



URBIS

# ABORIGINAL CULTURAL HERITAGE ASSESSMENT

Trinity – Stage 2  
39 Delhi Road, North Ryde, NSW  
Wallumettagal Country

Prepared for  
**STOCKLAND DEVELOPMENT PTY LTD**  
4 August 2023



#### **URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Balazs Hansel, MA (Archaeology), MA (History), M. ICOMOS
Senior Archaeologist	Aaron Olsen, Dip Arts (Archaeology), BSc (Hons), MIP, PhD
Assistant Archaeologist	Natalie Taylor, candidate for BA (Archaeology), B Adv. Studies (Media and Communications)
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# GLOSSARY

Term	Definition
Aboriginal ceremony and dreaming site	Aboriginal site feature recordable on AHIMS. 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. This is not an 'Aboriginal object' under the NPW Act.
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	Aboriginal site feature recordable on AHIMS. Related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade. This is not an 'Aboriginal object' under the NPW Act.
AHIMS	Aboriginal Heritage Information Management System: a register of previously reported Aboriginal objects and places managed by the DPC
AHIP	Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the <i>NPW Act</i> .
Archaeology	The scientific study of human history, particularly the relics and cultural remains of the distant past.
Art	Aboriginal site feature recordable on AHIMS. 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.
Artefact	Aboriginal site feature recordable on AHIMS. 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.
Burial	Aboriginal site feature recordable on AHIMS. 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.



Ceremonial Ring	Aboriginal site feature recordable on AHIMS. A Raised earth ring associated with ceremony
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010).
Conflict Site	Aboriginal site feature recordable on AHIMS. Previously referred to as massacre sites where confrontations occurred between Aboriginal and non-Aboriginal people, or between different Aboriginal groups. This is not an 'Aboriginal object' under the NPW Act.
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water NSW.
DPC	Department of Premier and Cabinet
Earth mound	Aboriginal site feature recordable on AHIMS. 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.
EP&A Act	<i>NSW Environmental Planning and Assessment Act 1979.</i>
Fish trap	Aboriginal site feature recordable on AHIMS. A modified area on watercourses where fish were trapped for short-term storage and gathering
Grinding grooves	Aboriginal site feature recordable on AHIMS. 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.
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	Aboriginal site feature recordable on AHIMS. 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.
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.
LALC	Local Aboriginal Land Council: corporate body constituted under the <i>Aboriginal Land Rights Act 1983</i> , having a defined boundary within which it operates.
LEP	Local Environment Plan.



Modified Trees	Aboriginal site feature recordable on AHIMS. 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.
Non-human bone and organic material	Aboriginal site feature recordable on AHIMS. 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.
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019</i>
Ochre quarry	Aboriginal site feature recordable on AHIMS. A source of ochre used for ceremonial occasions, burials, trade and artwork.
PAD	Aboriginal site feature recordable on AHIMS. A 'potential archaeological deposit'. An area where Aboriginal objects may occur below the ground surface. This is not an 'Aboriginal object' under the NPW Act.
Shell	Aboriginal site feature recordable on AHIMS. 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'.
Stone arrangement	Aboriginal site feature recordable on AHIMS. Human produced arrangements of stone usually associated with ceremonial activities, or used as markers for territorial limits or to mark/protect burials
Stone quarry	Aboriginal site feature recordable on AHIMS. A source of stone which was quarried and used for the production of stone tools by Aboriginal people.
Waterhole	Aboriginal site feature recordable on AHIMS. 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). This is not an 'Aboriginal object' under the NPW Act.

# CONSULTANT DECLARATION

PROJECT NAME	
Application number	SSD-55844212
Address of subject land	39 Delhi Road, North Ryde
Lot / DP	Lot 21, DP 1003588
APPLICANT DETAILS	
Applicant name	Stockland Development Pty Limited
Applicant address	Stockland, Level 25, 133 Castlereagh Street, Sydney NSW 2000
REPORT DETAILS	
Name of report this declaration relates	Aboriginal Cultural Heritage Assessment, Trinita – Stage 2, 39 Delhi Road, North Ryde, NSW, Wallumettagal Country
Report reference no.	P0045755
Report date	4 August 2023
Company name (inc. ABN / ACN)	Urbis Pty Ltd
Author name	Balazs Hansel, Aaron Olsen, Natalie Taylor
Author qualifications	Balazs Hansel, MA Archaeology, MA History, M. ICOMOS Aaron Olsen, Dip Arts (Archaeology), BSc (Hons), MIP, PhD Natalie Taylor, candidate for BA (Archaeology), B Adv. Studies (Media and Communications)
Author address	Angel Place, Level 8, 123 Pitt Street, Sydney, NSW 2000
DECLARATION BY CONSULTANT	
Name	Aaron Olsen
Registration no.	n/a
Organisation registered with	n/a
Declaration	<p>The undersigned declares that <i>Aboriginal Cultural Heritage Assessment, Trinita – Stage 2, 39 Delhi Road, North Ryde, NSW, Wallumettagal Country</i> report:</p> <ul style="list-style-type: none"> <li>has been prepared in accordance with the following legislative requirements: <ul style="list-style-type: none"> <li><i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> (DECCW, 2010c)</li> <li><i>Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW</i> (Office of Environment and Heritage 2011)</li> <li><i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010b)</li> <li><i>The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013</i></li> </ul> </li> <li>contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;</li> <li>does not contain information that is false or misleading;</li> <li>addresses the Planning Secretary's Environmental Assessment Requirements (SEARs) for the project;</li> <li>identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;</li> <li>has been prepared having regard to the Department's State Significant Development Guidelines;</li> <li>contains a simple and easy to understand summary of the report, including:</li> </ul>



- 
- the condition of the existing environment;
  - the ability to avoid, mitigate and/or offset the impacts of the project having regards to:
    - mitigation measures incorporated into the detailed design of the project (e.g. changes to the project area, project layout and design, key uses and activities carried out on site, timing)
    - other mitigation measures that will be implemented
    - any negotiated agreements or offsets proposed to address any residual impacts of the project following mitigation
  - the scale and nature of the predicted impacts, including any cumulative impacts, and whether these impacts will comply with the relevant statutory requirements, standards or performance measures;
  - key uncertainties associated with the assessment (e.g. lack of baseline data, doubts about the effectiveness of the proposed mitigation measures, limitations of the methodology used to predict impacts, lack of agreed criteria for evaluating impacts);
  - the proposed measures to deal with these uncertainties (e.g. monitoring, review, further technical investigation, staging, adaptive management).
- 

Signature



Date

4 August 2023

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# EXECUTIVE SUMMARY

Urbis has been engaged by Stockland Development Pty Limited ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally defined as Lot 21 in Deposited Plan (DP) 1003588 ('the subject area').

The ACHA supports a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for the subject area. The proposed development comprises construction of a new build-to-rent development.

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA concluded that:

- 1) No Aboriginal objects or Aboriginal places are registered or otherwise known to exist within or near to the subject area.
- 2) The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding.
- 3) Historical ground disturbance across the entire subject area is assessed to be high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- 4) Owing to the high level of ground disturbance, the Aboriginal archaeological potential for the subject area is assessed to be low, meaning the subject area is unlikely to retain any unknown Aboriginal objects.
- 5) The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- 6) Furthermore, based on the evidence at hand, the subject area is assessed as having low Aboriginal heritage significance.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-55844212.

- **Recommendation 2 – No Further Archaeological Investigation**

As the proposed works are unlikely to cause harm to Aboriginal objects, it is recommended that no further investigation is required for the present development. The proposed development can proceed in line with the Archaeological Unexpected Finds Procedure and Human Remains Procedure outline below.

- **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

Urbis has been engaged by Stockland Development Pty Limited ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally defined as Lot 21 in Deposited Plan (DP) 1003588 ('the subject area') (Figure 1 and Figure 2).

The ACHA supports a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for a new build-to-rent development within the subject area.

The Planning Secretary's Environmental Assessment Requirements (SEARs) for SSD-55844212 were issued on 3 March 2023. The present ACHA report addresses SEARs Item 18, which requires:

## *18. Aboriginal Cultural Heritage*

*Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the land.*

The ACHA has been undertaken to investigate whether development of the subject area will harm Aboriginal objects or places that may exist within the subject area and determine whether the subject area presents any Aboriginal archaeological and heritage constraints. The current report Aboriginal Cultural Heritage Assessment Report (ACHAR) presents the results of the ACHA.

## 1.1. SUBJECT AREA

The subject area is located at 39 Delhi Road, North Ryde approximately 10 km north-west of the Sydney CBD, within the City of Ryde Local Government Area ('Ryde LGA'). It is located within on the traditional lands of the Wallumettagal people and falls within the boundaries of the Metropolitan Local Aboriginal Land Council (MLALC).

The subject area is legally defined as Lot 21 in Deposited Plan (DP) 1003588 and is currently zoned B3 Commercial Core.

Surrounding the subject area, development comprises the following:

- **North:** The subject area is immediately bounded by Delhi Road to the north. Beyond Delhi Road, is the Macquarie Park Cemetery and Crematorium.
- **East:** subject area is immediately bounded by Julius Avenue to the north-east and Rivett Road to the south-east. Beyond these roads, a range of industrial warehouses and business park centres are located to the east, housing major tenants, including CSIRO.
- **South:** The subject area is bounded by Microsoft Campus by Goodman to the immediate south. Beyond the Microsoft Campus is Epping Road and the M2 Motorway off ramp.
- **West:** The subject area is bounded by Rennie Street to the immediate west. Additionally, the North Ryde Metro Station is located approximately north-west of the subject area. A mix of uses are grouped around the metro station, including residential development. Particularly, the Ryde Gardens and Centrale are two residential developments located to the west of the subject area. Further and beyond the M2 Motorway, the Lachlan's Square Village is located northwest which is accessible via a pedestrian bridge and comprises a range of amenities and facilities, including a medical centre, gym, post office, beauty services, and food and drink premises.

SSD-55844212 relates to the entire subject area. However, all proposed physical works under SSD-55844212 are confined to the southern portion of the lot ('the zone of proposed works') (Figure 2).

Existing development within the subject area comprises the Trinita Business Campus ('Trinita Stage 1'), which is located on the northern portion of the land. The zone of proposed works is within the southern portion of the lot and includes vacant land comprising hardstand and landscaping as well as the existing footpath and New Link Road, however noting that pedestrianisation works at the road are subject to agreement on VPA discussion with Council.



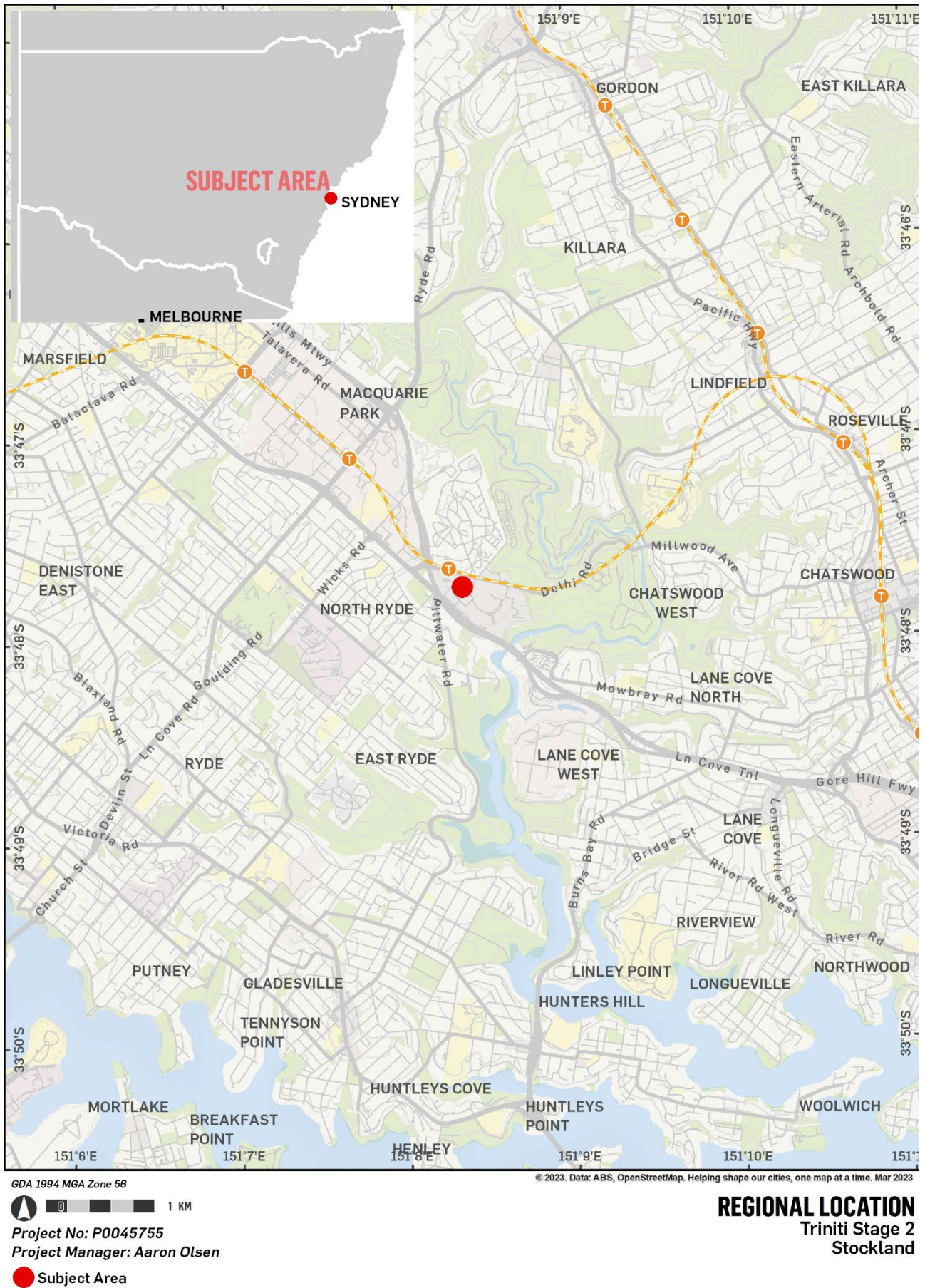


Figure 1 – Regional location





GDA 1994 MGA Zone 56

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Project No: P0045755

Project Manager: Aaron Olsen

■ Subject Area ■ Zone of Proposed Works

**Subject Area**  
Trinitri Stage 2  
Stockland

Figure 2 – Subject area and zone of proposed works



## 1.2. PROPOSED WORKS

The proposed development will specifically comprise the following:

- Site preparation and excavation.
- Construction of a new build-to-rent development comprising a shared podium with three new buildings ranging between 2 to 20 storeys specifically, the following is proposed:
  - 1,851 m<sup>2</sup> of non-residential floor area at ground level, including commercial and retail uses,
  - 39,031 m<sup>2</sup> of build-to-rent housing, including a total of 508 dwellings,
  - 1,518 m<sup>2</sup> of communal residential amenity facilities located throughout the building.
- Basement and Ground Floor carparking, comprising a total of 155 car parking spaces, 108 bicycle spaces, and 6 motorcycle spaces and 1 carwash bay.
- Vehicular access provided via Rivett Road for retail, services, loading and waste removal, and Rennie Street for residential use.
- Use of approximately 164 existing carparking spaces from adjacent Trinita basement as residential carparking.
- Activation and revitalisation of existing New Link Road to be used as a pedestrian through site link as per Letter of Offer to Council.
- Associated landscaping and public domain works; and
- Augmentation of, and connection to, existing utilities as required.
- For a detailed project description refer to the Environmental Impact Statement prepared by Ethos Urban.

The proposed demolition works are illustrated in Figure 3, the site plan of the proposed development is shown in Figure 4 and the extent of the basement level of the proposed development is shown in Figure 5.

For a detailed project description refer to the Environmental Impact Statement prepared by Ethos Urban.

## 1.3. METHODOLOGY

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW, 2010c) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The objectives of the ACHA are to:

- Investigate the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the subject area, and whether those objects and/or places would be impacted by the proposed development.
- Investigate the presence, or absence, of any landscape features that may have the potential to contain Aboriginal objects and/or sites and whether those objects and/or sites would be impacted by the proposed development.
- Document the nature, extent and significance of any known or potential Aboriginal objects and/or places and sites within the subject area.

- Document consultation with the Registered Aboriginal Parties (RAPs) with the aim to identify any spiritual, traditional, historical or contemporary associations or attachments to the subject area and any Aboriginal objects and/or places that might be identified within the subject area.
- Synthesize all the collected information and provide clear conclusions of the ACHA process.
- Provide management strategies for any identified Aboriginal objects and/or places or cultural heritage values.
- Provide recommendations for the implementation of the identified management strategies.
- Prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be included with an application for an Aboriginal Heritage Impact Permit for the proposed development, if required.

Section 3.1 of the Assessment Guidelines specifies the content requirements of an ACHAR, which includes the requirements of reg. 61 of the NPW Reg. The requirements are listed in Table 1 below, together with the sections of the present ACHAR in which they are addressed.

Table 1 – ACHAR Requirements

Requirement	Section of Report
A description of the Aboriginal objects and declared Aboriginal places located within the area of the proposed activity	Section 4
A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land	Section 6
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)	Section 3
The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response)	Section 3, 6 & Appendix C
Actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified	Section 8
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places	Section 8
Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.	Section 8

## 1.4. AUTHORSHIP

The present report has been prepared by Aaron Olsen (Urbis Consultant Archaeologist) and Natalie Taylor (Urbis Assistant Archaeologist), with review and quality control undertaken by Balazs Hansel (Urbis Director, Archaeologist).

Aaron Olsen holds a Diploma of Arts (Archaeology) from the University of Sydney, a Bachelor of Science (Honours - First Class in Chemistry) and PhD (Chemistry) from the University of Newcastle and a Masters (Industrial Property) from the University of Technology Sydney. Natalie Taylor is currently completing a Bachelor of Arts (Archaeology) and Bachelor of Advanced Studies (Media and Communications) at the

University of Sydney. Balazs Hansel holds a Masters (History) and Masters (Archaeology and Museum Studies) from the University of Szeged (Hungary).

## **1.5. LIMITATIONS**

The ACHA was limited to the assessment of tangible and intangible Aboriginal cultural heritage and does not consider historical archaeological remains or built heritage items, both of which are considered under separate cover. The assessment was further limited to the zone of proposed works as consideration of non-impacted areas of the subject area is not required under Item 18 of the SEARs for SSD-55844212.

The ACHA does not consider specific interpretation strategies or design principles for the proposed works. These issues have been considered separately under the draft Connecting with Country Framework issued by the Government Architect NSW.











## 2. STATUTORY CONTEXT

### 2.1. HERITAGE CONTROLS

The protection and management of Aboriginal cultural heritage items, places and archaeological sites within New South Wales is governed by the relevant Commonwealth, State or local government legislation. These are discussed below in relation to the present subject area.

#### 2.1.1. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) ('the EPBC Act') protects any items listed in the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The National Heritage List (NHL) is a list of natural, historic and Indigenous places of outstanding significance to the nation. It was established to protect places that have outstanding value to the nation. The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

Consideration is given to whether any heritage items listed on the NHL or CHL are likely to be harmed by the proposed development in Section 2.2.1 below.

#### 2.1.2. The National Parks and Wildlife Act 1974

Aboriginal objects and Aboriginal places in NSW are protected under the *National Parks and Wildlife Act 1974* (NSW) ('the NPW Act'), as implemented by the *National Parks and Wildlife Regulation 2019* (NSW) ('the NPW Reg'). 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.

Section 86 of the NPW Act identifies rules and penalties surrounding harming or desecrating Aboriginal objects and Aboriginal places. These are identified as follows:

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

*Maximum penalty:*

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

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

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

*Maximum penalty:*

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

*(b) in the case of a corporation—2,000 penalty units.*

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

*Maximum penalty:*

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

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

It is a defence to prosecution under s. 86 of the NPW Act that either:

- A Due Diligence Assessment was undertaken prior to commencement of works, which determined that the works were unlikely to harm any Aboriginal objects (s.87(2) of the NPW Act).
- The harm was caused by works authorised by an Aboriginal Heritage Impact Permit ('AHIP') (s.87(1) of the NPW Act).
- The harm was caused by works authorised by an approved SSD (s.4.41(1)(d) of the *Environmental Planning and Assessment Act 1979* (NSW)).

The Proponent is currently seeking approval of SSD-55844212 for the proposed works. The present ACHA was undertaken in compliance with SEARs Item 18 for SSD-55844212, as noted in Section 1 above.

### **2.1.1. Ryde Local Environmental Plan 2014**

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires each LGA to produce a Local Environment Plan (LEP). The LEP identifies items and areas of local heritage significance and outlines development consent requirements.

The subject area falls within the City of Ryde LGA and is subject to the Ryde Local Environmental Plan 2014. Under Section 5.10(2) of the Ryde LEP, development consent is required for:

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

*(i) a heritage item,*

*(ii) an Aboriginal object,*

*(iii) a building, work, relic or tree within a heritage conservation area,*

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

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

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

*(e) erecting a building on land—*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

*(f) subdividing land—*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

The ACHA was undertaken to determine whether or not any Aboriginal objects or places would be impacted by the proposed works.

### **2.1.2. Ryde Development Control Plan 2014**

The EP&A Act requires each LGA to produce a Development Control Plan (DCP). Not all LGAs provide information regarding Aboriginal cultural heritage and specific development controls to protect Aboriginal cultural heritage. The subject area is encompassed by the Ryde Development Control Plan 2014, which does not identify any controls relating to Aboriginal cultural heritage.

## **2.2. HERITAGE LISTS & REGISTERS**

A review of relevant heritage lists and registers was undertaken to determine whether any Aboriginal cultural heritage items are located within the curtilage of, or in proximity to, the subject area. Identified heritage items are mapped in Figure 6 below.

### **2.2.1. Australian Heritage Database**

The Australian Heritage Database (AHD) is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list 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 21 March 2023. The search did not identify any heritage items within the curtilage of the subject area.

### **2.2.2. NSW State Heritage Inventory**

The State Heritage Inventory (SHI) is a database of heritage items in NSW which includes declared Aboriginal Places, items listed on the SHR, listed Interim Heritage Orders (IHOs) and items listed on Local Environment Plans (LEPs) or State Environmental Planning Policies (SEPPs).

A search of the SHI was undertaken on 21 March 2023. The search did not identify any heritage items within the curtilage of the subject area.

## **2.3. SUMMARY**

The statutory context of the subject area is summarised as follows:

- The present ACHA aims to establish whether any Aboriginal objects would be harmed by the proposed development of the subject area, thus addressing s.87(2) of the NPW Act and section 5.10(2) of the Ryde LEP.
- Searches of the State Heritage Inventory and Australian Heritage Database did not identify any archaeological heritage items within the curtilage of the subject area.





GDA 1994 MGA Zone 56

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Project No: P0045755

Project Manager: Aaron Olsen

Subject Area — Contours — Item - General

Zone of Proposed Works

**Heritage Items**  
Trinitri Stage 2  
Stockland

Figure 6 – Heritage items in proximity to the subject area

### 3. ABORIGINAL COMMUNITY CONSULTATION

In administering its statutory functions under Part 6 of the *NSW National Parks and Wildlife Act 1974*, the Department of Premier and Cabinet (DPC) requires that Proponent consult with Aboriginal people about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and/or places within any given development area in accordance with Clause 80c of the *NSW National Parks and Wildlife Regulation 2019*.

The DPC maintains that the objective of consultation with Aboriginal communities about the cultural heritage values of Aboriginal objects and places is to ensure that Aboriginal people have the opportunity to improve ACHA outcomes by (DECCW 2010a):

- Providing relevant information about the cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.
- Actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the Proponent to the DPC.

Consultation in line with the Consultation Requirements (DECCW 2010) is a formal requirement where a Proponent is aware that their development activity has the potential to harm Aboriginal objects or places. The DPC also recommends that these requirements be used when the certainty of harm is not yet established but a proponent has, through some formal development mechanism, been required to undertake a cultural heritage assessment to establish the potential harm their proposal may have on Aboriginal objects and places.

The Consultation Requirements outline a four-stage consultation process that includes the following:

- Stage 1 – Notification of project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The document also outlines the roles and responsibilities of the DPC, Registered Aboriginal Parties (RAPs) including Local and State Aboriginal Land Councils, and proponents throughout the consultation process.

To meet the requirements of consultation it is expected that proponents will:

- Bring the RAPs, or their nominated representatives, together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the RAPs involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Provide evidence to the DPC of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the RAPs.
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of the cultural heritage assessment report to the RAPs who have been consulted.

The consultation process undertaken to seek active involvement from relevant Aboriginal representatives for the project followed the current NSW statutory guideline, namely, the Consultation Requirements. Section 1.3 of the Consultation Requirements describes the guiding principles of the document. The principles have been derived directly from the principles section of the *Australian Heritage Commission's Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002).

The following outlines the process and results of the consultation conducted during this assessment to ascertain and reflect the Aboriginal cultural heritage values of the subject area.



## 3.1. STAGE 1: NOTIFICATION OF PROJECT AND REGISTRATION OF INTEREST

The aim of Stage 1 of the community consultation process is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the subject area.

### 3.1.1. Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 21 March 2022. The search identified no Native Title claims or registrations for the subject area.

The NNTT was also contacted by email on 28 March 2023 to request a formal search of the NNTT Register. A reply was received on 29 March 2023 indicating that there are no Native Title matters overlapping with the subject area.

### 3.1.2. Identification of Cultural Knowledge Holders

To identify Aboriginal people who may be interested in registering as Aboriginal parties for the project, the organisations stipulated in Section 4.1.2 of the Consultation Guidelines were contacted on 23 March 2023 (Table 2). The template for the emails sent to the above-mentioned organisations is included in Appendix C. A total of 59 Aboriginal parties with a potential interest in the subject area were identified during this stage.

Table 2 – Contacted organisations

Organisation	Date of Notification	Date of Response
Office of the Registrar, Aboriginal Land Rights Act 1983	23 March 2023	n/a
Heritage NSW, Department of Premier and Cabinet	23 March 2023	29 March 2023
NTS Corp	23 March 2023	n/a
Greater Sydney Local Land Services	23 March 2023	23 March 2023
Metropolitan Local Aboriginal Land Council	23 March 2023	n/a
City of Ryde Council	23 March 2023	27 March 2023
National Native Title Tribunal	23 March 2023	23 March 2023

In accordance with reg. 60(2)(b) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, letters were sent to the 59 identified Aboriginal parties by either email or mail on 5 April 2023, to notify them of the proposed project. Six attempts were made to contact one of the identified Aboriginal parties by phone as no email address or mail address was provided, but that party could not be reached. The letters included a brief introduction to the project and the project location and set a deadline for response of 20 April 2023, providing the minimum 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the letter template is included in Appendix C.

Further in accordance with reg. 60(2)(c) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in one online newspaper with local circulation, 'Buy Search Sell' ([www.buysearchsell.com.au](http://www.buysearchsell.com.au)). This advertisement was published online on 5 April 2023 and registration was open until 20 April 2023, providing the minimum 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the advertisement is included in Appendix C.

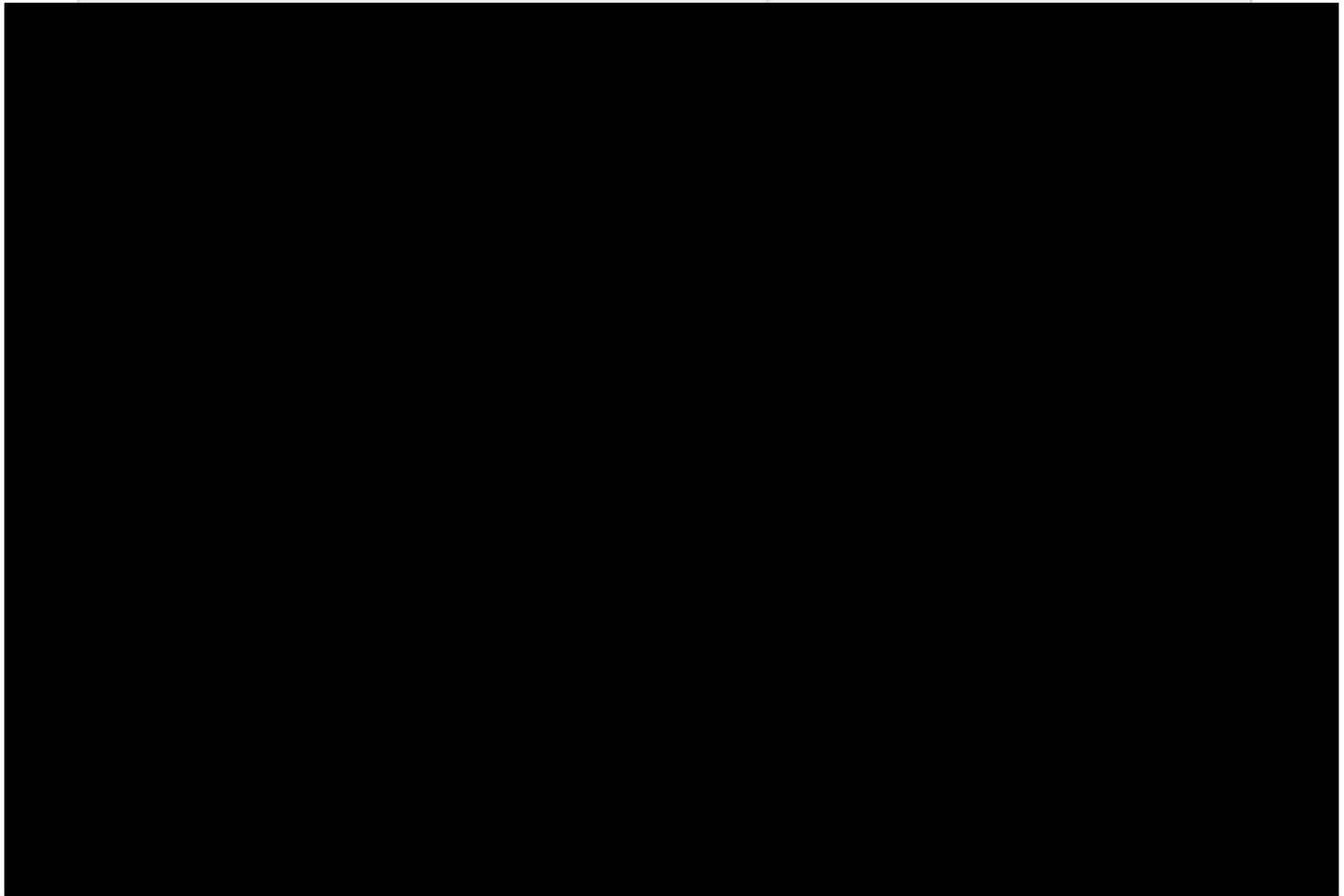


### 3.1.3. Registration of Interest

A total of 16 Aboriginal parties registered interest in the project as a result of this phase (Table 3). One Aboriginal party registered after the deadline of 20 April 2023. Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

Table 3 – Registered Aboriginal Parties

Registered Party	Contact
------------------	---------



In accordance with regs. 60(5)(a) and (b) and Section 4.1.6 of the Consultation Guidelines, a list of the Registered Aboriginal Parties (RAPs) was provided to Heritage NSW and Metropolitan Local Aboriginal Land Council on 18 May 2023 (see Appendix C). The details of one RAP were withheld from Metropolitan Local Aboriginal Land Council at their request.

## 3.2. STAGE 2: PRESENTATION OF PROJECT INFORMATION

The aim of Stage 2 of the community consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

### 3.2.1. Information Pack

A Stage 2/3 information pack was sent to registered Aboriginal parties via email on 21 April 2023. The information pack was prepared as a combination of Stage 2 and 3 of the Consultation Guidelines, and included the following information:

- Project overview, location and purpose.
- Proposed works.

- Project history.
- Brief archaeological and environmental background.
- Protocol of gathering information on cultural heritage significance.
- Request for comment on methodology and recommendations for site investigation, and request for any cultural information the respondent wished to share.

A response to the Stage 2/3 information pack was requested by 19 May 2023, providing the 28 days to respond required by reg. 60(6)(b) of the NPW Reg and Section 4.3.2 of the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix C of this report.

### 3.2.2. Site Inspection and Meeting

A separate communication was sent on 19 May 2023 to all RAPs who responded to the Stage 2/3 information pack, including provision of a schedule of rates and copies of insurances, by the deadline. The communication invited the RAPs to register for a site inspection and meeting to be held on 25 May 2023 as part of Stage 2/3 of the consultation process.

The purpose of the site inspection and meeting was to conduct a thorough briefing with the RAPs about the proposed development, to conduct a walkover of the subject area with the RAPs, to discuss the information provided in the Stage 2/3 document provided and to discuss potential archaeological mitigation strategies.

One response was received to the invitation to attend the site inspection and meeting. The RAP who attended the site inspection and meeting are included in listed in Table 5 below.

Table 4 – RAP attendees at site inspection and meeting

Registered Party	Representative
------------------	----------------

During the site inspection the attending RAP commented as follows:

- The project is evidently impacted by historical activities.
- Native planting as part of the project would be desirable, including rooftop plantings and plantings in association with any solar panels (noting the evidence for improved efficacy of solar panels when combined adjacent plantings).

Urbis thanks Corroboree Aboriginal Corporation for their comments and notes that native plantings, including rooftop planting, is being considered as part of the design process, which is being undertaken in accordance with the Connecting with Country Draft Framework issued by the Government Architect NSW.

The archaeological findings of the site inspection are discussed in Section 6 below.

### 3.3. STAGE 3: GATHERING CULTURAL INFORMATION

Stage 3 of the community consultation process is concerned with gathering feedback on a project, proposed methodologies, and obtaining any cultural information that registered Aboriginal parties wish to share. This may include ethno-historical information, or identification of significant sites or places in the local area.

Six responses were received in relation to the Stage 2/3 information pack. The responses are included in Appendix C. Of the six responses received, four included comments on the proposed methodology and/or provided cultural information. Those responses are addressed in Table 5 below.

Table 5 – RAP responses to the Stage 2/3 Information Pack

RAP	Response	Urbis Response
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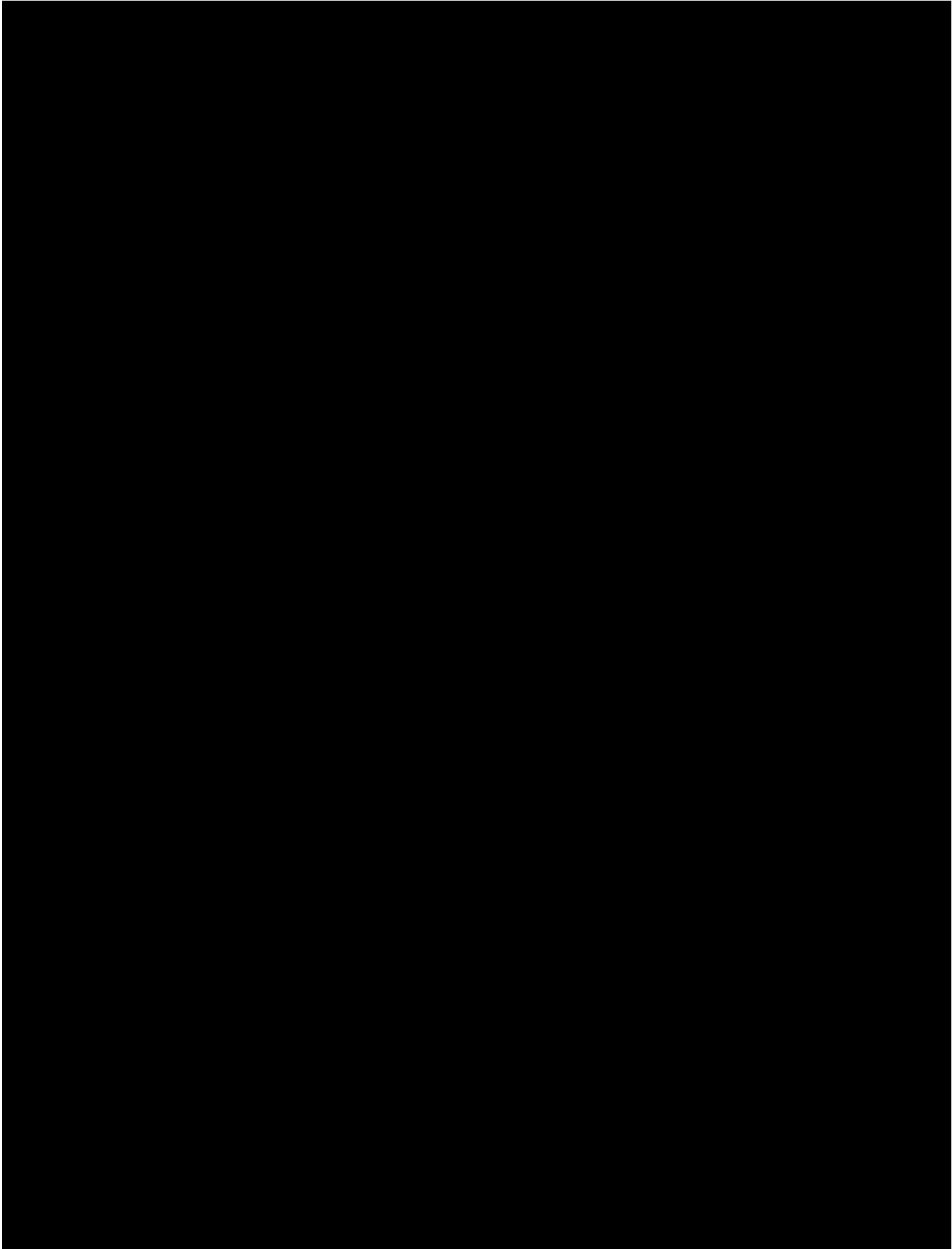
### **3.4. STAGE 4: REVIEW OF DRAFT ACHAR**

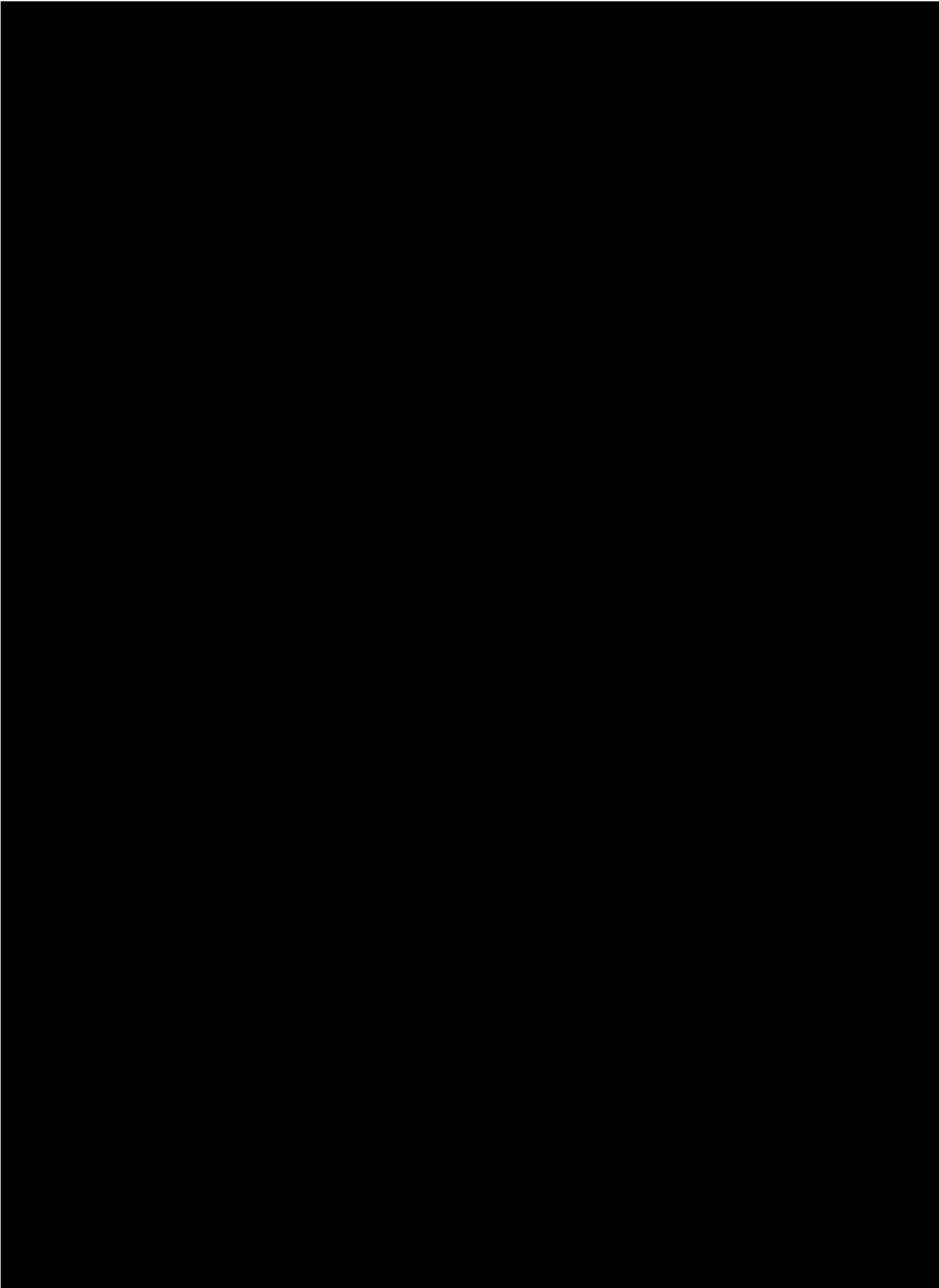
The aim of Stage 4 of the community consultation process is to prepare and finalise an ACHAR with input from Registered Aboriginal Parties.

A draft of the present ACHAR was sent to RAPs via email on 30 May 2023 with comment on the draft ACHAR requested by 27 June 2023, providing the 28 days to respond required by regulation reg. 60(8)(b) of the NPW Reg and Section 4.4.3 of the Consultation Requirements. It is noted that the time allowed for comment should reflect the size and complexity of the project.

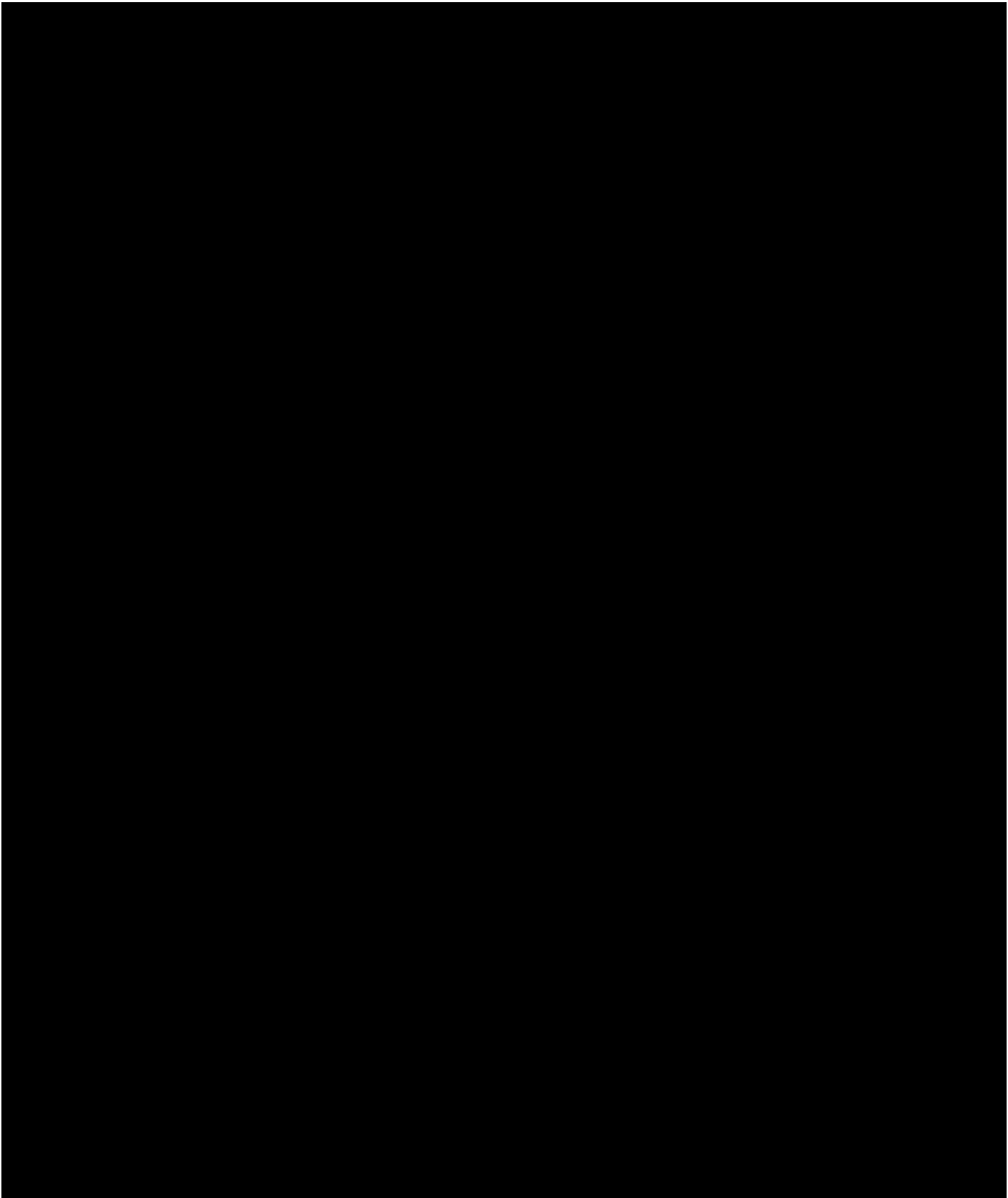
Seven responses were received in relation to the Stage 4 draft ACHAR. The responses are included in Appendix C and addressed in Table 6 below.

Table 6 – RAP responses to the Stage 4 Draft ACHAR









## 4. ABORIGINAL CULTURAL HERITAGE

An assessment of Aboriginal cultural heritage within a particular subject area requires an understanding of the archaeological and environmental contexts in which the area is situated. The following is a review and analysis of those contexts for the present subject area.

### 4.1. ETHNOGRAPHIC CONTEXT

The ethnographic context within which an area is situated is relevant to determining the nature of Aboriginal land use, the archaeological material that land use may have produced and whether any intangible cultural associations exist. While ethnographic observations of Aboriginal life post-European contact are relatively common, an absence of written records prior to contact means that ethnographic information about Aboriginal life at that time must be inferred from early European observations. Such inference is inherently biased by the cultural norms of the observer and behavioural modifications in response to the awareness of being observed (the so-called 'Hawthorne Effect'). Nevertheless, by comparing and contrasting these observations with archaeological evidence and cultural information from Aboriginal stakeholders, it is possible to establish a general understanding of the lives of Aboriginal people.

The archaeological record provides evidence of the long occupation of Aboriginal people in Australia. Current archaeological record establishes occupation of the Australian mainland by as early as 65,000 years before present (BP) (Clarkson et al. 2017). The oldest date for a site in the Sydney region is at Pitt Town on the Hawkesbury River, approximately 35 km north-west of the present subject area, which is dated to around 36,000 BP (Williams et al. 2014). Older occupation sites along the now submerged coastline would have been flooded around 10,000 years BP, with subsequent occupation concentrating along the current coastlines and rivers (Attenbrow 2010). The archaeological record indicates that Aboriginal people were occupying the region around the subject area well before the arrival of the First Fleet in 1788.

Given the early contact with Aboriginal people in the Sydney region, more is known about these groups than those that inhabited regional areas. The Aboriginal population in the greater Sydney region is estimated to have been between around 4000 and 8000 people at the time of European contact (Attenbrow 2010). It is believed that the area around the present subject area was inhabited by the Wallumettagal (or Wallumedegal) clan (Smith 2005). The lands occupied by the Wallumettagal are believed to have extended from the Lane Cove River west along the north shore of the Parramatta River (Smith 2005).

The archaeological record is limited to materials and objects that were able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts. Flaked artefacts are typically the most common type of stone artefact encountered, in part due to their long and ubiquitous use, but also due to their high discard rate and the large amount of waste produced during manufacture. However, ground edged tools are also known to have been utilised by Aboriginal people in the Sydney region (Tench 1789).

Stone technology and raw material utilisation changed over time. Until about 8,500 BP, stone tool technology remained fairly static with unifacial flaking being dominant and a preference for silicified tuff, quartz and some unheated silcrete evident. After about 4,000 BP, bipolar flaking and backed artefacts appear more frequently and ground stone axes are first observed (Attenbrow 2010:102). From about 1,500 BP, there is evidence of a decline in stone tool manufacture, possibly due to an increase in the use of organic materials, changes in the way tools were made or changes in tool preferences (Attenbrow 2010). After European contact, Aboriginal people of the Cumberland Plain continued to manufacture tools, sometimes with new materials such as bottle glass or ceramics. There are several sites in the Sydney region where flaked glass has been recorded (e.g. Ngara Consulting 2003).

Other materials, such as shell and bone, also survive in the archaeological record under certain conditions. The name 'Wallumattagal' is likely derived from the word 'wallumai', the local name for the snapper fish (*Pagrus auratus*), which were abundant in Sydney's waterways (Smith 2005). There is significant evidence of reliance on river resources in the form of shell middens in the lands occupied by the Wallumettagal clan (see Section 4.2.2 below).

Based on the above background, it is possible that similar evidence of Aboriginal occupation will also be present within original and/or intact topsoils throughout the Sydney urban area, including the region surrounding the present subject area.

## 4.2. ARCHAEOLOGICAL CONTEXT

A summary of background research for Aboriginal cultural heritage resources within and around the subject area is provided below, including search results from the Aboriginal Heritage Information Management System (AHIMS) and consideration of previous archaeological investigations pertinent to the subject area.

### 4.2.1. Previous Archaeological Investigations

Previous archaeological investigations may provide information about known Aboriginal sites within an area, both registered and unregistered, the spatial distribution, nature and extent of Aboriginal sites and associations of Aboriginal sites with certain landscape features.

#### 4.2.1.1. Investigations of the Subject Area

The following archaeological report presents the findings of a previous archaeological investigation that directly addresses the present subject area.

##### **Corkill, 1991. *Survey for Aboriginal Archaeological Sites at CSIRO, North Ryde, NSW***

In 1991, Corkill undertook an archaeological survey of the former CSIRO site at North Ryde to identify any surface artefacts and inspect areas with remnant vegetation. The survey area included the present subject area. The survey did not identify any Aboriginal objects or areas of potential for Aboriginal objects within the present subject area. Corkill recommended that, prior to any development that might affect them, any sandstone exposures within the subject area should be examined at night by a qualified archaeologist in order to determine whether Aboriginal engravings are present. Corkill further recommended that an archaeological chance finds procedure should be implemented for development within the subject area.

#### 4.2.1.2. Investigations of the Surrounding Region

A number of archaeological reports have been produced relating to the broader region around the subject area. The most relevant to the specific context of the present subject area are summarised below.

##### **Urbis, 2021. *Aboriginal Cultural Heritage Assessment, Ivanhoe Estate, Macquarie Park***

Urbis undertook an Aboriginal Cultural Heritage Assessment for the proposed redevelopment of Ivanhoe Estate, approximately 2.5km north-west of the present subject area. The assessment found that although the subject area was in close proximity to a waterway (Shrimptons Creek), a combination of shallow soils and a high level of ground disturbance associated with cut and fill activities across the subject area had significantly reduced the potential for archaeological resources to be retained. The archaeological potential of the subject area was therefore assessed as being nil to low. The Report demonstrates that historical ground disturbance may significantly reduce archaeological potential in shallow soils, despite the presence of archaeological sensitive landscape features.

##### **Artefact Heritage, 2014. *North Ryde Station Precinct, M2 site, State Significant Development Archaeological Assessment, Excavation and Monitoring Methodology***

Artefact undertook a historical and Aboriginal archaeological assessment for the M2 Site at North Ryde, part of the North Ryde Station Precinct, located approximately 375m north-west of the present subject area. The study area was assessed as having nil to low archaeological potential and low Aboriginal archaeological significance. It was determined that the majority of the study area had been subject to high levels of ground disturbance and therefore has no Aboriginal archaeological potential. The northern section of the study area was determined to have been subjected to low-moderate ground disturbance but was assessed as having a low archaeological potential due to its skeletal soils. The report illustrates that while high levels of ground disturbance significantly reduce archaeological potential, low to moderate ground disturbance may also reduce archaeological potential in areas with shallow soil profiles.

##### **HLA-Envirosciences Pty Limited, 2003. *Archaeological Subsurface Testing Program: Eden Gardens, Macquarie Park, NSW.***

HLA-Envirosciences undertook a sub-surface testing program at Eden Gardens, approximately 1.7km north of the present subject area. The test excavations yielded only a single flaked artefact, which was found in a soil layer above historical material. It was determined that the natural soil profile had been significantly disturbed by historical activities. The report demonstrates that historical activities may significantly reduce archaeological potential within the landscape with which the present subject area is associated, although Aboriginal objects may remain.



The archaeological reports summarised above demonstrate that, based on subsurface testing, the archaeological potential of the subject area may be significantly reduced by historical ground disturbance and shallow soils.

## 4.2.2. AHIMS

### 4.2.2.1. The AHIMS Database

The Aboriginal Heritage Information Management System (AHIMS) is a database of registered Aboriginal sites in NSW. Both Aboriginal objects and Aboriginal places may be registered as an Aboriginal site on AHIMS. However, Aboriginal sites also include former Aboriginal objects and Aboriginal places that have been destroyed and sites related to Aboriginal land use that do not meet the definition of Aboriginal object or Aboriginal place under the NPW Act.

Each registered Aboriginal site includes one or more 'site features.' 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 'Aboriginal objects' as defined in the NPW Act 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' if accompanied by at least one of the other site features defined above.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or Aboriginal places in NSW 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.

### 4.2.2.2. AHIMS Search

A search of the AHIMS database was carried out on 31 March 2023 (AHIMS Client Service IDs: 769336 and 771474) for an area of approximately 6 km x 6 km. The Basic and Extensive AHIMS search results are included in Appendix A. A summary of all previously registered Aboriginal sites within the search area is provided in Table 7 and their spatial distribution is shown in Figure 7.

No registered Aboriginal sites were identified within the curtilage or in the immediate vicinity (within 200 m) of the subject area.

The search of the broader region around the subject area was undertaken to determine if there is any association of Aboriginal sites with certain landscape features that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

A total of 117 Aboriginal sites are registered in the broader search area (Figure 7). Across those Aboriginal sites, a total of 128 individual site features were recorded. The recorded site features were of six different types: art, artefacts, grinding grooves, non-human bone and organic material, potential archaeological deposits (PADs) and shell. The number and types of site features identified in the search area are presented in Table 7.

The contexts of the registered Aboriginal sites within the AHIMS search area are summarised in Table 8 below. Closed context sites are those that include a cave or rock overhang, while open context sites are those without a cave or rock overhang.

It is apparent from Figure 7 that the registered Aboriginal sites within the region around the subject area tend to be clustered around waterways, particularly the Lane Cover River. This association may reflect a reliance of local Aboriginal people on local waterways for fresh water and other resources, such as fish and shellfish. Indeed, the presence of shell in 44% (n = 50) of all registered sites within the AHIMS search area attests to a subsistence strategy based on utilisation of such resources (Table 7).

Table 7 – Summary of extensive AHIMS search: site features

Site Feature	Number	% of Site Features	% of Sites
Shell	50	44%	39%
PAD	25	22%	20%
Art	22	19%	17%
Artefacts	21	18%	16%
Grinding Grooves	9	8%	7%
Non-human Bone and Organic Material	1	1%	1%

Table 8 – Summary of AHIMS search results: site context

Site Context	Number	% of Sites
Open	60	53%
Closed	54	47%

It is also evident from the AHIMS search results that Aboriginal sites are commonly associated with rock overhangs, caves and other outcrops of rock. Aboriginal sites including rock outcrops, i.e. closed sites, open art sites and open grinding groove sites, represent 72% (n = 82) of all registered sites within the AHIMS search area. The high proportion of sites that include rock outcrops or overhangs is consistent with the Aboriginal people's reliance on the Lane Cover River, where exposures of Hawksbury sandstone are common.

The results of the AHIMS search reflect an environment in which sites are mostly occurring in the vicinity of rock outcrops associated with local waterways. These results are consistent with the predictive model outlined in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010), which indicates that areas within 200 m of water or within 20 m of a cave, rock shelter, or a cave mouth area archaeologically landscape features (see Section 5.1 below).





## 4.3. ENVIRONMENTAL CONTEXT

The environmental context of a subject area is relevant to its potential for Aboriginal objects and places. Aboriginal objects may be associated with certain landscape features (e.g. rivers and rock shelters) that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Conversely, disturbance to the landscape after Aboriginal use may reduce the likelihood of Aboriginal objects being retained. An analysis of the landscape within and near to the subject area is provided below.

### 4.3.1. Topography

Certain landform elements are associated with a greater likelihood of past Aboriginal land use. Areas that are located on a ridge top, ridge line or headland, located within 200m below or above a cliff face or within 20 m of or in a cave, rock shelter or cave mouth are considered sensitive areas for Aboriginal objects and places.

The term 'ridge' is defined as a 'compound landscape element comprising a narrow crest and short adjoining slopes, the crest length being greater than the width of the landform element' (McDonald et al. 1990:19). The entire subject area is located on a low ridge line, running in a generally south-east direction from a larger ridge (Figure 17). Although not the highest ridge within the vicinity of the subject area, it could have nevertheless been utilised by Aboriginal people as a vantage point for wayfinding. The topography of the subject area therefore indicates likely past land use by Aboriginal people.

### 4.3.2. Hydrology

Proximity to a body of water is associated with a greater likelihood of past Aboriginal land use. Areas within 200 m of the whole or any part of a river, stream, lake, lagoon, swamp, wetlands, natural watercourse or the high-tide mark of shorelines (including the sea) are considered sensitive areas for Aboriginal sites.

The south-western boundary of the subject area is approximately 200 m north-east of Pages Creek, a lower-order waterway that feeds into the Lane Cove River (Figure 18). No other waterways are located nearer to the subject area. Therefore, the subject area is not located within 200 m of a body of water. As such, the hydrology of the subject area is not indicative of likely past Aboriginal land use.

### 4.3.3. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with a greater likelihood of past Aboriginal land use. For example, sand dune systems are associated with the potential presence of burials and sandstone outcrops are associated with the potential presence of grinding grooves and rock art. The depth of natural soils is also relevant to the potential for archaeological materials to be present, especially in areas where disturbance is high. In general, as disturbance level increases, the integrity of any potential archaeological resource decreases. However, disturbance might not remove the archaeological potential even if it decreases integrity of the resources substantially.

The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes and soil profile investigations within NSW.

The subject area is identified by the SALIS as being located entirely within the Lucas Heights soil landscape (Figure 9). The Lucas Heights soil landscape is described as residing on gently undulating crests and ridges on plateau surfaces of the Mittagong formation (alternating bands of shale and fine-grained sandstones). Outcrops of rock are typically absent. Soils typically include loose yellowish-brown sandy loam (A1-horizon), bleached stony hard-setting sandy clay loam (A2-horizon), earthy yellowish-brown sandy clay loam (B-horizon) and pedal yellowish-brown clay (B- and C-horizons). The A1-horizon depth is typically up to 30 cm and the A2-horizon depth is typically 10 – 30 cm.

The SALIS further identifies a geotechnical report for soil testing undertaken at the corner of Khartoum Road and Tasman Place, approximately 2.3 km north-west of the present subject area and nominally within the Lucas Heights soil landscape (Survey Number 1000236, Profile 74). The report indicates layers of fine sandy loam overlaying fine sandy clay loam and a total soil depth of 1 m, consistent with the Lucas Heights soil landscape. However, the A-horizon of the soil, which is typically associated with the potential for bearing artefacts, only extended to a depth of 20 cm. Similar shallow A-horizons have been reported in previous archaeological investigations in the area (Artefact 2014; Urbis 2021).

It is clear from the foregoing that the subject area is not associated with a dune system and outcrops of sandstone are unlikely. Furthermore, based on the predicted natural A-horizon depth of about 20 cm, archaeological deposits within the subject area are likely to be highly susceptible to ground disturbing activities.

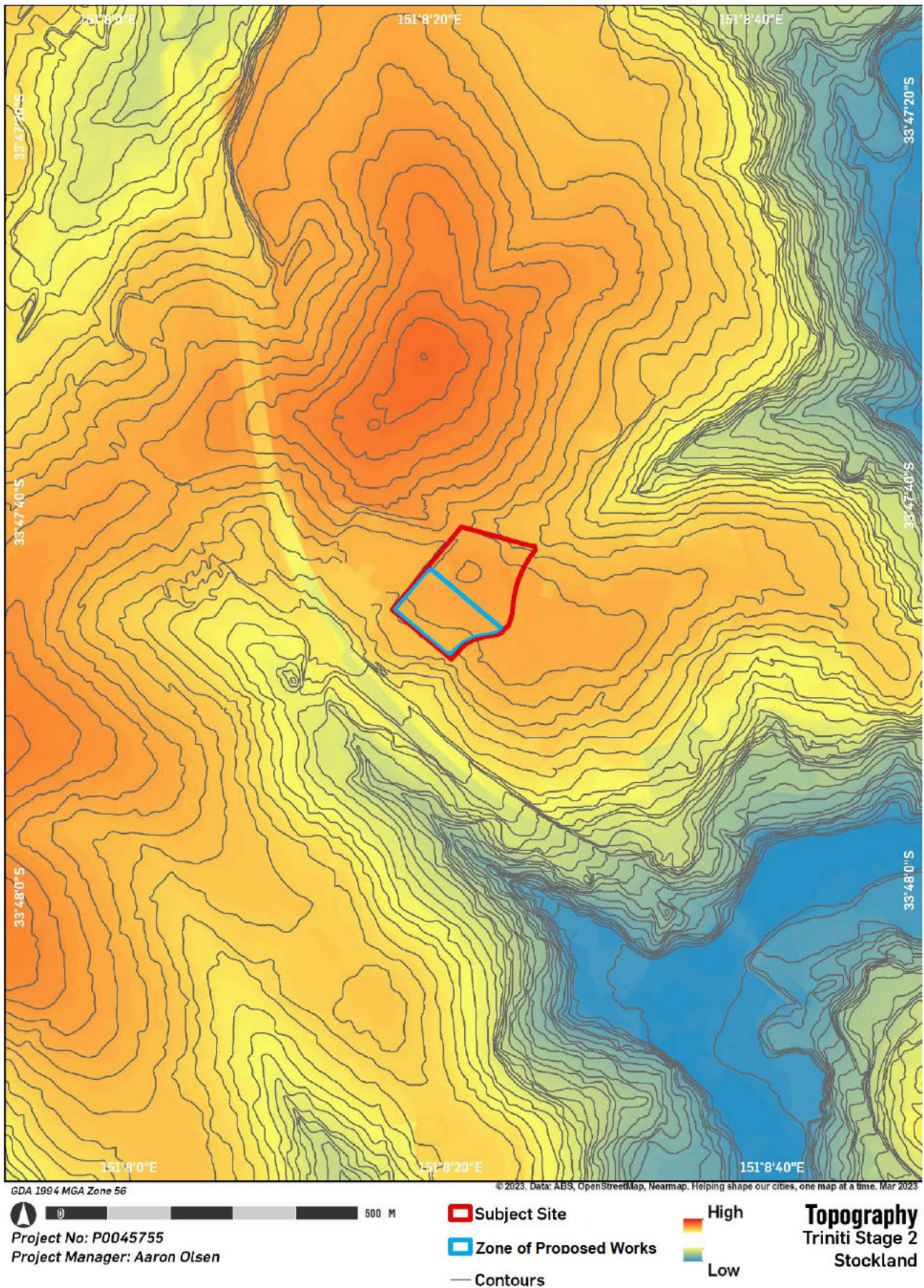


Figure 8 – Topography



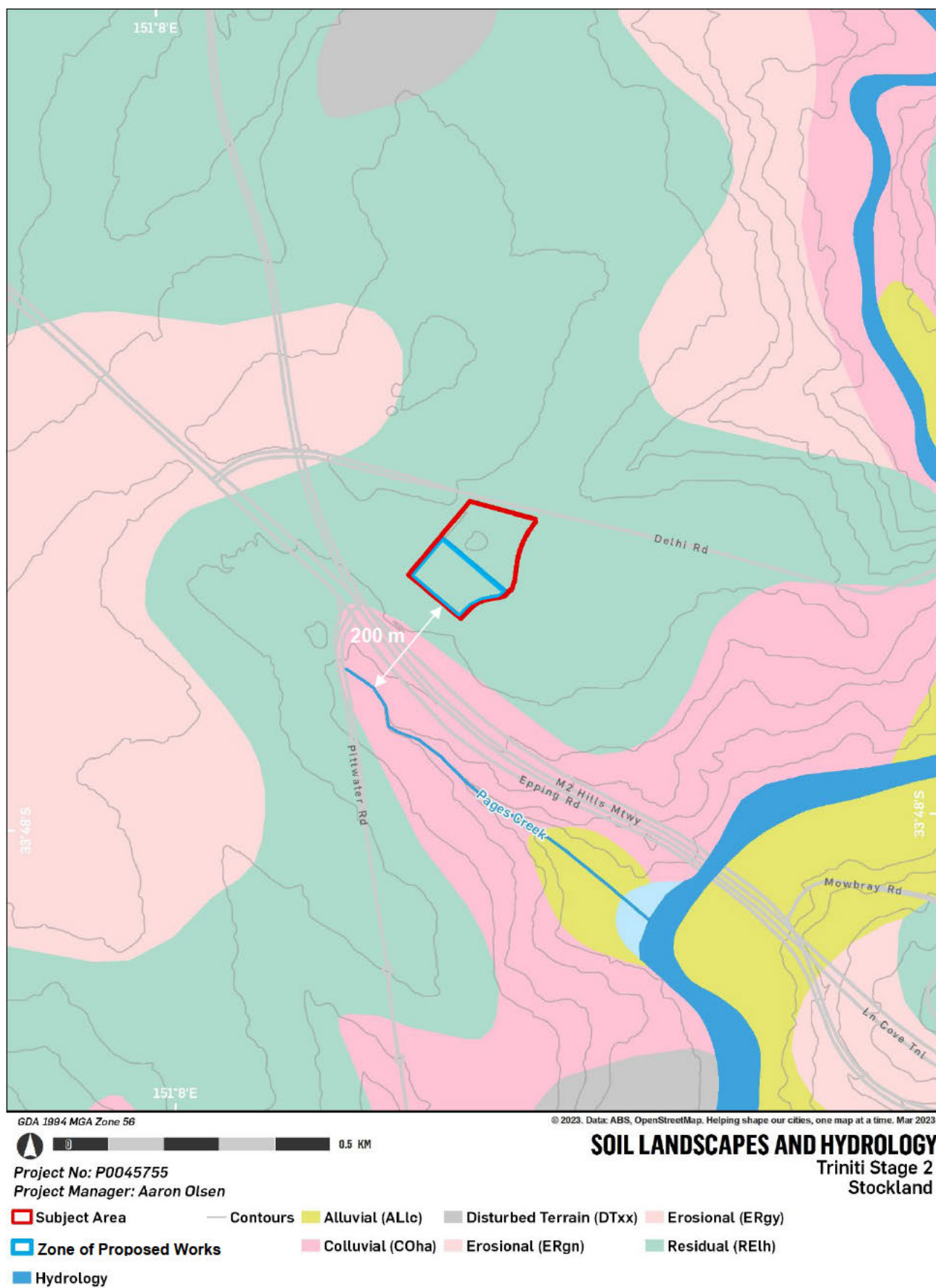


Figure 9 – Soil landscapes and hydrology

#### 4.3.4. Vegetation

The presence of certain types of vegetation within an area may be indicative of sensitivity for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

The vegetation associated with the Lucas Heights soil landscape would have originally comprised low, eucalypt open-forest and low eucalypt woodland with a sclerophyll shrub understorey. Dominant tree species would have included turpentine *Syncarpia glomulifera*, smooth-barked apple *Angophora costata*, red bloodwood *Eucalyptus gummifera*, thinleaved stringybark *E. eugenioides* and scribbly gum *E. haemastoma*.

The variety of floral and faunal species that likely existed in the subject area could have been utilised by Aboriginal people for medicinal, ceremonial and subsistence purposes. Furthermore, the likely presence of large tree species is indicative of the possibility of those trees having been culturally modified. Although, as discussed in Section 4.3.5 below, historical development and use of the subject area has resulted in clearance of all original vegetation.

#### 4.3.5. Historical Ground Disturbance

Historical ground disturbance, either through human activity (e.g. soil ploughing, construction of buildings and clearing of vegetation) or natural processes (e.g. erosion), can reduce the archaeological potential of a subject area. Ground disturbance may reduce the spatial and vertical integrity of archaeological resources and expose sub-surface deposits.

Development in the region around North Ryde began as early as 1792, when ex-marines were granted land on the northern banks of the Paramatta River, near Melrose Park, by Governor Philip (Phippen 2008). Owing to its military associations, the area was named the 'Field of Mars' after the Roman god of war. Further land grants followed and, by 1802, numerous small allotments in the area were being used for grazing horses, cattle, sheep and goats (Campbell, 1927). In 1804, Governor King set aside a large area of public land along the Lane Cove River for public use (Phippen 2008). The 'Field of Mars Common' encompassed an area of approximately 2044 hectares and was used primarily for firewood collection and running stock (Phippen 2008). The present subject area was located within the Field of Mars Common, north-west of a 140-acre parcel of land granted to Michael Connor (Figure 10).



Figure 10 – Detail of map of the parish of Hunters Hill, c. 1860s (approximate location of subject area outlined in red)

Source: NSWLRS



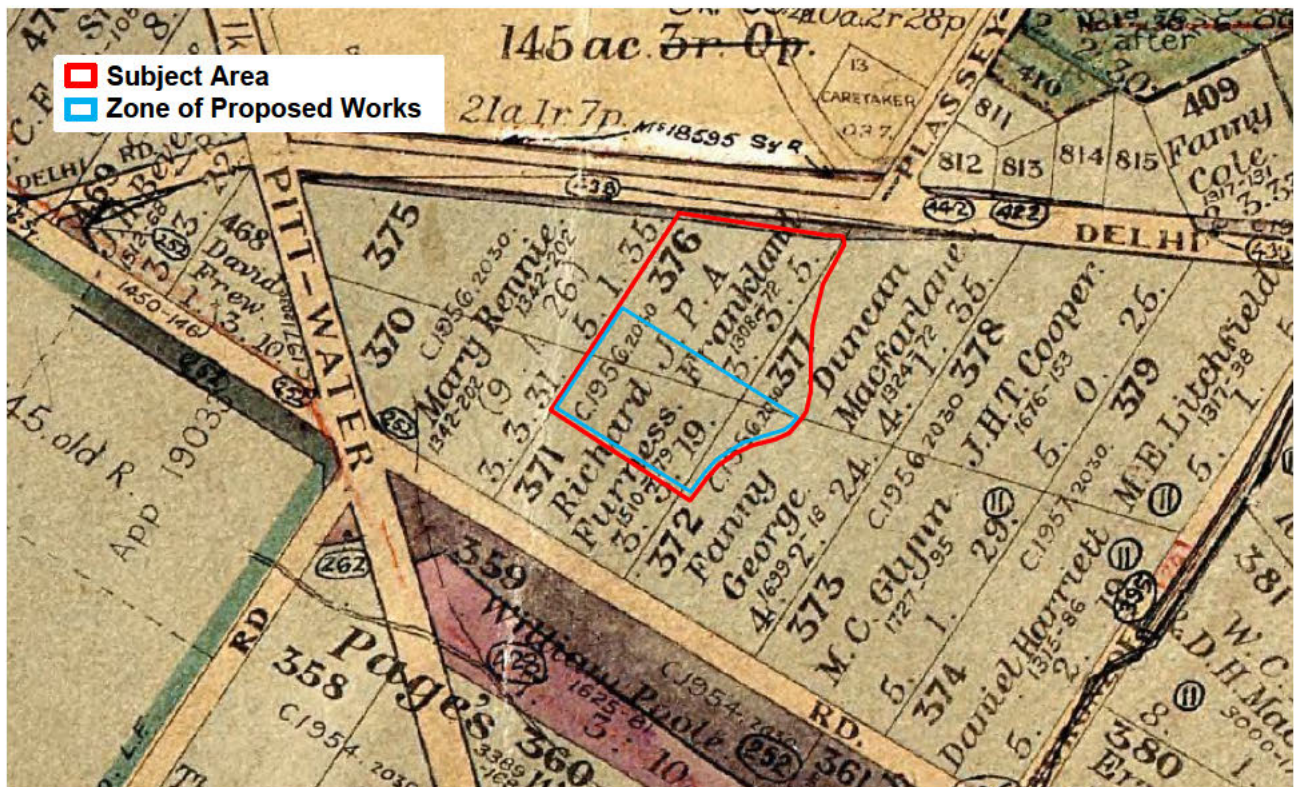


Figure 11 – Detail of map of the parish of Hunters Hill, c. 1928, showing location of subject area and zone of proposed work

Source: NSWLRS

The Field of Mars Common remained undeveloped until enactment of the *Field of Mars Resumption Act* of 1874, which enabled the colonial government to clear and subdivide the land for residential building purposes (*The Sydney Mail and New South Wales Advertiser*, 1895). Subdivision of the land that constituted the former Common followed, with streets being laid out and small allotments of one to four acres offered for sale. The first sale of the newly laid out allotments proceeded by auction in 1885 (*Daily Telegraph*, 1907).

The present subject area and zone of proposed works encompass parts of four allotment, designated Portion 371, 372, 376 and 377 (Figure 11). These allotments remained separate until the mid-twentieth century, as described below:

- Portion 371 was granted to Richard Furness in 1903. Two years later, Furness sold his grant to Richard Dodson, a butcher (Certificate of Title Vol. 1510 Fol. 179). The land was again transferred to Henry Baines, a farmer, in 1920 (Certificate of Title Vol. 5815 Fol. 162). Baines was still owner in 1943, when an aerial photograph of the subject area shows a number of buildings and an open paddock (Figure 12). It is likely that Baines was using his land for grazing livestock. The Commonwealth Scientific and Industrial Research Organisation (CSIRO) acquired the land 1951, leasing it to Baines until about 1953 (Certificate of Title Vol. 6726 Fol. 66).
- Portion 372 was granted to Fanny George in 1906 (Certificate of Title Vol. 1699 Fol. 18). The land stayed in the George family until 1951 (Certificate of Title Vol. 5581 Fol. 80). During this time, the land appears only to have been used for residential purposes. The part of Portion 372 encompassed by the present subject area remained uncleared at least until 1943, as shown in an aerial photograph from that year (Figure 12). The Commonwealth acquired the land from the George family in 1951 (Certificate of Title Vol. 5581 Fol. 80).
- Portion 376 was granted to Janett Priscilla Ann Frankland in 1899 (Certificate of Title Vol. 1309 Fol. 72). The land changed hands a number of times over the following decades. Evelyn Thomas Nichols, an ice manufacturer, purchased the land in 1932 (Certificate of Title Vol. 1308 Fol. 72). Nichols still owned the land in 1943, at which time an aerial photograph of the subject area shows Portion 376 being used for orcharding, with rows of trees evident across the northern and western parts of the portion (Figure 12). A number of buildings are also evident across the southern part of the of Portion 376 by this time. The CSIRO acquired the land in 1957 (Certificate of Title Vol. 9558 Fol. 17).



- Portion 377 was granted to Duncan Macfarlane, a poultry farmer, in 1900 (Certificate of Title Vol. 1324 Fol. 72). The property changed hands several times, before being acquired by another poultry farmer, Arthur Roberts Jardine, in 1910 (Certificate of Title Vol. 1324 Fol. 72). The property was retained by Jardine and leased to various individuals over the coming decades (Certificate of Title Vol. 3438 Fol. 10), until it was purchased by the Commonwealth in 1951 (Certificate of Title Vol. 3903 Fol. 201). The part of Portion 377 encompassed by the subject area is cleared by the mid-20<sup>th</sup> century, although appears to have been undeveloped and little used.

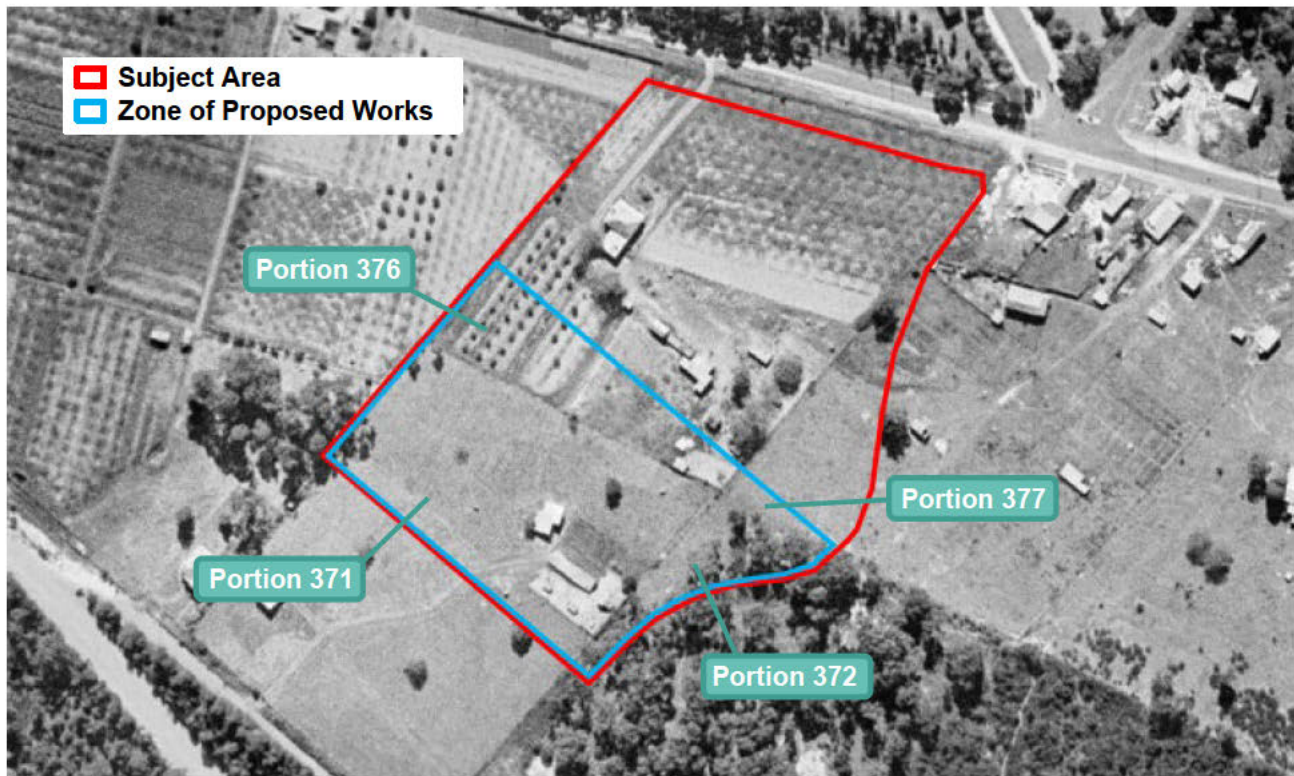


Figure 12 – Aerial photograph of the subject area and zone of proposed works, 1943

Source: NSW Government Spatial Services, Historical Imagery Viewer

In 1961, a new research facility for the CSIRO Division of Food Preservation and Transport was opened within the subject area. An aerial photograph of the subject area from 1961 reveals that the subject area underwent a significant transformation during the construction of the CSIRO research facility (Figure 13). The remainder of the remnant vegetation had been removed and all earlier buildings had been demolished. New buildings had been constructed, presumably requiring the installation of new underground services, internal roads had been laid and the much of the remaining open space had been given over to car parking.

With the exception of the addition of some new smaller buildings and the planting of trees, the subject area remained relatively unchanged until the demolition of the CSIRO research facility in 2005 (Figure 17). All the CSIRO buildings were demolished, and all other aboveground infrastructure was removed to make way for the Trinité Stage 1 development. Bare earth can be seen across the majority of the subject area, which is fill brought in for levelling prior to construction (Figure 17).

By 2016, hardstand has been laid across the majority of the zone of proposed works (Figure 15). The remainder of the subject area had been developed as part of Stage 1 of the Trinité project, including the construction of three multi-storey buildings and associated landscaping.



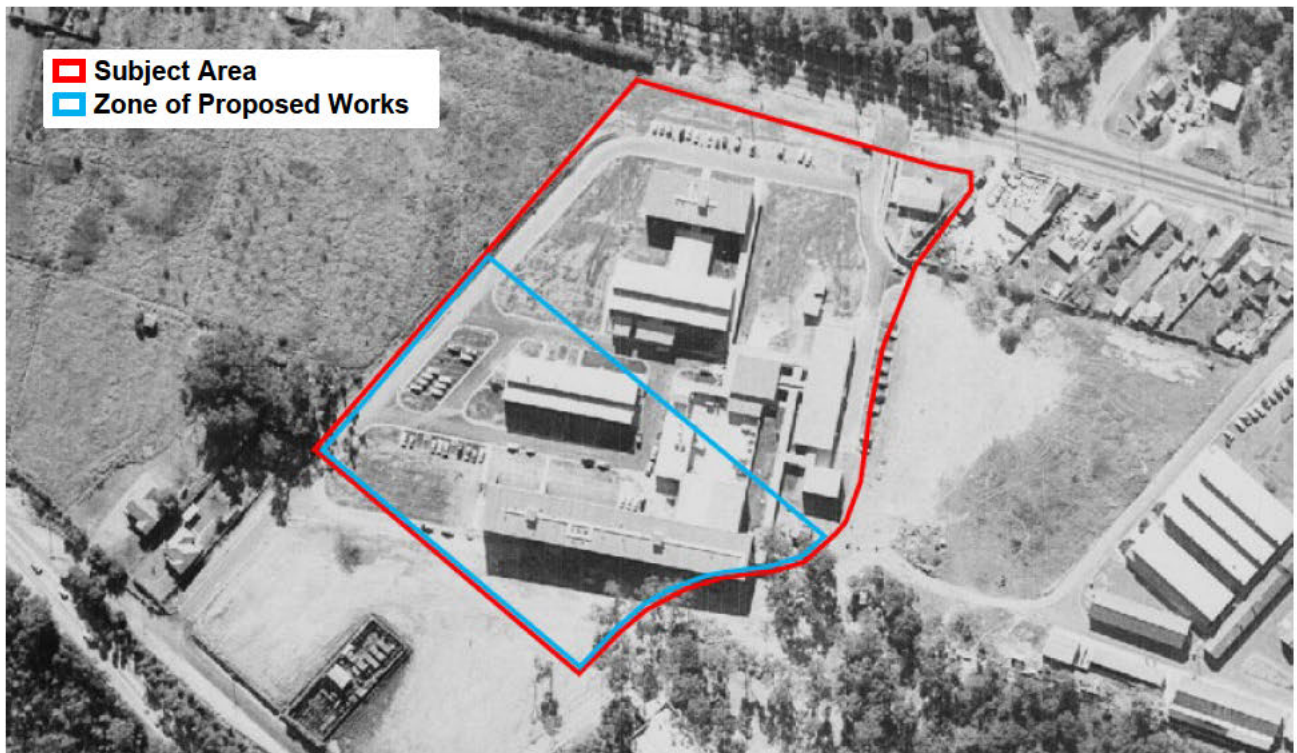


Figure 13 – Aerial photograph of the subject area and zone of proposed works, 1961  
Source: NSW Government Spatial Services, Historical Imagery Viewer



Figure 14 – Aerial photograph of the subject area and zone of proposed works, 2005  
Source: NSW Government Spatial Services, Historical Imagery Viewer





Figure 15 – Aerial photograph of the subject area and zone of proposed works, 2016

Source: NearMap

It is apparent that a large part of both the subject area and zone of proposed works was cleared and used for farming, including orcharding, grazing and poultry farming, during the first half of the 20<sup>th</sup> century. In view of the relatively shallow A-horizon depth predicted for the subject area of approximately (Section 4.3.3), these activities are likely to have caused a moderate level of ground disturbance due to direct impacts and erosion. However, the subsequent construction of the CSIRO research facility would have compounded these earlier impacts, with further direct impacts including grading and levelling, foundation construction, installation of underground services, laying of roads and pavement and landscaping. These activities are likely to have caused a high level of ground disturbance across the entire the subject area.

A geotechnical investigation of the zone of proposed works confirms the high level of disturbance (PSM 2023). Six boreholes were investigated, the locations of which are shown in Figure 16. Modern fill was found to a depth of 0.5 to 1.5 m, below which residual clay or clay with sand was encountered. The residual soil is consistent with the B-horizon of the Lucas Heights soil landscape, suggesting that the soil profile in the subject area has been disturbed to such a degree that the A-horizon has been removed.

In view of the above analysis, historical ground disturbance is assessed to be high across the entire subject area, as shown in Figure 16.





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Project No: P0045755

Project Manager: Aaron Olsen

■ Subject Area  
 ■ Zone of Proposed Works  
 ● Borehole Locations  
 ■ High Disturbance

## GROUND DISTURBANCE

Trinitri Stage 2

Stockland

Figure 16 – Ground disturbance

## 4.4. SUMMARY

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

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding and the deposition of material remains.
- Historical ground disturbance across the entire subject area is assessed to be high, owing to the cumulative impact of human activities, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping, on the relatively shallow topsoil (anticipated to be < 20 cm).
- No new Aboriginal objects were identified during the visual inspection of the subject area.
- Observations made during the visual inspection of the subject area were consistent with the subject area having been subjected to a high level of historical ground disturbance.



## 5. ARCHAEOLOGICAL POTENTIAL

The following is an assessment and discussion of the Aboriginal archaeological potential of the subject area. Aboriginal archaeological potential is the likelihood that the material remains of past Aboriginal land use have accumulated and been retained within the subject area. Archaeological potential is therefore limited to Aboriginal objects. It does not consider Aboriginal places or other intangible aspects of Aboriginal culture.

### 5.1. FRAMEWORK FOR ASSESSMENT

Aboriginal archaeological potential may be assessed by synthesising ethnographic, environmental and archaeological information pertaining to a subject area. The synthesis of such information typically includes the consideration of:

- Any ethnographic evidence of the past behaviours of Aboriginal people within the same region and context.
- The location, density and nature of previously registered Aboriginal sites within the same region and context.
- The findings of previous archaeological investigations within the same region and context.
- The presence or absence of landscape features that are commonly associated with certain archaeological resources.
- The level of disturbance to the subject area after Aboriginal land use, which may impact on or remove entirely any potential archaeological material.

For the present subject area, the relevant information is presented in Section 4 above.

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) ('The Due Diligence Code') provides a starting point for assessing past Aboriginal land use based on landscape features. The Due Diligence Code specifies the following landscape features are commonly associated with 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 list is not exhaustive and other landscape features should be considered. For example, the presence of remnant native forest is likely to indicate a greater likelihood for instances of modified trees.

For the purpose of the present assessment, the Aboriginal archaeological potential of the subject area is rated High, Moderate, Low or Nil according to the following scheme:

- **High:** at least one archaeologically sensitive landscape feature and low ground disturbance
- **Moderate:** at least one archaeologically sensitive landscape feature and moderate ground disturbance
- **Low:** at least one archaeologically sensitive landscape feature and high ground disturbance; or no archaeologically sensitive landscape features
- **Nil:** complete ground disturbance (i.e. complete removal of natural soil A-horizon) or absence of landscape features necessary for a specific feature.

### 5.2. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the various site features recordable on the AHIMS register (see Section 4.2.2 above) occurring within the present subject area is assessed in Table 9 below. The assessment is based on a synthesis of the ethnographic, environmental and archaeological contexts discussed in Section 4 above.

Owing to the location of the subject area on a ridgeline, there is a high likelihood of pre-contact land use by Aboriginal people. However, subsequent disturbance is high due to the anticipated shallow (<20 cm) topsoil of

the subject area and cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.

The Aboriginal archaeological potential for the subject area is therefore assessed to be **low**. The archaeological potential is mapped in Figure 17 below, which shows the maximum potential across the subject area.

Table 9 – Archaeological potential assessment

Site Type	Assessment	Potential
<b>Art</b>	Art is typically associated with shelters, overhangs and across rock formations. Numerous art sites are known in the region around subject area (Section 4.2.2). However, all known art sites are located in close proximity to the Lane Cove River or other waterways, where Hawksbury sandstone exposures are present. The subject area does not include any visible rock outcrops that would be indicative of the potential for rock art (Section 4.3.1). The likelihood of any art being present within the subject area is negligible.	<b>Nil</b>
<b>Artefact</b>	Artefacts may be found in any environment previously used by Aboriginal people. The subject area is located on a ridgeline (Section 4.3.2), which is indicative of likely past Aboriginal land use. However, the high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) significantly reduces the potential for artefacts to be retained. There is therefore low potential for the presence of artefacts.	<b>Low</b>
<b>Burial</b>	Burials are typically associated with caves and rock overhangs, creek banks and soft, sandy soils. The subject area does not include any caves or rock overhangs (Section 4.3.1), is not located near a creek (Section 4.3.2) and the shallow topsoils of the Lucas Heights soil landscape are typically not commonly associated with burials (Section 4.3.3). Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for any burials to be retained. There is therefore low potential for the presence of burials.	<b>Low</b>
<b>Ceremonial Ring</b>	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any ceremonial rings. The likelihood of ceremonial rings being present within the subject area is negligible	<b>Nil</b>
<b>Earth Mound</b>	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any earth mounds. The likelihood of earth mounds being present within the subject area is negligible	<b>Nil</b>
<b>Fish Trap</b>	The subject area does not include a waterway and is not located on a coastline (Section 4.3.2) that would enable construction of a fish trap. The likelihood of fish traps being present within the subject area is negligible.	<b>Nil</b>



Site Type	Assessment	Potential
Grinding Groove	The subject area does not include any visible sandstone outcrops that would be indicative of the potential for grinding grooves (Section 4.3.1). Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for any undamaged sandstone outcrops to be retained. There is <b>therefore</b> potential for the presence of grinding grooves.	Low
Habitation Structure	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any habitation structures. The likelihood of habitation structures being present within the subject area is negligible	Nil
Hearth	Hearths are typically identified by concentrations of charcoal or hearthstones or baked clay surfaces. As the present subject area has been subject to a high degree of historical ground disturbance (Section 4.3.5), the likelihood of any hearths being present is low.	Low
Modified Tree	Historical development of the subject area has resulted in clearance of all natural vegetation (Section 4.3.4), removing any potential for the presence of modified trees.	Nil
Non-human Bone & Organic Material	Occurrence of non-human bone and organic material is rare, owing to poor preservation. Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for non-human bone and organic material to be retained. There is therefore low potential for the presence of non-human bone and organic material.	Low
Ochre Quarry	No sources of ochre are identified within the subject area (Section 4.3.3) and there are no ochre quarries identified within the region (Section 4.2.2). The likelihood of any ochre deposits being present within the subject area is negligible.	Low
Shell	Shell deposits typically occur in close proximity to resource-bearing water, such as higher order waterways and the ocean. As the subject area is not located near such a water body (Section 4.3.2), the likelihood of any shell deposits being present within the subject area is negligible.	Low
Stone Arrangement	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any stone arrangements. The likelihood of stone arrangements being present within the subject area is negligible	Nil
Stone Quarry	The subject area does not include any visible rock outcrops that would be indicative of the potential for a stone quarry (Section 4.3.1). The likelihood of any deposits of utile stone outcrops being present within the subject area is negligible.	Nil

## 5.3. SUMMARY

The assessment of the Aboriginal archaeological potential of the subject area is summarised as follows:

- Although the subject area is associated with landscape features that indicate likely past Aboriginal land use (i.e. a ridgeline), subsequent ground disturbance is high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- The Aboriginal archaeological potential for the subject area is assessed to be **low**.





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Project No: P0045755

Project Manager: Aaron Olsen

  Subject Area   Zone of Proposed Works   Low Potential

## ARCHAEOLOGICAL POTENTIAL

Trinitri Stage 2

Stockland

Figure 17 – Archaeological potential



## 6. VISUAL INSPECTION

A visual inspection of the zone of proposed works was undertaken to confirm the assessment of archaeological potential within the subject area and to determine if any Aboriginal objects were present as surface expressions. The visual inspection of the zone of proposed works was undertaken by Aaron Olsen (Urbis Senior Archaeologist) on 25 May 2023, with the assistance of the RAP listed in Table 4 above.

The visual inspection was undertaken in slightly overcast conditions. Ground Surface Visibility (GSV) was estimated to be about 5% across the subject area due to the presence of hardstand and thick vegetation. Access to a large, grassed portion on the western boundary of the zone of proposed works of the subject area was limited due to the known presence of a large eastern brown snake.

No Aboriginal objects were identified during the visual inspection of the zone of proposed works.

The visual inspection confirmed the presence of road and hardstand across most of the northern portion of the zone of proposed works (Figure 18, Figure 19 and Figure 20), while the southern portion was largely covered in grass with patches of introduced gravel (Figure 21). Historical levelling was evidenced by sharp level changes internally and on all boundaries of the zone of proposed works (Figure 22, Figure 23, Figure 24 and Figure 25). Underground services were observed across the zone of proposed works (Figure 26 and Figure 27). Exposures were limited to areas of level change garden beds and around services and were observed to be introduced fill (Figure 24 and Figure 27). It is evident from the visual inspection that the subject area has been heavily impacted by historical activities. The visual inspection confirms the assessment that the subject area has low Aboriginal archaeological potential due, in part, to a high level of historical ground disturbance.



Figure 18 – View north of hardstand across northern portion of the zone of proposed works



Figure 19 – View north-east of hardstand across northern portion of the zone of proposed works



Figure 20 – View north-west of road across northern boundary of the zone of proposed works



Figure 21 – View north-west of grass and gravel coverage in southern portion of the zone of proposed works





Figure 22 – View south-west of retaining wall and level change on north-western boundary of the zone of proposed works



Figure 23 – View north-west of level change on north-eastern boundary of the zone of proposed works



Figure 24 – View north-west of south-eastern corner of the zone of proposed works showing level change



Figure 25 – View north-west of northern portion of the zone of proposed works showing internal level change



Figure 26 – View south-east of underground service in northern portion of the zone of proposed works



Figure 27 – View south-east of underground service in southern portion of the zone of proposed works



## 7. SIGNIFICANCE ASSESSMENT

The following is an assessment and discussion of the cultural significance of the subject area, made in consultation with the RAPs. The assessment follows principles and procedures outlined in the Burra Charter the Assessment Guidelines.

### 7.1. FRAMEWORK FOR ASSESSMENT

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

Heritage significance is assessed by considering each cultural or archaeological site against the significance criteria set out in the Assessment Guidelines. The Assessment Guidelines require that the assessment and justification in a statement of significance includes a discussion of whether any value meets the following criteria:

- Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons? – social value.
- Is the subject area important to the cultural or natural history of the local area and/or region and/or state? – historic value.
- Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state? – scientific (archaeological) value.
- Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state? – aesthetic value.

Assessment of each value should be graded in terms that allow the significance to be described and compared (e.g. high, moderate, or low). In applying these criteria, consideration should be given to:

- 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?*

The Aboriginal heritage significance of the subject area is assessed in the following section within the framework outlined above.

### 7.2. ASSESSMENT OF HERITAGE VALUES

The following assessment of the social or cultural, historic, scientific and aesthetic values of the subject area has been prepared in accordance with the Assessment Guidelines.

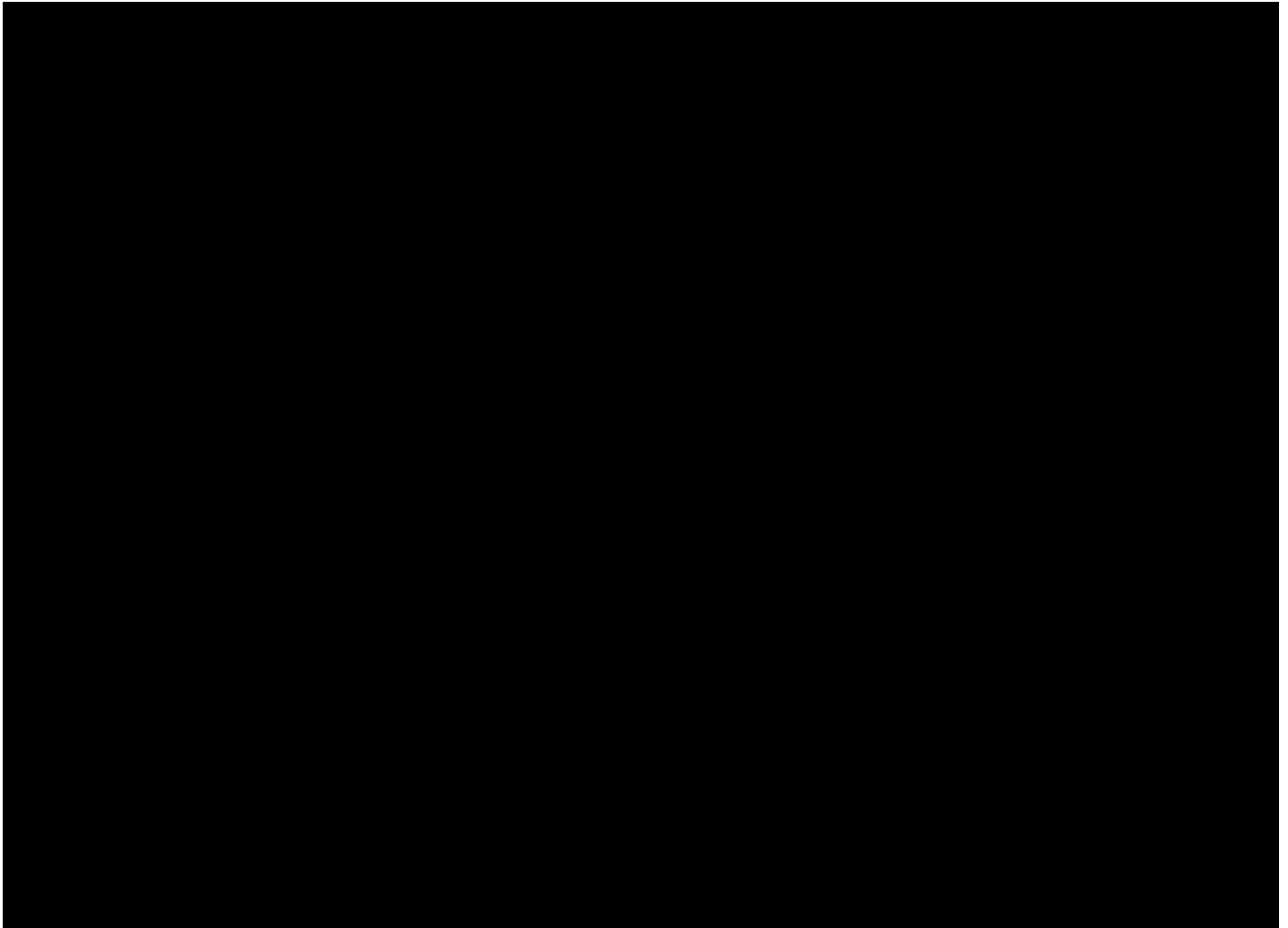
In acknowledgment that the Aboriginal community themselves are in the best position to identify heritage values, the assessment is informed by consultation with the Aboriginal community. Consultation with Aboriginal people should provide insight into past events. The RAPs were invited to provide comment and input into this ACHAR and to the assessment of cultural heritage values for the subject area, as documented in this report. Any culturally sensitive values identified have not been explicitly included in the report or made publicly available. Any such values would be documented and lodged with the knowledge holder providing the information.

#### 7.2.1. Social or Cultural Value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their

connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

Two comments relevant to the social or cultural value of the subject area were received from RAPs during Stage 2/3 of the consultation process.



In view of the above feedback, the subject area is assessed as having social and cultural value to the Aboriginal community due to its association with cultural sites in the broader region and connection to the broader landscape.

### **7.2.2. Historic Value**

Historic value encompasses the history of aesthetics, science and society. A place may have historic value because it is associated with a historic figure, event, phase or activity in an Aboriginal community. The significance of a place will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. Places may also have 'shared' historic values with other (non-Aboriginal) communities.

No historical associations between Aboriginal people and the subject area have been identified. The subject area is therefore unlikely to have Aboriginal historic value.

### **7.2.3. Scientific (Archaeological) Value**

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.



Information about scientific value will be gathered through any archaeological investigation undertaken. Archaeological investigations must be carried out according to the Code of Practice.

The subject area is unlikely to retain any Aboriginal objects due to historical ground disturbance. Furthermore, if any Aboriginal objects are present, they are likely to be located within a disturbed context. The scientific (archaeological) value of the subject area is therefore assessed to be low.

Should any Aboriginal objects be identified within the subject area, the scientific (archaeological) value of those objects and the subject area should be reassessed.

#### **7.2.4. Aesthetic Value**

Aesthetic value of a place relates to the sensory, scenic, architectural and creative aspects of a place. It may include visual aspects, such as form, scale, colour, texture and material of the fabric, and the smells and sounds associated with the place and its use.

Due to historical activities within the subject area, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping, the present visual appearance and other sensory aspects of the subject area are unlikely to resemble those of the landscape of the local area as it existed prior to European contact. The subject area as a whole is therefore determined have low aesthetic significance insofar as it relates to Aboriginal cultural heritage.

Individual Aboriginal objects may have aesthetic value in their own right. There are no known Aboriginal objects within the subject area. Should any Aboriginal objects be identified within the subject area, these should be assessed for aesthetic value.

### **7.3. STATEMENT OF SIGNIFICANCE**

The subject area is assessed as having low Aboriginal cultural heritage significance for its social and cultural value. Based on comments received from RAPs during the consultation process, the subject area is determined to have social and cultural value to the Aboriginal community because of the deep spiritual and cultural connection to the land held by the Wallumedegal and the location of other known sites in the broader region around the subject area. However, no evidence of a specific association with the subject area has been identified. Therefore, although the social and cultural value of the landscape within which the subject area is situated is acknowledged, the Aboriginal heritage significance of the subject area itself is assessed to be low.

The assessment of significance should be updated in the event that any Aboriginal objects are found within the subject during the proposed development.

## 8. IMPACT ASSESSMENT

The following is an assessment of the potential impact of the proposed development on any Aboriginal objects and/or Aboriginal places within the subject area and the possible strategies for avoiding or minimising harm to those Aboriginal objects and/or Aboriginal places.

### 8.1. FRAMEWORK FOR ASSESSMENT

The potential harm to Aboriginal objects and Aboriginal places that is likely to be caused by a proposed activity is the effect of that activity on the Aboriginal heritage values identified above. According to the NPW Act, "harm" to an object or place includes any act or omission that:

- Destroys, defaces, or damages the object or place.
- Moves the object from the land on which it had been situated.
- Causes or permits the object or place to be harmed.

Harm does not include something that is trivial or negligible, such as picking up and replacing a small stone artefact, breaking a small Aboriginal object below the surface when you are gardening, crushing a small Aboriginal object when you walk on or off a track, picnicking, camping or other similar recreational activities.

The Assessment Guidelines define harm to Aboriginal objects and Aboriginal places as being either direct or indirect:

- **Direct harm** may occur as the result of any activity which disturbs the ground including, but not limited to, site preparation activities, installation of services and infrastructure, roadworks, excavation, flood mitigation measures.
- **Indirect harm** may affect sites or features located immediately beyond or within the area of the proposed activity. Examples include, but are not limited to, increased impact on art in a shelter from increased visitation, destruction from increased erosion and changes in access to wild food resources.

The present assessment of potential harm follows the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of inter-generational equity:

- The **precautionary principle** states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.
- The **principle of inter-generational equity** holds that the present generation should make every effort to ensure the health, diversity and productivity of the environment, which includes cultural heritage, is available for the benefit of future generations. If a site type that was once common in an area becomes rare, the loss of that site (and site type) will result in an incomplete archaeological record and will negatively affect intergenerational equity.

Consideration of potential harm to Aboriginal objects and Aboriginal places according to ecologically sustainable development (ESD) principles allows for an understanding of the cumulative impact of the proposed activity and an understanding of how harm can be avoided or minimised, if possible.

### 8.2. ASSESSMENT OF POTENTIAL HARM

The potential harm to Aboriginal cultural heritage arising from the proposed works relates to ground impacts associated with site preparation and excavation works, construction of a new build-to-rent development (including a basement carpark), landscaping and associated public domain works and the extension and augmentation of physical infrastructure and utilities (see Section 1.2 above). Any harm to Aboriginal objects or places within the subject area would thus be related to disturbance or removal of any residual natural soil.

The ACHA determined that there are no known Aboriginal objects within, or in proximity to, the subject area. The ACHA further determined that there is low potential for any unknown Aboriginal objects to be retained within the subject area (Section 5.2). Therefore, the proposed works are unlikely to cause direct or indirect harm to any Aboriginal objects.

### **8.3. INTER-GENERATIONAL EQUITY**

The cumulative impact of any development on Aboriginal sites relates to the extent of the proposed impact on the site and how this will affect both the proportion of this type of Aboriginal site in the area and the impact this destruction will have on Aboriginal cultural heritage values generally in the area.

The ACHA has established that the subject area does not contain any previously identified Aboriginal objects or Aboriginal places and that there is low potential for unknown Aboriginal objects. As such, the proposed works are unlikely to negatively impact inter-generational equity.

### **8.4. AVOIDANCE & MINIMISATION OF HARM**

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal places, along with their cultural heritage values. If harm to Aboriginal objects and/or Aboriginal places is unavoidable, management strategies must be considered to minimise the harm. The type of management strategies proposed must be appropriate to the significance of Aboriginal heritage values, Aboriginal objects and/or Aboriginal places. Harm avoidance and minimisation measures must be feasible and within the financial viability of the proposed activity.

Although the proposed works are unlikely to harm any Aboriginal objects, the precautionary principle states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.

Avoidance of harm to any unknown Aboriginal objects is not feasible as the archaeological potential does not vary across the subject area. Therefore, management strategies must be considered to minimise potential harm to any unknown Aboriginal objects. The mitigation measures described below are recommended to be undertaken.

#### **8.4.1. Unexpected Archaeological Finds Procedure**

As a harm mitigation measure, it is recommended that an unexpected archaeological finds procedure be implemented for any works within the subject area. 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.

#### **8.4.2. Human Remains Procedure**

As a harm mitigation measure, it is recommended that a human remains procedure be implemented for any works within the subject area. 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.

## **8.5. SUMMARY**

The assessment of impact of the proposed works and proposed measures for avoidance and minimisation of harm are summarised as follows:

- The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- As precautionary harm mitigation measures, it is recommended that unexpected archaeological finds and human remains procedures be implemented for any works undertaken within the subject area.

## 9. CONCLUSIONS & RECOMMENDATIONS

The ACHA concluded that:

- 1) No Aboriginal objects or Aboriginal places are registered or otherwise known to exist within or near to the subject area.
- 2) The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding.
- 3) Historical ground disturbance across the entire subject area is assessed to be high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- 4) Owing to the high level of ground disturbance, the Aboriginal archaeological potential for the subject area is assessed to be low, meaning the subject area is unlikely to retain any unknown Aboriginal objects.
- 5) The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- 6) Furthermore, based on the evidence at hand, the subject area is assessed as having low Aboriginal heritage significance.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-55844212.

- **Recommendation 2 – No Further Archaeological Investigation**

As the proposed works are unlikely to cause harm to Aboriginal objects, it is recommended that no further investigation is required for the present development.

- **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.



## 10. REFERENCES

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# DISCLAIMER

This report is dated 4 August 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Stockland (**Instructing Party**) for the purpose of an Aboriginal Cultural Heritage Assessment (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

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**

## **BASIC AND EXTENSIVE AHIMS SEARCH RESULTS**



Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 31 March 2023

Level 8 123 Angel Street  
Sydney New South Wales 2000

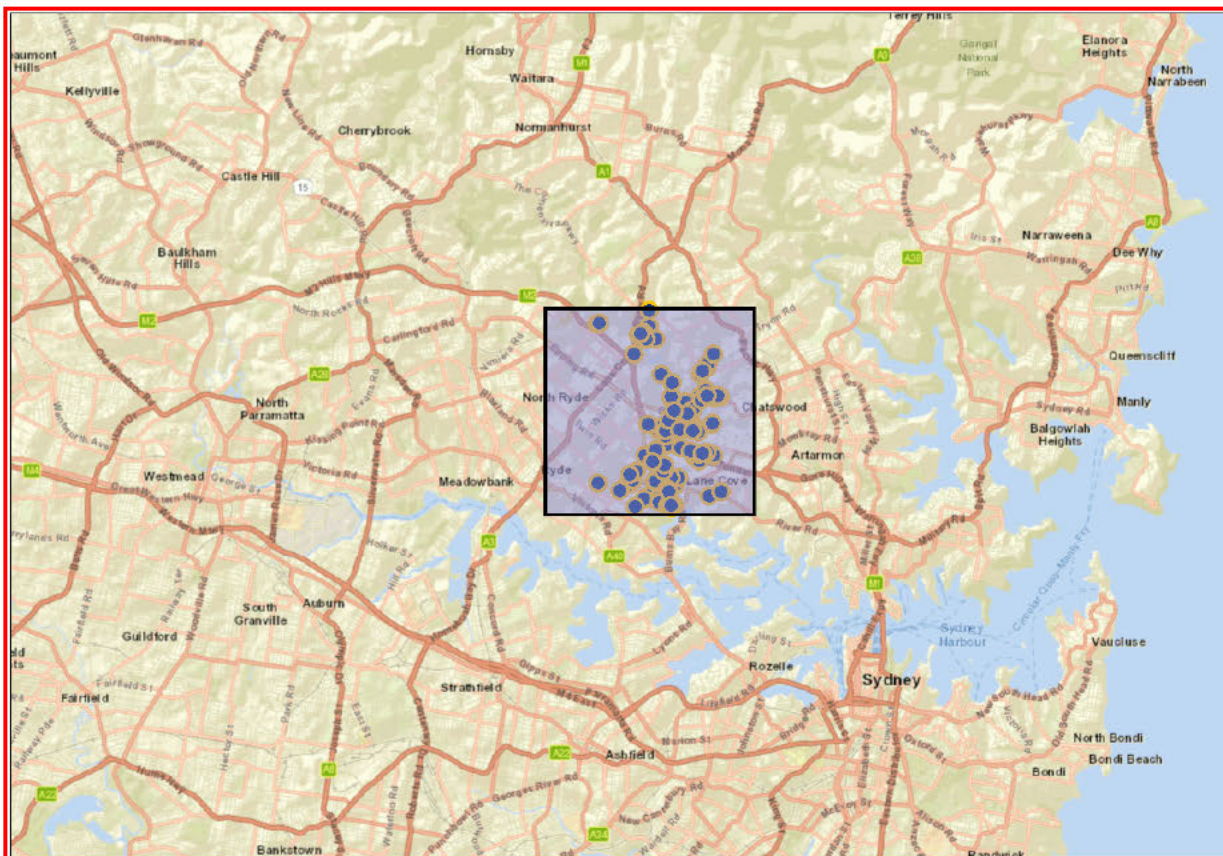
Attention: Natalie Taylor

Email: ntaylor@urbis.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 324750.923 - 330750.923, Northings : 6255939.0 - 6261939.0 with a Buffer of 0 meters, conducted by Natalie Taylor on 31 March 2023.**

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:

117	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.





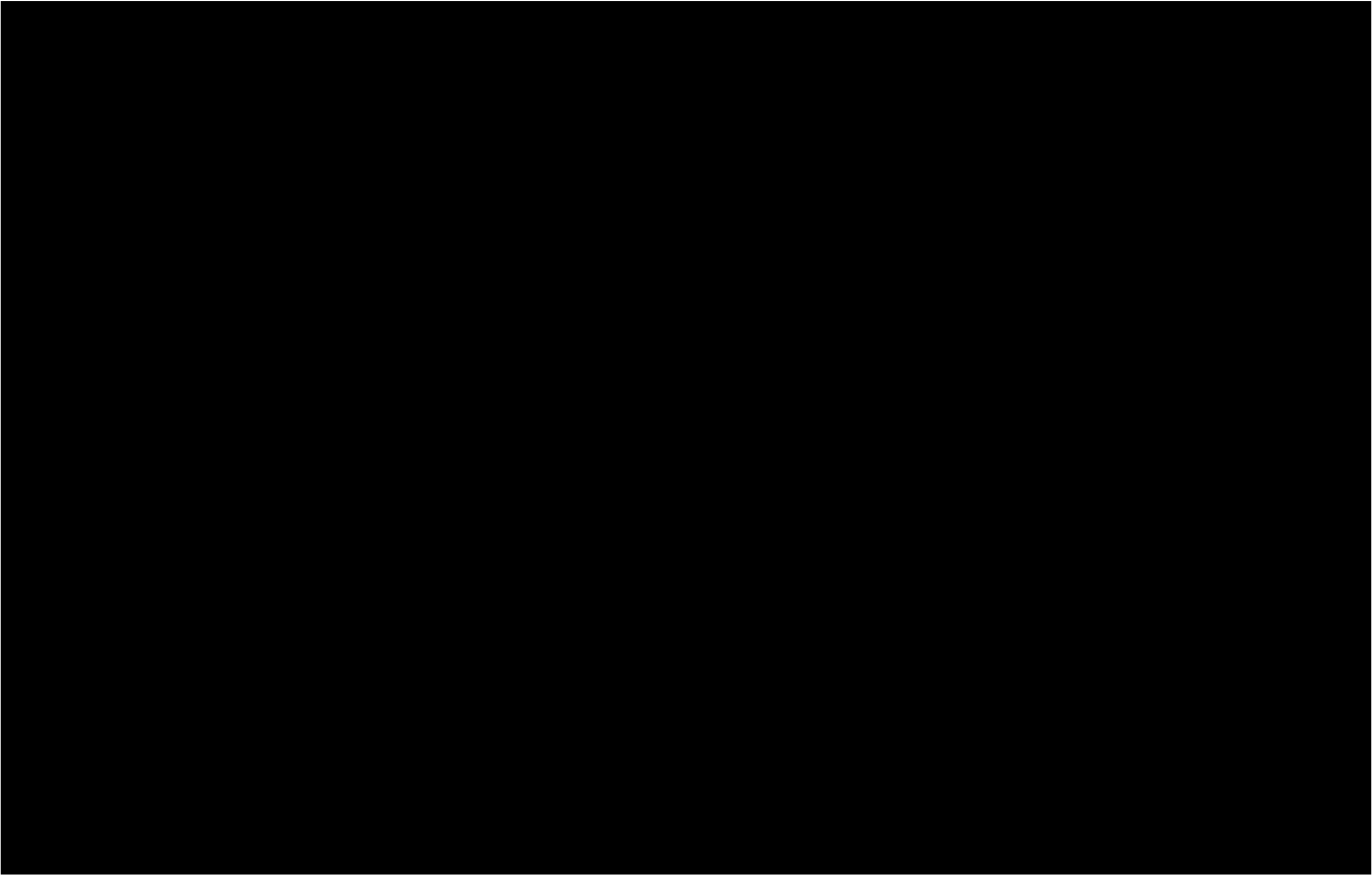


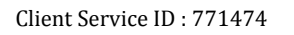
# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474







# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474

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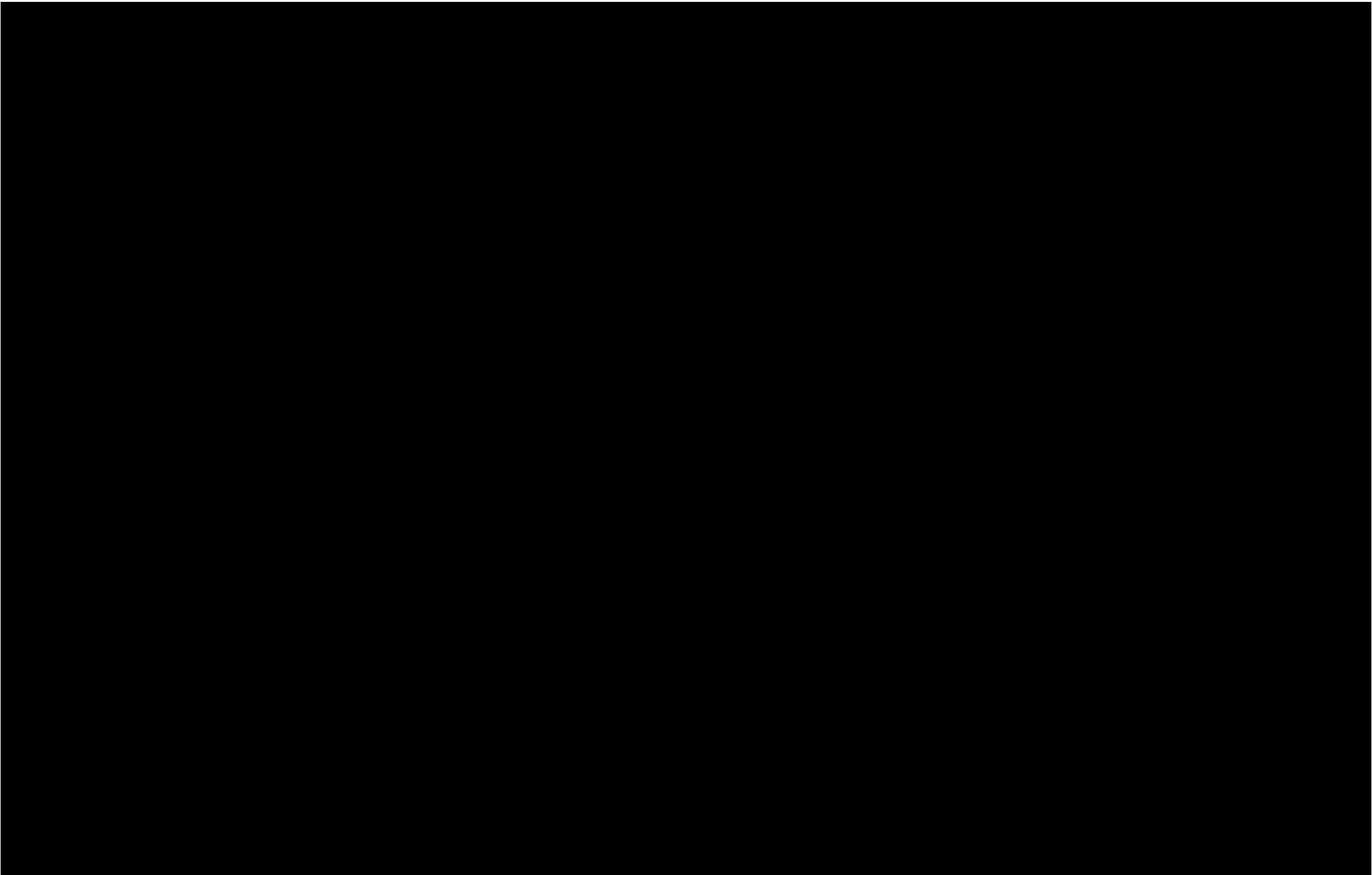


# AHIMS Web Services (AWS)

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Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474

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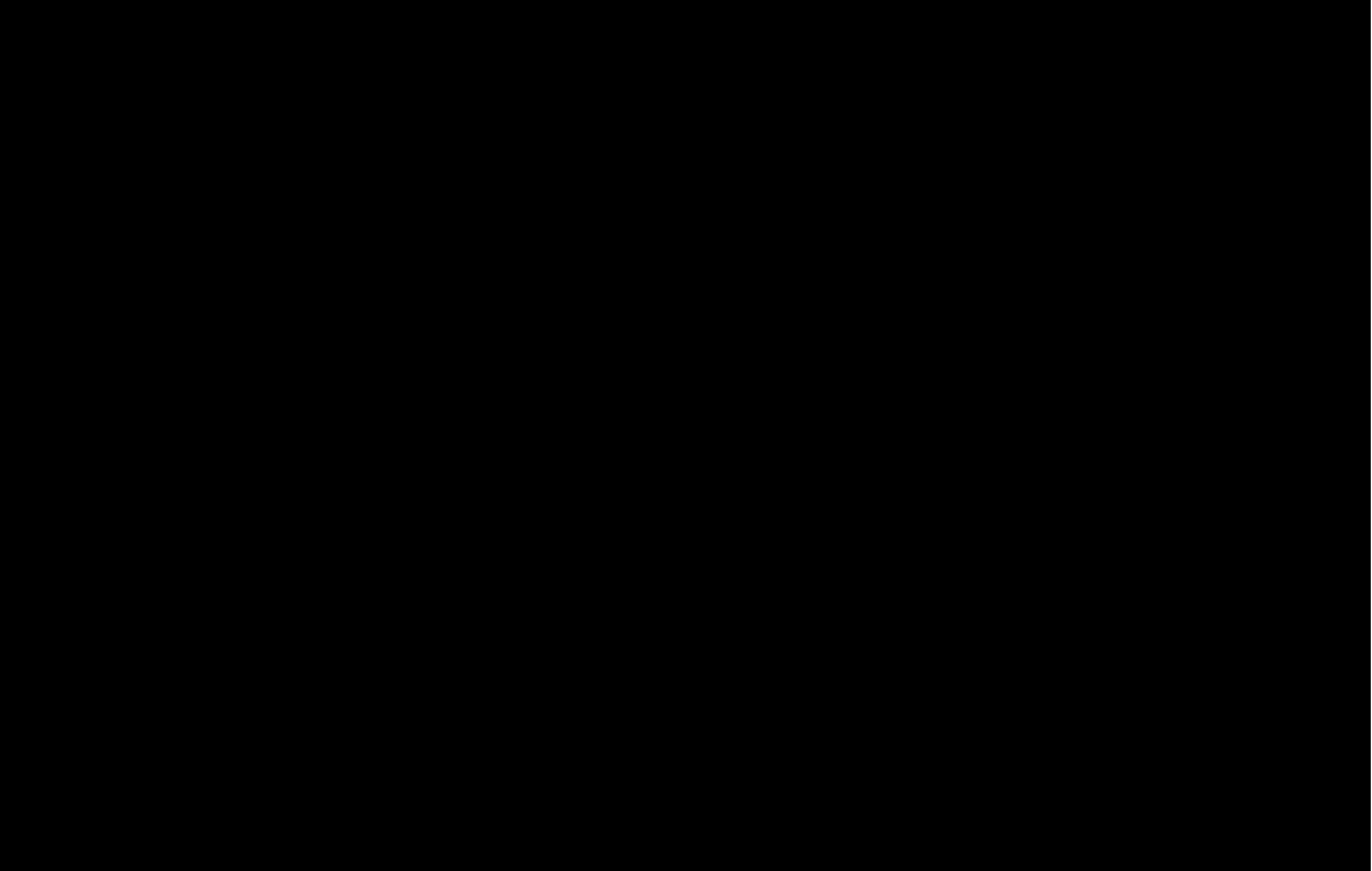


# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474





# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474

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## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

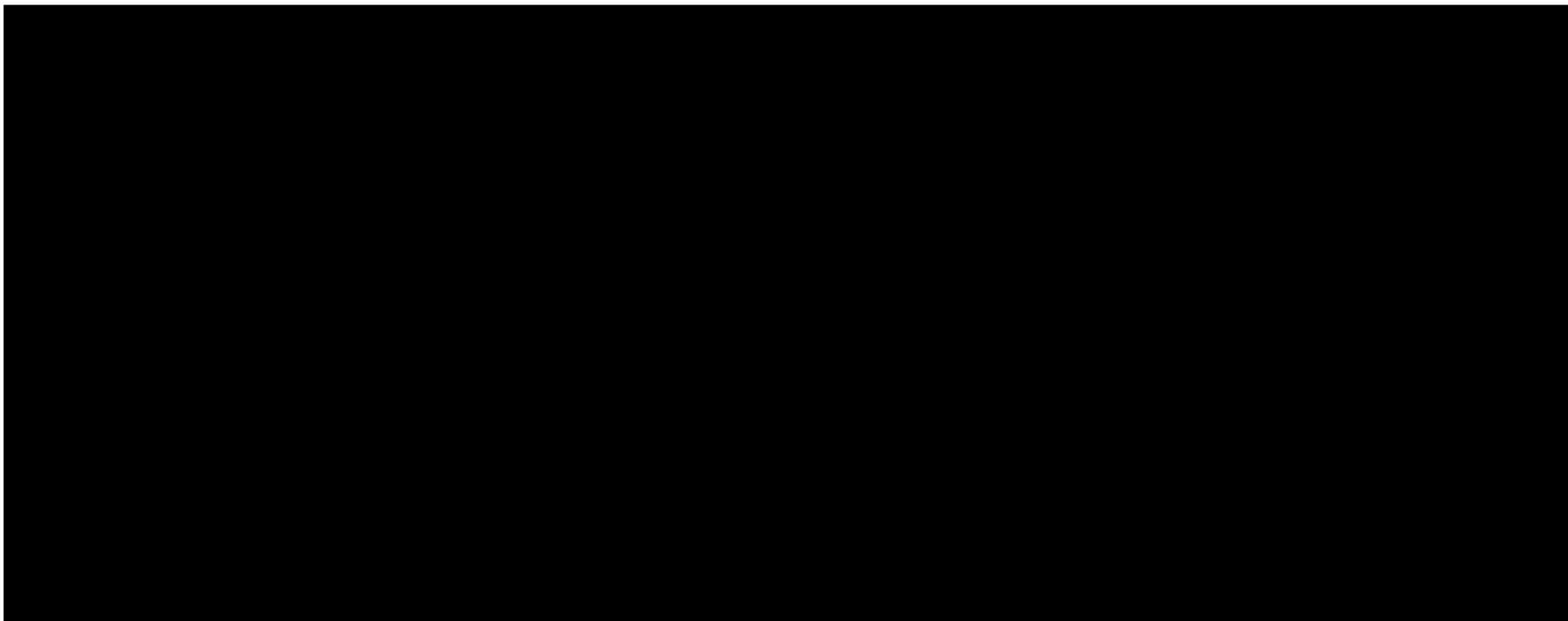
Client Service ID : 771474

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## **APPENDIX B**

## **REGISTERED ABORIGINAL PARTY CONSULTATION LOG**



## **APPENDIX C**

## **REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTATION**

**STAGE 1.1 – NATIVE TITLE SEARCH**



## Natalie Taylor

---

**From:** Natalie Taylor  
**Sent:** Tuesday, 28 March 2023 10:08 AM  
**To:** GeospatialSearch@NNTT.gov.au  
**Cc:** Aaron Olsen; Balazs Hansel  
**Subject:** 39 Delhi Road, North Ryde - Aboriginal Cultural Heritage Assessment - Native Title Search Request  
**Attachments:** GeospatialSearch2023.pdf

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to request a spatial search of the National Native Title Tribunal Register.

We request that you please provide the results of the search by return email at your earliest convenience and preferably by **4 April 2023**.

For further details please refer to [the attached form](#). We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**  
ARCHAEOLOGY ASSISTANT

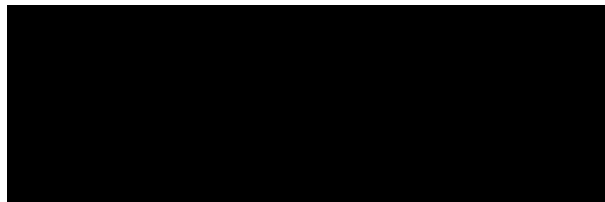
**D** +61 2 8233 9964

**E** [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
**T** +61 2 8233 9900



Urbis recognises the traditional owners of the land on which we work.  
Learn more about our [Reconciliation Action Plan](#).

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## Natalie Taylor

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**From:** Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>  
**Sent:** Wednesday, 29 March 2023 12:23 PM  
**To:** Natalie Taylor  
**Cc:** Aaron Olsen; Balazs Hansel  
**Subject:** RE: SR23/489 - 39 Delhi Road, North Ryde - Aboriginal Cultural Heritage Assessment - Native Title Search Request - SR23/489 [SEC=OFFICIAL]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### OFFICIAL

Your ref: P0045755    Our ref: SR23/489

Dear Natalie Taylor,

Thank you for your search request, please find your results below.

#### Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Indigenous Land Use Agreements (Registered and notified)

#### Results for overlapping native title matters in NSW:

Feature ID	Tenure	Cadastre Data As At	Feature Area SqKm	Overlapping N	
21//DP1003588	FREEHOLD	5/09/2022	0.0271	NNTT File Number	Name
				<a href="#">No overlap</a>	

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal's website here: [Native title claims and freehold land](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

**Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

**The Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us via [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

Regards,

**Geospatial Searches**

**National Native Title Tribunal | Perth**

Email: [GeospatialSearch@nntt.gov.au](mailto:GeospatialSearch@nntt.gov.au) | [www.nntt.gov.au](http://www.nntt.gov.au)

---

**From:** Natalie Taylor <[ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)>

**Sent:** Tuesday, 28 March 2023 7:08 AM

**To:** Geospatial Search Requests <[GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)>

**Cc:** Aaron Olsen <[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>

**Subject:** SR23/489 - 39 Delhi Road, North Ryde - Aboriginal Cultural Heritage Assessment - Native Title Search Request

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to request a spatial search of the National Native Title Tribunal Register.

We request that you please provide the results of the search by return email at your earliest convenience and preferably by **4 April 2023**.

For further details please refer to [the attached form](#). We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**

ARCHAEOLOGY ASSISTANT

D +61 2 8233 9964

E [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*



# Request for Spatial Search of Tribunal Registers

## 1: Your details

Your name:	<i>Natalie Taylor</i>		
Your company:	<i>Urbis</i>		
E-mail address:	<i>ntaylor@urbis.com.au</i>	Phone:	<i>+61 2 8233 9957</i>
Your reference:	<i>P0045755</i>	Your state:	<i>New South Wales</i>
<input checked="" type="checkbox"/>	<i>I have read and acknowledge the terms and conditions on the next page.</i>		

## 2: Areas to be searched

Jurisdiction to be searched:	<i>New South Wales</i>	Tenure to be searched:	<i>Select one.</i>
------------------------------	------------------------	------------------------	--------------------

Parcel or tenement identifiers (add up to 20 separate identifiers). **Please see over for parcel identifiers.**

Parcel 1:	<i>Click or tap here to enter text.</i>	Parcel 2:	<i>Click or tap here to enter text.</i>
Parcel 3:	<i>Click or tap here to enter text.</i>	Parcel 4:	<i>Click or tap here to enter text.</i>
Parcel 5:	<i>Click or tap here to enter text.</i>	Parcel 6:	<i>Click or tap here to enter text.</i>
Parcel 7:	<i>Click or tap here to enter text.</i>	Parcel 8:	<i>Click or tap here to enter text.</i>
Parcel 9:	<i>Click or tap here to enter text.</i>	Parcel 10:	<i>Click or tap here to enter text.</i>
Parcel 11:	<i>Click or tap here to enter text.</i>	Parcel 12:	<i>Click or tap here to enter text.</i>
Parcel 13:	<i>Click or tap here to enter text.</i>	Parcel 14:	<i>Click or tap here to enter text.</i>
Parcel 15:	<i>Click or tap here to enter text.</i>	Parcel 16:	<i>Click or tap here to enter text.</i>
Parcel 17:	<i>Click or tap here to enter text.</i>	Parcel 18:	<i>Click or tap here to enter text.</i>
Parcel 19:	<i>Click or tap here to enter text.</i>	Parcel 20:	<i>Click or tap here to enter text.</i>

If your search area is not a parcel or mining or petroleum tenement, you can enter other tenure or administrative regions here (e.g. local government area, townsite or county). Please provide as much detail as you can.

*The site is located at 39 Delhi Road, North Ryde, [Lot 21 in Deposited Plan (DP) 1003588].  
County: Cumberland  
Metropolitan Local Aboriginal Land Council, City of Ryde LGA*

E-mail the completed form to [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)



## Parcel Identifiers

In most jurisdictions please identify parcels using lot on plan, or lot/section/plan as appropriate. The NNTT is generally not able to identify parcels using land title information. Where possible, the NNTT uses the terminology and formatting of unique identifiers used in each state to uniquely identify a land parcel. More details are below:

1. **Lot on plan.** Use for Western Australia and Queensland.
2. **Lot/Section/Plan.** Use for New South Wales.
3. **LAISKEY.** Use for the Northern Territory. The laiskey is a unique identifier for each parcel comprised of the location code, LTO code (derived from the survey plan) where applicable and the parcel number.
4. **Parcel ID** – Use for South Australia. Concatenation of Parcel Type, Parcel, Plan Type and Plan.
5. **SPI** (Standard Parcel Identifier) – Use for Victoria.

## Terms and Conditions

1. Specify only one jurisdiction (e.g. Queensland) and one type of tenure (e.g. mining tenement) per form. You can add up to 20 separate tenements or parcels per search request. For more than 20 parcels or tenements please submit additional search requests or contact [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au) to discuss your requirements.

Note: if your area of interest cannot be clearly identified from the search form, or is not held in NNTT datasets, we may instead provide search results for a surrounding local government area, or other suitable regional area.

2. Freehold land.

Under the Native Title Act 1993 (Cth), the valid grant of a freehold estate (other than certain types of Aboriginal and Torres Strait Islander land) on or before 23 December 1996 is known as a 'previous exclusive possession act'. This means that native title has been extinguished over the area. Native title claimants are not allowed to include land and waters covered by previous exclusive possession acts in their applications; therefore they would normally exclude freehold areas. A native title application may, however, be made over freehold land on the basis that freehold was invalidly granted, but the chances of this happening are very low.

3. Cultural Heritage in NSW.

The National Native Title Tribunal has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

4. Spatial searches rely on data obtained from the relevant custodian. Whilst efforts are taken to update such datasets on a regular basis, the collection and interpretation of such datasets may be influenced by a number of factors that can impact of the completeness and accuracy of your search results.

## Disclaimer

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that neither the NNTT, the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise your own judgment and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.

The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.

The NNTT and Registrar expressly disclaim any liability arising from the use of this information.

This information should not be relied upon in relation to any matters associated with cultural heritage.

## Search Register of Native Title Claims

The Register of Native Title Claims (RNTC) contains information about all claimant applications that have been register responsible for maintaining the RNTC.

Further [information about the RNTC](#) is available.

Tribunal file no.	<input type="text"/>
Federal Court file no.	<input type="text"/>
Application name	<input type="text"/>
State or Territory	ALL ▼
Representative A/TSI body area	<input type="text"/>
Local government area	Ryde City Council
Date filed between	<input type="text"/> and <input type="text"/>
Sort by	Date filed ▼
<input type="button" value="Search &gt;"/>	

No results for current search criteria

## Search National Native Title Register

The National Native Title Register (NNTR) is a register established under s. 192 of the *Native Title Act 1993* (Cth).

The NNTR contains determinations of native title made by:

- the High Court of Australia
- the Federal Court of Australia
- or a recognised body such as South Australia's Supreme Court and Environment Resources and Development Court.

Further [information about the NNTR](#) is available.

Tribunal file no.	<input type="text"/>
Federal Court file no.	<input type="text"/>
Short name	<input type="text"/>
Case name	<input type="text"/>
State or Territory	ALL ▼
Registered Native Title Body Corporate*	<input type="text"/>
Representative A/TSI body area	<input type="text"/>
Local government area	Ryde City Council
Determination type	ALL ▼
Legal process	ALL ▼
Determination outcome	ALL ▼
Determination date between	<input type="text"/> and <input type="text"/>
Sort by	Determination date ▼
<input type="button" value="Search &gt;"/>	

\*Please note: current contact details for the Registered Native Title Body Corporate are available from the Office of the Registrar of Indigenous Corporations [www.oric.gov.au](http://www.oric.gov.au)

No results for current search criteria

## **STAGE 1.2 – IDENTIFICATION OF CULTURAL KNOWLEDGE HOLDERS**

## Natalie Taylor

---

**From:** Natalie Taylor  
**Sent:** Thursday, 23 March 2023 2:21 PM  
**To:** Aaron Olsen; Balazs Hansel; Ashleigh Persian  
**Cc:** heritagemailbox@environment.nsw.gov.au; metrolalc@metrolalc.org.au; adminofficer@oralra.nsw.gov.au; enquiries@nntt.gov.au; information@ntscorp.com.au; cityofryde@ryde.nsw.gov.au; gs.service@lls.nsw.gov.au  
**Subject:** Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal  
**Attachments:** P0045755\_39 Delhi Rd \_Stage1.2.pdf

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **31 March 2023**.

For further details please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**  
HERITAGE ASSISTANT

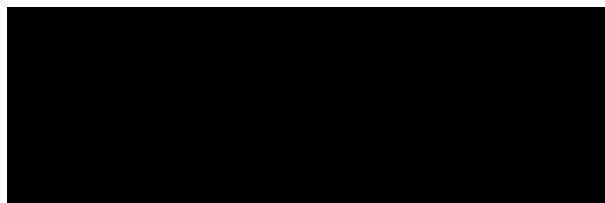
**D** +61 2 8233 9964

**E** [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
**T** +61 2 8233 9900



Urbis recognises the traditional owners of the land on which we work.  
Learn more about our [Reconciliation Action Plan](#).



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

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

23 March 2023

To whom it may concern

## **39 DELHI ROAD, NORTH RYDE – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL CONSULTATION STAGE 1.2**

Urbis has been commissioned by Stockland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally referred to as Lot 21 in Deposited Plan (DP) 1003588. The subject area is within the City of Ryde Local Government Area.

The ACHA will support a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for the subject area. The proposed development comprises the construction of Build to Rent Housing.

The Proponent can be contacted via:

Michael Filo  
Sustainability & Delivery, Project Management  
Stockland  
Level 25, 133 Castlereagh Street  
Sydney NSW 2000  
E: Michael.Filo@stockland.com.au

The ACHA is to be carried out in accordance with relevant guidelines under the NSW *National Parks and Wildlife Act 1974* and NSW *National Parks and Wildlife Regulation 2019* (NPW Reg). The assessment will detail the nature, extent and significance of any Aboriginal cultural heritage resources that may exist within the subject area and provide recommendations regarding management of those resources.

As part of the ACHA, Urbis will conduct a community consultation process with registered Aboriginal parties. The community consultation will be conducted in accordance with regulation 60 of the NPW Reg and section 4 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water).

In accordance with section 4.1.2 of the Consultation Requirements, Urbis seeks to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details at your earliest convenience and preferably by **31 March 2023** to:



Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8 ,123 Pitt Street  
Sydney NSW 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

Urbis, on behalf of the Proponent, will write to each Aboriginal person or group whose details are provided to notify them of the proposed project and invite them to register an interest in the community consultation process.

If you have any questions in relation to the foregoing, please do not hesitate to contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to be "A. Olsen", with a long horizontal flourish extending to the right.

Aaron Olsen  
Senior Consultant  
+61 2 8233 9957  
[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

**Natalie Taylor**

---

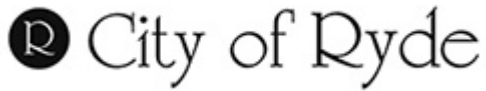
**From:** [REDACTED]  
**Sent:** Monday, 27 March 2023 7:35 AM  
**To:** Natalie Taylor  
**Subject:** RE: Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal

[REDACTED]

Kind regards

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]





## VOLUNTEER RECOGNITION AWARDS

The Change Makers

NOMINATIONS CLOSE 5 APRIL | Find out more

**Customer Service Centre** 1 Pope Street, Ryde (Within Top Ryde City shopping centre)

**North Ryde Office** Riverview Business Park, Building 0, Level 1, 3 Richardson Place, North Ryde

**Let's Connect** [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#) | [eNews](#)



The City of Ryde wishes to acknowledge the Traditional Custodians of the Land on which we work and pay our respect to the Elders both past, present and emerging, and extend that respect to all Aboriginal and Torres Strait Islander peoples.

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**From:** Natalie Taylor <ntaylor@urbis.com.au>

**Sent:** Thursday, 23 March 2023 2:21 PM

**To:** Aaron Olsen <aolsen@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>; Ashleigh Persian <apersian@urbis.com.au>

**Cc:** OEH HD Heritage Mailbox <heritagemailbox@environment.nsw.gov.au>; metrolalc@metrolalc.org.au; adminofficer@oralra.nsw.gov.au; enquiries@nntt.gov.au; information@ntscorp.com.au; City of Ryde <CityofRyde@ryde.nsw.gov.au>; gs.service@lls.nsw.gov.au

**Subject:** Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **31 March 2023**.

For further details please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**

HERITAGE ASSISTANT

**D** +61 2 8233 9964

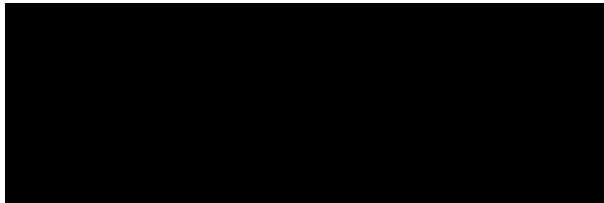
**E** [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*



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Urbis recognises the traditional owners of the land on which we work.

Learn more about our **Reconciliation Action Plan.**

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Our reference: Doc23/237464

Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8 , 123 Pitt Street  
Sydney NSW 2000

29/03/2023

Dear Aaron,

**WRITTEN NOTIFICATION OF PROPOSAL AS REQUIRED UNDER DECCW ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010**

**Subject: 39 Delhi Road, North Ryde.**

Thank you for your correspondence dated 23 March 2023 to Heritage NSW (Department of Planning and Environment) regarding the above project.

Attached is a list of known Aboriginal Stakeholders for the proposed development at the **Ryde** Local Government Area that Heritage NSW considers likely to have an interest in the activity.

Please note this list is not necessarily an exhaustive list of all interested Aboriginal Stakeholders.

Receipt of this list does not remove the requirement of a proponent/ consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (April 2010).

Under Section 4.1.6. of the Consultation Requirements, you must also provide a copy of the names of each Aboriginal person who registered an interest to the relevant Heritage NSW office and Local Aboriginal Land Council (LALC) within 28 days from the closing date for registering an interest.

Please note that the contact details in the list provided by Heritage NSW may be out of date as it relies on Aboriginal stakeholders advising Heritage NSW when their details need changing. If individuals/companies undertaking consultation are aware that any groups contact details are out of date, or letters are returned unopened, please contact either the relevant stakeholder group (if you know their more current details) and/or Heritage NSW. AHIP applicants should make a note of any group they are unable to contact as part of their consultation record.

If you have any questions about this advice, please email:  
[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au) or contact (02) 9873 8500.

Yours sincerely

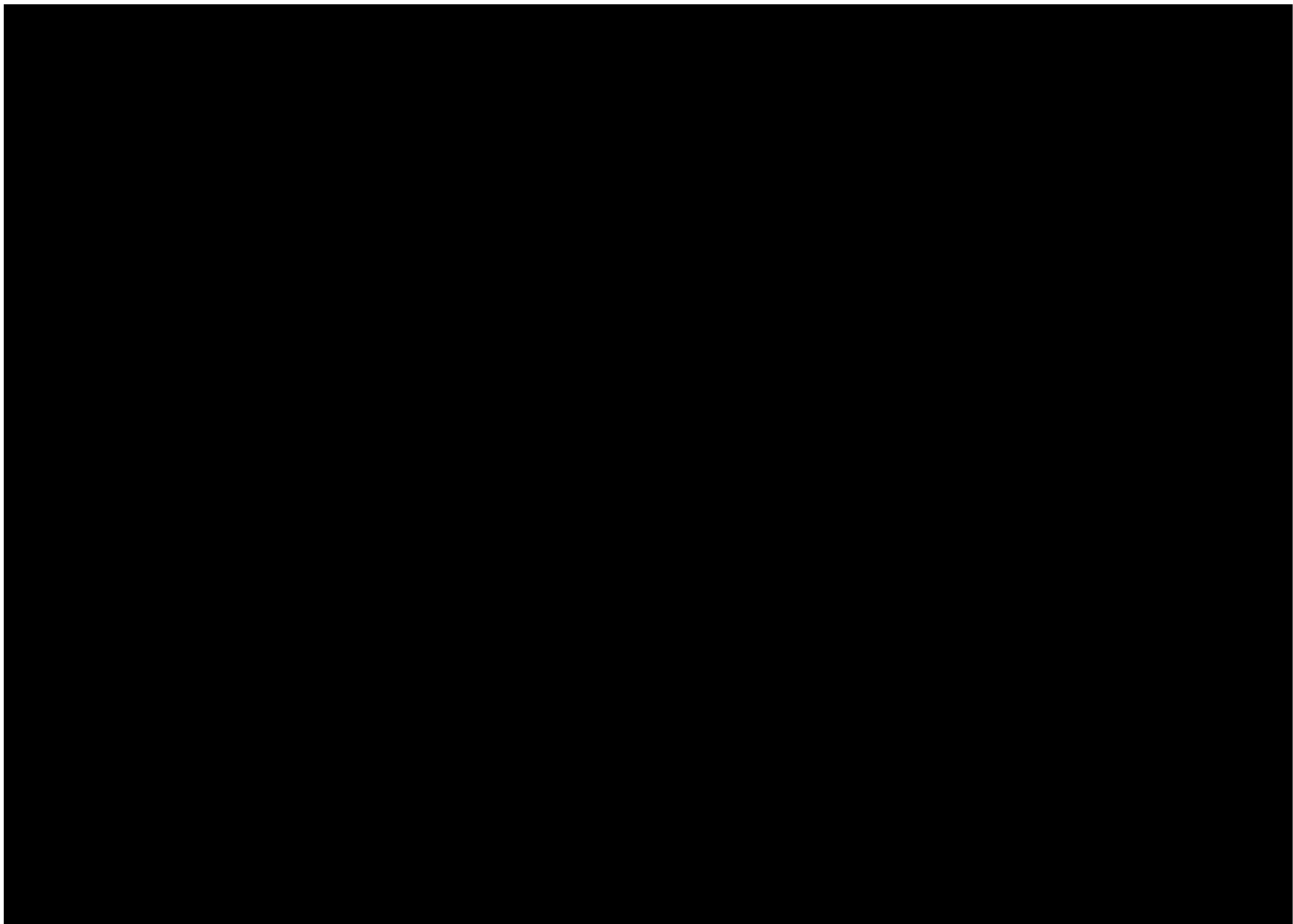
A handwritten signature in black ink, reading "Barry Gunther". The signature is written in a cursive style with a horizontal line at the end.

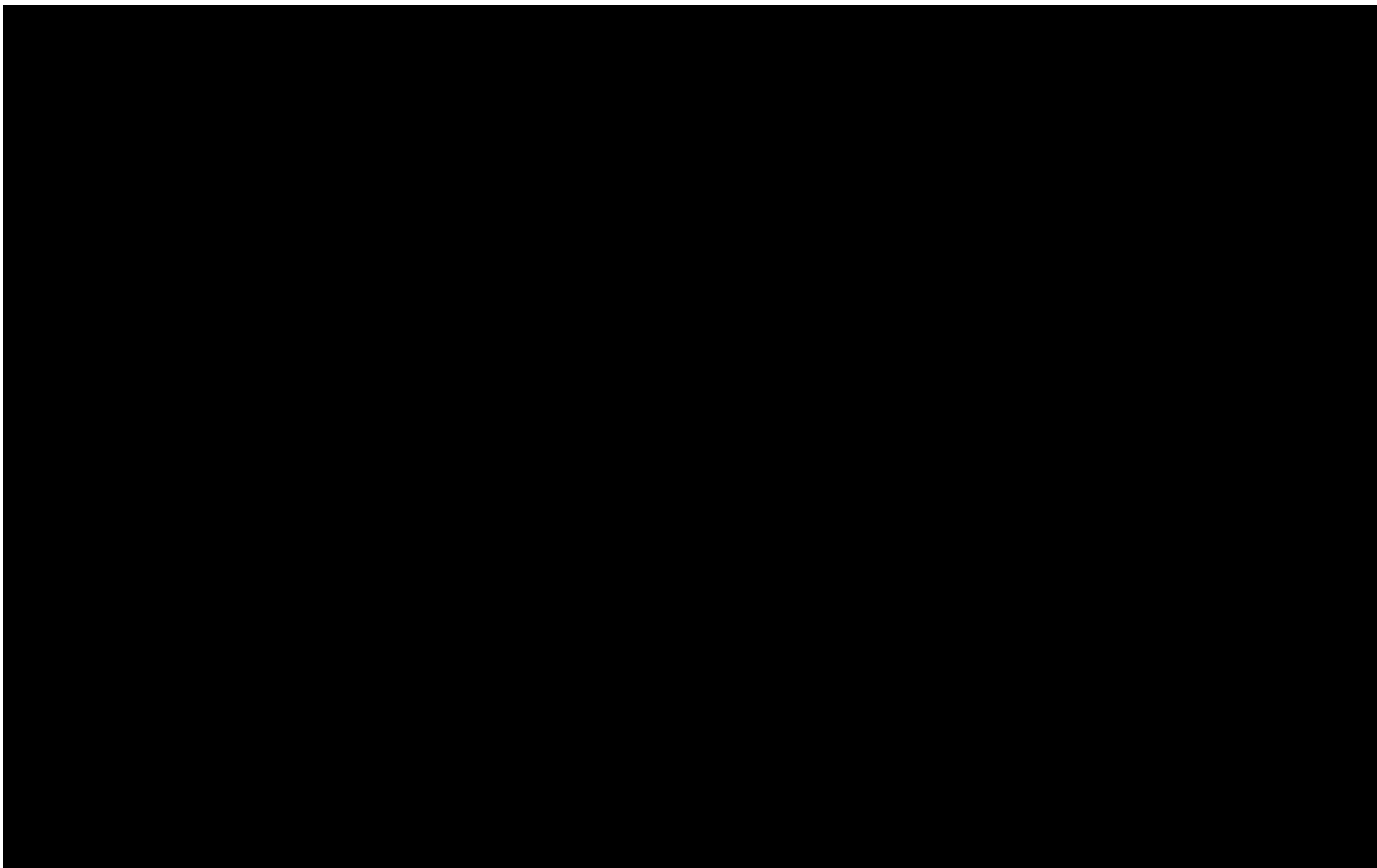
**Barry Gunther, Aboriginal Senior Assessment Officer**  
**Environment and Heritage – Heritage NSW**  
**Department of Planning and Environment**  
**Aboriginal Heritage Regulation Branch – South Heritage NSW**

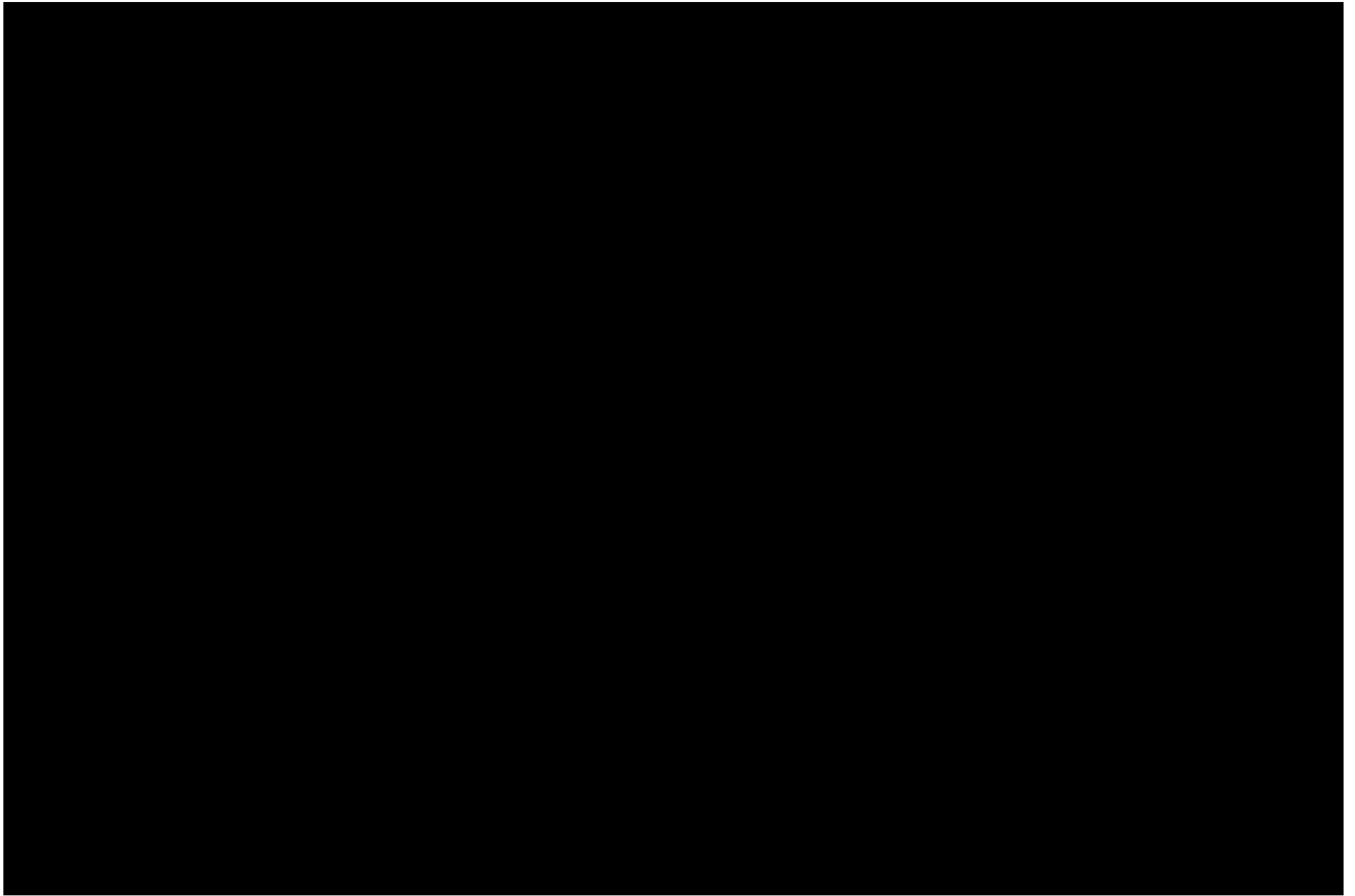
**Attachment A:**

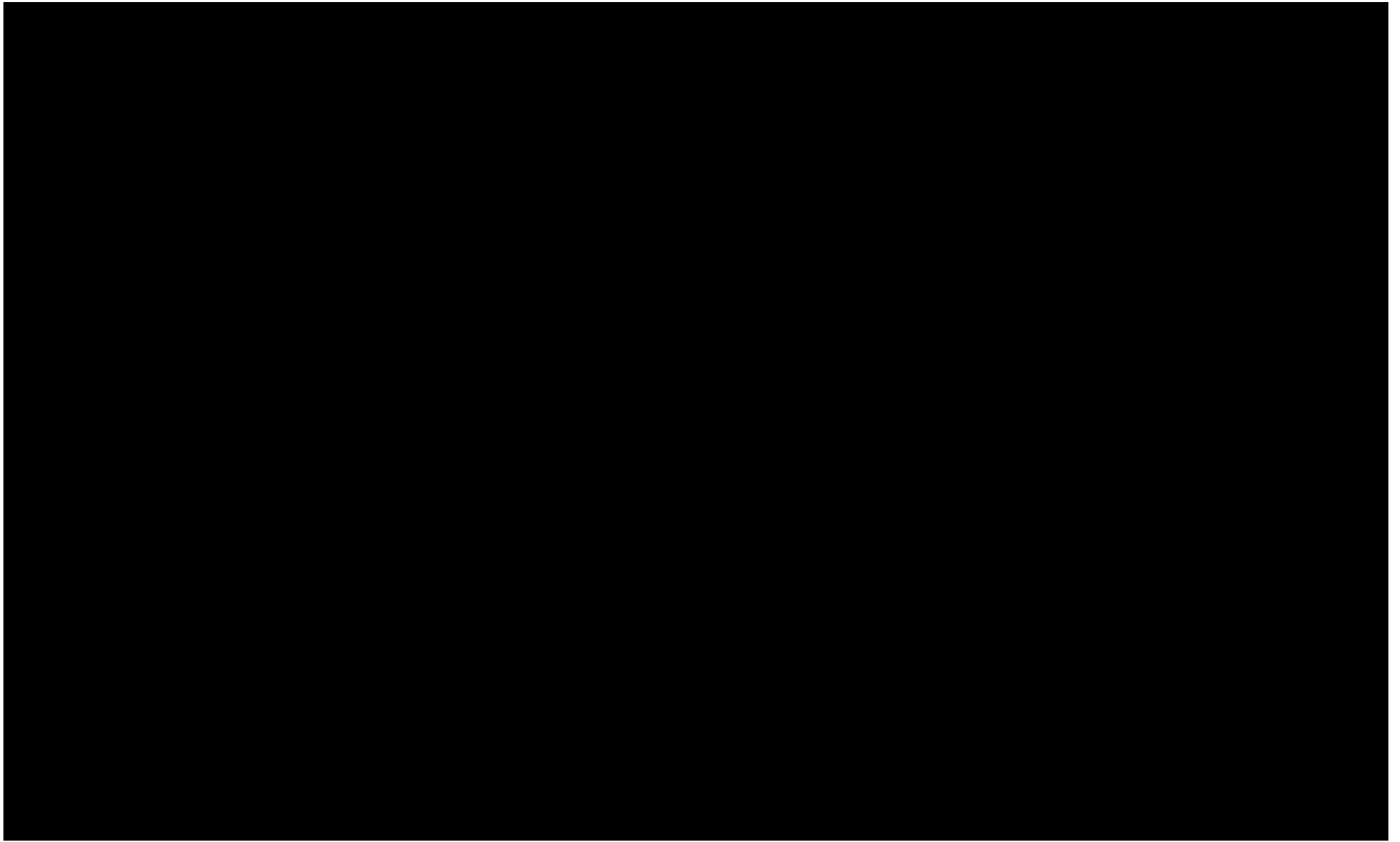
Registered Aboriginal Interests DPE Aboriginal Stakeholders List for the **Ryde** local Government Area.











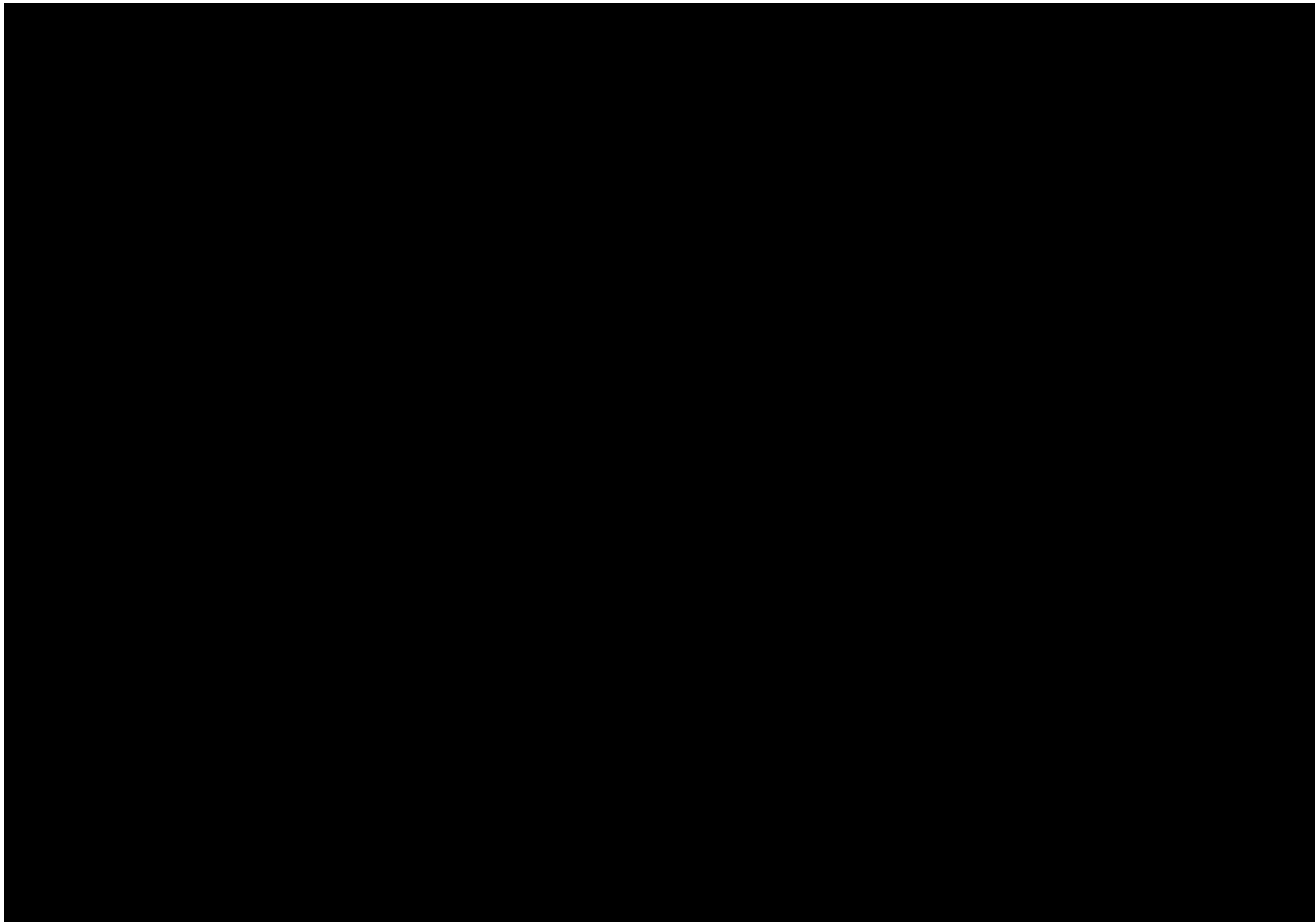
1

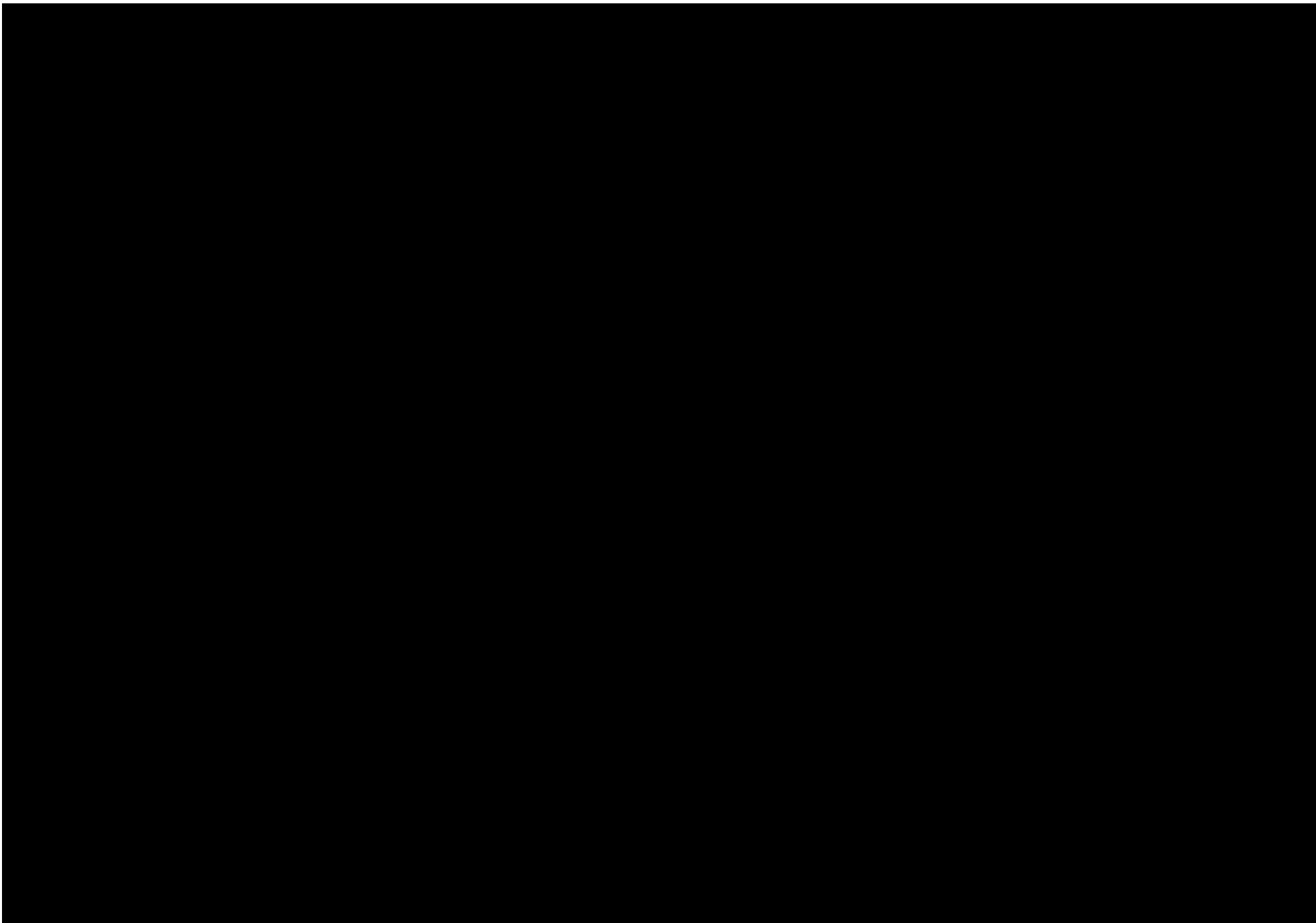
CHAPTER 1

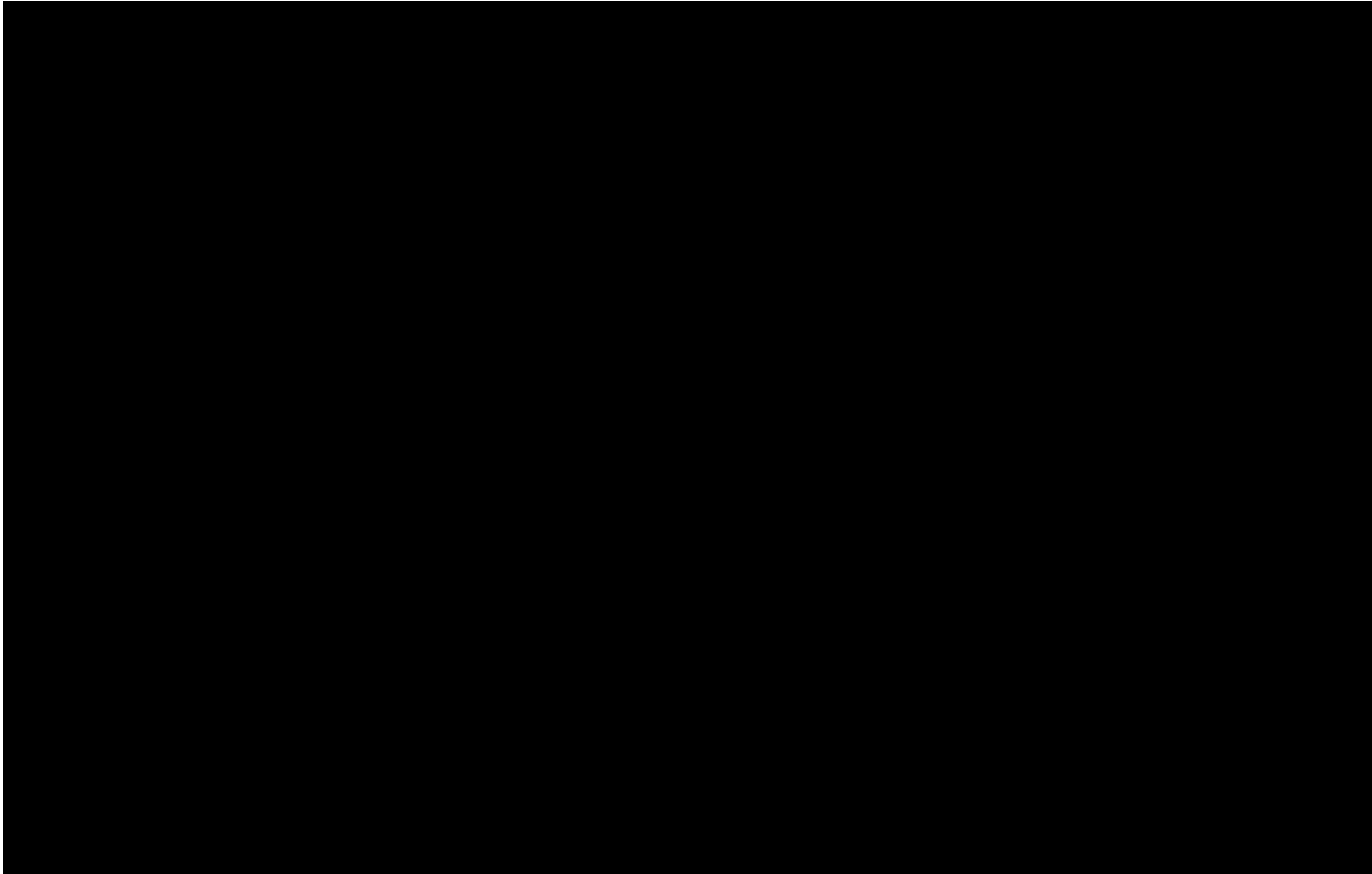
1

CHAPTER 1









## Natalie Taylor

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**From:** Enquiries <Enquiries@nntt.gov.au>  
**Sent:** Thursday, 23 March 2023 4:23 PM  
**To:** Natalie Taylor  
**Subject:** RE: Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal [SEC=OFFICIAL]

### OFFICIAL

Good afternoon,

The National Native Title Tribunal (the Tribunal) has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

Interested parties are invited to use Native Title Vision (NTV) the Tribunal's online mapping system to discover native title matters in their area of interest. Access to NTV is available at <http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>

Training and self-help documents are available on the NTV web page under "Training and help documents". For additional assistance or general advice on NTV please contact [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

Additional information can also be extracted from the Registers available at <http://www.nntt.gov.au/searchRegApps/Pages/default.aspx>

The relevant Representative Aboriginal/Torres Strait Islander Body (RATSIB) for your project area may also be able to provide information regarding Aboriginal groups or persons that have recorded an interest in that particular area. The RATSIB for your project area is NTSCORP Limited.

Kind Regards

[Redacted signature block]

[Redacted signature block]

---

[Redacted] Natalie Taylor <ntaylor@urbis.com.au>

**Sent:** Thursday, 23 March 2023 1:21 PM

**To:** Aaron Olsen <aolsen@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>; Ashleigh Persian <apersian@urbis.com.au>

**Cc:** OEH HD Heritage Mailbox <heritagemailbox@environment.nsw.gov.au>; metrolalc@metrolalc.org.au; adminofficer@oralra.nsw.gov.au; Enquiries <Enquiries@nntt.gov.au>; information@ntscorp.com.au;



cityofryde@ryde.nsw.gov.au; gs.service@lls.nsw.gov.au

**Subject:** Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal

**Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.**

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **31 March 2023**.

For further details please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**  
HERITAGE ASSISTANT

D +61 2 8233 9964

E [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*

**SHAPING  
CITIES AND  
COMMUNITIES**



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
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## Natalie Taylor

---

**From:** LLS GS Service Mailbox <gs.service@lls.nsw.gov.au>  
**Sent:** Thursday, 23 March 2023 2:29 PM  
**To:** Aaron Olsen  
**Cc:** Natalie Taylor  
**Subject:** Re: Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal

Dear Mr Olsen

Thank you for your recent letter seeking assistance to identify Aboriginal stakeholder organisations and persons who may hold an interest in Country at the project area designated in your correspondence.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services (formerly as Catchment Management Authorities) has been listed in Section 4.1.3.(g) of the Aboriginal Cultural Heritage Consultation requirements for proponents 2010, to support Part 6, of the NSW National Parks and Wildlife Act 1974 as a source of information to obtain the 'names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places'.

GS LLS understands and respects the significant role and values that tangible and intangible Aboriginal Cultural Heritage holds for First Nations/Aboriginal people with Country. GS LLS also partners with many First Nations communities on Caring for Country projects that aim to protect and enhance those tangible and intangible values in Country including Aboriginal Cultural Heritage. GS LLS considers Aboriginal Cultural Heritage matters in relation to its role in land management and considers cultural heritage issues in the context of Natural Resource Management.

However, GS LLS feels that it is not a primary source of contact for First Nations (Aboriginal) communities or persons that may inform or provide comment on development or planning issues.

GS LLS strongly recommends you contact Heritage NSW to seek their advice on all-inclusive contact lists of persons and organisations who 'speak for Country' and that may assist with your investigation.

Regards

Customer Service Team  
Local Land Services | Greater Sydney  
**Department of Regional NSW**

**Telephone 02 4724 2100**

Level 4, 2-6 Station Street Penrith  
PO Box 4515 WESTFIELD PENRITH

**Office Hours:** 8.30am - 4.30pm

**E:** [gs.service@lls.nsw.gov.au](mailto:gs.service@lls.nsw.gov.au) | **W:** [www.lls.nsw.gov.au](http://www.lls.nsw.gov.au)



**Department of Regional NSW**

You can also get in touch with us is through our [online enquiry form](#)

**How would you rate our service today?**



Your opinion is valuable and will help us improve our service

Greater Sydney Local Land Services acknowledges we operate in and deliver services throughout Country of First Nations people in the Greater Sydney Region.  
We recognise and respect Elders and cultural knowledge holders, past and present, while acknowledging the unique and diverse enduring cultures and histories of all First Nations people.  
Always was and always will be Aboriginal land.

---

**From:** Natalie Taylor <ntaylor@urbis.com.au>

**Sent:** Thursday, 23 March 2023 2:20 PM

**To:** Aaron Olsen <aolsen@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>; Ashleigh Persian <apersian@urbis.com.au>

**Cc:** OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>; metrolalc@metrolalc.org.au <metrolalc@metrolalc.org.au>; adminofficer@oralra.nsw.gov.au <adminofficer@oralra.nsw.gov.au>; enquiries@nntt.gov.au <enquiries@nntt.gov.au>; information@ntscorp.com.au <information@ntscorp.com.au>; OLG - Ryde City Council <cityofryde@ryde.nsw.gov.au>; LLS GS Service Mailbox <gs.service@lls.nsw.gov.au>

**Subject:** Aboriginal Cultural Heritage Assessment - 39 Delhi Road, North Ryde - Identification of Aboriginal

Good afternoon,

Urbis is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW. As part of the consultation process for that ACHA, we are seeking to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

If you are aware of any Aboriginal persons and/or organisations that may hold an interest in the project, we request that you please provide their details by return email at your earliest convenience and preferably by **31 March 2023**.

For further details please refer to our formal letter attached. We look forward to hearing from you.

Kind regards,

**NATALIE TAYLOR**  
HERITAGE ASSISTANT

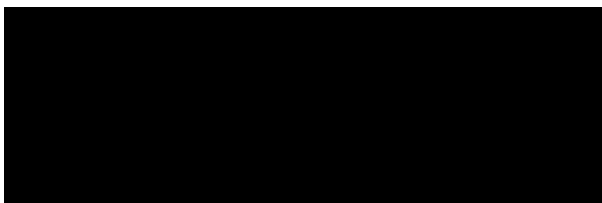
**D** +61 2 8233 9964

**E** [ntaylor@urbis.com.au](mailto:ntaylor@urbis.com.au)

*The workdays I am available are Tuesday, Thursday, and Friday.*



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
**T** +61 2 8233 9900



Urbis recognises the traditional owners of the land on which we work.  
Learn more about our **Reconciliation Action Plan**.

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**STAGE 1.3 – REGISTRATION OF INTEREST**

On Wednesday, April 5, 2023, 12:13 pm, Kirsten Downey <[kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)> wrote:

Good afternoon,

Urbis has been commissioned by Stockland ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) at 39 Delhi Road, North Ryde, NSW, legally referred to as Lot 21 in Deposited Plan (DP) 1003588 ('the subject area').

In accordance with Section 4.1.3 of the Consultation Requirements, Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

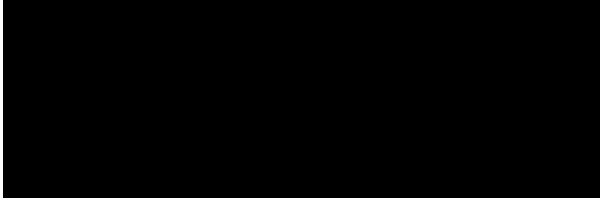
If you wish to register your interest, please respond in writing (preferably by email) by clearly stating your interest and nominating a contact person by **20<sup>th</sup> April 2023**. Please send responses to:

Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8 ,123 Pitt Street  
Sydney NSW 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

Kind regards,

**KIRSTEN DOWNEY** she/her/hers  
CONSULTANT ARCHAEOLOGIST  
D +61 2 8233 7603  
E [kdowney@urbis.com.au](mailto:kdowney@urbis.com.au)

ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900



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

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

5<sup>th</sup> April 2023

To whom it may concern,

## **39 DELHI ROAD, NORTH RYDE – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1.3 – INVITATION TO REGISTER**

Please be advised that your contact details have been provided to us by Heritage NSW as an Aboriginal person or party who may have an interest in registering for the above project.

Urbis has been commissioned by Stockland, ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally referred to as Lot 21 in Deposited Plan (DP) 1003588. The subject area is within the City of Ryde Local Government Area.

The ACHA will support a State Significant Development Application (SSD- 55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for the subject area. The proposed development comprises the construction of Build to Rent Housing, with works comprising:

- Site preparation and excavation works
- Construction of a new build-to-rent development comprising a total GFA of 54,352m<sup>2</sup> and up to 659 dwellings across three towers above a shared podium, including retail, communities uses and recreation areas at ground level
- Shared basement carpark
- Landscaping and associated public domain works
- Extension and augmentation of physical infrastructure and utilities as required
- Dedication of internal road to the Council with amendments to meet relevant requirements and standards.

The Proponent can be contacted via:

Michael Filo  
Sustainability & Delivery, Project Management  
Stockland  
Level 25, 133 Castlereagh Street  
Sydney NSW 2000  
E: [Michael.Filo@stockland.com.au](mailto:Michael.Filo@stockland.com.au)





The ACHA will be conducted in accordance with the relevant guidelines under the NSW *National Parks and Wildlife Act 1974*, including the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010) (the Consultation Requirements). The ACHA will include a community consultation process with registered Aboriginal parties.

The Proponent is seeking the registration of Aboriginal persons or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) that may be present in the subject area. Urbis, on behalf of the Proponent, hereby invites you to register an interest in the community consultation process for the above project.

If you wish to register your interest, please respond in writing (preferably by email) by clearly stating your interest and nominating a contact person by **20<sup>th</sup> April 2023**. Please send responses to:

Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8 ,123 Pitt Street  
Sydney NSW 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

Following confirmation of your registration, Urbis will forward your name and contact details to Heritage NSW and Metropolitan Local Aboriginal Land Council (LALC), as required under the Consultation Requirements. If you do not want your details released, please advise us accordingly when registering your interest.

Please note that inclusion in the consultation process does not automatically result in paid site assessment, per Section 3.4 of the Consultation Requirements. Engagement for delivery of any services will be decided by the Proponent based on a range of considerations including skills, relevant experience and provision of certificates of currency.

If you have any questions in relation to the foregoing, please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink, appearing to be "A. Olsen", with a long horizontal flourish extending to the right.

Aaron Olsen  
Senior Consultant  
+61 2 8233 9957  
[aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)



































































































































































**STAGE 2 & 3 – PRESENTATION OF PROJECT INFORMATION**

**From:** [Aaron Olsen](#)  
**Cc:** [Natalie Taylor](#)  
**Bcc:** [REDACTED]  
**Subject:** Trinita Stage 2, 39 Delhi Road, North Ryde - Aboriginal Cultural Heritage Assessment - Project Information and Proposed Methodology  
**Date:** Friday, 21 April 2023 12:06:00 PM  
**Attachments:** [01\\_P0045755\\_Trinita Stage 2\\_ACHA\\_Stage2-3.pdf](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Good afternoon

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) of the Trinita Stage 2 development at 39 Delhi Road, North Ryde, NSW.

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*, please find attached a letter which provides information on the project and the methodology proposed to be employed for the ACHA.

You will note that we have included a request for specific information in the form of a questionnaire (Appendix B). We would appreciate your response to that questionnaire as soon as possible.

If you wish to provide any comments in relation to the attached document, please do so by **19 May 2023** to:

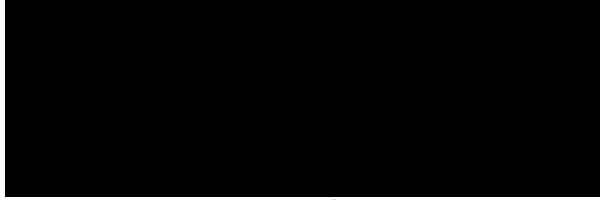
Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)  
P: 02 8233 9957

Please let us know if you have any questions.

Kind regards

**AARON OLSEN**  
SENIOR CONSULTANT  
D +61 2 8233 9957  
E [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

T +61 2 8233 9900



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Learn more about our [Reconciliation Action Plan](#).

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

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

21 April 2023

To whom it may concern

## **39 DELHI ROAD, NORTH RYDE – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – CONSULTATION STAGES 2 & 3: PRESENTING & GATHERING INFORMATION**

Thank you for registering your interest in the Aboriginal Cultural Heritage Assessment (ACHA) of the 'Trinita Stage 2' development at 39 Delhi Road, North Ryde, NSW ('the subject area') (Figure 1 and Figure 2).

Urbis has been commissioned by Stockland ('the Proponent') to undertake the ACHA to support a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979*.

The Proponent can be contacted via:

Michael Filo  
Sustainability & Delivery, Project Management  
Stockland  
Level 25, 133 Castlereagh Street  
Sydney NSW 2000  
E: [Michael.Filo@stockland.com.au](mailto:Michael.Filo@stockland.com.au)

In accordance with Regulations 60(5)-(6) of the *National Parks and Wildlife Regulation 2019* ('NPW Reg') and Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (Department of Environment, Climate Change and Water NSW) ('the Consultation Requirements') this present communication aims to provide all Registered Aboriginal Parties (RAPs) with the proposed project information and a process to facilitate the following:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places on the proposed project area to be determined.
- Have input into the development of any cultural heritage management options.

## **SUBJECT AREA**

The subject area is located 39 Delhi Road, North Ryde approximately 10 km north-west of the Sydney CBD, within the City of Ryde Local Government Area ('Ryde LGA'). It is legally defined as Lot 21 in Deposited Plan (DP) 1003588 and is currently zoned B3 Commercial Core.



The subject area is located within on the traditional lands of the Wallumettagal people and falls within the boundaries of the Metropolitan Local Aboriginal Land Council (MLALC).

The subject area currently comprises the existing Trinita Stage 1 commercial buildings and the adjoining Trinita Stage 2 site, which have a combined total area of approximately 27,410 m<sup>2</sup>. The project area, which is the subject of SSD-55844212, encompasses approximately 9573.9 m<sup>2</sup> at the southern end of subject area (Figure 2).

Surrounding the subject area, development comprises the following:

- **North:** The subject area is immediately bounded by Delhi Road to the north. Beyond Delhi Road, is the Macquarie Park Cemetery and Crematorium.
- **East:** subject area is immediately bounded by Julius Avenue to the north-east and Rivett Road to the south-east. Beyond these roads, a range of industrial warehouses and business park centres are located to the east, housing major tenants, including CSIRO.
- **South:** The subject area is bounded by Microsoft Campus by Goodman to the immediate south. Beyond the Microsoft Campus is Epping Road and the M2 Motorway off ramp.
- **West:** The subject area is bounded by Rennie Street to the immediate west. Additionally, the North Ryde Metro Station is located approximately north-west of the subject area. A mix of uses are grouped around the metro station, including residential development. Particularly, the Ryde Gardens and Centrale are two residential developments located to the west of the subject area. Further and beyond the M2 Motorway, the Lachlan's Square Village is located northwest which is accessible via a pedestrian bridge and comprises a range of amenities and facilities, including a medical centre, gym, post office, beauty services, and food and drink premises.

Development within the subject area currently comprises the existing Trinita Business Campus (Stage 1) on the northern portion of the lot.

SSD-55844212 relates to Trinita Stage 2, which is proposed for the southern portion of the lot ('the project area') (Figure 2) which is currently vacant. Existing development within the project area currently includes hardstand and landscaping.

## PROPOSED WORKS

The proposed works for which approval is sought under SSD-55844212 are as follows:

- Site preparation and excavation works.
- Construction of a new build-to-rent development comprising a total GFA of 44,596m<sup>2</sup> and up to 525 dwellings across two towers above a shared podium, including retail, communities uses and recreation areas at ground level.
- Shared basement carpark.
- Landscaping and associated public domain works.
- Extension and augmentation of physical infrastructure and utilities as required.
- Dedication of internal road to the Council with amendments to meet relevant requirements and standards.

## ARCHAEOLOGICAL & ENVIRONMENTAL CONTEXT

A preliminary review of the archaeological and environmental contexts determined the following:

- A search of the Aboriginal Heritage Information Management System (AHIMS) identified 117 registered Aboriginal sites within a 6 km x 6 km area around the subject area.
- There are no Aboriginal objects or Aboriginal places currently registered within the curtilage of, or in proximity to, the subject area.
- There are no waterways within 200 m of the subject area.
- The subject area is located entirely within the residual Lucas Heights soil landscape.

The relevance of the archaeological context and environmental context to the archaeological potential of the subject area will be considered during the ACHA process.

## METHODOLOGY

The proposed impact assessment process for the ACHA, including the input points into the investigation and assessment activities for RAPs, is outlined below, in accordance with Reg. 60(6) of the NPW Reg and Section 4.2.2(b) of the Consultation Requirements.

The ACHA will be conducted in accordance with *Part 6 of the National Parks and Wildlife Act 1974* ('NPW Act') and Part 5 of the NPW Reg. It will further adhere to the following guidelines:

- *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, 2010).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH, 2011).
- *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.*

The ACHA will follow the general methodology described in Table 2 – Aboriginal cultural heritage assessment methodology below.

Table 2 – Aboriginal cultural heritage assessment methodology

Process Method	Description
Desktop assessment	Collection and evaluation of background information, including archaeological and historical resources and environmental conditions, to develop a predictive model for archaeological potential.
Consultation with RAPs	Providing information on the project to RAPs and gathering information about the proposed methodology and the Aboriginal cultural heritage values and significance of the subject area.



Process Method	Description
Preparation of draft ACHA report	Synthesis of all information collected during the ACHA process to prepare a draft assessment report and provision of the draft report to the Proponent and the RAPs for comments. The report will include an assessment of significance of any Aboriginal objects or Aboriginal cultural heritage values that may exist within the subject area, an impact assessment and provide management and mitigation measures.
Finalisation of ACHA report	Incorporation of all comments from the Proponent and RAPs into ACHA report and finalisation.

## CRITICAL TIMELINES

The critical timelines and milestones for the completion of the ACHA and delivery of reports are presented in Table 3 below, in accordance with Section 4.2.2(c) of the Consultation Requirements. Please note that the presented timeframes are estimates only and are intended as a guided to allow forward planning of personnel and resources.

Table 3 – Critical timelines.

Project Stage	Anticipated Timeframe
Stage 2 and 3: Provision of comments on the provided project information and proposed methodology (this document).	Within 28 days of the date of document (i.e. by 19 May 2023).
After Stage 3: Site inspection	Within 5 days of completion of Stage 2 and 3.
Stage 4: Provision of the draft ACHA report (including the proposed management and mitigation measures) to the RAPs.	Within 5 days of completion of the site inspection.
Stage 4: Provision of comments on draft ACHA report.	Within 28 days of delivery of the draft ACHA report to the RAPs.
Stage 4: Finalisation of the ACHA report including the consideration of all comments and feedback.	Within 5 days of the closing of the comment period for the draft ACHA report.



Urbis welcomes input and information from the RAPs at any stage throughout the entire process of the ACHA. Consistent with the Consultation Requirements, the formal input points for the consultation are the following:

- During Stage 2 and 3 – Following review of the current communication, which presents information about the proposed project and ACHA methodology.
- During Stage 2 and 3 – During or following the site visit and meeting.
- During Stage 4 – Following review of the draft ACHA.

## **ROLES, FUNCTIONS AND RESPONSIBILITIES**

The roles, functions and responsibilities of the proponent and RAPs are defined below, in accordance with Section 4.2.2(d) of the Consultation Requirements.

The roles, functions and responsibilities of the Proponent, Urbis (acting on behalf of the Proponent), RAPs and any other parties involved in the consultation process are those defined in Section 5 of the Consultation Requirements.

Please note that, in accordance with Section 3.4 of the Consultation Requirements, consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Furthermore, there is no obligation on the Proponent to employ Aboriginal people registered for consultation. Aboriginal people may provide services to the Proponent through a contractual arrangement separate to the consultation process. Consultation will continue irrespective of potential or actual employment opportunities for Aboriginal people.

## **GATHERING CULTURAL INFORMATION**

Urbis is providing the opportunity for RAPs to identify, raise and discuss their cultural concerns, perspectives and assessment requirements (if any), in accordance with Section 4.2.2(e) of the Consultation Requirements.

Urbis is actively seeking information on the cultural heritage and cultural significance of the subject area. Such information includes the existence of any Aboriginal objects of cultural value to Aboriginal people in or near the subject area (whether declared under s.84 of the NPW Act or not), including places of social, spiritual and cultural value, historic places with cultural significance and potential places/areas of historic, social, spiritual and/or cultural significance.

Please also consider the following when providing information:

- Do you have information on any Aboriginal objects within or near the subject area?
- Do you or somebody you know have information of cultural values, stories in relation to the subject area and if that information can be shared?

If you or your organisation has sensitive or restricted public access information for determining or managing the heritage values of the subject area, it is proposed that the proponent will manage this information (if provided by the Aboriginal community) in accordance with a sensitive cultural information management protocol. It is anticipated that the protocol will include making note of and managing the material in accordance with the following key limitations as advised by Aboriginal people at the time of the information being provided:

- Any restrictions on access of the material.

- Any restrictions on communication of the material (confidentiality).
- Any restrictions on the location/storage of the material.
- Any cultural recommendations on handling the material.
- Any names and contact details of persons authorised within the relevant Aboriginal group to make decisions concerning the Aboriginal material and degree of authorisation.
- Any details of any consent given in accordance with customary law.
- Any access and use by the RAPs of the cultural information.

Please consider the above list when providing your recommendations regarding any culturally sensitive information.

## QUESTIONNAIRE

To streamline information gathering during Stage 2 and 3, and to inform the proponent for any field inspection component, Urbis requests the following information from you:

1. **Cultural connection:** Please describe the nature of your cultural connection to the country on which the subject area is situated. Please include any relevant cultural knowledge or knowledge of Aboriginal objects or places within the subject area. Have you ever lived in or near the subject area? If you are a Traditional Owner, please state this clearly.
2. **Representing your community members:** Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the proponent and Urbis.
3. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.
4. **Schedule of Rates:** Please provide your Certificate of Currency including Product and Public Liability Insurance and Worker's Compensation. Please also include a schedule of rates (hourly/half day/day) for fieldwork participation, and include any expenses you may expect to incur, and these will be sought to be reimbursed.

Please note that it is for the discretion for the proponent to decide if they invite RAPs for site works and the consultation process does not guarantee paid employment.

The above questions are provided as a questionnaire in Appendix B, for your convenience. Please complete the questionnaire and return it to:

Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street, Sydney, 2000  
E: aaron.olsen@urbis.com.au



Please provide the requested information by **19 May 2023**. Comments received after this date might be excluded from the draft ACHA.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Aaron Olsen  
Senior Consultant  
+61 2 8233 9957  
aolsen@urbis.com.au



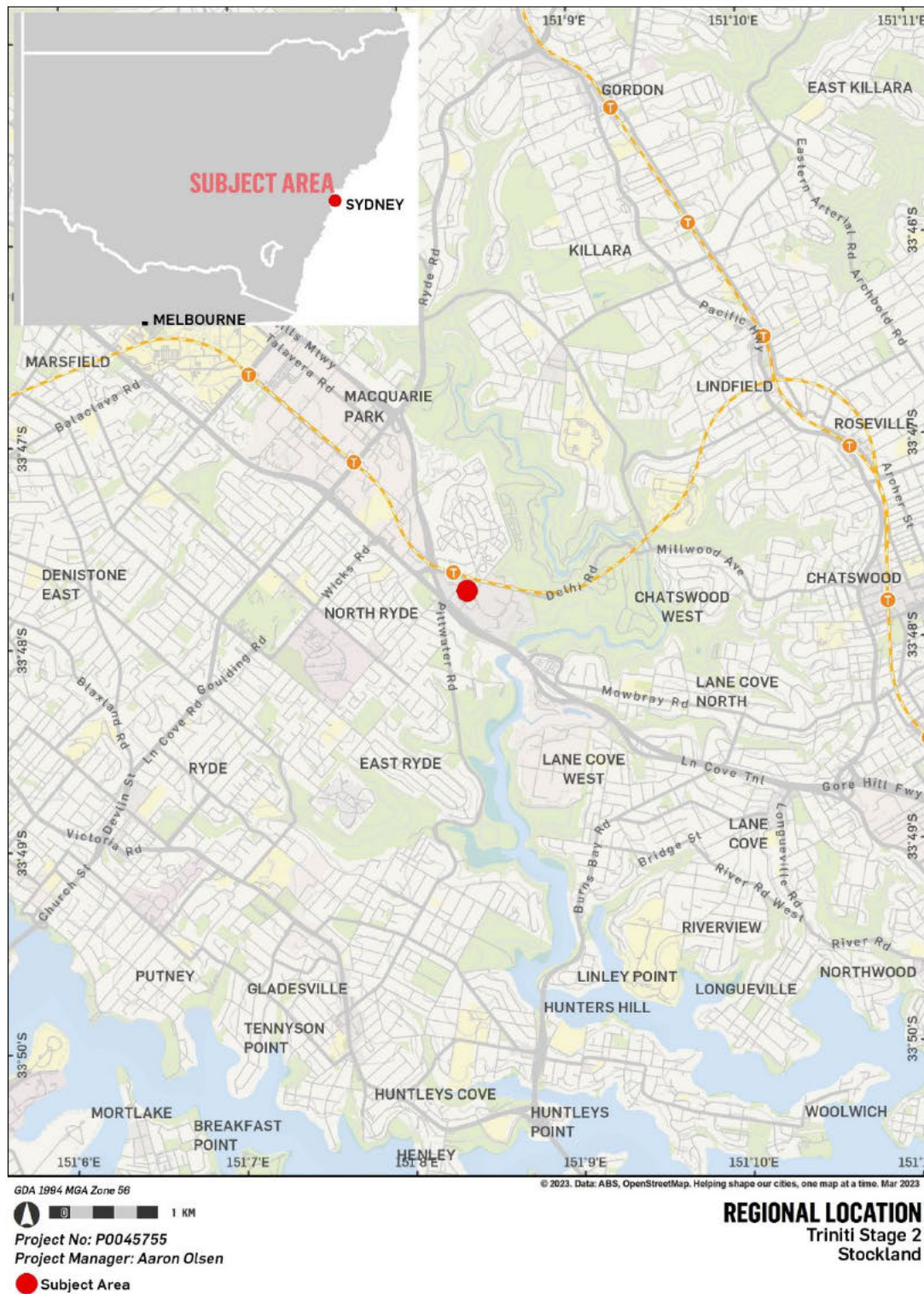


Figure 1 - Regional location of subject area





GDA 1994 MGA Zone 56

0 50 M

Project No: P0045755

Project Manager: Aaron Olsen

Subject Area Project Area Contours

**Location of the Subject Area**  
Trinité Stage 2  
Stockland

Figure 2 – Subject area and project area

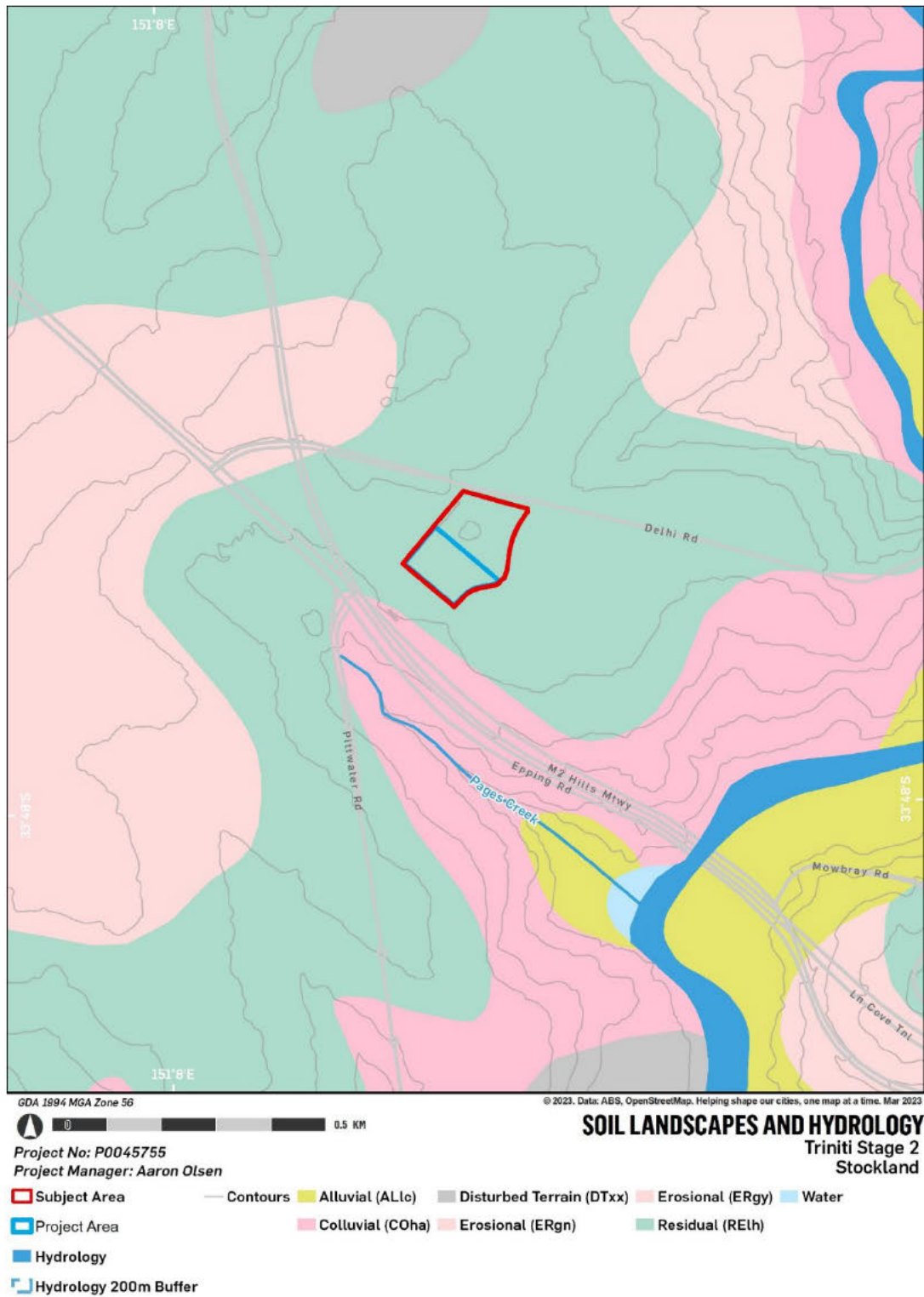


Figure 3 – Soil landscapes and hydrology

## **APPENDIX A – AHIMS BASIC SEARCH RESULTS**



Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 31 March 2023

Level 8 123 Angel Street  
Sydney New South Wales 2000

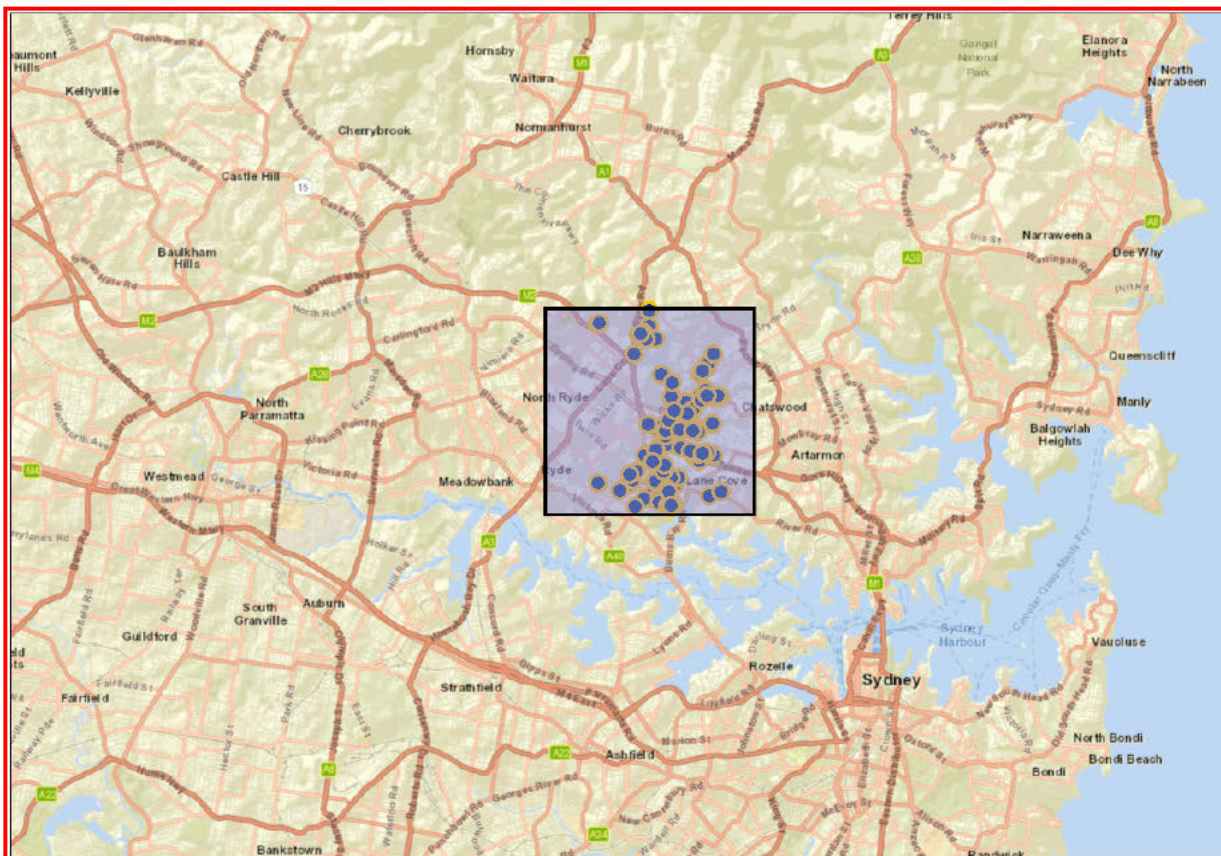
Attention: Natalie Taylor

Email: ntaylor@urbis.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 324750.923 - 330750.923, Northings : 6255939.0 - 6261939.0 with a Buffer of 0 meters, conducted by Natalie Taylor on 31 March 2023.**

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:

117	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.



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

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Urbis Pty Ltd  
ABN 50 105 256 228

## **APPENDIX B – ACHA QUESTIONNAIRE**

1. **Cultural connection:** Please describe the nature of your cultural connection to the country on which the subject area is situated. Please include any relevant cultural knowledge or knowledge of Aboriginal objects or places within the subject area. Have you ever lived in or near the subject area? If you are a Traditional Owner, please state this clearly.



2. **Representing your community members:** Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the Proponent and Urbis.



3. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.



4. **Schedule of Rates:** Please provide your Certificate of Currency including Product and Public Liability Insurance and Worker's Compensation. Please also schedule of rates (hourly/half day/day) for fieldwork participation, and include any expenses you may expect to incur, and these will be sought to be reimbursed. Please note that it is for the discretion for the Proponent to decide if they invite RAPs for site works and the consultation process does not guarantee paid employment.











[The following text is a dense, continuous block of characters and symbols, likely representing a corrupted or heavily redacted document. It contains no legible words or phrases.]

the 1990s, the number of people in the UK who are aged 65 and over has increased by 1.5 million (1990-1999) (Office of National Statistics 2000).

There is a growing awareness of the need to address the needs of older people in the community. The Department of Health (1999) has published a strategy for older people, which sets out the government's commitment to older people and the actions that will be taken to improve their lives. The strategy is based on the principle that older people should be able to live independently, safely and comfortably in their own homes, and to participate in the community. The strategy also sets out the government's commitment to improve the health and social care services available to older people.

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the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1995. The public sector has also become an important employer of women, with 60% of public sector employees being women in 1995, compared with 55% in 1980.

There are a number of reasons why the public sector has become an important employer of women. One reason is that the public sector has a high proportion of jobs that are traditionally held by women, such as teaching, nursing, and social work. Another reason is that the public sector has a high proportion of jobs that are part-time or flexible, which are more likely to be held by women.

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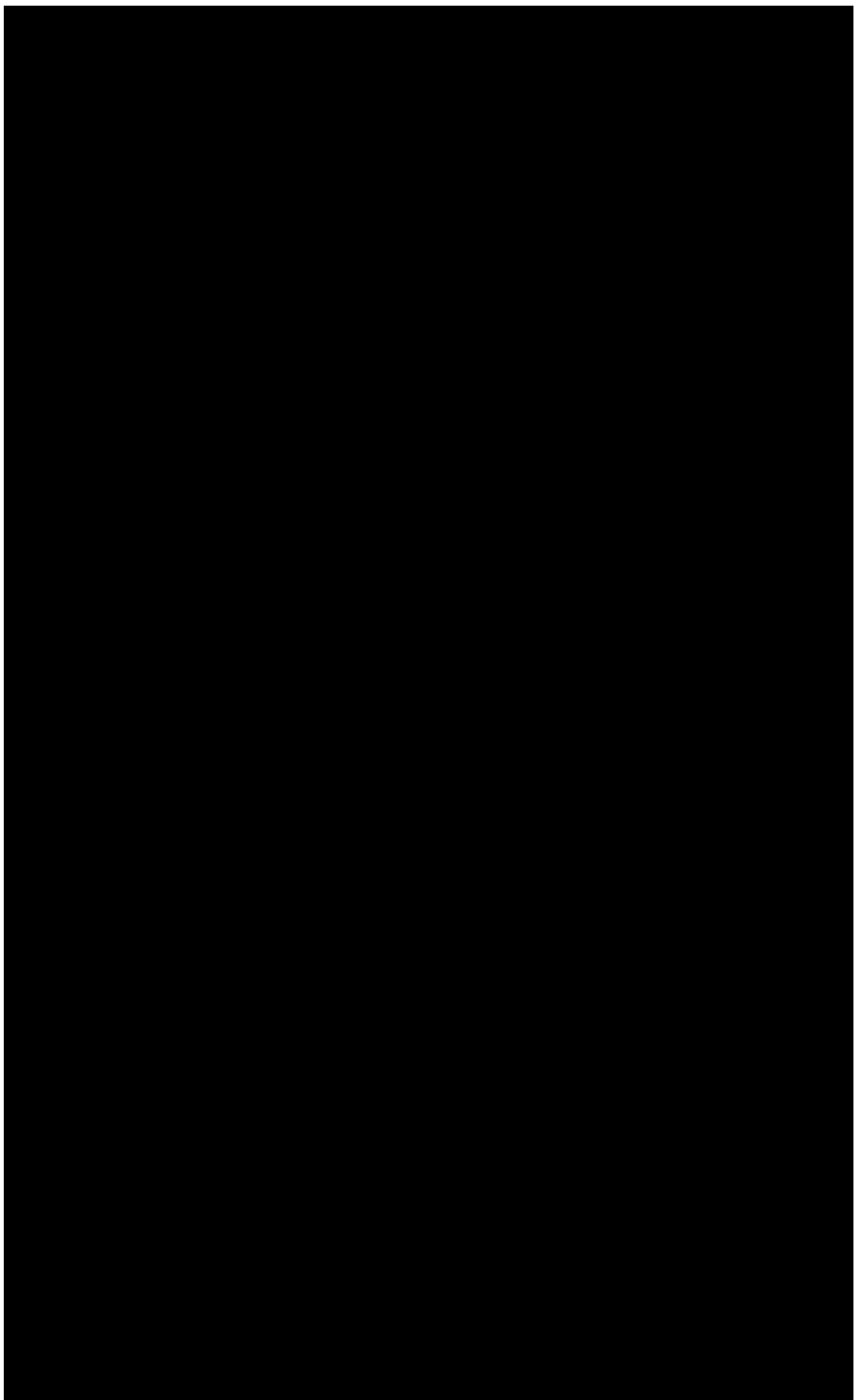
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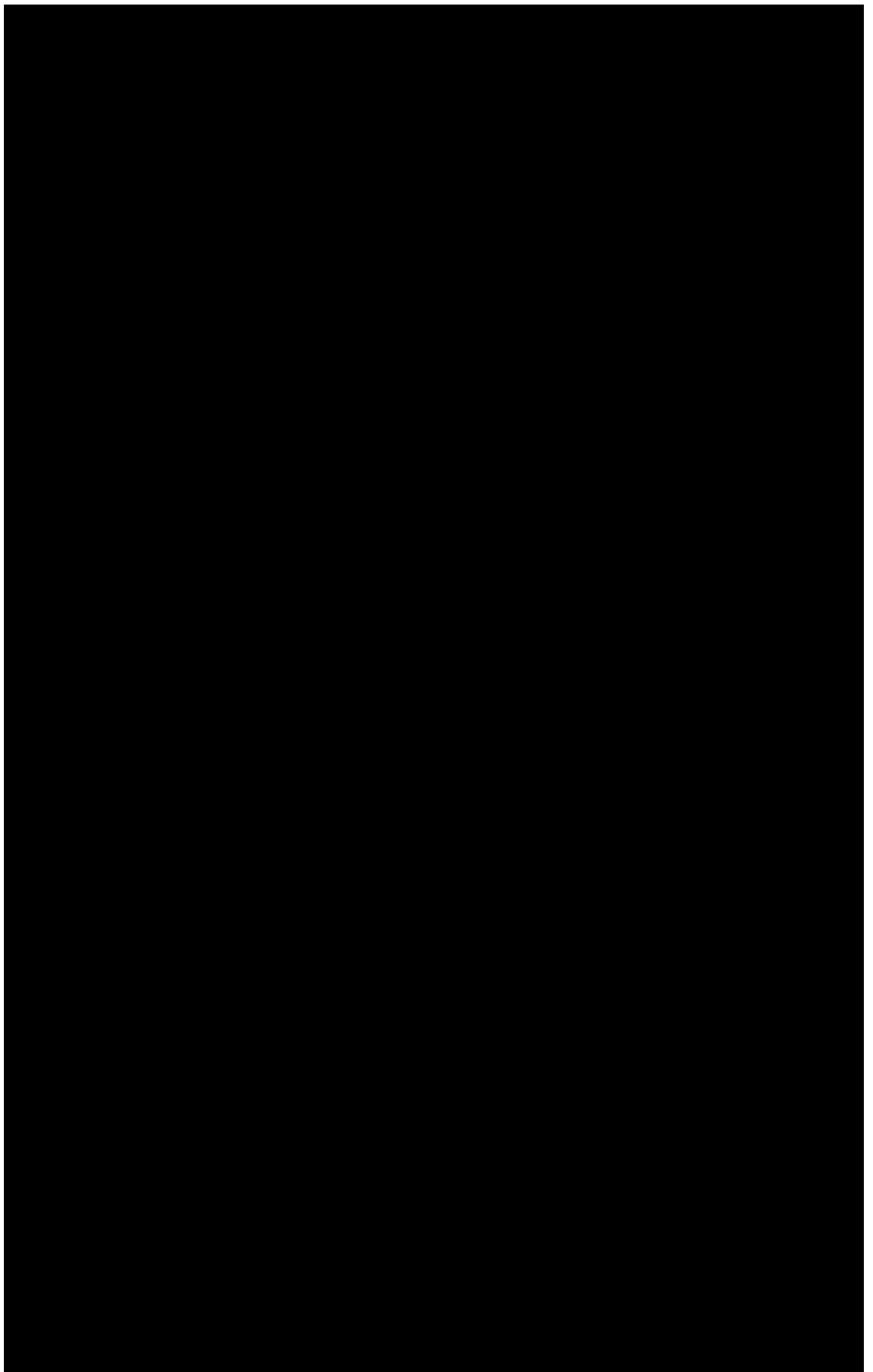
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The first part of the paper discusses the importance of the research and the objectives of the study. It highlights the need for a comprehensive understanding of the subject matter and the role of the researcher in this process. The second part of the paper presents the methodology used in the study, including the data collection methods and the analysis techniques. The third part of the paper discusses the results of the study and the conclusions drawn from the findings. The final part of the paper provides a summary of the key points and offers suggestions for future research.

The research was conducted in a systematic and rigorous manner, following the principles of scientific inquiry. The data was collected from a representative sample of the population, and the analysis was performed using advanced statistical techniques. The results of the study indicate that there is a significant relationship between the variables under investigation, and this finding has important implications for the field of study.

In conclusion, the study has provided valuable insights into the subject matter and has contributed to the existing body of knowledge. The findings suggest that further research is needed to explore the underlying mechanisms and to test the generalizability of the results. The researcher hopes that this work will inspire others to continue the exploration of this important topic.

the 'information' and 'communication' fields. The 'information' field is defined as:

...the study of the processes of information production, distribution, access, use and evaluation, and the study of the social, cultural, economic and political contexts in which these processes take place. (p. 10)

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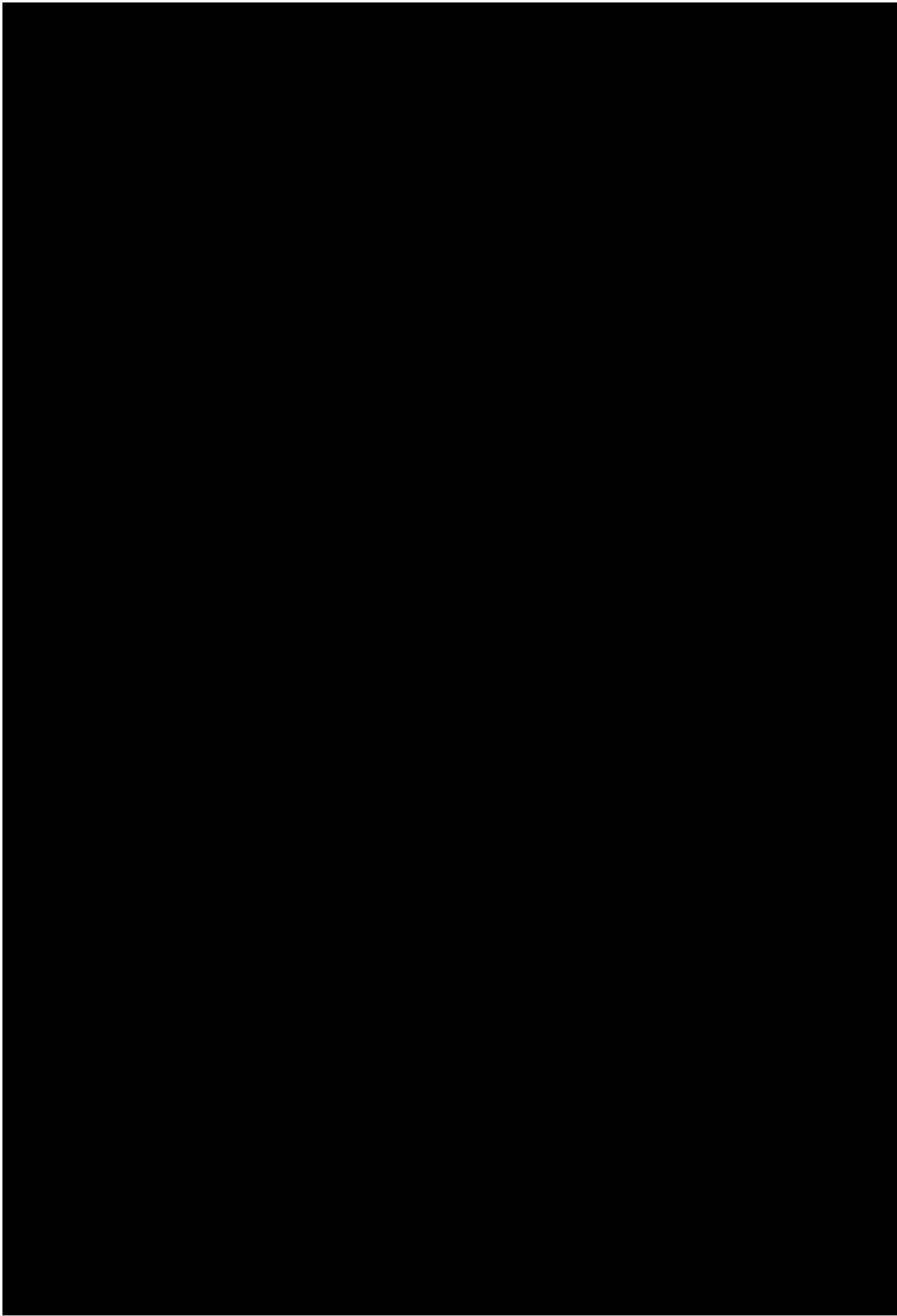
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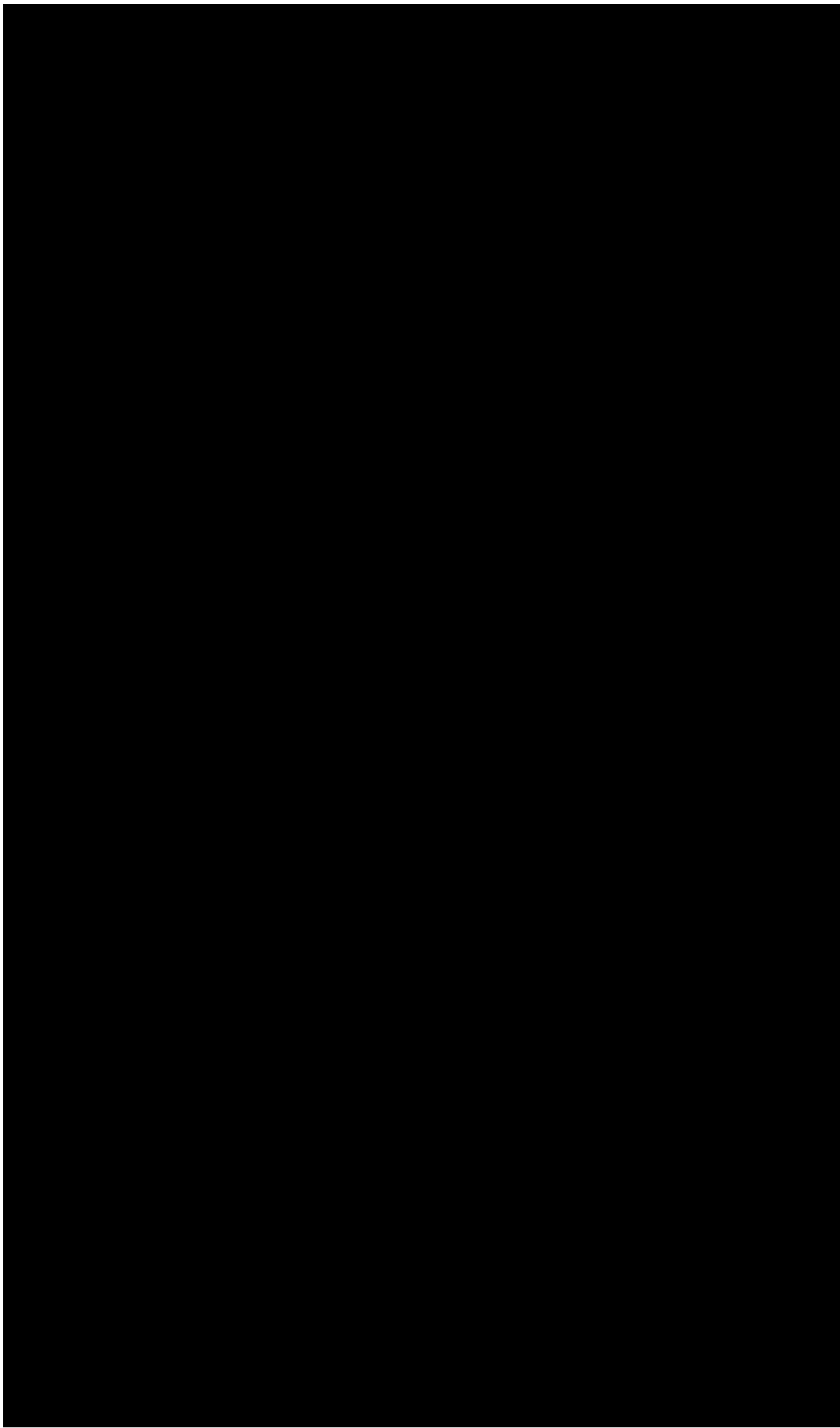
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**STAGE 4 – REVIEW OF DRAFT ACHAR**

**From:** [Aaron Olsen](#)  
**Cc:** [Balazs Hansel](#); [Natalie Taylor](#)

**Date:** Tuesday, 30 May 2023 10:36:00 AM  
**Attachments:** [P0045755\\_39 Delhi Road ACHA Draft.pdf](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Good morning

Thank you again for your ongoing participation in the above project.

In accordance with Section 4.4.3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010), please find attached the draft Aboriginal Cultural Heritage Assessment (ACHA) report for your review and comment.

Please provide any comments in relation to the draft ACHA report by **27 May 2023 to:**

Aaron Olsen  
Senior Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)

If you have any questions, please do not hesitate to contact us.

We look forward to hearing from you.

Kind regards

**AARON OLSEN**  
SENIOR CONSULTANT

D +61 2 8233 9957  
E [aolsen@urbis.com.au](mailto:aolsen@urbis.com.au)



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Learn more about our [\*\*Reconciliation Action Plan\*\*](#).

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The URBIS logo consists of the word "URBIS" in a bold, white, sans-serif font. To the right of the text is a white square frame that is partially open on the right side, with the top and bottom bars extending slightly beyond the text.

**URBIS**

# **ABORIGINAL CULTURAL HERITAGE ASSESSMENT DRAFT**

39 Delhi Road, North Ryde, NSW  
Wallumettagal Country

Prepared for  
**STOCKLAND**  
30 May 2023

## **URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Balazs Hansel, MA (Archaeology), MA (History), M. ICOMOS
Senior Archaeologist	Aaron Olsen, Dip Arts (Archaeology), BSc (Hons), MIP, PhD
Assistant Archaeologist	Natalie Taylor, BA (Archaeology), B Adv. Studies (Media and Communications) Candidate
Project Code	P0045755
Report Number	Draft issued 30 May 2023
	Final issued [DATE]

**Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices the Traditional Owners on whose land we stand.**

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	Aboriginal site feature recordable on AHIMS. 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. This is not an 'Aboriginal object' under the NPW Act.
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	Aboriginal site feature recordable on AHIMS. Related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade. This is not an 'Aboriginal object' under the NPW Act.
AHIMS	Aboriginal Heritage Information Management System: a register of previously reported Aboriginal objects and places managed by the DPC
AHIP	Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the <i>NPW Act</i> .
Archaeology	The scientific study of human history, particularly the relics and cultural remains of the distant past.
Art	Aboriginal site feature recordable on AHIMS. 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.
Artefact	Aboriginal site feature recordable on AHIMS. 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.
Burial	Aboriginal site feature recordable on AHIMS. 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.

Ceremonial Ring	Aboriginal site feature recordable on AHIMS. A Raised earth ring associated with ceremony
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010).
Conflict Site	Aboriginal site feature recordable on AHIMS. Previously referred to as massacre sites where confrontations occurred between Aboriginal and non-Aboriginal people, or between different Aboriginal groups. This is not an 'Aboriginal object' under the NPW Act.
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water NSW.
DPC	Department of Premier and Cabinet
Earth mound	Aboriginal site feature recordable on AHIMS. 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.
EP&A Act	<i>NSW Environmental Planning and Assessment Act 1979.</i>
Fish trap	Aboriginal site feature recordable on AHIMS. A modified area on watercourses where fish were trapped for short-term storage and gathering
Grinding grooves	Aboriginal site feature recordable on AHIMS. 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.
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	Aboriginal site feature recordable on AHIMS. 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.
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.
LALC	Local Aboriginal Land Council: corporate body constituted under the <i>Aboriginal Land Rights Act 1983</i> , having a defined boundary within which it operates.
LEP	Local Environment Plan.



Modified Trees	Aboriginal site feature recordable on AHIMS. 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.
Non-human bone and organic material	Aboriginal site feature recordable on AHIMS. 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.
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPW Regulation	<i>National Parks and Wildlife Regulation 2019</i>
Ochre quarry	Aboriginal site feature recordable on AHIMS. A source of ochre used for ceremonial occasions, burials, trade and artwork.
PAD	Aboriginal site feature recordable on AHIMS. A 'potential archaeological deposit'. An area where Aboriginal objects may occur below the ground surface. This is not an 'Aboriginal object' under the NPW Act.
Shell	Aboriginal site feature recordable on AHIMS. 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'.
Stone arrangement	Aboriginal site feature recordable on AHIMS. Human produced arrangements of stone usually associated with ceremonial activities, or used as markers for territorial limits or to mark/protect burials
Stone quarry	Aboriginal site feature recordable on AHIMS. A source of stone which was quarried and used for the production of stone tools by Aboriginal people.
Waterhole	Aboriginal site feature recordable on AHIMS. 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). This is not an 'Aboriginal object' under the NPW Act.

# EXECUTIVE SUMMARY

Urbis has been engaged by Stockland Development Pty Limited ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally defined as Lot 21 in Deposited Plan (DP) 1003588 ('the subject area').

The ACHA supports a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for the subject area. The proposed development comprises construction of a new build-to-rent development.

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA concluded that:

- 1) No Aboriginal objects or Aboriginal places are registered or otherwise known to exist within or near to the subject area.
- 2) The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding.
- 3) Historical ground disturbance across the entire subject area is assessed to be high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- 4) Owing to the high level of ground disturbance, the Aboriginal archaeological potential for the subject area is assessed to be low, meaning the subject area is unlikely to retain any unknown Aboriginal objects.
- 5) The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- 6) Furthermore, based on the evidence at hand, the subject area is assessed as having low Aboriginal heritage significance.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-55844212.

- **Recommendation 2 – No Further Archaeological Investigation**

As the proposed works are unlikely to cause harm to Aboriginal objects, it is recommended that no further investigation is required for the present development. The proposed development can proceed in line with the Archaeological Unexpected Finds Procedure and Human Remains Procedure outline below.

- **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

Urbis has been engaged by Stockland Development Pty Limited ('the Proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA) of 39 Delhi Road, North Ryde, NSW, legally defined as Lot 21 in Deposited Plan (DP) 1003588 ('the subject area') (Figure 1 and Figure 2).

The ACHA supports a State Significant Development Application (SSD-55844212) under Division 4.7 of the NSW *Environmental Planning and Assessment Act 1979* for the subject area. The proposed development comprises construction of a new build-to-rent development.

The Planning Secretary's Environmental Assessment Requirements (SEARs) for SSD-55844212 were issued on 3 March 2023. The present ACHA report addresses SEARs Item 18, which requires:

## *18. Aboriginal Cultural Heritage*

*Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the land.*

The ACHA has been undertaken to investigate whether development of the subject area will harm Aboriginal objects or places that may exist within the subject area and determine whether the subject area presents any Aboriginal archaeological and heritage constraints. The current report Aboriginal Cultural Heritage Assessment Report (ACHAR) presents the results of the ACHA.

## 1.1. SUBJECT AREA

The subject area is located 39 Delhi Road, North Ryde approximately 10 km north-west of the Sydney CBD, within the City of Ryde Local Government Area ('Ryde LGA'). It is legally defined as Lot 21 in Deposited Plan (DP) 1003588 and is currently zoned B3 Commercial Core.

The subject area is located within on the traditional lands of the Wallumettagal people and falls within the boundaries of the Metropolitan Local Aboriginal Land Council (MLALC).

The subject area currently comprises the existing Trinita Stage 1 commercial buildings and the adjoining Trinita Stage 2 site, which have a combined total area of approximately 27,410 m<sup>2</sup>. The project area, which is the subject of SSD-55844212, encompasses approximately 9573.9 m<sup>2</sup> at the southern end of subject area (Figure 2).

Surrounding the subject area, development comprises the following:

- **North:** The subject area is immediately bounded by Delhi Road to the north. Beyond Delhi Road, is the Macquarie Park Cemetery and Crematorium.
- **East:** subject area is immediately bounded by Julius Avenue to the north-east and Rivett Road to the south-east. Beyond these roads, a range of industrial warehouses and business park centres are located to the east, housing major tenants, including CSIRO.
- **South:** The subject area is bounded by Microsoft Campus by Goodman to the immediate south. Beyond the Microsoft Campus is Epping Road and the M2 Motorway off ramp.
- **West:** The subject area is bounded by Rennie Street to the immediate west. Additionally, the North Ryde Metro Station is located approximately north-west of the subject area. A mix of uses are grouped around the metro station, including residential development. Particularly, the Ryde Gardens and Centrale are two residential developments located to the west of the subject area. Further and beyond the M2 Motorway, the Lachlan's Square Village is located northwest which is accessible via a pedestrian bridge and comprises a range of amenities and facilities, including a medical centre, gym, post office, beauty services, and food and drink premises.

Development within the subject area currently comprises the existing Trinita Business Campus (Stage 1) on the northern portion of the lot.

SSD-55844212 relates to Trinita Stage 2, which is proposed for the southern portion of the lot ('the project area') (Figure 2) which is currently vacant. Existing development within the project area currently includes hardstand and landscaping.



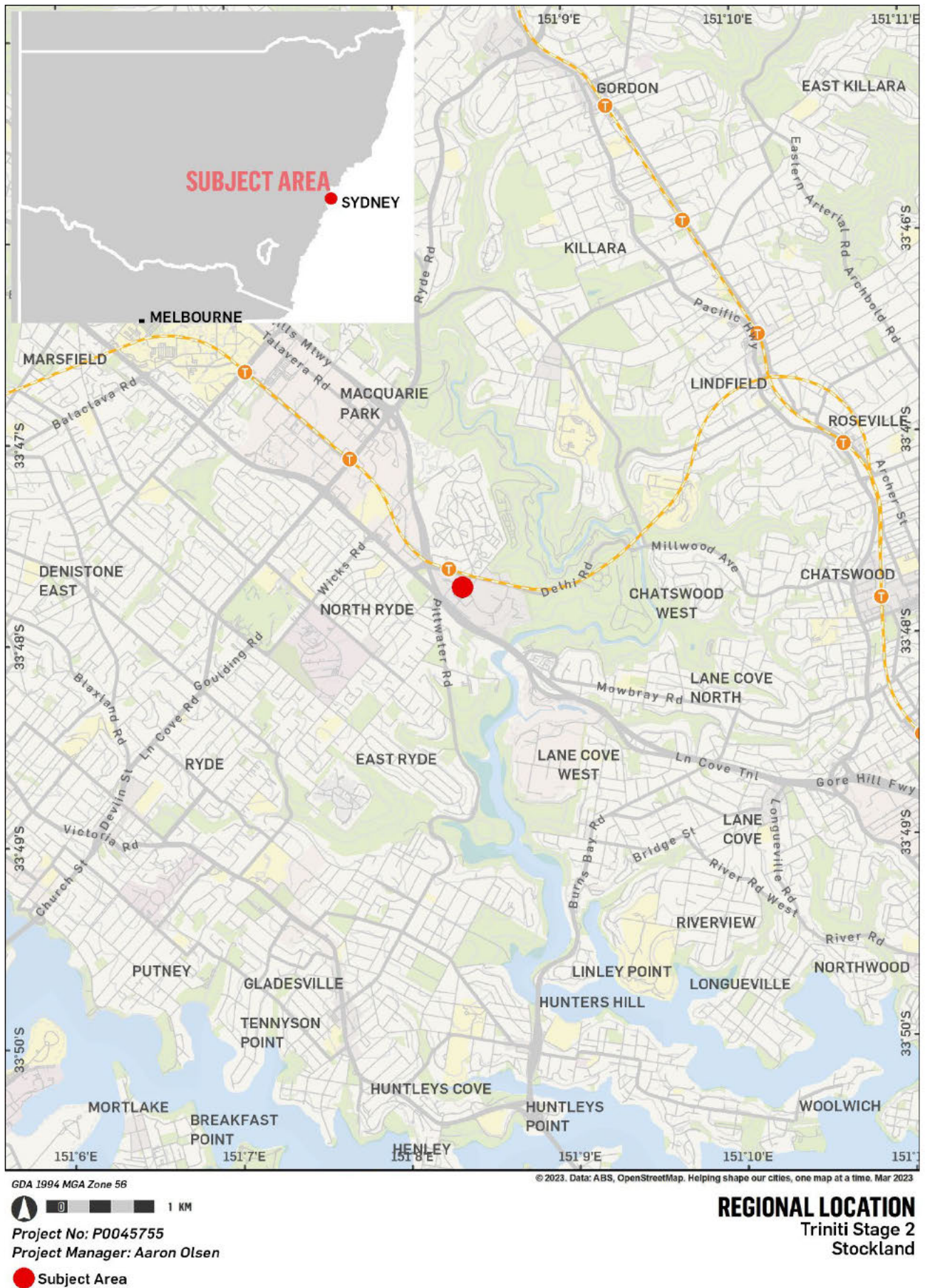


Figure 1 – Regional location





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Project No: P0045755

Project Manager: Aaron Olsen

■ Subject Area
 ■ Project Area
 — Contours

**Subject Area**  
Trinitri Stage 2  
Stockland

Figure 2 – Subject area and project area



## 1.2. PROPOSED WORKS

The proposed works for which approval is sought under SSD-55844212 are as follows:

- Site preparation and excavation works.
- Construction of a new build-to-rent development comprising a total GFA of 44,596 m<sup>2</sup> and up to 525 dwellings across two towers above a shared podium, including retail, communities uses and recreation areas at ground level.
- Shared basement carpark.
- Landscaping and associated public domain works.
- Extension and augmentation of physical infrastructure and utilities as required.
- Dedication of internal road to the Council with amendments to meet relevant requirements and standards.

Plans of the proposed development are provided in Appendix A. The extent of the basement level of the proposed development is shown in Figure 3 and the ground level footprint of the proposed development is shown in Figure 4.

## 1.3. METHODOLOGY

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW, 2010c) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The objectives of the ACHA are to:

- Investigate the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the subject area, and whether those objects and/or places would be impacted by the proposed development.
- Investigate the presence, or absence, of any landscape features that may have the potential to contain Aboriginal objects and/or sites and whether those objects and/or sites would be impacted by the proposed development.
- Document the nature, extent and significance of any known or potential Aboriginal objects and/or places and sites within the subject area.
- Document consultation with the Registered Aboriginal Parties (RAPs) with the aim to identify any spiritual, traditional, historical or contemporary associations or attachments to the subject area and any Aboriginal objects and/or places that might be identified within the subject area.
- Synthesise all the collected information and provide clear conclusions of the ACHA process.
- Provide management strategies for any identified Aboriginal objects and/or places or cultural heritage values.
- Provide recommendations for the implementation of the identified management strategies.
- Prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be included with an application for an Aboriginal Heritage Impact Permit for the proposed development, if required.



Section 3.1 of the Assessment Guidelines specifies the content requirements of an ACHAR, which includes the requirements of reg. 61 of the NPW Reg. The requirements are listed in Table 1 below, together with the sections of the present ACHAR in which they are addressed.

Table 1 – ACHAR Requirements

Requirement	Section of Report
A description of the Aboriginal objects and declared Aboriginal places located within the area of the proposed activity	Section 4
A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land	Section 6
How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)	Section 3
The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response)	Section 3, 6 & Appendix D
Actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified	Section 8
Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places	Section 8
Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.	Section 8

## 1.4. AUTHORSHIP

The present report has been prepared by Aaron Olsen (Urbis Consultant Archaeologist) and Natalie Taylor (Urbis Assistant Archaeologist), with review and quality control undertaken by Balazs Hansel (Urbis Associated Director, Archaeologist).

Aaron Olsen holds a Diploma of Arts (Archaeology) from the University of Sydney, a Bachelor of Science (Honours - First Class in Chemistry) and PhD (Chemistry) from the University of Newcastle and a Masters (Industrial Property) from the University of Technology Sydney. Natalie Taylor is currently completing a Bachelor of Arts (Archaeology) and Bachelor of Advanced Studies (Media and Communications) at the University of Sydney. Balazs Hansel holds a Masters (History) and Masters (Archaeology and Museum Studies) from the University of Szeged (Hungary).

## 1.5. LIMITATIONS

The ACHA was limited to the assessment of tangible and intangible Aboriginal cultural heritage and does not consider historical archaeological remains or built heritage items, both of which are considered under separate cover.

The ACHA does not consider specific interpretation strategies or design principles for the proposed works. These issues have been considered separately under the draft Connecting with Country Framework issued by the Government Architect NSW.

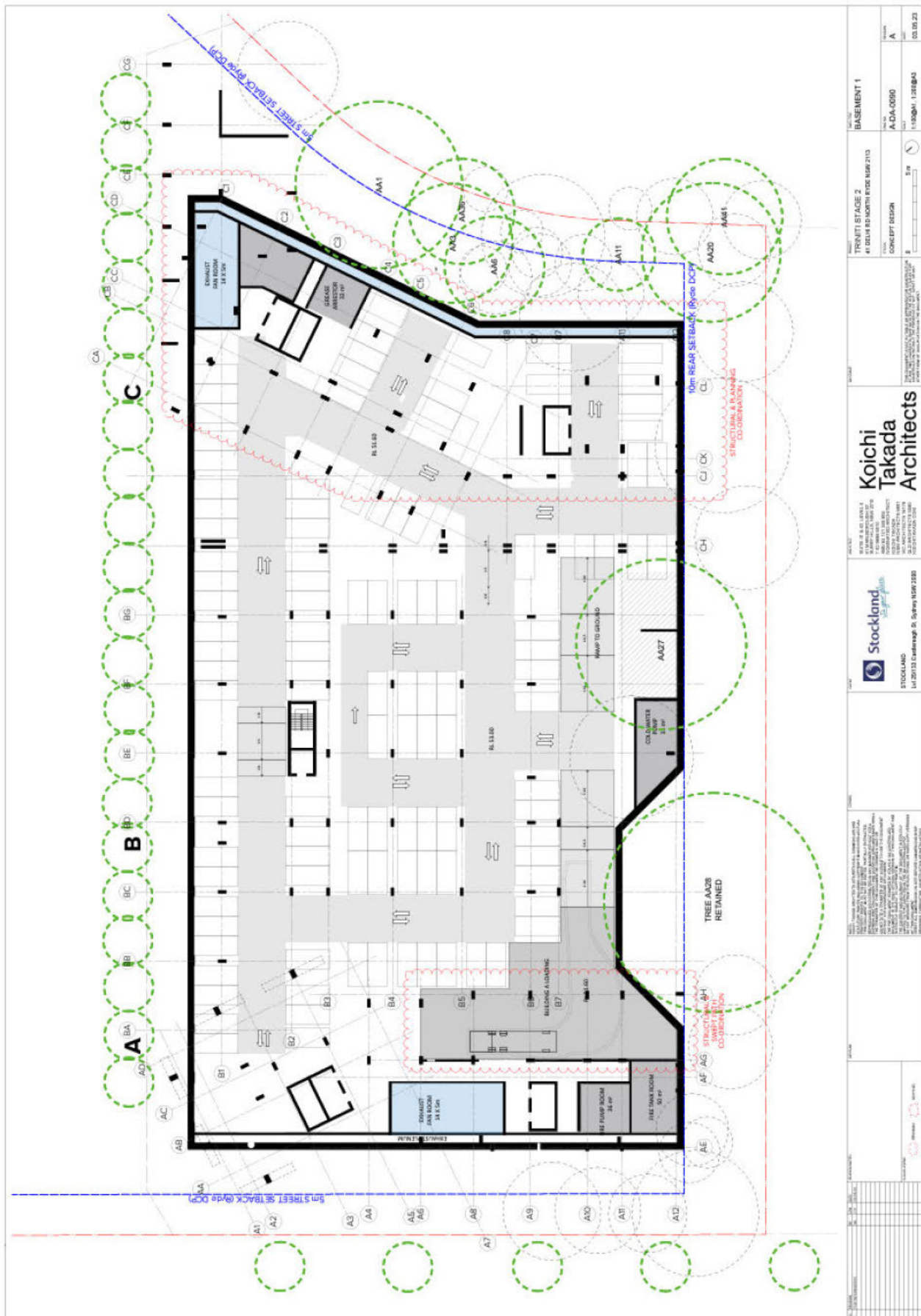


Figure 3 – Plan of basement level of proposed development  
Source: Koichi Takada Architects







## 2. STATUTORY CONTEXT

### 2.1. HERITAGE CONTROLS

The protection and management of Aboriginal cultural heritage items, places and archaeological sites within New South Wales is governed by the relevant Commonwealth, State or local government legislation. These are discussed below in relation to the present subject area.

#### 2.1.1. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) ('the EPBC Act') protects any items listed in the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The National Heritage List (NHL) is a list of natural, historic and Indigenous places of outstanding significance to the nation. It was established to protect places that have outstanding value to the nation. The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

Consideration is given to whether any heritage items listed on the NHL or CHL are likely to be harmed by the proposed development in Section 2.2.1 below.

#### 2.1.2. The National Parks and Wildlife Act 1974

Aboriginal objects and Aboriginal places in NSW are protected under the *National Parks and Wildlife Act 1974* (NSW) ('the NPW Act'), as implemented by the *National Parks and Wildlife Regulation 2019* (NSW) ('the NPW Reg'). 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.

Section 86 of the NPW Act identifies rules and penalties surrounding harming or desecrating Aboriginal objects and Aboriginal places. These are identified as follows:

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

*Maximum penalty:*

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

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

*Maximum penalty:*

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



*(b) in the case of a corporation—2,000 penalty units.*

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

*Maximum penalty:*

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

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

It is a defence to prosecution under s. 86 of the NPW Act that either:

- A Due Diligence Assessment was undertaken prior to commencement of works, which determined that the works were unlikely to harm any Aboriginal objects (s.87(2) of the NPW Act).
- The harm was caused by works authorised by an Aboriginal Heritage Impact Permit ('AHIP') (s.87(1) of the NPW Act).
- The harm was caused by works authorised by an approved SSD (s.4.41(1)(d) of the *Environmental Planning and Assessment Act 1979* (NSW)).

The Proponent is currently seeking approval of SSD-55844212 for the proposed works. The present ACHA was undertaken in compliance with SEARs Item 18 for SSD-55844212, as noted in Section 1 above.

### **2.1.1. Ryde Local Environmental Plan 2014**

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires each LGA to produce a Local Environment Plan (LEP). The LEP identifies items and areas of local heritage significance and outlines development consent requirements.

The subject area falls within the City of Ryde LGA and is subject to the Ryde Local Environmental Plan 2014. Under Section 5.10(2) of the Ryde LEP, development consent is required for:

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

The ACHA was undertaken to determine whether or not any Aboriginal objects or places would be impacted by the proposed works.

### **2.1.2. Ryde Development Control Plan 2014**

The EP&A Act requires each LGA to produce a Development Control Plan (DCP). Not all LGAs provide information regarding Aboriginal cultural heritage and specific development controls to protect Aboriginal cultural heritage. The subject area is encompassed by the Ryde Development Control Plan 2014, which does not identify any controls relating to Aboriginal cultural heritage.

## **2.2. HERITAGE LISTS & REGISTERS**

A review of relevant heritage lists and registers was undertaken to determine whether any Aboriginal cultural heritage items are located within the curtilage of, or in proximity to, the subject area. Identified heritage items are mapped in Figure 5 below.

### **2.2.1. Australian Heritage Database**

The Australian Heritage Database (AHD) is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list 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 21 March 2023. The search did not identify any heritage items within the curtilage of the subject area.

### **2.2.2. NSW State Heritage Inventory**

The State Heritage Inventory (SHI) is a database of heritage items in NSW which includes declared Aboriginal Places, items listed on the SHR, listed Interim Heritage Orders (IHOs) and items listed on Local Environment Plans (LEPs) or State Environmental Planning Policies (SEPPs).

A search of the SHI was undertaken on 21 March 2023. The search did not identify any heritage items within the curtilage of the subject area.

## **2.3. SUMMARY**

The statutory context of the subject area is summarised as follows:

- The present ACHA aims to establish whether any Aboriginal objects would be harmed by the proposed development of the subject area, thus addressing s.87(2) of the NPW Act and section 5.10(2) of the Ryde LEP.
- Searches of the State Heritage Inventory and Australian Heritage Database did not identify any archaeological heritage items within the curtilage of the subject area.





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Project No: P0045755

Project Manager: Aaron Olsen

Subject Area Contours Item - General

Project Area

**Heritage Items**  
Triniti Stage 2  
Stockland

Figure 5 – Heritage items in proximity to the subject area



### 3. ABORIGINAL COMMUNITY CONSULTATION

In administering its statutory functions under Part 6 of the *NSW National Parks and Wildlife Act 1974*, the Department of Premier and Cabinet (DPC) requires that Proponent consult with Aboriginal people about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and/or places within any given development area in accordance with Clause 80c of the *NSW National Parks and Wildlife Regulation 2019*.

The DPC maintains that the objective of consultation with Aboriginal communities about the cultural heritage values of Aboriginal objects and places is to ensure that Aboriginal people have the opportunity to improve ACHA outcomes by (DECCW 2010a):

- Providing relevant information about the cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.
- Actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the Proponent to the DPC.

Consultation in line with the Consultation Requirements (DECCW 2010) is a formal requirement where a Proponent is aware that their development activity has the potential to harm Aboriginal objects or places. The DPC also recommends that these requirements be used when the certainty of harm is not yet established but a proponent has, through some formal development mechanism, been required to undertake a cultural heritage assessment to establish the potential harm their proposal may have on Aboriginal objects and places.

The Consultation Requirements outline a four-stage consultation process that includes the following:

- Stage 1 – Notification of project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The document also outlines the roles and responsibilities of the DPC, Registered Aboriginal Parties (RAPs) including Local and State Aboriginal Land Councils, and proponents throughout the consultation process.

To meet the requirements of consultation it is expected that proponents will:

- Bring the RAPs, or their nominated representatives, together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the RAPs involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Provide evidence to the DPC of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the RAPs.
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of the cultural heritage assessment report to the RAPs who have been consulted.

The consultation process undertaken to seek active involvement from relevant Aboriginal representatives for the project followed the current NSW statutory guideline, namely, the Consultation Requirements. Section 1.3 of the Consultation Requirements describes the guiding principles of the document. The principles have been derived directly from the principles section of the *Australian Heritage Commission's Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002).

The following outlines the process and results of the consultation conducted during this assessment to ascertain and reflect the Aboriginal cultural heritage values of the subject area.



## 3.1. STAGE 1: NOTIFICATION OF PROJECT AND REGISTRATION OF INTEREST

The aim of Stage 1 of the community consultation process is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the subject area.

### 3.1.1. Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 21 March 2022. The search identified no Native Title claims or registrations for the subject area.

The NNTT was also contacted by email on 28 March 2023 to request a formal search of the NNTT Register. A reply was received on 29 March 2023 indicating that there are no Native Title matters overlapping with the subject area.

### 3.1.2. Identification of Cultural Knowledge Holders

To identify Aboriginal people who may be interested in registering as Aboriginal parties for the project, the organisations stipulated in Section 4.1.2 of the Consultation Guidelines were contacted on 23 March 2023 (Table 2). The template for the emails sent to the above-mentioned organisations is included in Appendix C. A total of 59 Aboriginal parties with a potential interest in the subject area were identified during this stage.

Table 2 – Contacted organisations

Organisation	Date of Notification	Date of Response
Office of the Registrar, Aboriginal Land Rights Act 1983	23 March 2023	n/a
Heritage NSW, Department of Premier and Cabinet	23 March 2023	29 March 2023
NTS Corp	23 March 2023	n/a
Greater Sydney Local Land Services	23 March 2023	23 March 2023
Metropolitan Local Aboriginal Land Council	23 March 2023	n/a
City of Ryde Council	23 March 2023	27 March 2023
National Native Title Tribunal	23 March 2023	23 March 2023

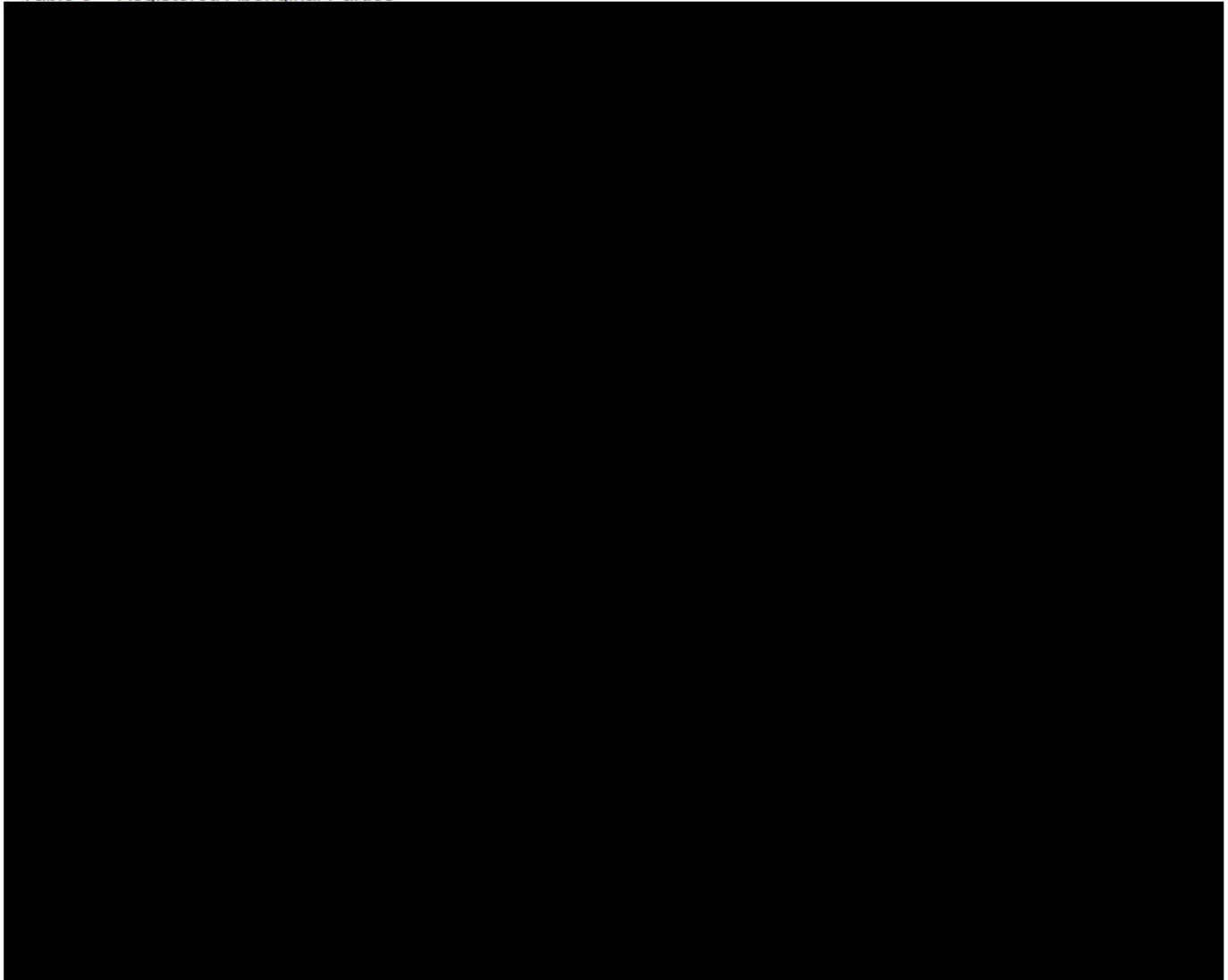
In accordance with reg. 60(2)(b) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, letters were sent to the 59 identified Aboriginal parties by either email or mail on 5 April 2023, to notify them of the proposed project. Six attempts were made to contact one of the identified Aboriginal parties by phone as no email address or mail address was provided, but that party could not be reached. The letters included a brief introduction to the project and the project location and set a deadline for response of 20 April 2023, providing the minimum 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the letter template is included in Appendix C.

Further in accordance with reg. 60(2)(c) of the NPW Reg and Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in one online newspaper with local circulation, 'Buy Search Sell' ([www.buysearchsell.com.au](http://www.buysearchsell.com.au)). This advertisement was published online on 5 April 2023 and registration was open until 20 April 2023, providing the minimum 14 days to register an interest required by reg. 60(4)(e) of the NPW Reg and Section 4.1.4 of the Consultation Requirements. A copy of the advertisement is included in Appendix C.

### 3.1.3. Registration of Interest

A total of [REDACTED] registered interest in the project as a result of this phase (Table 3). One Aboriginal party registered after the deadline of 20 April 2023. Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

Table 3 – Registered Aboriginal Parties



In accordance with regs. 60(5)(a) and (b) and Section 4.1.6 of the Consultation Guidelines, a list of the Registered Aboriginal Parties (RAPs) was provided to Heritage NSW and Metropolitan Local Aboriginal Land Council on 18 May 2023 (see Appendix C). The details of one RAP were withheld from Metropolitan Local Aboriginal Land Council at their request.

## **3.2. STAGE 2: PRESENTATION OF PROJECT INFORMATION**

The aim of Stage 2 of the community consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

### **3.2.1. Information Pack**

A Stage 2/3 information pack was sent to registered Aboriginal parties via email on 21 April 2023. The information pack was prepared as a combination of Stage 2 and 3 of the Consultation Guidelines, and included the following information:

- Project overview, location and purpose.
- Proposed works.
- Project history.
- Brief archaeological and environmental background.
- Protocol of gathering information on cultural heritage significance.



- Request for comment on methodology and recommendations for site investigation, and request for any cultural information the respondent wished to share.

A response to the Stage 2/3 information pack was requested by 19 May 2023, providing the 28 days to respond required by reg. 60(6)(b) of the NPW Reg and Section 4.3.2 of the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix C of this report.

### 3.2.2. Site Inspection and Meeting

A separate communication was sent on 19 May 2023 to all RAPs who responded to the Stage 2/3 information pack, including provision of a schedule of rates and copies of insurances, by the deadline. The communication invited the RAPs to register for a site inspection and meeting to be held on 25 May 2023 as part of Stage 2/3 of the consultation process.

The purpose of the site inspection and meeting was to conduct a thorough briefing with the RAPs about the proposed development, to conduct a walkover of the subject area with the RAPs, to discuss the information provided in the Stage 2/3 document provided and to discuss potential archaeological mitigation strategies.

One response was received to the invitation to attend the site inspection and meeting. The RAP who attended the site inspection and meeting are included in listed in Table 5 below.

Table 4 – RAP attendees at site inspection and meeting

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During the site inspection the attending RAP commented as follows:

- The project is evidently impacted by historical activities.
- Native planting as part of the project would be desirable, including rooftop plantings and plantings in association with any solar panels (noting the evidence for improved efficacy of solar panels when combined adjacent plantings).

URBIS thanks Corroboree Aboriginal Corporation for their comments and notes that native plantings, including rooftop planting, is being considered as part of the design process, which is being undertaken in accordance with the Connecting with Country Draft Framework issued by the Government Architect NSW.

The archaeological findings of the site inspection are discussed in Section 6 below.

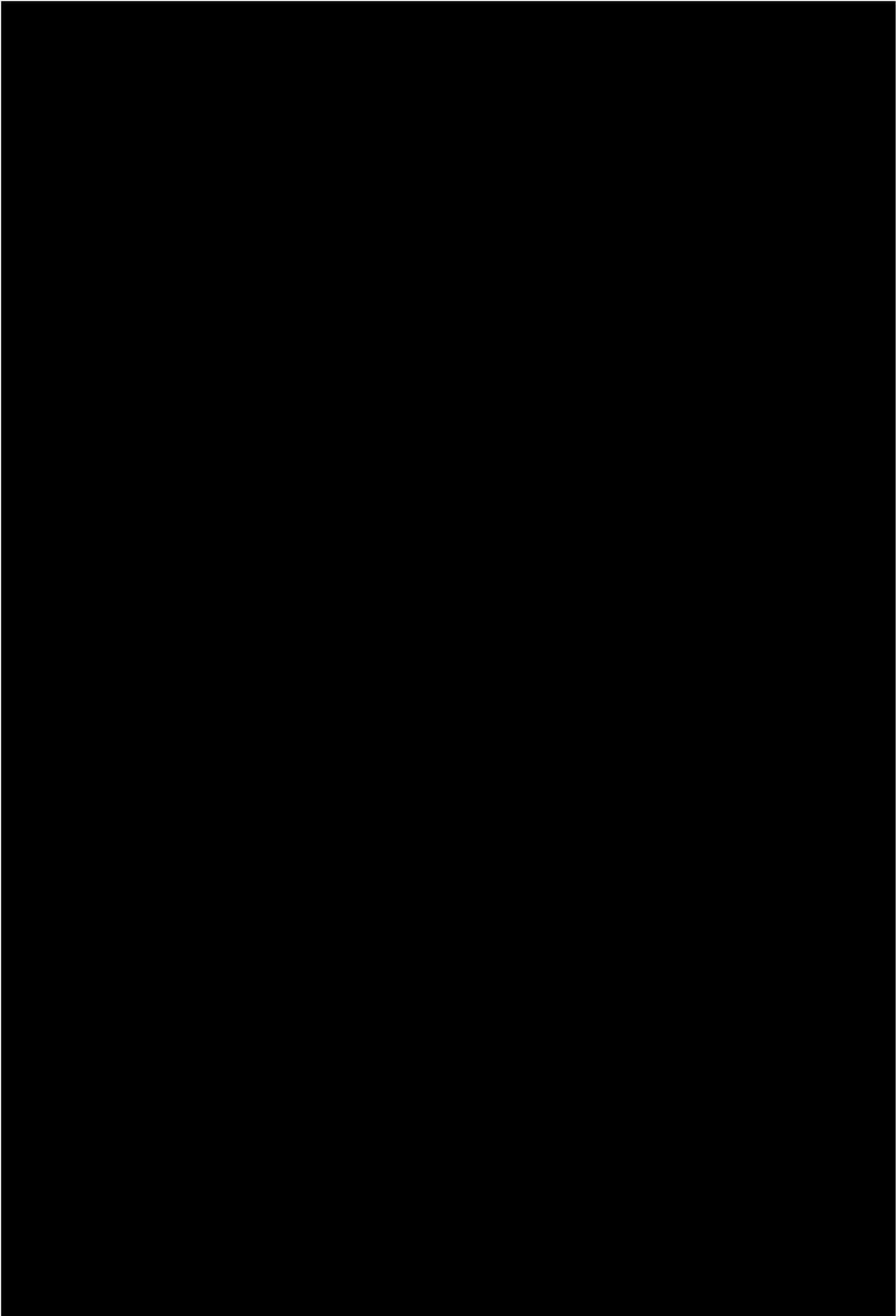
### 3.3. STAGE 3: GATHERING CULTURAL INFORMATION

Stage 3 of the community consultation process is concerned with gathering feedback on a project, proposed methodologies, and obtaining any cultural information that registered Aboriginal parties wish to share. This may include ethno-historical information, or identification of significant sites or places in the local area.

\_\_\_\_\_ were received in relation to the Stage 2/3 information pack. The responses are included in Appendix C. Of the six responses received, four included comments on the proposed methodology and/or provided cultural information. Those responses are addressed in Table 5 below.

Table 5 – RAP responses to the Stage 2/3 Information Pack

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### 3.4. STAGE 4: REVIEW OF DRAFT ACHAR

The aim of Stage 4 of the community consultation process is to prepare and finalise an ACHAR with input from Registered Aboriginal Parties.

A draft of the present ACHAR was sent to RAPs via email on [DATE] with comment on the draft ACHAR requested by [DATE], providing the 28 days to respond required by regulation reg. 60(8)(b) of the NPW Reg and Section 4.4.3 of the Consultation Requirements. It is noted that the time allowed for comment should reflect the size and complexity of the project.

[NUMBER] responses were received in relation to the Stage 4 draft ACHAR. The responses are included in Appendix C and addressed in Table 6 below.

Table 6 – RAP responses to the Stage 4 Draft ACHAR

RAP	Response	Urbis Response
[...]	[...]	[...]

[TO BE COMPLETED AFTER STAGE 4]

DRAFT



## 4. ABORIGINAL CULTURAL HERITAGE

An assessment of Aboriginal cultural heritage within a particular subject area requires an understanding of the archaeological and environmental contexts in which the area is situated. The following is a review and analysis of those contexts for the present subject area.

### 4.1. ETHNOGRAPHIC CONTEXT

The ethnographic context within which an area is situated is relevant to determining the nature of Aboriginal land use, the archaeological material that land use may have produced and whether any intangible cultural associations exist. While ethnographic observations of Aboriginal life post-European contact are relatively common, an absence of written records prior to contact means that ethnographic information about Aboriginal life at that time must be inferred from early European observations. Such inference is inherently biased by the cultural norms of the observer and behavioural modifications in response to the awareness of being observed (the so-called 'Hawthorne Effect'). Nevertheless, by comparing and contrasting these observations with archaeological evidence and cultural information from Aboriginal stakeholders, it is possible to establish a general understanding of the lives of Aboriginal people.

The archaeological record provides evidence of the long occupation of Aboriginal people in Australia. Current archaeological record establishes occupation of the Australian mainland by as early as 65,000 years before present (BP) (Clarkson et al. 2017). The oldest date for a site in the Sydney region is at Pitt Town on the Hawkesbury River, approximately 35 km north-west of the present subject area, which is dated to around 36,000 BP (Williams et al. 2014). Older occupation sites along the now submerged coastline would have been flooded around 10,000 years BP, with subsequent occupation concentrating along the current coastlines and rivers (Attenbrow 2010). The archaeological record indicates that Aboriginal people were occupying the region around the subject area well before the arrival of the First Fleet in 1788.

Given the early contact with Aboriginal people in the Sydney region, more is known about these groups than those that inhabited regional areas. The Aboriginal population in the greater Sydney region is estimated to have been between around 4000 and 8000 people at the time of European contact (Attenbrow 2010). It is believed that the area around the present subject area was inhabited by the Wallumettagal (or Wallumedegal) clan (Smith 2005). The lands occupied by the Wallumettagal are believed to have extended from the Lane Cove River west along the north shore of the Parramatta River (Smith 2005).

The archaeological record is limited to materials and objects that were able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts. Flaked artefacts are typically the most common type of stone artefact encountered, in part due to their long and ubiquitous use, but also due to their high discard rate and the large amount of waste produced during manufacture. However, ground edged tools are also known to have been utilised by Aboriginal people in the Sydney region (Tench 1789).

Stone technology and raw material utilisation changed over time. Until about 8,500 BP, stone tool technology remained fairly static with unifacial flaking being dominant and a preference for silicified tuff, quartz and some unheated silcrete evident. After about 4,000 BP, bipolar flaking and backed artefacts appear more frequently and ground stone axes are first observed (Attenbrow 2010:102). From about 1,500 BP, there is evidence of a decline in stone tool manufacture, possibly due to an increase in the use of organic materials, changes in the way tools were made or changes in tool preferences (Attenbrow 2010). After European contact, Aboriginal people of the Cumberland Plain continued to manufacture tools, sometimes with new materials such as bottle glass or ceramics. There are several sites in the Sydney region where flaked glass has been recorded (e.g. Ngara Consulting 2003).

Other materials, such as shell and bone, also survive in the archaeological record under certain conditions. The name 'Wallumattagal' is likely derived from the word 'wallumai', the local name for the snapper fish (*Pagrus auratus*), which were abundant in Sydney's waterways (Smith 2005). There is significant evidence of reliance on river resources in the form of shell middens in the lands occupied by the Wallumettagal clan (see Section 4.2.2 below).

Based on the above background, it is possible that similar evidence of Aboriginal occupation will also be present within original and/or intact topsoils throughout the Sydney urban area, including the region surrounding the present subject area.



## 4.2. ARCHAEOLOGICAL CONTEXT

A summary of background research for Aboriginal cultural heritage resources within and around the subject area is provided below, including search results from the Aboriginal Heritage Information Management System (AHIMS) and consideration of previous archaeological investigations pertinent to the subject area.

### 4.2.1. Previous Archaeological Investigations

Previous archaeological investigations may provide information about known Aboriginal sites within an area, both registered and unregistered, the spatial distribution, nature and extent of Aboriginal sites and associations of Aboriginal sites with certain landscape features.

#### 4.2.1.1. Investigations of the Subject Area

The following archaeological report presents the findings of a previous archaeological investigation that directly addresses the present subject area.

**Corkill, 1991. *Survey for Aboriginal Archaeological Sites at CSIRO, North Ryde, NSW***

In 1991, Corkill undertook an archaeological survey of the former CSIRO site at North Ryde to identify any surface artefacts and inspect areas with remnant vegetation. The survey area included the present subject area. The survey did not identify any Aboriginal objects or areas of potential for Aboriginal objects within the present subject area. Corkill recommended that, prior to any development that might affect them, any sandstone exposures within the subject area should be examined at night by a qualified archaeologist in order to determine whether Aboriginal engravings are present. Corkill further recommended that an archaeological chance finds procedure should be implemented for development within the subject area.

#### 4.2.1.2. Investigations of the Surrounding Region

A number of archaeological reports have been produced relating to the broader region around the subject area. The most relevant to the specific context of the present subject area are summarised below.

**Urbis, 2021. *Aboriginal Cultural Heritage Assessment, Ivanhoe Estate, Macquarie Park***

Urbis undertook an Aboriginal Cultural Heritage Assessment for the proposed redevelopment of Ivanhoe Estate, approximately 2.5km north-west of the present subject area. The assessment found that although the subject area was in close proximity to a waterway (Shrimptons Creek), a combination of shallow soils and a high level of ground disturbance associated with cut and fill activities across the subject area had significantly reduced the potential for archaeological resources to be retained. The archaeological potential of the subject area was therefore assessed as being nil to low. The Report demonstrates that historical ground disturbance may significantly reduce archaeological potential in shallow soils, despite the presence of archaeological sensitive landscape features.

**Artefact Heritage, 2014. *North Ryde Station Precinct, M2 site, State Significant Development Archaeological Assessment, Excavation and Monitoring Methodology***

Artefact undertook a historical and Aboriginal archaeological assessment for the M2 Site at North Ryde, part of the North Ryde Station Precinct, located approximately 375m north-west of the present subject area. The study area was assessed as having nil to low archaeological potential and low Aboriginal archaeological significance. It was determined that the majority of the study area had been subject to high levels of ground disturbance and therefore has no Aboriginal archaeological potential. The northern section of the study area was determined to have been subjected to low-moderate ground disturbance but was assessed as having a low archaeological potential due to its skeletal soils. The report illustrates that while high levels of ground disturbance significantly reduce archaeological potential, low to moderate ground disturbance may also reduce archaeological potential in areas with shallow soil profiles.

**HLA-Envirosciences Pty Limited, 2003. *Archaeological Subsurface Testing Program: Eden Gardens, Macquarie Park, NSW***

HLA-Envirosciences undertook a sub-surface testing program at Eden Gardens, approximately 1.7km north of the present subject area. The test excavations yielded only a single flaked artefact, which was found in a soil layer above historical material. It was determined that the natural soil profile had been significantly disturbed by historical activities. The report demonstrates that historical activities may significantly reduce archaeological potential within the landscape with which the present subject area is associated, although Aboriginal objects may remain.



The archaeological reports summarised above demonstrate that, based on subsurface testing, the archaeological potential of the subject area may be significantly reduced by historical ground disturbance and shallow soils.

## 4.2.2. AHIMS

### 4.2.2.1. The AHIMS Database

The Aboriginal Heritage Information Management System (AHIMS) is a database of registered Aboriginal sites in NSW. Both Aboriginal objects and Aboriginal places may be registered as an Aboriginal site on AHIMS. However, Aboriginal sites also include former Aboriginal objects and Aboriginal places that have been destroyed and sites related to Aboriginal land use that do not meet the definition of Aboriginal object or Aboriginal place under the NPW Act.

Each registered Aboriginal site includes one or more 'site features.' 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 'Aboriginal objects' as defined in the NPW Act 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' if accompanied by at least one of the other site features defined above.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or Aboriginal places in NSW 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.

### 4.2.2.2. AHIMS Search

A search of the AHIMS database was carried out on 31 March 2023 (AHIMS Client Service IDs: 769336 and 771474) for an area of approximately 6 km x 6 km. The Basic and Extensive AHIMS search results are included in Appendix B. A summary of all previously registered Aboriginal sites within the search area is provided in Table 7 and their spatial distribution is shown in Figure 6.

No registered Aboriginal sites were identified within the curtilage or in the immediate vicinity (within 200 m) of the subject area.

The search of the broader region around the subject area was undertaken to determine if there is any association of Aboriginal sites with certain landscape features that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

A total of 117 Aboriginal sites are registered in the broader search area (Figure 6). Across those Aboriginal sites, a total of 128 individual site features were recorded. The recorded site features were of six different types: art, artefacts, grinding grooves, non-human bone and organic material, potential archaeological deposits (PADs) and shell. The number and types of site features identified in the search area are presented in Table 7.

The contexts of the registered Aboriginal sites within the AHIMS search area are summarised in Table 8 below. Closed context sites are those that include a cave or rock overhang, while open context sites are those without a cave or rock overhang.

It is apparent from Figure 6 that the registered Aboriginal sites within the region around the subject area tend to be clustered around waterways, particularly the Lane Cover River. This association may reflect a reliance of local Aboriginal people on local waterways for fresh water and other resources, such as fish and shellfish. Indeed, the presence of shell in 44% (n = 50) of all registered sites within the AHIMS search area attests to a subsistence strategy based on utilisation of such resources (Table 7).



Table 7 – Summary of extensive AHIMS search: site features

Site Feature	Number	% of Site Features	% of Sites
Shell	50	44%	39%
PAD	25	22%	20%
Art	22	19%	17%
Artefacts	21	18%	16%
Grinding Grooves	9	8%	7%
Non-human Bone and Organic Material	1	1%	1%

Table 8 – Summary of AHIMS search results: site context

Site Context	Number	% of Sites
Open	60	53%
Closed	54	47%

It is also evident from the AHIMS search results that Aboriginal sites are commonly associated with rock overhangs, caves and other outcrops of rock. Aboriginal sites including rock outcrops, i.e. closed sites, open art sites and open grinding groove sites, represent 72% (n = 82) of all registered sites within the AHIMS search area. The high proportion of sites that include rock outcrops or overhangs is consistent with the Aboriginal people's reliance on the Lane Cover River, where exposures of Hawksbury sandstone are common.

The results of the AHIMS search reflect an environment in which sites are mostly occurring in the vicinity of rock outcrops associated with local waterways. These results are consistent with the predictive model outlined in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010), which indicates that areas within 200 m of water or within 20 m of a cave, rock shelter, or a cave mouth area archaeologically landscape features (see Section 5.1 below).

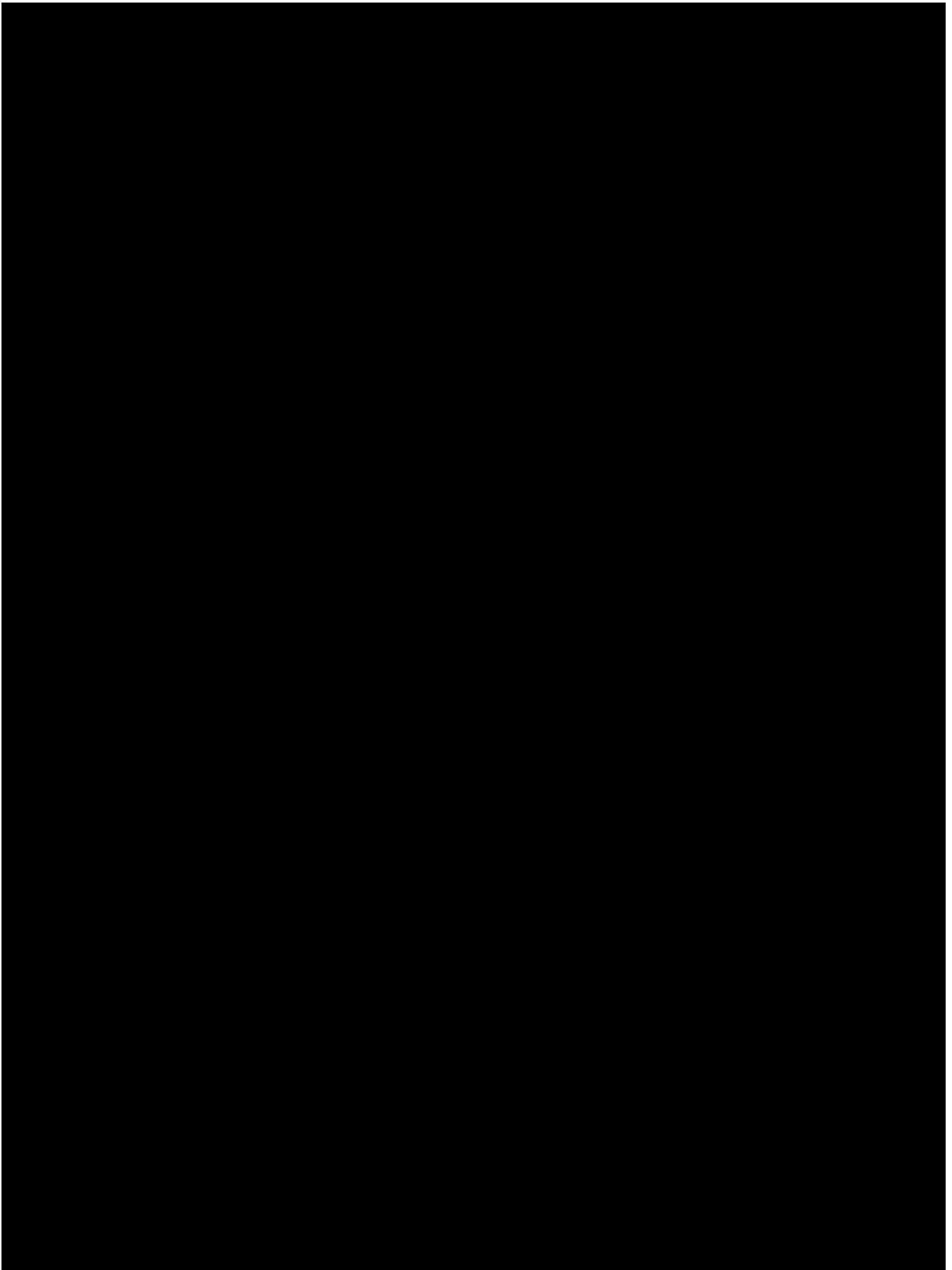


Figure 6 – Registered Aboriginal sites in search area



## 4.3. ENVIRONMENTAL CONTEXT

The environmental context of a subject area is relevant to its potential for Aboriginal objects and places. Aboriginal objects may be associated with certain landscape features (e.g. rivers and rock shelters) that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Conversely, disturbance to the landscape after Aboriginal use may reduce the likelihood of Aboriginal objects being retained. An analysis of the landscape within and near to the subject area is provided below.

### 4.3.1. Topography

Certain landform elements are associated with a greater likelihood of past Aboriginal land use. Areas that are located on a ridge top, ridge line or headland, located within 200m below or above a cliff face or within 20 m of or in a cave, rock shelter or cave mouth are considered sensitive areas for Aboriginal objects and places.

The term 'ridge' is defined as a 'compound landscape element comprising a narrow crest and short adjoining slopes, the crest length being greater than the width of the landform element' (McDonald et al. 1990:19). The entire subject area is located on a low ridge line, running in a generally south-east direction from a larger ridge (Figure 17). Although not the highest ridge within the vicinity of the subject area, it could have nevertheless been utilised by Aboriginal people as a vantage point for wayfinding. The topography of the subject area therefore indicates likely past land use by Aboriginal people.

### 4.3.2. Hydrology

Proximity to a body of water is associated with a greater likelihood of past Aboriginal land use. Areas within 200 m of the whole or any part of a river, stream, lake, lagoon, swamp, wetlands, natural watercourse or the high-tide mark of shorelines (including the sea) are considered sensitive areas for Aboriginal sites.

The south-western boundary of the subject area is approximately 200 m north-east of Pages Creek, a lower-order waterway that feeds into the Lane Cove River (Figure 18). No other waterways are located nearer to the subject area. Therefore, the subject area is not located within 200 m of a body of water. As such, the hydrology of the subject area is not indicative of likely past Aboriginal land use.

### 4.3.3. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with a greater likelihood of past Aboriginal land use. For example, sand dune systems are associated with the potential presence of burials and sandstone outcrops are associated with the potential presence of grinding grooves and rock art. The depth of natural soils is also relevant to the potential for archaeological materials to be present, especially in areas where disturbance is high. In general, as disturbance level increases, the integrity of any potential archaeological resource decreases. However, disturbance might not remove the archaeological potential even if it decreases integrity of the resources substantially.

The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes and soil profile investigations within NSW.

The subject area is identified by the SALIS as being located entirely within the Lucas Heights soil landscape (Figure 8). The Lucas Heights soil landscape is described as residing on gently undulating crests and ridges on plateau surfaces of the Mittagong formation (alternating bands of shale and fine-grained sandstones). Outcrops of rock are typically absent. Soils typically include loose yellowish-brown sandy loam (A1-horizon), bleached stony hard-setting sandy clay loam (A2-horizon), earthy yellowish-brown sandy clay loam (B-horizon) and pedal yellowish-brown clay (B- and C-horizons). The A1-horizon depth is typically up to 30 cm and the A2-horizon depth is typically 10 – 30 cm.

The SALIS further identifies a geotechnical report for soil testing undertaken at the corner of Khartoum Road and Tasman Place, approximately 2.3 km north-west of the present subject area and nominally within the Lucas Heights soil landscape (Survey Number 1000236, Profile 74). The report indicates layers of fine sandy loam overlaying fine sandy clay loam and a total soil depth of 1 m, consistent with the Lucas Heights soil landscape. However, the A-horizon of the soil, which is typically associated with the potential for bearing artefacts, only extended to a depth of 20 cm. Similar shallow A-horizons have been reported in previous archaeological investigations in the area (Artefact 2014; Urbis 2021).

It is clear from the foregoing that the subject area is not associated with a dune system and outcrops of sandstone are unlikely. Furthermore, based on the predicted natural A-horizon depth of about 20 cm, archaeological deposits within the subject area are likely to be highly susceptible to ground disturbing activities.



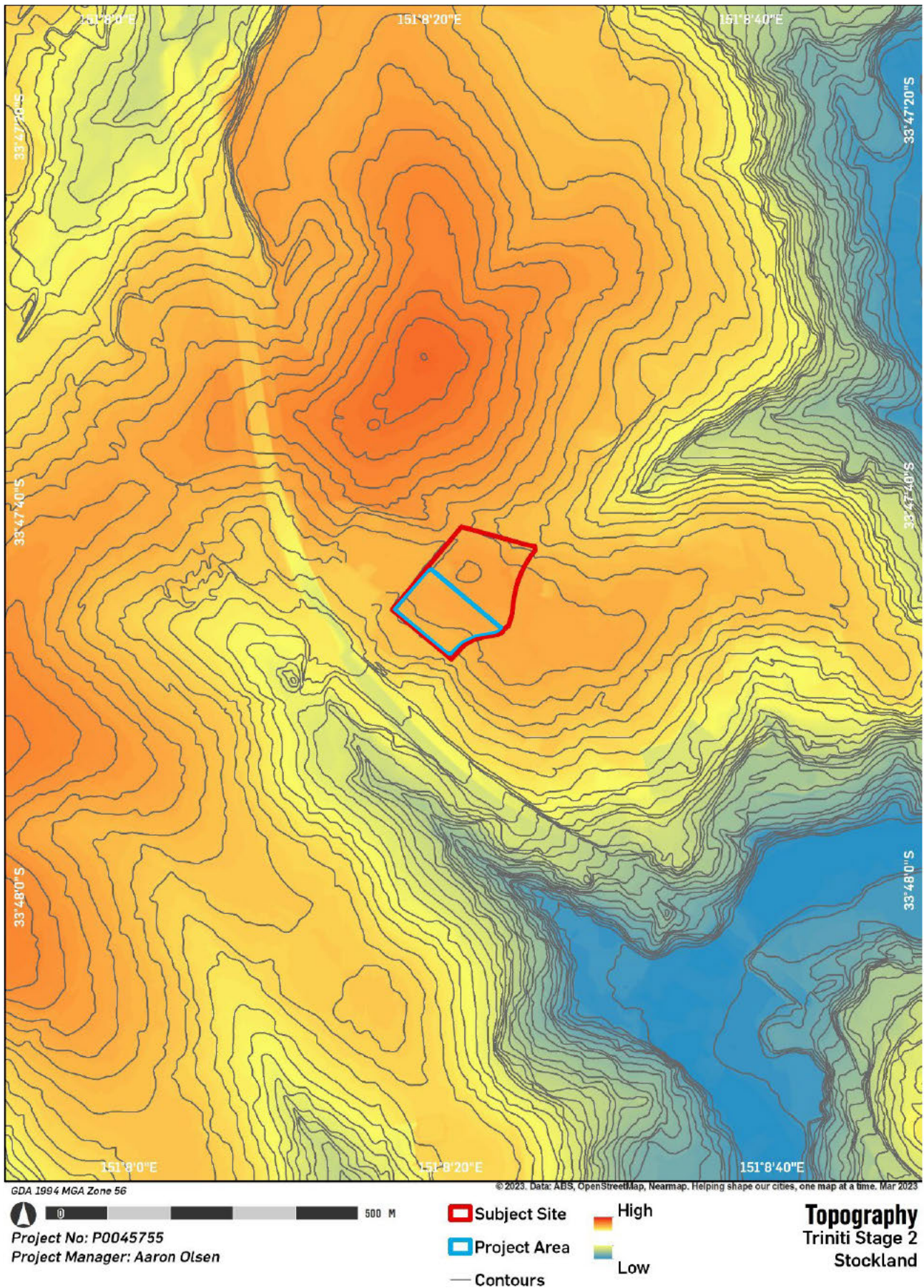
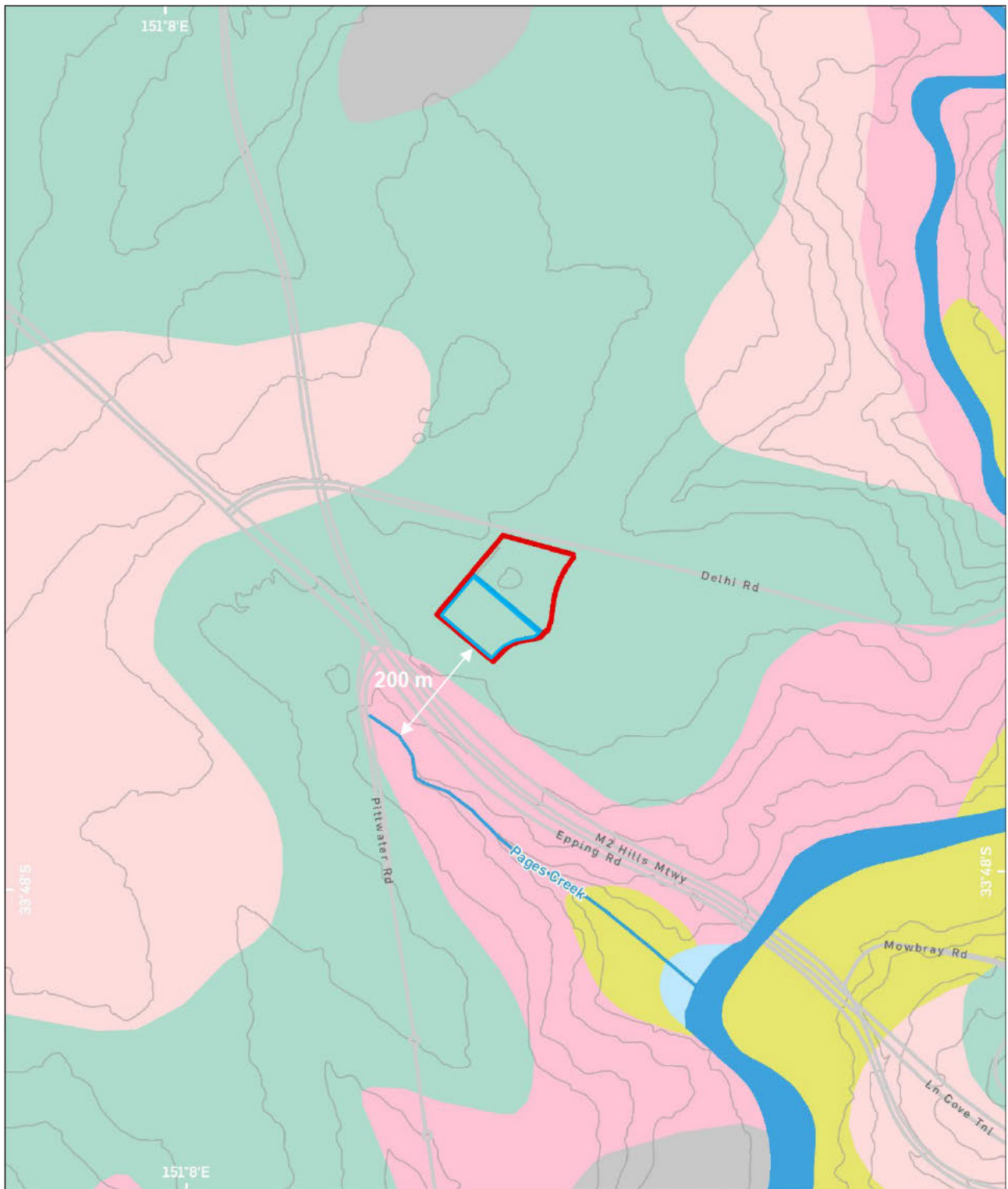


Figure 7 – Topography





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0 0.5 KM

Project No: P0045755  
Project Manager: Aaron Olsen

- Subject Area
- Project Area
- Hydrology
- Contours
- Alluvial (ALlc)
- Disturbed Terrain (DTxx)
- Erosional (ERgy)
- Colluvial (COha)
- Erosional (ERgn)
- Residual (RElh)

## SOIL LANDSCAPES AND HYDROLOGY

Triniti Stage 2  
Stockland

Figure 8 – Soil landscapes and hydrology



#### 4.3.4. Vegetation

The presence of certain types of vegetation within an area may be indicative of sensitivity for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

The vegetation associated with the Lucas Heights soil landscape would have originally comprised low, eucalypt open-forest and low eucalypt woodland with a sclerophyll shrub understorey. Dominant tree species would have included turpentine *Syncarpia glomulifera*, smooth-barked apple *Angophora costata*, red bloodwood *Eucalyptus gummifera*, thinleaved stringybark *E. eugenioides* and scribbly gum *E. haemastoma*.

The variety of floral and faunal species that likely existed in the subject area could have been utilised by Aboriginal people for medicinal, ceremonial and subsistence purposes. Furthermore, the likely presence of large tree species is indicative of the possibility of those trees having been culturally modified. Although, as discussed in Section 4.3.5 below, historical development and use of the subject area has resulted in clearance of all original vegetation.

#### 4.3.5. Historical Ground Disturbance

Historical ground disturbance, either through human activity (e.g. soil ploughing, construction of buildings and clearing of vegetation) or natural processes (e.g. erosion), can reduce the archaeological potential of a subject area. Ground disturbance may reduce the spatial and vertical integrity of archaeological resources and expose sub-surface deposits.

Development in the region around North Ryde began as early as 1792, when ex-marines were granted land on the northern banks of the Paramatta River, near Melrose Park, by Governor Philip (Phippen 2008). Owing to its military associations, the area was named the 'Field of Mars' after the Roman god of war. Further land grants followed and, by 1802, numerous small allotments in the area were being used for grazing horses, cattle, sheep and goats (Campbell, 1927). In 1804, Governor King set aside a large area of public land along the Lane Cove River for public use (Phippen 2008). The 'Field of Mars Common' encompassed an area of approximately 2044 hectares and was used primarily for firewood collection and running stock (Phippen 2008). The present subject area was located within the Field of Mars Common, north-west of a 140-acre parcel of land granted to Michael Connor (Figure 9).

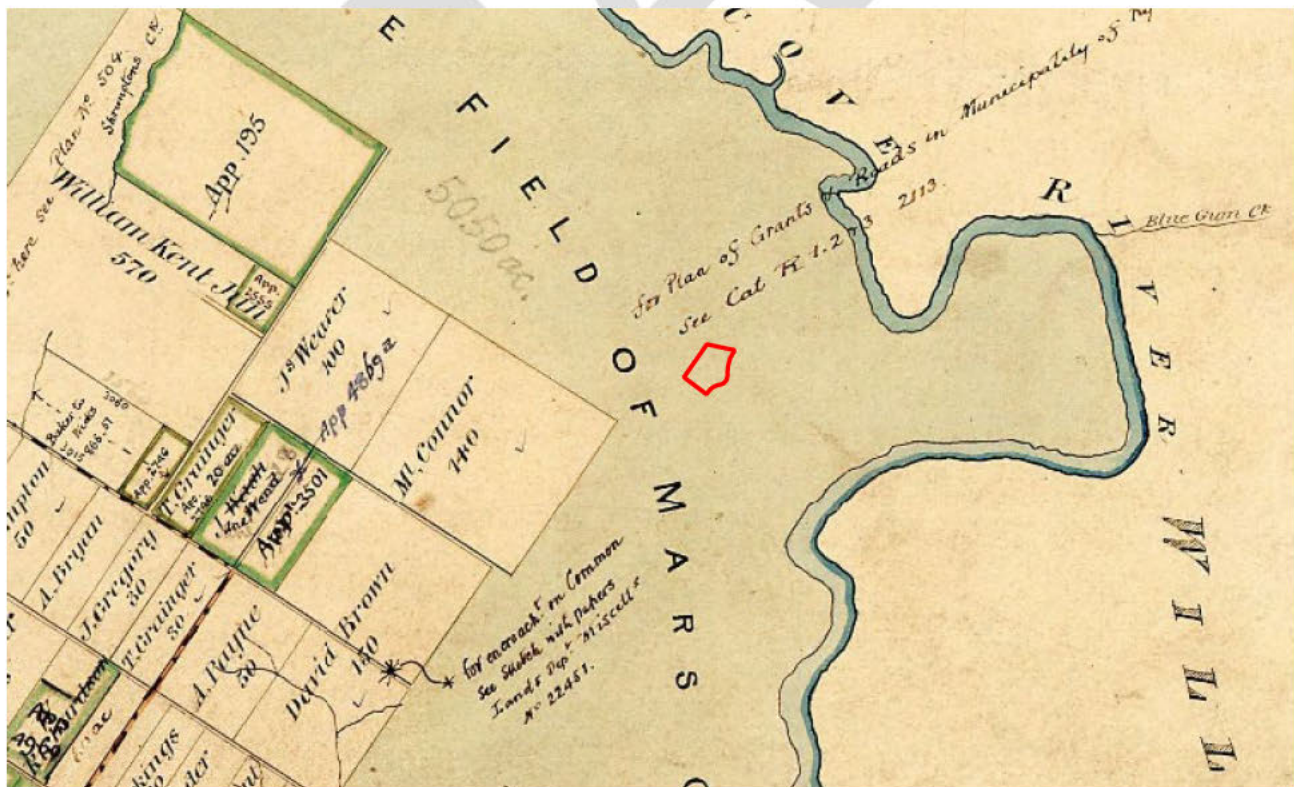


Figure 9 – Detail of map of the parish of Hunters Hill, c. 1860s (approximate location of subject area outlined in red)

Source: NSWLRS



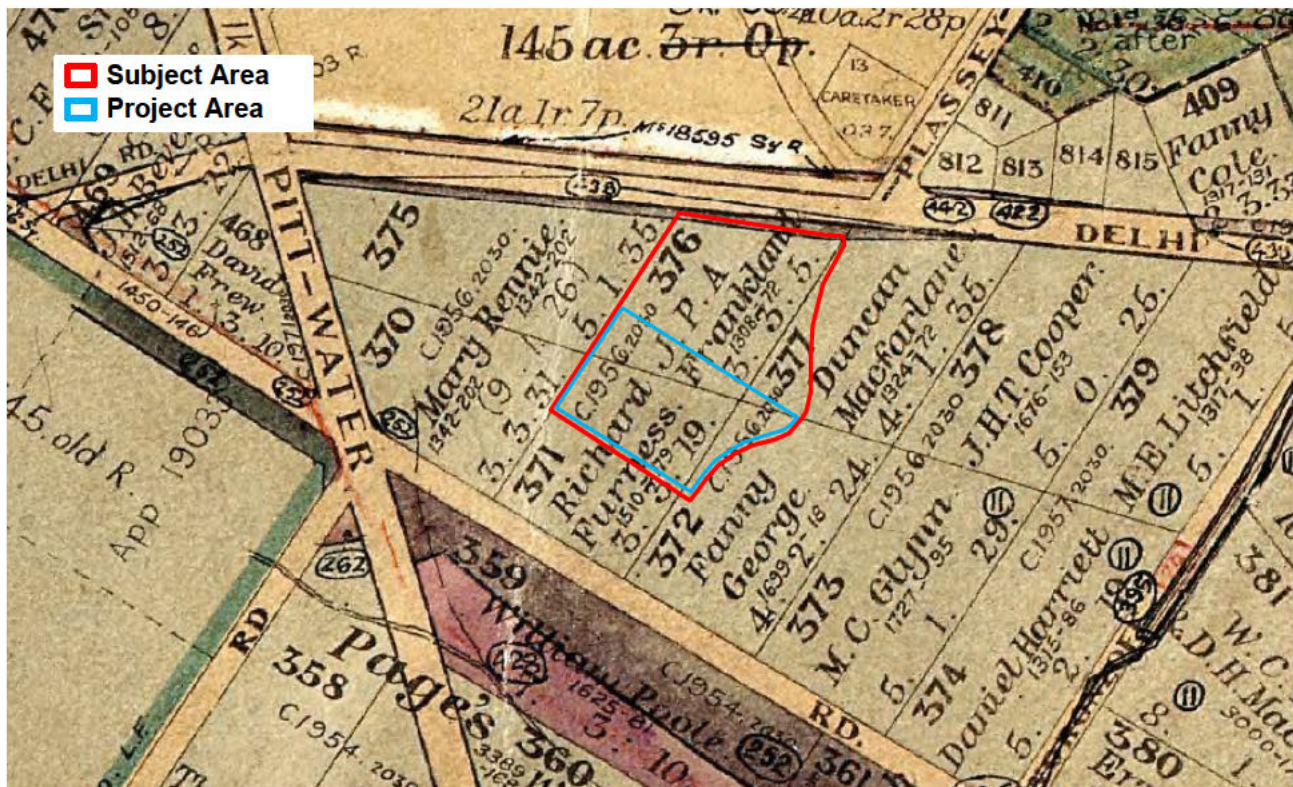


Figure 10 – Detail of map of the parish of Hunters Hill, c. 1928, showing location of subject area and project area  
Source: NSWLRS

The Field of Mars Common remained undeveloped until enactment of the *Field of Mars Resumption Act* of 1874, which enabled the colonial government to clear and subdivide the land for residential building purposes (*The Sydney Mail and New South Wales Advertiser*, 1895). Subdivision of the land that constituted the former Common followed, with streets being laid out and small allotments of one to four acres offered for sale. The first sale of the newly laid out allotments proceeded by auction in 1885 (*Daily Telegraph*, 1907).

The present subject area and project area encompass parts of four allotment, designated Portion 371, 372, 376 and 377 (Figure 10). These allotments remained separate until the mid-twentieth century, as described below:

- Portion 371 was granted to Richard Furness in 1903. Two years later, Furness sold his grant to Richard Dodson, a butcher (Certificate of Title Vol. 1510 Fol. 179). The land was again transferred to Henry Baines, a farmer, in 1920 (Certificate of Title Vol. 5815 Fol. 162). Baines was still owner in 1943, when an aerial photograph of the subject area shows a number of buildings and an open paddock (Figure 11). It is likely that Baines was using his land for grazing livestock. The Commonwealth Scientific and Industrial Research Organisation (CSIRO) acquired the land 1951, leasing it to Baines until about 1953 (Certificate of Title Vol. 6726 Fol. 66).
- Portion 372 was granted to Fanny George in 1906 (Certificate of Title Vol. 1699 Fol. 18). The land stayed in the George family until 1951 (Certificate of Title Vol. 5581 Fol. 80). During this time, the land appears only to have been used for residential purposes. The part of Portion 372 encompassed by the present subject area remained uncleared at least until 1943, as shown in an aerial photograph from that year (Figure 11). The Commonwealth acquired the land from the George family in 1951 (Certificate of Title Vol. 5581 Fol. 80).
- Portion 376 was granted to Janett Priscilla Ann Frankland in 1899 (Certificate of Title Vol. 1309 Fol. 72). The land changed hands a number of times over the following decades. Evelyn Thomas Nichols, an ice manufacturer, purchased the land in 1932 (Certificate of Title Vol. 1308 Fol. 72). Nichols still owned the land in 1943, at which time an aerial photograph of the subject area shows Portion 376 being used for orcharding, with rows of trees evident across the northern and western parts of the portion (Figure 11). A number of buildings are also evident across the southern part of the of Portion 376 by this time. The CSIRO acquired the land in 1957 (Certificate of Title Vol. 9558 Fol. 17).



- Portion 377 was granted to Duncan Macfarlane, a poultry farmer, in 1900 (Certificate of Title Vol. 1324 Fol. 72). The property changed hands several times, before being acquired by another poultry farmer, Arthur Roberts Jardine, in 1910 (Certificate of Title Vol. 1324 Fol. 72). The property was retained by Jardine and leased to various individuals over the coming decades (Certificate of Title Vol. 3438 Fol. 10), until it was purchased by the Commonwealth in 1951 (Certificate of Title Vol. 3903 Fol. 201). The part of Portion 377 encompassed by the subject area is cleared by the mid-20<sup>th</sup> century, although appears to have been undeveloped and little used.

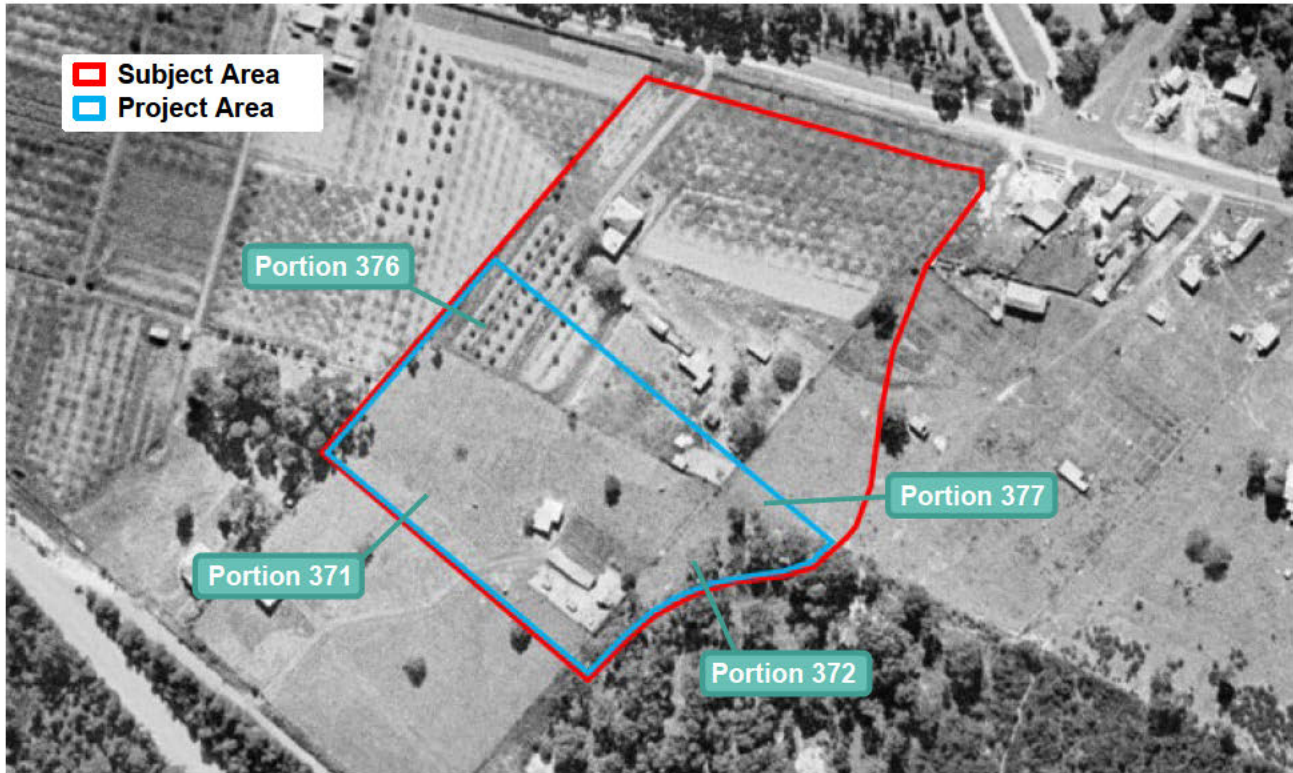


Figure 11 – Aerial photograph of the subject area and project area, 1943

Source: NSW Government Spatial Services, Historical Imagery Viewer

In 1961, a new research facility for the CSIRO Division of Food Preservation and Transport was opened within the subject area. An aerial photograph of the subject area from 1961 reveals that the subject area underwent a significant transformation during the construction of the CSIRO research facility (Figure 12). The remainder of the remnant vegetation had been removed and all earlier buildings had been demolished. New buildings had been constructed, presumably requiring the installation of new underground services, internal roads had been laid and the much of the remaining open space had been given over to car parking.

With the exception of the addition of some new smaller buildings and the planting of trees, the subject area remained relatively unchanged until the demolition of the CSIRO research facility in 2005 (Figure 17). All the CSIRO buildings were demolished, and all other aboveground infrastructure was removed to make way for the Trinita Stage 1 development. Bare earth can be seen across the majority of the subject area, which is fill brought in for levelling prior to construction (Figure 17).

By 2016, hardstand has been laid across the majority of the project area (Figure 14). The remainder of the subject area had been developed as part of Stage 1 of the Trinita project, including the construction of three multi-storey buildings and associated landscaping.



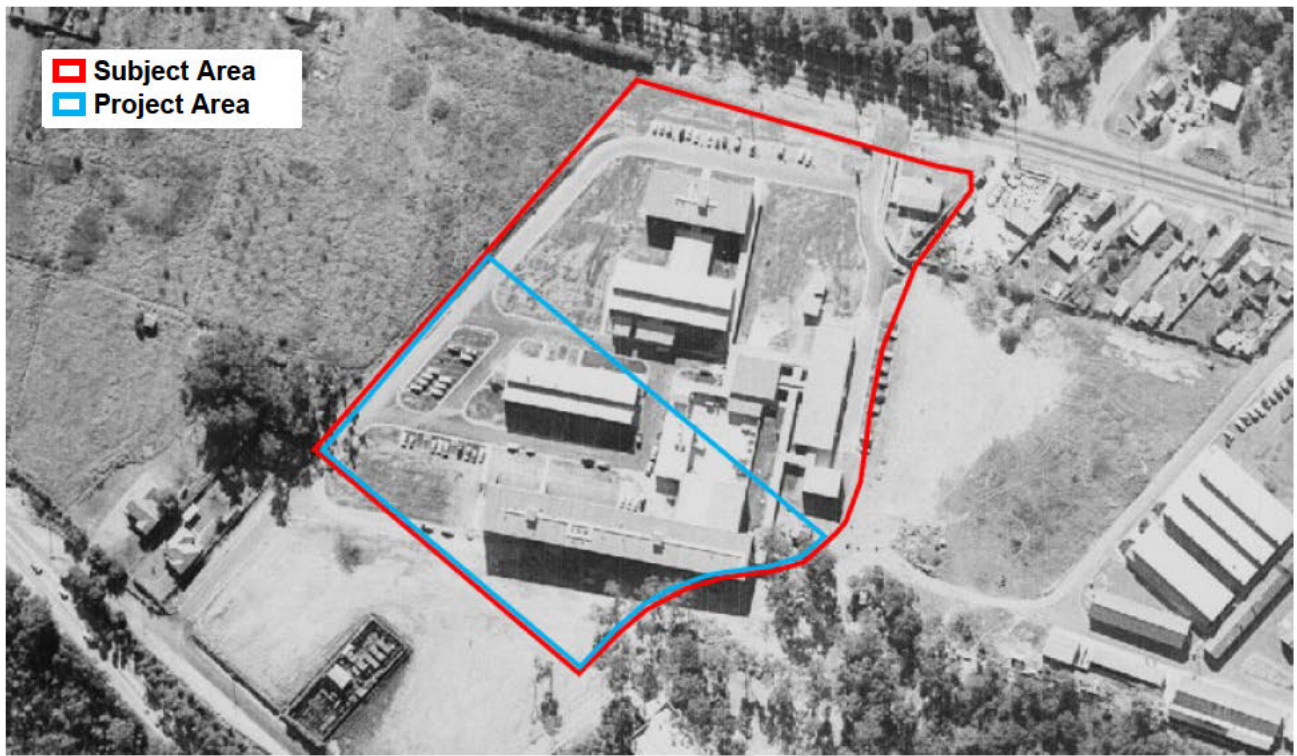


Figure 12 – Aerial photograph of the subject area and project area, 1961  
Source: NSW Government Spatial Services, Historical Imagery Viewer



Figure 13 – Aerial photograph of the subject area and project area, 2005  
Source: NSW Government Spatial Services, Historical Imagery Viewer





Figure 14 – Aerial photograph of the subject area and project area, 2016  
Source: NearMap

It is apparent that a large part of both the subject area and project area was cleared and used for farming, including orcharding, grazing and poultry farming, during the first half of the 20<sup>th</sup> century. In view of the relatively shallow A-horizon depth predicted for the subject area of approximately (Section 4.3.3), these activities are likely to have caused a moderate level of ground disturbance due to direct impacts and erosion. However, the subsequent construction of the CSIRO research facility would have compounded these earlier impacts, with further direct impacts including grading and levelling, foundation construction, installation of underground services, laying of roads and pavement and landscaping. These activities are likely to have caused a high level of ground disturbance across the entire the subject area.

A geotechnical investigation of the project area confirms the high level of disturbance (PSM 2023). Six boreholes were investigated, the locations of which are shown in Figure 15. Modern fill was found to a depth of 0.5 to 1.5 m, below which residual clay or clay with sand was encountered. The residual soil is consistent with the B-horizon of the Lucas Heights soil landscape, suggesting that the soil profile in the subject area has been disturbed to such a degree that the A-horizon has been removed.

In view of the above analysis, historical ground disturbance is assessed to be high across the entire subject area, as shown in Figure 15.





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Project No: P0045755

Project Manager: Aaron Olsen

■ Subject Area  
 ■ Project Area  
 ● Borehole Locations  
 ■ High Disturbance

## GROUND DISTURBANCE

Trinitri Stage 2  
Stockland

Figure 15 – Ground disturbance



## 4.4. SUMMARY

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

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding and the deposition of material remains.
- Historical ground disturbance across the entire subject area is assessed to be high, owing to the cumulative impact of human activities, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping, on the relatively shallow topsoil (anticipated to be < 20 cm).
- No new Aboriginal objects were identified during the visual inspection of the subject area.
- Observations made during the visual inspection of the subject area were consistent with the subject area having been subjected to a high level of historical ground disturbance.

## 5. ARCHAEOLOGICAL POTENTIAL

The following is an assessment and discussion of the Aboriginal archaeological potential of the subject area. Aboriginal archaeological potential is the likelihood that the material remains of past Aboriginal land use have accumulated and been retained within the subject area. Archaeological potential is therefore limited to Aboriginal objects. It does not consider Aboriginal places or other intangible aspects of Aboriginal culture.

### 5.1. FRAMEWORK FOR ASSESSMENT

Aboriginal archaeological potential may be assessed by synthesising ethnographic, environmental and archaeological information pertaining to a subject area. The synthesis of such information typically includes the consideration of:

- Any ethnographic evidence of the past behaviours of Aboriginal people within the same region and context.
- The location, density and nature of previously registered Aboriginal sites within the same region and context.
- The findings of previous archaeological investigations within the same region and context.
- The presence or absence of landscape features that are commonly associated with certain archaeological resources.
- The level of disturbance to the subject area after Aboriginal land use, which may impact on or remove entirely any potential archaeological material.

For the present subject area, the relevant information is presented in Section 4 above.

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010) ('The Due Diligence Code') provides a starting point for assessing past Aboriginal land use based on landscape features. The Due Diligence Code specifies the following landscape features are commonly associated with 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 list is not exhaustive and other landscape features should be considered. For example, the presence of remnant native forest is likely to indicate a greater likelihood for instances of modified trees.

For the purpose of the present assessment, the Aboriginal archaeological potential of the subject area is rated High, Moderate, Low or Nil according to the following scheme:

- **High:** at least one archaeologically sensitive landscape feature and low ground disturbance
- **Moderate:** at least one archaeologically sensitive landscape feature and moderate ground disturbance
- **Low:** at least one archaeologically sensitive landscape feature and high ground disturbance; or no archaeologically sensitive landscape features
- **Nil:** complete ground disturbance (i.e. complete removal of natural soil A-horizon) or absence of landscape features necessary for a specific feature.

### 5.2. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the various site features recordable on the AHIMS register (see Section 4.2.2 above) occurring within the present subject area is assessed in Table 9 below. The assessment is based on a synthesis of the ethnographic, environmental and archaeological contexts discussed in Section 4 above.

Owing to the location of the subject area on a ridgeline, there is a high likelihood of pre-contact land use by Aboriginal people. However, subsequent disturbance is high due to the anticipated shallow (<20 cm) topsoil of



the subject area and cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.

The Aboriginal archaeological potential for the subject area is therefore assessed to be **low**. The archaeological potential is mapped in Figure 16 below, which shows the maximum potential across the subject area.

Table 9 – Archaeological potential assessment

Site Type	Assessment	Potential
<b>Art</b>	Art is typically associated with shelters, overhangs and across rock formations. Numerous art sites are known in the region around subject area (Section 4.2.2). However, all known art sites are located in close proximity to the Lane Cove River or other waterways, where Hawksbury sandstone exposures are present. The subject area does not include any visible rock outcrops that would be indicative of the potential for rock art (Section 4.3.1). The likelihood of any art being present within the subject area is negligible.	<b>Nil</b>
<b>Artefact</b>	Artefacts may be found in any environment previously used by Aboriginal people. The subject area is located on a ridgeline (Section 4.3.2), which is indicative of likely past Aboriginal land use. However, the high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) significantly reduces the potential for artefacts to be retained. There is therefore low potential for the presence of artefacts.	<b>Low</b>
<b>Burial</b>	Burials are typically associated with caves and rock overhangs, creek banks and soft, sandy soils. The subject area does not include any caves or rock overhangs (Section 4.3.1), is not located near a creek (Section 4.3.2) and the shallow topsoils of the Lucas Heights soil landscape are typically not commonly associated with burials (Section 4.3.3). Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for any burials to be retained. There is therefore low potential for the presence of burials.	<b>Low</b>
<b>Ceremonial Ring</b>	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any ceremonial rings. The likelihood of ceremonial rings being present within the subject area is negligible	<b>Nil</b>
<b>Earth Mound</b>	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any earth mounds. The likelihood of earth mounds being present within the subject area is negligible	<b>Nil</b>
<b>Fish Trap</b>	The subject area does not include a waterway and is not located on a coastline (Section 4.3.2) that would enable construction of a fish trap. The likelihood of fish traps being present within the subject area is negligible.	<b>Nil</b>

Site Type	Assessment	Potential
Grinding Groove	The subject area does not include any visible sandstone outcrops that would be indicative of the potential for grinding grooves (Section 4.3.1). Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for any undamaged sandstone outcrops to be retained. There is <b>therefore</b> potential for the presence of grinding grooves.	Low
Habitation Structure	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any habitation structures. The likelihood of habitation structures being present within the subject area is negligible	Nil
Hearth	Hearths are typically identified by concentrations of charcoal or hearthstones or baked clay surfaces. As the present subject area has been subject to a high degree of historical ground disturbance (Section 4.3.5), the likelihood of any hearths being present is low.	Low
Modified Tree	Historical development of the subject area has resulted in clearance of all natural vegetation (Section 4.3.4), removing any potential for the presence of modified trees.	Nil
Non-human Bone & Organic Material	Occurrence of non-human bone and organic material is rare, owing to poor preservation. Furthermore, the high degree of historical ground disturbance to which the subject area has been subjected (Section 4.3.5) reduces the potential for non-human bone and organic material to be retained. There is therefore low potential for the presence of non-human bone and organic material.	Low
Ochre Quarry	No sources of ochre are identified within the subject area (Section 4.3.3) and there are no ochre quarries identified within the region (Section 4.2.2). The likelihood of any ochre deposits being present within the subject area is negligible.	Low
Shell	Shell deposits typically occur in close proximity to resource-bearing water, such as higher order waterways and the ocean. As the subject area is not located near such a water body (Section 4.3.2), the likelihood of any shell deposits being present within the subject area is negligible.	Low
Stone Arrangement	The high degree of historical ground disturbance that has occurred across the subject area (Section 4.3.5) is sufficient to have destroyed any stone arrangements. The likelihood of stone arrangements being present within the subject area is negligible	Nil
Stone Quarry	The subject area does not include any visible rock outcrops that would be indicative of the potential for a stone quarry (Section 4.3.1). The likelihood of any deposits of utile stone outcrops being present within the subject area is negligible.	Nil



### 5.3. SUMMARY

The assessment of the Aboriginal archaeological potential of the subject area is summarised as follows:

- Although the subject area is associated with landscape features that indicate likely past Aboriginal land use (i.e. a ridgeline), subsequent ground disturbance is high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- The Aboriginal archaeological potential for the subject area is assessed to be **low**.





GDA 1994 MGA Zone 56

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Project No: P0045755

Project Manager: Aaron Olsen

  Subject Area   Project Area   Low Potential

## ARCHAEOLOGICAL POTENTIAL

Trinitri Stage 2

Stockland

Figure 16 – Archaeological potential



## 6. VISUAL INSPECTION

A visual inspection of the project area was undertaken to confirm the assessment of archaeological potential within the subject area and to determine if any Aboriginal objects were present as surface expressions.

The visual inspection of the project area was undertaken by Aaron Olsen (Urbis Senior Archaeologist) on 25 May 2023, with the assistance of the RAP listed in Table 4 above.

The visual inspection was undertaken in slightly overcast conditions. Ground Surface Visibility (GSV) was estimated to be about 5% across the subject area due to the presence of hardstand and thick vegetation. Access to a large, grassed portion on the western boundary of project area of the subject area was limited due to the known presence of a large eastern brown snake.

No Aboriginal objects were identified during the visual inspection of the subject area.

The visual inspection confirmed the presence of road and hardstand across most of the northern portion project area (Figure 17, Figure 18 and Figure 19), while the southern portion was largely covered in grass with patches of introduced gravel (Figure 20). Historical levelling was evidenced by sharp level changes internally and on all boundaries of the project area (Figure 21, Figure 22, Figure 23 and Figure 24). Underground services were observed across the project area (Figure 25 and Figure 26). Exposures were limited to areas of level change garden beds and around services and were observed to be introduced fill (Figure 23 and Figure 26). It is evident from the visual inspection that the subject area has been heavily impacted by historical activities. The visual inspection confirms the assessment that the subject area has low Aboriginal archaeological potential due, in part, to a high level of historical ground disturbance.



Figure 17 – View north of hardstand across northern portion of project area



Figure 18 – View north-east of hardstand across northern portion of project area



Figure 19 – View north-west of road across northern boundary of project area



Figure 20 – View north west of grass and gravel coverage in southern portion of project area





Figure 21 – View south-west of retaining wall and level change on north-western boundary of project area

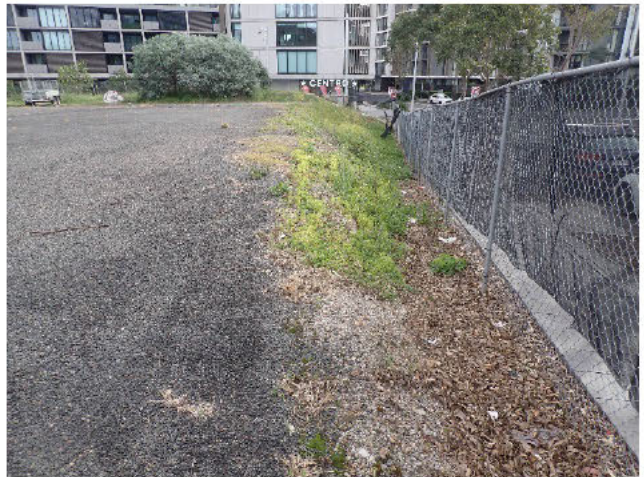


Figure 22 – View north-west of level change on north-eastern boundary of project area



Figure 23 – View north-west of south-eastern corner of project area showing level change



Figure 24 – View north-west of northern portion of project area showing internal level change



Figure 25 – View south-east of underground service in northern portion of project area



Figure 26 – View south-east of underground service in southern portion of project area



## 7. SIGNIFICANCE ASSESSMENT

The following is an assessment and discussion of the cultural significance of the subject area, made in consultation with the RAPs. The assessment follows principles and procedures outlined in the Burra Charter the Assessment Guidelines.

### 7.1. FRAMEWORK FOR ASSESSMENT

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

Heritage significance is assessed by considering each cultural or archaeological site against the significance criteria set out in the Assessment Guidelines. The Assessment Guidelines require that the assessment and justification in a statement of significance includes a discussion of whether any value meets the following criteria:

- Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons? – social value.
- Is the subject area important to the cultural or natural history of the local area and/or region and/or state? – historic value.
- Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state? – scientific (archaeological) value.
- Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state? – aesthetic value.

Assessment of each value should be graded in terms that allow the significance to be described and compared (e.g. high, moderate, or low). In applying these criteria, consideration should be given to:

- 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?*

The Aboriginal heritage significance of the subject area is assessed in the following section within the framework outlined above.

### 7.2. ASSESSMENT OF HERITAGE VALUES

The following assessment of the social or cultural, historic, scientific and aesthetic values of the subject area has been prepared in accordance with the Assessment Guidelines.

In acknowledgment that the Aboriginal community themselves are in the best position to identify heritage values, the assessment is informed by consultation with the Aboriginal community. Consultation with Aboriginal people should provide insight into past events. The RAPs were invited to provide comment and input into this ACHAR and to the assessment of cultural heritage values for the subject area, as documented in this report. Any culturally sensitive values identified have not been explicitly included in the report or made publicly available. Any such values would be documented and lodged with the knowledge holder providing the information.

#### 7.2.1. Social or Cultural Value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their



connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

In view of the above feedback, the subject area is assessed as having social and cultural value to the Aboriginal community due to its association with cultural sites in the broader region and connection to the broader landscape.

**[TO BE UPDATED UPON RECEIPT OF STAGE 4 RAP COMMENTS]**

### **7.2.2. Historic Value**

Historic value encompasses the history of aesthetics, science and society. A place may have historic value because it is associated with a historic figure, event, phase or activity in an Aboriginal community. The significance of a place will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. Places may also have 'shared' historic values with other (non-Aboriginal) communities.

No historical associations between Aboriginal people and the subject area have been identified. The subject area is therefore unlikely to have Aboriginal historic value.

**[TO BE UPDATED UPON RECEIPT OF STAGE 4 RAP COMMENTS]**

### 7.2.3. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific value will be gathered through any archaeological investigation undertaken. Archaeological investigations must be carried out according to the Code of Practice.

The subject area is unlikely to retain any Aboriginal objects due to historical ground disturbance. Furthermore, if any Aboriginal objects are present, they are likely to be located within a disturbed context. The scientific (archaeological) value of the subject area is therefore assessed to be low.

Should any Aboriginal objects be identified within the subject area, the scientific (archaeological) value of those objects and the subject area should be reassessed.

**[TO BE UPDATED UPON RECEIPT OF STAGE 4 RAP COMMENTS]**

### 7.2.4. Aesthetic Value

Aesthetic value of a place relates to the sensory, scenic, architectural and creative aspects of a place. It may include visual aspects, such as form, scale, colour, texture and material of the fabric, and the smells and sounds associated with the place and its use.

Due to historical activities within the subject area, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping, the present visual appearance and other sensory aspects of the subject area are unlikely to resemble those of the landscape of the local area as it existed prior to European contact. The subject area as a whole is therefore determined have low aesthetic significance insofar as it relates to Aboriginal cultural heritage.

Individual Aboriginal objects may have aesthetic value in their own right. There are no known Aboriginal objects within the subject area. Should any Aboriginal objects be identified within the subject area, these should be assessed for aesthetic value.

**[TO BE UPDATED UPON RECEIPT OF STAGE 4 RAP COMMENTS]**

## 7.3. STATEMENT OF SIGNIFICANCE

The subject area is assessed as having low Aboriginal cultural heritage significance for its social and cultural value. Based on comments received from RAPs during the consultation process, the subject area is determined to have social and cultural value to the Aboriginal community because of the deep spiritual and cultural connection to the land held by the Wallumedegal and the location of other known sites in the broader region around the subject area. However, no evidence of a specific association with the subject area has been identified. Therefore, although the social and cultural value of the landscape within which the subject area is situated is acknowledged, the Aboriginal heritage significance of the subject area itself is assessed to be low.

The assessment of significance should be updated in the event that any Aboriginal objects are found within the subject during the proposed development.

**[TO BE UPDATED UPON RECEIPT OF STAGE 4 RAP COMMENTS]**



## 8. IMPACT ASSESSMENT

The following is an assessment of the potential impact of the proposed development on any Aboriginal objects and/or Aboriginal places within the subject area and the possible strategies for avoiding or minimising harm to those Aboriginal objects and/or Aboriginal places.

### 8.1. FRAMEWORK FOR ASSESSMENT

The potential harm to Aboriginal objects and Aboriginal places that is likely to be caused by a proposed activity is the effect of that activity on the Aboriginal heritage values identified above. According to the NPW Act, "harm" to an object or place includes any act or omission that:

- Destroys, defaces, or damages the object or place.
- Moves the object from the land on which it had been situated.
- Causes or permits the object or place to be harmed.

Harm does not include something that is trivial or negligible, such as picking up and replacing a small stone artefact, breaking a small Aboriginal object below the surface when you are gardening, crushing a small Aboriginal object when you walk on or off a track, picnicking, camping or other similar recreational activities.

The Assessment Guidelines define harm to Aboriginal objects and Aboriginal places as being either direct or indirect:

- **Direct harm** may occur as the result of any activity which disturbs the ground including, but not limited to, site preparation activities, installation of services and infrastructure, roadworks, excavation, flood mitigation measures.
- **Indirect harm** may affect sites or features located immediately beyond or within the area of the proposed activity. Examples include, but are not limited to, increased impact on art in a shelter from increased visitation, destruction from increased erosion and changes in access to wild food resources.

The present assessment of potential harm follows the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of inter-generational equity:

- The **precautionary principle** states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.
- The **principle of inter-generational equity** holds that the present generation should make every effort to ensure the health, diversity and productivity of the environment, which includes cultural heritage, is available for the benefit of future generations. If a site type that was once common in an area becomes rare, the loss of that site (and site type) will result in an incomplete archaeological record and will negatively affect intergenerational equity.

Consideration of potential harm to Aboriginal objects and Aboriginal places according to ecologically sustainable development (ESD) principles allows for an understanding of the cumulative impact of the proposed activity and an understanding of how harm can be avoided or minimised, if possible.

### 8.2. ASSESSMENT OF POTENTIAL HARM

The potential harm to Aboriginal cultural heritage arising from the proposed works relates to ground impacts associated with site preparation and excavation works, construction of a new build-to-rent development (including a basement carpark), landscaping and associated public domain works and the extension and augmentation of physical infrastructure and utilities (see Section 1.2, Figure 3 and Figure 4 above). Any harm to Aboriginal objects or places within the subject area would thus be related to disturbance or removal of any residual natural soil.

The ACHA determined that there are no known Aboriginal objects within, or in proximity to, the subject area. The ACHA further determined that there is low potential for any unknown Aboriginal objects to be retained within the subject area (Section 5.2). Therefore, the proposed works are unlikely to cause direct or indirect harm to any Aboriginal objects.



### **8.3. INTER-GENERATIONAL EQUITY**

The cumulative impact of any development on Aboriginal sites relates to the extent of the proposed impact on the site and how this will affect both the proportion of this type of Aboriginal site in the area and the impact this destruction will have on Aboriginal cultural heritage values generally in the area.

The ACHA has established that the subject area does not contain any previously identified Aboriginal objects or Aboriginal places and that there is low potential for unknown Aboriginal objects. As such, the proposed works are unlikely to negatively impact inter-generational equity.

### **8.4. AVOIDANCE & MINIMISATION OF HARM**

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal places, along with their cultural heritage values. If harm to Aboriginal objects and/or Aboriginal places is unavoidable, management strategies must be considered to minimise the harm. The type of management strategies proposed must be appropriate to the significance of Aboriginal heritage values, Aboriginal objects and/or Aboriginal places. Harm avoidance and minimisation measures must be feasible and within the financial viability of the proposed activity.

Although the proposed works are unlikely to harm any Aboriginal objects, the precautionary principle states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.

Avoidance of harm to any unknown Aboriginal objects is not feasible as the archaeological potential does not vary across the subject area. Therefore, management strategies must be considered to minimise potential harm to any unknown Aboriginal objects. The mitigation measures described below are recommended to be undertaken.

#### **8.4.1. Unexpected Archaeological Finds Procedure**

As a harm mitigation measure, it is recommended that an unexpected archaeological finds procedure be implemented for any works within the subject area. 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.

#### **8.4.2. Human Remains Procedure**

As a harm mitigation measure, it is recommended that a human remains procedure be implemented for any works within the subject area. 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.

## **8.5. SUMMARY**

The assessment of impact of the proposed works and proposed measures for avoidance and minimisation of harm are summarised as follows:

- The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- As precautionary harm mitigation measures, it is recommended that unexpected archaeological finds and human remains procedures be implemented for any works undertaken within the subject area.

## 9. CONCLUSIONS & RECOMMENDATIONS

The ACHA concluded that:

- 1) No Aboriginal objects or Aboriginal places are registered or otherwise known to exist within or near to the subject area.
- 2) The subject area is located on a ridge line, which is indicative of likely past Aboriginal land use as a vantage point for wayfinding.
- 3) Historical ground disturbance across the entire subject area is assessed to be high due to the anticipated shallow (<20 cm) topsoil of the subject area and the cumulative impact of sequential phases of human activity, including land clearance, agriculture, construction and demolition of buildings, installation of services, earthworks and landscaping.
- 4) Owing to the high level of ground disturbance, the Aboriginal archaeological potential for the subject area is assessed to be low, meaning the subject area is unlikely to retain any unknown Aboriginal objects.
- 5) The potential for the proposed works to directly or indirectly harm Aboriginal objects is assessed to be low due to the low archaeological potential of the subject area.
- 6) Furthermore, if any Aboriginal objects are retained within the subject area they are likely to be of low Aboriginal heritage significance.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-55844212.

- **Recommendation 2 – No Further Archaeological Investigation**

As the proposed works are unlikely to cause harm to Aboriginal objects, it is recommended that no further investigation is required for the present development.

- **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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## **APPENDIX A**

## **PLANS OF PROPOSED DEVELOPMENT**

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## **APPENDIX B**

## **BASIC AND EXTENSIVE AHIMS SEARCH RESULTS**



Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 31 March 2023

Level 8 123 Angel Street  
Sydney New South Wales 2000

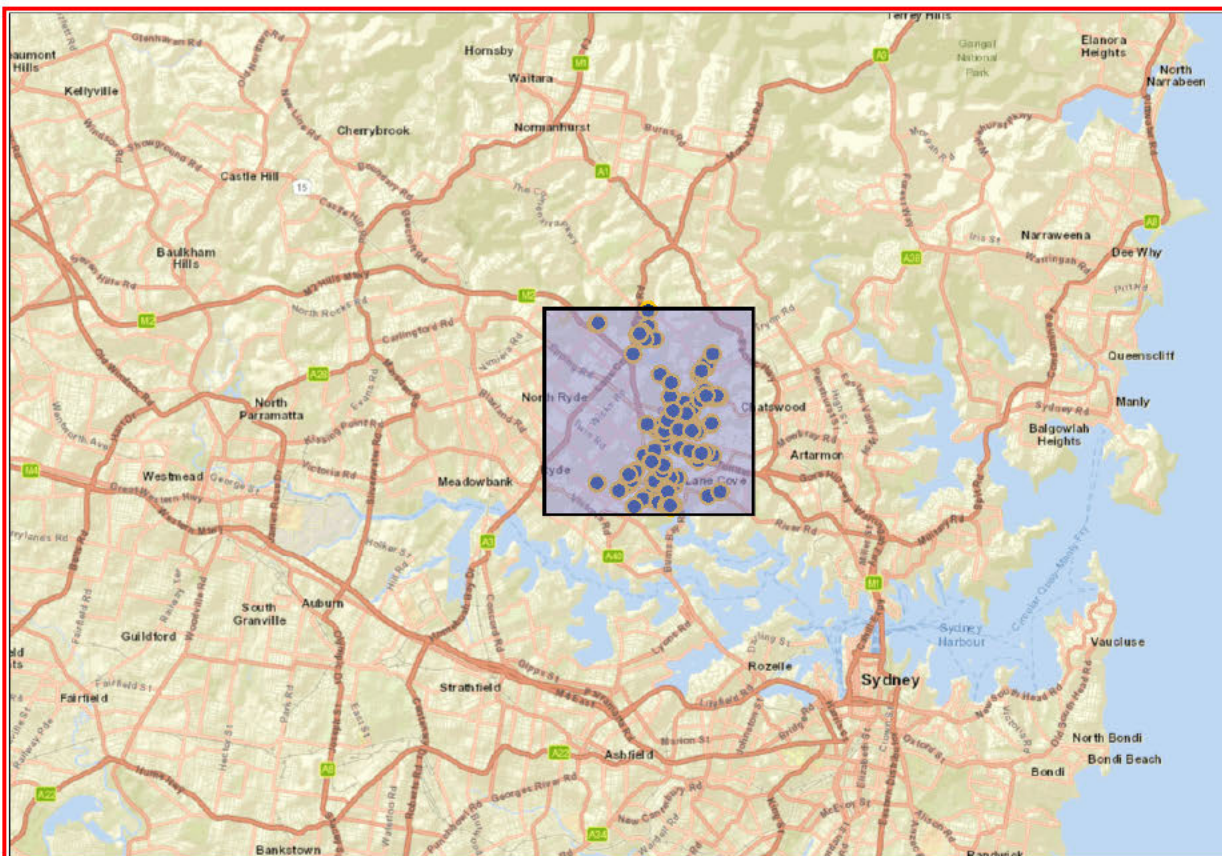
Attention: Natalie Taylor

Email: ntaylor@urbis.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 324750.923 - 330750.923, Northings : 6255939.0 - 6261939.0 with a Buffer of 0 meters, conducted by Natalie Taylor on 31 March 2023.**

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:

117	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.

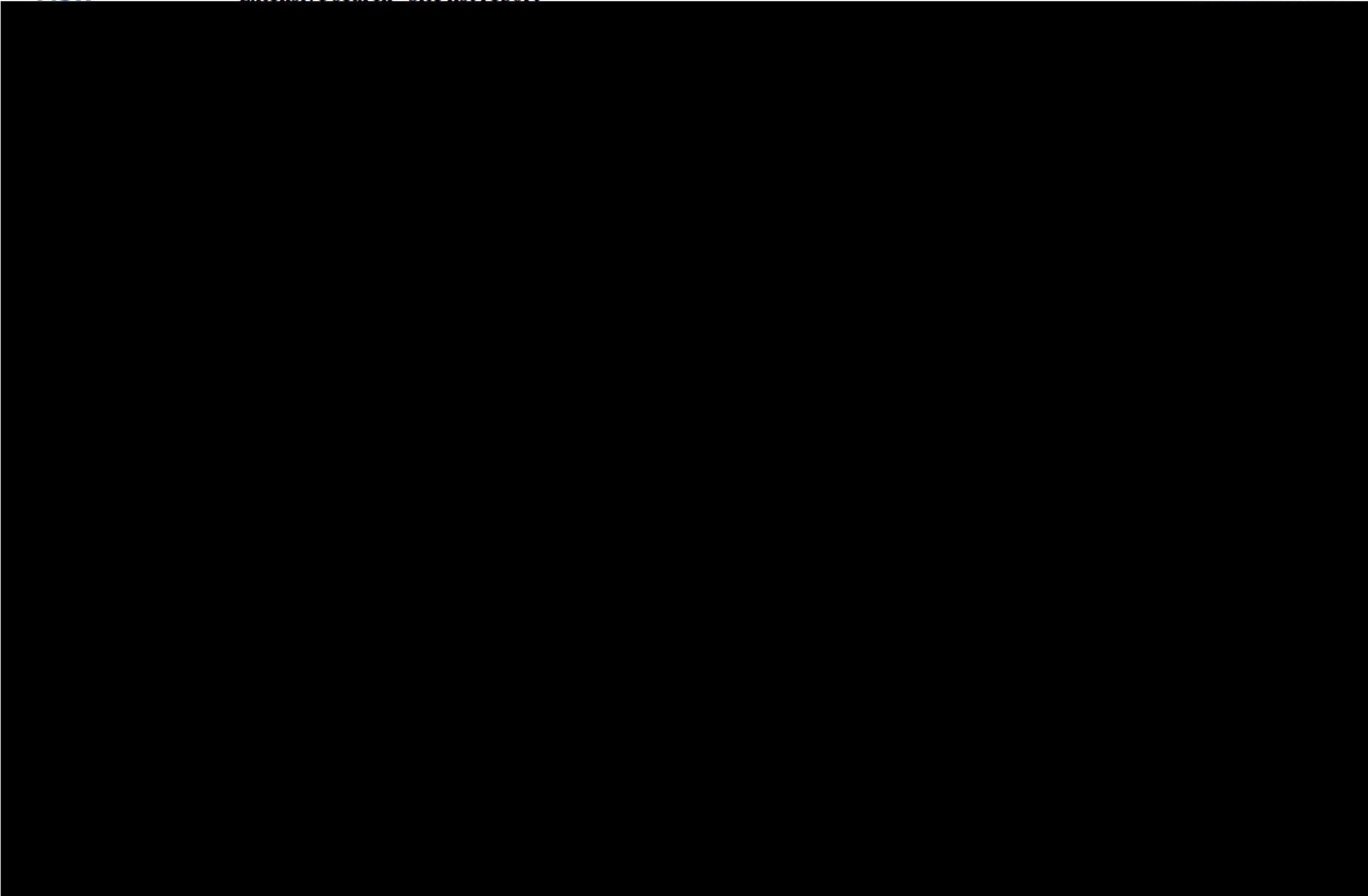


# AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474





## AHIMS Web Services (AWS)

## Extensive search - Site list report

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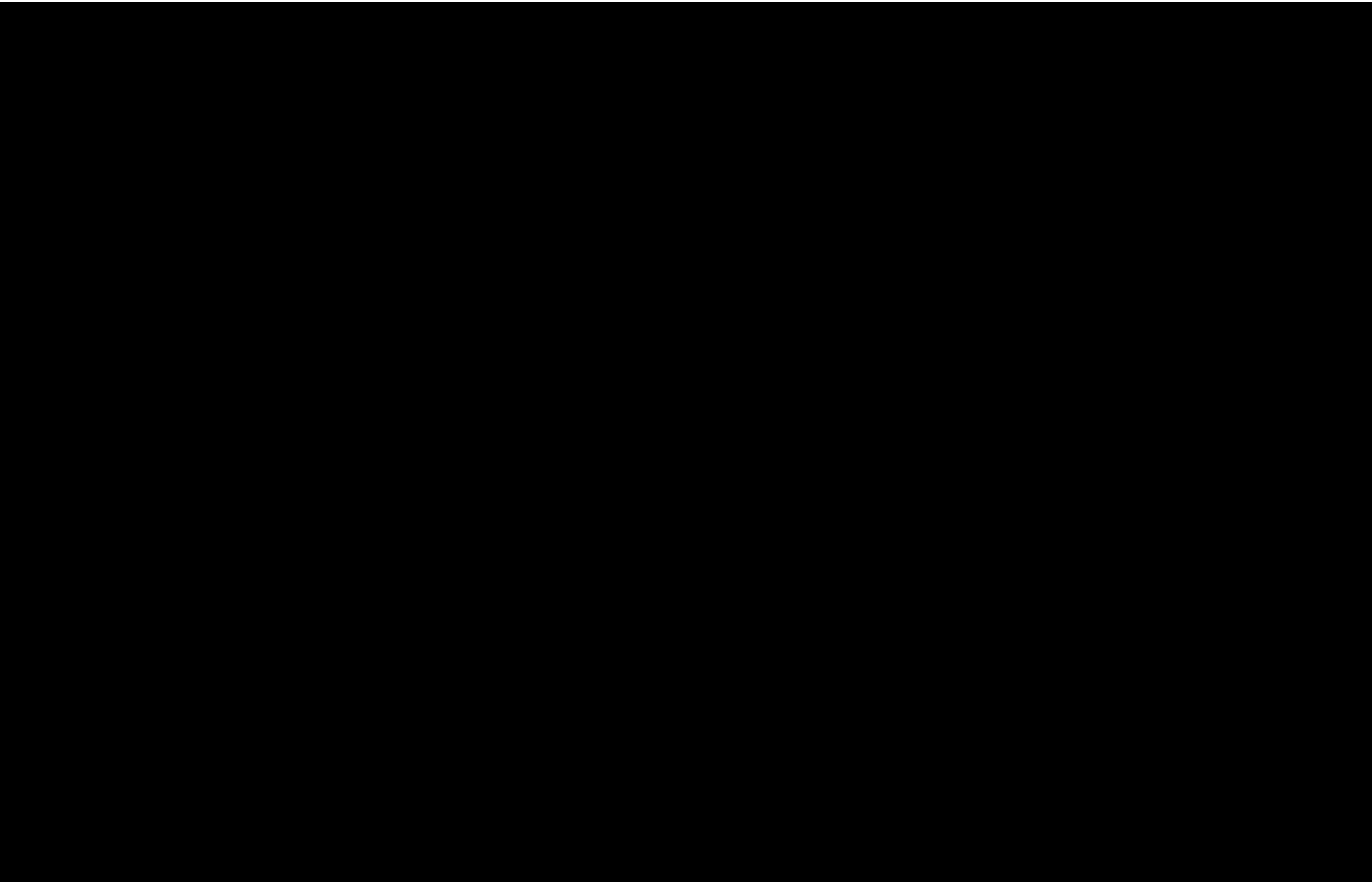


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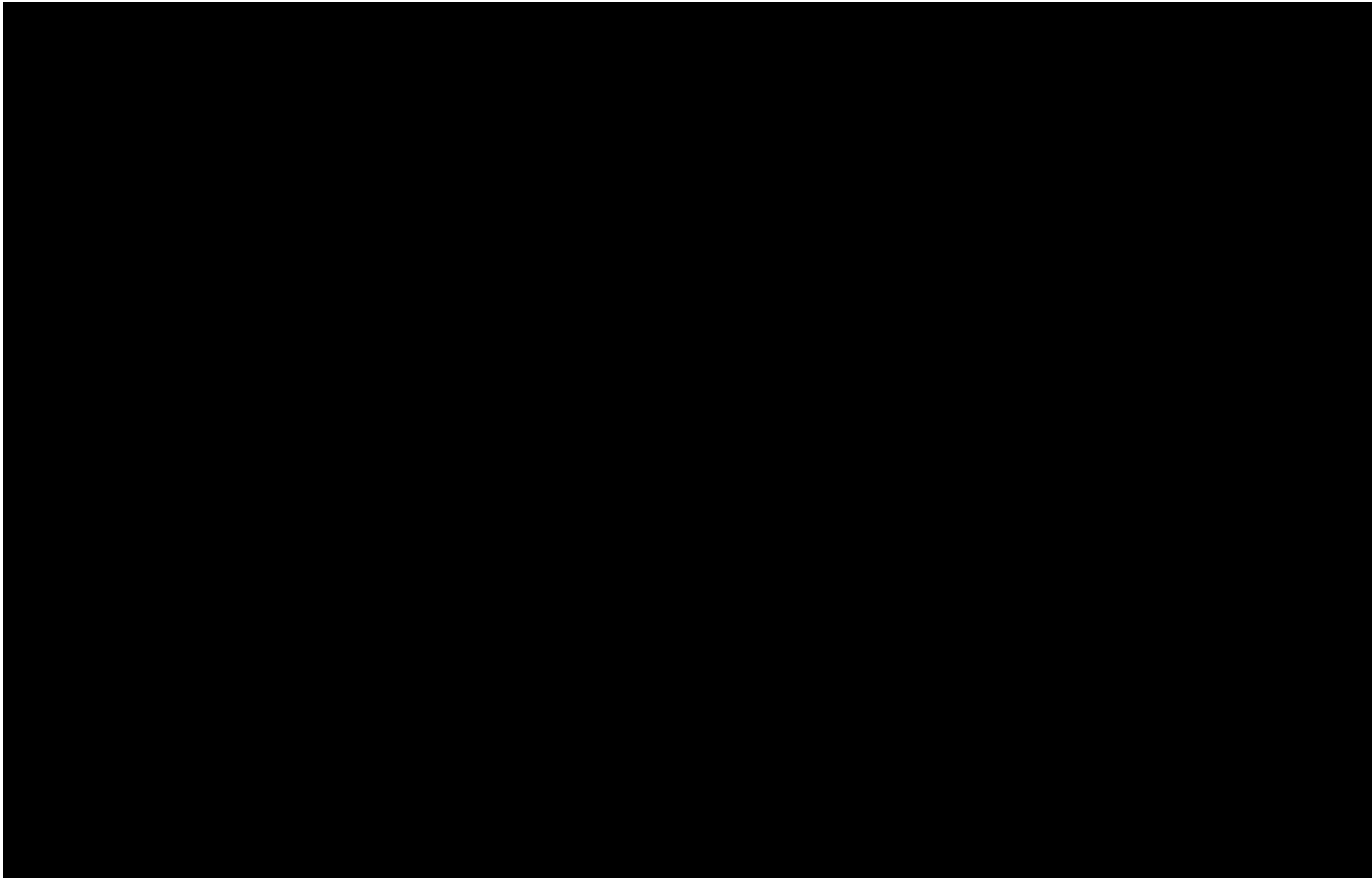


# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

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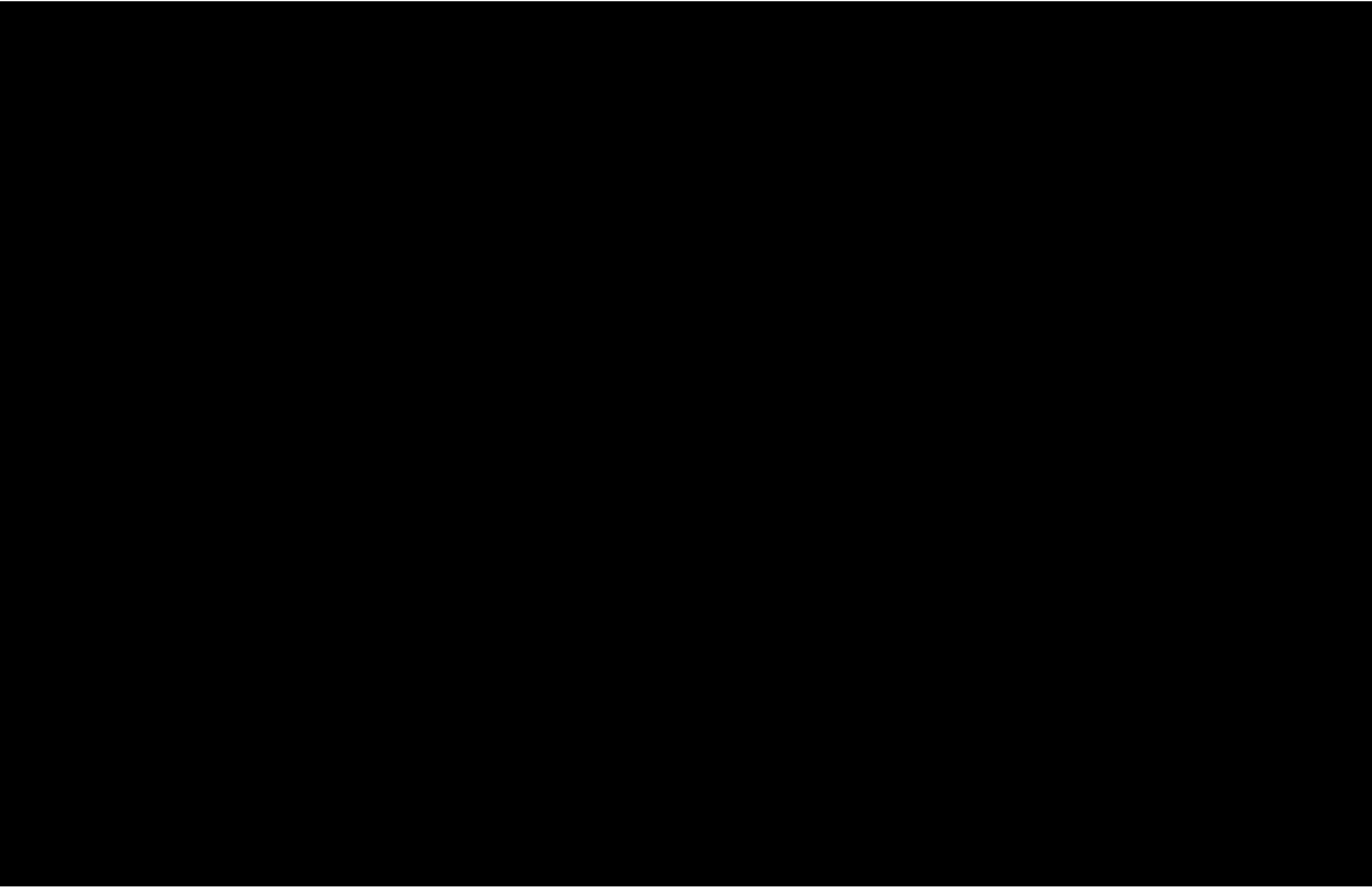


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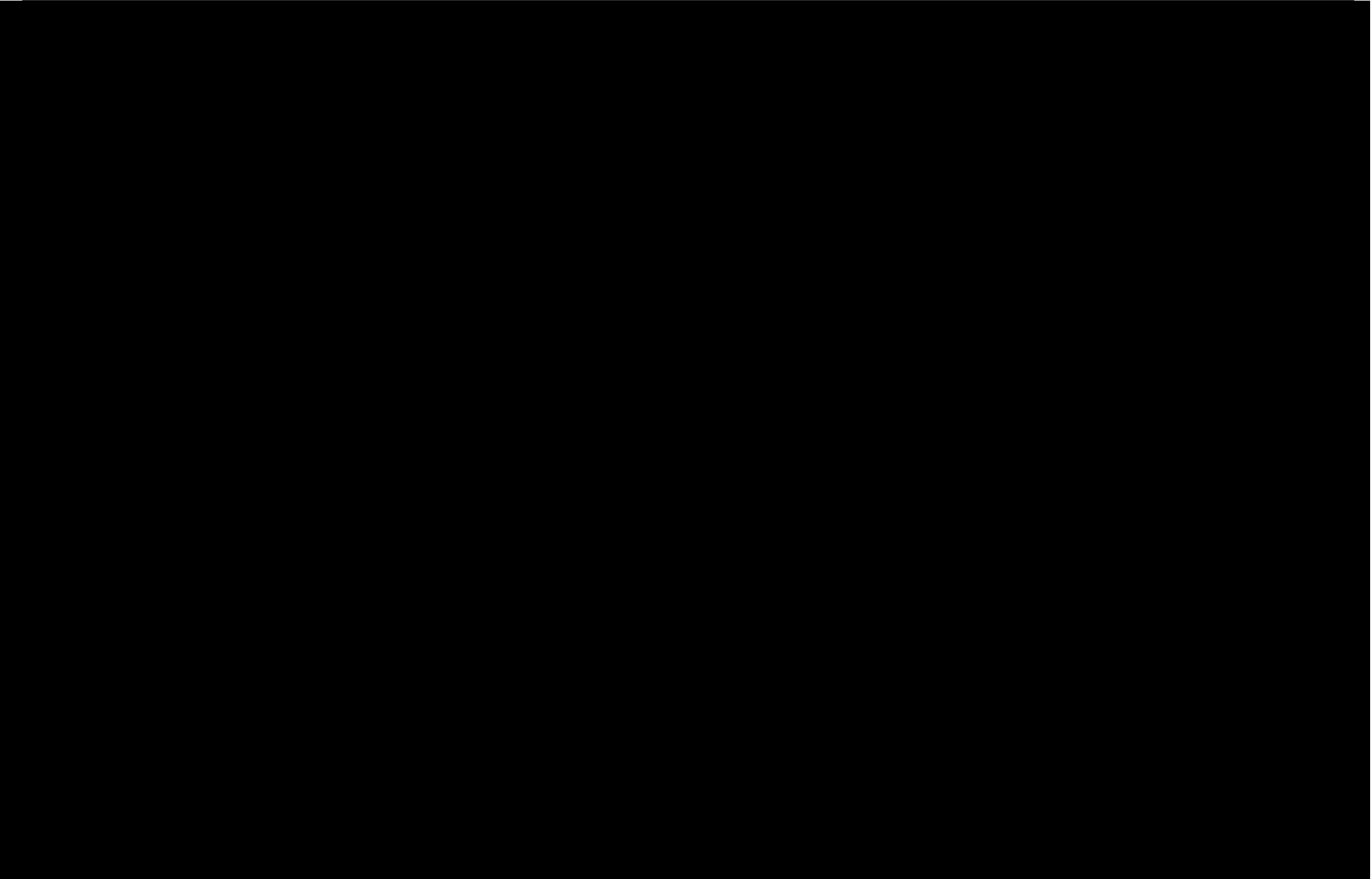


# AHIMS Web Services (AWS)

## Extensive search - Site list report

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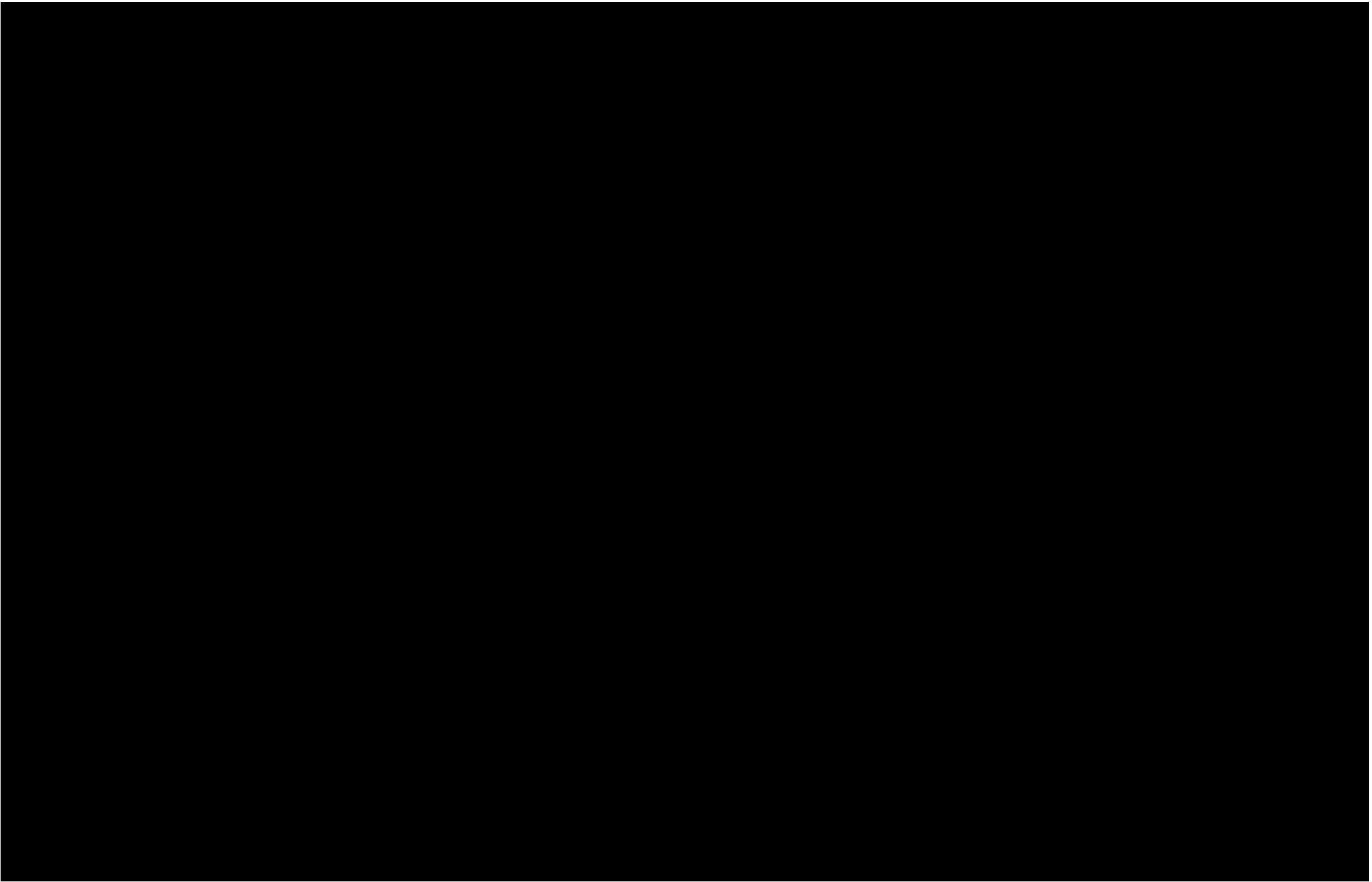


# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : Delhi road 3km search

Client Service ID : 771474



## **APPENDIX C**

## **REGISTERED ABORIGINAL PARTY CONSULTATION LOG**

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## **APPENDIX D**

## **REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTATION**

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