

33-37 Herbert Street, St Leonards Mixed Use Development

Aboriginal Cultural Heritage
Assessment Report

Report to Aqualand St Leonard
Development Pty Ltd

April 2026



 artefact

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EXECUTIVE SUMMARY

Artefact Heritage and Environment have been engaged by Aqualand St. Leonard Development Pty Ltd (the proponent) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the development proposal at 33-37 Herbert Street, St Leonards, NSW (the study area). The study area is located within the Willoughby Local Government Area, the Metropolitan Local Aboriginal Land Council, and the land of the Cammeraygal people. The development proposal would include the construction of a mixed-use development.

The development proposal has been declared State Significant Development (State Significant Development–8851 1459) under the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Secretary's Environmental Assessment Requirements (SEARs) issued on 21 August 2025 outline that Aboriginal Cultural Heritage assessment would be required to inform the Environmental Impact Statement (EIS) for the development proposal. This ACHAR meets the requirements of Item 22 of the project SEARs:

SEAR	Supporting Documentation	Response
22. 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.	Aboriginal Cultural Heritage Assessment Report	This ACHAR meets the Aboriginal Cultural Heritage requirements of Item 22 of the project SEARs.

In order to satisfy the Aboriginal Cultural Heritage requirements of the project SEARs, an Aboriginal Archaeological Technical Report (ATR) prepared in accordance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010)* (the Code of Practice) has been appended to this report (see Appendix A – Archaeological Technical Report).

The Minister for Planning, or delegate, is the consent authority for the SSDA and this application is lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) for assessment.

This ACHAR considers the impacts of the development proposal on Aboriginal cultural heritage within the study area. It is also informed by the ATR previously prepared by Artefact Heritage, which will also be submitted as part of the State significant Development application process.

The cultural heritage assessment includes:

- Assessment of the Aboriginal cultural heritage values of the study area and identification of any specific areas of cultural significance
- Assessment of archaeological potential in the study area
- The results of archaeological survey and the Aboriginal test excavation program within the study area
- Aboriginal stakeholder consultation.

The previously prepared ATR did not identify any known Aboriginal sites or objects within the study area and assessed that they were unlikely to be present. Based on the environmental background of the study area, as well as previous archaeological investigations, the following predictive statements were prepared:

- There is nil to low potential for subsurface archaeological deposits. If present, archaeological finds would consist of low-density artefact scatters or isolated finds
- The study area is likely to be significantly disturbed as a result of previous developments, supporting the unlikelihood of Aboriginal objects or sites being identified on or beneath ground surfaces
- Land with the least amount of historical ground disturbance has the greatest potential for artefact bearing deposits
- The extensive land clearance associated with the development of the region means that mature, natural vegetation is unlikely to be present in the study area, suggesting that it is unlikely that culturally modified trees will be identified during the archaeological survey
- The level of ground surface visibility in the study area will be nil to low due to the extensive level of development observed in the desktop analysis.

A subsequent archaeological survey confirmed the study area has been subject to significant historical disturbance.

Consultation with Registered Aboriginal Parties (RAPs) who registered their interest in the project was also conducted as part of this Aboriginal Cultural Heritage Assessment Report. A total of six RAPs registered their interest in the project. The Metropolitan LALC were also provided all of the information for the project. RAP consultation and their cultural contributions have been outlined in this report.

Summary of findings

The ACHAR has made the following conclusions through a combination of desktop assessment, archaeological survey and community consultation:

- No Aboriginal Heritage Inventory Management System (AHIMS) sites are located within the study area
- The study area has been subjected to significant levels of ground disturbance through historical development, including in-ground infrastructure within and surrounding the site
- No Aboriginal objects or sites were identified during the archaeological survey, nor were any areas of archaeological potential

- While the development proposal would result in ground disturbance throughout the study area, there is no evidence that the works would cause harm to Aboriginal sites
- While the broader landscape around the North Sydney region possesses Aboriginal cultural heritage values, no specific cultural values have been identified in association with the study area.

Recommendations

Based on the findings, the following recommendations and mitigation measures are made:

- No further assessment or mitigation measures are necessary due to the absence of Aboriginal objects, sites and cultural heritage values for the study area, and the lack of potential for Aboriginal objects to be present
- Ongoing consultation with the RAPs would continue throughout the life of the project, if necessary. For example, ongoing consultation with RAPs would take place in the event of any unexpected Aboriginal objects being identified during the proposal
- A heritage induction including an Unexpected Finds Procedure should be prepared and all workers should be inducted prior to the commencement of works
- This ACHAR must be submitted as part of the EIS to fulfil the requirements of the project SEARs
- Where there are changes to the project area or development proposal, additional archaeological assessment may be required
- A copy of this report should be sent to Metropolitan Local Aboriginal Land Council for their records.

CONTENTS

1.0	Introduction.....	1
1.1	Project brief	1
1.2	Description of the study area.....	1
1.3	Aims and objectives.....	1
1.4	Statutory framework	2
2.0	Summary of Consultation	5
2.1	Stage 1	5
2.1.1	Agency letters	5
2.1.2	Advertisement	5
2.1.3	Registration of Aboriginal parties.....	5
2.2	Stage 2	6
2.3	Stage 3	6
2.3.1	ACHAR assessment methodology	6
2.4	Stage 4	7
3.0	Summary and analysis of background information	8
3.1	Archaeological background	8
3.2	AHIMS search	9
3.3	Environmental background.....	12
3.3.1	Soils and geology	12
3.3.2	Hydrology and landforms	12
3.4	Historical records of Aboriginal material cultural	16
3.4.1	Sydney region	16
3.4.2	North Shore region	16
3.5	Historical land disturbance	19
3.6	Predictive model	28
4.0	Summary of field investigations.....	29
5.0	Cultural heritage values	32
5.1	Methodology	32
5.1.1	Cultural landscape	32
5.1.2	Types of values.....	32
5.2	Identified Aboriginal cultural heritage values.....	33
5.3	Aboriginal cultural values within the study area	34
6.0	Significance assessment	35
6.1	Significance assessment criteria	35
6.1.1	Historic value	35
6.1.2	Aesthetic value.....	36

6.1.3	Socio/cultural value	36
6.1.4	Scientific value	36
6.2	Statement of significance	36
7.0	Impact assessment.....	37
7.1	Description of likely impacts	37
7.1.1	Project description	37
7.2	Aboriginal heritage impact.....	37
7.3	Ecological Sustainable Development principles.....	37
7.3.1	The integration principle	38
7.3.2	The precautionary principle	38
7.3.3	The principle of intergenerational equity.....	38
7.4	Cumulative impacts	38
8.0	Management and mitigation measures	39
8.1	Guiding principles	39
8.2	Management measures.....	39
8.3	Changes to the project area	39
9.0	Conclusion	40
9.1	Summary of findings.....	40
9.2	Recommendations.....	40
10.0	References	41
Appendix A – Archaeological Technical Report		A
Appendix B – Consultation Log and Records		B

FIGURES

Figure 1: Location of the study area	4
Figure 2: Extensive AHIMS search results, location of study area indicated by yellow arrow	10
Figure 3: AHIMS detail search results	11
Figure 4: Soil landscapes within the study area	13
Figure 5: Geology of the study area	14
Figure 6: Topography and hydrology of the study area	15
Figure 7: 1930 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	20
Figure 8: 1943 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	21
Figure 9: 1955 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	22
Figure 10: 1965 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	23
Figure 11: 1970 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	24
Figure 12: 1986 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	25
Figure 13: 1994 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	26
Figure 14: 2005 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)	27
Figure 15: View southwest of concrete path adjacent to 37 Herbert Street	30
Figure 16: View northeast of concrete surface, view towards rail line adjacent to study area	30
Figure 17: View northeast of concrete surface, retaining wall cut into landscape and rail corridor	30
Figure 18: View of storm water grates and subsurface service location markings	30
Figure 19: View of concrete paving and front façade of 37 Herbert Street	30
Figure 20: View of extant building façade, view southeast	30
Figure 21: View of extant building façade, view northeast	31
Figure 22: View north of concrete retaining walls and imported vegetation on top of the basement carpark	31
Figure 23: Entrance to basement level carpark	31
Figure 24: Concrete building structure at the north of the property on the boundary line of the current railway corridor	31
Figure 25: Extent of basement level 1 of the carpark	31
Figure 26: Landscape gardening on southern boundary of the study area	31

TABLES

Table 1: Item 22 of the project SEARs	2
Table 2: List of registered stakeholders	6
Table 3: Summary of Aboriginal stakeholder comments on the Assessment Methodology	6
Table 4. Summary of Aboriginal stakeholder comments on the draft ACHAR.....	7
Table 5: Previous Aboriginal archaeological assessments within the vicinity of the study area.....	8
Table 6: Cultural heritage values identified for the local Sydney region	33

NOTE ON LANGUAGE IN QUOTES

A number of quotes used in this report come from documents written in the nineteenth and twentieth centuries by European observers. They have been included because they provide information on the lives of Aboriginal people in the region, though the language used and views expressed by these writers can be offensive and distressing.

GLOSSARY OF TECHNICAL TERMS

Aboriginal cultural heritage: The material (objects) and intangible (mythological places, dreaming stories etc) traditions and practices associated with past and present-day Aboriginal communities.

Aboriginal object: Any deposit, object or material evidence (not being a handicraft made for sale), including Aboriginal remains, relating to the Aboriginal habitation of NSW.

Aboriginal place: Any place declared to be an Aboriginal place under s.94 of the *National Parks and Wildlife Act 1974*.

AHIMS: Acronym for 'Aboriginal heritage information management system'. AHIMS is a register that contains information about NSW Aboriginal heritage, and it is maintained by DECCW.

Archaeological object: any object that was made, affected, used, or modified in some way by humans in the past and has been discarded.

Archaeology: The scientific study of human history, with focus on material remains and ethnographic evidence.

Area of archaeological sensitivity: A part of the landscape that contains demonstrated occurrences of cultural material. The precise level of sensitivity will depend on the density and significance of the material.

Artefact: An item of cultural material created by humans.

Artefact scatter: Where two or more stone artefacts are found within an area of potential archaeological deposit or a site.

Easting: This is a measurement used to determine location. The easting is the x-coordinate and relates to the vertical lines on a map, which divide east to west. It increases in size when moving further east.

Exposure: The level of ground exposure is based on whether the landform is eroding, aggrading or stable. Exposure may occur naturally in creek and riverbanks, land slips, wind-eroded dune faces or other such naturally formed vertical profiles, or be formed artificially, for example in road and railway cutting

Layer: In stratigraphy, it is used to describe a horizon (soil, rock, charcoal) that is distinct from its surrounds.

Northing: This is a measurement used to determine location. The northing is the y-coordinate and relates to the horizontal lines on a map, which divide north to south. It increases in size when moving further north.

Potential Archaeological Deposit (PAD): A PAD is a location that is considered to have a potential for subsurface cultural material. This is determined from a visual inspection of the site, background research of the area and the landform's cultural importance.

Survey: In archaeological terms, this refers to walking over a surface while studying the location of artefacts and landmarks. These are then recorded and photographed.

Visibility: Is the amount of bare ground (or visibility) on the exposures which might reveal artefacts or other archaeological materials. Things like vegetation, plant or leaf litter, loose sand, stony ground or introduced materials will affect the visibility.

1.0 INTRODUCTION

1.1 Project brief

Artefact Heritage and Environment (Artefact Heritage) have been engaged by Aqualand St. Leonard Development Pty Ltd (the proponent) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the development proposal at 33-37 Herbert Street, St Leonards, NSW (the study area). The study area is located within the boundaries of the Willoughby Local Government Area (LGA), the Metropolitan Local Aboriginal Land Council (LALC), and the land of the Cammeraygal people. The development proposal would include the construction of a mixed-use development. The development proposal has been declared State Significant Development (SSD–8851 1459) under the *Environmental Planning and Assessment Act 1979* (EP&A Act), as detailed in Section 1.4.

This ACHAR considers the impacts of the development proposal on Aboriginal cultural heritage within the study area. It is also informed by the Archaeological Technical Report (ATR) previously prepared by Artefact Heritage, which will also be submitted as part of the SSD application process. The ATR is contained in the Appendices of this report (Appendix A – Archaeological Technical Report).

1.2 Description of the study area

The study area is located at 33 (Lot 1 and 2 DP 744175 and Lot 3 DP 772072) and 37 (Lot 1 DP 115615) Herbert Street, St Leonards, NSW (the study area) (Figure 1). The study area is within the Willoughby LGA and the Parish of Willoughby, within the County of Cumberland. The study area is within the boundaries of the Metropolitan LALC and is within the land of the Cammeraygal people. The study area is approximately 5,918.7 m² (0.59 hectares) of commercially developed land bounded by Ella Street to the north, the North Shore railway corridor to the east, residential development to the south, and Herbert Street to the west.

1.3 Aims and objectives

This ACHAR aims to identify and assess the Aboriginal heritage values of the study area, consult with Aboriginal stakeholders in this process and present the results of the archaeological investigation completed in the ATR. The report will be included in the EIS used to inform the SSD application for the project, satisfying the requirements of the SEARs.

The objectives of this report are to:

- Identify any Aboriginal cultural values in and around the study area
- Assess these cultural values, as related to the study area, through consultation with Aboriginal stakeholders
- Assess the impacts the proposed development might have on Aboriginal cultural heritage and potential archaeological resources within the study area
- Document the process and outcomes of Aboriginal stakeholder consultation
- Provide a plain English summary of the results of the ATR to Registered Aboriginal Parties (RAPs).

1.4 Statutory framework

The development proposal has been declared State Significant Development (SSD–8851 1459) under the EP&A Act. The Secretary’s Environmental Assessment Requirements (SEARs) issued on 21 August 2025 outline that Aboriginal Cultural Heritage assessment would be required to inform the Environmental Impact Statement (EIS) for the development proposal. This ACHAR meets the Aboriginal Cultural Heritage requirements of Item 22 of the project SEARs:

Table 1: Item 22 of the project SEARs

SEAR	Supporting Documentation	Response
22. 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.	Aboriginal Cultural Heritage Assessment Report	This ACHAR meets the Aboriginal Cultural Heritage requirements of Item 22 of the project SEARs.

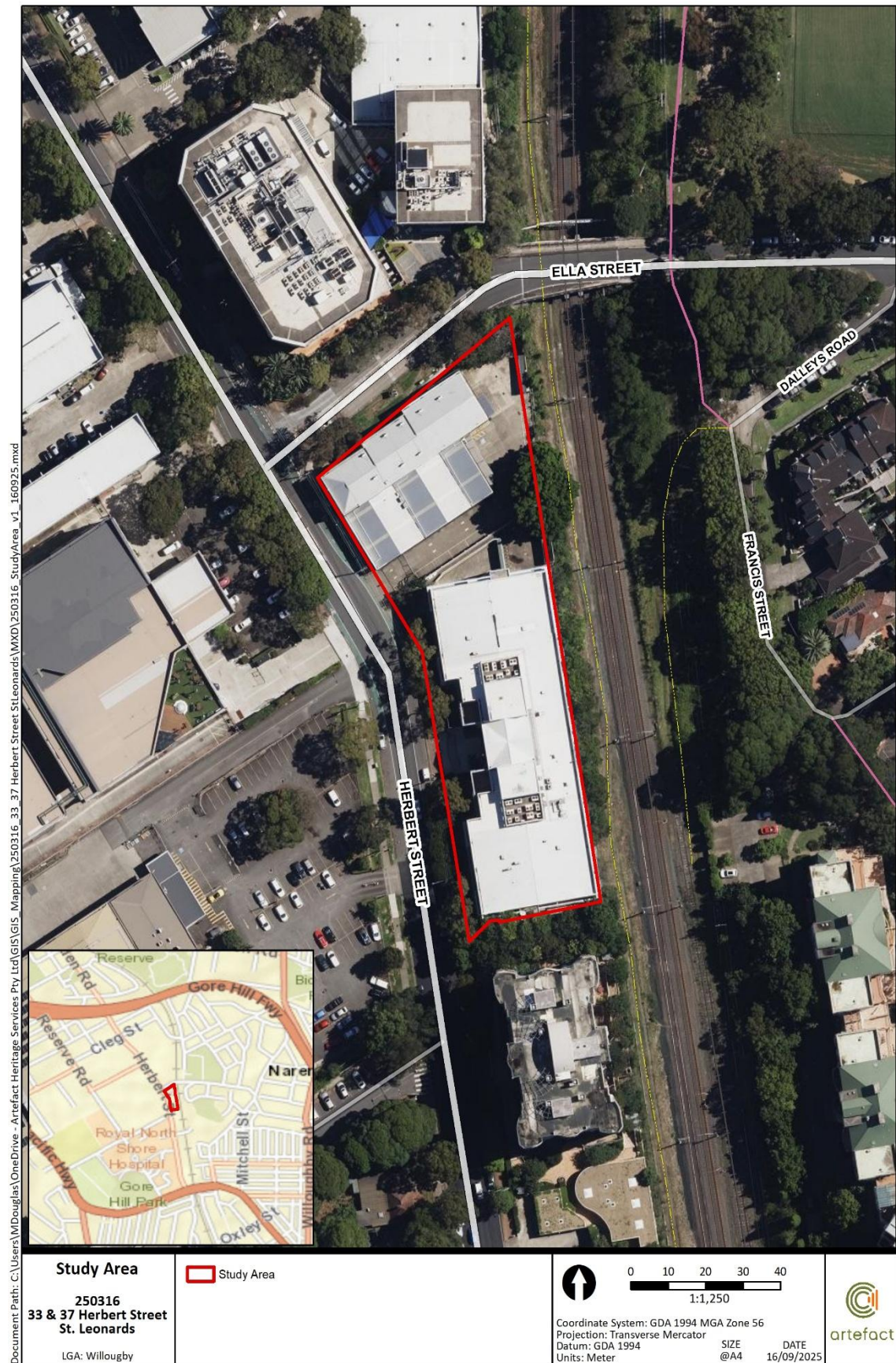
To satisfy this SEAR requirement, the ACHAR has been prepared in accordance with the following guidelines:

- Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales
- (Department of Environment, Climate Change and Water 2010b); hereafter, the Code of Practice
- Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH 2011); hereafter, the Guide.
- Aboriginal cultural heritage consultation requirements for proponents 2010 (Department of Environment, Climate Change & Water (2010a); hereafter, the Consultation Requirements.

In order to satisfy the Aboriginal Cultural Heritage requirements of the project SEARs, an ATR prepared in accordance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010)* (the Code of Practice) has been appended to this report (see Appendix A – Archaeological Technical Report). The ATR has informed the ACHAR and will also be submitted as part of the SSD application process. The full legislative context for this assessment can be found in the ATR.

The Minister for Planning, or delegate, is the consent authority for the SSDA and this application is lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) for assessment.

Figure 1: Location of the study area



2.0 SUMMARY OF CONSULTATION

2.1 Stage 1

2.1.1 Agency letters

In accordance with Section 4.1.2 of the Consultation Requirements, Artefact Heritage corresponded with the following organisations by email on 25 September 2025 requesting the details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the local area:

- Heritage NSW
- Native Title Service Corporation (NTSCorp)
- National Native Title Tribunal
- Office of the Registrar, Aboriginal Land Rights Act 1983
- Willoughby City Council
- Metropolitan Local Aboriginal Land Council
- Greater Sydney Local Land Services.

The due date for responses was 9 October 2025.

2.1.2 Advertisement

In accordance with Step 4.1.3 of the Consultation Requirements, an advertisement was placed in the Daily Telegraph, Buy Search Sell on 13 October 2025. The publication invited the participation of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the local area, requesting their response by 27 October 2025.

2.1.3 Registration of Aboriginal parties

In accordance with Section 4.1.3 of the Consultation Requirements, invitations to register an interest in the project were sent by email to all those identified through contacting the previously listed agencies on 13 October 2025, with a response requested by 27 October 2025. The letters provided details about the location and nature of the proposal and an invitation to register as an Aboriginal stakeholder.

A total of six groups were registered for the project. The Metropolitan LALC did not register but were consulted with at all stages of the project. Amanda Hickey (Amanda Hickey Cultural Services) registered on 3 November 2025 after the RoI due date which was 27 October 2025. As a result, the ACHAR Methodology letter was sent to Amanda Hickey on 7 November 2025 (see Section 2.3.1).

The list of Registered Aboriginal Parties (RAPs) for the project is provided in Table 2. As noted above, the Metropolitan LALC did not register but were consulted with at all stages of the project and were sent the invitation to register.

Table 2: List of registered stakeholders

Contact	Organisation
Lilly Carroll	Didge Ngunawal Clan
Carolyn Hickey	A1 Indigenous Services
Jennifer Beale	Butucarbin Aboriginal Corporation
Darleen and Ryan Johnson	Murra Bidge Mullangari Aboriginal Corporation
Phil Khan	Kamilaroi Yankuntjatjara Working Group
Amanda Hickey	Amanda Hickey Cultural Services

In accordance with Section 4.1.5 of the Consultation Requirements, a list of the RAPs was issued to Heritage NSW and Metropolitan LALC on 14 November 2025.

2.2 Stage 2

Stage 2 of the consultation process is to provide RAPs with information about the scope of the proposed project and the proposed cultural heritage assessment process. To satisfy Stage 2 and 3 of the Consultation Requirements, an ACHAR methodology was prepared that included relevant project information and the details are outlined in Section 2.3. This consultation facilitates a process whereby RAPs can contribute to culturally appropriate information gathering and the research methodology, provide information that will enable the cultural significance of Aboriginal objects and/or places within the project area to be determined, and have input into the development of any cultural heritage management options.

2.3 Stage 3

2.3.1 ACHAR assessment methodology

A copy of the proposed assessment methodology was sent to the RAPs and the Metropolitan LALC by email on 28 October 2025, requesting feedback by 25 November 2025. Amanda Hickey (Amanda Hickey Cultural Services) was sent the proposed assessment methodology on 7 November 2025 due to a late registration (see Section 2.1.3). The draft assessment methodology presented information about the project and invited feedback on the cultural significance of the area.

A summary of the comments received by the RAPs is presented in Table 3.

Table 3: Summary of Aboriginal stakeholder comments on the Assessment Methodology

Contact / RAP organisation	Comment	Response
Darleen and Ryan Johnson (Murra Bidge Mullangari Aboriginal Corporation)	I have read the project information and methodology for the above project. I endorse the recommendations.	RAP thanked for response. Response noted in this report, and in the Consultation Log and Records.
Carolyn Hickey (A1 Indigenous Services)	I have reviewed the document and fully support the information and methodology	RAP thanked for response. Response noted in this report, and in the Consultation Log and Records.

Phil Khan
(Kamilaroi Yankuntjatjara Working Group)

We fully support and agree that conducting a site survey of the study area is an essential next step for further investigation. We believe this will provide valuable insights and ensure all aspects are appropriately addressed.

RAP thanked for response. Response noted in this report, and in the Consultation Log and Records.

2.4 Stage 4

A copy of the draft ACHAR was sent to the RAPs by email on 19 December 2026, requesting feedback by 16 January 2026. A summary of received by Artefact is provided in Table 4.

Table 4. Summary of Aboriginal stakeholder comments on the draft ACHAR

Contact / RAP organisation	Comment	Response
Office Admin Metropolitan LALC	Automatic reply: "Hi MLALC are currently on Christmas holidays. We re-open 9am, Monday 12th January 2026."	
Darleen and Ryan Johnson (Murra Bidgee Mullangari Aboriginal Corporation)	"I have read the project information and ACHAR for the above project, I endorse the recommendations."	Thanked the feedback. Response noted in this report, and in the Consultation Log and Records.
Amanda Hickey (Amanda Hickey Cultural Services)	"Thank you for your email and for sharing the draft ACHAR for the proposed mixed-use development at 33-37 Herbert Street, St Leonards. I am pleased to inform you that Amanda Hickey Cultural Services (AHCS) supports the ACHA and would like to formally register our interest in this project. Looking forward to collaborating and contributing to the preservation and respect of Aboriginal cultural heritage in the study area."	Thanked for the feedback. Response noted in this report, and in the Consultation Log and Records.
Phil Khan (Yankuntjatjara working group)	"Thank you for your ACHAR for 33-37 Herbert Street, St Leonards, we would like to agree and support your recommendations."	Response noted in this report, and in the Consultation Log and Records.

3.0 SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION

3.1 Archaeological background

Numerous Aboriginal archaeological investigations have previously been undertaken within the vicinity of the study area. These investigations are summarised below:

Table 5: Previous Aboriginal archaeological assessments within the vicinity of the study area

Report	Summary
Artefact Heritage (2023), 763-769 Pacific Highway, Chatswood: ACHAR	Artefact previously conducted an Aboriginal Cultural Heritage Assessment for 763-769 Pacific Highway, Chatswood, which is approximately 2.5 km northwest of the study area. Archaeological survey was conducted as part of that assessment, and it was observed that the site had been heavily disturbed, with no evidence of natural landforms being present. The developments that had occurred on that site were also found to have caused significant levels of subsurface disturbance. Additionally, no Aboriginal objects were identified within the site or its vicinity during the desktop portion of the assessment or during the survey. Consequently, the site was characterised as being unlikely to contain Aboriginal objects. The proximity of that site to the present study area and similar historical development suggests that similar levels of ground disturbance are expected, limiting the potential for Aboriginal objects or sites to be present within the study area.
Artefact Heritage (2024), 2-8 Lanceley Place and 14 Campbell Street, Artarmon: ACHAR	Artefact Heritage prepared an ACHAR for 2-8 Lanceley Place and 14 Campbell Street, Artarmon, located approximately 500 m west of the study area. The subject area was situated within the Glenorie and Disturbed Terrain soil landscape about 447 m south of Gore Creek. Based on the desktop background and survey which did not identify any Aboriginal sites, the study area was found to be disturbed and to have a nil-low potential for Aboriginal objects to be located within it. It was therefore recommended that further assessment was not required.
Comber Consultants (2020), 115 Tambourine Bay Road, Riverview NSW, ACHAR	Comber Consultants prepared an ACHAR for Riverview Saint Ignatius College, Tambourine Bay Road, Riverview NSW, located approximately 3.4 km southwest of the study area. The subject area was situated within the Lambert soil landscape and disturbed terrain, 270 m north of and 250 m east of Lane Cove River foreshore. Survey indicated that the study area had 'been subject to significant disturbance and is not an area demonstrating archaeological potential for sub-surface artefact scatters.'
Jacobs (2020), Beaches Link and Gore Hill Freeway Connection: ACHAR	Jacobs prepared an ACHAR for a project located 500m north of the study area. The Jacobs ACHAR identified 11 locally significant Aboriginal cultural places within their project area. These sites were identified during the archaeological assessment bar one previously registered site which, during the field inspection, was identified as having been damaged. It was assessed that the majority of impacts to these sites would occur during the construction stage of the project, and that damage would range from complete destruction to minor modification of the Aboriginal sites. The ACHAR outlines management recommendations for the Aboriginal sites located in, or within 50m of, the study area. Consultation process was completed as per the legislation.

Report	Summary
Total Earth Care (2007), 126 Greville Street, Chatswood West: ACHAR	Total Earth Care (2007) conducted an Aboriginal heritage and archaeological assessment of a property at 126 Greville Street, Chatswood West, 3.4km northwest of the study area. The site was located on the western margin of the main Chatswood Ridge and associated with the incised drainage channels draining into Lane Cove River. Although the site was located adjacent to Blue Gum Creek, a tributary of Lane Cove River, Total Earth Care did not identify any Aboriginal objects or areas of archaeological potential. It was noted that there were no suitable areas for occupation within the site (2007:11) and that the primary focus of occupation was likely to have been located closer to Lane Cover River (2007:10). The results suggest a close association of more frequent evidence of Aboriginal occupation in the area with estuarine resources of Lane Cove River and its major tributaries.
Artefact Heritage (2025), Novus on Victoria: 410- 416 Victoria Avenue, Chatswood: Archaeological Technical Report.	Artefact Heritage (2025) prepared an ATR for a site located at 410-416 Victoria Avenue, Chatswood which is located approximately 2.5 km northwest of the study area. This site had a similar historical development to that of the study area and therefore can provide information on the levels of archaeological preservation that may be apparent in the study area. This assessment concluded that due significant disturbance caused by the development of basement levels, the site had little to no potential for Aboriginal archaeological resources. No active mitigation measures were recommended due to the low levels of archaeological potential.

3.2 AHIMS search

A search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken on 1 October 2025 for a search area measuring approximately 5.7 km x 4 km of land surrounding the study area. The AHIMS search parameters were as follows:

GDA, Zone 56

Eastings: [REDACTED]

Northings: [REDACTED]

There were 102 AHIMS registered sites located within the search area (Figure 2). There are no registered Aboriginal sites within the study area. The closest AHIMS identified in the AHIMS search is AHIMS ID 45-5-2938, located approximately 105 metres northeast of the study area. AHIMS ID 45-6-2938 is listed as an 'Artefact' and an open site (Figure 3). This site is separated from the study area by the rail corridor and Ella Street.

The AHIMS database records sites using a list of 20 standard site features, and more than one feature can be used for each site. The most common site type within the extensive area is 'Shell, Artefact' 49.02% followed by Art (Pigment or Engraved) 14.71% and Shell 11.76%.

Overall, the AHIMS search revealed that registered sites are mostly concentrated in proximity to and along the waterways of Lane Cove River, where retained bushland and minimal historical disturbance has occurred, therefore preserving Aboriginal sites. This is also reflective of Beth White and Jo McDonald Stream order predictive model for the Cumberland Plain (White and McDonald 2010) that predicted artefacts are in higher frequencies within 100 m of water. The concentration near Lane Cove predominately include shelter with midden, midden deposits, artefacts, and art sites. The site distribution pattern is also a reflection of areas of historical land-use and of previous archaeological assessments within the local area.

Figure 2: Extensive AHIMS search results, location of study area indicated by yellow arrow

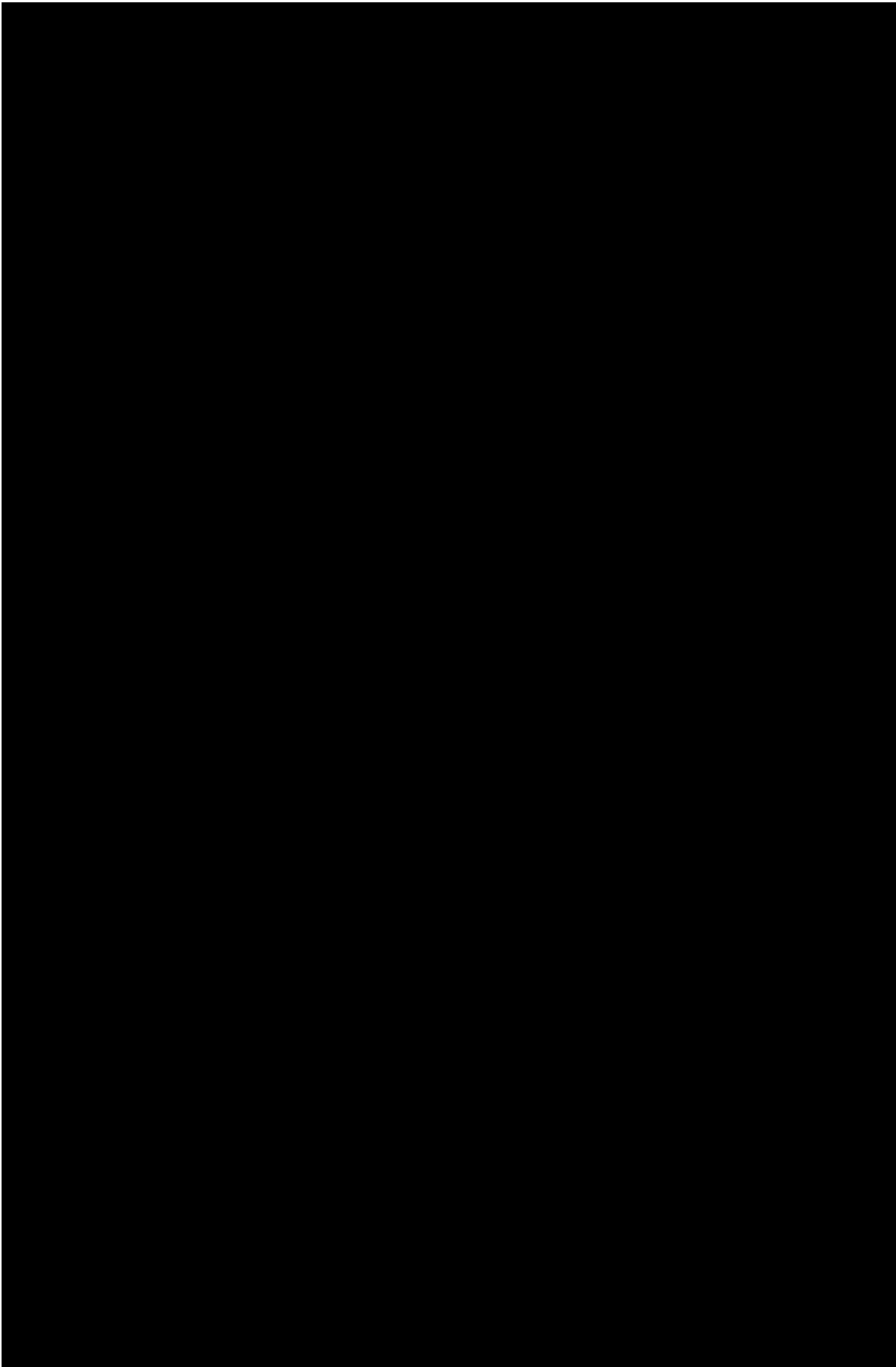
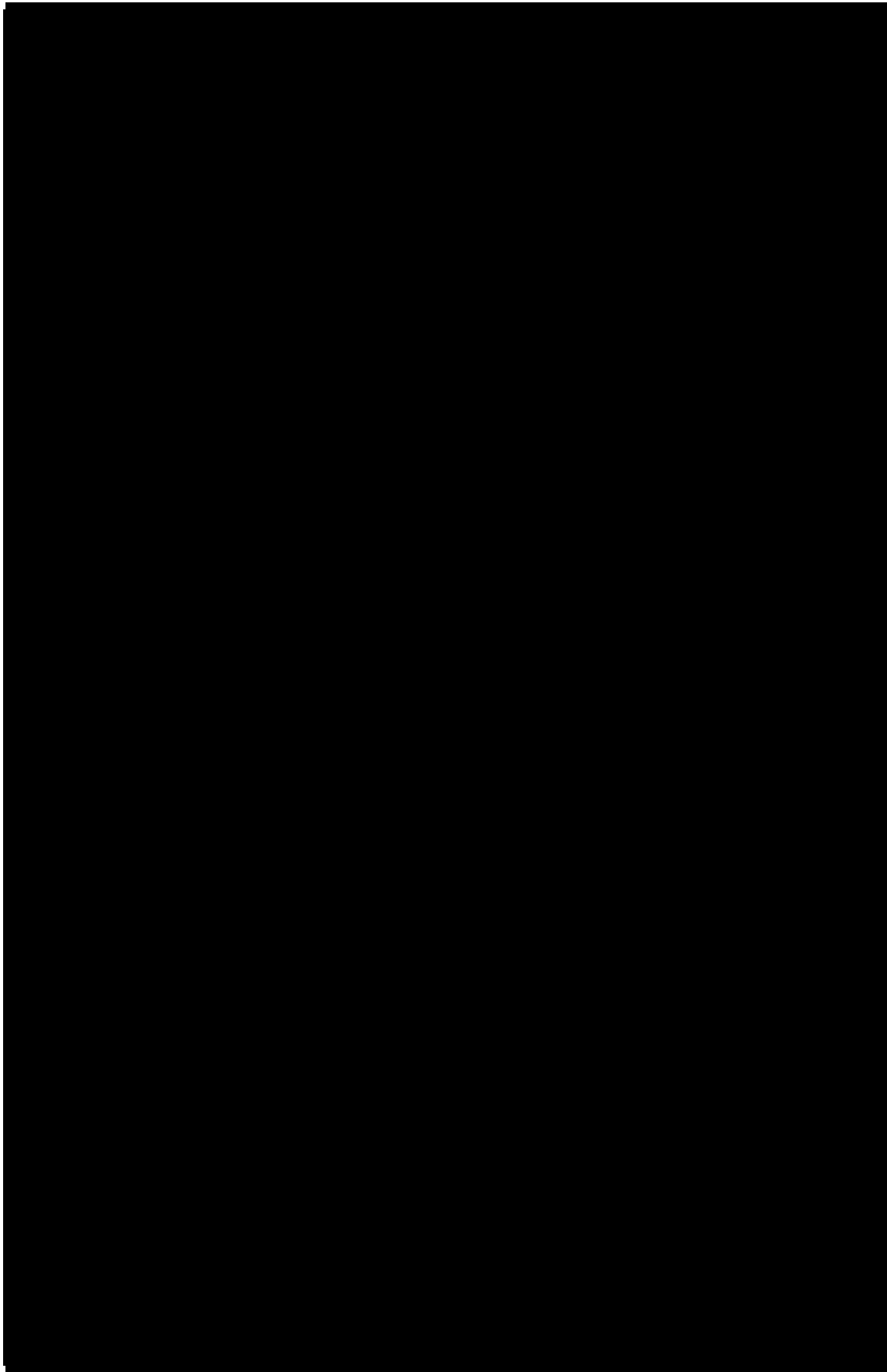


Figure 3: AHIMS detail search results



3.3 Environmental background

3.3.1 Soils and geology

The study area crosses the Glenorie and Disturbed Terrain soilscape (eSpade, 2025) (Figure 4). The geology within the Glenorie soilscape rests on the Wianamatta Group Ashfield Shale (Figure 5).

Glenorie soils are shallow to moderately deep (<1,000 mm) red podzolic soils on crests, and moderately deep (700-1,500 mm) red and brown podzolic soils on upper slopes (eSpade 2015). The strongly acidic nature of Glenorie soils is not conducive to the survival of organic materials; therefore, archaeological resources within this soil landscape are primarily limited to inorganic materials, that is, lithics.

The soil landscapes within Disturbed Terrain is no longer natural and consists of artificial fill, with scoured estuarine sand and mud, demolition rubble, industrial and household waste, in addition to rocks and soil materials (eSpade 2025).

The Wianamatta Group Ashfield Shale underlie both the Glenorie and Disturbed Terrain soil landscapes. This geology does not typically provide the raw materials used by Aboriginal groups for lithic toolmaking and manufacturing processes. These soil landscapes also do not generally contain stone outcrops or scarps, limiting the potential for rock shelters or quarrying sites to be present, although outcrops of ferricrete may be present and have the potential to be used as grinding stones.

3.3.2 Hydrology and landforms

The study area sits within two different soilscares, geology and topography, the Glenorie and Disturbed Terrain. Although the study area overlaps with landform disturbed by human activity (eSpade 2025), the neighbouring landform may provide insight into the area prior to disturbance because the Disturbed Terrain is surrounded by the Glenorie terrain.

The Glenorie topography is characterised by low rolling and steep hills, with local relief of 50-120m; convex narrow ridges of 20-300 m and hillcrests which grade into moderately inclined side slopes with narrow concave drainage lines (Figure 6). Moderately inclined slopes of 10-15% are dominant landform elements (eSpade, 2025). The closest Creek is Flat Rock Creek approximately 678 metres northeast of the study area and Gore Creek. While the presence of watercourses is often strongly correlated with Aboriginal occupation and the presence of Aboriginal sites, the AHIMS data and previous archaeological studies in this region have noted that evidence of Aboriginal activity and occupation is more frequently found downstream of these watercourses closer to their confluences with Lane Cover River and Middle Harbour.

The region surrounding the study area is comprised of undulating rises and low rolling hills (Figure 4). The undulating nature of the landscape surrounding the study area may have supported ephemeral watercourses along drainage lines during periods of increased rainfall. However, these would have proved inconsistent sources of freshwater in a region where numerous other permanent watercourses, such as Lane Cover River, are present, suggesting that they are unlikely to have been used intensively by local Aboriginal groups.

This topography and its placement on Glenorie soils is also conducive to erosion from ephemeral surface flows (eSpade 2015). The movement of surface run-off downslope on the undulating rises and low hills of this region will have led to net soil loss and soil movement over time, including within this study area, possibly resulting in dispersal of artefacts on ground surfaces and in shallow subsurface deposits. This will have been further exacerbated by land clearance in the region, leading to further erosion from surface flows.

Figure 4: Soil landscapes within the study area

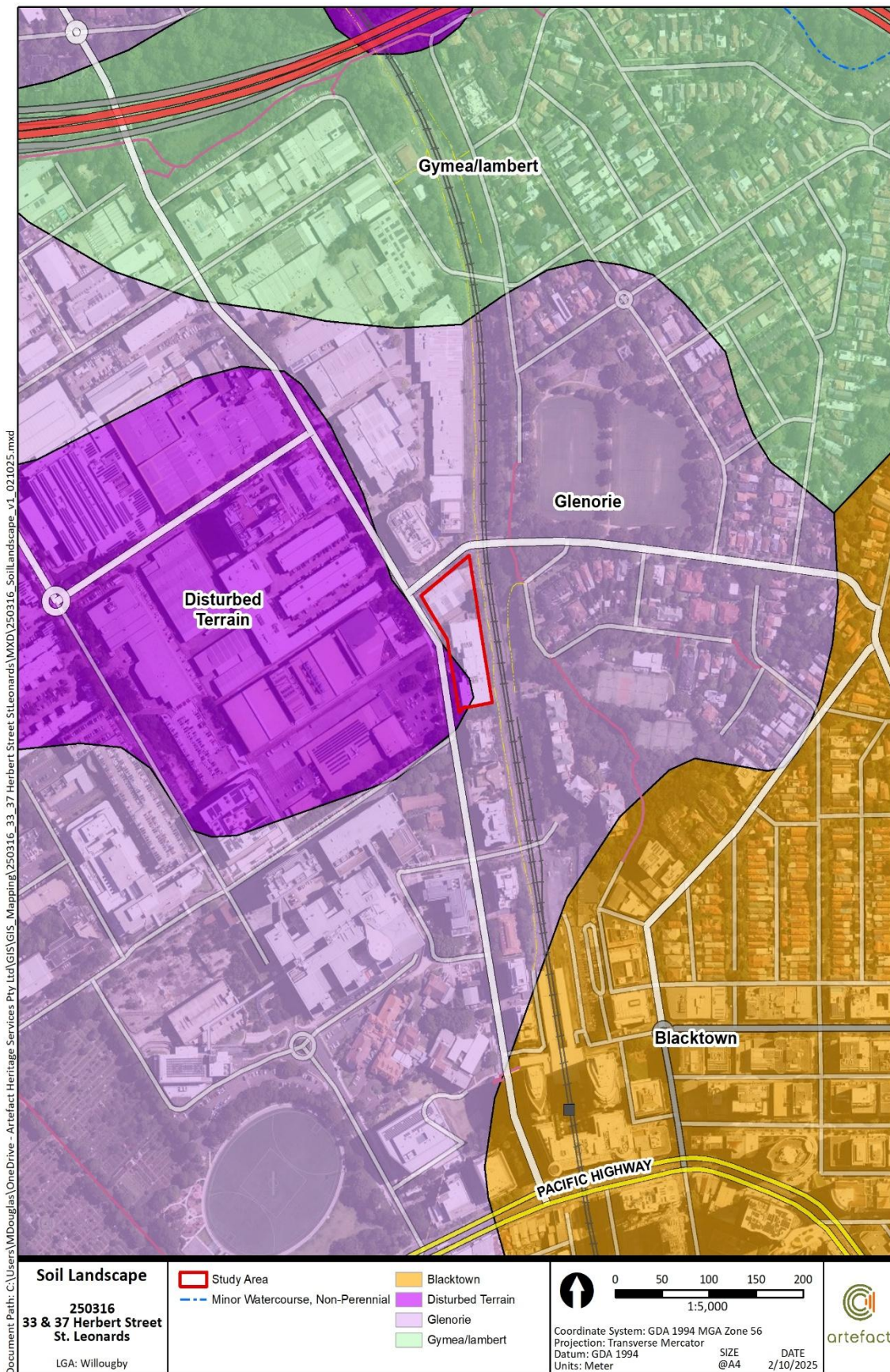


Figure 5: Geology of the study area



Figure 6: Topography and hydrology of the study area



3.4 Historical records of Aboriginal material cultural

3.4.1 Sydney region

Many Aboriginal people, like other Indigenous or First Nations people around the world, say they have been living on Country for ‘time immemorial’ – that they have always been here, and their origins lie in the creation of the land and animals. As Elder Aunty Jenny Munro expresses:

‘...from time immemorial, we believe as Aboriginal people, Australia has been here from the first sunrise, our people have been here along with the continent, with the first sunrise. We know our land was given to us by Baiami, we have a sacred duty to protect that land’

Over the last few decades, archaeologists’ knowledge of deep human time in Australia has expanded from just a few thousand years in the 1950s, to 25,000 years in the 1960s, then 40,000 years, to now around 60,000 years or more (Belshaw, Nickel & Horton, 2020).

Archaeological evidence of Aboriginal people living in the Sydney region from Shaw’s Creek west of the Dyarubbin (Nepean) River is dated at around 14,000 years ago and numerous other sites in the area have been dated at around 15,000 ago. While Cranebrook Terrace, near Penrith in Western Sydney, has been dated to 41,700 years and a site near Parramatta at 30,000 years old, there is growing consensus among archaeologists and historians that people have lived across the Sydney region from around 50,000 years ago (Attenbrow, 2010).

Prior to colonisation, Aboriginal people in the relatively resource rich Sydney region lived in extended family groups estimated at around 30 to 50 people. These groups were associated with certain territories or places that gave clan members particular social and economic rights and obligations. Each of the estimated 30 clans in the Sydney region had a name often associated with a place or resource such as the Cabro (Gabra) gal (people) at modern day Cabramatta. Clan groups moved around a defined area in response to changing seasons and the availability of food and other resources. European observers mistakenly took this as a nomadic lifestyle, when in fact they moved around a ‘limited and deeply known’ area.

Given the devastating impact of violent dispossession and disease upon Aboriginal people in the Sydney region during colonisation, the precise identification of language groups and historical traditional lands or Country for a given area is often difficult today. However, it is widely accepted that the Cammeraygal people lived in the St Leonards area.

3.4.2 North Shore region

After the dispossession of Country by the British colonists from 1788 and the smallpox epidemic of 1789, traditional Aboriginal society was decimated. Few historical records by early colonisers are accurate or reliable, often misunderstanding Aboriginal culture and land tenure. While it is difficult to determine precisely, the Cammeraygal people have been associated with Country around what is now known as Willoughby, Lane Cove, Ku-ring-gai and North Sydney Council areas as well as Mosman. ‘Cammeray’ is the name of the area to which the people belonged and the addition of ‘gal’ refers to the people from that place. The Cammeraygal clan group may have taken their name from the *camy*, a common term for a spear in the Sydney area (they were regarded as a fierce and war-like clan).

Governor Arthur Phillip rather vaguely noted that the Cammeraygal (Gammeraigal) inhabited ‘the northwest side of Port Jackson’. North Sydney Historian Ian Hoskins notes this is ‘now thought to

extend from Cremorne in the east, to Woodford Bay in the west, and probably to Middle Harbour which forms a natural boundary to the north'. Phillip also referred to a group called the Wallumedegal as occupying the 'opposite shore' (to Sydney Cove). Hoskins and others consider the Wallumedegal clan group to have extended from Lane Cove westward to Parramatta and the Borogegal clan to have lived around Bradleys Head. Further to the north, it seems the Garigal lived on the southern edges of Broken Bay (Hoskins 2019: 3; Currie 2008: 33).

There has long been confusion around the language spoken on the north shore of Sydney Harbour (as elsewhere across Sydney, the colonists often misinterpreted Aboriginal people or failed to ask pertinent questions). As Jessica Currie notes in her history of the area around Willoughby, *Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday Today Tomorrow*, 'it has been long accepted that the Cammeraygal clan are part of the Guringai language nation, however, there are also claims that the Darug language extended through this area.' The 2015 Aboriginal Heritage Office report 'Filling a void – Guringai language review' notes that the first use of the word 'Guringai' was in 1892 and was based on a Hunter Valley group 'Gringai or Guringay' in an attempt to fill a void in language information to the north of Sydney. More recent research has identified Karikal or Garigal as the clan group associated with the southern side of Broken Bay. The term 'Kuringai' (Guringai) has now been rejected by the Aboriginal Heritage Office and other researchers (AHO 2015: 40-41; Currie 2008: 3; Attenbrow 2010: 22-25; Collins 1798: 453; Smith 2006: 10)

As Currie also notes, 'as the Aboriginal population in the Willoughby area was severely diminished following the British occupation in 1788, oral accounts of the Cammeraygal available to us today are all but non-existent.' Today, much of what we know about the traditional lives of Aboriginal people on the north shore of Sydney Harbour comes from the often imprecise and limited pens of colonial diarists such as Watkin Tench and David Collins (Currie 2008, p. 3).

However, the many ridgelines and spurs with creeks and rivers that over millennia gouged their way through sandstone and run into Sydney Harbour contain hundreds of sites that comprise physical archaeological evidence of Aboriginal people around Lane Cove and the North Shore. Before the British colonists arrived and began clearing the trees, the various creeks and rivers had created sheltered environments for plants and animals. It was in these areas where Aboriginal people lived for thousands of years, with the often-exposed ridgelines and sandstone outcrops more likely to have been travelling and hunting routes and ceremonial areas.

Along with the creeks and rivers, the coastline to the north of Sydney offered areas of abundant saltwater resources from present day Manly up to the Northern Beaches up to the southern shores of Broken Bay. A variety of fish were caught and rock oysters, cockles, mussels and clams were also consumed, opened either with a thumbnail or stone oyster hammer. Shell middens can still be seen in many places along the waterways of the north shore and along the Northern Beaches.

Inland, there were fruits, seeds, nuts, grains and nectars and rhizomes and tubers would have been important components of the staple diet for Aboriginal people. Some parts of plants would have required special preparation to remove any poisons, but the seeds of all native grasses are edible. The Melaleuca tree's paper-like bark was used as shelter, wrapping, containers and fire lighting (Currie 2008: 10-15).

While the coastal foreshores, beaches and coves were prolific food sources, the forests inland were less used. David Collins noted that 'the woods, exclusive of the animals which they occasionally find in their neighbourhood, afford them but little sustenance; a few berries, the yam and fern-root, the flowers of different banksia, and at times some honey, make up the whole vegetable catalogue' (Collins 1789). Collins overstates the distinction, but there was certainly a difference between inland Country and the economies of Aboriginal groups like the Cammeraygal, whose territories included foreshores.

In 1791 John Hunter described how Aboriginal burning the ground on the north side of the harbour, opposite the settlement', was a practice 'constantly' done when the weather was dry. 'Firestick farming' was the practice of burning land to create new green shoots and thereby attract kangaroos for hunting, but fire was also used to control undergrowth and prevent larger bushfires (Hunter 1793: 361).

Men used wooden spears and women wooden digging sticks - two of the most important possessions of Aboriginal people in the pre-colonial past. The other vitally important items for coastal women were fishing lines and fish hooks. Watkin Tench was especially impressed: 'the fish hooks are chopped with stone out a particular shell, and afterwards rubbed until they become smooth...considering the quickness with which they are finished the excellence of the work, if it be inspected, is admirable' (Tench 1789: 284).

Due to the predominance of relatively soft sandstone in the northern Sydney region, hard stone used for axes and scrapers in particular, was traded from areas such as the basalt gravel beds along the Nepean River. Trading was extensive and far-reaching. Silcrete from an outcrop near present day Plumpton Ridge on the Cumberland Plain in Sydney's west and mudstone from the Hunter Valley or near Warragamba dam have been found in Sydney's north. Numerous grinding grooves for sharpening stone can still be found in the northern suburbs of Sydney in close proximity to water sources or waterholes (Currie 2008: 15).

Along the ridges particularly behind the Northern Beaches there are large flat sandstone outcrops that still today have many significant engravings. Many, such as the cluster of engravings at 'Whale Rock' near Mona Vale Road, are located in prominent locations over the surrounding area with views to the north and south, demonstrating the connection between the 'Saltwater people' of the area and the surrounding region. Their locations on the ridge lines and the inclusion of *mundoes* (footprints) suggests connections between the engravings that have been called 'ancestral pathways' (Kelleher Nightingale 2015: 34; Symons and Welsh 2021, Pers. Comm.)

Today, there is significant remaining historical and archaeological evidence of the presence of Aboriginal people across the Northern Sydney region. An extensive Aboriginal pathway on the north shore probably became the route of the Pacific Highway of today and there was a 'well-marked pathway' that led from Manly to Pittwater. Waringa (Warringah) – noted in the 19th century as Middle Cove - is one of many Aboriginal words that remain in place names in the area. Others such as Turranburra have been replaced (Lane Cove River) but the names survive in historical records (Currie 2008 :69; Karskens 2015; Larmer 1898 [1832]: 223-229).

Rock images in the northern Sydney region include kangaroos, wallabies, whales and emus. People and spiritual beings are also commonly represented along with tools and weapons such as spears, shields, digging sticks and boomerangs. Large engravings of the great sky spirit Baiami, his wife Birrahgnooloo and his son, alternatively known as his brother, Daramulan, can be found across the Sydney region with remarkable sites within the Lane Cove National Park and Ku-ring-gai Chase National Park.

Charcoal and ochre artworks are often found in rock overhangs and shelters, where they often remain well preserved. Drawings and stencils in charcoal and red, white and yellow ochre are common at sites in the lower north shore. These include white ochre fish and hand stencils, a red ochre eel, charcoal drawings of spirit figures and many others the subjects of which are no longer distinguishable. A source of high quality red and white ochre is known at North Head, approximately 12km east of the study area, however, exactly what sources were used by which clans is not known. Trading of high-quality ochre was common between clans and previous studies have shown that, like stone and other geographically specific resources, ochre can be traded over long distances (Currie 2008: 50).

In the Warringah, Willoughby, Lane Cove and North Sydney Local Government areas alone there are today approximately 1,000 Aboriginal sites including middens, rock engravings, axe grinding grooves, carved trees and stone arrangements. Several engravings depicting sharks can be found in the lower North Shore of Sydney, suggesting that these animals may have been particularly important to the Cammeraygal, and may have been a food source. Whales, fish and stingrays are also commonly depicted in rock engravings in the surrounding North Shore and Northern Beaches areas.

In fact, as North Sydney Historian Ian Hoskins notes, 'North Sydney's foreshore areas have some of the finest cultural sites on the lower north shore' with hand stencils and drawings still visible in caves and rock shelters. Two major engravings on Berry Island depict a large sea creature – possibly a fish or a whale. Nearby this is a small hollowed out rock basin with grinding grooves and an engraving on a sandstone platform near Balls Head shows a large whale or fish with a human figure inside. According to a Bundjalung man from the North Coast of NSW the man inside the whale 'is a clever fella' and the whale engraving was 'a place of ceremonies, a place where the whales were sung into the shore' (Hoskins 2015: 6-7).

3.5 Historical land disturbance

Historical aerial images illustrate that the Chatswood region has been subject to significant levels of historic disturbance since the early-twentieth century. In the late-nineteenth century, the region was utilised for orcharding and timber getting, with some residential areas also evident. The area was also utilised as part of the brick industry. By the early twentieth century, St Leonards began to be rapidly developed and was primarily used for residential and industrial purposes. This early development was due to the early expansion of Sydney and access to the area due to the North shore rail line.

By the beginning of the twentieth century, St Leonards area had become a flourishing district for industrial, commercial and residential activities. With an ever-growing population and businesses expanding to the area to fulfill their demands, a major focus on development took place after the establishment of the cemetery, the North Shore Hospital, the rapidly expanding railway system and major industries in the area. Aerial imagery from the 1930s shows that although development had intensified in the St Leonards region, the study area remained largely undeveloped (Figure 7).

Development within the study area started around the 1940s, as evidenced by aerial imagery from 1943 (Figure 8). A large lightweight warehouse structure can be observed on the northern section of the study area, with smaller structures and paths on the southern section. This development layout remained relatively unchanged throughout the 1950s (Figure 9). By the mid-1960s, another large structure was added to the northern section and additional smaller structures were added on the southern section; all adjoining the existing buildings (Figure 10). This layout remained largely unchanged throughout the 1970s and the 1980s, with the addition of a concrete pavement throughout the study area (Figure 11 and Figure 12).

In the 1990s, the smaller structures on the southern section were demolished for the construction of the current large three-storey building, 33 Herbert Street (Figure 13). The warehouses on the northern section of the study area have remained unchanged since (Figure 14). The three-storey building has underground parking and has contributed to significant ground disturbance to the study area.

The multiple phases of development within the study area are certain to have highly disturbed the ground surfaces, minimising the potential for Aboriginal objects or sites to be present in this area. Objects or sites that may have previously been present are likely to have been displaced or destroyed through these historical developments.

Figure 7: 1930 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 8: 1943 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 9: 1955 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 10:1965 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 11: 1970 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 12: 1986 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 13: 1994 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



Figure 14: 2005 aerial imagery with the study area outlined in blue (Spatial Collaboration Portal)



3.6 Predictive model

The predictive model comprises a series of statements regarding the nature and distribution of evidence of Aboriginal land use that is expected in the study area. These statements are based on the information gathered regarding:

- Landscape context and landform units
- Ethno-historical evidence of Aboriginal land use
- Distribution of natural resources
- Results of previous archaeological work within, and in vicinity of the study area.

The predictive statements are as follows:

- There is nil to low potential for subsurface archaeological deposits. If present, archaeological finds would consist of low-density artefact scatters or isolated finds
- The study area is likely to be significantly disturbed as a result of previous developments, supporting the unlikelihood of Aboriginal objects or sites being identified on or beneath ground surfaces
- Land with the least amount of historical ground disturbance has the greatest potential for artefact bearing deposits
- The extensive land clearance associated with the development of the region means that mature, natural vegetation is unlikely to be present in the study area, suggesting that it is unlikely that culturally modified trees will be identified during the archaeological survey
- The level of ground surface visibility in the study area will be nil to low due to the extensive level of development observed in the desktop analysis.

4.0 SUMMARY OF FIELD INVESTIGATIONS

An archaeological survey was conducted on 5 December 2025. In attendance was Katherine Douglas (Heritage Consultant) and Amand Bie Wojcik (Graduate Heritage Consultant). Metropolitan LALC were invited and confirmed their attendance but were unable to send a representative to attend the survey on the day. The survey was limited to the study area. Land outside of the survey area was not surveyed for Aboriginal artefacts or areas of archaeological potential. The majority of the ground surface were obscured by concrete, landscaping vegetation, grass and the existing building structures.

Each of the lots within the study area has been subjected to varying levels of modification related to the construction of the extant developments. Each lot contained significant cuts into the ground surfaces to facilitate the construction of the extant developments and previous historical development. Additionally, numerous subsurface services, including sewage, water, telecommunications, and electrical lines were evident, demonstrating the extensive ground disturbance which has occurred throughout the study area.

There was little to no exposed ground surface visibility within the study area due to the extant development. The limited areas of ground exposure that were encountered within the vicinity of the study area during the survey appeared to consist predominantly of imported fills used as part of landscape gardening activities. No exposed areas of intact, natural soils were observed during the survey, nor was it considered likely that any would exist in the study area due to the extensive nature of development and disturbance.

Excavation for an underground carpark under the entire extent of the property has removed the potential for any natural soils or artefacts to be present. There was nil ground exposure on the northwestern boundary of the buildings where the entrance to the underground carpark is located.

No Aboriginal objects were identified during the survey, nor any areas of archaeological potential. Additionally, no mature, native vegetation was identified within the study area. The survey observed widespread disturbance to and beneath ground surfaces, limiting the potential the survival of below ground contexts where Aboriginal objects or sites may be present.

Figure 15: View southwest of concrete path adjacent to 37 Herbert Street



Figure 16: View northeast of concrete surface, view towards rail line adjacent to study area



Figure 17: View northeast of concrete surface, retaining wall cut into landscape and rail corridor



Figure 18: View of storm water grates and subsurface service location markings



Figure 19: View of concrete paving and front façade of 37 Herbert Street



Figure 20: View of extant building façade, view southeast



Figure 21: View of extant building façade, view northeast



Figure 22: View north of concrete retaining walls and imported vegetation on top of the basement carpark



Figure 23: Entrance to basement level carpark



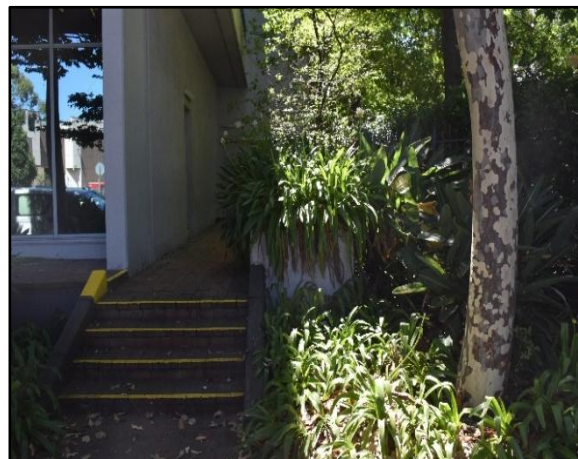
Figure 24: Concrete building structure at the north of the property on the boundary line of the current railway corridor



Figure 25: Extent of basement level 1 of the carpark



Figure 26: Landscape gardening on southern boundary of the study area



5.0 CULTURAL HERITAGE VALUES

5.1 Methodology

The cultural assessment in this report includes information collected through desktop assessment and Aboriginal community consultation undertaken in accordance with the Consultation Requirements. This information was collected by Katherine Douglas (Heritage Consultant, Artefact Heritage).

5.1.1 Cultural landscape

The World Heritage Convention of United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines a cultural landscape as one which has 'powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent' (UNESCO 1991). The relationship between Aboriginal Australians and the land is conceived in spiritual terms rather than primarily in material terms (Andrews et al 2006). Aboriginal cultural knowledge has been defined as:

Accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources, and relationships between people, which are reflected in language, narratives, social organisation, values, beliefs and cultural laws and custom (Andrews et al 2006).

Aboriginal cultural knowledge was traditionally bequeathed through oral traditions from generation to generation. Within all Aboriginal communities there was a time of dislocation and upheaval associated with the arrival of colonial settlers. This widespread disruption resulted in much of the detailed knowledge and understanding of many of the elements of the cultural landscape being lost from the Aboriginal community, nonetheless many Aboriginal people maintain a strong connection to the land of their ancestors and collectively possess a wealth of knowledge passed down through the generations.

5.1.2 Types of values

Aboriginal people hold significant knowledge about traditional use of land before and after contact. The landscape which encompasses the study area has cultural value of importance to the Aboriginal community. The Aboriginal community collectively holds values and knowledge that relate to:

- Traditional values: these are passed down by family and community as part of ancient tradition.
- Historical values: these are passed down by family and community and relate to the eras since colonisation; these may include information gained from historical source documents.
- Contemporary values: these are values of modern importance and relevance for Aboriginal stakeholder groups.

There is often no clear separation between these values, and they collectively co-exist with equal importance in forming the value that Aboriginal people place on landscape, cultural heritage, intangible heritage, and particular landforms or parts of the landscape.

5.2 Identified Aboriginal cultural heritage values

Table 6 provides a summary of the Aboriginal cultural heritage values associated with the local Sydney region.

Table 6: Cultural heritage values identified for the local Sydney region

Cultural heritage value	Description	Source
Aboriginal occupation	Aboriginal people have cared for the land and waters of the Sydney area for thousands of years.	Background research
Pathways	The study area is in proximity to several traditional walking tracks which allowed Aboriginal people to travel across the landscape and led towards the Lane Cove and Parramatta Rivers.	Background research
Traditional cultural values	The Cammeraygal people have been associated with the Country the study area is located on, around what is now known as Willoughby, Lane Cove, and broader North Sydney Council areas for thousands of years where cultural knowledge of language, travelling and hunting routes, and ceremony have been passed down through generations.	Currie 2008; Hoskins 2019
Traditional cultural values	Cammeraygal women demonstrated great skills and cultural knowledge of fishing and maritime resource collection within the broader local area along Lane Cove River and in Middle harbour.	Tench 1789
Traditional historic and cultural values	The various creeks and rivers around Lane Cove and the North Shore contain hundreds of sites that comprise physical archaeological evidence of Aboriginal occupation. The often-exposed ridgelines and sandstone outcrops more likely to have been travelling and hunting routes and ceremonial areas.	Currie 2008
Traditions	A deep connection to and knowledge of Country has been passed down through hundreds of generations. Tradition activities associated with this region include: • Resourcing, including hunting, plant gathering and catching freshwater fish and eels, collecting various plants and food resources, and resin for glue • Ceremony – including shared hunting, dance and story telling • Firestick farming • Carved and scarred trees • Ceremonial rock and mound structures • Rock engravings and painting • Stone tool quarries and production • Burials.	Background research
Traditional and historical	• Materials such as glass and ceramics were used to make spear points and other tools • Dispossession and resistance warfare under Pemulwuy.	Background research

Cultural heritage value	Description	Source
Traditional cultural values	Charcoal and ochre artworks are often found in rock overhangs and shelters, where they often remain well preserved. Drawings and stencils in charcoal and red, white and yellow ochre are common at sites in the lower North Shore. These include white ochre fish and hand stencils, a red ochre eel, charcoal drawings of spirit figures and many others the subjects of which are no longer distinguishable.	Hoskins 2015

5.3 Aboriginal cultural values within the study area

Background research has demonstrated that Aboriginal people have occupied the Sydney region around the study area for thousands of years, while many Aboriginal people believe that they have been living on country since 'time immemorial'. Lane Cove River and other permanent watercourses in the area are also highly significant to Aboriginal people.

The study area is widely accepted to be located within the lands of the Cammeraygal people who greatly valued and celebrated the abundant resources once present within and surrounding the study area. While the broader region is significant to Aboriginal people through their connection to the land, no specific cultural values have been associated with the study area. Additionally, it is unlikely that Aboriginal objects that may hold cultural significance will be present in the study area due to previous historical disturbance. However, the material evidence does not consider intangible values, such as stories, ceremonies and dance, which could have taken place within the study area and have been culturally important but have left no physical remains. Therefore, both tangible and intangible values have to be considered to fully address cultural values within the study area.

No specific cultural heritage values for the study area were identified by RAPs as part of the consultation process.

6.0 SIGNIFICANCE ASSESSMENT

A significance assessment of the scientific, social, historic and aesthetic values of the study area is included below.

6.1 Significance assessment criteria

An assessment of the cultural heritage significance of an item or place is required in order to form the basis of its management. The Guide (OEH 2011: 10) provides guidelines, in accordance with the Burra Charter (Australia ICOMOS 2013) for significance assessment with assessments being required to consider the following criteria:

- Social values – does the area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
- Historic values – is the area important to the cultural or natural history of the local area and/or region and/or state
- Scientific values – does the area have the potential to yield information that will contribute to an understanding of the cultural and natural history of the local area and/or region and/or state
- Aesthetic values – is the area important in demonstrating aesthetic characteristics in the local area and/or region and/or state.

Scientific values should be considered in light of the following criteria:

- Research potential – does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?
- Representativeness – how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?
- Rarity – is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?
- Education potential – does the subject area contain teaching sites or sites that might have teaching potential?

It is important to note that heritage significance is a dynamic value.

6.1.1 Historic value

Historic values refer to the association of place with aspects of Aboriginal history. Historic values are not necessarily reflected in physical objects, but may be intangible and relate to memories, stories or experiences.

The study area is situated in Country traditionally belonging to the Cammeraygal people.

Contributions as to historic values from the RAPs as part of the consultation process were welcomed but no specific historic values were identified.

6.1.2 Aesthetic value

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

Disturbance through development of the study area and surrounding environment has removed the original context of the land. Therefore, no specific aesthetic values have been identified within the study area and it has been assessed as being unlikely that any are present.

Contributions as to aesthetic values from the RAPs as part of the consultation process were welcomed but no specific aesthetic values were identified.

6.1.3 Socio/cultural value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

No specific socio/cultural values have been identified within the study area from the background research. Contributions as to socio/ cultural values from the RAPs as part of the consultation process were welcomed but no specific socio/cultural values were identified.

6.1.4 Scientific value

Scientific values refer to a site's potential to contribute information to our current understanding. No Aboriginal objects were identified during the archaeological survey due to the significant levels of disturbance. Due to the removal of *in-situ* soils it is considered unlikely that any are present. As such, it has no scientific significance.

6.2 Statement of significance

No specific historical, aesthetic and social/cultural significance for the study area has been identified to date. The study area has also been shown to not possess any Aboriginal objects or Aboriginal archaeological potential as it has been significantly disturbed by historical land use. As such, it has no scientific significance.

7.0 IMPACT ASSESSMENT

7.1 Description of likely impacts

7.1.1 Project description

The SSDA seeks development consent for the following:

- Demolition of the existing buildings on site apart from the two-level, basement structure which is to be retained, adapted and reused for car parking
- Site excavation, and other preparatory site works
- Construction and operation of a part 13 storey and part 39 storey mixed use development comprising:
 - Approximately 413 dwellings including 46 affordable housing dwellings located on Levels 2 to 37 (excluding Level 4)
 - Shared amenities and landscaped communal open space on Level 4
 - Approximately 5,918m² of non-residential (commercial/ retail) GFA located on Ground and Level 1
 - Car parking spaces within the basement and podium; and
 - Ground floor loading and servicing.
- Associated landscaping works; and
- Augmentation of utilities and infrastructure.

Amend the Willoughby Local Environmental Plan (WLEP 2012) as follows:

- Rezone the subject site from E4 General Industrial to MU1 Mixed Use
- Establish maximum height of RL 209.3m AHD
- Amend maximum FSR from 1:1 to 7.15:1; and
- Establish non-residential FSR of 1:1.

7.2 Aboriginal heritage impact

This report has determined that there are no Aboriginal objects within the study area, nor is there the potential for Aboriginal objects to be present due to the historical disturbance that has occurred within the study area. As such, the proposed works would have no impact to Aboriginal heritage.

7.3 Ecological Sustainable Development principles

The Guide (OEH 2011) specifies that Ecological Sustainable Development (ESD) principles must be considered when assessing harm and recommending mitigation measures in relation to Aboriginal objects.

The following relevant ESD principles are outlined in Section 3A of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*:

- Decision-making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle')
- If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle')
- The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational equity').

7.3.1 The integration principle

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle'). The preparation of this ACHAR demonstrates regard for the integration principle by considering Aboriginal heritage values and impacts to these from the proposal during the planning phase. The nature of the proposal is in itself one that contributes to the long term economic and social needs of current and future residents of the area.

7.3.2 The precautionary principle

If there are threats of serious or irreversible environmental damage, lack of full scientific confidence should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle'). This ACHAR has assessed that Aboriginal objects are unlikely to be present based on significant historical disturbance within the study area. This ACHAR has been prepared to the Code of Practice therefore has met the industry standards for scientific confidence and has determined that there are no Aboriginal sites or potential for Aboriginal objects within the study area.

7.3.3 The principle of intergenerational equity

The proposed works would adhere, as close as possible, to the principle of intergenerational equity by collating scientific and cultural information on former Aboriginal occupation of the study area through the previous investigations and this ACHAR. The ATR prepared an assessment of the study area and synthesised the regional character of Aboriginal objects and sites for posterity and future generations.

7.4 Cumulative impacts

A cumulative impact is an impact on Aboriginal cultural heritage resulting from the incremental impact of the action/s of a development when added to other past, present and reasonably foreseeable future actions. The study area has been impacted by previous development, which has removed any Aboriginal objects that may previously have been present within the study area. Therefore, it is determined that no further cumulative impacts are possible.

8.0 MANAGEMENT AND MITIGATION MEASURES

8.1 Guiding principles

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved.

Where unavoidable impacts occur then measures to mitigate and manage impacts are proposed. Mitigation measures primarily concern preserving the heritage values of sites beyond the physical existence of the site. The most common methods involve detailed recording of Aboriginal objects, archaeological test and salvage excavations, artefact analysis and, where appropriate, reburial of Aboriginal objects in a location determined by the RAPs.

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representatives and educational value. In general, the significance of a site would influence the choice of preferred conservation outcomes and appropriate mitigation measures, usually on the following basis:

- Low archaeological significance – conservation where possible. SSD Conditions of Approval would be required to impact the site before work can commence
- Moderate archaeological significance – conservation where possible. If conservation was not practicable, further archaeological investigation would be required such as salvage excavations or surface collection in accordance with the SSD Conditions of Approval.
- High archaeological significance – conservation as a priority. Where all other practical alternatives have been discounted mitigation measures such as comprehensive salvage excavations in accordance with the SSD Conditions of Approval would be required.

This report has determined that Aboriginal objects are unlikely to be present within the study area. As such, no mitigation measures are proposed. Any unexpected Aboriginal objects encountered during the development would be managed under an Unexpected Finds Procedure (UFP).

8.2 Management measures

As no Aboriginal objects or areas of archaeological potential have been identified within the study area, it is unlikely that Aboriginal objects are at risk of being harmed. Therefore, no mitigation measures are proposed.

Unexpected finds must be managed through an Unexpected Finds Procedure (UFP). An UFP would outline the protocols necessary in the event that any unexpected Aboriginal objects, sites or archaeological deposits are identified during the works. This policy should be presented to project personnel as part of site inductions for the project.

8.3 Changes to the project area

Advice provided within this ACHAR is based upon the most recent information provided by the proponent at the time of writing. Any changes made to the project should be assessed by an archaeologist in consultation with the RAPs. Any changes that may impact on Aboriginal sites not assessed as part of the project may warrant further investigation and result in changes to the recommended management and mitigation measures.

9.0 CONCLUSION

9.1 Summary of findings

The ACHAR has made the following conclusions through a combination of desktop assessment, archaeological survey and community consultation:

- No AHIMS sites are located within the study area
- The study area has been subjected to significant levels of ground disturbance through historical development, including in-ground infrastructure within and surrounding the site
- No Aboriginal objects or sites were identified during the archaeological survey, nor were any areas of archaeological potential
- While the development proposal would result in ground disturbance throughout the study area, there is no evidence that the works would cause harm to Aboriginal sites
- While the broader landscape around the North Sydney region possesses Aboriginal cultural heritage values, no specific cultural values have been identified in association with the study area.

9.2 Recommendations

Based on the findings, the following recommendations and mitigation measures are made:

- No further assessment or mitigation measures are necessary due to the absence of Aboriginal objects, sites and cultural heritage values for the study area, and the lack of potential for Aboriginal objects to be present
- Ongoing consultation with the RAPs would continue throughout the life of the project, if necessary. For example, ongoing consultation with RAPs would take place in the event of any unexpected Aboriginal objects being identified during the proposal
- A heritage induction including an Unexpected Finds Procedure should be prepared and all workers should be inducted prior to the commencement of works
- This Aboriginal Cultural Heritage Assessment Report must be submitted as part of the Environmental Impact Statement to fulfil the requirements of the project Secretary's Environmental Assessment Requirements
- Where there are changes to the project area or development proposal, additional archaeological assessment may be required
- A copy of this report should be sent to Metropolitan LALC for their records.

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APPENDIX A – ARCHAEOLOGICAL TECHNICAL REPORT

Redacted from public view.

APPENDIX B – CONSULTATION LOG AND RECORDS

Consultation Log and Records provided as a separate document.



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