

Greg Samardzic

From: online-referrals <online-referrals@northernbeaches.nsw.gov.au>
Sent: Tuesday, 8 November 2022 11:47 AM
To: Vivienne Xu; online-referrals
Cc: Greg Samardzic
Subject: RE: Aboriginal Heritage Referral - DA 60/2022 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards at Lane Cove Council

Follow Up Flag: Follow up
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Development Application No. DA60/2022

Description: Residential Flat Building Development

Address: 21-31 Holdsworth Avenue and 42-46 River Road St Leonards

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

An Aboriginal Heritage Due Diligence assessment was completed by RPS on 14 September 2022.

The Aboriginal Heritage Office agrees with the conclusions and recommendations made in the report:

No Aboriginal archaeological sites, objects, PADs or Places were located within the project area. The proposed works are considered unlikely to harm Aboriginal objects, sites or PADs. No Aboriginal heritage constraints have been identified for the site of the project area. Due to historical disturbance and modification of the landscape at the location, the project area is considered to have low to nil archaeological potential to retain extant archaeological sites, objects, or PADs. No further investigations or assessments are required within the project area in relation to Aboriginal heritage. The following recommendations are provided based on the recognition of the legal requirements and automatic statutory protection provided to Aboriginal 'objects' and 'places' under the terms of the National Parks and Wildlife Act of 1974, and as outlined in the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales 2010.

Recommendation 1: Aboriginal cultural heritage induction Prior to works commencing, it is recommended that an induction is presented to ensure that all construction personnel and subcontractors involved in the proposed work are aware of their obligations under the National Parks and Wildlife Act (NSW) 1974 ('the NPW Act').

Recommendation 2: Unexpected finds procedure, Aboriginal object/s If suspected Aboriginal objects are identified during works, the following procedures must be followed:

- Immediately cease all activity at the location and notify the site manager.
- Do not move or handle the object. Secure the area where the find is located.
- Contact a suitably qualified archaeologist experienced in the assessment and management of Aboriginal Cultural Heritage to assess the find.
- If the consultant confirms the find is an Aboriginal object, notify the Heritage NSW pursuant to s89A of the NPW Act and Metropolitan Local Aboriginal Land Council.
- If the consultant determines the find is not an Aboriginal object, the consultant will provide written advice to the client that works may re-commence and proceed with caution. If any human remains are discovered, you must cease work immediately and:
 - Not further disturb or move the remains
 - Notify NSW Police
 - Notify Heritage NSW Environment Line on 131 555 as soon as practicable and provide available details of the remains and their location
 - Not recommence any work at the location unless authorised in writing by Heritage NSW. If human remains unexpectedly encountered are believed to be Aboriginal, the Metropolitan Aboriginal Land Council must be notified immediately.

Recommendation 3: Record keeping This due diligence assessment must be kept by CIFI St Leonards Development Management Pty Ltd so that it can be presented, if needed, as a defence from prosecution under Section 86(2) of the National Parks and Wildlife Act 1974.

Kind regards,
Susan Whitby
Acting Aboriginal Heritage Archaeologist
Aboriginal Heritage Office
m 0435 643 205
susan.whitby@northernbeaches.nsw.gov.au
northernbeaches.nsw.gov.au



northern
beaches
council

From: Vivienne Xu <VXu@lanecove.nsw.gov.au>
Sent: Friday, 14 October 2022 1:20 PM
To: online-referrals <online-referrals@northernbeaches.nsw.gov.au>
Cc: Greg Samardzic <GSamardzic@lanecove.nsw.gov.au>
Subject: RE: Aboriginal Heritage Referral - DA 60/2022 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards at Lane Cove Council

Dear team,

Thanks for your below reply.

We have received further information from the applicant including amended plans.

DA 60/2022 – Residential Flat Building Development - 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards

All documents are available on Council's website, the link which is indicated below:

[Lane Cove Council: Development Application Information \(nsw.gov.au\)](#)

In the event you require any further information please contact Greg Samardzic (9911 3521), who is designated Town Planner.

Kind Regards,

Vivienne

Vivienne Xu | *Administrative Assistant*



A: 48 Longueville Rd Lane Cove
P: 9911 3618
E: VXu@lanecove.nsw.gov.au

From: online-referrals <online-referrals@northernbeaches.nsw.gov.au>

Sent: Friday, 1 July 2022 12:48 PM

To: Vivienne Xu <VXu@lanecove.nsw.gov.au>; online-referrals <online-referrals@northernbeaches.nsw.gov.au>

Cc: Greg Samardzic <GSamardzic@lanecove.nsw.gov.au>

Subject: RE: Aboriginal Heritage Referral - DA 60/2022 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards at Lane Cove Council

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Dear Greg,

Development Application No. DA60/2022

Description: Residential Flat Building Development

Address: 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards

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

The AHO recommends a Aboriginal heritage due diligence assessment be carried out for the land by a qualified Aboriginal heritage professional, including consideration for subsurface archaeological testing. 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.



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

AHO@northernbeaches.nsw.gov.au

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.

From: Vivienne Xu <VXu@lanecove.nsw.gov.au>

Sent: Wednesday, 8 June 2022 3:23 PM

To: online-referrals <online-referrals@northernbeaches.nsw.gov.au>

Cc: Greg Samardzic <GSamardzic@lanecove.nsw.gov.au>

Subject: Aboriginal Heritage Referral - DA 60/2022 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards at Lane Cove Council

To whom it may concern,

Hope you are well.

Council has received Residential Flat Building Development Application as per above address, the details of which are indicated below:

DA 60/2022 – Residential Flat Building Development - 22-34 Berry Road, 21-31 Holdsworth Avenue and 42-46 River Road St Leonards

All documents are available on Council's website, the link which is indicated below:

[Lane Cove Council: Development Application Information \(nsw.gov.au\)](#)

In the event you require any further information please contact Greg Samardzic (9911 3521), who is designated Town Planner.

Kind Regards,

Vivienne

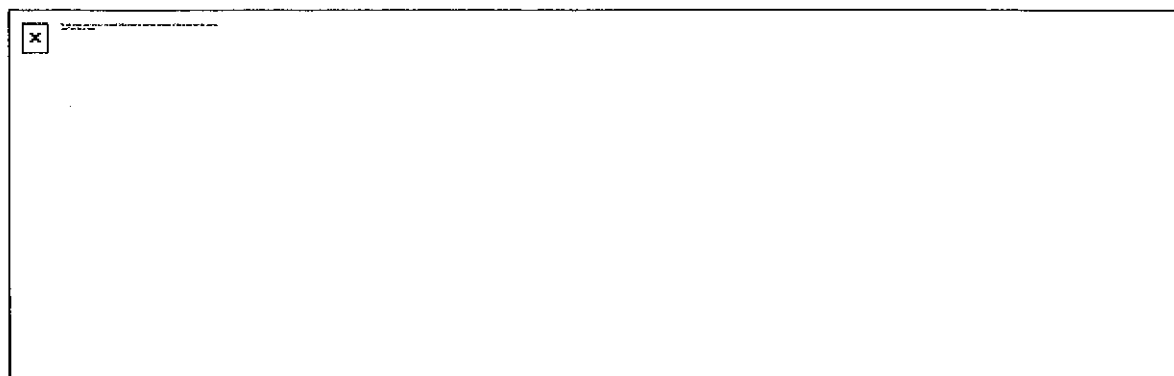
Vivienne Xu | *Administrative Assistant*



A: 48 Longueville Rd Lane Cove

P: 9911 3618

E: VXu@lanecove.nsw.gov.au



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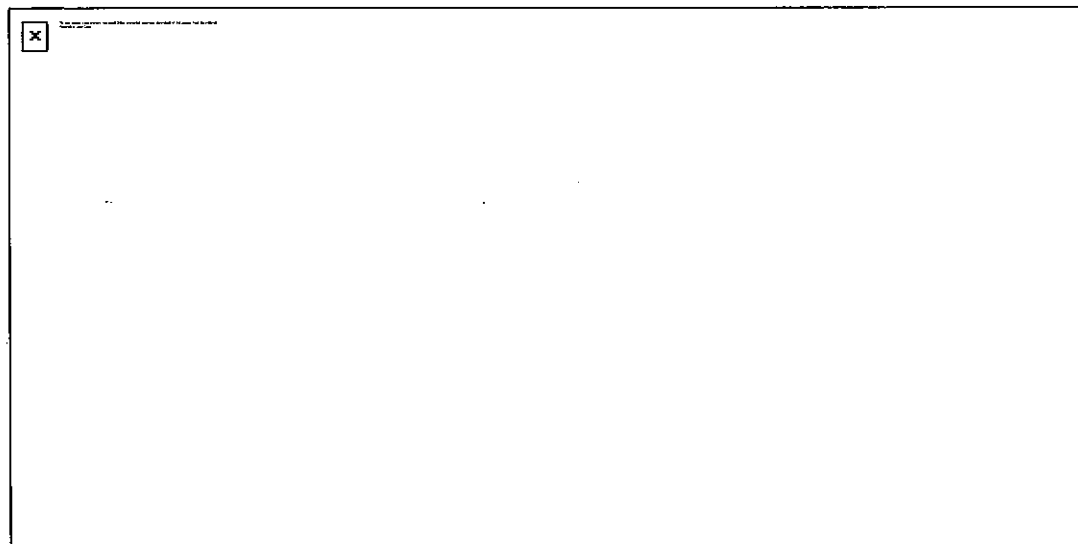
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