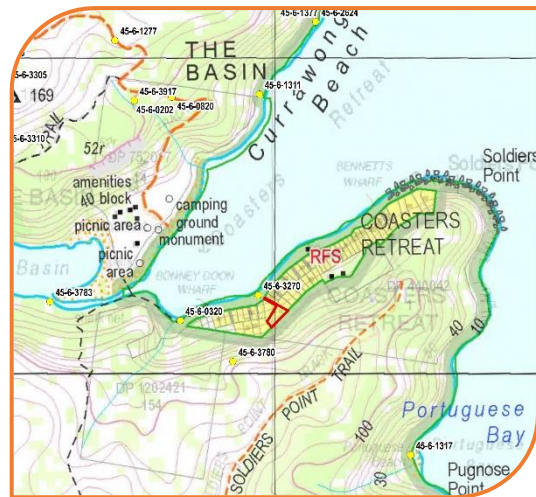


(Due Diligence)

September 2021



Aboriginal Cultural Heritage Management

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1 BACKGROUND INFORMATION

1.1 INTRODUCTION

The construction of a house is proposed at Lot 41 Coasters Retreat, a boat access only enclave of private property within Ku-Ring-Gai Chase National Park on the western shore of Pittwater (Figure 1). While the extent of earthworks will be limited, for the purposes of assessment, the proposed work is assumed to potentially disturb any and all ground surfaces on the property.

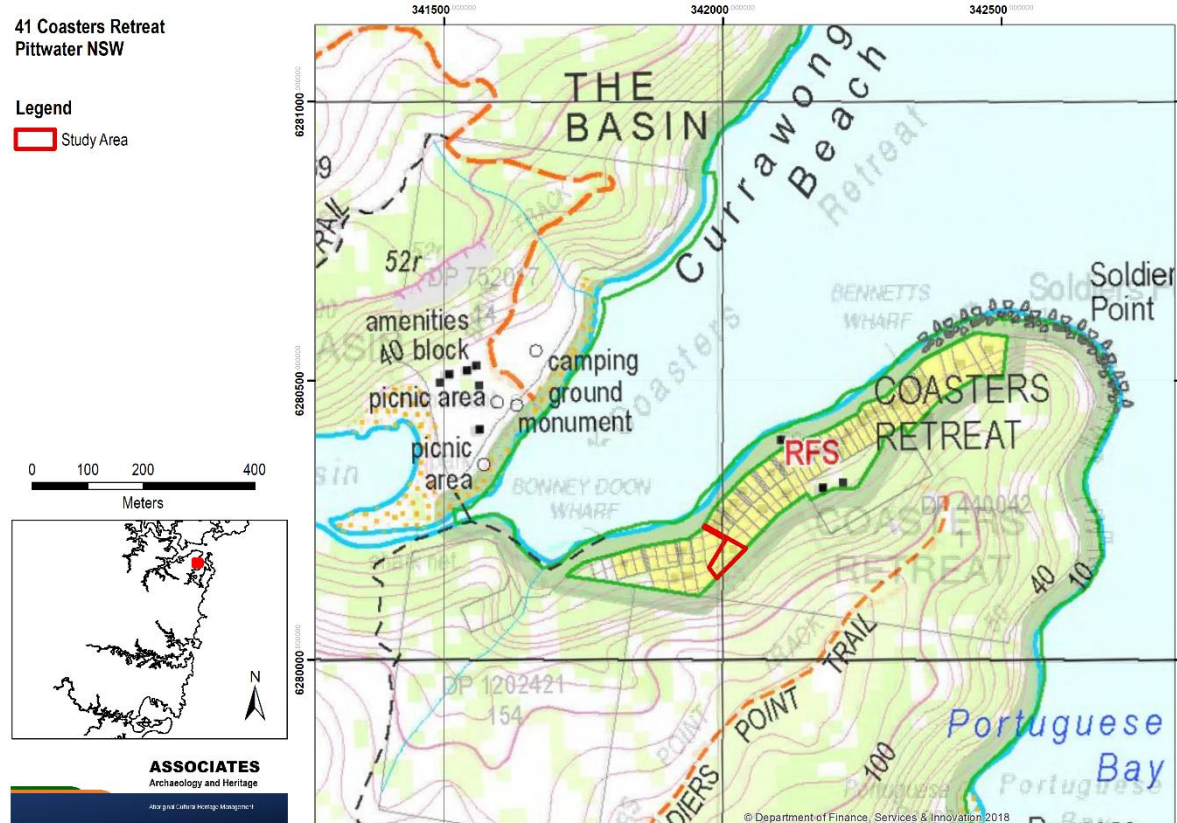


Figure 1: Location

The documentation below has been prepared to meet Council's requirements based on advice received during the DA assessment process (provided by the Aboriginal Heritage Office) that:

"There are known Aboriginal sites in this area. No sites are recorded in the current development area however, the area of the proposed development is considered as having high potential for unrecorded Aboriginal sites.

Given the high potential, the AHO recommends an 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.

In particular, it can be noted that an engraved rock art site is listed as being approximately 20m from the subject property may have been a particular concern (see **Section 2.1** below).

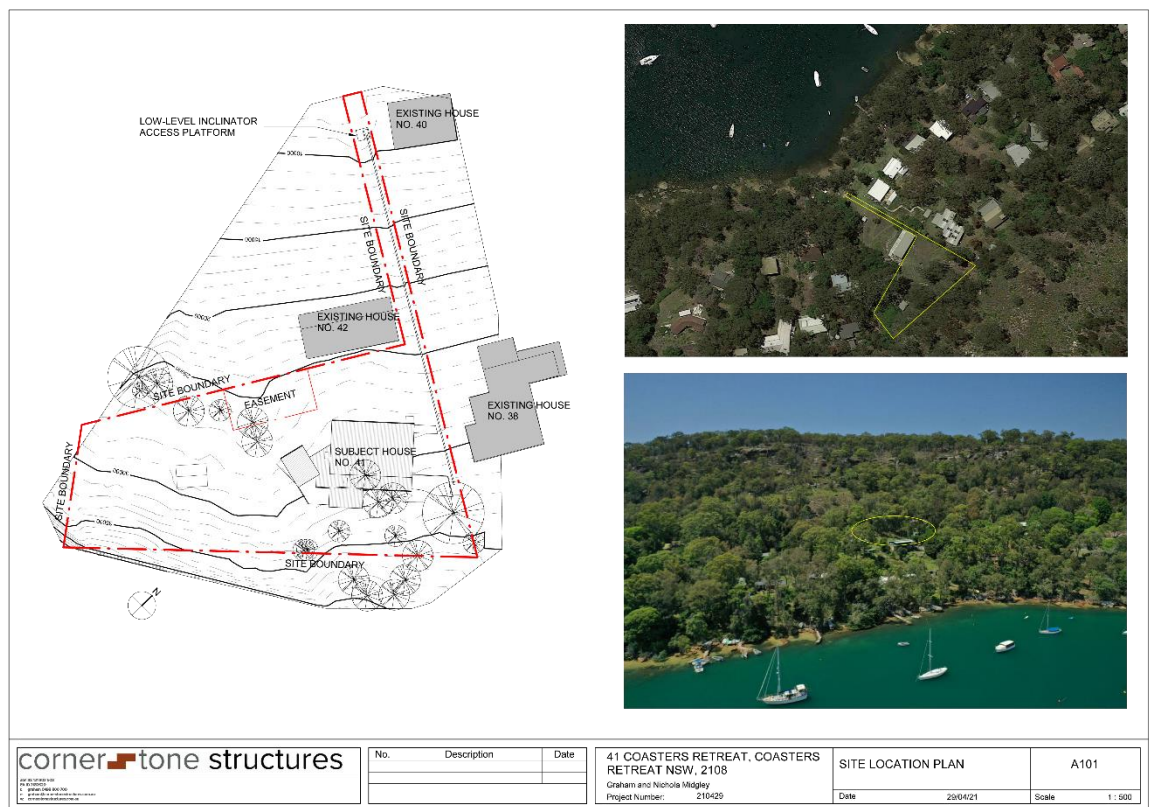


Figure 2: Construction plans and aerial imagery (provided by landowner)

1.2 ABORIGINAL COMMUNITY CONSULTATION

Formal consultation with the Aboriginal community following the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010c) is not a requirement for due diligence advice. Consultation is typically undertaken to assist in identifying locations of cultural importance and in determining cultural values of identified sites. In the event that Aboriginal cultural heritage was considered likely to be affected, or if such a potential later comes to light, consultation should occur in the first instance with the Metropolitan Local Aboriginal Land Council; and then, if harm were proposed or likely, by following the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010c).

The current study has been resolved following a desktop assessment process and a site inspection carried out by an archaeologist. It is considered that there are no Aboriginal cultural heritage issues to address and therefore no values that need assessment and consultation with MPLALC. However, a copy of this due diligence advice has been forwarded to MLALC for their records. Copies have also been forwarded to AHO and AHIMS for their records.

2 DUE DILIGENCE SYSTEM

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW, 2010a) sets out a step-wise process to help determine whether further archaeological investigation is required or if proposed work that will disturb the ground surface can proceed without requiring an Aboriginal Heritage Impact Permit (AHIP) (**Figure 3**). If it is determined that an AHIP is not required, the documentation of the process undertaken can be used to support a defence against prosecution in the event of unanticipated harm.

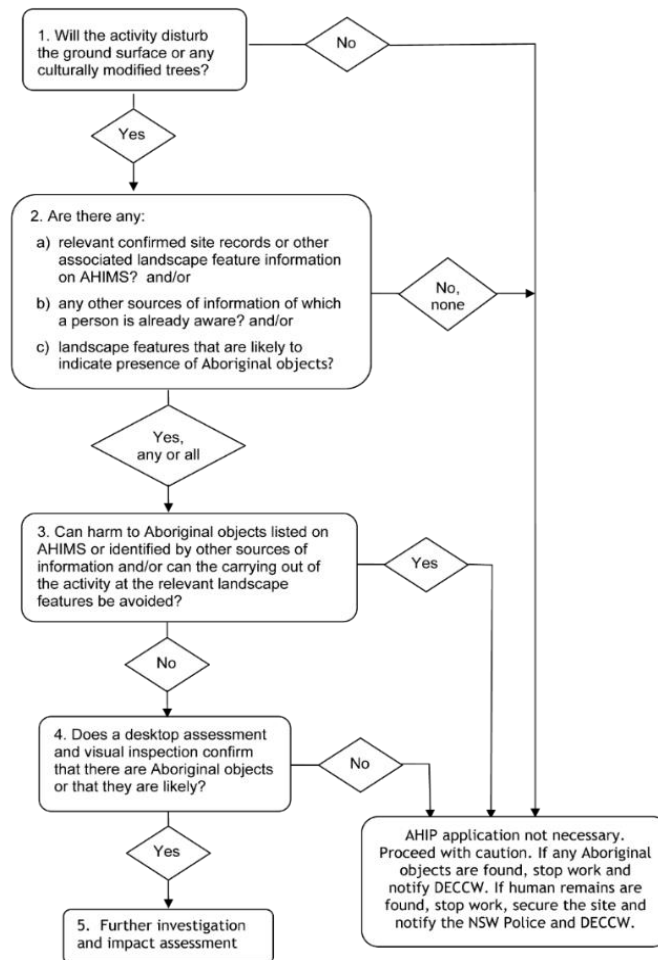


Figure 3: Generic Due Diligence process (copied from the Code)

2.1 AHIMS DATA

An AHIMS search conducted on the 7th September 2021 (Client Service ID: 620244) returned a list of 110 registered sites in a 5km x 5km area around the subject property (**Figure 4**). 83 (75%) of these sites are directly related to the presence of sandstone bedrock, being either rockshelters or engraved into the sandstone (art and/or grinding grooves) (**Table 1**). The 17 shell middens (15% of sites) are almost all predicated on proximity to the sea shore (most significantly on level ground near shellfish resources and a freshwater source, otherwise the records tend to relate to very small deposits or isolated shells). The 9 potential archaeological deposits are a problematic group, all being listed on

Barrenjoey Headland and based on sparse archaeological evidence. While there is only one burial site listed, we are aware of least one other nearby.

Table 1: Breakdown of local site characteristics

Archaeological Context	Site Type	No.	Predicates
26 Rockshelters ('Closed Site')	Rockshelter with deposit (artefact / bone / shell)	7	Sandstone
	Rockshelter with deposit and art	8	Sandstone
	Rockshelter with art	11	Sandstone
84 'Open Sites'	Engraved rock art site	55	Sandstone
	Grinding grooves	2	Sandstone
	Potential Archaeological Deposit (PAD)	9	~
	Shell midden	17	Coast
	Burial	1	Sand

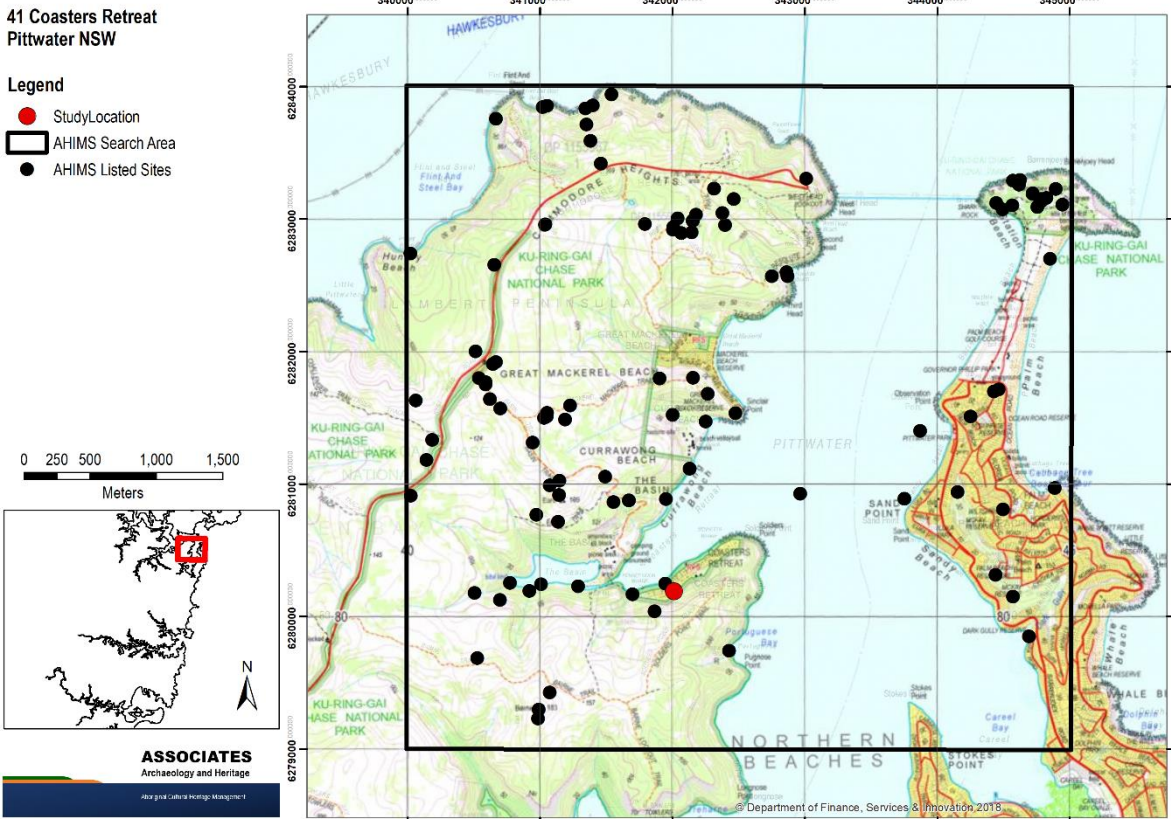


Figure 4: Registered sites in the wider area

There are three sites listed within 300m of the subject property, in decreasing order of relevance:

- **45-6-3270 “Coaster's Retreat Seals”**. This is an engraved rock art site featuring engravings of two seals described in the site card as “swimming and have well defined whiskers engraved”. See **Plate 1** below and site card in **Appendix 1**.
- **45-6-3780 “KCNP - Coasters Retreat Art Site”**. This is a rockshelter with pigmented art uphill and to the west of the property. Reference to accurate 2020 site card information and views of the relevant landform from the water confirms that it is well outside of any relevance to the property. See **Plate 3**.

- **45-6-0320 “Pittwater / The Basin Midden Site”.** This is a shell midden recorded in a fairly classic location for a midden – on level ground where freshwater meets the sea near shellfish resources. It is above the beach west of Bonnie Doon wharf. See **Plate 2** below.



Plate 1: The engraved seals at 45-6-3270 were relocated and confirmed to be well away from the property.



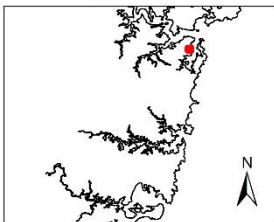
Plate 2: Midden material at 45-6-0320 was relocated and its position well outside of any relevance to the property was confirmed.

**41 Coasters Retreat
Pittwater NSW**

Legend

- AHIMS Listed Sites
- 2m Contours
- ▭ Study Area

0 50 100 200
Meters



ASSOCIATES
Archaeology and Heritage

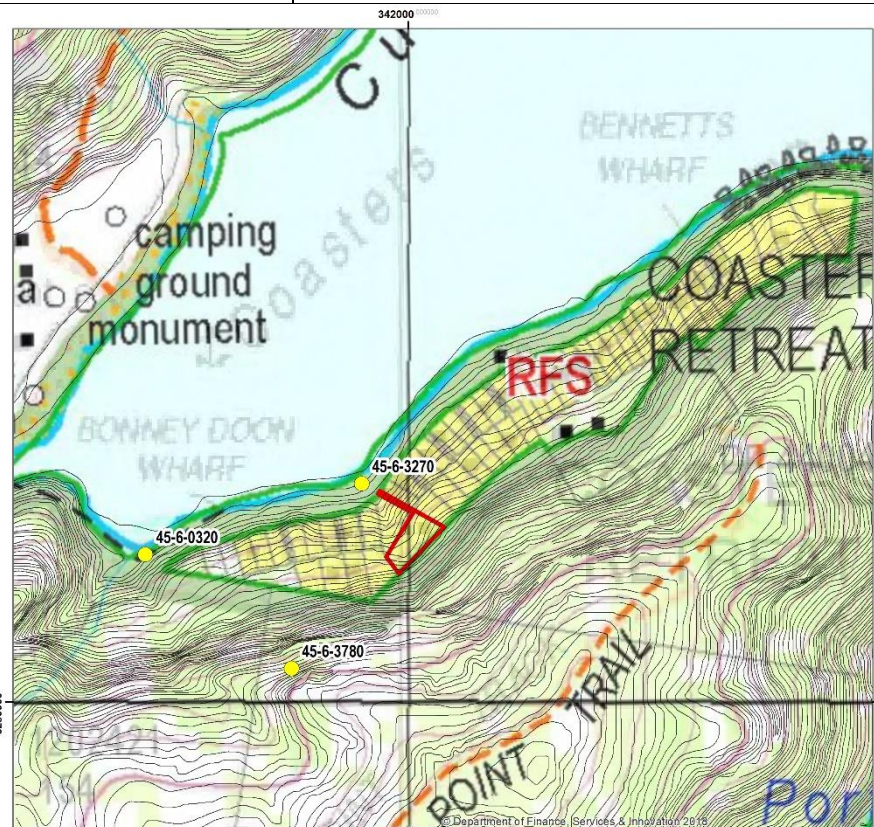


Figure 5: Nearby AHIMS listed sites (all site cards reviewed)

What we can note from the above is that there are no obvious landscape factors upon which to base a prediction that the property would have any Aboriginal archaeological sites. There is no exposed sandstone forming rockshelters or panels open to engraving, no proximity to natural freshwater or resources and no other notable occupation amenity (in a pre-invasion landscape context).

2.2 OTHER SOURCES OF INFORMATION – PREVIOUS INVESTIGATIONS

There is a reasonable body of archaeological research that has been completed around Pittwater and surrounding areas. This has been done at a range of scales, from regional studies (Koettig, 1988; Vinnicombe, 1980) to small scale development-related Aboriginal cultural heritage assessments or management plans (Byrne, 1984; Corkhill, 1994).

We are also aware of a number of relevant archaeological investigations involving excavation that have occurred around Pittwater. In the 1990s, Jo McDonald undertook excavations at Angophora Reserve, Avalon (McDonald, 1992a) and 1.5km north of Coasters Retreat in a rockshelter above Mackerel Beach (McDonald, 1992b). More recent and proximate excavation was undertaken by the current author at Currawong Beach (1km north) in 2008 (Brown, et al., 2008). We have also been involved in recent Aboriginal cultural heritage assessments for fire trail upgrades in the adjoining National Park (Brown, 2020; Brown, 2021).

The AHIMS report database does not provide details for any reports under the search terms “the Basin” or “Coasters Retreat” and it is highly unlikely that any unpublished report has described any sites for the subject property that have not been listed. This leaves our knowledge of local Aboriginal cultural heritage characteristics more than adequate for the current assessment.

2.3 LANDSCAPE FEATURES

The *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW, 2010a) defines a number of landscape features with high potential for the occurrence of Aboriginal objects that essentially trigger a requirement for either avoiding impact or undertaking further archaeological investigation (see Step 2C in **Figure 3**):

- Within 200m of waters; or
- located within a sand dune system; or
- located on a ridge top, ridge line or headland; or
- located within 200m below or above a cliff face; or
- within 20m of or in a cave, rock shelter, or a cave mouth.

Of these, only proximity to water applies, with the entire property being within 200m of the shore. It is noted however – and apparent from contours shown in **Figure 5**, aerial imagery in **Figure 2 and Plate 4** below – that there is a reasonably steep slope of more than 80m between the shore and the area of proposed development impact. It is also noted that while the subject property is within 200m of the sea, it is about 300m from any source of freshwater.

3 SITE INSPECTION

The study area was surveyed on the 16th September 2021 by Oliver Brown, an archaeologist with twenty years' experience and a strong focus on Sydney coastal sandstone country. The full property could be walked around, inspecting all ground surfaces (despite low exposure due to reasonably well maintained grass cover), rock surfaces and mature trees.



Plate 3: View of property from the sea.



Plate 4: View of property entry (narrow strip covering the stairs in centre of view).



Plate 5: View from SW corner of property.



Plate 6: View from SE corner of property.



Plate 7: View from NW corner of property.



Plate 8: View from NE corner of property.

3.2 RESULTS

- No Aboriginal objects were identified in any part of the proposed work area or elsewhere on the property and it is considered unlikely that there is any unidentified material.
- The property was observed to occupy an almost uniformly mid-slope landform, as shown by **Plates** above and contours in **Figure 2** and **Figure 5**. of the path running down alongside the eastern boundary of the property and in the stepped terracing for level living area shown in other photos below.
- There is a significant amount of exposed sandstone on the property as large ‘floaters’ and some exposed cliff face behind the property, however, it was also noted that:
 - There are no instances where they form any rockshelters or significant overhangs where one might predict occupation evidence or the preservation of pigmented rock art; and
 - There are no apparent suitable flat panels where one might predict engraved art. Such flat exposures as there are were nonetheless searched for engravings – none were found and the substrate considered too rough, oddly angled and broken up to provide the type of context in which local art examples are almost always found.
- There are no old growth / pre-invasion trees that could possibly bear cultural scarring.
- it is considered highly unlikely that the proposed work would impact areas of Aboriginal cultural heritage sensitivity; or in other words, ‘harm’ an ‘Aboriginal object’ (both as defined in *the National Parks and Wildlife Act 1974*).

4 RECOMMENDATIONS

It is recommended that:

1. Due diligence has been exercised and 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 specific measures are required for the proposed work.
3. No further Aboriginal cultural heritage archaeological assessment is warranted;
4. 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.
5. In the event that any Aboriginal objects are identified at any time, work should stop and further advice should be sought.

5 REFERENCES

- Brown, O. (2020). *Aboriginal Cultural Heritage and Archaeological Advice (Due Diligence / REF), Centre Trail Fire Trail Upgrade (Ku-ring-gai Chase National Park)*. Report to NPWS.
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- Byrne, D. (1984). *Aboriginal sites on the Palm Beach Barrier: An Archaeological Survey of the Northern Section of the Palm Beach Sand Barrier*. Report to Warringah Shire Council.
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- McDonald, J. (1992b). The Great Mackerel rockshelter excavation: women in the archaeological record? *Australian Archaeology*, 35, 32-50.
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APPENDIX 1: 45-6-3270 SITE CARD



Aboriginal Site Recording Form

AHIMS Registrar
PO Box 1967, Hurstville 2220 NSW

AHIMS site ID: 45-6-3270

Date recorded: 25-05-2017

Site Location Information

Site name: Coaster's Retreat Seals

Easting: 341947 Northing: 6280249 Coordinates must be in GDA (MGA)

Horizontal Accuracy (m): 5

Zone: 56 Location method: Non-Differential GPS

Recorder Information

(The person responsible for the completion and submission of this form)

Title Surname First name

Mr. Chapple Steven

Organisation: NSW National Parks and Wildlife Service

Address: PO Box 134 Forestville 2087 NSW

Phone: 0431080355 E-mail: steve.chapple@environment.nsw.gov.au

Site Context Information

Land Form
Pattern: Coastal Plain

Land Use: Residential

Land Form
Unit: Coastal Rock Platform

Vegetation: Open Forest

Distance to
Water (m): 0Primary
Report:How to get
to the site: Site is on the shore of Coaster's Retreat (opposite the Basin
Campground Wharf). Access along the shoreline or via boat.Other site
information:Locals sometimes store equipment (boats, oars, etc...) on the rock.
The site should be protected from this use.

Features:				Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
							Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
3.										
Description:										
Features:				Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
							Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
4.										
Description:										
Features:				Number of features	Length of feature(s) extent (m)	Width of feature (s) extent (m)	Scarred Trees			
							Scar Depth (cm)	Regrowth (cm)	Scar shape	Tree Species
5.										
Description:										
Other Site Info:		Locals sometimes store equipment (boats, oars, etc...) on the rock. The site should be protected from this use.								

Site plan

3

Site location map

Site contents information

open/closed site:

Site condition:

Features:

1.

Number of features

2

Length of feature(s) extent (m)

3

Width of feature (s) extent (m)

3

Description:

2 seals are engraved on a rock on the shoreline of coaster's retreat nearby to a private jetty. The rock is located just behind a large boulder. The seals are swimming and have well defined whiskers engraved.

Scarred Trees

Scar Depth (cm)

Regrowth (cm)

Scar shape

Tree Species

Features:

2.

Number of features

Length of feature(s) extent (m)

Width of feature (s) extent (m)

Description:

Scarred Trees

Scar Depth (cm)

Regrowth (cm)

Scar shape

Tree Species

Site photographs

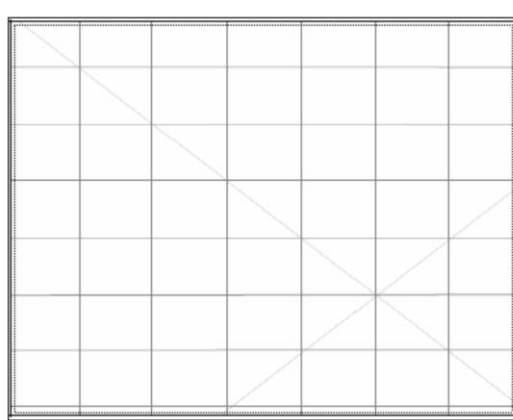
Description: Site context



Description: Seals



Description: Seals



Description:

Site restrictionsDo you want to
Restrict this site?: ☐Restriction type: ☐ Gender ☐ General ☐ Location

Why is this site restricted?:

Further information contact

Title Surname First name
 Organisation:
 Address:
 Phone: E-mail:

4