



Aboriginal Due Diligence

5 Blue Street, North Sydney

May 2026

Document Information

Citation

Curio Projects, 2026, *Aboriginal Due Diligence: 5 Blue Street, North Sydney*. Prepared for Lighthouse Project Group.

Local Government Area

North Sydney Council

Issue	Issue date	Version	Notes	Author	Review
1	21.05.26	Draft Report	Client Review	Rebecca Agius, Kieran McGee	Natalie Vinton, Sebastian Gerber-Hood
2	28.05.2026	Final Report			

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1. Introduction

1. Introduction

1.1. Purpose of this Report

Curio Projects have been commissioned by Zurich Australian Insurance Properties (the Applicant) to prepare an Aboriginal Due Diligence (DD) to address potential Aboriginal archaeological considerations for the proposed redevelopment of 5 Blue Street, North Sydney (the study area). This report has been prepared to support the submission of a State Significant Development Application (SSD-86270706) which is submitted to the Department of Planning, Housing and Infrastructure (DPHI). The proposal seeks development consent for a mixed-use development comprising a 29-storey mixed-use building and an enhancement of the existing Blue Street Plaza.

The purpose of this report is to assess the potential for archaeological material to be present within the study area and to evaluate whether the proposed development is likely to disturb such material, if present. It aims to determine whether any archaeological remains hold significance and whether their potential disturbance would necessitate further investigation, such as archaeological test excavation, Aboriginal community consultation or statutory approvals.

This report has been prepared in accordance with the following documents:

- Department of Environment, Climate Change and Water, 2010a. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW*.
- Department of Environment, Climate Change and Water, 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*.

1.2. Site Identification

The study area located at 5 Blue Street, North Sydney, is legally comprised of 1 Lot (DP713944) (Figure 1.1). The study area is currently occupied by the Zurich building, a 12-storey commercial tower (11,723 m²), and the Blue Street Plaza (700 m²), a publicly accessible forecourt space. The study area sits immediately above North Sydney Station's platforms and abuts the station to the east. The surrounding area is comprised of medium to high density residential and commercial core zones. The study area has frontages to Blue Street to the North and Blues Point Road to the West. The study area abuts the St Francis Xavier Catholic Church building complex to the south. The study area is within the curtilages of North Sydney Council and the Metropolitan Local Aboriginal Land Council.

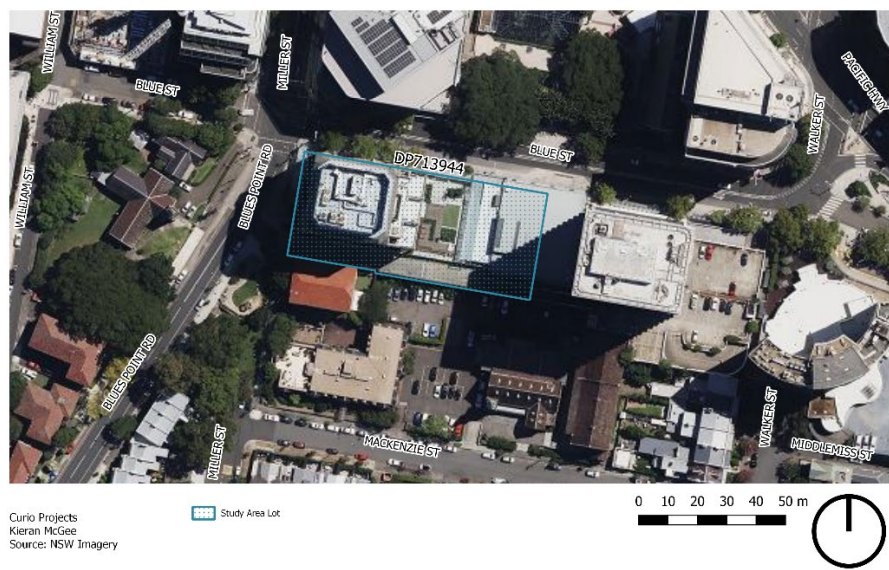


Figure 1.1: Study Area indicated with Deposited Plan number.

1.3. Secretary’s Environmental Assessment Requirements

In accordance with section 4.39 of the Environmental Planning & Assessment Act 1979 (EP&A Act), Secretary’s Environmental Assessment Requirements (SEARs) for SSD-86270706 were issued on 16 July 2025. This report has been prepared to respond to the relevant issued SEARs, as set out in the table below.

Table 1.1: SEARS relevant to this report

SEAR	Response
21. Aboriginal Cultural Heritage Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or - Providing an initial assessment of the potential impacts. If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: - Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. - Is prepared in accordance with relevant guidelines.	<i>If required:</i> Aboriginal Cultural Heritage Assessment Report This report fulfils this requirement in relation to Aboriginal archaeological and heritage considerations. This report has determined that an Aboriginal Cultural Heritage Assessment Report is not required
22. Environmental Heritage Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.	<i>If required:</i> - Statement of Heritage Impact - Archaeological Assessment Curio has prepared a Statement of Heritage Impact.

1.4. Limitations and Constraints

This desktop report has been prepared using available historical data and documentation available for the study area including archaeological reports and assessments. No further historical or archival research was undertaken.

The Due Diligence Code of Practice states that '*consultation with the Aboriginal community is not a formal requirement of the due diligence process*', however, as the determinants and custodians of their own heritage, only Aboriginal people are able to provide useful information regarding Aboriginal cultural and social values and significance. No consultation with the local Aboriginal community, however, has been undertaken as part of this assessment, and therefore no social or cultural assessment of Aboriginal heritage values has been undertaken at this time.

This report does not include assessment of any non-heritage related planning controls or requirements.

1.5. Authorship and Acknowledgements

This report was prepared by Rebecca Agius, Senior Archaeologist and Heritage Specialist, and Kieran McGee, Archaeologist, both of Curio Projects.

2. Statutory Context

2. Statutory Context

2.1. Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the primary land use statute in NSW. DPHI administers the EP&A Act, which provides the legislative context for environmental planning instruments made to legislate and guide the processes of development and land use. Local heritage items, including known archaeological items, identified Aboriginal Places and heritage conservation areas are protected through listings on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs). The EP&A Act also requires that potential historical archaeological resources are adequately assessed and considered as part of the development process, in accordance with the requirements of the Heritage Act (see relevant sections below for further on the Heritage Act).

Part 4, Division 4.1 of the EP&A Act identifies and defines State Significant Development projects as those declared under Section 89C of the EP&A Act. SSD and State Significant Infrastructure projects (SSI), replace 'Concept Plan' project approvals, in accordance with Part 3A of this Act (repealed in 2011).

The project does meet the criteria for SSDA and therefore is not subject to the provisions of the Heritage and NPW Acts.

2.1.1. North Sydney Local Environmental Plan 2013

Places and objects that are not State significant may be significant to the community within a local government area. These are listed on the current North Sydney LEP 2013. Part 5, Clause 5.10 of the LEP sets out objective and planning controls for the conservation of heritage in the LGA, including the conservation of archaeological sites, including Aboriginal archaeological sites, and are as follows:

- (1) *Objectives – The objectives of this clause are as follows:*
 - (a) *To conserve the environmental heritage of Lane Cove*
 - (b) *To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, setting and views*
 - (c) *To conserve archaeological sites*
 - (d) *To conserve Aboriginal objects and Aboriginal places of heritage significance*
- (2) *Requirement for Consent – Development consent is required for any of the following:*
 - a) *Demolishing or removing any of the following or altering the exterior of any of the following (including in the case of a building, making changes to its detail, fabric, finish or appearance)*
 - (i) *A heritage item*
 - (ii) *An Aboriginal object*
 - (iii) *A building, work, relic or tree within a heritage conservation area*

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

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

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

2.1.2. North Sydney Development Control Plan 2013

Section 13.2 of the North Sydney Development Control Plan relates to Aboriginal heritage, both archaeological and intangible, within the North Sydney area. The DCP notes that Aboriginal places of significance are more likely to occur along the harbour foreshore and creek lines, as well as on sandstone outcrops and rock shelters below cliffs.

The relevant Objectives and Provisions for Aboriginal Heritage are listed in Table 2.1 below:

Table 2.1: North Sydney DCP requirements

Objectives	Provisions
<i>O1 Acknowledge the importance of Aboriginal heritage as part of North Sydney's heritage resources.</i>	<i>P1 Obtain relevant approvals from the Aboriginal Heritage Office prior to commencing work where a site contains, or has potential for Aboriginal objects.</i>

O2 Protect Aboriginal objects and Aboriginal places of heritage significance by minimising the likelihood of disturbance from development.

O3 Minimise potential for interference with archaeological objects as a result of development by encouraging relics to be preserved in-situ.

P2 Building and landscaping works, including paths and driveways are not to disturb any Aboriginal objects.

P3 Minimise disturbance and exposure of areas along the foreshore, including excavations for swimming pools, jetties and boat sheds.

P4 Site structures away from the foreshore where possible.

P5 Minimise disturbance to rock outcrops and overhangs.

2.2. NSW National Parks and Wildlife Act 1974

The *NSW National Parks and Wildlife Act 1974* (NPW Act), administered by the Aboriginal Heritage Planning Section of Heritage NSW within the Department of Premier and Cabinet (DPC), is the primary legislation that provides statutory protection for all 'Aboriginal objects' (Part 6, Section 86, Section 90) and 'Aboriginal places' (Part 6, Section 84) within NSW.

An Aboriginal object is defined through the NPW Act as:

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

The NPW Act provides the definition of 'harm' to Aboriginal objects and places as:

...any act or omission that:

- a) Destroys, defaces or damages the object or place, or*
- b) In relation to an object – moves the object from the land on which it has been situated, or*
- c) Is specified by the regulations, or*
- d) Causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b), or (c)*

The NPW Act also establishes penalties for 'harm' to Aboriginal objects and declared Aboriginal places, as well as defences and exemptions for harm. One of the main defences against the harming of Aboriginal objects and cultural material is to seek an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act, under which disturbance to Aboriginal objects could be undertaken, in accordance with the requirements of an approved AHIP.

2.3. Heritage Act 1977

In order to best implement and administer the protection afforded to Aboriginal objects and places through the NPW and EP&A Acts, the former NSW Office of Environment and Heritage (now part of Heritage NSW) have prepared a series of guidelines with regards to Aboriginal heritage. These guidelines are designed to assist developers, landowners, and archaeologists to better understand their statutory obligations with regard to Aboriginal heritage in NSW and implements best practice policies into their investigation of Aboriginal heritage values and archaeology in relation to their land and/or development. These guidelines include:

- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010) (The Due Diligence Code of Practice).

- *Guide to Investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011a) (Guide to Investigating).
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (Code of Practice).
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010c) (Consultation Guidelines).
- *Aboriginal Heritage Impact Permits, A Guide for Applicants* (OEH 2011b)

2.3.1. Due Diligence Process

The Due Diligence process (in accordance with the Due Diligence Code of Practice guidelines) (Figure 2.1), is a step by step process that provides proponents with a reasonable method to follow to determine whether their proposed activity has the potential to harm Aboriginal objects, and to identify reasonable constraints and opportunities of the activity, relating to Aboriginal heritage in the activity location. The primary steps of the Due Diligence process are:

- **Step 1** – Determine whether the activity will disturb the ground surface or any culturally modified trees.
- **Step 2a** – Database search of the Aboriginal Heritage Information Management Services (AHIMS), and other known sources to determine whether any registered sites are located within or near the study area.
- **Step 2b** – Environmental and Landscape Assessment.
- **Step 3** – Impact Avoidance Assessment.
- **Step 4** – Desktop Assessment and Visual Inspection.

Following this process, should the assessment determine that Aboriginal objects are likely to be present and have potential to be impacted, the Due Diligence Code of Practice advises further investigation and impact assessment (Step 5). Should the assessment determine that Aboriginal objects are unlikely to be present/unlikely to be harmed through the proposed activity, then the activity may proceed with caution.

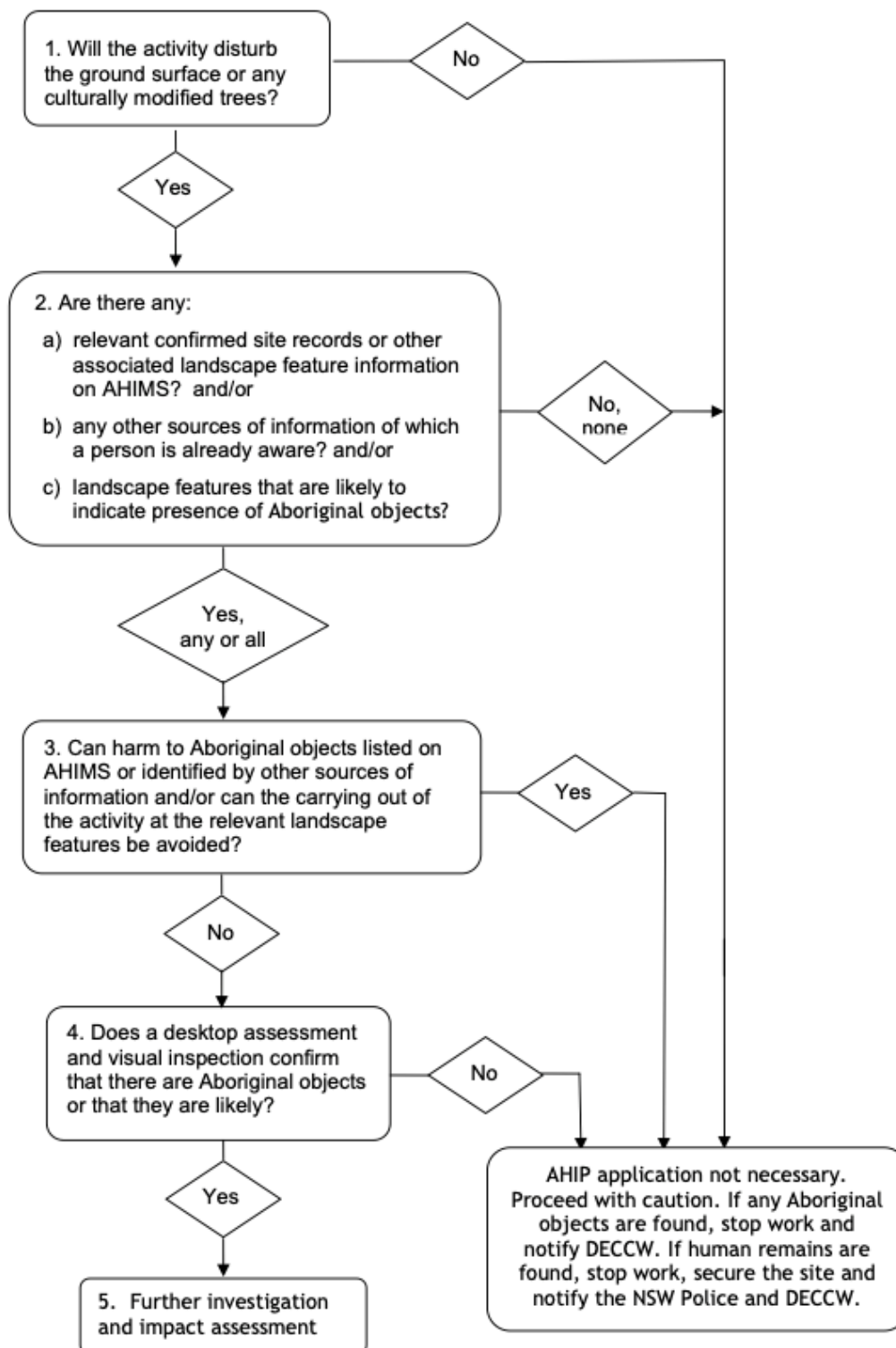


Figure 2.1: Outline of the Due Diligence process

Source: OEH 2010a

3. Historical Summary

3. Historical Summary

3.1. Aboriginal Ethnohistory

3.1.1. Pre-European Environment

Before European colonisation, the area was known to have been inhabited by two major Aboriginal groups; the Cammeraygal and the Wallumedegal. The exact boundaries and borders of their territories were not known, and were perhaps never truly defined, but Governor Phillip noted that the Cammeraygal inhabited the north-western part of Sydney harbour, and the Wallumedegal controlled the north-eastern areas of the northern shore.¹

The Cammeraygal were coastal people, with their primary hunting and gathering grounds along the northern coast of Sydney Harbour. Resources were abundant in this area of Sydney, allowing for large amounts of leisure time and the development of intricate religious and legal customs, as well as a complex and detailed language, linking them spiritually, socially, and politically to Aboriginal groups in wider Sydney.² Like the Gadigal and other Aboriginal groups encountered in the Sydney area, the Cammeraygal were noted as an extremely healthy, fit and muscular people by the first Europeans, highlighting the highly nutritious and ample diet that their bountiful area could provide.³

3.1.2. Post Contact History

The arrival of Europeans in the Sydney area was devastating to Aboriginal groups like the Cammeraygal, largely due to the outbreak of smallpox in 1789. Lacking the immunity and resistance of the European colonists, up to 50 percent of the Aboriginal population of Sydney died in swift succession, causing untold social and cultural disruption amongst the survivors. Despite the devastation, Aboriginal people manage to regroup and reorganise their surviving communities, either dispersing further inland or adapting to the new circumstances and the increasing number of European arrivals.⁴ Many Aboriginal groups continued to live semi-traditional lifestyles, usually on the margins of the ever-growing European settlement, from which they sometimes supplemented their supplies or traded fish and game for luxuries like sugar or metal objects. Despite this adaptation, the Aboriginal population of Sydney continued to decline, and by only 1827 the population was thought to have dropped to a third of its pre-contact number.⁵

While Aboriginal people remained a common sight in the early colony around Sydney Cove, European sources indicate that the Cammeraygal and other Aboriginal groups were an uncommon sight by the 1800's, their numbers having been reduced either through disease or dispersal. Groups of Aboriginal people would still visit the local area to camp in caves near the shoreline, or to receive blankets from the Government's annual Blanket Distribution.⁶ It is likely that many of these people were surviving Cammeraygal and their descendants. The territory of the Cammeraygal was utilised by the Europeans, with Samuel Lightfoot being granted 30 acres of land in what is now Kirribilli as early as 1794.

¹ NBRS Architecture 2018, 253-267 HIP, p.12

² Lane Cove Council 2023, 'Aboriginal Heritage' About Lane Cove. Accessed from <https://www.lanecove.nsw.gov.au/Community/AboutLaneCove/Pages/AboriginalHeritage.aspx>

³ NBRS Architecture 2018, 253-267 HIP, p.12

⁴ National Museum Australia, 'Smallpox Epidemic' Defining Moments. Accessed from: <https://www.nma.gov.au/defining-moments/resources/smallpox-epidemic>

⁵ Murray and White 1988

⁶ NBRS Architecture 2018, 253-267 HIP, p.12 & North Sydney Heritage Leaflet 1, North Sydney's Aboriginal Past, http://www.northsydney.nsw.gov.au/resources/documents/01_aboriginal1.pdf

3.2. Early Development

3.2.1. 1828 - 1838 – Initial Land Grants

The study area was originally part of a large section of undeveloped and ‘unclaimed’ land on the North Shore, surrounded by William Blue’s estate to the south, Alfred Thrupp’s estate to the west, and Edward Wolstencroft’s estate to the west.⁷ By at least 1828, the North Shore region was almost completely undeveloped, with a few scattered dwellings belonging to the various estate owners that inhabited it. An 1828 map by Thomas Mitchell highlighted the potential of the location for a future township, taking advantage of the section of land that had not been divided up into land grants. This map included suggested street plans and subdivisions but was not accepted.

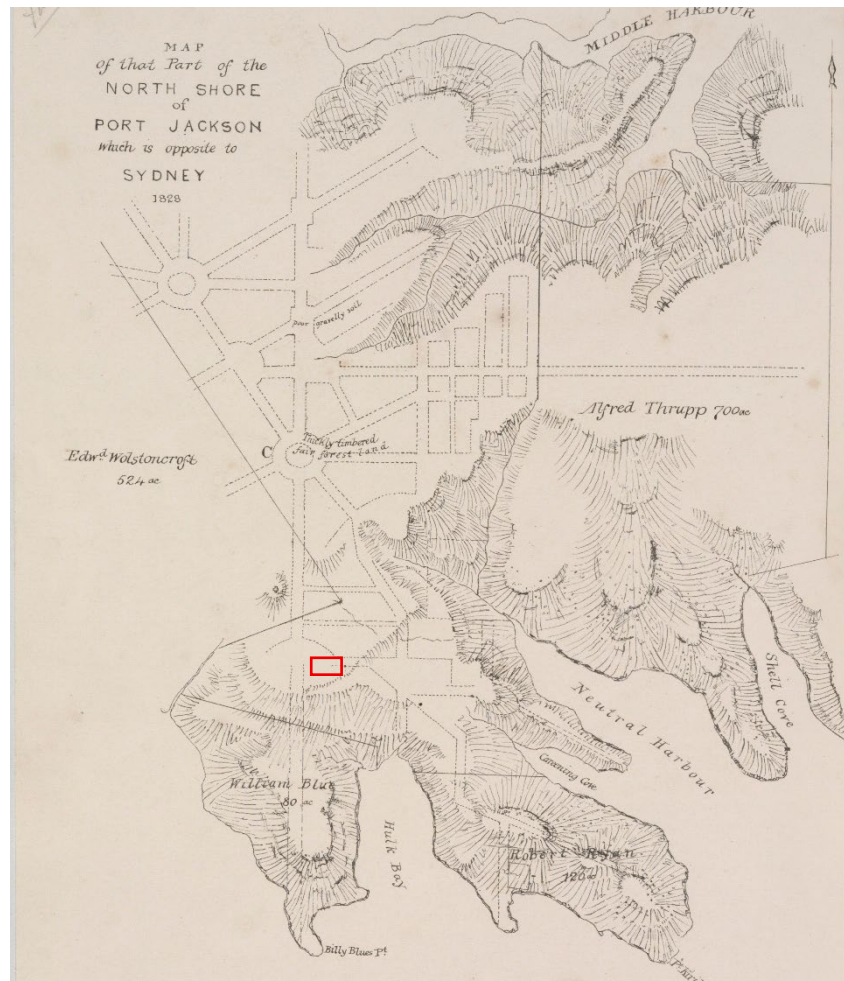


Figure 3.1: Survey Map of North Shore with proposed street development, 1828, with rough location of study area in red. Source: State Library NSW. 'John Thompson. Illustrations from the Report upon the progress made in roads and in the construction of public works in New South Wales from the year 1827 to June 1855': maps and sketches, accessed at <https://dictionaryofsydney.org/media/66521>

3.2.2. 1836 – 1853: Township of St Leonards

In 1836 the area was re-surveyed for the purpose of establishing a township, known as ‘St Leonards’ in response to a growing demand for land in the area north of Sydney. By 1838 this township had a road structure built around a grid of roads including Berry, Mount, Blue and Lavender Streets

⁷ Ian Hoskins, 2015. ‘We will see a town rising’: a history of North Sydney. P.6

established east to west, and Miller and Walker Streets running north to south.⁸ This area had at least 106 dwellings by 1846, and by 1859 the growing commercial and retail centre ran from Miller Street down to Milsons Point.⁹ The area was overall noted to be fairly undeveloped and only had a small number of cottages and larger villas scattered around the smaller hills. The study area appears to have been an undeveloped slope adjoining the early form of Miller Street during this period, with some small residences located to the north and south. The site's south-eastern corner is also located close to the head of Rainbow Creek, likely running down from the ridge to the north-west, as seen in Figure 3.2 below.

Artist and writer Louisa Meredith, writing in 1840, describes the general vicinity of the study area as:

*"The opposite or north shore of Port Jackson, here about two miles across, is rather a monotonous character. Hills of no great elevation and very tame outline rise from the beach, dotted here and there with villas and cottages, their adjoining gardens making a pleasant green contrast with the uniform brown hue of the scrub. Numbers of boats were pulling and sailing about giving animation to the scene."*¹⁰



Figure 3.2: 1853 Trigonometrical survey of Port Jackson, with approximate location of study area highlighted in red. Note that only Miller (NS) and Blue Street (EW) are present in this survey, possibly indicating that the other streets were not present or were still largely dirt tracks when this part of Sydney was surveyed.

Source: Mitchell, Thomas, Sir, 1792-1855; engraved by J.W. Lowry, published by T. & W. Boone, New Bond Street, 1853. Accessed via Trove.

⁸ Dictionary of Sydney 'North Sydney'. Accessed from: https://dictionaryofsydney.org/entry/north_sydney

⁹ The Book of Sydney Suburbs, compiled by Frances Pollon, Angus & Robertson Publishers, 1990, Published in Australia ISBN 0-207-14495-8, page 19.

¹⁰ Mrs Charles Meredith, Notes and Sketches of New South Wales, [1844], Penguin Books, 1972, p.37

3.3. Development of the Study Area

3.3.1. 1880's – early 1900's - Municipality of North Sydney

By 1887 the Township of St Leonards had developed substantially, with the study area and surrounding blocks subdivided into various residential and commercial residences. The area officially became known as 'North Sydney' in 1890, after several naming disputes, and the existing St Leonards post office, town hall, and public school were renamed to use the name 'North Sydney'.¹¹ By this date, the study area had been divided into six subdivisions, as seen in Figure 3.3 below, however the plan does not note the ownership of these lots nor indicate whether buildings are present at this time.

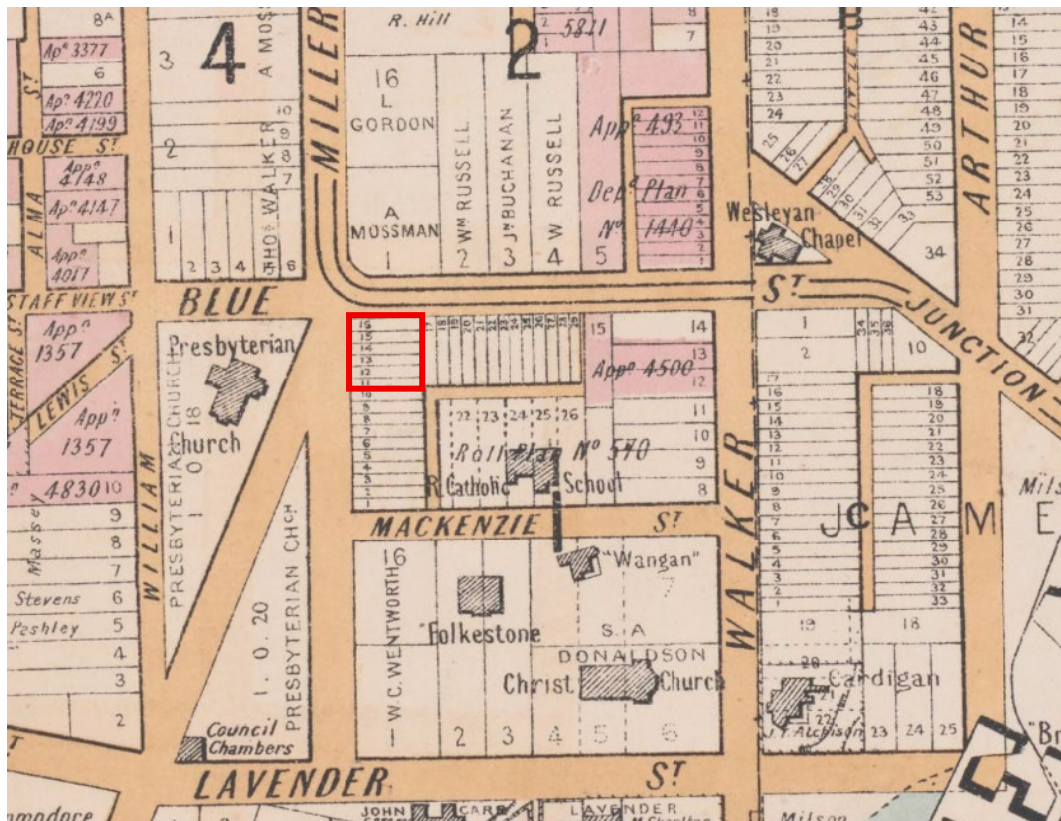


Figure 3.3: 1887 Map of St Leonards area

Source: 'Map of St. Leonards on the North Shore Parish of Willoughby / compiled, lithographed and published by Higinbotham & Robinson'. National Library of Australia - MAP RM 4458. Accessed via Trove from <https://nla.gov.au/nla.obj-232482086/view>

3.3.2. 1900s-1960s – North Sydney Station

North Sydney Station was constructed as part of the northern railway approaches to the Sydney Harbour Bridge, rather than as an isolated suburban station. Work on the bridge approaches began in 1924, and the northern approach works included the construction of North Sydney Station, Milsons Point Station and associated underbridges to carry the railway towards the bridge. The

¹¹ The Book of Sydney Suburbs, compiled by Frances Pollon, Angus & Robertson Publishers, 1990, Published in Australia ISBN 0-207-14495-8, page 19.

works were designed and built by the Sydney Harbour Bridge Branch of the Public Works Department and the Metropolitan Railway Construction Branch of the NSW Government Railways.¹²

North Sydney Station was constructed within a substantial rock cutting, with the platforms located below street level and an overhead concourse built above them to provide pedestrian access from the surrounding road network. Spoil excavated from the North Sydney Station site was reportedly reused to form the ramp up to the main bridge level, with concrete retaining walls constructed along nearby streets including Broughton Street, Alfred Street, Bradfield Highway and Pacific Highway.¹³

The station was designed with four platforms, corresponding to the four railway tracks originally intended to cross the Sydney Harbour Bridge as part of John Bradfield's broader transport scheme for the harbour crossing and northern railway approaches. At the Waverton end of the station, four tunnels were cut into the rock to carry the rail alignment westward. In addition to these operational tunnels, approximately 260m of unused tunnel stubs were also excavated for proposed future railway lines to Newport and Northbridge. These were reportedly included during the original construction phase because Bradfield considered that later excavation for these proposed lines would be difficult and disruptive once the North Shore Line was operational.¹⁴



Figure 3.4: Construction of North Sydney Station 1925 – directly beneath the current study area, looking west
Source: NSW State Archives NRS-12685-1-[4/8722]-4/8722-10

¹² Heritage NSW n.d., 'Milsons Point Railway Station group', State Heritage Inventory, NSW Government, accessed 4 May 2026 <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5012106>

¹³ Heritage NSW n.d., 'Milsons Point Railway Station group', State Heritage Inventory, NSW Government, accessed 4 May 2026 <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5012106>

¹⁴ PocketOz, n.d. 'North Shore Line', PocketOz Sydney Railways, viewed 4 May 2026, <https://pocketoz.com.au/rail/line-north-shore.html>



Figure 3.5: Construction of North Sydney Station 1931 – directly beneath the current study area, looking west
Source: NSW State Archives NRS-12685-1-[4/8723]-4/8723-9



Figure 3.6: 1943 aerial
Source: NSW Historical Imagery Viewer

3.3.3. 1960s-Present Day

From the late 1960s, the void space above North Sydney Station began to be progressively redeveloped, reflecting the increasing commercialisation and intensification of North Sydney as a CBD precinct. The first major over-station development was the North Sydney Travelodge, constructed directly above the station. The Travelodge was built over the station in 1968, while contemporary retrospective reporting indicates that it opened to the public in March 1970.¹⁵ The hotel was a substantial 14-storey, crescent-shaped building designed to take advantage of harbour views, containing 224 self-contained suites and constructed at a reported cost of approximately \$3.5 million. Its construction marked the beginning of major commercial use of the station air-rights and substantially altered the earlier open character of the station precinct.¹⁶

During the early 1970s, the station continued to be modified as over-station development progressed. In December 1972, the awning over platforms 3 and 4 was demolished, indicating further alteration of the original 1932 station fabric and platform environment as the station became increasingly enclosed. The broader over-station redevelopment was completed with the opening of Zurich Insurance House in 1984, after which North Sydney Station was described as being totally enclosed.

The Zurich Building at 5 Blue Street represents the later major phase of over-station commercial development. Completed/opened in 1984 as Zurich Insurance House, the building enclosed the remaining open portions of North Sydney Station and established the site's long-term use as a major commercial office building above the railway.



Figure 3.7: 1986 aerial
Source: NSW Historical Imagery Viewer

¹⁵ PocketOz, n.d. 'North Shore Line', PocketOz Sydney Railways, viewed 4 May 2026, <https://pocketoz.com.au/rail/line-north-shore.html>

¹⁶ Usher, A 2022, 'Flashback 1970: North Sydney Travelodge thrills Aussie holiday makers looking for luxury accommodation', Mosman Collective, 6 October, accessed 4 May 2026, <https://mosmancollective.com/history/flashback-1970-north-sydney-travelodge-thrills-aussie-holiday-makers-looking-for-luxury-accommodation/>

4. Proposed Works

4. Proposed Works

The proposed above station adaptive reuse seeks to transform the landmark site into a vibrant mixed-use precinct that integrates residential, retail and public domain enhancements into the broader North Sydney precinct. Specifically, the proposal seeks approval for:

- Adaptive reuse of a mixed-use development, comprising residential and non-residential ground floor uses, including:
 - Retention of the two existing levels of basement, with car parking, comprising plant, bicycle storage areas and car parking spaces.
 - Ground floor retail and residential lobbies.
 - Co-living on Levels 1-3, to be operated as affordable housing by a Community Housing Provider in perpetuity.
 - Residential dwellings on Levels 4-14.
- Public domain and landscaping improvements, including the retention and enhancement of Blue Street Plaza at the eastern portion of the site.
- Extension and augmentation of services and infrastructure as required.
- Concurrent amendments to the North Sydney Local Environmental Plan 2013 to facilitate the SSDA.

Plans for the proposed development are presented in Figure 4.1 to Figure 4.5.

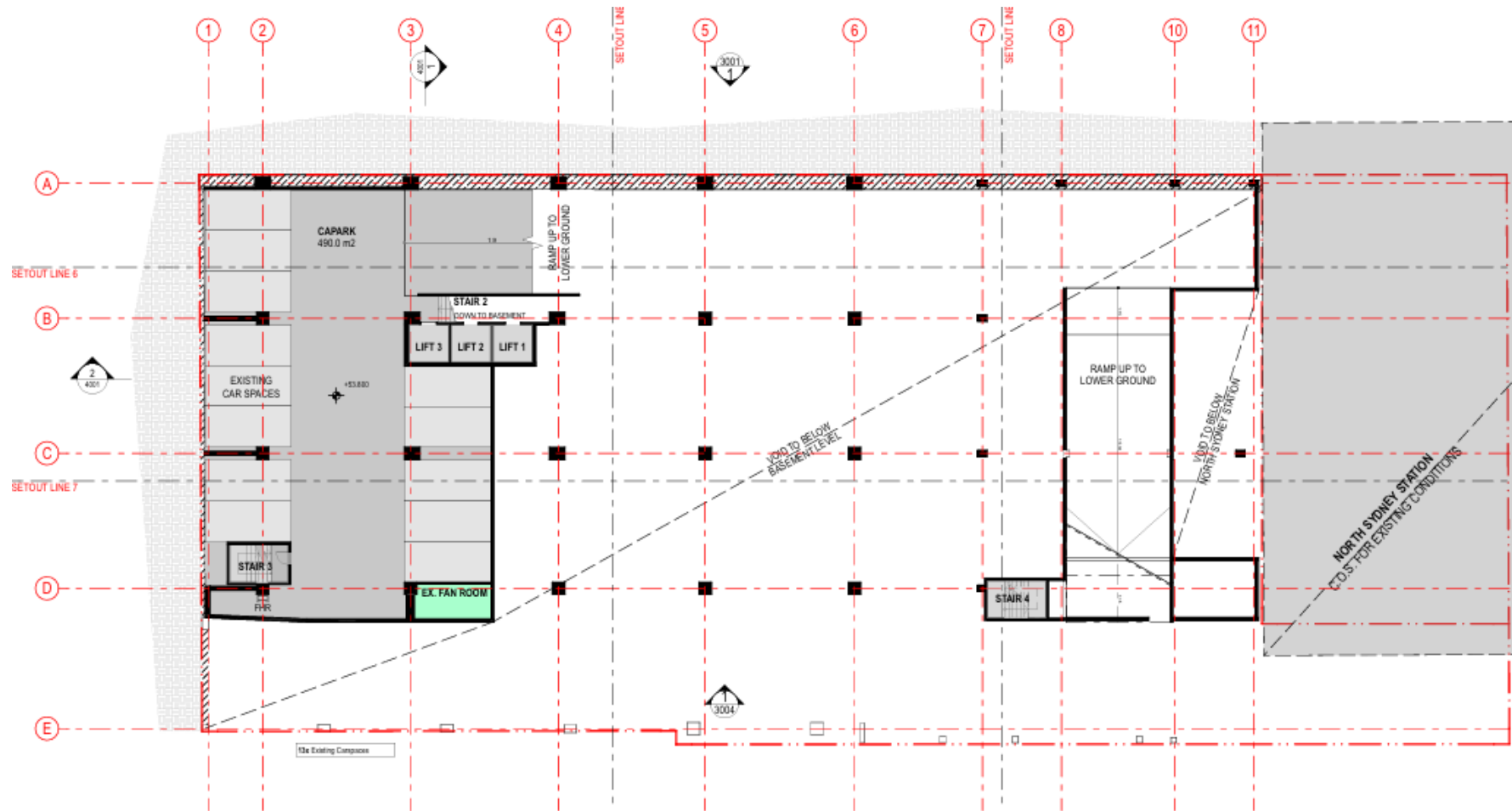


Figure 4.1: Basement level plan
Source: fjstudio 2026

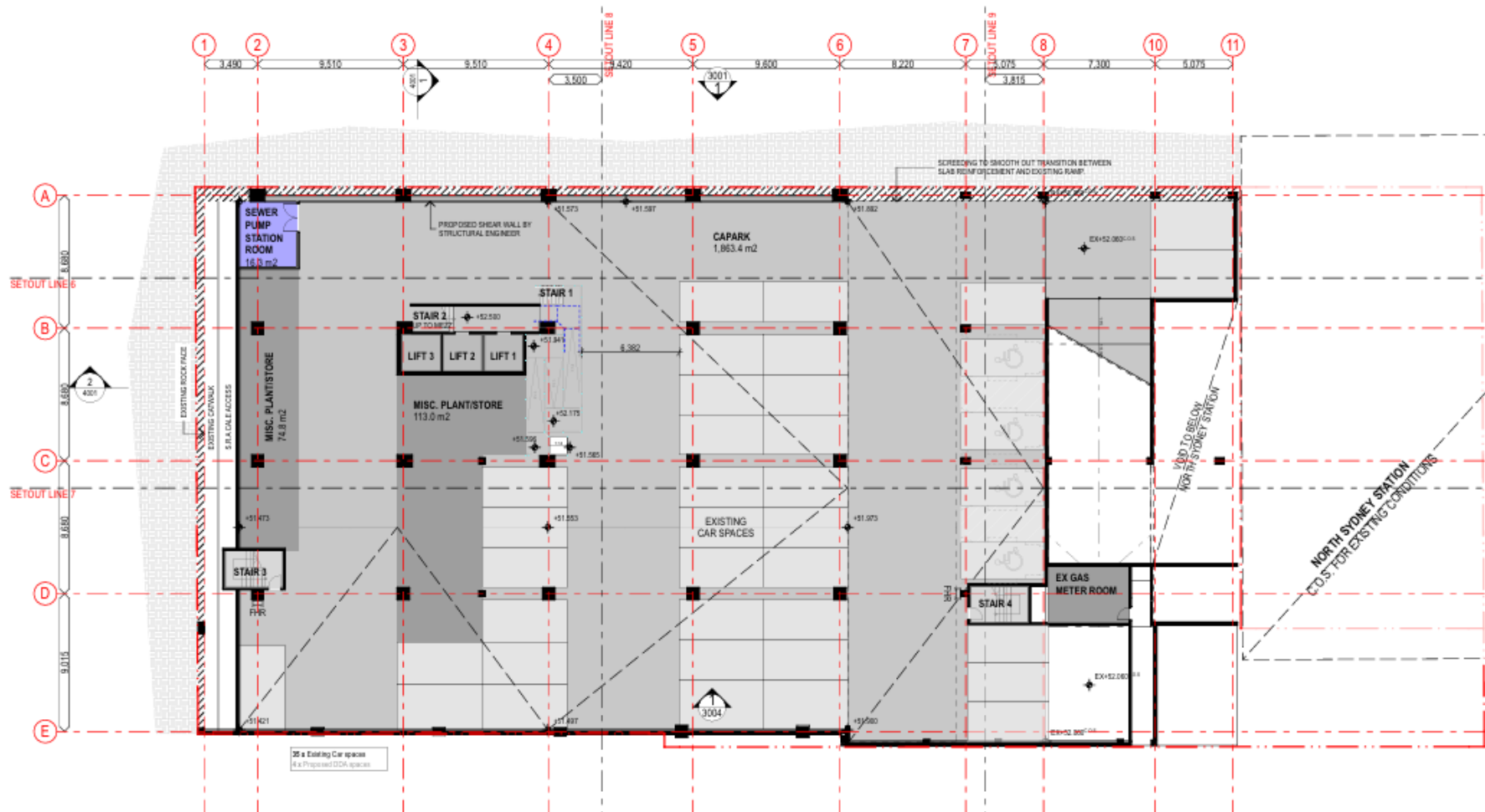


Figure 4.2: Basement mezz plan
Source: fjcstudio 2026

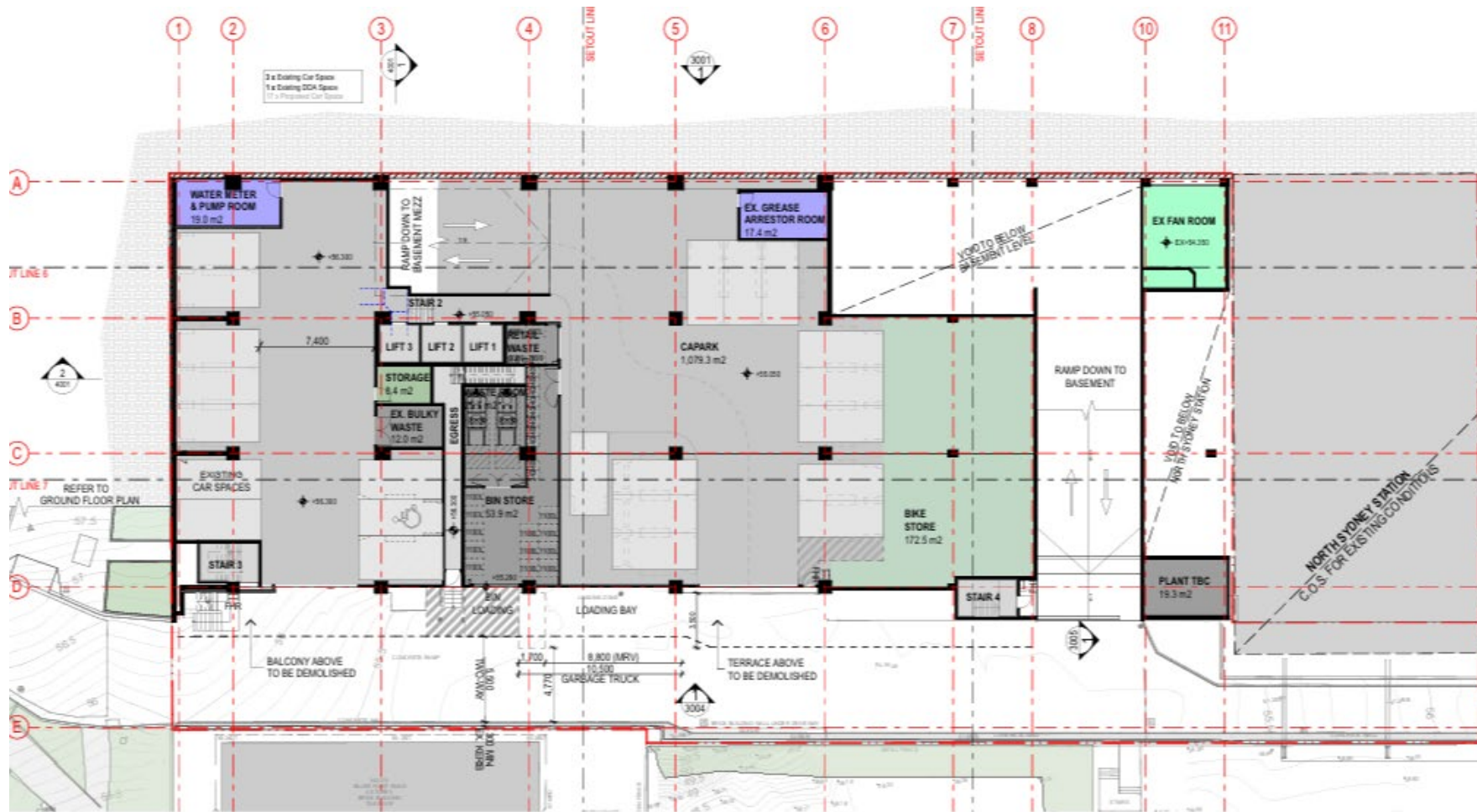


Figure 4.3: Lower ground floor plan
Source: fjstudio 2026

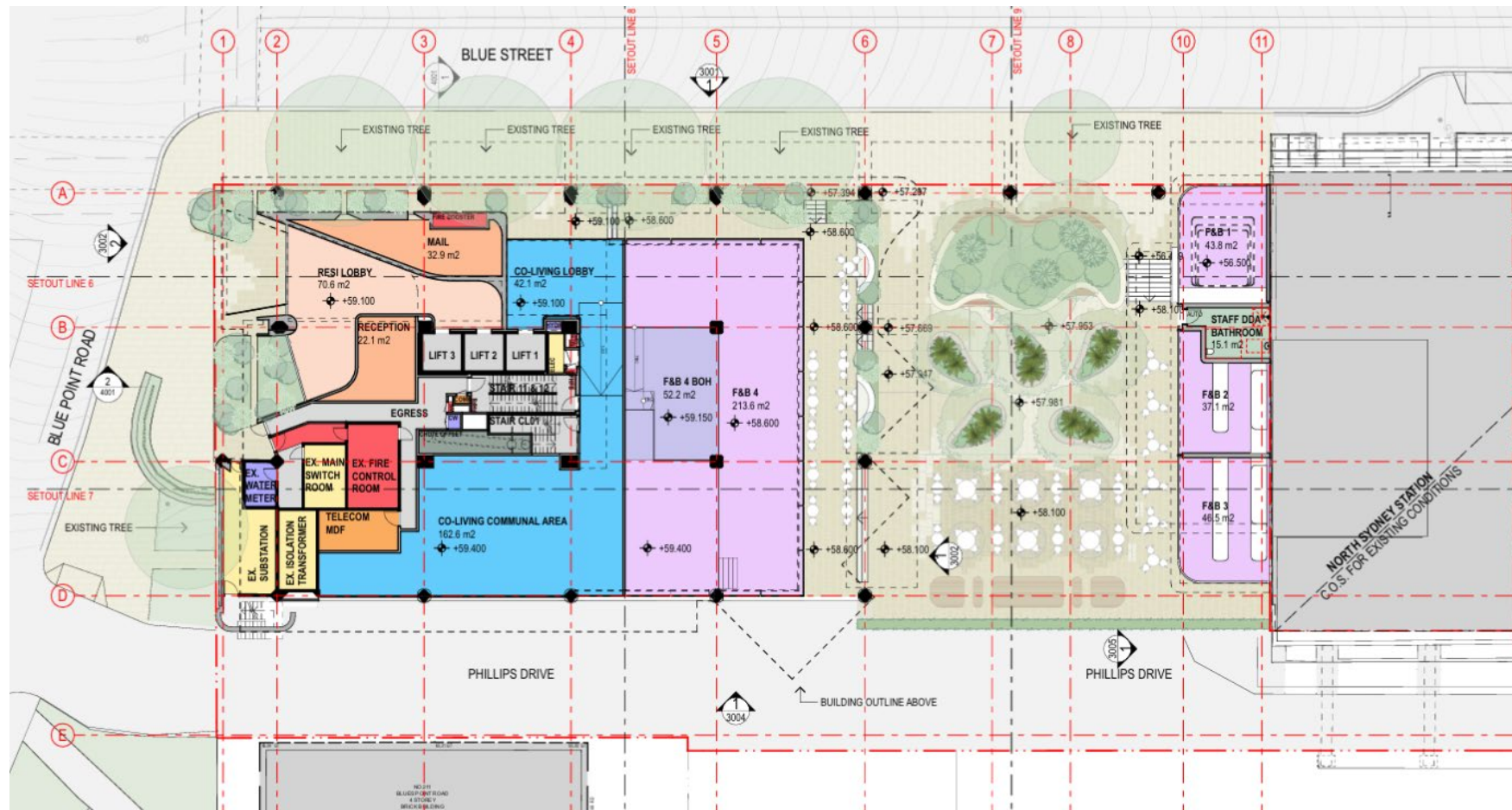


Figure 4.4: Ground floor plan
Source: fjcstudio 2026

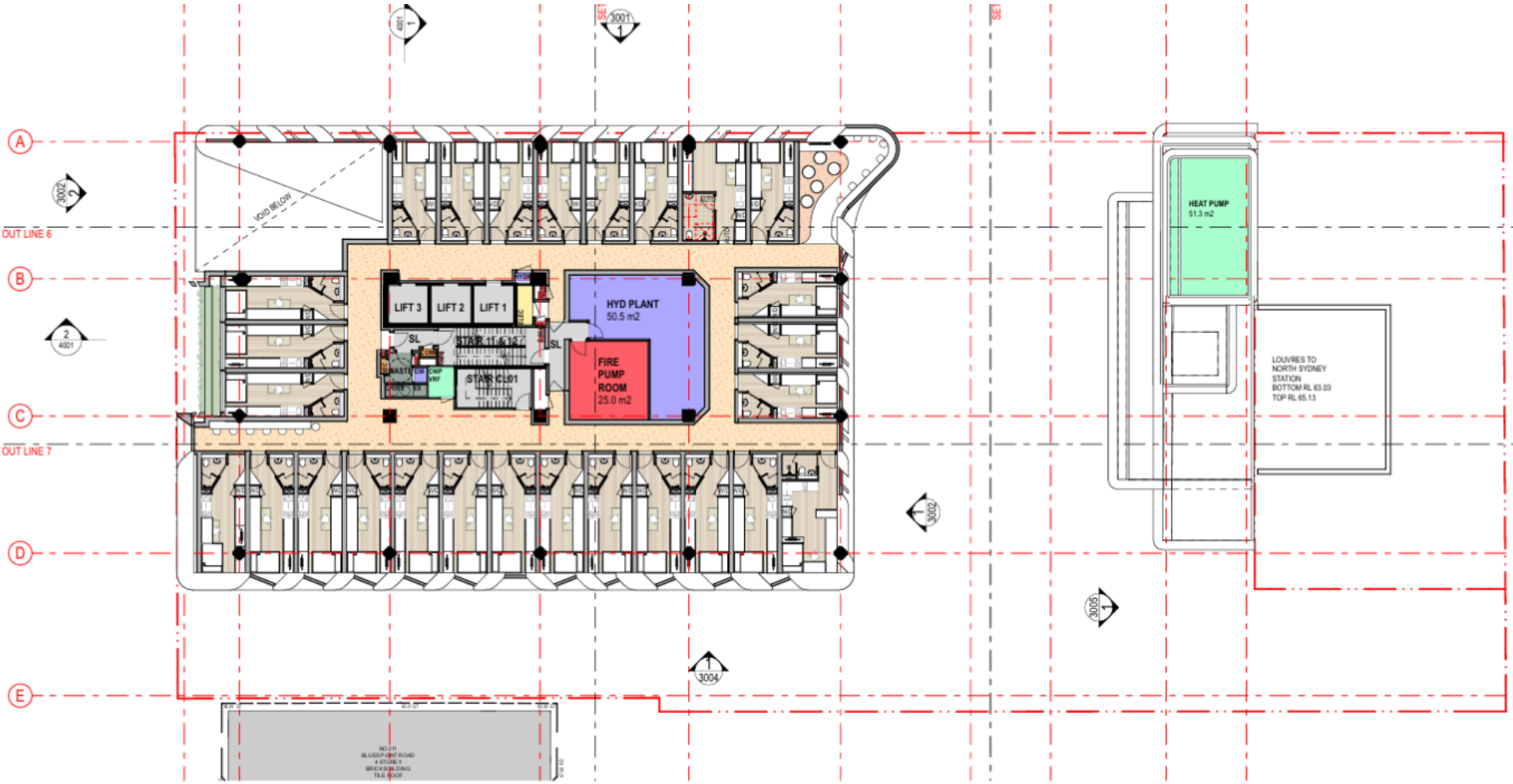


Figure 4.5: General arrangement Level 1
Source: fjstudio 2026

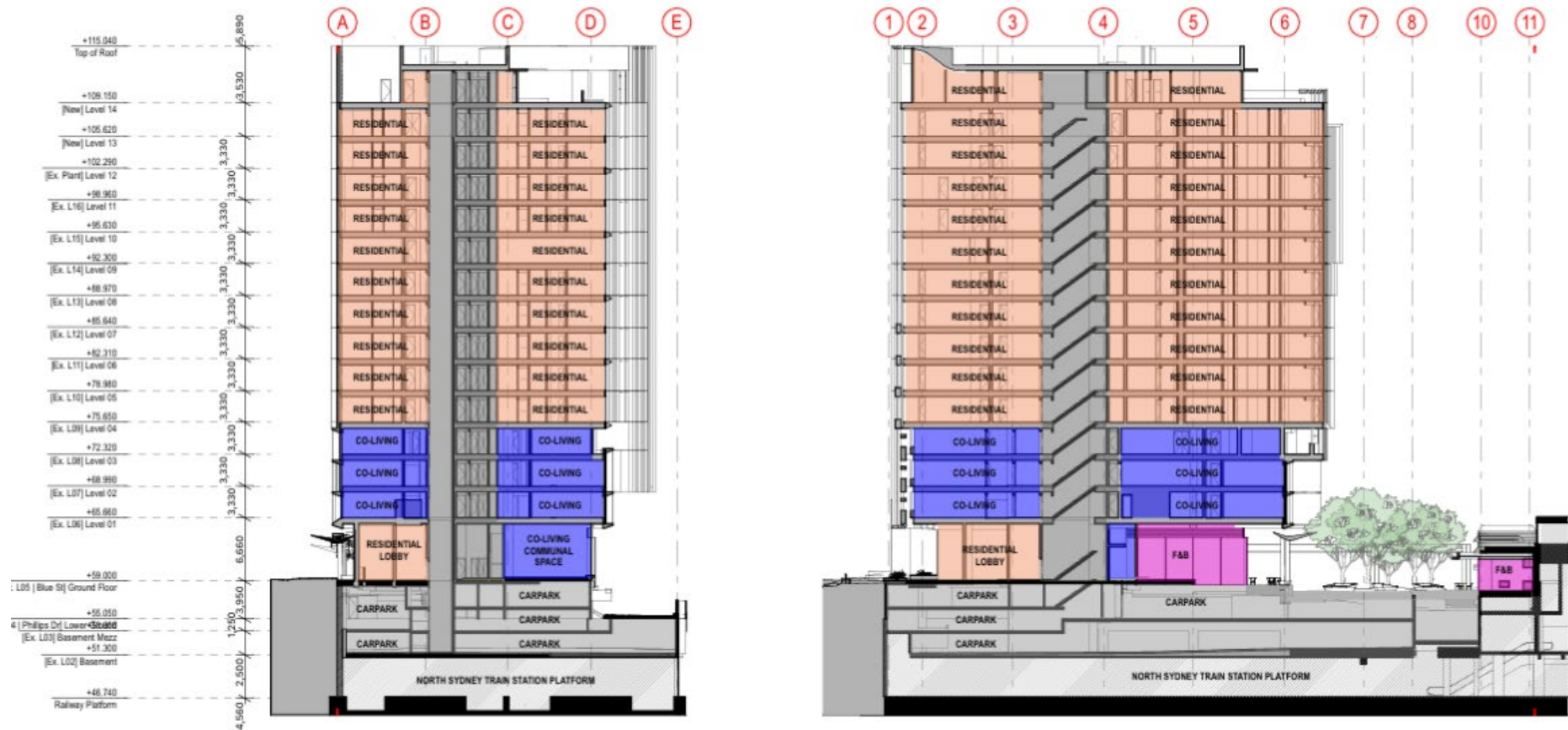


Figure 4.6: Sections
Source: fjstudio 2026

5. Aboriginal Due Diligence Assessment

5. Aboriginal Due Diligence

The following section addresses the steps as outlined in the Due Diligence Code of Practice regarding Aboriginal archaeological potential.

5.1. Is the proposed activity a low impact activity as defined by the Regulation?

No.

The proposed works for the study area include the adaptive reuse of the Zurich building present on the site and redevelopment of the Blue Street Plaza. Therefore, these works are not classified as a 'low impact activity' under Section 7.5 of the Code of Practice.

5.2. Step 1: Will the proposed activity disturb the ground surface or any culturally modified trees?

Yes and No.

The proposed works involve the adaptive reuse of the Zurich building, with the retention and reuse of the existing lower ground and basement levels. This development will therefore have only minor disturbance to the ground surface as required for the proposed landscaping.

No cultural trees have been identified within the study area as a part of this desktop study. The development history of the study area has removed all pre-settlement native vegetation.

5.3. Step 2a: Search the AHIMS Database & Other Sources of Information

5.3.1. AHIMS Search

A search of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken for this report on 18 May 2026 centred on the study area with a 1km radius. The search area covers both the study area as well as the surrounding area in order to give a broad understanding of the study area. A total of 10 registered Aboriginal heritage sites are listed as being located within the search area, with all sites located along the coastline (Figure 5.1). The closest site to the study area (45-6-2055) is 270m to the south. The extensive AHIMS search is attached as Appendix A.

The results of an AHIMS search should be critically assessed to account for potential limitations, including coordinate inconsistencies due to changes in datum over time, and incomplete records where Heritage Impact Recording Forms may not have been submitted following impacts to registered sites. Additionally, the AHIMS database reflects only those sites that have been formally recorded with Heritage NSW, often in response to development-driven investigations, rather than representing the full extent of archaeological potential within a given area. Accordingly, AHIMS search results should be considered a preliminary tool to inform further research, rather than a definitive or exhaustive record of Aboriginal cultural heritage within the study area.

Summary descriptions of Aboriginal site features present within this AHIMS search are presented in Table 4.1. Three site type features are captured within the 10 registered Aboriginal heritage sites, reflecting the diversity of the search area covered. The most common AHIMS site type from this search are shell/artefact sites that make up 70% of the surrounding registered site types. The final three sites are comprised of one art site and two sites that contain shell.

Table 5.1: Aboriginal Site Features¹⁷

Site Feature	Description
Artefact	Stone artefacts are a common type of Aboriginal object, and include stone tools, spear points, surface scatters, grinding stones, ground-edge axes and other implements that were used for a variety of purposes, such as in the preparation of food or to make nets, baskets and other tools. Stone artefacts often have sharp edges or are of a stone type that is different from the natural rock in the area.
Art	Art is usually located in shelters, overhangs and across rock formations. Techniques included painting, drawing, scratching, carving, engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants.
Shell Midden	Shell middens are archaeological deposits comprising accumulations of shell discarded as a result of Aboriginal subsistence activity, sometimes in association with artefacts, charcoal, faunal remains and hearth features. They are typically associated with coastal and estuarine environments and provide evidence of past resource exploitation, food processing and site use.

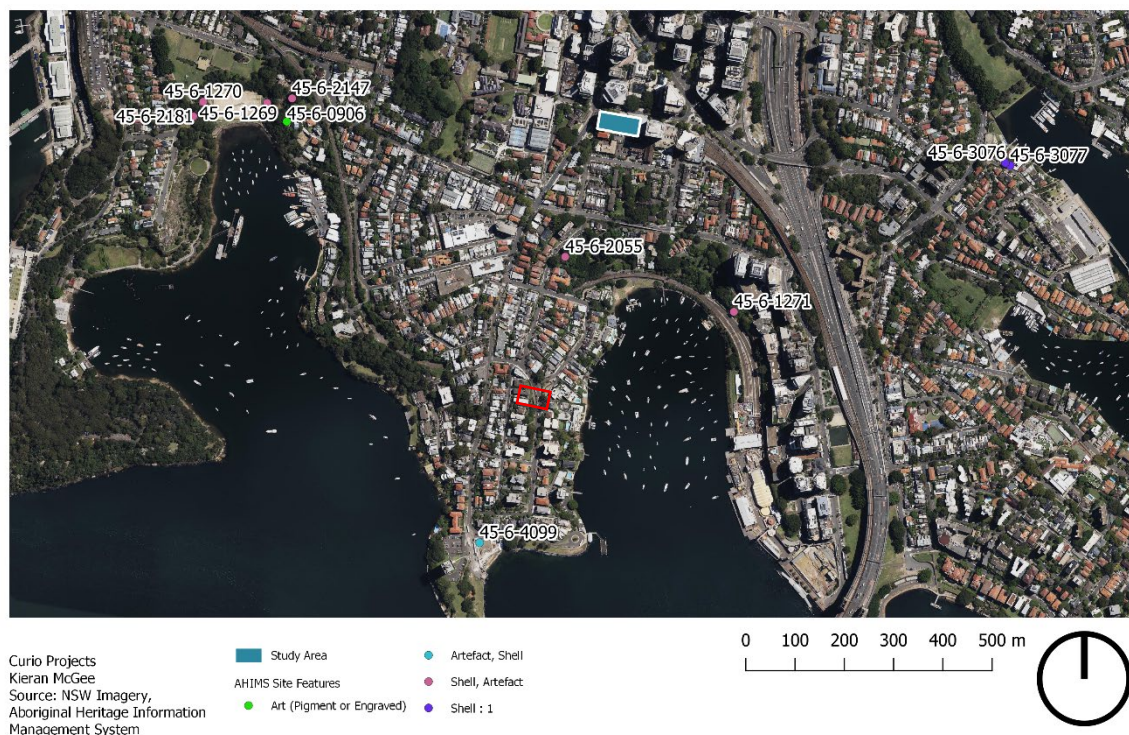


Figure 5.1: AHIMS sites in relation to the study area. Sites are labelled with their Site ID.
Source: AHIMS 2026

¹⁷ State of NSW and Office of Environment and Heritage, 2012. *Guide to completing the AHIMS Site Recording Form*.

#45-6-2055 Lavender Bay 2 – Shelter with Midden

This site is the closest registered site to the study area, being 270m to the south in Watt Park. The site card states it is a highly disturbed shell midden within an east facing, very large rockshelter. The observed shells comprise Rock Oyster (*Saccostrea commercialis*) and Sydney Cockle (*Anadara trapezia*).

#45-6-1271 Lavender Bay Milsons Point – Shelter with Midden

This is the second closest site to the study area, being 410m to the southeast in Clark Park. The site card describes a south facing rockshelter containing a shell midden. Observed shell species include Rock Oyster (*Saccostrea commercialis*), Hairy Mussel (*Trichomya hisuta*), and Australian Mud Whelk (*Velacumantus australis*).

5.3.1. Other Source of Information: Comparative Assessments

A review of previous archaeological investigations is a critical component in assessing the potential archaeological resource of a site. Comparative analysis of studies conducted in the region, on similar landforms, or within analogous site types can provide valuable insights into the likely nature and extent of archaeological material that may be present. Such reviews serve as an important proxy for predicting site conditions prior to any subsurface investigation. Given the inherently destructive nature of archaeological excavation, it is essential to maximise existing knowledge to inform a targeted and efficient research strategy and to minimise unnecessary ground disturbance.

105 Miller Street, North Sydney (2025)¹⁸

The nearby 105 Miller Street ACHAR prepared by Curio Projects provides a useful comparative example for assessing Aboriginal archaeological potential within the North Sydney CBD. The site is also located within the GyMEA Soil Landscape on a Hawkesbury Sandstone ridgeline/benched slope landform, in proximity to the former Rainbow Creek. The assessment recognised that, in an undisturbed context, such landforms may have potential to contain Aboriginal objects, particularly where shallow sandy soils survive over sandstone. However, the site had been subject to extensive historical and modern disturbance, including nineteenth-century subdivision and building development, later demolition, and construction of the MLC Building with an approximately 4 m deep basement across almost the entire site. On this basis, the site was assessed as having little to no Aboriginal archaeological potential, despite retaining moderate Aboriginal cultural significance.

Nicholson Place, St Leonards (2024)¹⁹

An ACHAR for 'Nicholson Place' was prepared by Curio Projects in 2024 to support a concept-stage SSDA for a mixed-use commercial development at 46-52 Nicholson Street and 59-67 Christie Street, St Leonards. Similarly to the study area, the Nicholson Place site is heavily disturbed by residential and commercial structures, which has significantly affected its potential for archaeological or cultural significance. Overall, the ACHAR found:

- The study area is not in geological, topographical or environmental context that conforms with the known distribution of Aboriginal sites or areas of Aboriginal archaeological potential in the local area.
- The study area has been extensively disturbed by landscape modifications as a result of residential use from at least 1901 and the subsequent demolition and excavation required for the replacement of these residences with multi-storied blocks in 1960s-1980s.

¹⁸ Curio Projects, 2024, *Aboriginal Cultural Heritage Assessment Report- Nicholson Place*. Report to Investa

¹⁹ Curio Projects, 2024, *Aboriginal Cultural Heritage Assessment Report- Nicholson Place*. Report to Equity Development Management

- Research has not identified any information regarding specific historical events, activities, or significance of the study area to Aboriginal people. No known contact sites are located directly within, nor in close proximity to the study area. No specific historical values for the study area have been identified by project RAPs. The study area is not assessed as having any specific cultural value.
- No Aboriginal objects, sites or areas of Aboriginal archaeological potential were identified during this assessment and accordingly, the study area has been found to have no value as assessed against the criteria for scientific, historical, Aboriginal social/spiritual significance.
- There is nil to low potential for the presence of Aboriginal objects, including Aboriginal archaeological deposits, within the study area.

Telstra Exchange Redevelopment (2023)²⁰

An ACHAR was prepared by Comber Consultants to support concurrent State Led Rezoning and State Significant Development Application (SSDA) for a new mixed-use development, comprising build-to-rent housing, commercial and retail land uses at 524-542 Pacific Highway, St Leonards. The assessment determined that the site did not contain archaeological potential and recommended that a cultural heritage induction and unexpected finds protocol be put in place as mitigative measures.

211 Pacific Highway, St Leonards (2019)²¹

An ACHAR was prepared as a part of the SSD application for the adaptation of office facilities for use as an International Chinese School. The site was found to be already highly impacted both historically and by ongoing construction works throughout the project lifetime. The report identified that the site did not retain any potential to contain intact or extensive Aboriginal archaeological remains and no further mitigation measures were required. An unexpected finds protocol was put in place in the event that stone artefacts within a disturbed context be identified during construction works, as well as a brief archaeological monitoring program during initial bulk earthworks.

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

The Due Diligence Code of Practice identifies certain landscape features that have the high potential for Aboriginal archaeological resources and cultural heritage.

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

²⁰ Comber Consultants, 2023, *524-542 Pacific Highway St Leonards, Aboriginal Cultural Heritage Assessment Report*. Prepared for The Trustee for GFM Home Trust Subtrust No. 2

²¹ Coast History & Heritage, 2019, *Aboriginal Cultural Heritage Assessment Report, 211 Pacific Highway St Leonards, Willoughby LGA*. Prepared for Stanton Dahl Architects

The physical setting of the study area, its natural resources, landforms, and wider landscape setting has a significant influence over the nature, location, and form of Aboriginal occupation and use patterns through their interactions with the land (tangible values and site), while also providing meaningful landscape context for intangible heritage and connection to Country.

5.4.1. Geology and Soil Landscapes

The study area is located on the Gymea soil landscape. These soil landscapes are both typified by undulating rises to rolling hills on top of underlying Hawkesbury Sandstone, with areas of outcropping sandstone. Soils are generally shallow to moderately deep (25 to <100cm) well drained sands and yellow earth. The Gymea landform is typified by generally shallow (<20cm) deep silicious sands on stone benches, with deeper sands (<100cm) along drainage lines. These landscapes have high erodibility where clay content is low.²²

Where historic disturbance is low, Gymea soil landforms and dune features have the potential to contain subsurface Aboriginal archaeological deposits. As discussed in the historical summary, historical disturbance of the area has led to the total removal of natural landforms and soils from the study area.

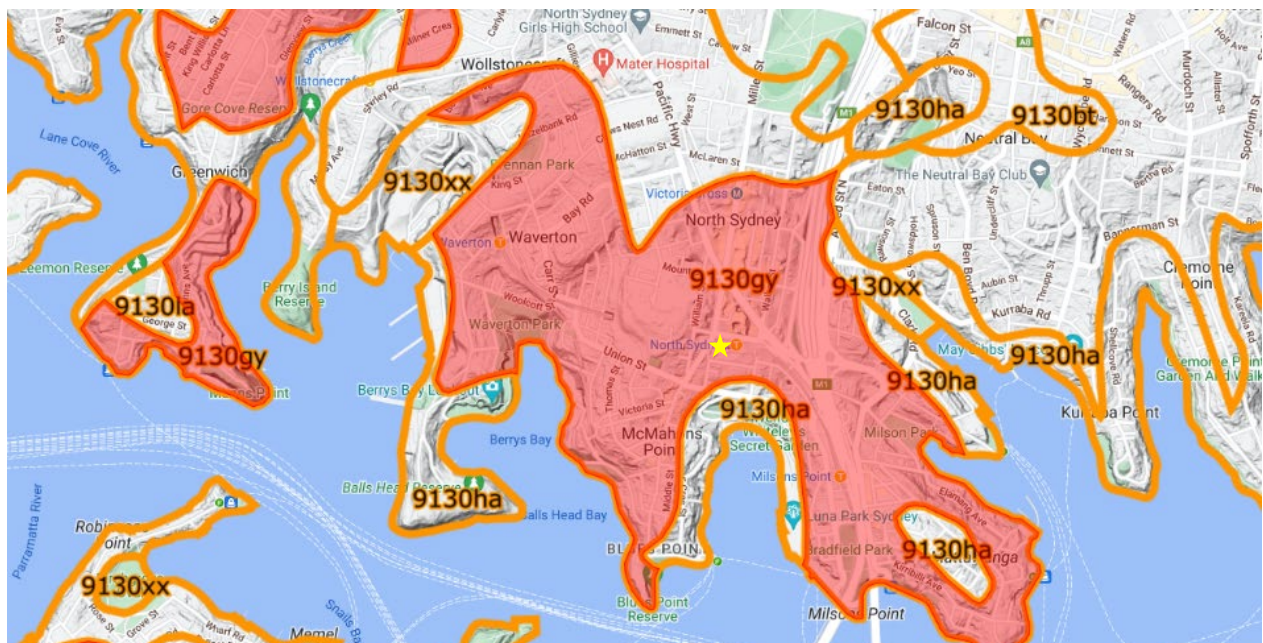


Figure 5.2: Soil landscapes with study area indicated as yellow star. 9130gy = Gymea
Source: eSPADE 2024

²² Chapman, G A & Murphy, C L 1989, Soil landscapes of the Sydney 1:100 000 sheet, Soil Conservation Service of NSW, Sydney

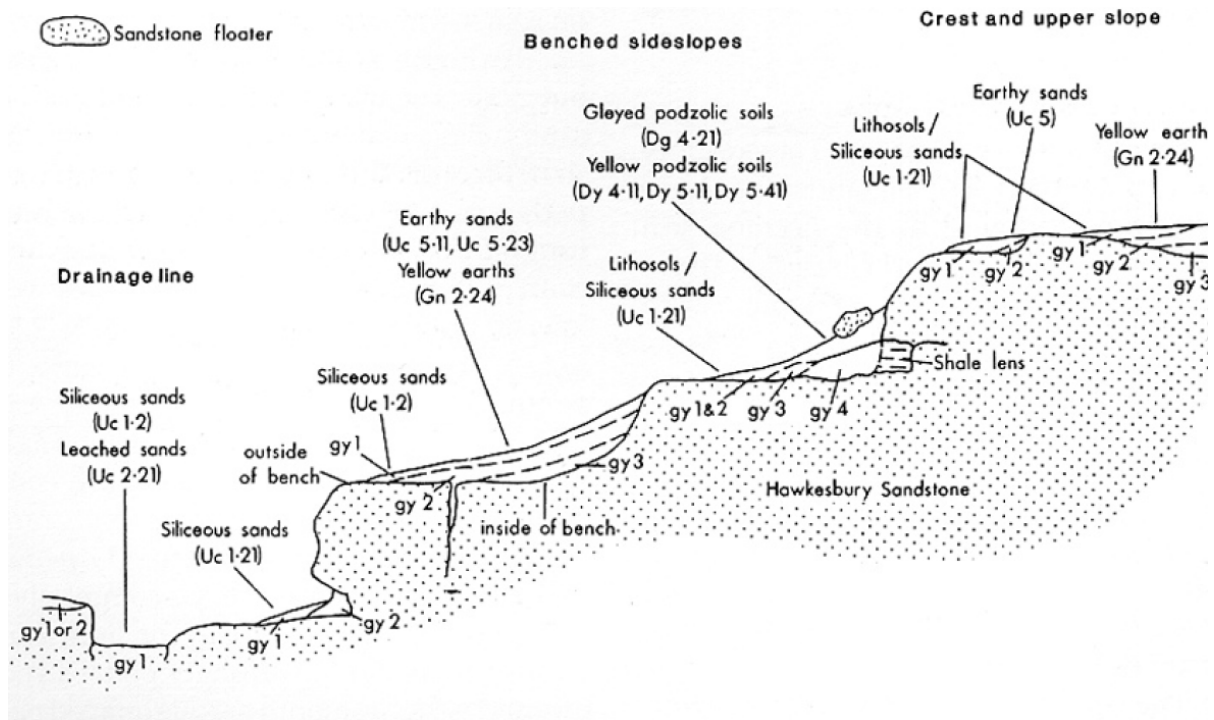


Figure 5.3: Cross section of GyMEA soil landscape illustrating the occurrence and relationship of the dominant soil material
Source: eSPADE 2024, 'GyMEA' p.79. NSW Planning, Industry and Environment

5.4.2. Hydrology and Topography

The study area is located on the southern side of the North Sydney ridgeline, within a steeply sloping urban landform descending from the higher ground of Victoria Cross and the Pacific Highway corridor toward Lavender Bay and Sydney Harbour. The study area lies at approximately 55–65m above sea level, with land rising to approximately 90–100m to the north and northwest and falling sharply to approximately 0–20m along the Lavender Bay foreshore to the south. The site therefore occupies a transitional midslope position between the elevated North Sydney ridge and the harbour foreshore. This topographic context influenced the construction of North Sydney Station, which was excavated into the sandstone ridge as a rock cutting, with platforms located below street level and an overhead concourse above. As a result, the present site landform reflects both the original steep sandstone topography and substantial twentieth-century modification associated with railway construction and later over-station development.

Historically, the study area's elevated position above Lavender Bay means it is unlikely to have contained deep alluvial or waterlogged deposits. Natural drainage would have been controlled by the steep sandstone topography, with runoff moving downslope toward surrounding gullies and harbour inlets. The mapped creekline in the 1853 survey (Figure 3.2) to the north may have formed a local drainage focus within the wider landscape, but the study area itself was probably better characterised by shallow sandy soils over sandstone, with limited sediment accumulation.

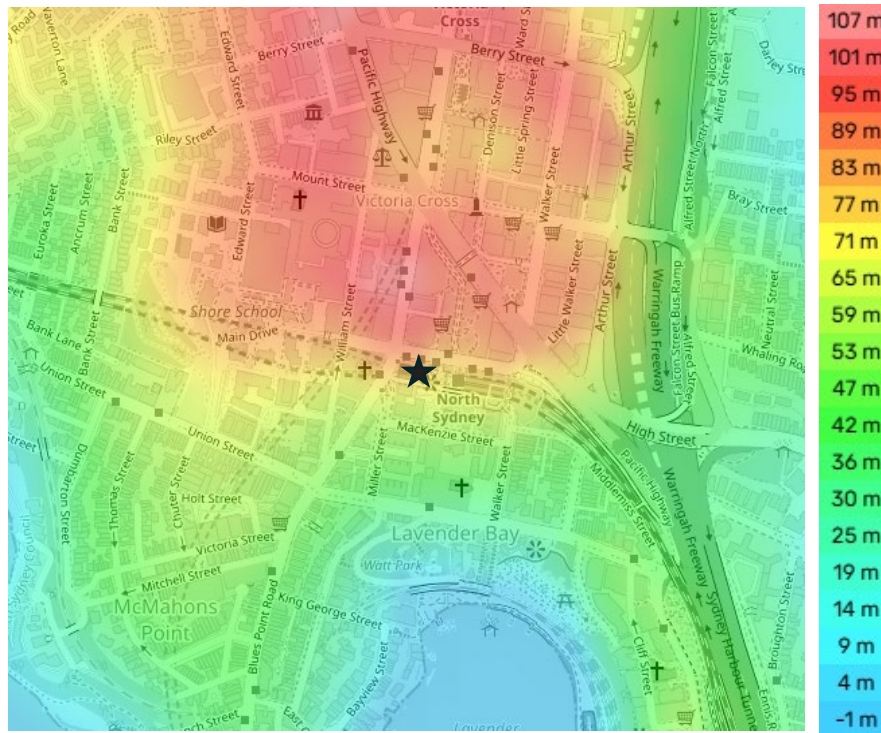


Figure 5.4: Topographic map of the landscape, with study area indicated by black star
Source: New South Wales Topographic Map

5.4.3. Vegetation and Resources

The original vegetation in the area would most likely have comprised tall open forest, woodland and shrubby sandstone vegetation on Hawkesbury Sandstone-derived soils. On the higher ridge and exposed slopes around North Sydney, this may have included Sydney sandstone ridgetop woodland or dry sandstone open forest, with a canopy potentially including species such as smooth-barked apple/angophora, Sydney red gum, red bloodwood, scribbly gum, Sydney peppermint and related eucalypt/angophora species. The understorey would likely have been relatively shrubby and heathy, with banksias, wattles, hakeas, tea-trees, peas, grasses, sedges and other sandstone-tolerant species. Comparable descriptions of Sydney Sandstone Ridgetop Woodland note that it occurs on shallow sandy soils and dry exposed slopes on Hawkesbury Sandstone, and may vary from open forest to open woodland, open scrub and heathland. Typical trees include smooth-barked apple, red bloodwood, yellow bloodwood, scribbly gum and Sydney peppermint, with a diverse shrub and herb understorey including banksias and hakeas.²³

The original fauna of the area would have reflected the site's sandstone ridge-slope setting within the GyMEA Soil Landscape. Prior to clearing, the area likely supported woodland and heathland fauna such as possums, gliders, bandicoots, native rodents, echidnas, microbats, woodland birds, snakes, skinks and geckos, with rocky sandstone benches, fallen timber, leaf litter and dense shrub cover providing habitat. The creekline to the north and the harbour foreshores at Lavender Bay and Careening Cove would have increased local resource diversity, supporting frogs, waterbirds, fish,

²³ Benson, D & Howell, J 1994, 'The natural vegetation of the Sydney 1:100,000 map sheet', *Cunninghamia*, vol. 3, no. 4, pp. 677-787.

shellfish and other estuarine resources within the broader catchment. The study area itself, however, was likely a dry ridge-slope habitat rather than a wetland, riparian or foreshore habitat.²⁴

5.5. Step 3: Can you avoid harm to the object or disturbance of the landscape feature?

Avoidance of the proposed works is not considered feasible. The proposal is for comprehensive redevelopment of the site, including adaptive reuse of the building, basement construction and a new 14-storey mixed-use building with associated public domain, landscaping, and utility works. As these works are inherent to the delivery of the development concept and would extend across much of the site, impacts to the study area cannot reasonably be avoided.

5.6. Step 4: Desktop Assessment & Predictive Model

Predictive modelling is a key tool in assessing the archaeological potential of a site and informs appropriate management and mitigation strategies. It draws on environmental context, historical land use and disturbance, and the distribution of nearby sites (including excavated areas and registered AHIMS sites) to anticipate the type and extent of archaeology that may be present.

The assessment of Aboriginal archaeological potential within the study area considers original landforms, the extent of historical disturbance, and the availability of natural resources that would have supported pre-contact Aboriginal occupation. This is supported by comparative research from nearby or similar sites.

For Aboriginal archaeological material to remain in situ, relatively undisturbed natural soil profiles from before 1788 are typically required. Areas of the site with minimal historical disturbance are therefore considered to have the highest potential for retaining such deposits.

Based on the environmental analysis, disturbance history, and previous archaeological findings, the following predictive model has been developed for the study area:

- The study area is located within the GyMEA Soil Landscape, on the southern side of the North Sydney ridgeline.
- The natural landform would have comprised a sandstone ridge-slope environment, with shallow sandy soils over Hawkesbury Sandstone.
- The study area is positioned inland and upslope from the nearest foreshore resources.
- AHIMS results show that recorded Aboriginal sites in the broader North Sydney, Lavender Bay, Kirribilli and Cremorne Point area are generally concentrated around the harbour foreshore, headlands, drainage corridors and exposed sandstone landforms.
- In an undisturbed context, this landscape may have had some Aboriginal archaeological sensitivity, particularly where intact sandy deposits, sandstone benches, level surfaces or rock exposures were present.
- The study area has been subject to substantial twentieth-century disturbance.

²⁴ Willoughby City Council 2001, Willoughby Fauna Study, prepared by Biosphere Environmental Consultants Pty Ltd, Willoughby City Council.

- Construction of North Sydney Station in 1932 involved excavation of a major rock cutting through the sandstone ridge, with the platforms located below street level and associated tunnel, retaining and concourse infrastructure.
- The construction of the existing Zurich building would have further disturbed any surviving natural soil landscapes due to the construction of the building's basement levels, which are being retained as part of the development.
- The study area is unlikely to retain intact natural soil profiles or undisturbed sandstone landforms capable of containing Aboriginal archaeological deposits. Therefore, there is **nil to low potential** for intact subsurface Aboriginal archaeological deposits within the study area footprint.

5.7. Step 5: Further Investigation and Impact Assessment

Based on the available background information, landform context, AHIMS results, and the extent of disturbance, the study area is assessed as having very limited potential to retain intact Aboriginal archaeological material.

On this basis, no further archaeological assessment or field investigation is considered warranted. The available evidence indicates that the proposed works are unlikely to impact Aboriginal objects due to the limited or absent ground disturbance associated with the proposed works. Accordingly, the due diligence process is considered sufficient to inform the proposed works.

6. Conclusions and Recommendations

6. Conclusions and Recommendations

The following conclusions and recommendations have been determined as a result of this Baseline Archaeological Assessment.

6.1. Conclusions

The study area at 5 Blue Street, North Sydney is assessed as having **nil to low Aboriginal archaeological potential**. While it may once have formed part of the broader Aboriginal landscape associated with the North Sydney ridgeline, nearby former drainage lines and the harbour foreshore, the site occupies a midslope setting that is removed from the sensitive landforms more commonly associated with recorded Aboriginal sites in the surrounding locality.

The AHIMS results indicate that no registered Aboriginal sites are located within the study area itself, and the site has been subject to extensive urban development and subsurface ground disturbance, which would have significantly reduced the survival of any original archaeological deposits. On this basis, the proposed works are considered unlikely to impact intact Aboriginal objects or deposits.

Based on this assessment, an Aboriginal Heritage Impact Permit (AHIP) is not required.

6.2. Recommendations

In accordance with the above conclusions, the proposed development of the study area should consider the following:

Recommendation 1 – Unexpected Finds Protocol

Although the potential for archaeological resources is limited, there remains a residual risk of encountering subsurface material during any groundworks required for landscaping. An Unexpected Finds Protocol should be adopted to manage any discoveries in accordance with statutory obligations under the NPW Act 1974. This protocol is recommended for use throughout all phases of the project.

1. Cease works in the immediate vicinity of the find and provide a 2m buffer.
2. Contact the project archaeologist to verify the nature of the find.
3. If Unexpected Find is confirmed as archaeological in origin, the project archaeologist will notify Heritage NSW and Metropolitan Local Aboriginal Land Council of the find. If the find is confirmed as not archaeological in origin, the project archaeologist will provide advice for works to recommence.
4. The project archaeologist will undertake a preliminary assessment and recording of the find.
5. Formulate archaeological or heritage management plan – specific to the nature of the find.
6. Implement archaeological and/or heritage management plan.
7. Works may commence once archaeological and/or heritage management plan has been successfully implemented, and the project archaeologist provides sign off to the contractor for works to resume in vicinity of the find.

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Appendix A



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 5 Blue Street

Client Service ID : 1129010

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-3077	Adderstone Shelter 1 NSC-081	GDA	56	334895	6253940	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Aboriginal Heritage Office							
45-6-4099	Blues Point Archaeological	GDA	56	333831	6253160	Open site	Valid	Artefact : -, Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Chris Langeluddecke,AMBS Ecology & Heritage							
45-6-2147	Ivy Cliff (Waverton Park)	AGD	56	333330	6253860	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1809
	<u>Contact</u>	<u>Recorders</u>	Val Attenbrow,D Earle							
45-6-2181	Waverton Park Cave;	AGD	56	333130	6253820	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>	<u>Recorders</u>	Michael Guider,Mr.Phil Hunt,Aboriginal Heritage Office							
45-6-3076	Adderstone Shelter 2 NSC-082	GDA	56	334885	6253945	Open site	Valid	Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Aboriginal Heritage Office							
45-6-1269	Waverton Park Waverton	GDA	56	333384	6254040	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>	Unknown Author,Aboriginal Heritage Office							
45-6-1271	Lavender Bay Milsons Point	GDA	56	334339	6253635	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	
	<u>Contact</u>	<u>Recorders</u>	Michael Guider,Aboriginal Heritage Office							
45-6-0906	Waverton Park	AGD	56	333320	6253813	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	
	<u>Contact</u>	<u>Recorders</u>	Michael Guider							
45-6-1270	Waverton Park Waverton	GDA	56	333254	6254040	Open site	Valid	Shell : -, Artefact : -	Midden	
	<u>Contact</u>	<u>Recorders</u>	Unknown Author,Mr.Phil Hunt,Aboriginal Heritage Office							
45-6-2055	Lavender bay 2;	AGD	56	333890	6253550	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1809
	<u>Contact</u>	<u>Recorders</u>	Michael Guider							

**** 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 18/05/2026 for Kieran Mcgee for the following area at Lot : 2, DP:DP713944, Section : - with a Buffer of 1000 meters.. Number of Aboriginal sites and Aboriginal objects found is 10

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.

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