

Aboriginal Objects Due Diligence Assessment

*815 Pacific Highway,
Chatswood, NSW*

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Acknowledgment of Country

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

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



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

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Executive Summary

Urbis has been engaged by 815 Pacific Highway Pty Ltd ('the Proponent') to conduct an Aboriginal Objects Due Diligence Assessment ('ADD') of 815 Pacific Highway, Chatswood, NSW, legally defined as Lot 1 in DP 547585 ('the subject area').

The Proponent is proposing a new multi-storey build-to-rent development within the subject area of 815 Pacific Highway, Chatswood under the development application (SSD-87033962) to the Planning Secretary of the NSW Department of Planning, Housing and Infrastructure (DPHI). The industry-Specific Planning Secretary's Environmental Assessment Requirements (SEARs) for Housing apply to this project, as it is being assessed under the Housing Delivery Authority (HDA) provisions of the EP&A Act. The SEARs include the following in regard to Aboriginal heritage:

Table 1 SEARs

Assessment Requirements	Documentation
21. Aboriginal Cultural Heritage - Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. 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.	<u>If required:</u> Aboriginal Cultural Heritage Assessment Report

An Aboriginal Cultural Heritage Assessment was previously prepared to address a now withdrawn proposal for the subject area, which identified that there was no potential for Aboriginal objects on the site. The consultation for the project had lapsed by the time the current proposal was ready. It was considered that an ADD would be sufficient to meet the requirements as an "initial assessment" to confirm that there are no identified impacts to Aboriginal objects.

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

The ADD concluded that:

- 1) There are no known Aboriginal Objects or declared Aboriginal places within the curtilage of the subject area.
- 2) There are no previous studies directly addressing the present subject area that indicate Aboriginal objects are likely to be retained
- 3) The subject area is located within 200 m of a natural watercourse a sensitive landscape features indicative of likely past Aboriginal land use.

- 4) The subject area has seen clear and observable ground disturbance, including extensive ploughing of the site in early years clearing natural vegetation, Aswell as later constructions on the site with the erection of a multi-storey Highrise on the site.
- 5) The Due diligence Assessment has determined that no further investigation is required for the subject area.
- 6) This report meets the requirements of SEARs issue 21, as an initial impact assessment.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Record Keeping**

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

- **Recommendation 2 – No Further Investigation**

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

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

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

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

- **Recommendation 4 – Human Remains Procedure**

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

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds.

- 2.** The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
- 3.** The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
- 4.** Management recommendations are to be formulated by the NSW Police, Heritage NSW and site Representatives.
- 5.** Works are not to recommence until the find has been appropriately managed.

1

Introduction

1 Introduction

Urbis has been engaged by 815 Pacific Highway Pty Ltd ('the Proponent') to conduct an Aboriginal Objects Due Diligence Assessment ('ADD') of 815 Pacific Highway, Chatswood, NSW, legally defined as Lot 1 DP 547585 ('the subject area'). The regional location and boundary of the subject area are shown in Figure 1 and Figure 2, respectively.

The proponent is proposing for a building envelope, gross floor area of each use and vehicular access location for Build-to-Rent Housing, including Infill Affordable Housing above lower-level office, business and retail premises to the subject area at 815 Pacific highway, Chatswood.

The Proponent is proposing a new multi-storey build-to-rent development within the subject area of 815 Pacific Highway, Chatswood under the development application (SSD-87033962) to the Planning Secretary of the NSW Department of Planning, Housing and Infrastructure (DPHI). The Industry-Specific Planning Secretary's Environmental Assessment Requirements (SEARs) for Housing apply to this project, as it is being assessed under the Housing Delivery Authority (HDA) provisions of the EP&A Act. The SEARs include the following in regard to Aboriginal heritage:

Assessment Requirements	Documentation
21. Aboriginal Cultural Heritage - Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. 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.	<u>If required:</u> Aboriginal Cultural Heritage Assessment Report

An Aboriginal Cultural Heritage Assessment was previously prepared to address a now withdrawn proposal for the subject area, which identified that there was no potential for Aboriginal objects on the site. The consultation for the project had lapsed by the time the current proposal was ready. It was considered that an ADD would be sufficient to meet the requirements as an "initial assessment" to confirm that there are no identified impacts to Aboriginal objects. Further information about the findings of the previous ACHA are provided in Section 2.2.

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

1.1 Subject Area

The Subject area is located at 815 Pacific Highway, Chatswood, NSW Legally defined as Lot 1 DP 547585. The subject area is located approximately 9 km north of the Sydney CBD. It is within the city of Willoughby local government area ('Willoughby LGA') and within the administrative bounds of the Metropolitan local

Aboriginal land council ('Metropolitan LALC'). The subject site is located on the north-west side of Chatswood CBD and immediately to the north-east of the intersection between Pacific Highway and Help Street.

The site is within easy walking distance of services and facilities at Chatswood Strategic Centre. It is well-located in terms of public transport options, being approximately 350 metres (walking distance) from Chatswood Station interchange on the T1 and Sydney Metro North West Line. The site also benefits from being within walking distance many services and amenity within the CBD, including two shopping centres, being Westfield and Chatswood Chase.

It comprises a single allotment and is legally described as Lot 1 in DP547585, with an area of approximately 1,657m². The site is bounded by Pacific Highway to the west, Help Street to the south, the commercial property of 15 Help Street to the east and McIntosh Street to the north. It forms part of the western 'gateway' to the Chatswood CBD.

The existing development on the site is an early 1970s 14-storey brick-built commercial office building, comprising retail uses at podium level, with offices above. This scale of development is significantly below the potential offered by the location of the site as part of the CBD and within close walking distance of train and Metro services at Chatswood Station.

There is very limited vegetation and public domain activation at the existing site, currently comprising three trees set within paving at the northern end of the site and four trees with hedging at the southern end of the site.

1.2 Proposed Works

The proposed development (SSD-87033962) seeks development consent for a 61-storey (plus roof plant) shop-top housing development including affordable housing. The podium comprises ground floor, plus 10 storeys, with the tower component comprising 50 storeys above.

A rezoning request is made concurrently with the SSDA under the HDA pathway. The rezoning request seeks to amend the Willoughby Local Environmental Plan 2012 (WLEP 2012) as follows:

- amend Schedule 1 of the WLEP 2012 to enable 'shop top housing' as an Additional Permitted Use (APU) to be permitted with consent at 815 Pacific Highway, Chatswood; and
- Amend the 'Height of Buildings Map' referenced in clause 4.3 of the WLEP to specify a maximum building height for the site of RL 310.28 (increased from the existing RL 246.80 Height of Buildings control).

Specifically, State Significant Development consent is sought for the following:

- Site preparation and excavation works, including demolition of all structures on the site and tree removal,
- Construction of a 61-storey mixed-use shop-top housing development comprising:
 - Retail premises on the ground floor with a frontage to Pacific Highway and Help Street.
 - A residential tower comprising 490 dwellings (including 76 affordable housing units to be managed by an affordable housing provider for a period of 15 years)
- Construction of a nine-level basement for car parking, storage, waste holding, plant and loading facilities which are to be accessed via Help Street.
- Residential and retail waste storage on Level 1, including waste holding areas and plant services.
- Amenities, including communal spaces and shared outdoor spaces.
- Associated landscaping and public domain works to improve the public domain interface along Pacific Highway and Help Street, and
- Services and infrastructure upgrades, as required.

1.3 Statutory Controls

1.3.1 Environment Protection and Biodiversity Conservation Act 1999

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

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

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

Properties and places listed on the WHL, NHL or CHL, are included in the Australian Heritage Database ('AHD'). The AHD also includes places under consideration, or that may have been considered, for any one of these lists. A search of the AHD was undertaken on 23rd of March 2026. The search did not identify any Aboriginal heritage properties or places within the curtilage of the subject area that are protected under the EPBC Act. The search did not identify any Aboriginal heritage properties or places within the curtilage of the subject area that are protected under the EPBC act.

1.3.2 National Parks and Wildlife Act 1974

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

The NPW Act defines 'Aboriginal objects' and 'Aboriginal places' as follows:

- **Aboriginal object** means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.
- **Aboriginal place** means any place, which may or may not contain Aboriginal objects, that is declared to be an Aboriginal place under section 84 of the NPW Act because it is or was of special significance with respect to Aboriginal culture.

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

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

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

- Maintenance of existing roads, fire and other trails and tracks and existing utilities and other similar services, on disturbed land.

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

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

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

1.4 Methodology

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

The present ADD was undertaken in accordance with the generic due diligence process described in Section 8 of the Due Diligence Code. It is noted that there is an inconsistency between the due diligence process depicted in the flowchart on page 10 of the Due Diligence Code and the process described on pages 11 to 14. The latter was adopted in *Williams v Graham* [2016] NSWLEC 151 and has been applied for the present ADD.

The ADD included the following:

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

1.5 Limitations

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

The ADD is limited to the due diligence process outlined in the Due Diligence Code. The ADD did not include a site visit, however, results from the previous site visit undertaken are provided. This assessment excluded consultation with the Aboriginal community or consideration of intangible cultural heritage. This report also does not address non-Aboriginal heritage.

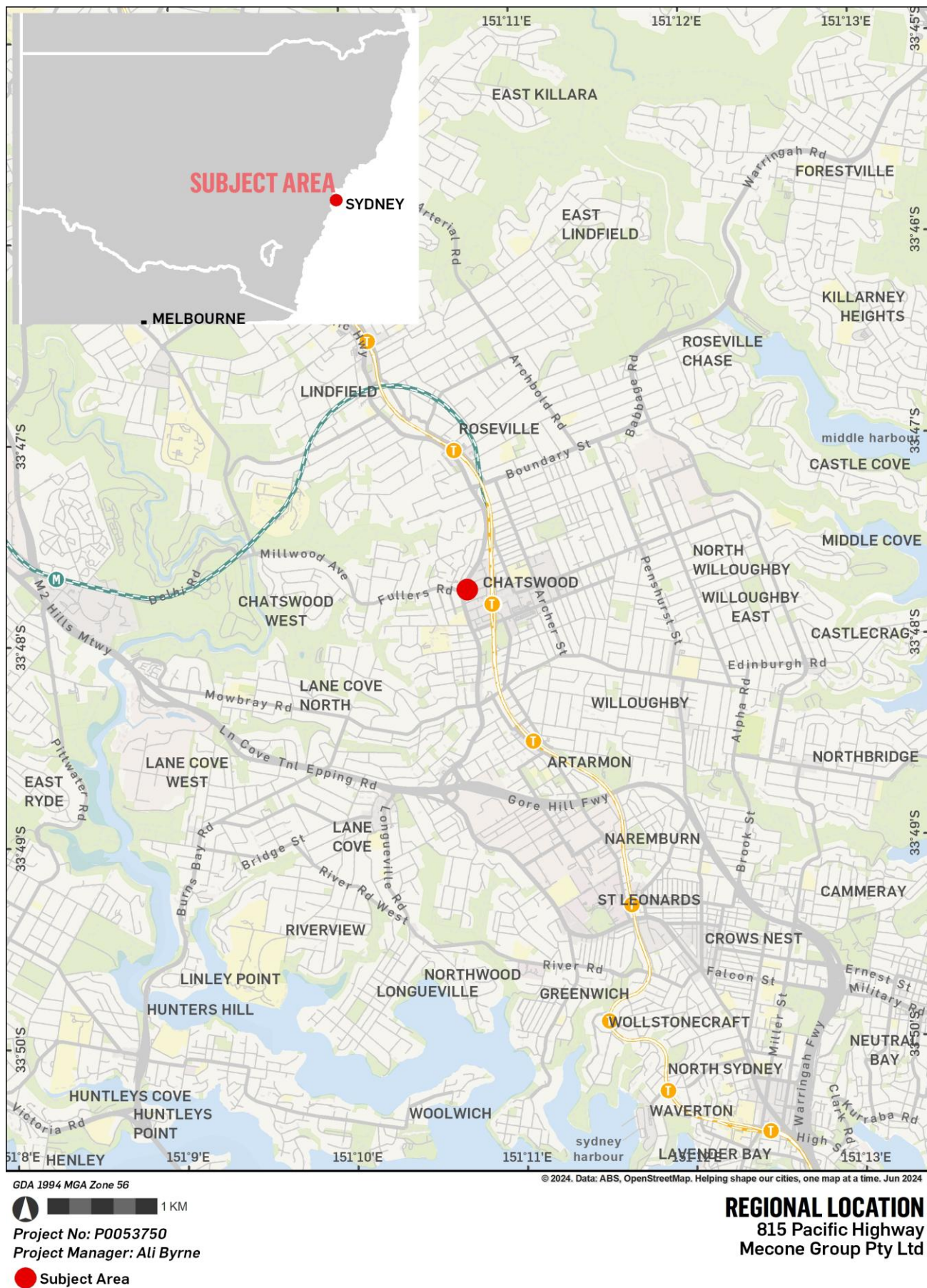


Figure 1 – Regional location of subject area



GDA 1994 MGA Zone 56

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Project No: P0053750
Project Manager: Ali Byrne

 Subject Area — Contours

LOCATION OF THE SUBJECT AREA
815 Pacific Highway
Mecone Group Pty Ltd

Figure 2 – Subject area

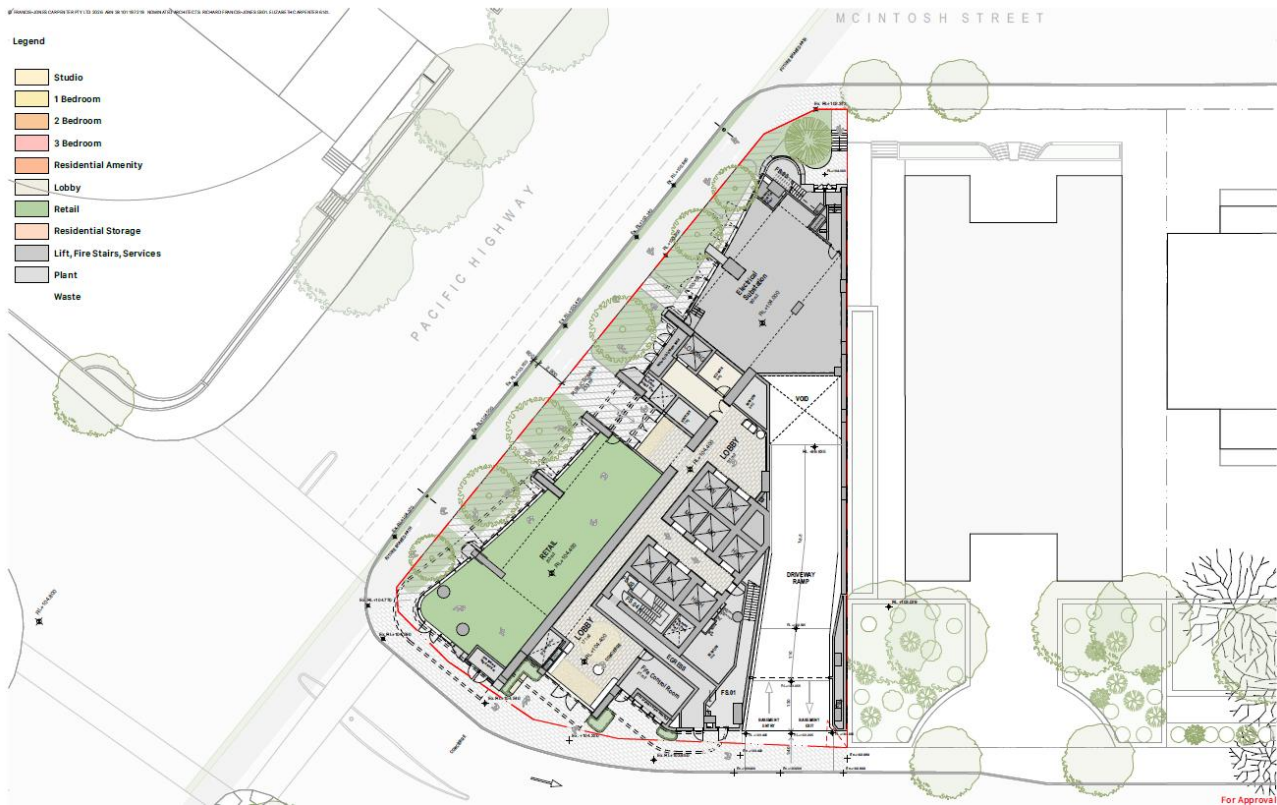


Figure 3 – Proposed development plan – ground level
Source: (Fjcstudio, Rev 02, 12/5/2026)

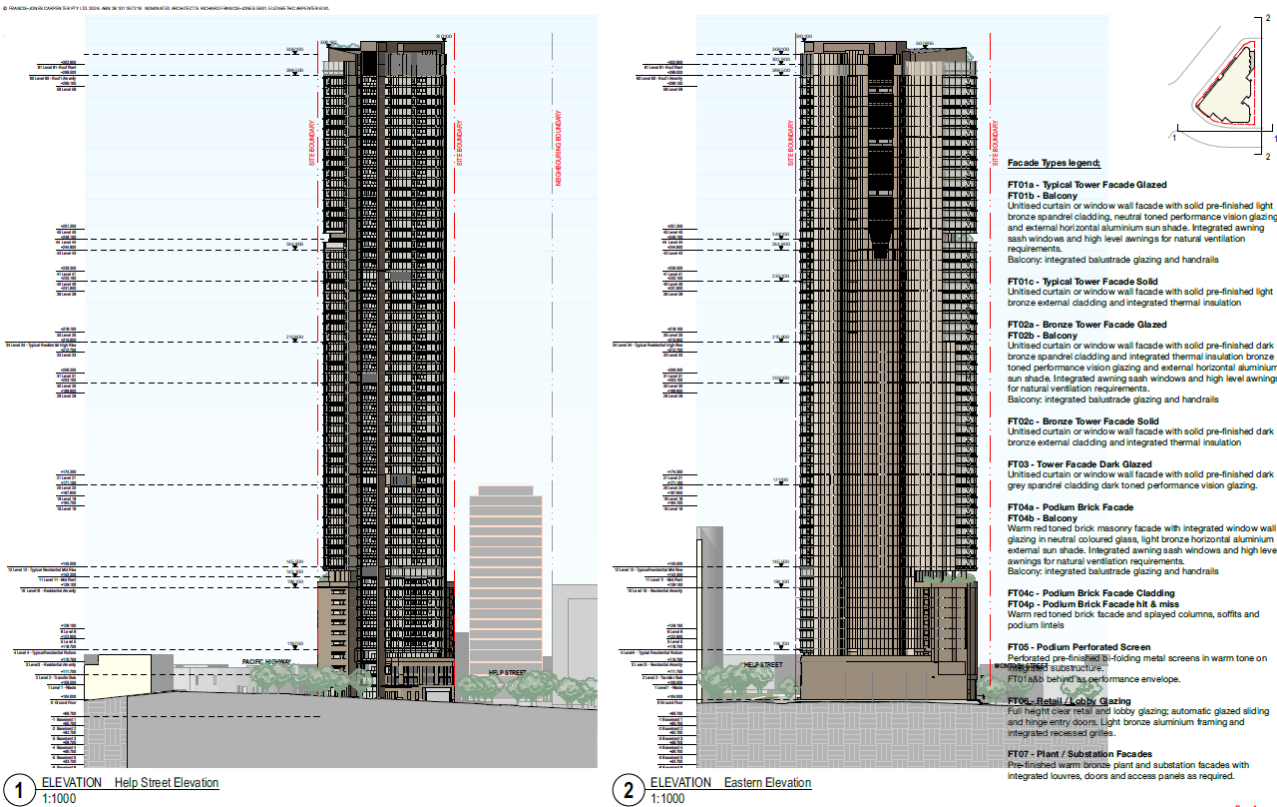


Figure 4 – Proposed development plans - Help St Elevation
Source: (Fjcstudio, Rev 02, 12/5/2026)

2

Aboriginal Cultural Heritage

2 Aboriginal Cultural Heritage

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

2.1 Archaeological Context

2.1.1 Declared Aboriginal Places

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

A search of the SHI was undertaken on 23rd of March 2026. Items listed on the SHI in the vicinity of the subject area are shown in Figure 5. The search did not identify any declared Aboriginal places within or near the subject area.

2.1.2 Registered Aboriginal Objects

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

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

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

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

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

A search of the Aboriginal Heritage Information Management System (AHIMS) was carried out on 02 of April 2026 (AHIMS Client Service IDs: 1108641 and 1108862) for an area of approximately 6 km x 6 km centred on the subject area. The Basic and Extensive AHIMS search results are included in Appendix B.

The search was undertaken to determine if:

- There are any registered Aboriginal sites registered within the curtilage of the subject area.
- There are any registered Aboriginal sites near the subject area that might extend into it.
- There is any association of Aboriginal sites with certain landscape features within the broader region that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

A summary of all previously registered Aboriginal objects within the search area is provided in Table 2.

Table 2 – Registered Aboriginal sites in AHIMS search area

Site Type	Number	% of Sites	% of Features
Artefact	70	60%	39%
Shell	62	54%	34%
PAD	26	23%	14%
Art	18	16%	10%
Grinding Grooves	2	2%	1%
Habitation Structure	1	1%	1%

The search of the broader region around the subject area was undertaken to determine if: (i) there are any registered Aboriginal sites near the subject area that might extend into it; and (ii) to determine if there is any association of Aboriginal sites certain landscape features within the broader region that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

The search did not identify any Aboriginal objects or Aboriginal places within the curtilage of the subject area.

In the broader search area, a total of 117 Aboriginal objects are registered. Two of the recorded Aboriginal sites were identified as “not a site” in the search results, reducing the total number of identified Aboriginal sites to 115. Additionally, these sites tend to be located near the closest watercourse (Lane Cove River), consistent with predictive models in the Due Diligence Code of Practice, which specifies proximity to water as a sensitive landscape feature indicative of past Aboriginal land use.

A total of 181 site features were identified across 115 Aboriginal sites. The most common site Feature was Artefact, making up 60% (n=70). Such a high prevalence of Artefacts reflects the reliance of local Aboriginal people’s strong association with being near waterways for everyday life. The next most common site feature was Shell, making up 54% (n=62). PAD (n=26), Art(n=18), Grinding Grooves (N=2) and Habitation Structure (n=1) make up the remainder of the site features. The locations of the 115 identified Aboriginal sites are shown in Figure 6.

The context of the registered Aboriginal sites within the search area are summarised in Table 3. Overall, 43% of sites are registered in an open context, and 57% in a closed context. A prevalence of closed context sites in correlation with site features such as shell middens, artefacts and art indicate a high prevalence of rock shelters used for Aboriginal habitation within the broader search area.

Table 3 – Context of AHIMS sites in search area

Context	Number	% of Sites
Open	49	43%
Closed	66	57%



Figure 5 – Heritage items near subject area

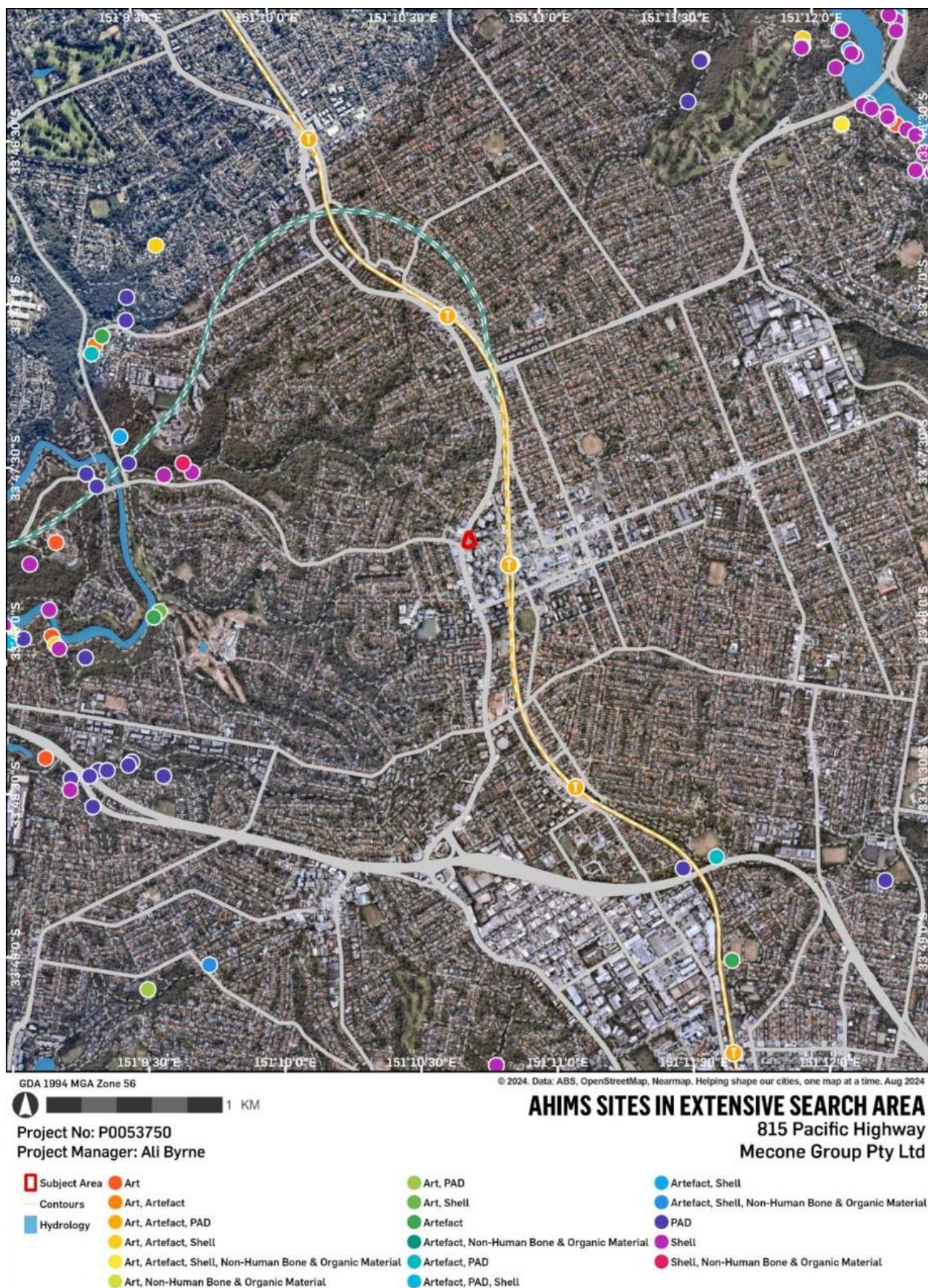


Figure 6 – Location of Aboriginal sites registered in AHIMS area

2.2 Previous Archaeological Investigations

Previous Aboriginal archaeological investigations undertaken within or near to the subject area may provide information about known Aboriginal sites that have not previously registered on the AHIMS database. Additionally, Aboriginal archaeological investigations undertaken in the broader region may provide information on the types of archaeological site features that are likely to occur within the subject area.

A number of investigations have been undertaken in the broader region. The most relevant investigations to the present subject area are discussed below.

Urbis (2024) prepared an Aboriginal Cultural Heritage Assessment (ACHA) for the current subject area, assessing a previous proposal under SSD-78346486 (now withdrawn). The ACHA did not identify any Aboriginal objects registered within or near to the subject area, and concluded that the subject area was not located on a sensitive landform, due to the extensive land modification resulting from the existing development, including basement levels, on site. The assessment recommended that no further archaeological investigation be undertaken.

Artefact (2023) undertook an archaeological investigation of 763-769 Pacific Highway, Chatswood NSW approximately 600 metres northeast of the present subject area. The archaeological investigation was limited to a desktop assessment and site survey. The desktop assessment did not identify any known Aboriginal object or Aboriginal places within the subject area. In the absence of a geotechnical investigation, the assessment found that the study area had been subject to significant ground disturbance processes through the construction of the extant buildings and basement levels. This was confirmed through a site survey that identified significant sub-surface disturbance. Further predictive statements based on the landform context were made, identifying stone artefacts as the most common site type to occur within the study area. The investigation concluded that the study area had low archaeological potential and was unlikely to have retained Aboriginal objects. The assessment recommended that no further archaeological investigation be undertaken under the scope of the proposed works.

2.3 Environmental Context

2.3.1 Landscape Features

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

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

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

Topography: The subject area is located 114 m above sea level on the crest of a north-south aligned ridgeline as seen in (Figure 7). The subject area is the subject area located of a ridge top, ridge line or headland or within 200 m of a cliff face.

Soils and Geology: The NSW Soil and Land Information System (SALIS) indicates that the entire subject area is located within the Glenorie soil landscape (Figure 8). The Glenorie soil landscape is characterised by erosional soils on low hills and ridges. The soil A-horizon, in which archaeological material is most commonly found, typically comprises friable dark brown loam (A1) overlying hard-setting brown clay loam (A2). On crests, A-horizon depths are anticipated to be up to 15 cm of A1 overlaying 10-30 cm of A2. The underlying geology of this soil landscape includes Wianamatta Group Ashfield and Bringelly Shale. Rock outcrops indicative of the possible presence of a cave or rock shelter are unlikely.

Hydrology: The nearest natural water to the subject area is located approximately 125 m to the west of the subject area (Figure 8). It is a first order tributary of Swaines Creek, which is in turn a tributary of the Lane Cove River. The subject area is located within 200 m of waters.

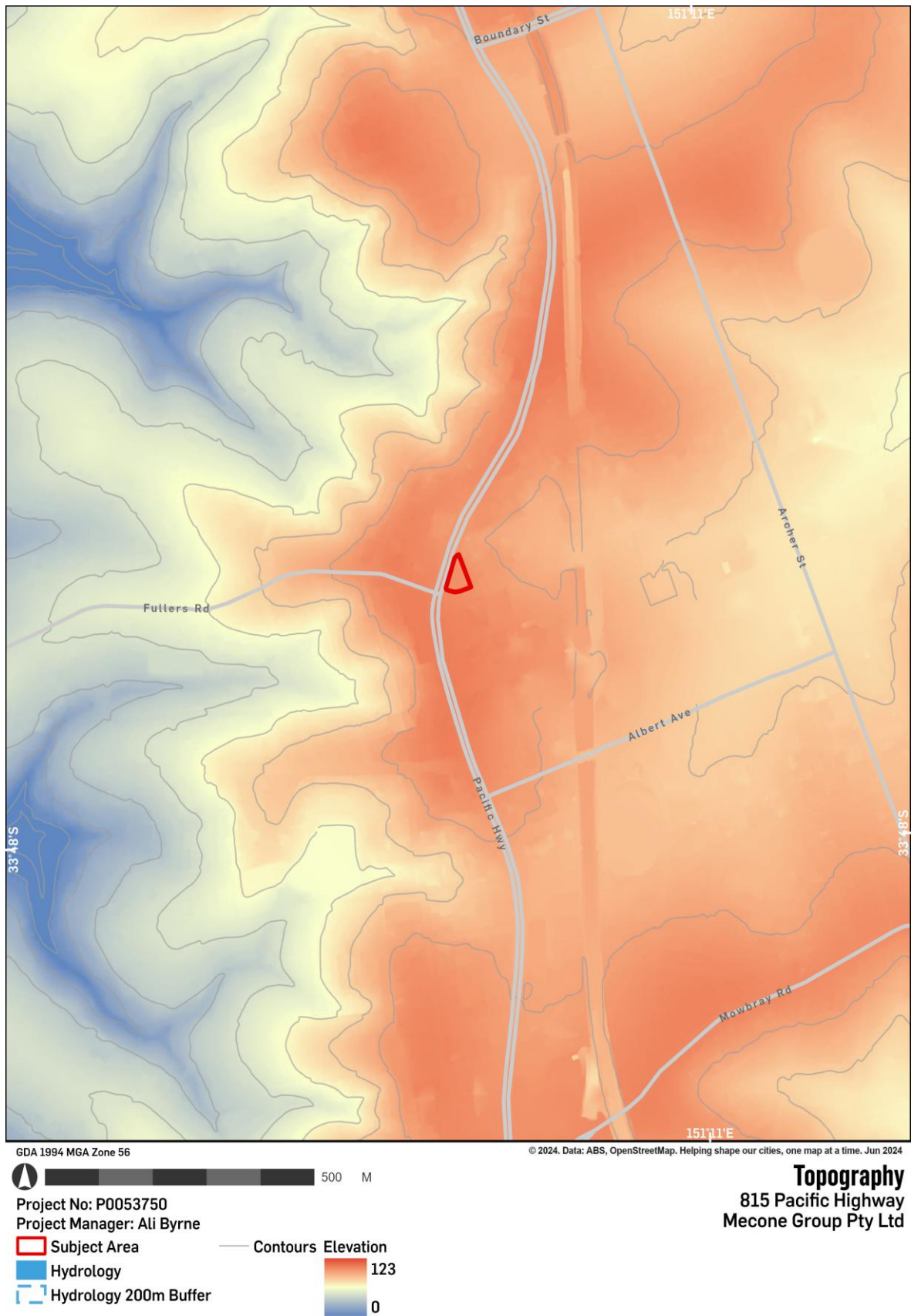
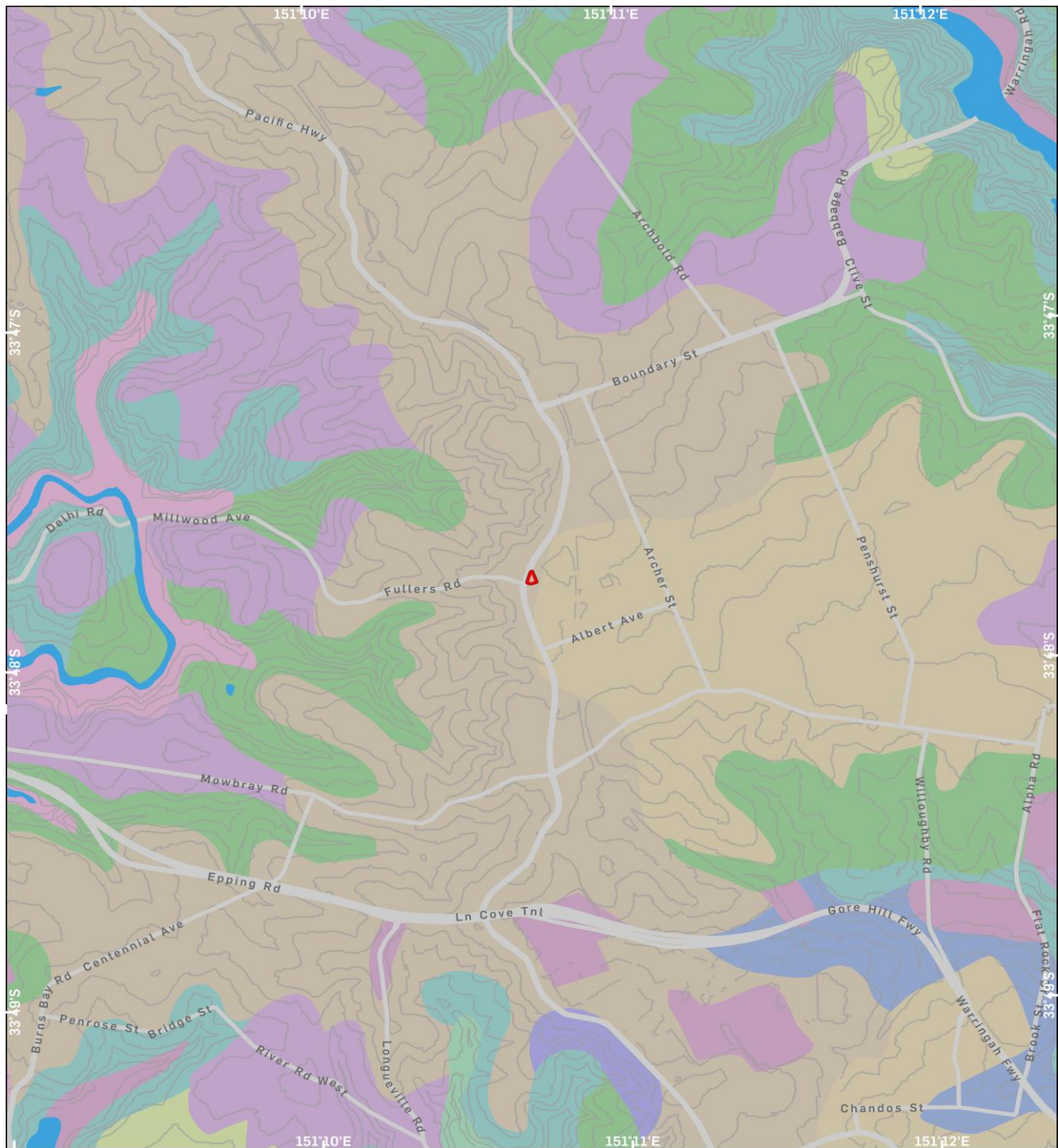


Figure 7 – Topography



GDA 1994 MGA Zone 56

© 2024. Data: ABS, OpenStreetMap. Helping shape our cities, one map at a time. Jun 2024



1 KM

Project No: P0053750

Project Manager: Ali Byrne

Subject Area

Hydrology

Hydrology 200m Buffer

Contours

BLACKTOWN (Residual)

DEEP CREEK (Alluvial)

DISTURBED TERRAIN (Disturbed Terrain)

GLENORIE (Erosional)

GYMEA (Erosional)

GYMEA/LAMBERT (Erosional)

HAWKESBURY (Colluvial)

LAMBERT (Erosional)

LANE COVE (Alluvial)

LUCAS HEIGHTS (Residual)

WEST PENNANT HILLS (Colluvial)

SOIL LANDSCAPES AND HYDROLOGY

815 Pacific Highway

Mecone Group Pty Ltd

Figure 8– Soil landscapes and Hydrology

2.3.2 Historical Ground Disturbance

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

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

- Ploughing
- Construction of rural infrastructure (such as dams and fences)
- Construction of roads, trails and tracks (including fire trails and tracks and walking tracks)
- Clearing vegetation
- Construction of buildings and the erection of other structures
- Construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure)
- Construction of earthworks

The land on which the present subject area is situated was granted to Isaac Nichols (b. 1770 – d. 1819) as two separate parcels of land in 1805 and 1810 (Figure 9). During this period this land was likely subject to farming activities including grazing and suffered unauthorised timber getting by locals (The Sydney Gazette and New South Wales Advertiser, 1806). The paucity of historical documentation may reflect the insubstantial usage of the land at this time.

The mid-19th century was characterised by agricultural activities and the clearance of vegetation following the purchase of Isaac Nichols' estate by real estate speculator and Willoughby's first mayor, Richard Hayes Harnett (b.1819 – d.1902) in 1881. The blue gum forest which covered the estate, was subsequently cleared for farming and grazing by the early 20th century. Whilst difficult to ascertain the original usage of the present study area without sufficient historical documentation or maps, it is likely the land was subject to agricultural practices and/or the clearance of bushland that involved partially invasive ground disturbing activities of shallow topsoils (A1 and A2 Horizons).

As early as 1891, historical maps document the subdivision of the surrounding allotments east and south of the present subject area bounded by Gordon Rd (present Pacific Highway), Help St, McIntosh St, and Railway St. Whilst early maps document rapid residential growth within the region, the subject area itself remained a historical obscurity until its subsequent subdivision into 5 separate lots in 1912 (Figure 10). The northern portion of the subject area appears to be excluded from this subdivision, including that of an existing shop front in the north-western section of the site. Aerial imagery from as early as 1943 demonstrates the changing nature of the subject area including its residential character with the addition of dwellings upon lot 1, 2, and 4 as well as the replacement of the extant shop with a dwelling into lot 6 (Figure 12). The final addition to the subject area preceding the demolition of the entirety of the site in 1970 (Figure 13) was a new dwelling on lot 3 in 1965 (Figure 12). Aerial photography from 1978 reveals the extant residential and commercial high rise within the subject area (Figure 14 & 15).

Taken together, the study area has been subject to ground disturbing works from as early 1881 when the Harnett Estate was cleared of native vegetation and likely subjected to ploughing. The last phase of construction post 1943 oversaw the construction of dwellings and their subsequent demolition to make way for the erection of a multipurpose high-rise. These activities are highly invasive involving significant earthworks that have likely disturbed the integrity of deeper soils (Horizon B). In light of the shallow natural topsoil of crests within the Glenorie soil landscape, historical ground disturbance has been assessed as high throughout the entirety of the subject area.

[illegible]

RPT_P0053750_ 815 Pacific Highway, Chatswood ADD_V3_260605



Figure 11– Historical Aerial Imagery of subject area (red outline) 1943

Source: NSW Government, Historical Imagery Viewer



Figure 12 – Historical Aerial Imagery of subject area (Red outline) 1965

Source: NSW Government, Historical Imagery Viewer



Figure 13 - Historical Aerial Imagery of subject area (red outline) 1971, with all houses demolished

Source: NSW Government, Historical Imagery Viewer



Figure 14 - Historical Aerial Imagery of subject area (red outline) 1971, with extant building

Source: NSW Government, Historical Imagery Viewer



Figure 15 - Historical Aerial Imagery of subject area (red outline) ,2024

Source: Six Maps

2.4 Visual Inspection

A visual inspection was undertaken during the preparation of the ACHA, to confirm the assessment of archaeological potential within the subject site and to determine if any Aboriginal objects were present as surface expressions. The visual inspection of the subject area was undertaken on 3 September 2024 by Ali Byrne (Urbis Associate Director, Archaeology), Tania Carroll (Murra Bidgee Mullangari), Carolyn Hickey (A1 Indigenous Services) and Amanda Hickey (Amanda Hickey Cultural Services).

The visual inspection was undertaken in overcast conditions. Ground Surface Visibility (GSV) was estimated to be 0% across the subject area being covered by hardstand, vegetation, and the main structure. No Aboriginal objects were identified during the visual inspection of the subject area.

The visual inspection confirmed significant levels of ground disturbance across the subject area. The entirety of the subject area has been impacted by the construction of current structures, with a large office building taking up majority of the site. This complex includes a two-level basement garage from boundary to boundary. Hardstand and modern vegetation occupied the remainder of the site.

No observable landscape features indicated a potential focus for activity by Aboriginal people which might indicate higher archaeological potential.

It is evident from inspection that the subject area has been modified by historical activities. Disturbance will have been significant in the naturally shallow soil profiles due to the construction of basement levels, installation of underground services, and levelling across the site.

The visual inspection confirms the assessment that the subject area has very low to nil Aboriginal archaeological potential due to a high level of modern ground disturbance. The RAPs in attendance were in agreement with this assessment.



Figure 16– View northeast from corner of Help st and Pacific Highway, showing structure on subject site



Figure 17– View northwest from Help st, showing structure on subject site

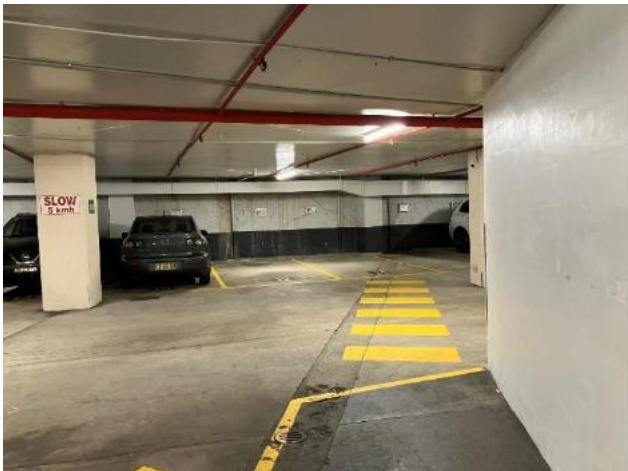


Figure 18 – Inside of level – 1 basement car park



Figure 19– rear loading area, facing north



Figure 20 – View north from Help st, showing ground level



Figure 21– Forecourt at corner of Pacific Highway and Help st



Figure 22– raised garden in forecourt, facing west



Figure 23 – view north along Pacific Highway showing underground services

2.5 Summary

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

- No known Aboriginal objects or Aboriginal places have been identified that are within, or likely to be within, the curtilage of the subject area.
- The entire subject area is located within 200 m of at least one former natural creek and on a ridgeline, both of which are considered indicative of likely past Aboriginal land use.
- Ground disturbance is assessed to be high across the entire subject area in view of the presence of current building on the site and its basements, which indicate an absence of natural soil, rock surfaces or vegetation across the whole of the subject area.
- In view of the high ground disturbance across the entire subject area, the Aboriginal archaeological potential of the entire subject area is assessed to be **Very Low**.

3

Due Diligence Assessment

As outlined in Section 8 of the Due Diligence Code

3 Due Diligence Assessment

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

Step 1 – Will the activity disturb the ground surface?

Yes

Proposed works including Demolition of existing building and construction of mixed-use development, comprising shop-top housing and in-fill affordable housing above commercial and retail premises, with basement car parking and servicing will extensively disturb the ground surface.

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

NO

There are no registered Aboriginal sites located within the subject area. The nearest AHIMS sites are located 500–600 m from the site and are therefore not likely to extend into the subject area.

No other sources of information have been identified that indicate that Aboriginal objects are likely to be retained within the subject area

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

NO

The subject area is located within 200 m of a natural watercourse, which is sensitive landscape feature indicative of likely past Aboriginal land use.

The Due Diligence Code further specifies that the landscape features are of relevance only if the subject area has not been subjected to ground disturbance. The subject area has been subject to historical ground disturbance resulting in clear and observable changes to the land surface, including. Clearing of the land during the 19th century essentially destroying natural vegetation, and later into the 20th century with the construction of the existing 33 storey highrise which would have caused extensive disturbance to A-horizon soil levels.

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

N/A

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

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

N/A

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

the presence of Aboriginal objects. Therefore, Step 4 of the Due Diligence process does not apply for assessment of the present subject area.

Step 5 – Outcome of Assessment

In accordance with the due diligence process described in the Due Diligence Code, the above assessment has determined that no further investigation is required for the subject area. Urbis recommends that the development proceed with caution, subject to unexpected archaeological finds and human remains procedures being implemented (see Section 4 below).

4

Conclusions & Recommendations

4 Conclusions & Recommendations

The present due diligence assessment concluded that:

- The proposed activity is a high impact activity which will disturb the ground surface.
- There are no known Aboriginal objects or declared Aboriginal places within the curtilage of the subject area.
- The subject area is located within 200 m of a natural watercourse, a sensitive landscape feature indicative of likely past Aboriginal land use.
- The subject area has seen a clear and observable ground disturbance, including the clearing of the land during the 19th century essentially destroying natural vegetation, and later into the 20th century with the construction of the existing 33 storey highrise which would have caused extensive disturbance to A-horizon soil levels.
- The Due Diligence Assessment has determined that no further investigation is required for the subject area
- This report meets the requirements of SEARs issue 21, as an initial impact assessment.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Record Keeping**

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

- **Recommendation 2 – No Further Investigation**

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

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

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

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

- **Recommendation 4 – Human Remains Procedure**

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

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

5

References

5 References

Department of Environment Climate Change and Water ('DECCW') 2010a, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*

DECCW 2010c, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*

Environmental Planning and Assessment Act 1979 (NSW)

Environment Protection and Biodiversity Conservation Act 1999 (Cth)

National Parks and Wildlife Act 1974 (NSW)

National Parks and Wildlife Regulation 2019 (NSW)

Office of Environment & Heritage ('OEH') 2011a, *Applying for an Aboriginal Heritage Impact Permit: Guide for applicants*

OEH 2011b, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*

OEH 2012, *Guide to completing the AHIMS Site Recording Form*

Glossary

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

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

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

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

Disclaimer

This report is dated 5 June 2026 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of 815 Pacific Highway Limited (**Instructing Party**) for the purpose of Aboriginal Objects Due Diligence Assessment (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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Appendix A

Proposed Development Plans

(Refer to submission)

Appendix B

AHIMS Search Results



Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 02 April 2026

Level 8 123 Angel Street

Sydney New South Wales 2000

Attention: Stephen Kouvas

Email: skouvas@urbis.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 328371.0 - 334372.0, Northings : 6255988.0 - 6261988.0 with a Buffer of 0 meters, conducted by Stephen Kouvas on 02 April 2026.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



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

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



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and communities
for a better future.**

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