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**Sent:** 27/04/2022 11:16:44 AM  
**Subject:** DA2022/0549 - 2 Wyadra Avenue FRESHWATER

Attn: Lashta Haidari

Dear Lashta,

**Development Application No. DA2022/0549**  
**Description: Demolition works and construction of a dwelling house**  
**Address: 2 Wyadra Avenue FRESHWATER**

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

No sites are recorded in the current development area however, there is a large sandstone overhang on the property. According to the Due Diligence Code of Practice, any land within 20m of or in a rock shelter is considered to have Aboriginal heritage sensitivity and the potential to contain Aboriginal sites. Given the presence of these landscape features in the proposal area there is potential that the works may harm unrecorded Aboriginal sites which are protected under the NPW Act 1974.

Therefore, the AHO recommends a Aboriginal heritage due diligence assessment be carried out for the land by a qualified Aboriginal heritage professional. This would provide an assessment of any unrecorded or potential Aboriginal sites within the allotment, and advice on potential (direct or indirect) impacts to any Aboriginal site.

Under the National Parks and Wildlife Act 1974 (NPW Act) all Aboriginal objects are protected. Should any Aboriginal Cultural Heritage items be uncovered during earthworks, works should cease in the area and the Aboriginal Heritage Office assess the finds. Under Section 89a of the NPW Act should the objects be found to be Aboriginal, Heritage NSW and the Metropolitan Local Aboriginal Land Council (MLALC) should be contacted. Inadvertent impacts is considered harm under the NPW Act (1974). Storing materials, parking vehicles on an Aboriginal site or area likely to contain Aboriginal sites is considered harm.



Kind regards,  
Susan Whitby  
Aboriginal Heritage Officer  
Lane Cove, North Sydney, Ku-ring-gai,  
Willoughby, Strathfield & the Northern Beaches Council.  
29 Lawrence Street  
Freshwater NSW 2096  
t 0435 643 205

[susan.whitby@northernbeaches.nsw.gov.au](mailto:susan.whitby@northernbeaches.nsw.gov.au)

[AHO@northernbeaches.nsw.gov.au](mailto:AHO@northernbeaches.nsw.gov.au)

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

Instagram: @aboriginalheritageoffice

I acknowledge and pay my respects to the traditional owners and ancestors of the lands in which the AHO work across.