal objects. The majority of the Artefact sites that are associated with the creeklines are also located on the high ground to the north of the subject area. Environmental features such as ridgelines are also covered by the predictive model of the Due Diligence Code.

The remaining site features occur at a much lower frequency than Artefacts in the Extensive search. Site features including Grinding Grooves, Non-Human Bone and Organic Material, and Shell comprise between 1% (n=1) and 3% (n=2) of all site features. The location of the confirmed Aboriginal sites are also associated with the sensitive landscape features of creek lines and ridgelines.

The remaining site feature is PAD occurring at 3% (n=2) of all site features. A PAD is not a confirmed Aboriginal site and merely indicates a potential deposit of Aboriginal objects based on the sensitive landscape features. In this case, one site AHIMS ID #45-5-3352, combines multiple site features of Non-Human Bone and Organic Material, PAD, Shell and therefore is a confirmed Aboriginal site with further subsurface potential.

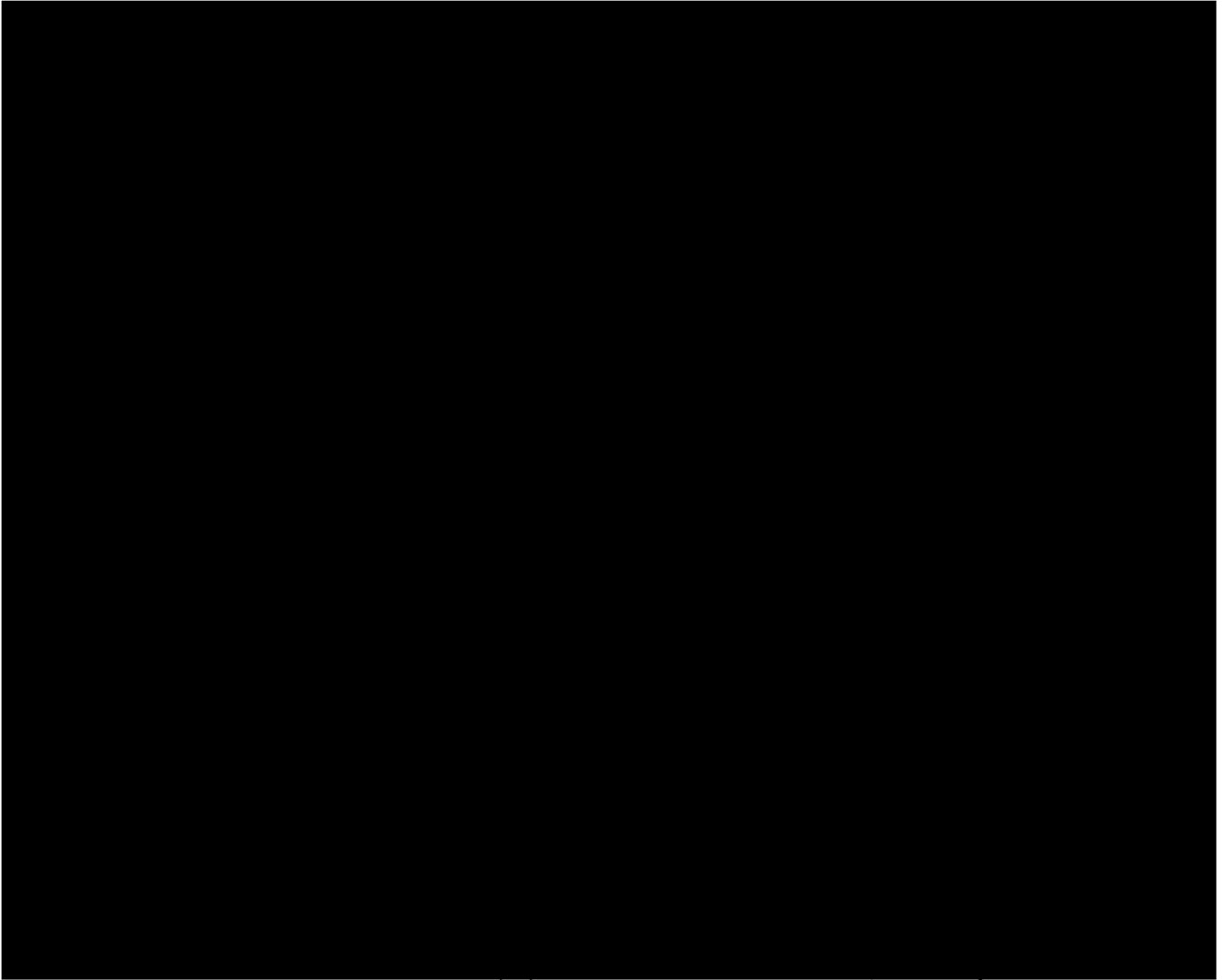


Figure 8 – Location of AHIMS sites surrounding the subject area on the Norwest Business Park. The sites Belvis 1-7 were recorded by Michael Guider. The blue arrow indicates the location of 'Belvis 7' (AHIMS ID: 45-5-2017). The red arrow indicates the location of the present subject area. Note that the above map is not to scale.

Source: Brayshaw 1997, Norwest Business Park Bella Vista, Archaeological survey for Aboriginal Sites, Appendix C



Figure 9 – Aerial image from 1965 with a blue arrow showing the approximate location of ‘Belvis 7’ AHIMS ID#45-5-2017. The location has been highly disturbed by quarrying activities, and it is very unlikely any artefact remains at this location due this disturbance and reasons discussed in Section 2.1.2 above. Note that Old Windsor Road had been widened since 1965.

Source: NearMap

2.1.3 Previous Archaeological Investigations

Previous archaeological investigations may provide information on known or potential Aboriginal archaeological resources in a subject area.

Kelleher Nightingale (2017) undertook an archaeological investigation of Norwest Boulevard, Lexington Drive and Elizabeth Macarthur Drive, Bella Vista, located approximately 1km north of the present subject area. The report consisted of a desktop assessment and an archaeological survey.

No Aboriginal archaeological objects were identified within the study area as a result of the assessment. The desktop assessment noted one previously recorded site within the study area 'Bella Vista 1; AHIMS 45-5-0492'. This site was destroyed in 1993 from the installation of a water pipe in accordance with a Section 90 (#495). The survey confirmed the study area had undergone substantial ground disturbance. The disturbance comprised of landscaping, road and footpath construction, earthworks, and the installation of underground utilities. The study area was assessed as having no potential for Aboriginal objects to occur in natural ground surfaces or sub-surface deposits. This assessment is relevant for its close proximity to the subject area, similar landscape features and site history. The report suggests that while the natural landscape of the Bella Vista area may have contained Aboriginal objects, past historical disturbance may have removed them from the subject area.

Brayshaw & Associates Consultant Archaeologists (1985) undertook a desktop assessment and an archaeological survey of the Norwest Estate of Baulkham Hills. The study area for this assessment is located approximately 2km north east of the present subject area. The archaeological survey identified one archaeological site (AHIMS ID# 45-5-0492) 'Bella Vista 1'. This site comprised of an artefact scatter of eight artefacts located on a ridge line. The artefacts were made from silcrete and siltstone material and were described as a broken flake and flaked pieces. The assessment noted that the archaeological context of the artefacts had been destroyed and therefore archaeological information about the artefact was limited. The artefact identified on the survey was associated with the sensitive environmental landscape feature of a ridge line which does not extend into the present subject area.

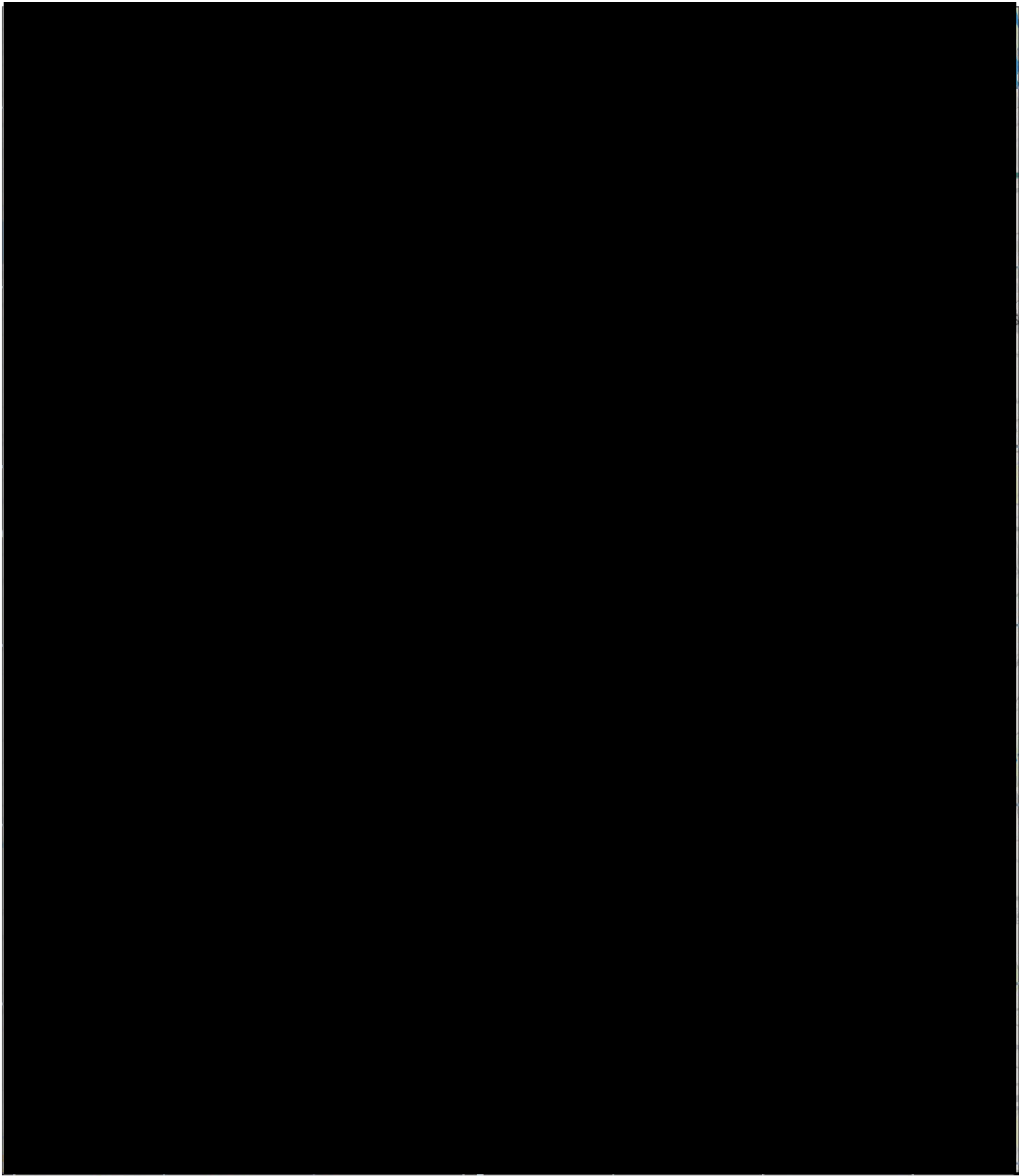
Helen Brayshaw Heritage Consultants (1997) undertook a desktop assessment and an archaeological survey for the Norwest Business Park, Bella Vista. The study area for this assessment is located approximately 2km north east of the present subject area and covered the same area as the previous 1985 assessment. Further investigation for the site was undertaken as new Aboriginal sites had been added to AHIMS by Micheal Guider in 1997 and required inspection. These sites included Belvis 1-7 (AHIMS ID#45-5-2020, #45-5-2019, #45-5-2018, #45-5-2443, #45-5-1104, #45-5-1105, #45-5-2017) and are located approximately 300m west of the present subject area.

Artefacts were identified at some of the recorded sites, however most were not able to be located during the survey. Brayshaw discusses the legitimacy of the sites recorded by Guider stating the following:

"The fact that the forms state that artefacts were collected from the sites and deposited in the Australian Museum complicates the picture somewhat, particularly since the Australian Museum has no record of the artefact being lodged. This gives rise to the question of whether the sites are genuine. The site forms are dated late May and early June 1997. It has been ascertained that Mr Guider has been detailed at Her Majesty's pleasure in Lithgow since 28th February 1996 and is there at the present time."

Apart from the Guider sites, two new sites were identified by Brayshaw during the survey 'Bella Vista 2' (AHIMS ID# 45-5-2408) and 'Bella Vista 3' (AHIMS ID#45-5-2409). Bella Vista 2 consisted of four stone artefacts located on a saddle landform and were found in a disturbed context that had been impacted by ploughing and other earthworks. Bella Vista 3 comprised of two stone artefacts located on a vehicle track. The area was noted as having been disturbed by bulldozing activity. An axe head and other isolated finds were also identified on the survey though they had been found in redeposited material.

This report identifies that Aboriginal objects have been recorded close to the present subject area though historical disturbance has destroyed the archaeological context of the sites. There are also not as many genuine artefact sites surrounding the present subject area as is pictured in Figure 5 and Figure 6.



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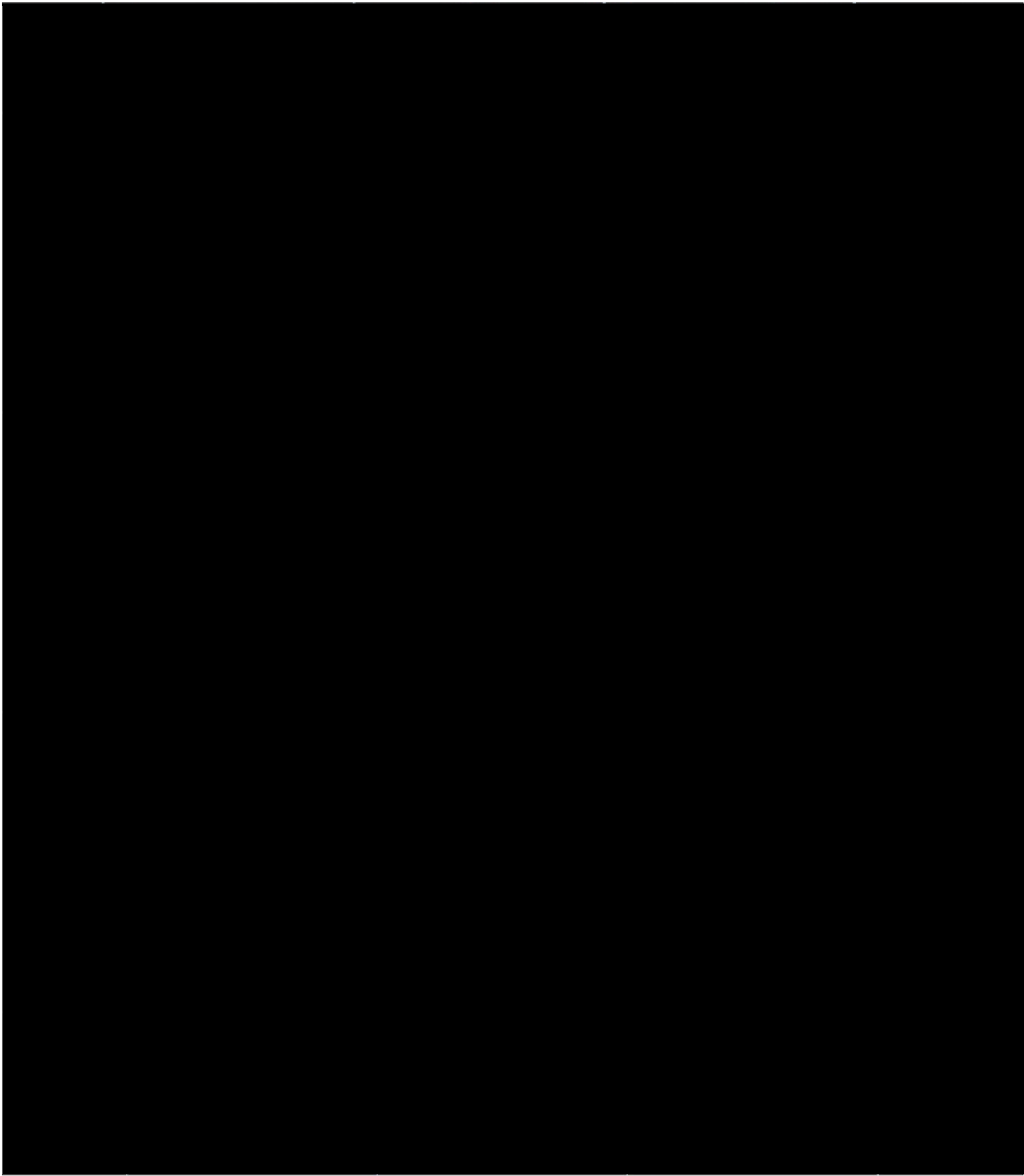


Project No: P0063579
Project Manager: Ali Byrne

AHIMS SITES IN EXTENSIVE SEARCH AREA
Opal Bella Vista
Opal HealthCare

- Subject Area
 Open site
 Artefact
- Contours
 Closed site
 Artefact, PAD
- Permanent
 Grinding Groove
- Ephemeral
 Non-Human Bone and Organic Material, PAD, Shell
- Hydrology
 PAD

Figure 10 – Location of Aboriginal sites registered in AHIMS search area



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Project Manager: Ali Byrne

AHIMS SITES IN PROXIMITY
Opal Bella Vista
Opal HealthCare

- Subject Area
- Ephemeral
- Closed site
- Contours
- Hydrology
- Artefact
- Permanent
- Open site

Figure 11 – Location of Aboriginal sites in proximity to the subject area.

2.2 Environmental Context

2.2.1 Landscape Features

Aboriginal objects may be associated with certain landscape features that played a part in the everyday lives and traditional cultural activities of Aboriginal people. The Due Diligence Code specifies the following landscape features are indicative of likely past Aboriginal land use:

- Areas within 200 m of waters including freshwater and the high tide mark of shorelines.
- Areas located within a sand dune system.
- Areas located on a ridge top, ridge line or headland.
- Areas located within 200 m below or above a cliff face.
- Areas within 20 m of or in a cave, rock shelter, or a cave mouth.

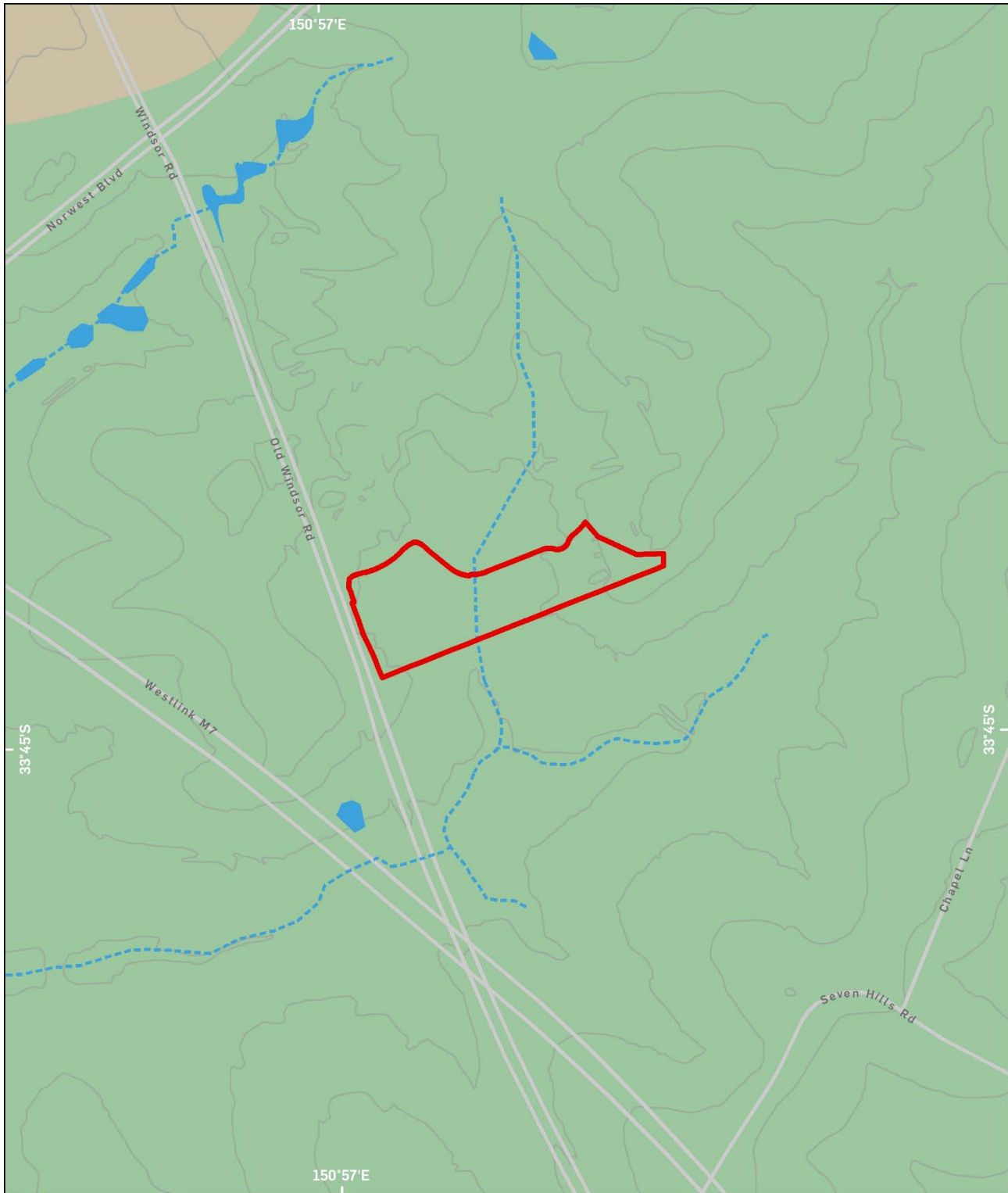
The above landscape features are defined in the Glossary of this report. Only the terms 'waters' and 'dune' are explicitly defined in the Due Diligence Code.

Soils and Geology: The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes within NSW. The subject area is located within the Luddenham soil landscape (Figure 12). On lower slopes and drainage lines, the typical soil profiles consist of up to 50cm of loamy sand overlying >100cm sandy clay. The Luddenham soil landscape is underlain by the Wianamatta Group Ashfield Shale and Bringelly Shale formation.

Topography: The topography associated with the Luddenham soil landscape is described as undulating to rolling low hills (Figure 13).

Vegetation: The original native vegetation associated with the Luddenham soil landscape consisted of dry sclerophyll forest. Dominant tree species included *Eucalyptus maculata* (spotted gum) and *E. moluccana* (grey box). Cultural markings may occur on a wide variety of tree species, including those likely to have been present in the Luddenham soil landscape.

Hydrology: The nearest existing natural water source to the subject area is a tributary of Caddies Creek which flows in an east west direction. The creek line is located 680m north of the subject area. However, historical aerials and maps show that an unnamed creek line originally ran north to south through the central portion of the subject area (Figure 14).



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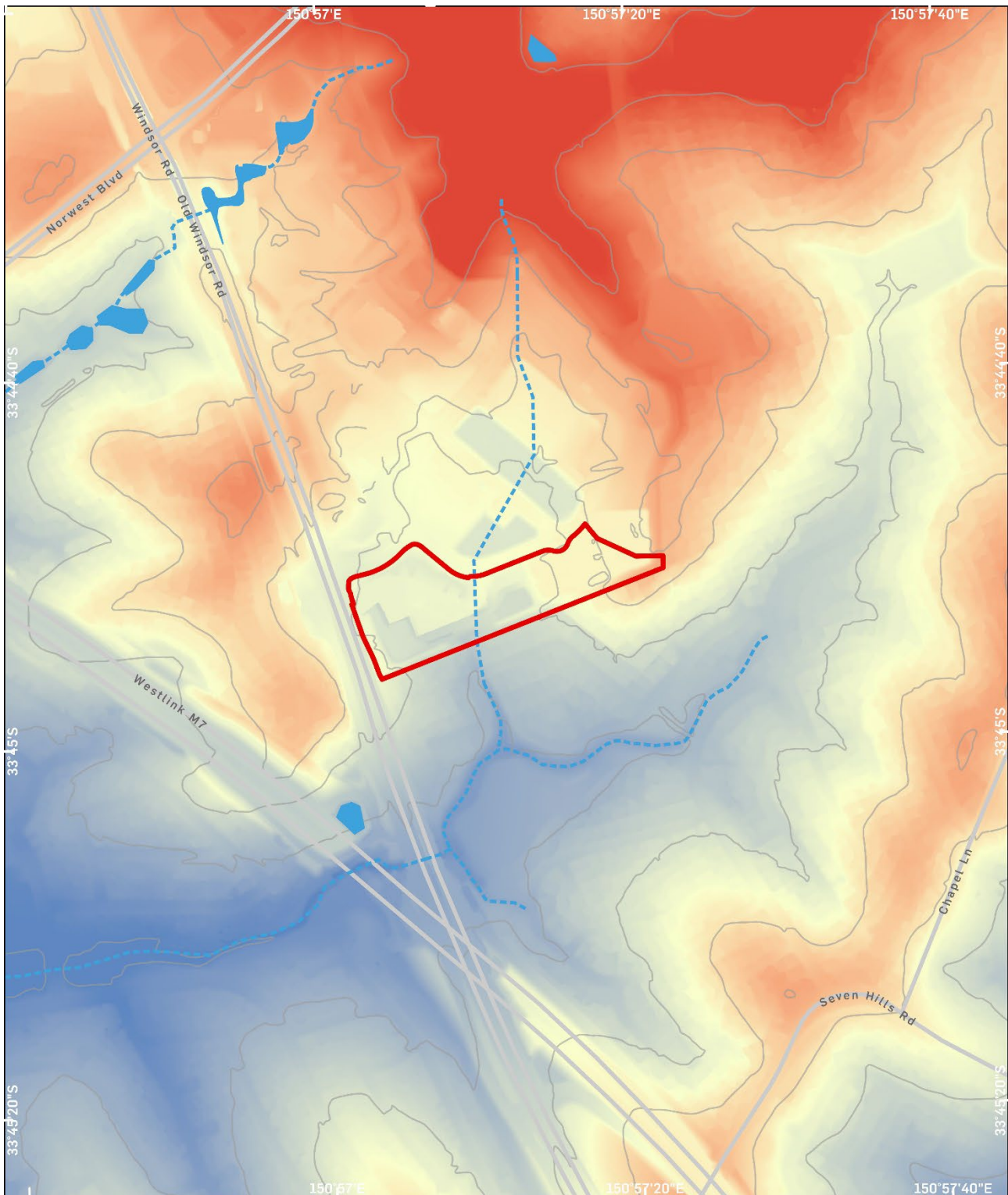


Project No: P0063579
Project Manager: Ali Byrne

SOIL LANDSCAPES AND HYDROLOGY
Opal Bella Vista
Opal HealthCare

- Subject Area
- BLACKTOWN (Residual)
- LUDDENHAM (Erosional)
- Hydrology
- Ephemeral
- Contours

Figure 12 – Soil landscapes and hydrology



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Project No: P0063579
Project Manager: Ali Byrne

TOPOGRAPHY
Opal Bella Vista
Opal HealthCare

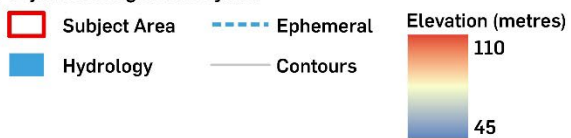


Figure 13 – Topography



Figure 14 – Undated Parish map of Castle Hill likely from the late 19th Century shows a tributary of Caddie’s Creek running through the subject area (outlined in red).

Source: HLRV

2.2.2 Historical Ground Disturbance

Disturbance to the landscape after Aboriginal use reduces the likelihood for Aboriginal objects being retained, either through destruction of the Aboriginal objects or their removal.

According to the Due Diligence Code, land is disturbed if it has been the subject of a human activity that has changed the surface of the land, being changes that remain clear and observable. The Due Diligence Code provides the following examples of activities that may have disturbed land:

- 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)
- Construction of earthworks

During the 19th Century the subject area was located within farmland granted to William Goodhall in October 1799 and the second to James Robertson in 1801. Several other early land grants were given at this time. The first settler in the area was Matthew Pearce, his property was known as 'King's Langley'. Other early grants include Joseph Foveaux's 'Stock Farm'. 160 acres was granted to Richard Richardson, and this became the 'Bella Vista' farm complex to the northeast of the subject area (Worley Parsons 2013: 14). In the early 19th century, the Bella Vista area was primarily used for grazing cattle and sheep and growing citrus orchards. Citrus orchards became the dominant agricultural pursuit in the area throughout the 19th century. No evidence has been identified to suggest that the subject area was developed during the 19th century. Ground disturbing activity may have also included land clearance, agricultural activity including ploughing and construction of orchards.

In the early 20th century, the 1930 aerial photograph show the subject area as vacant farmland with some evidence of cultivation (Figure 15). In 1949 'Bella Vista' was sold to the North Sydney Brick and Tile Company (later known as Norbrick) (Worley Parsons 2013: 16). The company started making bricks in 1956 and expanded their operations in the 60s and 70s to include the subject area and its surrounds. The 1965 aerial photograph shows several large buildings occupying the site and a quarry operating out of the subject area (Figure 16). The 1978 aerial shows the development of the quarry into an industrial precinct (Figure 17). By 2004, the earlier buildings on the subject area had been demolished (Figure 18). The subject area had been cleared and is vacant by 2009 (Figure 19).

By 2016, construction of a multistorey building in the western portion of the subject area had begun (Figure 20). The development was finished in 2020 and included the excavation of two deep drainage basins to the north and east of the development that caused high disturbance and removal of all natural soils in these locations (Figure 21). The eastern portion of the subject area does not currently contain any structures. However, there is clear and observable ground disturbance from clearance of vegetation and topsoils, machinery activity for cut and fill activities, vehicle activity in use of the area as a carpark, and construction of a multi-storey development with deep drainage basins.

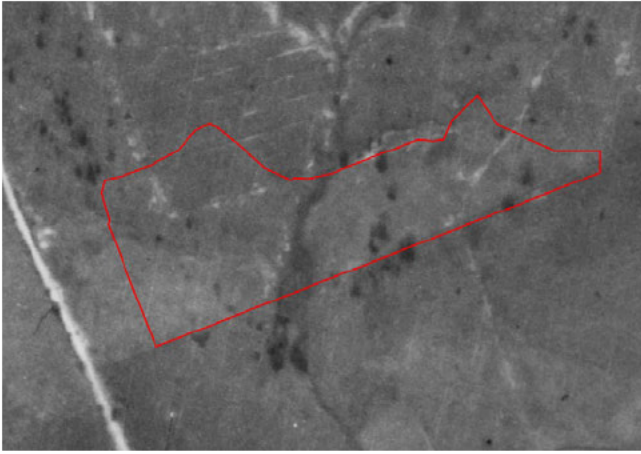


Figure 15 – 1930 aerial showing subject area as vacant and subject to farming activity.



Figure 16 – 1965 aerial showing a quarry site operating out of the subject area.



Figure 17 – 1978 aerial showing the development of the quarry into an industrial precinct.



Figure 18 – 2004 aerial showing the earlier buildings on the subject area had been demolished.



Figure 19 – 2009 aerial showing the subject area as cleared and vacant.



Figure 20 – 2016 aerial showing development occurring the subject area and construction of deep drainage basins.

Source: SixMaps and NearMap



Figure 21 – Aerial of the subject area in 2020 with a multi-storey development present on the western portion. Deep drainage basins are also present and clear and observable ground disturbance has been undertaken on the eastern portion.

Source: NearMap

2.3 Summary

The archaeological and environmental contexts of the subject area are summarised as follows:

- There are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area.
- No previous assessments addressing the subject area were identified.
- No relevant landscape features are present within the subject area. An unnamed tributary of Caddie's Creek was located within the subject area prior to historical ground disturbance.
- Clear and observable ground disturbance has occurred at the subject area. Historical ground disturbance has included clearance of vegetation and topsoils, agricultural activity, machinery activity for cut and fill activities, vehicle activity in use of the area as a carpark, and construction of a multi-storey development with deep drainage basins.

3

Technical Studies

Section 3.1 Geotechnical Investigation

Section 3.2 Contamination Investigation

3 Technical Studies

3.1 Geotechnical Investigation

Geotechnique Pty Ltd carried out a geotechnical investigation in 2023 for 26–30 Norbrik Drive, Bella Vista at the subject area for Aveo Southern Gateway Pty Ltd. The report was initially prepared in 2015 and was updated in 2023 for the proposed Masterplan development of the subject area. Boreholes 1–34 excavated in September 2015 were located across the majority of the subject area while the boreholes 101–115 from December 2015 were located at the north western portion of the subject area (Figure 22).

The subsurface materials encountered in the boreholes comprised of dark brown silty clay in topsoil which overlaid fill with inclusions of ironstone, shale gravels, and fragments. The natural B horizon was described as grey-brown silty clay with traces of ironstone gravel. Bedrock was encountered below natural soil and was described as weathered grey shale/siltstone.

The results of the geotechnical investigation indicate that the subject area is highly disturbed. Fill was identified in all boreholes across the subject area ranging from 1m depth to 11.6m depth. B horizon soils were present in 14 of the 40 boreholes occurring between a range of 3m and 12.8 m across the subject area. The results show that while some natural intact soils may be present, these are B horizon soils consisting of clay and unlikely to contain Aboriginal objects.

Table 3 – Borehole information

Borehole Number	Depth range for fill (m)	Depth range for natural soil (m)	Termination depth (m)
1	0.0–0.8	NE	5.4
2	0.0–6.0	NE	8.6
3	0.0–8.5	NE	11.35
4	0.0–10.5	NE	14.66
5	0.1–3.1	3.1–5.3	9.3
6	0.1–10.7	10.7–12.5	15.0
7	0.1–7.0	7.0–8.6	11.8
8	0.0–1.0	NE	1.0
9	0.0–11.0	11.0–12.8	14.8
10	0.1–5.8	5.8–9.5	12.0
11	0.0–1.0	NE	1.0
12	0.0–7.4	NE	11.68
13	0.0–8.5	NE	11.7
14	0.0–6.0	6.0–7.0	8.7
15	0.1–7.0	7.0–7.5	10.33
16	0.0–3.4	3.4–6.5	9.15
17	0.1–8.8	8.8–9.0	12.8

18	0.0-4.6	4.6-6.2	8.5
19	0.0-4.5	NE	6.96
20	0.0->1.0	NE	1.0
21	0.0->1.0	NE	1.0
22	0.0->1.0	NE	1.0
23	0.0->1.0	NE	1.0
23a	0.0 - 3.5	NE	4.0
24	0.0 - 10.5	NE	12.0
25	0.0 - 6.0	NE	7.0
26	0.0 -> 8.1	NE	8.1
27	0.0 - 9.0	9.0 - 10.5	11.75
28	0.0 - 11.6	NE	14.35
29	0.0 - 9.8	NE	15.0
30	0.0 - 7.0	7.0 - 10.2	11.4
31	0.0 - 11.0	NE	11.65
32	0.0 - 6.6	6.6 - 10.0	14.4
33	0.0 - 4.5	NE	7.0
34	0.0 - 7.0	7.0 - 8.0	9.0
101	0.0 - 4.0	NE	5.65
108	0.0 - 5.3	NE	5.6
109	0.0 - 7.0	NE	8.3
114	0.0 - 7.0	NE	8.3
115	0.0 - 7.0	NE	8.3

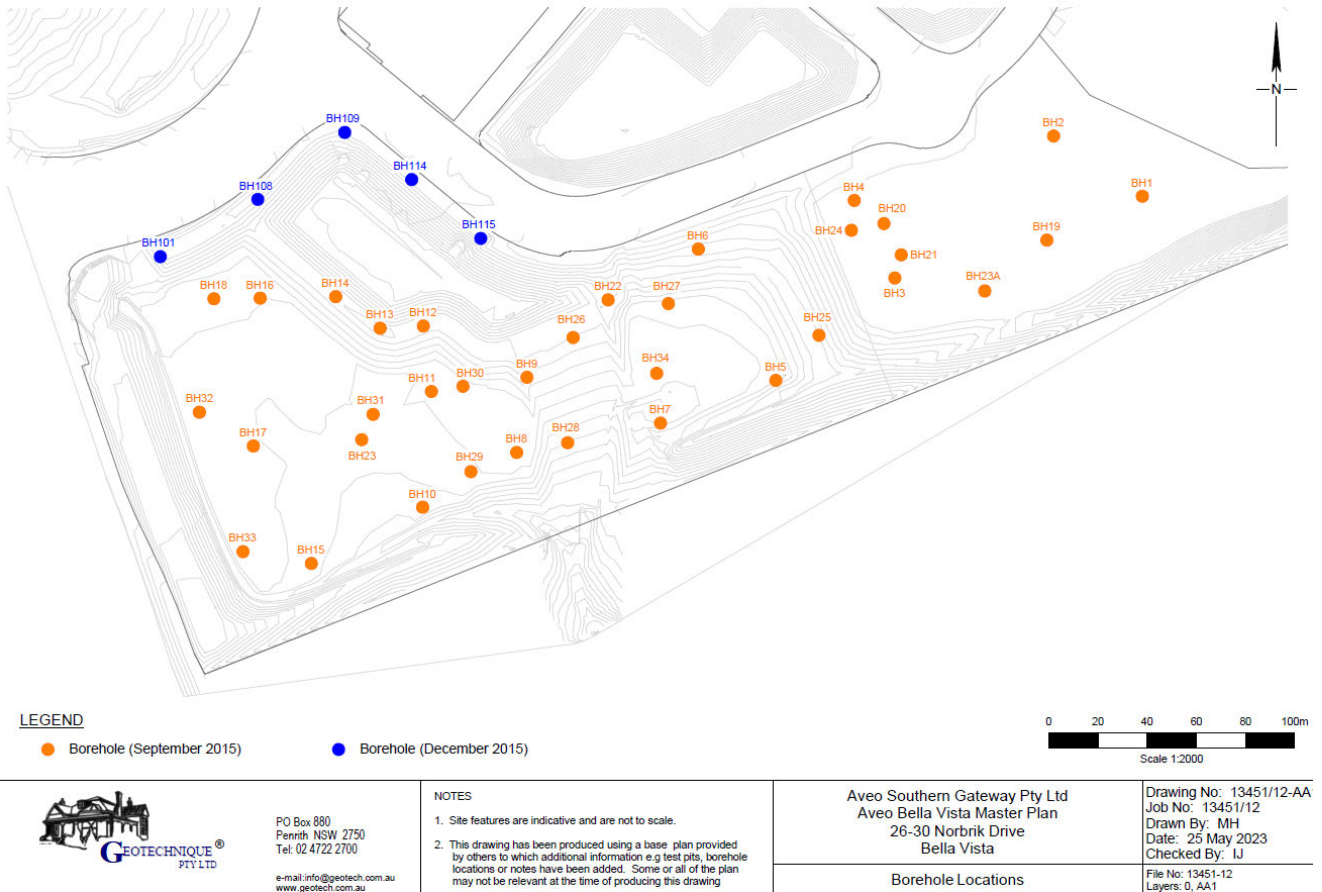


Figure 22 – Borehole locations within the subject area

Source: Geotechnique Pty Ltd, 2023

3.2 Contamination Assessment

Geotechnique Pty Ltd carried out a contamination assessment in 2023 for the subject area. The report found that the subject area was highly disturbed and had been subject to contaminated substances. Disturbance activities noted in the report include cut and fill activities to facilitate asbestos removal, presence of underground storage tanks, and excavation works for the construction of a detention basin.

The report identified two potential Areas of Environmental Concern (AEC). The first area was located at the vicinity of the possible former Underground Storage Tank (UST) where leakage of mineral spirit/petrol may have occurred. Potential contaminants include metals, petroleum hydrocarbons, benzene, toluene, ethyl benzene and xylenes, as well as volatile organic compounds. The second area consists of the whole of the subject area. It was noted that fill materials, stockpiles and earth mounds present on site could have been imported from unknown sources. The report identified on this basis that there was potential for the fill materials to be contaminated with materials including metals, TPH, BTEX, Polycyclic Aromatic Hydrocarbons, Organochlorine Pesticides, Polychlorinated Biphenyls and asbestos.

4 Due Diligence Assessment

The due diligence process outlined in the Section 8 of the Due Diligence Code is applied to the subject area below.

Step 1 – Will the activity disturb the ground surface?

YES.

As outlined in Section 1.2 above, it is proposed that a Residential Aged Care Facility (RACF) with associated facilities and infrastructure services will be constructed in the subject area. The works will disturb the grounds surface as the proposal includes the construction of basement car parking.

Step 2a – Are there any relevant confirmed site records on AHIMS or any other sources of information of which a person is aware?

NO.

No previously registered Aboriginal sites are located within the subject area. No other Aboriginal sites were identified through previous studies or other sources of information.

Step 2b – Are there any landscape features that are likely to indicate the presence of Aboriginal objects?

N/A.

As noted in Section 2.2.1, an unnamed tributary of Caddie's Creek was present within the subject area as shown in the parish map from the late 19th Century and the historical aerial photo from 1930 (Figure 11 and Figure 10). However, the Due Diligence Code further specifies that the landscape features are of relevance only if the subject area has not been subjected to ground disturbance. The subject area has had a high level of ground disturbance occur as a result of the construction of a quarry in the 1960s and its associated works.

Step 3 – Can you avoid harm to the object or disturbance of the landscape feature?

N/A.

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed (or, implicitly, does not include any relevant landscape features) and does not contain known Aboriginal objects. As there are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area and historical development and there are no landscape features that are likely to indicate the presence of Aboriginal objects, Step 3 of the Due Diligence process does not apply for assessment of the present subject area.

Step 4 – Does the Desktop Assessment and Visual Inspection Confirm that there are Aboriginal Objects or that they are Likely?

N/A.

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed (or, implicitly, does not include any relevant landscape features) and does not contain known Aboriginal objects. As there are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area and historical development and there are no landscape features that are likely to indicate the presence of Aboriginal objects, Step 4 of the Due Diligence process does not apply for assessment of the present subject area.

Step 5 – Outcome of Assessment

In accordance with the due diligence process described in the Due Diligence Code, the above assessment has determined that no further investigation is required for the subject area. Urbis recommends that the

development proceed with caution, subject to unexpected archaeological finds and human remains procedures being implemented (see Section 4 below).

5

Conclusions & Recommendations

5 Conclusions & Recommendations

The present due diligence assessment concluded that:

- 1) The proposed activity is not a 'low impact activity' and will disturb the ground surface. The proposal consists of the construction of a 5-storey Residential Aged Care Facility and basement car parking.
- 2) There are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area.
- 3) No previous assessments addressing the subject area were identified.
- 4) No relevant landscape features are present within the subject area. An unnamed tributary of Caddie's Creek was located within the subject area prior to historical ground disturbance. While this may have originally indicated sensitivity for Aboriginal objects, the Due Diligence Code specifies that the landscape features are of relevance only if the subject area has not been subjected to ground disturbance.
- 5) Clear and observable ground disturbance has occurred at the subject area. Historical ground disturbance has included clearance of vegetation and topsoils, agricultural activity, machinery activity for cut and fill activities, vehicle activity in use of the area as a carpark, and construction of a multi-storey development with deep drainage basins.
- 6) The due diligence assessment determined that no Aboriginal Cultural Heritage Assessment Report or any other further investigation is required.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Record Keeping**

This ADD report should be kept as evidence of the Due Diligence Process having been applied to the subject area.

- **Recommendation 2 – No Further Investigation**

The development may proceed with caution, subject to the following archaeological chance finds and human remains procedures being implemented and followed.

- **Recommendation 3 – Unexpected Archaeological Finds Procedure**

Should any archaeological deposits be uncovered during any site works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds. The find must not be moved 'out of the way' without assessment.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS).
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

▪ **Recommendation 4 – Human Remains Procedure**

In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds.
2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.
5. Works are not to recommence until the find has been appropriately managed.

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References

6 References

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- OEH 2012, *Guide to completing the AHIMS Site Recording Form*
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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above

Appendix A – AHIMS Search

Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 30 September 2025

Level 8 123 Angel Street
Sydney New South Wales 2000

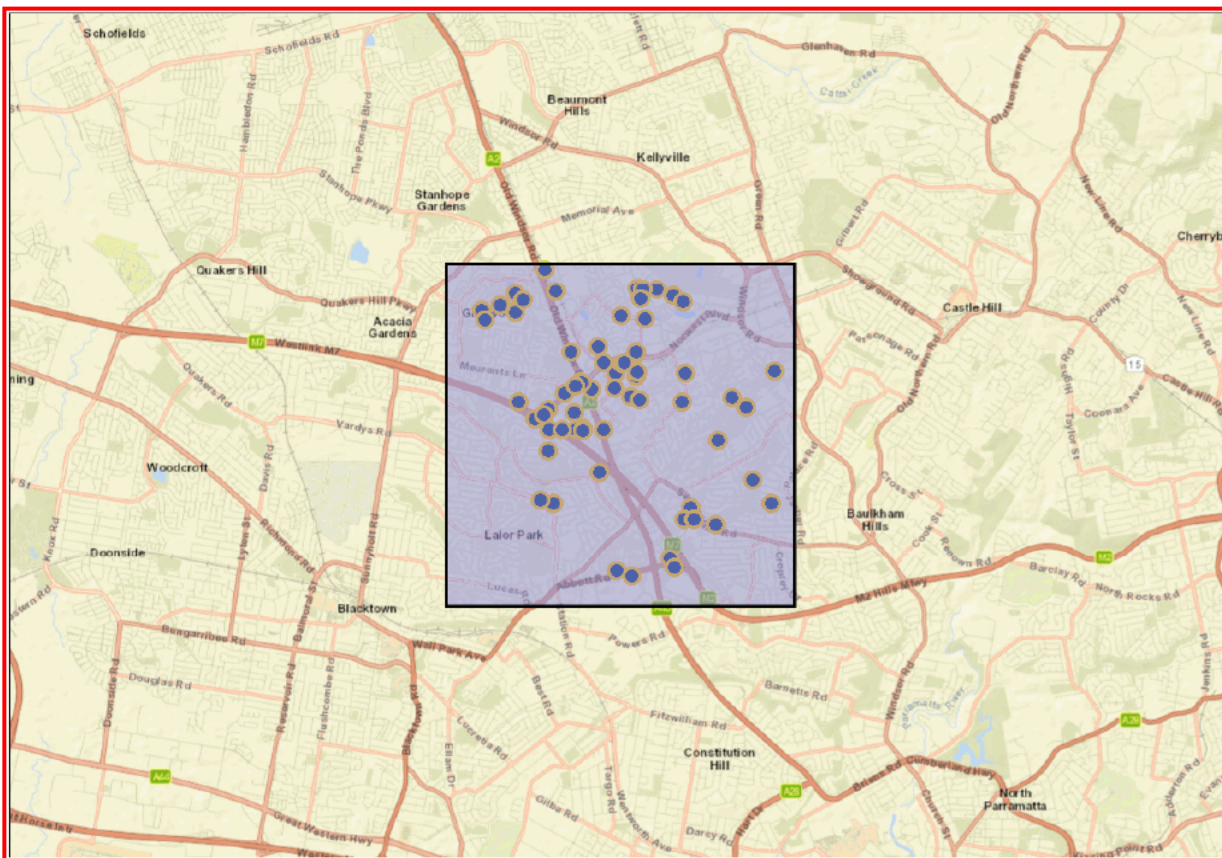
Attention: Kirsten Downey

Email: kdowney@urbis.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 307887.971 - 312887.971, Northings : 6261422.928 - 6266422.928 with a Buffer of 0 meters, conducted by Kirsten Downey on 30 September 2025.

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 Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

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

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



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