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**Sent:** 16/05/2023 4:23:58 PM  
**Subject:** MOD2023/0171 - 1191 & 1193 Barrenjoey Road PALM BEACH

Attn: Jordan Davies

Dear Jordan,

**Development Application No. Mod2023/0171**

**Description: Modification of Development Consent DA2021/0669 granted for Demolition works and construction of a new restaurant, carparking and associated uses, including a Voluntary Planning Agreement**  
**Address: 1191 & 1193 Barrenjoey Road PALM BEACH**

Reference is made to the proposed development at the above area and Aboriginal heritage.

No sites are recorded in the current development area and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.

According to the Due Diligence Code of Practice, any land within 200m of water is considered to have Aboriginal heritage sensitivity and the potential to contain Aboriginal sites.

Under the *National Parks and Wildlife Act 1974* (NPW Act) all Aboriginal objects are protected. Should anything thought to be Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office be contacted. In line with our normal advice for sandy areas, the Aboriginal Heritage Office recommends that the development conditions should provide for stop work provisions (unexpected discovery protocol) in the unlikely event that human remains are uncovered. Should human remains be uncovered, works must cease and the NSW Police must be contacted.

Kind regards

**Susan Whitby**

Acting Aboriginal Heritage Archaeologist

Aboriginal Heritage Office

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[www.aboriginalheritage.org](http://www.aboriginalheritage.org)

