

DUE DILIGENCE ASSESSMENT

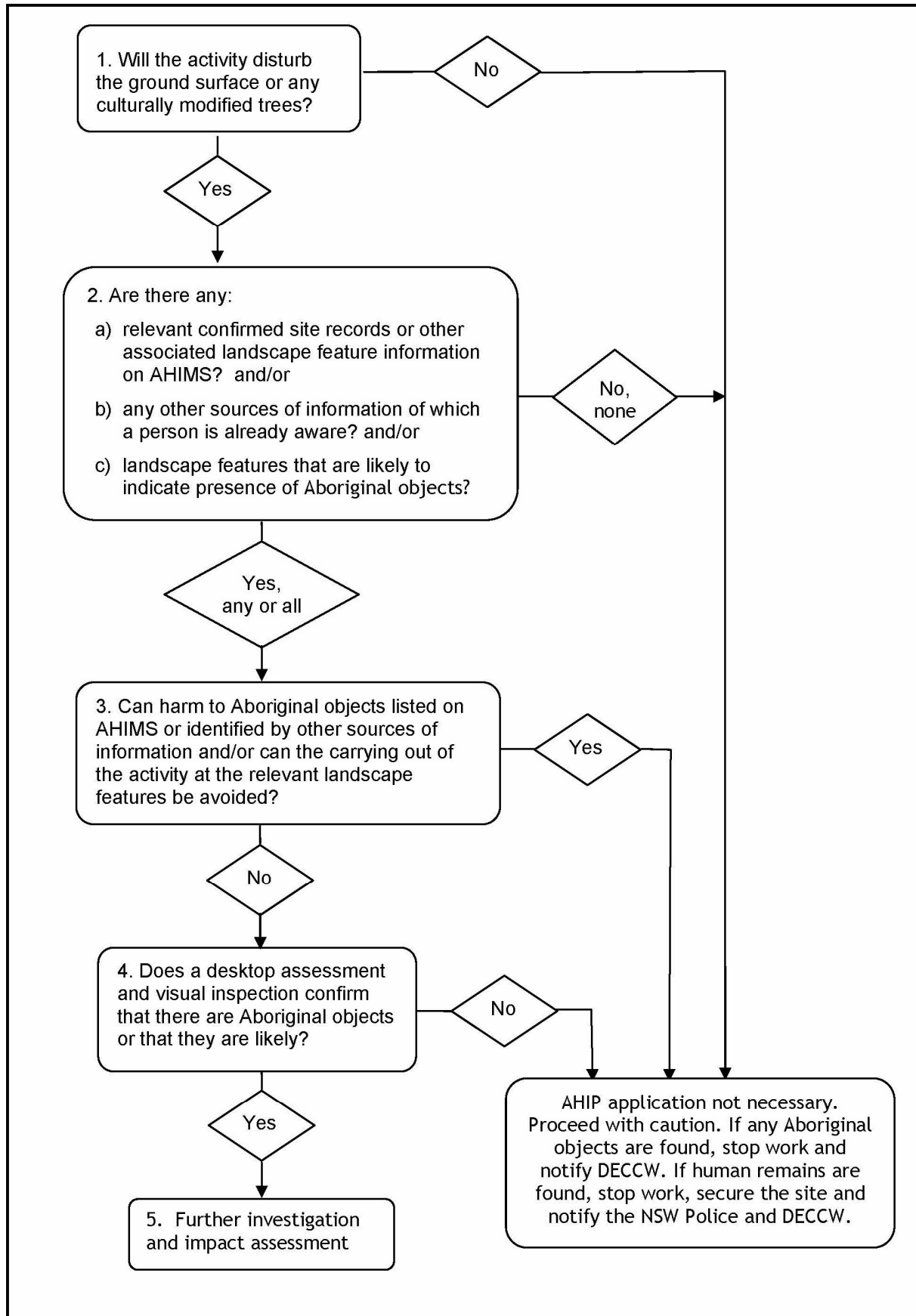
In accordance with the 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'

This Due Diligence Assessment follows the process outlined in Section 8 of the 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'.

The proposal is seeking approval for the Swan Hill Rural City Council to remove flood damaged infrastructure and address existing riverbank erosion by renewing the Ten Steps, its associated retaining walls and undertaking bank restoration works along the southern bank of the Murray River.

The site of the proposed works is on NSW land adjacent to 11 Monash Drive, Swan Hill, Victoria 3585 (Crown Allotment E Township of Swan Hill & Parish of Castle Donnington). The property is commonly known as Swan Hill Riverside Park and is managed by the Swan Hill Rural City Council.

Generic Due Diligence Process



Step 1. Will the activity disturb the ground surface?

If the activity will disturb the ground surface or any culturally modified trees then check the AHIMS database – step 2a.

The proposed development will result in ground disturbance.

No culturally modified trees are located within the site or are to be disturbed by the subject works.

Step 2a. Search the AHIMS database and use any other sources of information of which you are already aware

You should search the AHIMS database and check whether any Aboriginal sites have been recorded in the area where you are proposing to carry out your activity. There may also be additional landscape or other contextual information, relevant to the area of your proposed activity on AHIMS.

If you are aware of any other sources of information, you need to use these to identify whether or not Aboriginal objects are likely to be present in the area. Other sources of information can include previous studies, reports or surveys which you have commissioned or are otherwise aware of.

Go to step 2b.

AHIMS searches have been completed for the NSW land adjacent to Crown Allotment E Township of Swan Hill & Parish of Castle Donnington, which has been attached within Appendix 1.

The AHIMS search result with a 200-metre buffer indicated (0) Aboriginal sites are recorded in or near the Crown Allotment, and (0) Aboriginal places declared in or near the property.

Step 2b. Activities in areas where landscape features indicate the presence of Aboriginal objects

Consequently, if your proposed activity is:

- *within 200m of waters⁷, or*
- *located within a sand dune system⁸, 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*

and is on land that is not disturbed land (see Definitions) then you must go to step 3.

If after completing steps 2a and 2b it is reasonable to conclude that there are no known Aboriginal objects or a low probability of objects occurring in the area of the proposed activity, you can proceed with caution without applying for an AHIP.

The subject land is located within proximity of the Murray River.

Step 2a determined the likelihood of Aboriginal artifacts in the location be nil or minimal. No harm is present.

Step 2b concluded that the location of the development does affect a landscape feature as listed.

Continued assessment onto step 3 is only necessary if the activity is to occur on land within an identified landscape feature which has not been disturbed in the past, or contains known Aboriginal objects. Neither of these are triggered.

In accordance with Section 8 of the generic *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* process, the development is considered to not require an Aboriginal Heritage Impact Permit.

In accordance with the *National Parks and Wildlife Act 1974*, if any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

- Not further harm to the object;
- Immediately cease all work at the particular location;
- Secure the area so as to avoid further harm to the Aboriginal object;
- Notify Heritage NSW as soon as practical on 131555, providing any details of the Aboriginal object and its location;
- Not recommence any work at the particular location unless authorised in writing by the Heritage NSW.

AHIP application not necessary.
Proceed with caution. If any Aboriginal
objects are found, stop work and
notify DECCW. If human remains are
found, stop work, secure the site and
notify the NSW Police and DECCW.

Appendix 1



AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : Ten Steps Swan Hill

Client Service ID : 987285

Planright Australasia Pty Ltd

Date: 21 March 2025

132 Hogan St

Tatura Victoria 3616

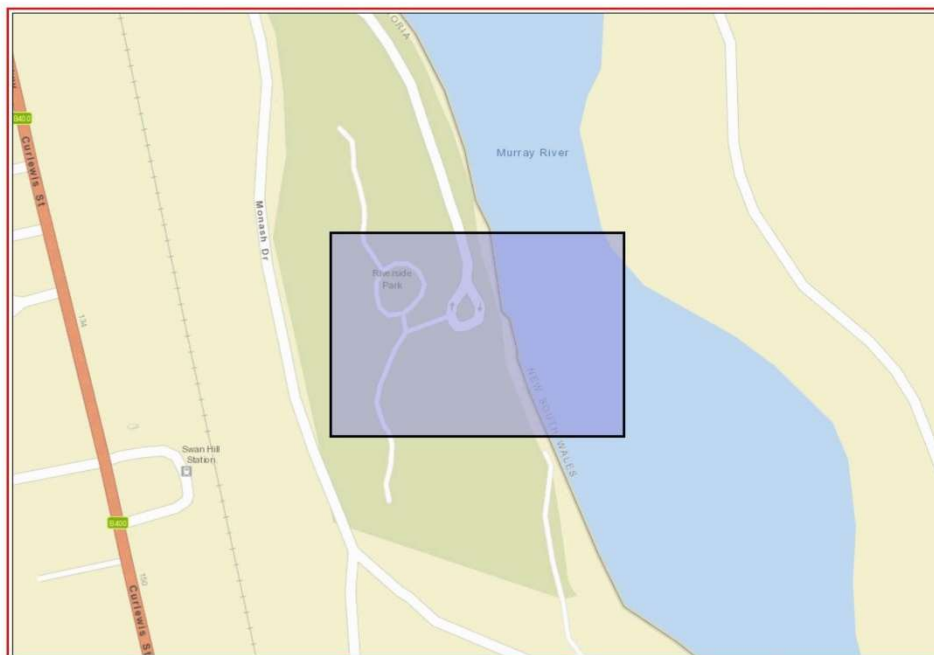
Attention: Bernard Noonan

Email: bnoonan@planright.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -35.3413, 143.5632 - Lat, Long To : -35.3402, 143.5651, conducted by Bernard Noonan on 21 March 2025.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location.*

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](https://www.legislation.nsw.gov.au/gazette) (<https://www.legislation.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

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