



Proposed development concept (artists impression) of the study area at 3-5 Help Street, Chatswood.

ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

3-5 HELP STREET DEVELOPMENT PROJECT

WILLOUGHBY CITY COUNCIL LOCAL GOVERNMENT AREA, CHATSWOOD,
NSW

MARCH 2025

Report prepared by
OzArk Environment & Heritage
for Loftex Chatswood Pty Limited



OzArk Environment & Heritage

145 Wingewarra St
(PO Box 2069)
Dubbo NSW 2830

Phone: (02) 6882 0118
Fax: (02) 6882 0630
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

This page has intentionally been left blank.



Heritage NSW



ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT COVER SHEET

Report Title	Aboriginal Cultural Heritage Assessment Report: 3-5 Help Street Development Project
Author(s) Name	Kelsey Bennett
Author(s)' Organisation Name (if applicable)	OzArk Environment & Heritage
Author(s) contact details	145 Wingewarra St DUBBO NSW 2830 Email: kelsey@ozarkehm.com.au Phone: 02 6882 0118
Address of Subject Area	Address: 3-5 Help Street, Chatswood. NSW, 2067. Local Government Area: Willoughby City Council
Report prepared for	Company Name: Loftex Chatswood Pty Limited Contact Person: Ryan Lidgard Address: L18, 141 Walker Street, North Sydney NSW 2060. Email: rlidgard@loftexproperty.com Phone: 0289200516
Date of Report	25/03/25
Use of Report/ Confidentiality	This report is not confidential This report may be used by Heritage NSW in a number of ways including: placing it in a database generally making hard and electronic copies available to the public and communicating the report to the public.
Copyright owner of the report	© OzArk Environment & Heritage 2024 and © Loftex Chatswood Pty Limited 2024
Indemnity	If the person/entity who claims to be the copyright owner of the report is not entitled to claim copyright in the report, he/she/it indemnifies all persons using the report in accordance with the <i>National Parks & Wildlife Act 1974</i> , against any claim, action, damage, or loss in respect of breach of copyright

I hereby confirm:

- That this report does not contain confidential information
- That copyright is held jointly by OzArk Environment & Heritage and Loftex Chatswood Pty Limited 2024
- That the copyright owners indemnify all persons using the report in accordance with the *National Parks & Wildlife Act 1974*, against any claim, action, damage, or loss in respect of breach of copyright.

Kelsey Bennett, OzArk Environment & Heritage Project Archaeologist

This page has intentionally been left blank.

DOCUMENT CONTROLS

Proponent	Loftex Chatswood Pty Limited		
Document Description	Aboriginal Cultural Heritage Assessment Report: 3-5 Help Street, Chatswood Development Project.		
File Location	OzArk Job No.		
\\Clients\\Loftex\\3-5 Help Street Chatswood June 2024\\ACHAR	4512		
Document Status: V3.6 FINAL		Date: 25/3/25	
OzArk internal edits		V1.0 KB prepare 13/10/24 V1.1 JB review 24/10/24 V1.2 KB edit 24/10/24 V1.3 JB review 25/10/24	
OzArk and client edits		V2.0 OzArk to client 25/10/24 V2.1 Client Comments 31/10/24 V2.2 OzArk to client 4/11/24 V2.3 OzArk to RAPs 4/11/24	
Final document		V3.0 FINAL 4/12/24 V3.1 FINAL 4/12/24 V3.2 FINAL 5/12/24 V3.3 FINAL 26/02/25 V3.4 FINAL 26/03/25 V3.5 FINAL 25/03/25 V3.6 FINAL 25/03/25	
Prepared for		Prepared by	
Ryan Lidgard Assistant Development Manager Loftex Property L18, 141 Walker Street North Sydney NSW 2060 02 8920 0516 rlidgard@loftexproperty.com		Kelsey Bennett Project Archaeologist OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 kelsey@ozarkehm.com.au	
COPYRIGHT			
© OzArk Environment & Heritage 2024 and © Loftex Chatswood Pty Limited 2024			
All intellectual property and copyright reserved.			
Apart from any fair dealing for private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without written permission.			
Enquiries should be addressed to OzArk Environment & Heritage.			

Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

CONTENTS

ABBREVIATIONS AND GLOSSARY.....	1
EXECUTIVE SUMMARY.....	4
1 INTRODUCTION	6
1.1 Description of the proposal	6
1.2 Study area	6
1.3 ACHAR Approach.....	7
2 THE ABORIGINAL CULTURAL HERITAGE ASSESSMENT	8
2.1 Relevant legislation.....	8
2.1.1 Commonwealth legislation	8
2.1.1.1 Environment Protection and Biodiversity Conservation Act 1999	8
2.1.1.2 Aboriginal and Torres Strait Islander Heritage Protection Act 1984.....	8
2.1.2 State legislation	9
2.1.2.1 Environmental Planning and Assessment Act 1979	9
2.1.2.2 National Parks and Wildlife Act 1974	10
2.1.2.3 Secretary's Environmental Assessment Requirements	10
2.2 Assessment approach	11
2.3 Purpose and objectives.....	11
2.4 Report compliance with the Code of Practice.....	12
2.5 OzArk involvement.....	13
2.5.1 Reporting	13
3 ABORIGINAL COMMUNITY CONSULTATION	14
3.1 Introduction to cultural values	14
3.2 Aboriginal community consultation.....	14
3.2.1 ACHCRs Stage 1.....	15
3.2.2 ACHCRs Stage 2.....	15
3.2.3 ACHCRs Stage 3.....	15
3.2.4 ACHCRs Stage 4.....	16
4 LANDSCAPE CONTEXT	17
4.1 Topography & Hydrology	17
4.2 Geology and soils	18
4.3 Land use history and existing levels of disturbance.....	18
4.4 Conclusion	20
5 ARCHAEOLOGICAL CONTEXT	21

5.1	Ethno-historic sources of regional Aboriginal culture	21
5.2	Regional archaeological context	21
5.3	Local archaeological context	22
5.3.1	Desktop database searches conducted	22
5.3.2	Previous studies in or near the study area	24
5.3.2.1	126 Greville Street (Total Earth Care 2007)	24
5.3.2.2	Sydney Metro Chatswood Dive Site (Artefact 2016)	24
5.3.2.3	1 Sirius Road, Lane Cove (Biosis 2019)	25
5.3.2.4	Sydney Metro Chatswood Dive Site (WolfPeak 2022)	25
5.4	Archaeological context: summary	26
6	CULTURAL VALUES	27
7	SIGNIFICANCE ASSESSMENT	28
7.1	Introduction to significance assessment	28
7.1.1	Identifying cultural significance	28
7.1.1.1	Social or cultural value	28
7.1.1.2	Scientific (archaeological) value	29
7.1.1.3	Aesthetic value	29
7.1.1.4	Historic value	29
7.2	Assessed significance of the recorded heritage	30
8	ASSESSING HARM	31
8.1	Avoiding and minimising harm	31
8.1.1	Conserving significant Aboriginal cultural heritage	31
8.1.2	Opportunities to conserve Aboriginal cultural heritage values	31
9	MANAGEMENT OF ABORIGINAL CULTURAL HERITAGE SITES	32
9.1	General management principles	32
10	RECOMMENDATIONS	32
	REFERENCES	34
	APPENDIX 1 – AHIMS RESULTS	36
	APPENDIX 2: ABORIGINAL COMMUNITY CONSULTATION	38
	Appendix 2a: Aboriginal Community Consultation Log	38
	Appendix 2b: Media Advertisement	43
	Appendix 2c: Agency Letter & Responses	44
	Appendix 2d: Stage 1 Community Letter	49
	Appendix 2e: Stage 2-3 Letter	51

Appendix 2f: AFGM Meeting Summary	52
Appendix 2g: Stage 4 Responses	55
APPENDIX 3: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL	57
APPENDIX 4: UNANTICIPATED SKELETAL REMAINS PROTOCOL	58
APPENDIX 5: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION.....	59

FIGURES

Figure 1-1: Map showing the location of the proposal.	6
Figure 1-2: Aerial showing the study area.	7
Figure 4-1: Topography of the study area.	18
Figure 4-2: 1950 aerial with overlay of study area.	19
Figure 4-3: 1990 aerial with overlay of study area.	19
Figure 5-1: Location of previously recorded AHIMS sites in relation to the study area.....	24

TABLES

Table 2-1: Report compliance with the Code of Practice.	12
Table 5-1: Aboriginal cultural heritage: desktop-database search results.	22
Table 5-2: Site types and frequencies of AHIMS sites near the study area.	23

ABBREVIATIONS AND GLOSSARY

ACHAR	Aboriginal Cultural Heritage Assessment Report. As set out in the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> , all developments where harm to Aboriginal objects is likely must be assessed in an ACHAR.
ACHCRs	<i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> . Guidelines for conducting Aboriginal community consultation for developments where harm to Aboriginal objects is likely.
ACHMP	Aboriginal Cultural Heritage Management Plan. A requirement of SSDs. An ACHMP both manages impacts to Aboriginal cultural heritage within approved disturbance areas (AHIPs are not required), as well as management of Aboriginal cultural heritage sites and values outside of approved impact areas but within land able to be managed by a proponent.
AHIMS	Aboriginal Heritage Information Management System. Administered by the DCCEEW, AHIMS is the central register of all Aboriginal sites within NSW.
AHIP	Aboriginal Heritage Impact Permit. Issued by Heritage NSW to allow harm to Aboriginal objects.
ASIRF	Aboriginal Site Impact Recording Form. A standardised form for recording authorised impacts to Aboriginal sites. Only with a completed ASIRF can a site be listed as 'destroyed' on the AHIMS.
Assemblage:	All artefacts recorded at a location. In this report, assemblage refers to stone artefacts as this was the only artefact class recorded.
Bondaian:	A chronological period where bondi points become more frequent in artefact assemblages. Post-3000 BP, although earlier at some sites.
BP	Years before present
Capertian:	Chronological phase preceding the Bondaian Phase. Pre-3000 BP, although earlier at some sites.
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> under Part 6 NPW Act. Issued by DECCW in 2010, the Code of Practice is a set of guidelines that allows limited test excavation without the need to apply for an AHIP.
Debitage:	The termdebitage refers to all the waste material produced during lithic reduction and the production of stone tools. This report usesdebitage to

	describe the small flakes and chips produced purely as a by-product of knapping.
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water. DCCEEW contains the Environment and Heritage Group including Heritage NSW.
DPHI	NSW Department of Planning, Housing and Infrastructure. DPHI contains the Planning agency.
EIS	Environmental Impact Statement. A required document for major projects documenting all potential impacts to the environment, including heritage, that may arise due to the development.
GSE	Ground surface exposure. A measure of factors that may reveal surface artefacts such as erosion scalds.
GSV	Ground surface visibility. A measure of factors that may obscure the detection of surface artefacts such as leaf litter.
Heritage NSW	Government department tasked with ensuring compliance with the NPW Act. Heritage NSW is advised by the Aboriginal Cultural Heritage Advisory Committee (ACHAC).
Holocene:	Geological epoch which lasted from around 12,000 years ago (10,000 BCE) to the present. This period is generally warmer and wetter than the preceding Pleistocene period.
NPW Act	<i>National Parks and Wildlife Act 1974</i> . Primary legislation governing Aboriginal cultural heritage within NSW.
PAD	Potential archaeological deposit. Indicates that a particular location has potential to contain subsurface archaeological deposits, although no Aboriginal objects are visible.
Pleistocene:	Geological epoch which lasted from about 2.5 million years ago to 10,000 BCE. This period spans the world's recent period of repeated glaciations. Aboriginal occupation of Australia occurs during the upper Pleistocene.
RAP	Registered Aboriginal Party. An individual or group who have indicated through the ACHCR process that they wish to be consulted regarding the project.
SEARs	Secretary's Environmental Assessment Requirements issued by DPHI.

SSD State Significant Development

Taphonomy: The study of how artefacts can be moved in archaeological deposits due to natural occurrences such as animals burrowing or treadage into the ground.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by Loftex Chatswood Pty Limited (the client & proponent) to complete an *Aboriginal Cultural Heritage Assessment Report* (ACHAR) for 3-5 Help Street, Chatswood, where the proposed development of a 33-storey tower and podium featuring 5 levels of basement (the proposal) is being currently considered.

The Aboriginal cultural heritage assessment for this project identified that the 3-5 Help Street study area had been completely disturbed at depth via previous phases of residential development. Consequently, the assessment focussed on intangible heritage values and no archaeological fieldwork was warranted. An Aboriginal Focus Group Meeting was held with the registered Aboriginal Parties (RAPs) for the project to discuss the cultural heritage values of the study area. This consultation identified broad cultural heritage values / themes relevant to the general North Shore area, but not in direct regard to the 3-5 Help Street study area.

These values include:

- The Gamaragal people are the traditional owners of the study area. They are saltwater people whose totem is the whale, and their territory stretches from Sydney Harbour up to the Lane Cove River.
- The Gamaragal people were the preeminent masters of ceremony in the Sydney area, often carrying out ceremony for other clans and groups. Ceremony's included tooth pulling initiation, or the Malgun, a ceremony where the tip of the little finger was removed to show that they were promised.

Recommendations concerning Aboriginal cultural values within the study area are as follows:

1. Archaeological assessment of the 3-5 Help Street Chatswood study area identified a very low likelihood for the presence of archaeological deposits likely to contain Aboriginal artefacts as a result of the complete prior disturbance. As a result, no further archaeological assessment is considered necessary.
2. All land-disturbing activities must be confined to within the approved disturbance footprint. Should the parameters of the proposed work extend beyond this, then further archaeological assessment may be required.
3. Based on the broad cultural values identified, the following areas for public interpretation of the Aboriginal aspects of the study area may be considered by the proponent:
 - a. Use of native trees / shrubs in landscaping the development
 - b. Interpretation of plant species through an Aboriginal lens, potentially using the RAPs identified for this project as a consultation group for the inclusion of plants and associated naming in the Eora language.

4. In the unlikely event that objects are encountered that are suspected to be of Aboriginal origin during the proposed works, the *Unanticipated Finds Protocol* (**Appendix 3**) should be followed.
5. In the unlikely event that bones are encountered that are suspected to be of Aboriginal origin during the proposed works, the *Unanticipated Skeletal Remains Protocol* (**Appendix 4**) should be followed.
6. Work crews should undergo cultural heritage induction to ensure they recognise Aboriginal artefacts and features, are aware of the legislative protection of Aboriginal objects under the *National Parks and Wildlife Act 1974* and that includes a cultural heritage awareness procedure (**Appendix 5**).

1 INTRODUCTION

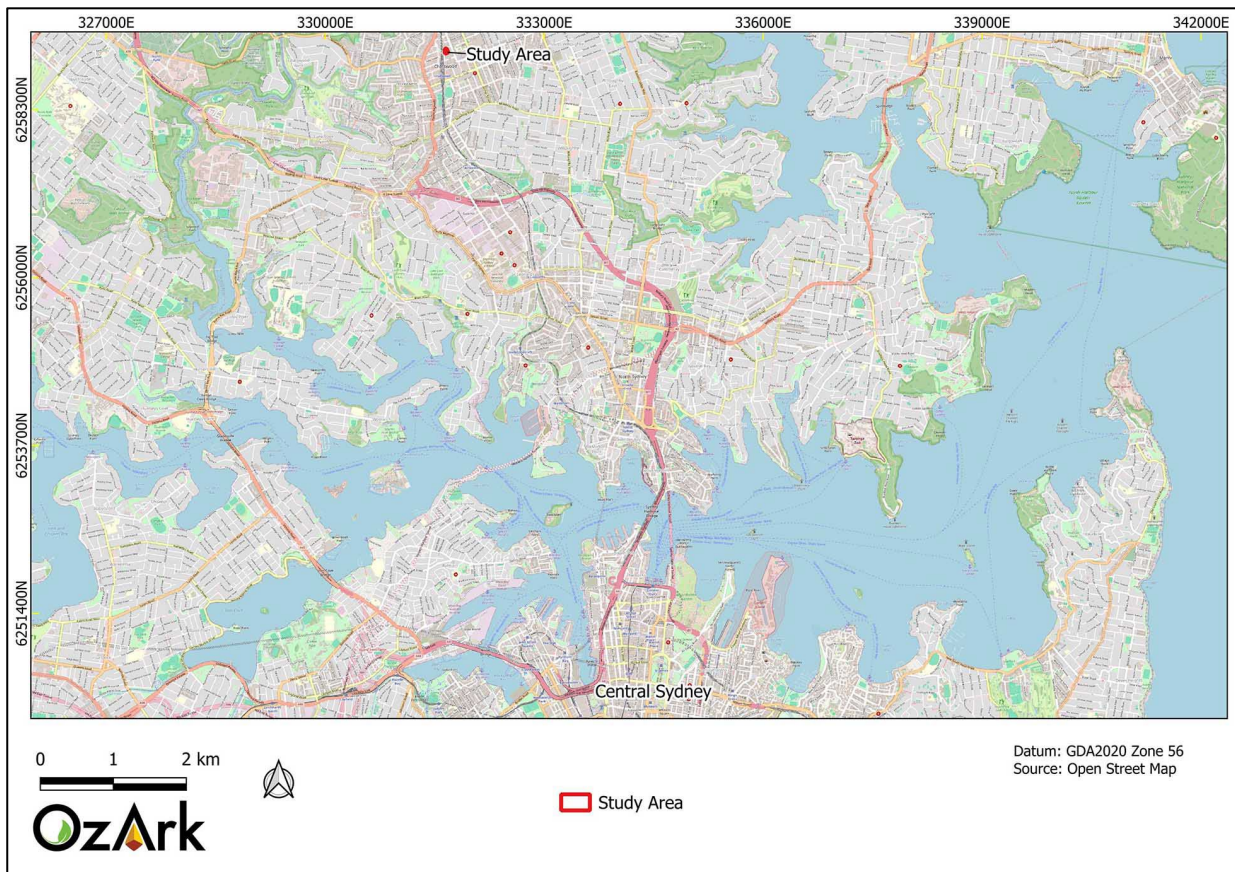
1.1 DESCRIPTION OF THE PROPOSAL

OzArk Environment & Heritage (OzArk) has been engaged by Loftex Chatswood Pty Limited (the client & proponent) to complete an *Aboriginal Cultural Heritage Assessment Report* (ACHAR) for 3-5 Help Street, Chatswood, where the proposed development of a 33-storey tower and podium featuring 5 levels of basement (the proposal) is being currently considered.

The proposal is located in the suburb of Chatswood, at the address 3-5 Help Street, approximately 9 kilometres (km) northwest of central Sydney (**Figure 1-1**). The proposal is within the Willoughby City Council Local Government Area.

The investigation set out in this methodology aims to identify Aboriginal cultural values, both tangible and intangible, that exist in and around the study area.

Figure 1-1: Map showing the location of the proposal.



1.2 STUDY AREA

The study area describes the area in which all impacts associated with the proposal will be located (**Figure 1-2**). The study area covers approximately 2,690 meters (m)² and is identified under Strata Plan (SP) 134 & SP 52320. The area is currently zoned as MU1 'mixed-use' and is primarily made up of residential units, semi-subterranean parking and managed vegetation.

Figure 1-2: Aerial showing the study area.

1.3 ACHAR APPROACH

During preparation of ACHAR, it became abundantly clear that no deposits are likely to remain within the study area, and any that do have very little likelihood of containing Aboriginal artefactual material due to the complete prior disturbance of the land. The building includes residential dwellings and a below street level carpark. These prior disturbance details are discussed in **Section 4.4**. As a result, this ACHAR excluded archaeological field assessment and the usual report sections that would detail the methodologies and results of survey.

Instead, the approach for this ACHAR was consultation with the Registered Aboriginal Parties (RAPs) in the form of an Aboriginal Focus Group Meeting (AFGM) with a view to understanding the cultural values of this area, as detailed in **Section 6**.

2 THE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

2.1 RELEVANT LEGISLATION

Cultural heritage is managed by several state and national Acts. Baseline principles for the conservation of heritage places and relics can be found in the *Burra Charter* (Burra Charter). The *Burra Charter* has become the standard of best practice in the conservation of heritage places in Australia, and heritage organisations and local government authorities have incorporated the inherent principles and logic into guidelines and other conservation planning documents. The *Burra Charter* generally advocates a cautious approach to changing places of heritage significance. This conservative notion embodies the basic premise behind legislation designed to protect our heritage, which operates primarily at a state level.

Several Acts of parliament provide for the protection of heritage at various levels of government.

2.1.1 Commonwealth legislation

2.1.1.1 *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), administered by the Commonwealth Department of Climate Change, Energy, the Environment and Water, provides a framework to protect nationally significant flora, fauna, ecological communities, and heritage places. The EPBC Act establishes both a National Heritage List and Commonwealth Heritage List of protected places. These lists may include Aboriginal cultural sites or sites in which Aboriginal people have interests. The assessment and permitting processes of the EPBC Act are triggered when a proposed activity or development could potentially have an impact on one of the matters of national environment significance listed by the Act. Ministerial approval is required under the EPBC Act for proposals involving significant impacts to national/commonwealth heritage places.

2.1.1.2 *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* is aimed at the protection from injury and desecration of areas and objects that are of significance to Aboriginal Australians. This legislation has usually been invoked in emergency and conflicted situations.

Applicability to the proposal

It is noted there are no Commonwealth or National heritage listed places within the study area, and as such, the heritage provisions of the EPBC Act and other Commonwealth Acts do not apply.

2.1.2 State legislation

2.1.2.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) established requirements relating to land use and planning. The main parts of the EP&A Act that relate to development assessment and approval are Part 4 (development assessment) and Part 5 (environmental assessment). The purpose of the Part 5 assessment system is to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent from a council or the Minister. The Minister responsible for the Act is the Minister for Planning.

The EP&A Act currently provides the primary legislative basis for planning and environmental assessment in NSW. The objects of the EP&A Act include encouragement of:

- The proper management, development, and conservation of natural resources
- The provision and coordination of the orderly and economic use and development of land
- Protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats
- Ecologically sustainable development.

The objects also provide for increased opportunity for public involvement and participation in environmental planning and assessment.

The EP&A Act includes provisions to ensure that the potential environmental impacts of a development or activity are rigorously assessed and considered in the decision-making process.

The framework governing environmental and heritage assessment in NSW is contained within the following parts of the EP&A Act:

- Part 4: Local government development assessments, including heritage. May include schedules of heritage items
 - Division 4.7: Approvals process for state significant development

Applicability to the proposal

The current proposal will be assessed under Part 4.7 of the EP&A Act.

As the project is a SSD, if approved, Section 4.41 of the EP&A Act would apply and therefore an AHIP under section 90 of the NPW Act to harm Aboriginal objects would not be required. Instead, all management related to Aboriginal cultural heritage within the study area would be governed by the policies within an approved *Aboriginal Cultural Heritage Management Plan* (ACHMP). Whilst it was important to note the appropriate legislation, as this ACHAR will discuss, the study

area has been heavily disturbed for the last 75 years at least, and the likelihood of identifying any Aboriginal sites is very low.

2.1.2.2 *National Parks and Wildlife Act 1974*

The *National Parks and Wildlife Act 1974* (NPW Act) provides for the protection of Aboriginal objects (sites, objects, and cultural material) and Aboriginal places. Under the Act (Part 6), an Aboriginal object is defined as: any deposit, object, or material evidence (not being a handicraft for sale) relating to Aboriginal habitation of the area that comprises NSW, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction and includes Aboriginal remains.

An Aboriginal place is defined under the NPW Act as an area which has been declared by the Minister administering the Act as a place of special significance for Aboriginal culture. It may or may not contain physical Aboriginal objects.

It is an offence under Section 86 of the NPW Act to ‘harm or desecrate an object the person knows is an Aboriginal object’. It is also a strict liability offence to ‘harm an Aboriginal object’ or to ‘harm or desecrate an Aboriginal place’, whether knowingly or unknowingly. Section 87 of the Act provides a series of defences against the offences listed in Section 86, such as:

- The harm was authorised by and conducted in accordance with the requirements of an *Aboriginal Heritage Impact Permit* (AHIP) under Section 90 of the Act
- The defendant exercised ‘due diligence’ to determine whether the action would harm an Aboriginal object
- The harm to the Aboriginal object occurred during the undertaking of a ‘low impact activity’ (as defined in the regulations).

Under Section 89A of the Act, it is a requirement to notify the Secretary of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) of the location of an Aboriginal object. Identified Aboriginal items and sites are registered on Aboriginal Heritage Information Management System (AHIMS) that is administered by Heritage NSW.

Applicability to the proposal

Any Aboriginal sites within the study area are afforded legislative protection under the NPW Act.

The Secretary of DCCEEW will be notified of the location of any Aboriginal object recorded by sending the relevant details to the AHIMS register.

2.1.2.3 *Secretary’s Environmental Assessment Requirements*

SEARs were issued by the NSW Department of Planning, Housing and Infrastructure (DPHI) on 8 October 2024, application number SSD-76555711 (SEARs 2024). The SEARs state two requirements with regard to cultural heritage.

Aboriginal Cultural Heritage

- *Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts to any Aboriginal cultural heritage sites or values associated with the site.*

Environmental Heritage

- *Where there is potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.*

The requirement for Aboriginal Cultural Heritage will be addressed in this ACHAR, the requirement for Environmental Heritage will be addressed in the accompanying Historical Heritage Impact Assessment (HHIA).

No additional requirements from Heritage NSW are contained in the SEARs.

2.2 ASSESSMENT APPROACH

The archaeological assessment followed the *Code of Practice for the Investigation of Aboriginal Objects in New South Wales* (Code of Practice; DECCW 2010).

The Aboriginal cultural heritage assessment followed the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (the Guide; OEH 2011) and the *Aboriginal cultural heritage consultation requirements for proponents* (ACHCRs) (DECCW 2010b).

2.3 PURPOSE AND OBJECTIVES

The purpose of this study is to identify and assess heritage constraints relevant to the proposed works.

The study will apply the Code of Practice, the Guide, and the ACHCRs in the completion of the Aboriginal cultural heritage assessment to meet the following objectives:

- Objective One:** Undertake background research on the study area
- Objective Two:** Identify and record Aboriginal cultural heritage values within the study areas. This includes intangible cultural values.
- Objective Three:** To assess the significance of any recorded Aboriginal cultural values, Aboriginal objects, or sites in consultation with Registered Aboriginal Parties (RAPs)
- Objective Four:** Assess the likely impacts of the proposed work to Aboriginal cultural heritage values and provide management recommendations.

2.4 REPORT COMPLIANCE WITH THE CODE OF PRACTICE

The Code of Practice establishes requirements that should be followed by all archaeological investigations where harm to Aboriginal objects may be possible. **Table 2-1** tabulates the compliance of this report with the requirements established by the Code of Practice.

Table 2-1: Report compliance with the Code of Practice.

Code of Practice Requirement	Context of the Requirement	Concordance in this report
Requirement 1a	Review previous archaeological work	Section 5.2 and 5.3.2
Requirement 1b	Review AHIMS searches	Section 5.3.1
Requirement 2	Review the landscape context	Section 4
Requirement 3	Summarise and discuss the local and regional character of Aboriginal land use and its material traces	Section 5.4
Requirement 4a	Develop predictive model	Not applicable
Requirement 4b	Present predictive model results	Not applicable
Requirement 5a	Archaeological survey sampling strategy	Not applicable
Requirement 5b	Archaeological survey requirements	Not applicable
Requirement 5c	Archaeological survey units	Not applicable
Requirement 6	Site definition	Not applicable
Requirement 7a	Site recording information to be recorded	Not applicable
Requirement 7b	Site recording: scales for photography	Not applicable
Requirement 8a	Geospatial information	Not applicable
Requirement 8b	Datum and grid coordinates	Not applicable
Requirement 9	Record survey coverage data	Not applicable
Requirement 10	Analyse survey coverage	Not applicable
Requirement 11	Archaeological Report content and format	This report adheres to this Requirement.
Requirement 12	Records	OzArk undertakes to maintain all records for at least five years.
Requirement 13a	Notifying Heritage NSW of breaches	Not applicable
Requirement 13b	Providing Heritage NSW with information	Not applicable
Requirement 14	Test excavation which is not excluded from the definition of harm	Not applicable
Requirement 15a	Consultation regarding test excavation	Not applicable
Requirement 15b	Developing a test excavation sampling strategy	Not applicable
Requirement 15c	Providing Heritage NSW with notification of the test excavation	Not applicable
Requirement 16a	Test excavation that can be carried out in accordance with the Code of Practice	Not applicable
Requirement 16b	Objects recovered during test excavations	Not applicable
Requirement 17	When to stop test excavations	Not applicable
Requirement 18–20	Artefact recording	Not applicable

2.5 OZARK INVOLVEMENT

2.5.1 Reporting

The reporting component of the heritage assessment was undertaken by:

- Report author: Kelsey Bennett (OzArk Project Archaeologist, MA Classical Archaeology, BA (Hons) Classical Archaeology, The University of Kent).
- Reviewer: Dr Jodie Benton (Principal Archaeologist, PhD in Burial Archaeology, University of Sydney, BA [Hons] Archaeology, University of Sydney).

3 ABORIGINAL COMMUNITY CONSULTATION

3.1 INTRODUCTION TO CULTURAL VALUES

No matter who you are, we all have culture. Each person's culture is important; it's part of what makes us who we are.

australianstogether.org.au

Many Aboriginal people in Australia have a unique view of the world that's distinct from the mainstream. Land, family, law, ceremony, and language are five key interconnected elements of Aboriginal culture. For example, families are connected to the land through the kinship system, and this connection to land comes with specific roles and responsibilities which are enshrined in the law and observed through ceremony. In this way, the five elements combine to create a way of seeing and being in the world that is distinctly Aboriginal.

Aboriginal and Torres Strait Islander peoples are connected to Country through lines of descent (paternal and maternal), as well as clan and language groups. Territory is defined by spiritual as well as physical links. Landforms have deep meaning, recorded in art, stories, songs, and dance. Songlines or Dreaming Tracks as well as kinship structures link Aboriginal peoples to the territories of other groups. In the past, these links were also used for trade.

Living on this land for more than 50,000 years, Aboriginal and Torres Strait Islanders established effective ways to use and sustain resources. One important aspect is the right of certain people to control the use of resources in a particular area, as well as cultural and spiritual values like totemism that were fundamental in resource management. There was a wide range of traditional methods for gathering food including fish traps, subsistence agriculture, hunting and harvesting a wide range of natural fruits and vegetables. Some groups of people would stay in one place, while others moved around the land according to the seasons, to ensure sustainable and rich food supplies, and to fulfil their spiritual and cultural obligations.

In much of eastern Australia, Aboriginal communities live their lives like most Australians. However, in certain crucial areas, particularly associated with family, leadership roles and caring for Country, Aboriginal lore continues, even in the most urbanised communities.

3.2 ABORIGINAL COMMUNITY CONSULTATION

A major aim of this assessment is to identify any cultural values within the landscape in which the proposal is located so that those values can be recognised and incorporated into the proposal's management recommendations.

The Aboriginal cultural heritage assessment of the proposal has followed the ACHCRs (DECCW 2010b). A log and copies of correspondence with Aboriginal community stakeholders is presented in **Appendix 2a: Aboriginal Community Consultation Log**.

The ACHCRs include four main stages, and these will be detailed in the following sections.

3.2.1 ACHCRs Stage 1

The aim of Stage 1 is to identify the RAPs who wish to be consulted about the proposal.

An advertisement was placed in the *North Shore Times* on 11 July 2024 to solicit expressions of interest (**Appendix 2b: Media Advertisement**).

A letter seeking information from various agencies was sent on 11 July 2024. These agencies were: Office of the Registrar, *Aboriginal Land Rights Act 1983*; Heritage NSW; National Native Title Tribunal; National Native Title Services Corporation Ltd (NTSCORP); Metropolitan Local Aboriginal Land Council (LALC), Wiloughby City Council, and the Greater Sydney Local Land Services. The letter and replies from government agencies are provided in (**Appendix 2c: Agency Letter & Responses**). Letters were sent to individuals and groups whose contact details had been provided by the government agencies.

By the closing date for registration concerning this project, eight groups or individuals registered to be consulted as RAPs:

- Stakeholder 1
- Thomas Dahlstrom
- Didge Ngunawal Clan
- Ngambaa Cultural Connections
- A1 Indigenous Services
- Kamilaroi Yankuntjatjara Working Group
- Butucarbin Aboriginal Corporation
- Gadhungal Marring

Stakeholder 1 wished to be de-registered as a RAP for this project.

3.2.2 ACHCRs Stage 2

The aim of Stage 2 is to provide information about the project to the RAPs.

Detailed project information was provided in the assessment methodology that was issued to all RAPs for their consideration on 21 August 2024 (**Appendix 2e: Stage 2-3 Letter**).

3.2.3 ACHCRs Stage 3

The aim of Stage 3 is to acquire information regarding Aboriginal cultural values associated with the proposal through RAP consultation and field work. In this case, field work was not applicable due to the high level of disturbance of the study area. The entire study area consists of a

concreted area with two residential buildings and below street-level carpark. As such no identifiable landscape features or soil profiles remain.

To inform the RAPs of the assessment, an assessment methodology was issued to all RAPs for their consideration on 21 August 2024 (**Appendix 2e: Stage 2-3 Letter**). This document provided the archaeological context of the study area, an explanation as to why there would be no planned survey and asked whether there were any cultural values that should be considered in the assessment.

RAPs were provided the stipulated 28 days in which to review and comment on the assessment methodology as per Stage 3 of the ACHCRs. The closing date for comment was 18 September 2024.

One response was received from Stakeholder 1 on 23 September 2024 thanking OzArk for sending the assessment methodology. Another response was received from Thomas Dahlstrom on 30 September 2024 advising that they had reviewed and supported the methodology, they also requested involvement in fieldwork and provided some documents relevant to cultural heritage in the general area.

As archaeological survey was not undertaken, an online AFGM was held in its place which took place over one hour on 14 October 2024. There was one attendee, Thomas Dahlstrom.

A discussion on the cultural heritage values raised during the AFGM can be found in **Section 6** and a summary of the meeting in **Appendix 2f: AFGM Meeting Summary**. All RAPs were invited to participate in the AFGM, but most were unable to attend.

3.2.4 ACHCRs Stage 4

Stage 4 involves the production of a draft ACHAR that is issued to all RAPs for their consideration. The ACHAR documents the results of the assessment, outlines opportunities for the conservation of Aboriginal cultural values, and suggests recommendations for the management of Aboriginal objects should impacts to these objects be unavoidable.

One response was received from Nigel Millgate of Gadhungal Marring, though it must be noted that his comments were not specific to this ACHAR, and he did not comment on any of the proposed works. OzArk replied, thanking Nigel for his comments, but confirming that they were not specific to this ACHAR, or the works, and specifically his mention of test excavation was not relevant to this project. The lack of requirement for archaeological fieldwork including survey and test excavation, is explained in **Section 1.3**. This response is recorded in **Appendix 2g: Stage 4 Responses**.

4 LANDSCAPE CONTEXT

An understanding of the environmental context of a study area is requisite in any Aboriginal archaeological investigation (DECCW 2010). It is a particularly important consideration in the development and implementation of survey strategies for the detection of archaeological sites. In addition, natural geomorphic processes of erosion and/or deposition, as well as human-activated landscape processes, influence the degree to which the remains of material culture are retained in the landscape as archaeological sites; and the degree to which they are preserved, revealed and/or conserved in present environmental settings.

4.1 TOPOGRAPHY & HYDROLOGY

The study area is located in the Sydney Basin bioregion which extends from Batemans Bay in the south to Mudgee in the west. Its temperate climate is characterised by warm summers with no dry season. The bioregion covers a large area of the catchments for the Hawkesbury-Nepean, Hunter and Shoalhaven River systems. The coastal streams have contributed to deep-cliffed gorges and remnant plateaus of sandstone and shale that are present across the city of Sydney. These plateaus, along with associated rocky outcrops, would have provided ample shelter and tools for Aboriginal people in the area (Mitchell 2002, Attenbrow 2010).

The study area itself sits centrally within Chatswood, there are no drainage features on or near the study area. The nearest water source is Blue Gum Creek approximately 800 m to the northwest, a distributary of Lane Cove River, located approximately 2.1 km to the west. The area sits on a very gently undulating slope at an elevation of between 92 and 94 m above sea level (**Figure 4-1**).

Figure 4-1: Topography of the study area.

4.2 GEOLOGY AND SOILS

Soil analysis has important ramifications for archaeological research through the potential impact of different soils on human activity (such as agricultural exploitation) and the impact of the soils on archaeological evidence (such as post-depositional movement).

The Chatswood area's underlying geology is that of Ashford Shale, primarily consisting of black to dark-grey shale and laminite (Herbert 1983). It sits within the Blacktown residual soil landscape, consisting of shallow to moderately deep Red and Brown Podzolic soils on elevated landforms, whereas deep Yellow podzolic soils and Soloths are present at the bases of these landforms. It is noted that there is no appreciable erosion across this soil landscape because the majority of its surface is covered with tiles, concrete, bitumen or turf (eSpade 2024).

4.3 LAND USE HISTORY AND EXISTING LEVELS OF DISTURBANCE

Historically the area has remained as a mixed use residential, urban area. What is clear from the historical aerals is the continued disturbance caused by major urban development of the study area over the last 75 years.

Figure 4-2: 1950 aerial with overlay of study area.



Figure 4-3: 1990 aerial with overlay of study area.



4.4 CONCLUSION

The study area has very high levels of prior land use disturbance, and no undisturbed ground surface remains. Residential buildings have existed in the study area for the last 75 years at least. Subsurface infrastructure including water, sewerage, electricity and the foundations and sub-street level car park below the existing building have been installed and modified throughout this time period. At least three phases of rebuilding of structures increasing in size and land coverage can be detected from review of the historic aerials.

There are no areas within the study area with landscape features that are likely to contain Aboriginal archaeological material.

The review of the environmental factors associated with the study area allows the following conclusions to be drawn in terms past Aboriginal occupation:

- Topography and hydrology: The flat to gently undulating landforms which dominate the study area would have been hospitable to Aboriginal people; however, the nearest perennial water source (Lane Cove River) is 2.1 kms away. Any archaeological evidence related to the topographical and hydrological features of the landscape have long been removed by the high levels of disturbance in the study area.
- Geology and soils: In the Chatswood area, the Blacktown soils that rest atop the Ashford Shales have been completely impacted. In the study area itself, the entire area is covered by asphalt and concrete, including building foundations and a semi-subterranean carpark, and any archaeological evidence that may have been present in top soil 100 years ago has long been destroyed or displaced. Due to the depth and subsurface features of many buildings and roads in this area, there is no subsurface potential.
- Vegetation: the study area could have once supported woodland or other areas for subsistence plants which would have provided some resources for Aboriginal subsistence in the past. However, the area has been subject to land clearing since the mid-19th century and any evidence of these plants is long gone.
- Land use: ground surface disturbances related to building works have been occurring over the study area for the last 75 years at least. Sub-ground development such as semi-subterranean carparks and utilities have seen deep levels of disturbance which have likely removed any archaeological evidence, had it been present.

5 ARCHAEOLOGICAL CONTEXT

5.1 ETHNO-HISTORIC SOURCES OF REGIONAL ABORIGINAL CULTURE

According to Horton's maps pertaining to traditional Aboriginal owners of the Sydney Basin region, the study area situated near North Sydney, lies within the Eora ethno-linguistic group that is spoken in "the Sydney Peninsula (north of Botany Bay, south of Port Jackson, west to Parramatta) ... as well as the country to the north of Port Jackson, possibly as far as Broken Bay" (Attenbrow 2010, 34). The Dharug linguistic group borders to the west (Horton 1996, AIATSIS).

The Chatswood area was occupied traditionally by the Gamaragal/Kameragal/Cammeraygal clan (Attenbrow 2010, 25), who are the traditional owners of parts of the North Shore (WCC 2024). Tindale (1974) describes their territory as encompassing "the north shore of Port Jackson including Manly Beach" (28). Attenbrow described "Port Jackson covers an area extending from North and South Heads, upstream to Cockatoo Island." Port Jackson is the area now known as Sydney Harbour. The Gamaragal territory also includes Lane Cove River, which is located 2.1 kms from the study area (Attenbrow 2010, xiii).

5.2 REGIONAL ARCHAEOLOGICAL CONTEXT

Aboriginal people have inhabited the Sydney region for over a thousand generations and through a shared ancestral experience, have witnessed the environmental change that defined several of the world's epochs (Irish 2017, 13, 15).

During the last glacial maximum, around the late Pleistocene (ending 11,700 BCE) to the early Holocene, the distinctively deep saltwater estuaries that define Sydney's coastline would have instead been deep sandstone valleys carved out by freshwater rivers, and the beachhead bays of Sydney instead verdant, swampy plains. With far lower sea levels than the current period, the coast would have extended out a further 6-20 km across undulating plains to the eastern continental shelf, and there would have been around 250 km of additional estuarine shoreline. This additional shoreline would have created habitat for the same protein-rich fauna that exists there today, as well marine resources and plentiful room for the flora that has always provided food and medicine to local populations of native people. The estuaries of modern-day Sydney have only been in their present state for around the last 7,000 years, when the sea levels rose, and the ocean flooded the inlets, life in that region changed (Attenbrow 2010, 37-8; Irish 2017, 13-15).

Evidence for Aboriginal people's response to environmental change is present in the archaeological record as stone tools. Shell, bark, wood and bone are also present, but do not survive as often. Through the geological and archaeological record, we can mark technological patterns and innovation and see how these are a direct result of the Aboriginal people adjusting to their ever-changing environment. A new, flooded coastline meant a new way of life for all life

in the area, and a possible shift from freshwater to saltwater subsistence. The Aboriginal people of Sydney didn't have the *mogo* (stone hatchet) that allowed them to climb trees to hunt possum and gather honey until 4,000 years ago. It wasn't until 3,000 years ago that they started using bone to fashion *garrara* (fishing spears) and needles for clothing and adornment. It was only 1,000 years ago that Aboriginal people started using the *burra* (shellfish hook) which came to be a significant tool that marked a shift in gender roles both in daily life and ceremony. Where a resource was lacking in the area, the Aboriginal people of Sydney would trade with their long-distance neighbours from hundreds of km away to procure both stone and wooden goods made from materials that are not common along the local, coastal outcrops (Irish 2017, 16-17).

Whilst there is a good amount of archaeological evidence of Sydney as a whole, it is but a fraction of what would have once been present. By the time proper heritage protocol, protection and scientific categorisation was in place for Aboriginal objects and sites in the 1970s, the North Shore, along with the rest of Sydney, was already heavily urbanised, and many of the sites that would have been present have been disturbed, covered or destroyed completely. As such there are no significant regional archaeological studies specific to the Sydney North Shore region.

5.3 LOCAL ARCHAEOLOGICAL CONTEXT

5.3.1 Desktop database searches conducted

A desktop search was conducted on the following databases to identify any previously recorded heritage within the study area. The results of this search are summarised in **Table 5-1** and presented in detail in **Appendix 2**.

Table 5-1: Aboriginal cultural heritage: desktop-database search results.

Name of Database Searched	Date of Search	Type of Search	Comment
Commonwealth Heritage Listings	16/10/24	Willoughby City Council LGA	No places listed on either the National or Commonwealth heritage lists are located within the study area
National Native Title Claims Search	16/10/24	NSW	No Native Title Claims cover the study area.
AHIMS	9/8/24	2.5 x 2.5 km centred on the study area	49 sites within the search area, none within the study area.
Local Environmental Plan (LEP)	16/10/24	Willoughby City Council LEP of 2012	None of the Aboriginal places noted occur near the study area.

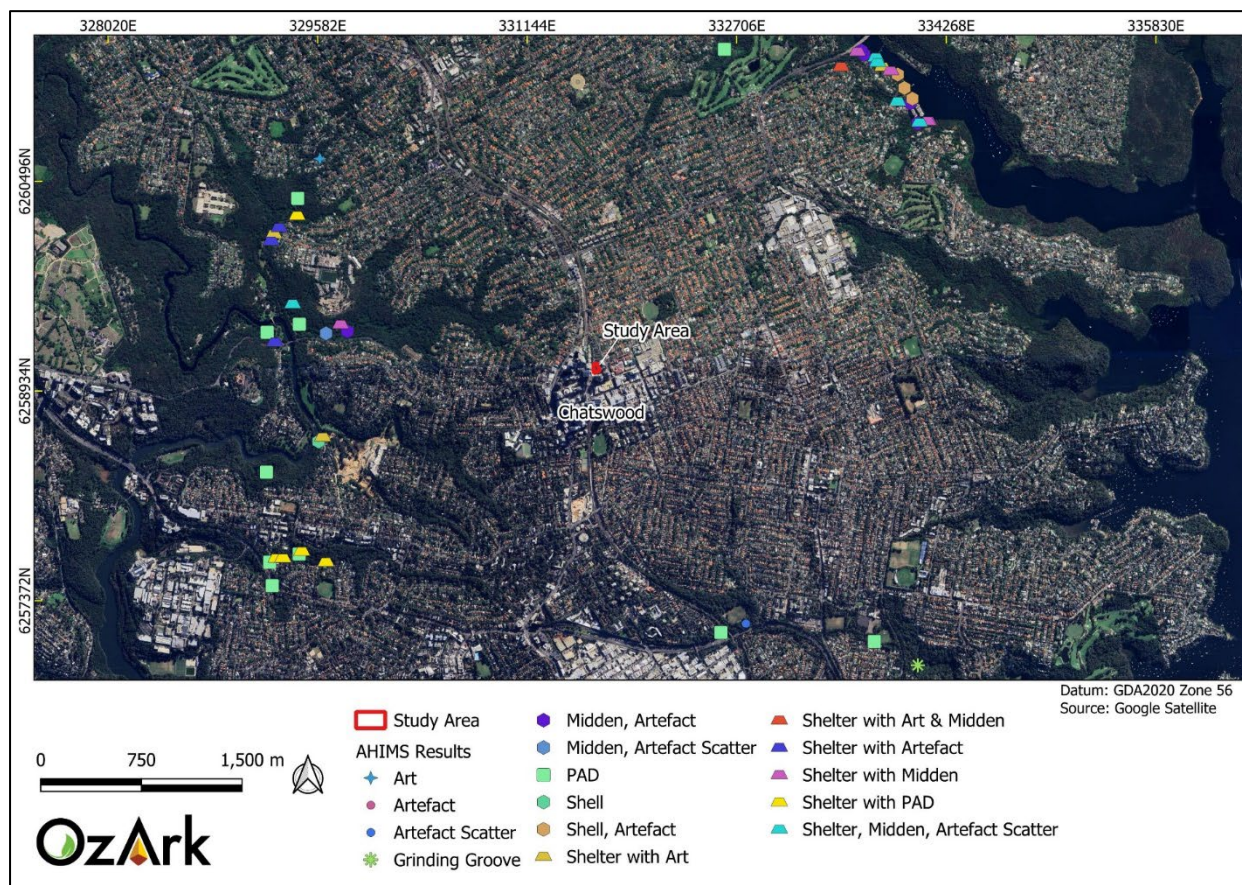
A search of the Heritage NSW administered Aboriginal Heritage Information Management System (AHIMS) database on 9 August 2024 returned 49 results for Aboriginal sites within a 2.5 km radius of the study area (GDA Zone 56 Eastings: 329159 - 334156, Northings: 6256605 – 6261598 with no buffer. See **Table 5-2** for site types and frequencies).

Site types and frequencies were consolidated in order to better represent the sites in the area. One site (45-6-3599) was excluded because it was deemed 'not a site' on AHIMS. The most frequently occurring site type in the area is Aboriginal rock shelters which occur in the search area at a frequency of 50% (including the site types; Shelter with PAD; Shelter with Midden; Shelter, Midden, Artefact Scatter; Shelter with Artefact; Shelter with Art). 83.33% of these recordings occur within 200 m of 'waters', and all are found within vegetated areas. The second most common site types are Potential Archaeological Deposits (PADs) and Middens/Shells (including the site types; Midden, Artefact; Shell, Artefact; Midden, Artefact Scatter; Shell) of which both occur at a frequency of 20.83%. All midden/shell types occur within 200 m of waters, as do 80% of PADs. Midden/shell sites are also usually associated with a rock shelter. The third most common site type is the stone artefact scatter, which occur at a frequency of 4.17% (including the site types; Artefact; Artefact Scatter).

Less represented site types including art, and a grinding groove also occur within the area as single recordings. **Figure 5-1** shows the location of previously recorded sites in the vicinity of the study area.

Table 5-2: Site types and frequencies of AHIMS sites near the study area.

Site Type	Number	% Frequency
PAD	10	20.83%
Shelter with PAD	6	12.50%
Midden, Artefact	5	10.42%
Shelter with Midden	5	10.42%
Shelter, Midden, Artefact Scatter	5	10.42%
Shelter with Artefact	4	8.33%
Shell, Artefact	3	6.25%
Shelter with Art	3	6.25%
Art	1	2.08%
Artefact	1	2.08%
Artefact Scatter	1	2.08%
Grinding Groove	1	2.08%
Midden, Artefact Scatter	1	2.08%
Shell	1	2.08%
Shelter with Art & Midden	1	2.08%
Total	48	100

Figure 5-1: Location of previously recorded AHIMS sites in relation to the study area.

5.3.2 Previous studies in or near the study area

5.3.2.1 126 Greville Street (Total Earth Care 2007)

In February 2007 Total Earth Care reiterated an Aboriginal Heritage and Archaeological Assessment from the previous year for a development site at 126 Greville Street, Chatswood, which is now a building associated with the Church of Scientology. The location is approximately 1.3 km west of the current study area. Their report described their survey area as including a heavily vegetated and weed infested creek, waterfalls and sandstone cliff lines. No sites were identified as the steepness made it an unlikely area for occupation, it was noted that ground cover was another likely contributor to the lack of sites, as well as the nearby Lane Cove River being a more sought-after occupation site.

5.3.2.2 Sydney Metro Chatswood Dive Site (Artefact 2016)

In May 2016, Artefact developed a Heritage Impact Assessment (HIA) as part of a wider EIS for the proposed Chatswood to Sydenham metro. In the HIA, Artefact assessed a number of metro stations along the proposed line and the works that would affect each one. One of those stations was The Chatswood Dive site which sits approximately 400 m – 1 km southwest of the current study area. The report notes the limited number of archaeological investigations in the Chatswood

area, and that no Aboriginal objects or sites were identified during survey. Their overall conclusion was that the shallow soils associated with the area's Ashfield Shale mean that even minor disturbance is likely to have disturbed or completely removed any artefacts from their primary contexts, and due to the heavy urban development in the area, the entire area was assessed as having low archaeological potential.

5.3.2.3 1 Sirius Road, Lane Cove (Biosis 2019)

In April 2019, Biosis produced an Aboriginal Cultural Heritage Assessment Report (ACHAR) for 1 Sirius Road, Lane Cove. The project was a State Significant Development (SSD) for a data storage building, electrical substation, landscaping and office area. The site sits approximately 3.5 km southwest of the current study area. No Aboriginal objects were identified, and archaeological potential was deemed low due to existing disturbances across the study area, restricted ground surface visibility (GSV) and few exposures. Though no Aboriginal sites were identified due to high levels of disturbance, it is noted that the study area sits in a known Aboriginal landscape, with the Lane Cove River an important place for trade and gatherings. Interestingly, Biosis made a recommendation for landscape design to include Indigenous plants, with their Gamaragal names used in any signage. This ensured that cultural values were preserved, that the traditional owners were acknowledged appropriately, but also that their language and nomenclature is preserved.

5.3.2.4 Sydney Metro Chatswood Dive Site (WolfPeak 2022)

In January 2022 WolfPeak produced a Heritage Interpretation Plan (HIP) for the works being undertaken at the Chatswood Dive Site for the Sydney Metro. This will be perhaps the most important resource to this methodology, due to its implications for intangible cultural values rather than tangible archaeology. The HIP discusses accounts of notable Aboriginal figures from the early years of contact around Sydney, including Gamaragal matriarchs and patriarchs. The report also includes discussion of cultural traditions such as the drawing of the tooth, an initiation rite performed by the Gamaragal people, who were the leaders of ceremony in the area for multiple clans. All of this information is tabulated by theme (people, places, totems, stories) and associated narratives that apply to the broader area of Chatswood and its surrounds.

5.4 ARCHAEOLOGICAL CONTEXT: SUMMARY

The archaeological investigations surrounding the study area as summarised in **Section 5.3** indicate that:

- High levels of disturbance in the study area makes it very unlikely that any tangible Aboriginal sites will be identified. As the area is entirely urbanised and no undisturbed ground surface remains, archaeological survey is not requisite.
- Aboriginal objects are considered highly unlikely to be encountered during building works, specifically as there is a present below street level car park.
- Due to the lack of any remaining deposits likely to contain archaeological material, it is intangible cultural heritage values that will be most prevalent to this development as it progresses. Values that represent the history, lives, emotions and experiences of the Aboriginal peoples in the Chatswood and wider Sydney area. These may be stories, the naming of plants or places, notable Aboriginal figures or totems and symbology. The relevance of this information was discussed with the RAPs in an Aboriginal Focus Group Meeting (AFGM), see summary in **Section 6**.

6 CULTURAL VALUES

This section contains information on the cultural values of the study area gained from consultation. Thomas Dahlstrom contributed some information that can be considered general cultural values identified regarding the wider Chatswood / North Shore area, not necessarily the study area itself. A summary of the minutes can be found in **Appendix 2f: AFGM Meeting Summary**.

In the AFGM, it was noted that the Gamaragal people are the traditional owners of the study area. There was some discussion about the mention of notable Gamaragal matriarch Barangaroo and whether she was culturally significant to Chatswood as she may not have spent much time actually inhabiting the local area. The same is likely to be said for the majority of figures that are said to have spent time in the area, Bennelong and Musquito among them.

When cultural traditions were discussed, the mention of the Malgun, a ritual of female fingertip removal, Thomas stated that this was not for initiation as many think. Initiation is usually marked by scarring; this ritual was in fact to show that they were promised. Thomas also mentioned that the Gamaragal peoples saw initiation through ceremonial tooth removal, and that they were the preeminent provisioners of this ritual in the area. It is also of note that the *Barra*, shell fishing hooks, were an innovation brought about only 1,000 years ago by the women of the Gamaragal tribe.

There were also general discussions about how native vegetation might be incorporated into the design, perhaps signposted in areas with words for plants in the traditional Aboriginal language of the area.

7 SIGNIFICANCE ASSESSMENT

7.1 INTRODUCTION TO SIGNIFICANCE ASSESSMENT

7.1.1 Identifying cultural significance

The concept of cultural significance is used in Australian heritage practice and legislation to encompass all the cultural values and meanings that might be recognised in a place. The Burra Charter's definition of cultural significance is broad and encompasses places that are significant to Indigenous cultures.

The Burra Charter definition of 'place' is also broad and encompasses Indigenous places of cultural significance. 'Place' includes locations that embody spiritual value (such as Dreaming places, sacred landscapes, and stone arrangements), social and historical value (such as massacre sites), as well as scientific value (such as archaeological sites). In fact, one place may be all these things or may embody all these values at the same time.

In some cases, the find-spot of a single artefact may constitute a 'place'. Equally, a suite of related locations may together comprise a single 'place', such as the many individual elements that make up a Songline. These more complex places are sometimes called a cultural landscape or cultural route.

The Guide notes that cultural significance is comprised of an assessment of social values, scientific values, aesthetic values, and historic values. These values are described below.

7.1.1.1 *Social or cultural value*

Social or cultural value refers to the spiritual, traditional, historical, or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them (Articles 1.1, 1.2, 1.12, 5, and 8–11: Burra Charter).

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.

There is not always consensus about a place's social or cultural value. Because people experience places and events differently, expressions of social or cultural value do vary and, in some instances, will be in direct conflict. When identifying values, it is not necessary to agree with or acknowledge the validity of each other's values, but it is necessary to document the range of values identified.

Social or cultural value can only be identified through consultation with Aboriginal people. This could involve a range of methodologies, such as cultural mapping, oral histories, archival

documentation, and specific information provided by Aboriginal people specifically for the investigation.

Cultural value involves both traditional links with specific areas, as well as an overall concern by Aboriginal people for their sites generally and the continued protection of these. This type of value may not be in accord with interpretations made by the archaeologist: a site may have low archaeological value but high social value, or vice versa.

7.1.1.2 *Scientific (archaeological) value*

This refers 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 (Articles 1.2, 5, and 8: Burra Charter).

Assessing a site in this context involves placing it into a broader regional framework, as well as assessing the site's individual merits in view of current archaeological discourse. This type of value relates to the ability of a site to answer current research questions and is also based on a site's condition (integrity), content and representativeness.

The overriding aim of cultural heritage management is to preserve a representative sample of the archaeological resource. This will ensure that future research within the discipline can be based on a valid sample of the past. Establishing whether a site can contribute to current research also involves defining 'research potential'. Questions regularly asked when determining significance are: can this site contribute information that no other site can? Is this site representative of other sites in the region?

Information about scientific values will be gathered through any archaeological investigation undertaken. Archaeological investigations must be carried out according to Heritage NSW's Code of Practice.

Often scientific values are informed by social values that allow a contemporary understanding of the archaeological data to be understood.

7.1.1.3 *Aesthetic value*

This refers to the sensory, scenic, architectural, and creative aspects of the place (Articles 1.12 and 8: Burra Charter). It is often closely linked with the social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use.

7.1.1.4 *Historic value*

Historic value refers to the associations of a place with a historically important person, event, phase, or activity in an Aboriginal community. Historic places do not always have physical

evidence of their historical importance (such as structures, planted vegetation or landscape modifications). They may have 'shared' historic values with other (non-Aboriginal) communities (Articles 1.12–1.16: Burra Charter).

Places of post-contact Aboriginal history have generally been poorly recognised in investigations of Aboriginal heritage. Consequently, the Aboriginal involvement and contribution to important regional historical themes is often missing from accepted historical narratives. This means it is often necessary to collect oral histories along with archival or documentary research to gain enough understanding of historic values.

7.2 ASSESSED SIGNIFICANCE OF THE RECORDED HERITAGE

The remainder of this chapter has been omitted from the report as no tangible Aboriginal sites were identified. In terms of cultural heritage values, what has been discussed from the RAPs thus far is valuable and meaningful in relation to the overarching stories and narratives of the North Shore area, rather than being directly pertinent to this discrete study area. No direct relationship can be drawn between the study area and the cultural heritage values highlighted in **Section 6** so assessing the specific significance of these in relation to the current project is not feasible. As a general conclusion, however, it should be noted that all land in Sydney is culturally significant to the local Aboriginal Traditional Owners.

8 ASSESSING HARM

8.1 AVOIDING AND MINIMISING HARM

8.1.1 Conserving significant Aboriginal cultural heritage

An object of the NPW Act is the '*conservation of objects places and features... of cultural value within the landscape, including... places, objects and features of significance to Aboriginal people*' (s.2A(1(b)(i))).

As heritage professionals, OzArk, strives for good conservation outcomes. In particular, OzArk is primarily concerned with the conservation and protection of Aboriginal cultural heritage that is of significance to Aboriginal people.

Two primary objectives when managing harm to an Aboriginal object are:

- Impacts to significant Aboriginal objects and places should always be avoided wherever possible
- Where impacts to Aboriginal objects and places cannot be avoided, proposals should be amended to reduce the extent and severity of impacts to significant Aboriginal objects and places using reasonable and feasible measures.

8.1.2 Opportunities to conserve Aboriginal cultural heritage values

As there are no tangible Aboriginal sites or specific Aboriginal cultural values within the study area, there is no direct opportunity to conserve these values. What is able to be considered however, is whether the more general values identified for the Gamaragal area – the North Shore of Sydney – could be considered / incorporated into landscape design. This will be discussed in more detail in **Section 9**.

9 MANAGEMENT OF ABORIGINAL CULTURAL HERITAGE SITES

9.1 GENERAL MANAGEMENT PRINCIPLES

As discussed in **Sections 6 & 7.2**, the cultural heritage values identified during this assessment were general to the wider North Shore area, so difficult to consider from a specific project significance / impact perspective. However, in respect to these broader values, and to recognise the historic impact to cultural values across urban Sydney more generally, it may be beneficial to the proponent and the RAPs to maintain an open dialogue and discuss how reference to these broader values may be incorporated into the project.

An example of this might be achieved through landscape design. The use of native plants can be accompanied by interpretive information about how certain plants may have been used by Aboriginal people, or perhaps signage with the name of the plant in both English and Eora.

10 RECOMMENDATIONS

Recommendations concerning Aboriginal cultural values within the study area are as follows:

1. Archaeological assessment of the 3-5 Help Street Chatswood study area identified a very low likelihood for the presence of archaeological deposits likely to contain Aboriginal artefacts as a result of the complete prior disturbance. As a result, no further archaeological assessment is considered necessary.
2. All land-disturbing activities must be confined to within the approved disturbance footprint. Should the parameters of the proposed work extend beyond this, then further archaeological assessment may be required.
3. Based on the broad cultural values identified, the following areas for public interpretation of the Aboriginal aspects of the study area may be considered by the proponent:
 - a. Use of native trees / shrubs in landscaping the development
 - b. Interpretation of plant species through an Aboriginal lens, potentially using the RAPs identified for this project as a consultation group
 - c. Signage associated with the native plants used in landscaping, with an explanation of the traditional usage of the plant, and/or the name of the plant in both English and Eora.
4. In the unlikely event that objects are encountered that are suspected to be of Aboriginal origin during the proposed works, the *Unanticipated Finds Protocol* (**Appendix 3**) should be followed.

5. In the unlikely event that bones are encountered that are suspected to be of Aboriginal origin during the proposed works, the *Unanticipated Skeletal Remains Protocol* (**Appendix 4**) should be followed.
6. Work crews should undergo cultural heritage induction to ensure they recognise Aboriginal artefacts and features, are aware of the legislative protection of Aboriginal objects under the *National Parks and Wildlife Act 1974* and that includes a cultural heritage awareness procedure (**Appendix 5**).

REFERENCES

- AIATSIS AIATSIS Language Database
<https://collection.aiatsis.gov.au/austlang/search> - Accessed 13/08/24
- Artefact 2016 Artefact. 2016. *Aboriginal Heritage – Archaeological Assessment: Sydney Metro, Chatswood to Sydenham*. Technical Paper 5. As part of the Chatswood to Sydenham Environmental Impact Statement.
- Attenbrow 2010 Attenbrow V. 2010. *Sydney's Aboriginal past: investigating the archaeological and historical records*. 2. ed. Sydney: UNSW Press (A UNSW Press book).
- Biosis 2019 Biosis 2019, 1 Sirius Road, Lane Cove: Aboriginal Cultural Heritage Assessment Report. Report to Greenbox Architecture
- Burra Charter *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*. International Council on Monuments and Sites 2013.
- DECCW 2010 *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. Department of Environment, Climate Change and Water 2010.
- DECCW 2010b *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*. Department of Environment, Climate Change and Water 2010.
- eSpade 2024 NSW Government eSpade Web App.
<https://www.environment.nsw.gov.au/eSpade2Webapp/> - Accessed 13/8/24
- Herbert 1983 Herbert C. 1983. Sydney 1:100 000 Geological Sheet 9130, 1st Edition. Geological Survey of New South Wales, Sydney, NSW.
<https://gmaps.geoscience.nsw.gov.au/100K/Sydney/> - Accessed 12/8/24
- Horton 1996 Horton, D. 1996. *The AIATSIS Map of Indigenous Australia*. The Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
- Irish 2017 Irish P. 2017 *Hidden in plain view: the aboriginal people of coastal Sydney*. Sydney, N.S.W: NewSouth Publishing.
- Mitchell 2002 Mitchell. 2002. *NSW Landscapes*. Office of Environment and Heritage.
- OEH 2011 *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. Office of Environment and Heritage 2011.

SEARs 2024	Planning Secretary's Environmental Assessment Requirements. <i>Mixed-use with infill affordable housing - Help Street, Chatswood NSW</i> Government. Application number: SSD-76555711
Tindale 1974	Tindale N. Aboriginal Tribes of Australia. ANU Press, Canberra.
Total Earth Care 2007	Total Earth Care. 2007. <i>Aboriginal heritage and archaeological assessment: 126 Greville Street, Chatswood West</i> . Report for: EDAW Pty Ltd.
WCC 2024	Willoughby City Council. Community Page. https://www.willoughby.nsw.gov.au/Community/Aboriginal-and-Torres-Strait-Islanders - Accessed 13/8/24
WolfPeak 2022	WolfPeak. 2022. <i>Heritage Interpretation Plan: Sydney Metro Chatswood Dive Site</i> .

APPENDIX 1 – AHIMS RESULTS

 AHIMS Web Services (AWS) Extensive search - Site list report Your Ref/PO Number : HelpstChatswood Client Service ID : 918599										
SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-2938	Naremburn Park Contact	GDA	56	332864	6256615	Open site	Valid	Artefact: -		
45-6-3007	Stringybark Creek PAD Shelter 3 - LCC081 Contact	GDA	56	329444	6257720	Open site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-0632	Castlecove Contact	GDA	56	334063	6260815	Open site	Not a Site	Art (Pigment or Engraved): - Permits	Not an Aboriginal Site	
45-6-2116	Babbage Rd. Cave SWA Contact	GDA	56	333484	6261350	Closed site	Valid	Shell: -, Artefact: -, Art (Pigment or Engraved): - Permits	Shelter with Art, Shelter with Midden	
45-6-2649	Lane Cove River PAD 1 Contact	AGD	56	329100	6259180	Open site	Valid	Potential Archaeological Deposit (PAD): - Permits		
45-6-2674	Turrumburra Contact	GDA	56	329589	6258558	Closed site	Valid	Shell: 2 Permits	1470	
45-6-1946	Blue Gum Creek Contact	GDA	56	329645	6259364	Open site	Valid	Artefact: -, Shell: - Permits	Midden, Open Camp Site	
45-6-2138	Roseville Bridge3, Roseville Chase Contact	AGD	56	333550	6261250	Open site	Valid	Shell: -, Artefact: - Permits	Midden	1809, 1911
45-6-3336	Little Blue Gum Shelter PAD 2 Contact	GDA	56	329430	6260240	Open site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-3361	FLAT ROCK CREEK PAD Contact	GDA	56	333732	6257069	Open site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-1127	Lindfield; Collapsed Cave Contact	GDA	56	333744	6261420	Closed site	Valid	Shell: -, Artefact: - Permits	Shelter with Midden	
45-6-3599	ARTARMON PARK ARTEFACT SCATTER Contact	GDA	56	332775	6257202	Open site	Partially Destroyed	Artefact: 1 Permits		
45-6-1700	Munro Park A.G.G.; Contact	AGD	56	333950	6256700	Open site	Valid	Grinding Groove: - Permits	Axe Grinding Groove	1293

Report generated by AHIMS Web Service on 09/08/2024 for Kelsey Bennett for the following area at Datum :GDA, Zone : 56, Eastings : 329159.0 - 334156.0, Northings : 6256605.0 - 6261598.0 with a Buffer of 0 meters. Number of Aboriginal sites and Aboriginal objects found is 49
This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 1 of 4

 AHIMS Web Services (AWS) Extensive search - Site list report Your Ref/PO Number : HelpstChatswood Client Service ID : 918599										
SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-5-2982	PAD 2 Stringybark Creek Contact	GDA	56	329243	6257485	Open site	Valid	Potential Archaeological Deposit (PAD): - Permits		102196
45-6-2140	Boat Shed 2, Robb Reserve Contact	GDA	56	334069	6260935	Closed site	Valid	Shell: -, Artefact: - Permits	Shelter with Midden	1809, 1911
45-6-2234	LBG Creek 2 Contact	AGD	56	329150	6259910	Closed site	Valid	Art (Pigment or Engraved): - Permits	Shelter with Art	
45-6-3043	Little Blue Gum Shelter PAD 1 KUR 082 Contact	GDA	56	329434	6260370	Closed site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-3320	Mowbray Park PAD5 WILL215 Contact	GDA	56	329200	6258330	Open site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-1633	Fullers Park Lane Cove River SRA Contact	GDA	56	329804	6259380	Open site	Valid	Shell: -, Artefact: - Permits	Midden	1899
45-6-3008	Stringybark Creek PAD Shelter 5 Contact	GDA	56	329274	6257690	Closed site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-1126	Lindfield Contact	GDA	56	333634	6261470	Open site	Valid	Shell: -, Artefact: - Permits	Midden	
45-6-2631	EP2 Contact	AGD	56	333850	6261000	Open site	Valid	Shell: -, Artefact: - Permits		2805
45-6-2632	EP3 Contact	AGD	56	333800	6261100	Open site	Valid	Artefact: -, Shell: - Permits		2805
45-6-3009	Stringybark Creek PAD Shelter 6 - LCC 084 Contact	GDA	56	329224	6257660	Closed site	Valid	Potential Archaeological Deposit (PAD): 1 Permits		
45-6-2508	Delhi Road; RYDE 008 Contact	GDA	56	329264	6259300	Closed site	Valid	Artefact: - Permits	Shelter with Deposit	102489
45-6-1128	Lindfield; Red Gum Filled Cave Contact	GDA	56	334136	6260946	Closed site	Valid	Shell: -, Artefact: - Permits	Shelter with Midden	

Report generated by AHIMS Web Service on 09/08/2024 for Kelsey Bennett for the following area at Datum :GDA, Zone : 56, Eastings : 329159.0 - 334156.0, Northings : 6256605.0 - 6261598.0 with a Buffer of 0 meters. Number of Aboriginal sites and Aboriginal objects found is 49
This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 2 of 4



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : HelpstChatswood
Client Service ID : 918599

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-2210	Blue Gum creek	GDA	56	329754	6259430	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1899
Contact		Recorders		Permits						
45-6-2137	Roseville Bridge1, Roseville Chase.	AGD	56	333500	6261270	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1809,1911
Contact		Recorders		Permits						
45-6-2502	Baths 2;	GDA	56	333854	6261320	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
Contact		Recorders		Permits						
45-6-2409	Roseville Bridge 5;	AGD	56	333640	6261200	Closed site	Valid	Artefact : -	Shelter with Deposit	
Contact		Recorders		Permits						
45-6-2375	Small shelter;	GDA	56	334127	6260946	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	2047
Contact		Recorders		Permits						
45-6-3098	Stringybark Ck PAD Shelter 4	GDA	56	329324	6257690	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders		Permits						
45-6-3165	UPPER MOORES CK-3 KUR160	GDA	56	332615	6261480	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders		Permits						
45-6-2630	EP1	AGD	56	333910	6260920	Open site	Valid	Artefact : -, Shell : -		2805
Contact		Recorders		Permits						
45-6-3004	Stringybark Creek PAD shelter 1 - LOC 079	GDA	56	329644	6257660	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders		Permits						
45-6-2150	Walled-up Midden Echo Point Park	GDA	56	334000	6261080	Open site	Valid	Shell : -, Artefact : -	Midden	1809,1911
Contact		Recorders		Permits						
45-6-2408	Roseville Bridge 6;	AGD	56	333650	6261190	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
Contact		Recorders		Permits						
45-6-2232	Depression Cave;	AGD	56	329290	6259390	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
Contact		Recorders		Permits						
45-6-2235	LBG Creek 3;	AGD	56	329130	6259860	Closed site	Valid	Artefact : -	Shelter with Deposit	
Contact		Recorders		Permits						
45-6-0926	Echo Point Park;Old Roseville Baths SWA	GDA	56	333794	6261350	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	

Report generated by AHIMS Web Service on 09/08/2024 for Kelsey Bennett for the following area at Datum :GDA, Zone : 56, Eastings : 329159.0 - 334156.0, Northings : 6256605.0 - 6261598.0 with a Buffer of 0 meters. Number of Aboriginal sites and Aboriginal objects found is 49
This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 3 of 4



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : HelpstChatswood
Client Service ID : 918599

SiteID	SiteName	Datum	Zone	Eastings	Northings	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-3005	Stringybark Creek PAD Shelter 2 LOC80	GDA	56	329464	6257740	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders		Permits						
45-6-3006	Stringybark Creek PAD Shelter 4 LOC82	GDA	56	329324	6257690	Closed site	Valid	Potential Archaeological Deposit (PAD) : 1		
Contact		Recorders		Permits						
45-6-3362	ARTARMON PARK PAD	GDA	56	332588	6257136	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : 1		
Contact		Recorders		Permits						
45-6-0631	echo point park;	AGD	56	333800	6260900	Closed site	Valid	Artefact : -, Shell : -	Midden,Shelter with Deposit	2047
Contact		Recorders		Permits						
45-6-2139	Boat Shed 1, Robb Reserve.	GDA	56	334055	6260930	Open site	Valid	Shell : -, Artefact : -	Midden	1809,1911
Contact		Recorders		Permits						
45-6-1353	Swaines Creek;Red Arrow Cave;	GDA	56	329620	6258590	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	2047
Contact		Recorders		Permits						
45-6-2661	Lane Cove PAD 1	AGD	56	329340	6259240	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
Contact		Recorders		Permits						
45-6-2911	Cocupara Shelter 1	GDA	56	329599	6260665	Closed site	Valid	Art (Pigment or Engraved) : 1		1689
Contact		Recorders		Permits						
45-6-2233	LBG Creek 1;	AGD	56	329190	6259960	Closed site	Valid	Artefact : -	Shelter with Deposit	
Contact		Recorders		Permits						

**** Site Status**
Valid - The site has been recorded and accepted onto the system as valid
Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.
Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground
Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 09/08/2024 for Kelsey Bennett for the following area at Datum :GDA, Zone : 56, Eastings : 329159.0 - 334156.0, Northings : 6256605.0 - 6261598.0 with a Buffer of 0 meters. Number of Aboriginal sites and Aboriginal objects found is 49
This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

Page 4 of 4

APPENDIX 2: ABORIGINAL COMMUNITY CONSULTATION

APPENDIX 2A: ABORIGINAL COMMUNITY CONSULTATION LOG

Date	Organisation	Comment	Method
9.7.24	Paper - North Shore Times	Catherine Burrowes (CB) rang - news paper is printed on a daily basis..... - will be published 11 July 2024 - closing date 25.7.2024	phone/email
11.7.24	Heritage NSW	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	Metropolitan Lalc	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	Office of The Registrar, ALRA	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	National Native Title Tribunal	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	NTSCORP	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	Willoughby City Council	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
11.7.24	Greater Sydney Local Land Services	CB sent stage 1 agency letter requesting potential stakeholders. closing date 25.7.2024	email
19.7.24	Stakeholder 1	TR receives call registering for the project	Phone
29.7.24	A1 Indigenous Services	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Amanda Hickey Cultural Services	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Aragung Aboriginal Cultural Heritage Site Assessments	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	B.H. Heritage Consultants	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Badu (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Barking Owl Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Bilinga (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Butucarbin Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Cullendulla (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Darug Boorooberongal Elders Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Darug Land Observations	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Dharug (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Dharug Ngurra Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email

Date	Organisation	Comment	Method
29.7.24	Didge Ngunawal Clan	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	DJMD Consultancy	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Ginninderra Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Goobah Development PTY LTD (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Goodradigbee Cultural & Heritage Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Gulaga	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Gunjeewong Cultural Heritage Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Gunyu (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Jerringong (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Julia Narayan	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Kamilaroi Yankuntjatjara Working Group	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Metropolitan Local Aboriginal Land Council	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Minnamunnung	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Munyunga (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Mura Indigenous Corporation (icn:8991)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Murra Bidgee Mullangari Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Murramarang (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Murrumbul (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Ngambaa Cultural Connections	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Nundagurri (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Pemulwuy (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Thauaira	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Thomas Dahlstrom	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Thoorga Nura	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Scott Franks on the behalf of the Wonnarua PBC	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Yarrowalk Pty Ltd	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email

Date	Organisation	Comment	Method
29.7.24	Waawaar Awaa Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wailwan Aboriginal Group	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Walbunja (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Walgalu (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wingikara (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wori Woilywa	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wullung (Murrin Clan/Peoples)	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wurrumay Pty Ltd	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	RAW Cultural Healing	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Guthers Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Gadu chts	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Wallangang Aboriginal Corporation	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	email
29.7.24	Darug Aboriginal Cultural Heritage Assessments	CB sent stage 1 community letter requesting potential stakeholders. Closing date 13.8.2024	Post
30.7.24	Thomas Dahlstrom	CB received email registering for the project	email
31.7.24	Thomas Dahlstrom	CB replied with thanks	email
30.7.24	Didge Ngunawal Clan	CB received email registering for the project	email
31.7.24	Didge Ngunawal Clan	CB replied with thanks	email
1.8.24	Ngambaa Cultural Connections	CB received email registering for the project	email
5.8.24	Ngambaa Cultural Connections	CB replied with thanks	email
4.8.24	A1 Indigenous Services	CB received email registering for the project	email
5.8.24	A1 Indigenous Services	CB replied with thanks	email
5.8.24	Kamilaroi Yankuntjatjara Working Group	CB received email registering for the project	email
5.8.24	Kamilaroi Yankuntjatjara Working Group	CB replied with thanks	email
5.8.24	Butucarbin Aboriginal Corporation	CB received email registering for the project	email

Date	Organisation	Comment	Method
7.8.24	Butucarbin Aboriginal Corporation	CB replied with thanks	email
21.8.24	Stakeholder 1	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	Thomas Dahlstrom	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	Didge Ngunawal Clan	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	Ngambaa Cultural Connections	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	A1 Indigenous Services	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	Kamilaroi Yankuntjatjara Working Group	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
21.8.24	Butucarbin Aboriginal Corporation	CB emailed Stage 2 assessment methodology - closing date 18.9.24	email
23.8.24	Gadhungal Marring	CB received email - <i>Thank you for sharing the Stage 2 information package regarding the Draft Methodology</i>	email
30.8.24	Thomas Dahlstrom	CB received email - <i>I have had a good read through and I am happy with it. I would like to request some involvement in any fieldwork</i>	email
30.8.24	Thomas Dahlstrom	CB replied with thanks	email
2.9.24	Gadhungal Marring	CB replied with thanks	email
3.10.24	Stakeholder 1	KB Emailed AFGM Invite	email
3.10.24	Thomas Dahlstrom	KB Emailed AFGM Invite	email
3.10.24	Didge Ngunawal Clan	KB Emailed AFGM Invite	email
3.10.24	Ngambaa Cultural Connections	KB Emailed AFGM Invite	email
3.10.24	A1 Indigenous Services	KB Emailed AFGM Invite	email
3.10.24	Kamilaroi Yankuntjatjara Working Group	KB Emailed AFGM Invite	email
3.10.24	Butucarbin Aboriginal Corporation	KB Emailed AFGM Invite	email
3.10.24	Gadhungal Marring	KB Emailed AFGM Invite	email
4.10.24	Stakeholder 1	Replied confirming attendance, KB replied with thanks	email
4.10.24	Thomas Dahlstrom	Replied confirming attendance, KB replied with thanks	email
4.10.24	Didge Ngunawal Clan	Asked if meeting was paid, KB replied	email
10.10.24	Butucarbin Aboriginal Corporation	CB received phone call confirming attendance	Phone
11.10.24	Butucarbin Aboriginal Corporation	NM received call raising concerns about lack of remuneration for meeting. NM informs BAC that an archaeologist / senior will call back when available to discuss	Phone

Date	Organisation	Comment	Method
11.10.24	Butucarbin Aboriginal Corporation	TR tries to call BAC to discuss concerns, leaves message	Phone
11.10.24	Butucarbin Aboriginal Corporation	TR emails BAC to respond to concerns	Email
14.10.24	Didge Ngunawal Clan	Asked if meeting was paid, KB replied	Email
14.10.24	Stakeholder 1	Sent apologies as could not attend, KB replied. Agreed to call at 4pm	Email
14.10.24	Thomas Dahlstrom	Held AFGM on Microsoft Teams with Thomas Dahlstrom as the only attendee.	AFGM
14.10.24	Stakeholder 1	KB called, no answer, left voicemail	Phone
14.10.24	Stakeholder 1	Stakeholder 1 called back during an 11 minute phone call, gave some info about her heritage, her company Blak Lightning and a wish to be included in future paid work, this call was in lieu of her attendance to the AFGM.	Phone
15.10.24	Gadhungal Marring	Nigel emailed with apologies, asking if there would be another opportunity to speak. KB Replied offering to call	Email
4.11.24	Stakeholder 1	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Thomas Dahlstrom	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Didge Ngunawal Clan	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Ngambaa Cultural Connections	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	A1 Indigenous Services	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Kamilaroi Yankuntjatjara Working Group	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Butucarbin Aboriginal Corporation	KB Emailed Stage 4 Letter and ACHAR	Email
4.11.24	Gadhungal Marring	KB Emailed Stage 4 Letter and ACHAR	Email
3.12.24	Gadhungal Marring	Response from Nigel Millgate re ACHAR	Email
26.2.25	All RAPs	KB emailed final v3.3 ACHAR update to all RAP members	Email
26.2.25	Stakeholder 1	Called and spoke to KB, asked who she should send her invoice to for providing cultural information to the project.	Phone
26.2.25	Stakeholder 1	KB replied explaining that no remuneration was being provided for the project, as was stated in the initial AFGM invite.	Email
26.2.25	Stakeholder 1	Stakeholder replied advising she would take the matter to a legal team	Email
26.2.25	Didge Ngunawal Clan	Replied to the updated ACHAR with thanks.	Email
27.2.25	Kamilaroi Yankuntjatjara Working Group	Replied to the updated ACHAR with thanks.	Email
10.3.25	Stakeholder 1	Stakeholder 1 called Jodie Benton (OzArk Director) and discussed wanting close to \$3000 for payment for contributions, and if that was not going to happen, then asked for her name	Phone

Date	Organisation	Comment	Method
		and contributions to be removed from the report.	
10.3.25	Stakeholder 1	Email sent back to Stakeholder 1 apologising for the situation and confirming that no remuneration would be offered. Advised that OzArk would remove mention of her from the report	Email
25/03/25	All RAPs	KB emailed all RAPs with updated V3.5 ACHAR	Email
25/03/25	Stakeholder 1	Called KB and asked for all instances of their name to be removed from the report. KB asked if they wanted to be deregistered as a RAP from the project and they confirmed yes.	Phone
25/03/25	All RAPs	KB emailed all RAPs with updated V3.6 ACHAR	

APPENDIX 2B: MEDIA ADVERTISEMENT

Expression of Interest Cultural Heritage Management

OzArk Environment & Heritage has been engaged by Loftex Chatswood Pty Limited (the proponent) to complete an Aboriginal cultural heritage assessment for 3-5 Help Street, Chatswood, NSW within the City of Willoughby local government area. The project will involve developing an existing complex to In-fill Affordable Housing. These activities may result in harm to Aboriginal cultural heritage.

OzArk is seeking persons or groups who wish to be consulted about the project and this consultation group will assist OzArk and the proponent in the preparation of an Aboriginal Cultural Heritage Assessment Report and to assist Heritage NSW and the Department of Planning, Housing and Infrastructure and in their consideration and determination of the project.

If you hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects or places in the city of Willoughby/Chatswood project area only, please register your interest to be consulted.

Registrations can be made by post: OzArk PO Box 2069 Dubbo NSW 2830; email: catherine@ozarkehm.com.au or by phoning OzArk on 02 6882 0118. All submissions should be received no later than 25 July 2024.

APPENDIX 2C: AGENCY LETTER & RESPONSES

Agency Letter

**OzArk Environment & Heritage**

Dubbo | Queanbeyan
Wollongong | Newcastle
Katoomba

T: 02 6882 0118
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

ABN 29 675 720 564

145 Wingewarra St
PO Box 2069
DUBBO NSW 2830

29 July 2024

ABORIGINAL CULTURAL HERITAGE ASSESSMENT
3-5 HELP STREET CHATSWOOD, DEVELOPMENT PROJECT

Dear Sir/Madam,

OzArk Environment & Heritage (OzArk) has been engaged by Loftex Chatswood Pty Limited to undertake Aboriginal community consultation as per the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

The proponent is proposing to develop an existing complex to In-fill Affordable Housing. The assessment area is identified under Strata Plan (SP) 134 & (SP) 52320 and is approximately 2,326 metres (m)². The proposal is for a high-rise residential tower including retail/commercial at podium levels with basement carparking. These activities may result in harm to Aboriginal cultural heritage.

We are therefore seeking Expressions of Interest from relevant Aboriginal stakeholder groups and individuals in the area who hold cultural knowledge relevant to determining the significance of Aboriginal objects or places within the City of Willoughby, Chatswood area.

This consultation group will assist OzArk in preparing the Aboriginal Cultural Heritage Assessment Report (ACHAR) and to assist Heritage NSW and the Department of Planning, Housing and Infrastructure in their consideration and determination of the project.

If your organisation can recommend and provide contact details for any known Aboriginal groups or individuals with cultural knowledge relevant to determining the impacts to the cultural significance of the above-mentioned project, please advise our office.

We would appreciate it if you could provide any feedback, by responding to this email catherine@ozarkehm.com.au, regarding these Aboriginal stakeholder groups by 25 July 2024, or sooner if possible.

Kind regards,

A handwritten signature in black ink, appearing to read "Catherine Burrowes".

Catherine Burrowes
Office Manager/ Community Liaison

Figure 1: Location map.



Response from Willoughby City Council

Acknowledgement - Stage 1 Agency - 3-5 Help Street, Chatwood

 Council's Email <email@willoughby.nsw.gov.au>
To  Catherine Burrowes

Reply Reply All Forward ...

Fri 12/07/2024 11:56 AM

Thank you for contacting Willoughby City Council.

As per our [Customer Service Charter](#), we will endeavor to have a final response to you within 10 business days. Your email will be forwarded to the relevant officer for actioning.

From: catherine@ozarkehm.com.au
Sent: 7/12/2024 1:56:15 AM +00:00
To: email@willoughby.nsw.gov.au
Subject: Stage 1 Agency - 3-5 Help Street, Chatwood

Hello Members,

Re: Aboriginal Cultural Heritage Assessment for the proposed 3-5 Help Street, Chatswood development.

Please find attached letter requesting relevant stakeholder groups.

Thank you for your assistance.

Response from Native title

RE: Stage 1 Agency - 3-5 Help Street, Chatwood

 Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
To  Catherine Burrowes

Reply Reply All Forward ...

Fri 12/07/2024 11:57 AM

Your email has been received and is being actioned. For information regarding timeframes and what you will receive in response please refer to our website at this address:
http://www.nntt.gov.au/assistance/Geospatial/Pages/Geospatial_Searches.aspx

Geospatial Searches
National Native Title Tribunal | Perth
 Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

Response from Heritage NSW

Request received 32092: Stage 1 Agency - 3-5 Help Street, Chatwood

 Heritage NSW <support@zendesk.environment.nsw.gov.au>
To  Catherine Burrowes

Reply Reply All Forward ...

Fri 12/07/2024 11:52 AM

Thank you for contacting Heritage NSW. Your request 32092 has been received and is being reviewed by our support staff. Our aim is to reply to you within 1 Business day.

To provide additional information, reply to this email.

While you are waiting, here are some useful resources that may help resolve your matter:

Our website contains current information about what Heritage NSW does. This includes state heritage listings, Aboriginal places declarations, applying for heritage approvals and permits including application processing times, heritage grants and managing heritage items. You can access it here: [Heritage NSW](#).

Heritage Management System (HMS) is our digital system for lodging Heritage Act 1977 applications. You can learn more here: [User Guide](#).
 Or [login here](#).

The State Heritage Inventory (SHI) holds information about heritage items and places on statutory lists in NSW. More information about SHI and how to access it can be found here: [State Heritage Inventory](#).

Aboriginal Heritage Information Management System (AHIMS) holds information about recorded Aboriginal sites, objects and declared Aboriginal places in NSW. More information about AHIMS and how to access it can be found here: [Aboriginal Heritage Information Management System](#).

The Blue Plaques Program recognises the people and events that have shaped NSW. You can access more information about the program, and subscribe to the Blue Plaques mailing list to learn about future nominations rounds, here: [Blue Plaques \(nsw.gov.au\)](#).

This email is a service from Heritage NSW. Delivered by Zendesk

Response from Greater Sydney Local Land Services

Automatic reply: Stage 1 Agency - 3-5 Help Street, Chatwood



LLS GS Service Mailbox <gs.service@lls.nsw.gov.au>
To Catherine Burrowes

 If there are problems with how this message is displayed, click here to view it in a web browser.

Thank you for contacting Greater Sydney Local Land Services. We have received your email and will respond as soon as possible. **If your matter is urgent please call 1300 795 299.**

We value your feedback and we want to provide you with the best service possible. However, we also expect our customers to treat our customer service team with respect and courtesy.

Please note that any abusive, rude, or threatening language or behaviour towards our customer service team will not be tolerated and may result in the termination of our communication or service.

If you suspect an exotic animal disease, please contact the Emergency Animal Disease hotline on 1800 675 888. If you suspect a plant health issue, please contact the Exotic Plant Pest hotline on 1800 084 881.

You can find all the latest information via our website www.greatersydney.lls.nsw.gov.au or follow us on our Greater Sydney Local Land Services' Facebook page.

If you would like to learn more about our Measuring What Matters community to help us understand how we can improve the information and services we provide you please click [here](#).

Kind regards,

Customer Service Team

APPENDIX 2D: STAGE 1 COMMUNITY LETTER



OzArk Environment & Heritage

Dubbo | Queanbeyan

Wollongong | Newcastle

Katoomba

T: 02 6882 0118

enquiry@ozarkehm.com.au

www.ozarkehm.com.au

ABN 29 675 720 564

145 Wingewarra St

PO Box 2069

DUBBO NSW 2830

29 July 2024

ABORIGINAL CULTURAL HERITAGE ASSESSMENT 3-5 HELP STREET CHATSWOOD, DEVELOPMENT PROJECT

Dear Sir/Madam,

OzArk Environment & Heritage (OzArk) has been engaged by Loftex Chatswood Pty Limited to undertake Aboriginal community consultation as per the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010).

The proponent is proposing to develop an existing complex to In-fill Affordable Housing. The assessment area is identified under Strata Plan (SP) 134 & (SP) 52320 and is approximately 2,326 metres (m)². The proposal is for a high-rise residential tower including retail/commercial at podium levels with basement carparking. These activities may result in harm to Aboriginal cultural heritage.

Accordingly, we are seeking Expressions of Interest from relevant Aboriginal groups and individuals in the Chatswood area, to form a consultation group. This consultation group will assist OzArk in preparing the Aboriginal Cultural Heritage Assessment Report (ACHAR) to assist Heritage NSW and the Department of Planning, Housing and Infrastructure in their consideration and determination of the project.

If you hold cultural knowledge relevant to determining the impacts to the cultural significance of this project area, should you wish to register for the project please provide the following information:

- Group or individual name
- Contact name (if registering as a group)
- Email or postal address
- Contact number

Please do this by contacting our office on (02) 6882 0118 or responding to this email catherine@ozarkehm.com.au. The closing date for expressions of interest is 13 August 2024.

If you wish to register interest it is noteworthy that as per the Heritage NSW guidelines, we are required to provide your details to Heritage NSW and the Local Aboriginal Lands Council unless we are advised that you do not wish your details to be released.

El Burro

APPENDIX 2E: STAGE 2-3 LETTER



OzArk Environment & Heritage

Dubbo | Queanbeyan
Wollongong | Newcastle
Katoomba

T: 02 6882 0118
enquiry@ozarkehm.com.au
www.ozarkehm.com.au

ABN 29 675 720 564

145 Wingewarra St
PO Box 2069
DUBBO NSW 2830

21 August 2024

***Aboriginal Cultural Heritage Assessment Methodology:
Proposed 3-5 Help Street, Chatswood NSW***

Dear Members,

Thank-you for your registration of interest to become a Registered Aboriginal Party (RAP) to be consulted regarding the proposed 3-5 Help Street, Chatswood. The project is approximately 9 kilometres (km) northwest of central Sydney. The proposal is within the Willoughby City Council Local Government Area.

The purpose of this letter is to invite you to comment on the enclosed draft methodology for the Aboriginal cultural heritage assessment.

In addition to comments on the draft methodology, if you can share any Aboriginal cultural heritage knowledge relevant to the assessment areas, we welcome this input so as to improve our assessment outcomes and to ensure Aboriginal cultural values are considered.

OzArk Environment & Heritage is required to give you 28 days to supply feedback on the attached documents. This period closes 5pm on Wednesday 18 September 2024.

If you need any help supplying feedback or have any queries in relation to the enclosed information, please do not hesitate to contact our office.

Kind regards,

A handwritten signature in black ink, appearing to read 'C. Burrowes'.

Catherine Burrowes
Customer Liaison

APPENDIX 2F: AFGM MEETING SUMMARY

AFGM Meeting – Held 14/10/24 at 2.30 pm

Attendees. Ryan Lidgard, Loftex. Kelsey Bennett & Jodie Benton, OzArk. Thomas Dahlstrom, representing self.

The meeting started with introductions, from Kelsey, Jodie and Ryan.

Jodie discussed the premise of the meeting, referencing the assessment methodology, stating that because of the highly developed nature of the site, an AFGM was more suited than archaeological survey to the project. Once the meeting has taken place and cultural information gathered, that can then be used in any kind of mitigation that may be necessary.

Kelsey went on to talk about how the kind of cultural heritage values found locally included displaying words for vegetation in both English and Aboriginal languages, stories of notable people and the like, all of this could be something that the local community considered valuable.

Ryan then stated that all of their vegetation is native and that could be an area where the community could be involved.

Kelsey continued to discuss a project from WolfPeak, a Heritage Impact Plan that contained some good info about Aboriginal history in the Chatswood area. The splitting of this information into narratives that can be better understood from a place of development was important.

Thomas Dahlstrom joined about 15 minutes after the meeting started. Introductions were made, and Kelsey started the presentation by showing the location of the site and some images from the street of the existing building.

The history of the land was then introduced, with Chatswood not being urbanised until the 1840s, more heavily so from 1901 with the introduction of the railway to the area. Explained how heavy disturbance such as this makes little room for surviving archaeological material.

Ryan then introduced the project, a residential tower with a basement carpark and commercial space on the first few floors and associated landscaping.

Kelsey then talked about the projects in the area, specifically the Sydney Metro site which was a subsurface excavation 400 m from the study area. It turned up no artefacts, and Artefact, who undertook the study in 2016 stated the whole area had low archaeological potential. Kelsey continued saying that WolfPeak studied the same area in 2022, but looked at the intangible knowledge instead of what can no longer be seen in the archaeological record. This sort of knowledge is better utilised for urban space such as this.

Kelsey then showed the AHIMS sites in the local area, mostly alongside rivers and creeks that have been undisturbed. He stated most of the sites in the area was rockshelters.

Thomas then said there were lots of rock shoulders around the slopes. Jodie reiterated that the study area was not a likely landform for that, or any Aboriginal sites to be found.

Kelsey continued on, talking about the Gamaragal peoples in the area and the borders of their territory.

The conversation then sidelined slightly and Thomas and Jodie discussed how work is disseminated throughout the Aboriginal community. Thomas stated he might know some families that are direct descendants and Jodie invited him to share our details with them.

Kelsey then moved to a slide which had some of the notable Aboriginal figures highlighted in the WolfPeak study. Thomas stated that there is some conjecture to whether these figures are truly representative of the Gamaragal people, being that they didn't necessarily spend time on Gamaragal land and how there is juxtaposition between their representation and white culture's perception of that representation.

Thomas then gave some context for the Gamaragal matriarch, Barangaroo, and reminded the party that he had supplied two documents which relate to the cultural heritage values of the area. Jodie and Thomas then continued to discuss the first fleet and the documentation from that period, with Thomas emphasising the violence of European settlers.

Jodie then discussed how there is an existing basement car park and no soil that remains has any archaeological value.

Thomas discussed how he would like the report be positive on what is claimed to be known, stating that we cannot know if there are songlines, and that knowledge is lost, we won't ever know for sure.

The conversation continued into the relationship between government guidelines and the treatment and inclusion of RAPs. It was mentioned that the job was labelled an SSD.

Kelsey stated that there would be an acknowledgement in the report that information that cannot be known once existed about this space, and that if it does still exist it may be closed to outsiders. Kelsey then stated that we cannot assume to know that either from any perspective.

Thomas agreed, stating that it is the difference between a humble and a not humble document, and continued on, talking about how song lines are important for initiation and introduction to sacred land, and discussed the giving of consent and the legislation. IT was decided it best to move on as these issues were not going to be resolved.

Kelsey returned to the presentation and showed a slide of some Gamaragal traditions. Of the Malgum, the cutting of the little finger. Thomas stated that the cutting of the finger is not practised often but still practised, but it is not for initiation of women, scars are used for initiation and the finger cutting more for a promise.

Kelsey continued, discussing the Bara shell fish hooks, also rather uniquely used by women in this estuarine landscape.

Thomas was invited to add anything additional, and he discussed the Gamaragal initiation ceremony of tooth pulling by the harbour, coordinated by their authority for multiple clans.

The conversation drew to a close.

APPENDIX 2G: STAGE 4 RESPONSES

Nigel Millgate response:

Re: 3-5 Help Street, Chatswood. Stage 4 Letter & ACHAR for Review

 Nigel Millgate <nigel.m@gadhungalmarring.com.au>
To: Kelsey Bennett

  Reply  Reply All  Forward  

You replied to this message on 4/12/2024 10:35 AM.
If there are problems with how this message is displayed, click here to view it in a web browser.

Tue 3/12/2024 3:55 PM

Key Considerations for Aboriginal Cultural Heritage Assessment

As part of the Aboriginal Cultural Heritage Assessment (ACHA), we would like to propose the following key considerations to ensure the process is respectful, thorough, and culturally appropriate:

Engagement with Elders and Knowledge Holders

It is essential that Elders and key knowledge holders from the local Aboriginal community are actively involved throughout the ACHA process. Their input is invaluable in understanding the cultural and historical significance of the area, and they should be consulted at every stage of the assessment.

Site-Specific Cultural Mapping

Detailed cultural mapping of the site should be undertaken to identify and protect any known or previously unidentified Aboriginal heritage sites. This includes specific attention to natural features, landforms, and any areas of historical or ceremonial importance that may be revealed during the mapping process.

Seasonal Considerations

The timing of assessments must take into account seasonal changes that might affect the visibility of cultural heritage, such as water levels, vegetation growth, or erosion. Conducting assessments during optimal conditions ensures the highest likelihood of identifying artefacts and significant sites.

Artefact Counts On-Site

We require that all artefact counts take place on-site with the presence of a Registered Aboriginal Party (RAP). Artefacts are not to be removed from the site for counting under any circumstances. This ensures cultural protocols are followed, and the integrity of artefacts in their context is preserved.

RAP Involvement in Test Pit Allocation

We strongly encourage that the methodology include provisions for RAPs to have meaningful input into the allocation of test pit locations. Allowing RAPs to determine the placement of at least 25% of test pits would provide an invaluable opportunity to integrate cultural knowledge into the assessment process. This ensures that areas of cultural significance identified by the community are appropriately investigated and respected.

Impact Mitigation

Mitigation measures for any identified heritage impacts must be robust and prioritise the preservation of cultural heritage. This includes considering alternative designs or locations for infrastructure to safeguard areas of significance. Where avoidance is not possible, comprehensive and respectful management plans must be implemented.

Ongoing Monitoring and Consultation

A clear framework for ongoing monitoring during all phases of the project should be established. Continuous consultation with Aboriginal stakeholders is crucial to address any concerns and to ensure cultural heritage is protected as new findings arise.

Respect for Cultural Protocols

The use and distribution of any cultural information must strictly adhere to cultural protocols. Information should only be shared with prior approval and used solely for the purposes of the ACHA and related documentation. Sensitive cultural information must remain confidential.

We believe these considerations are vital to ensuring that the ACHA process is respectful, effective, and aligned with the values of the Aboriginal community. Should you require further clarification or wish to discuss these points in detail, we would be pleased to assist. We look forward to contributing meaningfully to this important project.

Nigel Millgate
Operations Manager
0435 616 352

GADHUNGAL MARRING
Innovation Campus |
University of Wollongong NSW 2522 Australia
gadhungalmarring.com.au
[Facebook](#) | [Instagram](#)



powered by



OzArk Response to Nigel Millgate:

RE: 3-5 Help Street, Chatswood. Stage 4 Letter & ACHAR for Review



Kelsey Bennett

To Nigel Millgate

Reply

Reply All

Forward

Wed 4/12/2024 3:07 PM

Hi Nigel,

Thanks for your feedback, I will include these recommendations in the appendix of any version of the ACHAR going forward.

It is noted that your response was not specific to this ACHAR. However, this ACHAR has been prepared in line with the NSW Government code of practice, and those guidelines take into account your points.

It is worth noting that there are no sites, nor any subsurface potential at the project location, and therefore no test excavation is planned.

Thanks again,

Kelsey Bennett

Project Archaeologist



OzArk Environment & Heritage

PO Box 2069 DUBBO 2830

02 6882 0118

kelsey@ozarkehm.com.au

www.ozarkehm.com.au





OzArk and staff respectfully acknowledge the Traditional Owners and Custodians of the Country on which we work.

LEGAL DISCLAIMER: The contents of this electronic communication and any attached documents are strictly confidential and they may not be used or disclosed by someone who is not a named recipient. If you have received this electronic communication in error please notify the sender by replying to this electronic communication inserting the word "misdirected" as the subject and delete this communication from your system. The recipient agrees not to disclose the confidential information obtained from the discloser to anyone unless required to do so by law.

Aboriginal Cultural Heritage Assessment Methodology. 3-5 Help Street Development Project

56

APPENDIX 3: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL

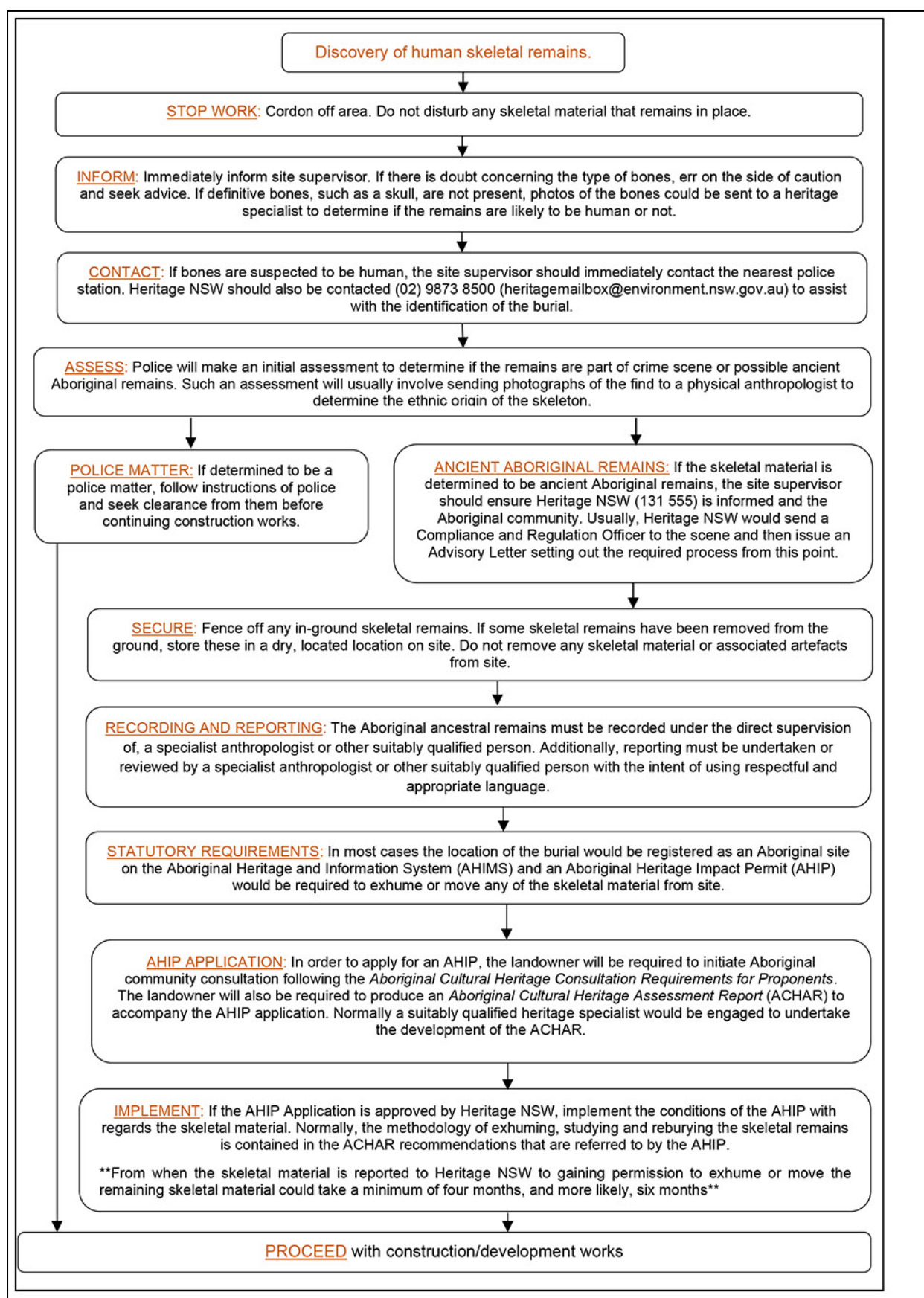
An Aboriginal artefact is anything which is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal) remains may also be uncovered while onsite.

Cultural heritage significance is assessed by the Aboriginal community and is typically based on traditional and contemporary lore, spiritual values, and oral history, and may also consider scientific and educational value.

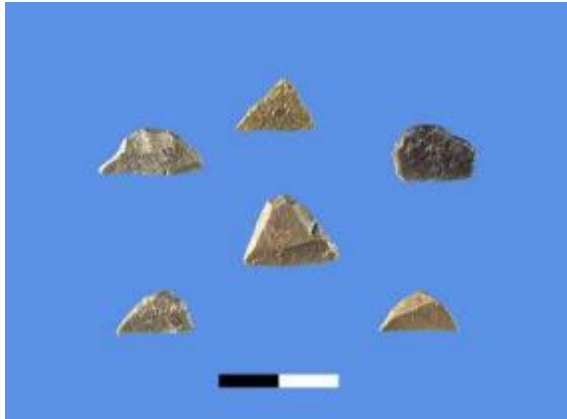
Protocol to be followed if previously unrecorded or unanticipated Aboriginal object(s) are encountered:

1. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - a. Not further harm the object.
 - b. Immediately cease all work at the particular location.
 - c. Secure the area to avoid further harm to the Aboriginal object.
 - d. Notify Heritage NSW as soon as practical on (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au), providing any details of the Aboriginal object and its location; and
 - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
2. If Aboriginal burials are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.
3. Cooperate with the appropriate authorities and relevant Aboriginal community representatives to facilitate:
 - a. The recording and assessment of the find(s)
 - b. The fulfilment of any legal constraints arising from the find(s), including complying with Heritage NSW directions
 - c. The development and implementation of appropriate management strategies, including consultation with stakeholders and the assessment of the significance of the find(s).
4. Where the find(s) are determined to be Aboriginal object(s), recommencement of work in the area of the find(s) can only occur in accordance with any consequential legal requirements and after gaining written approval from Heritage NSW (normally an Aboriginal Heritage Impact Permit).

APPENDIX 4: UNANTICIPATED SKELETAL REMAINS PROTOCOL



APPENDIX 5: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION

	
A retouched silcrete flake	A quartz flake
	
Microliths (scale = 1 cm)	Volcanic flakes
	
Flake characteristics (scale = 1 cm)	A mudstone/tuff core from which flakes have been removed