
Sent: 21/09/2023 1:52:54 PM

Subject: Mod2023/0455 - 346, 348, 350 & 352 Whale Beach Road PALM BEACH

Attn: Alex Keller

Dear Alex,

Development Application No. Mod2023/0455

Description: Modification of Development Consent DA2021/0268 granted for Demolition works, lot consolidation and construction of a dwelling house including swimming pool.

Address: 346, 348, 350 & 352 Whale Beach 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 of works has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites.

Whilst the area of works does not contain Aboriginal sites or Aboriginal heritage sensitivity other portions of the DA area do. 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. Harm to these landscape features should therefore be avoided during the construction phase of the works.

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. During construction all workers and contractors should be made aware of their obligations to avoid harm to Aboriginal sites and areas of Aboriginal sensitivity.

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.

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

m 0435 643 205

www.aboriginalheritage.org



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