

View north along Brookvale Creek adjacent to the study area.

ABORIGINAL DUE DILIGENCE ASSESSMENT REPORT

WARRINGAH GOLF CLUB

WARRINGAH, SYDNEY AUGUST 2023

> Report prepared by OzArk Environment & Heritage for Warringah Golf Club



OzArk Environment & Heritage

145 Wingewarra St (PO Box 2069) Dubbo NSW 2830

Phone: (02) 6882 0118 Fax: (02) 6882 0630 enquiry@ozarkehm.com.au www.ozarkehm.com.au This page has intentionally been left blank.

DOCUMENT CONTROLS

Warringah Golf Club					
Aboriginal Due Diligence Assessment Report: Warringah Golf Club, North Manly					
OzArk Job No.					
4055					
	Date: 30 August 2023				
	V1.0 BD author 23/8/23 V1.1-2 HR edit 23/8/23				
	V2.0: BC edit 29/8/59				
	Prepared by				
	Dr. Bernadette Drabsch OzArk Affiliate OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 bernie@ozarkehm.com.au				
COF	PYRIGHT				
	Manly OzArk Job No. 4055				

© OzArk Environment & Heritage 2023 and © Warringah Golf Club 2023

All intellectual property and copyright reserved.

Apart from any fair dealing for private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without written permission.

Enquiries should be addressed to OzArk Environment & Heritage.

Acknowledgement

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

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by Warringah Golf Club (the proponent) to complete an Aboriginal due diligence heritage assessment for the proposed construction of the Warringah Golf & Community Clubhouse (the proposal). The proposal is in the Northern Beaches Council Local Government Area (LGA).

The study area is located at Lot 2742 DP752038 on Kentwell Road in North Manly and encompasses approximately 1.1 hectares (ha) of land, of which most has been developed for existing tennis courts, buildings, and car parking.

A search of the Aboriginal Heritage Information Management System (AHIMS) shows there are no previously recorded Aboriginal sites within the study area, however, landform modelling shows there are landforms with identified archaeological sensitivity (landforms within 200 metres [m] of 'water'). As such, the assessment progressed to a visual inspection.

The visual inspection of the study area was undertaken on 11 August 2023 by OzArk Archaeologist, Harrison Rochford, and Josh Muir, representing Metropolitan Local Aboriginal Land Council. No Aboriginal sites or areas with potential to contain subsurface deposits were identified.

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

Aboriginal Heritage Impact Permit application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

The proposed work may proceed without further archaeological investigation under the following conditions:

- All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects that may be in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
- 2) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the Unanticipated Finds Protocol (Appendix 2) should be followed.

- 3) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see Appendix 3) and are aware of the legislative protection of Aboriginal objects under the National Parks and Wildlife Act 1974 and the contents of the Unanticipated Finds Protocol.
- 4) The information presented here meets the requirements of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

CONTENTS

EXECUTI	VE SUMMARY	111
1 INTE	RODUCTION	1
1.1	Brief description of the proposal	1
1.2	Study area	1
1.3	Assessment approach	2
2 Авс	RIGINAL DUE DILIGENCE ASSESSMENT	3
2.1	Introduction	3
2.2	Defences under the NPW Regulation	3
2.2.1	Low impact activities	3
2.2.2	Disturbed lands	3
2.3	Application of the Due Diligence Code of Practice to the proposal	4
2.3.1	Step 1	4
2.3.2	Step 2a	5
2.3.3	Step 2b	7
2.3.4	Step 2c	9
2.3.5	Step 31	0
2.3.6	Step 41	0
2.4	Conclusion1	1
3 MAN	IAGEMENT RECOMMENDATIONS1	3
REFEREN	ICES1	4
PLATES.	1	5
APPEND	x 1: AHIMS SEARCH RESULTS1	9
APPEND	x 2: Aboriginal Heritage: Unanticipated Finds Protocol2	1
APPEND	X 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION2	2

FIGURES

Figure 1-1: Club House and Tennis Courts location.	1
Figure 1-2: Aerial view of study area.	2
Figure 2-1: New club house plans.	5
Figure 2-2: Previously recorded sites in relation to the study area	6
Figure 2-3: Survey coverage within the study area.	11

TABLES

Table 2-1: Determination of whether Due Diligence Code of Practice applies	4
Table 2-2: Site types and frequencies of AHIMS sites near the study area.	6
Table 2-3: Due Diligence Code of Practice application	.11

PLATES

Plate 1: View north along Brookvale Creek	.15
Plate 2: View west along a minor drainage and wetlands in the northeast of the study area	.15
Plate 3: Casuarinas that are proposed to be removed	.16
Plate 4:View north along Brookvale Creek showing the modified banks and imported boulders	for
erosion control	.17
Plate 5: Sandy soil was evident where exposures were present	.18
Plate 6: View north along Brookvale Creek in the northwest of the study area	.18

1 INTRODUCTION

1.1 BRIEF DESCRIPTION OF THE PROPOSAL

OzArk Environment & Heritage (OzArk) has been engaged by Warringah Golf Club (the proponent) to complete an Aboriginal due diligence heritage assessment for the proposed construction of the new Warringah Golf & Community Club Clubhouse (the proposal). The proposal is in the Northern Beaches Council Local Government Area (LGA).

Warringah Golf Club propose to construct a new club house, to be located on the existing footprint of the current tennis courts at Lot 2742 DP752038 on Kentwell Road in North Manly (**Figure 1-1**).



Figure 1-1: Club House and Tennis Courts location.

1.2 STUDY AREA

The study area is located at Lot 2742 DP752038 on Kentwell Road in North Manly which encompasses approximately 1.1 hectares (ha) of land, most of which has been developed for tennis courts, buildings, and car parking.

The study area consists of a flat landform with a small drainage channel running along the northeastern corner and Brookvale Creek along its western boundary. Brookvale Creek joins Manly Creek and drains into the ocean at the northern end of Manly Beach, approximately two kilometres (km) to the east. The study area is extensively developed in the centre with native vegetation remaining along the northern and western boundaries (**Figure 1-2**).



Figure 1-2: Aerial view of study area.

1.3 ASSESSMENT APPROACH

Aboriginal cultural heritage

The desktop and visual inspection component for the study area follows the *Due Diligence Code* of *Practice for the Protection of Aboriginal Objects in New South Wales* (due diligence; DECCW 2010). The field inspection followed the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

2 ABORIGINAL DUE DILIGENCE ASSESSMENT

2.1 INTRODUCTION

Section 57 of the National Parks and Wildlife Regulation 2019 (NPW Regulation) made under the *National Parks and Wildlife Act 1974* (NPW Act) advocates a due diligence process to determining likely impacts on Aboriginal objects. Carrying out due diligence provides a defence to the offence of harming Aboriginal objects and is an important step in satisfying Aboriginal heritage obligations in NSW.

2.2 DEFENCES UNDER THE NPW REGULATION

2.2.1 Low impact activities

The first step before application of the due diligence process itself is to determine whether the proposed activity is a "low impact activity" for which there is a defence in the NPW Regulation. The exemptions are listed in Section 58 of the NPW Regulation (DECCW 2010: 6).

The proposal is not considered to be a 'low impact activity' and the due diligence process must be applied.

2.2.2 Disturbed lands

Relevant to this process is the assessed levels of previous land-use disturbance.

The NPW Regulation Section 58 (DECCW 2010: 18) define disturbed land as follows:

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.

Examples include 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) and construction of earthworks.

The proposal is largely located in areas where the land's surface has been changed in a clear and observable manner for the construction of the tennis courts, car parking, and existing structures. However, study area may contain landforms that do not meet the criteria of 'disturbed land' at the northern and eastern boundaries. As such, the due diligence process must be applied.

In summary, it is determined that the proposal must be assessed under the Due Diligence Code of Practice. The reasoning for this determination is set out in **Table 2-1**.

 Table 2-1: Determination of whether Due Diligence Code of Practice applies.

Item	Reasoning	Answer	
Is the activity to be assessed under Division 4.7 (state significant development) or Division 5.2 (state significant infrastructure) of the EP&A Act?	The proposal will be assessed under Part 4 of the EP&A Act.	No	
Is the activity exempt from the NPW Act or NPW Regulation?	The proposal is not exempt under this Act or Regulation.	No	
Do either or both apply: Is the activity in an Aboriginal place? Have previous investigations that meet the requirements of this Code identified Aboriginal objects?	The activity will not occur in an Aboriginal place. No previous investigations have been undertaken for this proposal.	No	
Is the activity a low impact one for which there is a defence in the NPW Regulation?	The proposal is not a low impact activity for which there is a defence in the NPW Regulation.	No	
Is the activity occurring entirely within areas that are assessed as 'disturbed lands'?	The proposal is not entirely within areas of high modification.	No	

2.3 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE TO THE PROPOSAL

To follow the generic due diligence process, a series of steps in a question/answer flowchart format (DECCW 2010:10) are applied to the proposed impacts and the study area, and the responses documented.

2.3.1 Step 1

Will the activity disturb the ground surface or any culturally modified trees?

Yes, the proposal will impact the ground surface and may impact culturally modified trees.

The proposed works will impact ground surface associated with the demolition of existing structures and the excavation of foundation pylons for the new club house to a depth of approximately two metres (m). The proposal will include the removal of mature, possibly native vegetation and this activity could harm culturally modified trees if they are present (**Figure 2-1**).



Figure 2-1: New club house plans.

2.3.2 Step 2a

Are there any relevant confirmed site records or other associated landscape feature information on AHIMS?

No, there are no previously recorded sites within the study area.

A search of the Aboriginal Heritage Information Management System (AHIMS) on 8 August 2023 was undertaken over a 10 x 10 km area centred on the study area. The search returned 29 previously registered Aboriginal sites. None of the previously recorded sites are in the study area, with the closest recorded site, AHIMS site 45-6-2177, located 600 m to the northwest of the north-western corner of the study area.

Figure 2-2 shows all previously recorded sites in relation to the study area and Table 2-2 shows the types of sites that are close to the study area.

The most frequently recorded sites in the search are art sites (pigment or engraved), and rock shelters with potential archaeological deposits. Grinding grooves and artefact sites are also identified. The art sites have been recorded in areas with limited disturbance and rocky outcrops The grinding grooves have been located in undisturbed areas surrounding the waterways of Manly Dam (approximately 1.5 km west of the study area).

Site Type	Number	% Frequency
Art (pigment or engraved)	17	58.62
Rock shelter with potential archaeological deposit (PAD)	4	13.79
Artefact site	2	6.89
Rock shelter with art	2	6.89
Rock shelter with PAD	1	3.44
Grinding grooves	1	3.44
Grinding grooves, art and PAD	1	3.44
Potential archaeological deposit	1	3.44
Total	29	100

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





2.3.3 Step 2b

Are there any other sources of information of which a person is already aware?

No, there are no other sources of information that would indicate the presence of Aboriginal objects in the study area.

2.3.3.1 Ethnohistoric context

The proposal sits on the traditional land of the Garigal or Caregal people (formerly known as Guringai). The Garigal lived in family groups and moved around the area. The coast provided an abundant food supply. Fish was the staple diet, including shellfish such as oysters, whelks, and mussels. Other food sources were birds, reptiles, marsupials, as well as roots, fruits, berries, and nuts (AHO 2015). Numerous open and rock shelter sites associated with shell middens and remains of fish and mammals dating to the past 4500 years are known around Sydney Harbour (Attenbrow 2010). Igneous stone suitable for hatchet heads and stone for flaking, cutting, and scraping were not naturally available in the area and could be traded from long distances. Applied art in rock shelters and engravings on sandstone platforms were common in this part of Sydney, although their fragility means that many have been lost in the past two centuries.

2.3.3.2 Regional archaeological context

<u>Gunn 1992</u>

In 1992 R.G. Gunn conducted an archaeological survey of the Garigal National Park for the NSW National Parks and Wildlife Service (NPWS) (approximately 9 km from study area). To date this survey is still the most comprehensive study of Aboriginal archaeological sites within the local area. Based on the results of the survey and on other relevant studies, Gunn developed a model for Aboriginal land use in the area, which is summarised below:

- The coastal headland sand of Narrabeen Lake would have been an inhabitation focal point for a band or clan consisting of potentially 6–8 groupings
- Subsistence activities during the summer months by the coastline may have been focussed on the ocean coastline where food and water were plentiful, only occasionally venturing west into the creek lines and hills
- During the spring, the valleys of Deep and Middle Creeks in the Garigal National Park would have been utilised for the vast variety of fruit and other plant foods
- During the winter months, when food resources were less abundant, the family groups that had come together during the warmer months would have dispersed and moved across the local region, inhabiting various smaller short duration camps.

Gunn (1992) further asserts that engravings of sandstone away from the Narrabeen Lakes were part of formal events undertaken during the summer months by certain individuals and not

undertaken on mass. Gunn suggests occupation of the inland areas would only have been inhabited during the winter months by small family groups or clans.

Navin Officer 1995

Survey was carried out in 1995 for a proposed gas pipeline route along Mona Vale Road between Forest Way, Terrey Hills and Beaconsfield Street, Newport (approximately 10 km from study area). Seven engraving sites and one midden site had previously been recorded within the study corridor; however, the survey was unable to locate three of these due to incorrect coordinates registered on AHIMS. Two previously unrecorded sites, both rock engravings, were identified during the field survey.

Oakley 1998

A section of Mona Vale Road was investigated ahead of a proposed upgrade by Oakley in 1998 (approximately 10 km from study area). Archaeological field survey confirmed the presence of a previously recorded rock engraving site 45-6-0071. Recorded by Sim in 1964, the motifs are two echidnas, three ovals, and one possible snake patterned with traverse lines. The ovals and a further unidentified figure recorded by Koettig in 1981 were not visible at the time. The engravings described by Koettig (1981) as 'Area B' of existing site 45-6-0071, were identified and found to be within an area to be impacted by the proposed works. Redesign of the road project avoided impact to the site.

AMBS 2012

An archaeological survey and Aboriginal heritage assessment for the Northern Beaches Hospital site was prepared by AMBS in 2012 (approximately 4 km from study area). AMBS concluded that overall, the Northern Beaches Hospital site demonstrated high levels of surface disturbance from residential development and other historical activities. As such 'the apparent lack of substantial intact topsoil, indicates that there is unlikely to be any archaeological potential for intact or substantial Aboriginal stone artefact deposits within the study area' (AMBS 2012:31).

KNC 2014

Kelleher Nightingale Consulting (KNC) prepared an archaeological survey report for road works near the Northern Beaches Hospital, along Warringah Road and Frenchs Forest Road West. With regard to the archaeological record of the area, KNC (2014:36) noted that '*The principal remaining physical evidence of Aboriginal landscape use around the study area consists of shelters with art and archaeological deposit, and rock engravings located on outcropping sandstone slabs and benches*'.

KNC identified two shelter sites within Trefoil Creek (approximately 4.5 km from study area). Hand stencils were identified at one of these and a potential archaeological deposit was identified at the second shelter site.

Conclusion

The previous archaeological investigations undertaken near the study area indicate that the study area has a low potential to record sites because specific topographic features, such as rock platforms/shelters, are absent. While the now-modified land within the study area may have had potential for artefact or midden sites in the past, much of this potential has been lost due to the long-term disturbances from post-1788 land use.

2.3.4 Step 2c

Are there any landscape features that are likely to indicate presence of Aboriginal objects?

Yes, portions of the study area contain landforms with identified archaeological sensitivity.

The study area includes environments that could be considered once suitable for occupation by pre-1788 Aboriginal communities. The due diligence guidelines outline a series of landscape features which are known to be archaeologically sensitive and therefore are likely to contain Aboriginal objects. Included in this list is any land within 200 m of 'waters' (DECCW 2010). Due to this classification, the western portion of the study area, which is bounded by Brookvale Creek, is regarded as archaeologically sensitive. Brookvale Creek drains into Manly Creek and exits at the northern end of Manly Beach, approximately 2 km to the east.

The study area is predominantly level and is underlain by Quaternary Period alluvium. This formation is described as 'silty to peaty quartz sand, silt, and clay. Ferruginous and humic cementation in places, commonly shell layers'. The site is also located near Hawkesbury sandstone of Wianamatta Group from the east, which is described as medium to coarse-grained quartz sandstone, very minor shale, and laminate lenses'.

The land is extensively cleared with some native shrubs and trees, including swamp oaks (*Casuarina glauca*), remaining along the boundaries.

Based on previous investigations, the most likely site types to be recorded in the region of the study area are art sites (pigment or engraved), which make up 58% of all sites in the area. These site types may occur where the underlying sandstone geology rises above the ground surface. As the valley floor location of the study area is unlikely to have exposed rock, these site types are unlikely. Artefact sites are also considered to have a low probability of being present in the study area given the long-term nature of the post-1788 land use that would have removed or scattered any archaeological deposits had they been present.

2.3.5 Step 3

Can harm to Aboriginal objects or disturbance of archaeologically sensitive landscape features be avoided?

No. Landforms with identified archaeological sensitivity may be impacted by the proposal.

Aboriginal sites identified through the AHIMS search do not occur within the study area, thus there is no risk of harm to previously recorded sites. However, the study area is within 200 m of Brookvale Creek and a visual inspection of the study area is required to assess whether Aboriginal objects exist within the landforms of the study area and to determine whether any harm will occur.

2.3.6 Step 4

Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?

No, the visual inspection confirmed there are no Aboriginal objects within the study area.

The visual inspection of the study area was undertaken on 11 August 2023 by OzArk Archaeologist, Harrison Rochford, and Josh Muir, representing Metropolitan Local Aboriginal Land Council. The inspection focused on the named waterway, Brookvale Creek, which borders the study area on the western side and the drainage channel and wetlands on the north-eastern boundary. Josh Muir noted that the casuarinas provide good habitat for cockatoos and was satisfied that the cleared trees will be replaced on site with the same species for a continuation of habitat.

The study area was inspected on foot to ground-truth levels of disturbance unable to be distinguished at a desktop level and assess areas with increased archaeological potential. The inspection was recorded by photograph and GPS (**Figure 2-3**). **Plates 1** to **6** show representative examples of the environment.

It is concluded that there are no areas of subsurface archaeological potential within the study area. While the study area is adjacent to Brookvale Creek, the inspection confirmed that it has been highly modified with landscaped edges and boulders placed along the banks to prevent erosion. The landforms of the study area have low elevation above the creek and do not have the characteristics of desirable locations for repeated habitation in the past. Inspection of the native vegetation confirmed that there were casuarinas and a large fig tree, however, no culturally modified trees were identified. No areas of exposed rock that may have included engravings were recorded.



Figure 2-3: Survey coverage within the study area.

Discussion

The predictive model discussed in **Section 2.3.4** indicated that engraved rock art sites, grinding grooves, and rock shelters were the most likely sites to be present within the study area and these sites were most likely to be identified within 200 m of Brookvale Creek. No Aboriginal sites were identified within those landforms. The absence of artefact sites may be attributed to the level of modification that the creek has undergone and the generally low-lying landscape that would have not been a favourable camping location.

The native trees within these landforms show no evidence of being culturally modified.

2.4 CONCLUSION

The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The reasoning behind this determination is set out in **Table 2-3**.

Step	Reasoning	Answer						
Step 1 Will the activity disturb the ground surface or any culturally modified trees?	The proposed works will disturb the ground surface through the sinking of foundational pylons to 2 m and may impact culturally modified trees if present.	Yes						
If the answer to Step 1 is 'yes', proceed	If the answer to Step 1 is 'yes', proceed to Step 2							

Step	Reasoning	Answer				
Step 2a Are there any relevant records of Aboriginal heritage on AHIMS to indicate presence of Aboriginal objects?	IMS to indicate area.					
Step 2b Are there other sources of information to indicate presence of Aboriginal objects?	general likelihood for landforms in the region to contain Aboriginal					
Step 2c Vill the activity impact landforms with archaeological sensitivity as defined by the Due Diligence Code? Landforms with identified archaeological sensitivity are present in the study area. ,						
If the answer to any stage of Step 2 is '	yes', proceed to Step 3					
Step 3 Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	The proposal will impact landforms with archaeological sensitivity as identified in the Due Diligence Code: landforms within 200 m of 'waters'.	No				
If the answer to Step 3 is 'no', a visual i	nspection is required. Proceed to Step 4.					
Step 4 Does the visual inspection confirm that there are Aboriginal objects or that they are likely?	The visual inspection recorded no Aboriginal objects in the study area. Landforms with identified archaeological sensitivity that were identified at a desk-top level were found during the inspection to have low archaeological potential.	No				
Conclusion						
	AHIP not necessary. Proceed with caution.					

3 MANAGEMENT RECOMMENDATIONS

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox @environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

The proposed work may proceed without further archaeological investigation under the following conditions:

- All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects that may be in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
- 2) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the Unanticipated Finds Protocol (Appendix 2) should be followed.
- 3) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the Unanticipated Finds Protocol.
- 4) The information presented here meets the requirements of the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

REFERENCES

AHO 2015	Aboriginal Heritage Office, 2015. <i>Filling a Void: A Review of the Historical</i> Context for the use of the word 'Guringai'.
AMBS 2012	AMBS Ecology & Heritage, 2012. Northern Beaches Hospital. Stage 1: Concept Design, Site Clearance & Preparatory Works. Appendix G. Historic Heritage Impact Assessment. Report for SMEC Australia.
Attenbrow 2010	Attenbrow, V. 2010. <i>Sydney's Aboriginal Past: Investigating the archaeological and historical records, second edition.</i> University of New South Wales Press: Sydney
Burra Charter 2013	International Council on Monuments and Sites 2013. The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance.
DECCW 2010	DECCW. 2010. Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. Department of Environment, Climate Change and Water, Sydney.
Gunn 1992	Gunn, R.G. 1992. <i>Garigal National Park Archaeological Survey.</i> Management Report to NPWS (NSW).
KNC 2014	Kelleher Nightingale Consulting, 2014. Mona Vale Road upgrade from Manor Road, Ingleside to Foley Street, Mona Vale: Aboriginal archaeological survey report Stage 2 PACHCI. Report to Roads and Maritime Services.
Koettig 1981	Koettig, M. 1981. Archaeological survey for Aboriginal sites – Mona Vale Road (McCarrs Creek Road – Alan Street). Report for Department of Main Roads.
Mitchell 2002	Mitchell, Dr. Peter. 2002. <i>Description for NSW (Mitchell) Landscapes Version 2.</i> Department of Environment and Climate Change NSW.
Navin Officer 1995	Navin Officer Archaeological Resource Management, 1995. Archaeological survey gas pipeline route Mona Vale, NSW. Report to AGL.
Oakley 1998	Oakley, B. 1998. Aboriginal and European Heritage Assessment – Proposed upgrade of Mona Vale Road Ingleside NSW. Report to the Roads and Traffic Authority.
OEH 2011	Office of Environment and Heritage. 2011. Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales. Department of Environment, Climate Change and Water, Sydney.

PLATES



Plate 1: View north along Brookvale Creek.



Plate 2: View west along a minor drainage and wetlands in the northeast of the study area.



Plate 3: Casuarinas that are proposed to be removed.



Plate 4:View north along Brookvale Creek showing the modified banks and imported boulders for erosion control.



Plate 5: Sandy soil was evident where exposures were present.



Plate 6: View north along Brookvale Creek in the southwest of the study area.

APPENDIX 1: AHIMS SEARCH RESULTS

GOVERNMENT		- Site list report	2	1051 BI	2.141 - 1522	10.000			100000	
<u>SiteID</u> 45-6-0689	SiteName Frenchs Forest;Allambie Road;	Datum AGD	Zone 56	Easting 338536	Northing 6261528	Context Open site	Site Status ** Valid	SiteFeatures Art (Pigment or Engraved) : -	<u>SiteTypes</u> Rock Engraving	Reports
	Contact	Recorders	ASR	SYS				Permits		
5-6-0699	Frenchs Forest;Flat Rocks;	AGD		338850	6261534	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders		isa Campbell				Permits		
5-6-0700	Beacon Hill;Frenchs Forest; Contact	AGD Recorders		339327 isa Campbell	6263177	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
5-6-1255	Allambie Heights;	AGD		338287	6261912	Open site	Valid	Permits Art (Pigment or	Rock Engraving	
-3-6-1255	Contact	Recorders			6201912	Open site	valid	Engraved) : - Permits	KOCK Engraving	
45-6-1233	Manly Dam; Manly Vale	GDA		338540	6260523	Closed site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	ASR	SYS,Sydney V	Vater - Parram	atta,Sydney Wate	r - Parramatta,Ms.Yv	onne Kaiser,! Permits		
15-6-2085	Hydro Cave	GDA	56	338568	6260671	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	1809
	Contact	Recorders						a,Ms.Yvonne Permits		
5-6-2177	Malinya Rd;	AGD		339052	6261610	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
C C 0731	Contact	Recorders		ael Guider	(250750	Channel alter	17.114	Permits	Chalterswith	
45-6-0721	Manly!	GDA	56	341014	6259750	Closed site	Valid	Artefact : -, Art (Pigment or Engraved) : -	Shelter with Art,Shelter with Deposit	
	Contact	Recorders	Unk	nown Author				Permits	Deposit	
45-6-0727	Dee Why;	AGD	56	341507	6263089	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	ASR	SYS				Permits		
5-6-0881	Allambie Heights;	AGD		338315	6262166	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders		les.D Power				Permits		
5-6-0964	Balgowlah	GDA Recorders		338804 Taplin	6259840	Open site	Destroyed	Art (Pigment or Engraved) : - Permits	Rock Engraving	
15-6-0965	Balgowlah;200 FT Cave;	GDA		338734	6259820	Closed site	Destroyed	Art (Pigment or	Shelter with Art	
-0-0703	Contact	Recorders		Taplin	0237020	closed site	Destroyed	Engraved) : - Permits	oberter with Art	
15-6-0904	Allambie Heights;	AGD		338268	6262167	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	ASR	SYS				Permits		

-CYDE **AHIMS Web Services (AWS)** Your Ref/PO Number : WGC NSW Extensive search - Site list report Client Service ID : 807708 Site Status ** SiteFeatures Valid Potential Archaeological Deposit (PAD) :-, Shell :-
 SiteID
 SiteName

 45-6-2958
 Undercliff Road RS and Midden

 Datum
 Zone
 Easting
 Northing
 Context

 GDA
 56
 341465
 6260726
 Open site
 SiteTypes Reports
 Recorders
 Doctor.Alan Williams

 GDA
 56
 339537
 6263325
 Open site
 Permits Contact 45-6-2975 CS1 (Brookvale) Artefact : 1 Valid
 Recorders
 Biosis Pty Ltd - Sydney, Ms.Samantha Higgs

 GDA
 56
 337975
 6261610
 Open site
 Contact 45-6-3080 WGC 1 WARR214 Permits Permits Art (Pigment or Engraved) : 1, Grinding Groove : 1, Potential Archaeological Deposit (PAD) : 1 Permits Valid
 Recorders
 Aboriginal Heritage Office

 GDA
 56
 341754
 6261180
 Closed site
 Contact 45-6-3048 Ronald Reserve Shelter WARR 194 Valid Shell : -Permits Art (Pigment or Engraved) : -<u>Permits</u> Contact 45-6-3127 Manly Dam Art Shelter Art 1
 Recorders
 Aboriginal Heritage Office

 GDA
 56
 338340
 6260420
 Open site
 Valid
 Recorders
 Mr.Gareth Birch

 GDA
 56
 338790
 6260855
 Closed site
 Contact 45-6-3147 Mermaid Pool (South) Art (Pigment or Engraved) : -, Water Hole : -Valid Hole : -<u>Permits</u> Art (Pigment or Engraved) : -<u>Permits</u> Recorders Sydney Water - Parramatta,Ms.Yvonne Kaiser GDA 56 338250 6261800 Open site 45-6-3139 Monserra Engraving WARR350 Valid Recorders Mr.Phil Hunt Contact 45-6-3140 Delmar Parade Engraving WARR191 56 341250 6263460 Open site GDA Valid Art (Pigment or Engraved) : -
 Recorders
 Mr.Phil Hunt

 GDA
 56
 338518
 6260973
 Open site
 Permits 45-6-3148 Manly Dam 1 Valid Artefact : -Permits Water Hole :-, Art (Pigment or Engraved) :-, Potential Archaeological Deposit (PAD) :-Permits
 Recorders
 Sydney Water - Parramatta,Ms.Yvonne Kaiser

 GDA
 56
 338831
 6260908
 Closed site
 Contact 45-6-3149 Mermaid Pool (North) Valid
 Recorders
 Sydney Water - Parramatta,Ms.Yvonne Kaiser

 GDA
 56
 339645
 6259523
 Open site
 Permits Grinding Groove :-Contact 45-6-3167 MANLY WEST PUBLIC 1. MAN120 Valid Recorders Mr.Phil Hunt Pe Report generated by AHIMS Web Service on 08/08/2023 for Harrison Rochford for the following area at Datum :GDA, Zone : 56, Eastings : 337737.0 - 341775.0, Northings : 6259444.0 -6263946.1.0 with a Buffer of 0 meters. Number of Abortiginal sites and Abortiginal objects found is 29 This information is negarated to be fire from error emission. Heritage WSW and Ise engloyees disclain lability for any at done or emission made on the information and consequences of such acts or emission. Page 2 of 3

GOVERNMENT	AHIMS Web Servio Extensive search - Site										PO Number : WG
iteID	<u>SiteName</u> 30 Lyly Rd Rockshelter	<u>Datum</u> GDA	Zone 56	Easting 338924	Northing 6262018	<u>Context</u> Open site	<u>Site Status **</u> Valid	<u>SiteFeatu</u> Potential Archaeolo Deposit (F	ogical	<u>ypes</u>	<u>Reports</u>
	Contact	Recorders	Mr.A	shley O'Sulli	van				Permits		
45-6-3229	Derribong Shelter 1 WARR188	GDA	56	341670	6263435	Open site	Valid	Shell:1			
	Contact	Recorders			original Heritag	e Office			Permits		
5-6-3497	Manly Dam Contact Art	GDA		338332	6260585	Open site	Valid	Art (Pigm Engraved)):5		
= < 2402	<u>Contact</u>	Recorders		orien Percha	Charles and the second s	0 11		01.11.4	Permits		
5-6-3498	Manly Dam 9 Grinding Grooves	GDA		338484	6260611	Open site	Valid	Grinding (
45-6-3363	Contact BURNT BRIDGE CREEK PAD	<u>Recorders</u> GDA		orien Percha 338134	6259532	Open site	Valid	Potential Archaeolo Deposit (F			
	Contact	Recorders	Mr.A	ndrew Coste	ello,Jacobs Grou	up (Australia) Pty Ltd	- North Sydney		Permits		
* Site Status	IS site has been recorded and accepted onto the system as valid The site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site has been completely impacted or harmed usually as consequence of the site harmed usually as consequence of the site harmed usually as consequence of the site harmed usually as consequence of the site harmed usually as consequence of the sit				ter natural events	There might be parts or	sections of the origin	nal site still pres			
/alid - The s Destroyed - Partially Des	stroyed - The site has been only partially impacted or harmed usually as con The site has been originally entered and accepted onto AHIMS as a valid site or a site has been originally entered and accepted onto AHIMS as a valid site		ons it wa	as decided it is	NOT an aborigin	al site. Impact of this type	of site does not req	uire permit but	Heritage NSW should be	notified	

I

APPENDIX 2: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL

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

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

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

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



APPENDIX 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION