
Sent: 11/01/2024 4:31:37 PM
Subject: DA2023/0696 - 60 Castle Circuit SEAFORTH

Attn: Gareth David

Dear Gareth,

Development Application No. DA2023/0696
Description: Construction of a dwelling house including swimming pool
Address: 60 Castle Circuit SEAFORTH

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

An Aboriginal Cultural Heritage and Archaeological Advice (Due diligence) was completed by Associates Archaeology and Heritage in November 2023. The following recommendations were made:

1. There is considered to be no risk of harm to Aboriginal objects through the proposed work. This includes an insignificant potential for harm to unidentified material.
2. No further Aboriginal cultural heritage archaeological assessment is warranted.
3. This documentation should be retained for five years following any development work and can form the basis of a defence against prosecution in the event of unanticipated harm. It may also be re-used as due diligence for future proposals as long as it applies to the same area, is updated with a new AHIMS search.
4. A copy of this report should be submitted to AHIMS (ahims@environment.nsw.gov.au).
5. In the event that any unanticipated Aboriginal cultural heritage sites are revealed during work, or any bones that may be human, work should stop immediately. An archaeologist and MLALC Sites Officer should inspect the find. Contractors on site should be informed of this requirement. Initial unanticipated harm would be considered to have been done 'unknowingly' and may be subject to a due diligence defence; however, any harm after failing to stop work would be a 'knowing offence' and subject to prosecution and harsh penalties¹.

The Aboriginal Heritage Office agrees with the recommendations made in this report and Given the above, considers that there are no Aboriginal heritage issues for the proposed development.

Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development.

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, work 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.

Kind regards

Susan Whitby MCISc PLV

Aboriginal Heritage Officer

Aboriginal Heritage Office

Lane Cove, Ku-ring-gai, North Sydney,

Strathfield, Willoughby and Northern Beaches Council

29 Lawrence St, Freshwater

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www.aboriginalheritage.org



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