

4 April 2025

Angelica Wu
Bathla
137 Gilba Road
Girraween NSW 2145

Re: 136-146 and 148 Donnison Street, Gosford, NSW – Aboriginal Cultural Heritage Assessment

Dear Angelica,

This letter is to confirm that Apex Archaeology prepared an Aboriginal Cultural Heritage Assessment (ACHA) in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (ACHCRs) and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010* (the Code of Practice) to inform the project approval for the redevelopment of the property at 136-146 and 148 Donnison Street, Gosford.

An Aboriginal Cultural Heritage Assessment Report (ACHAR) to meet the ACHCRs and an Archaeological Report (AR) to meet the Code of Practice were completed in August 2023. The reports found that the site was heavily disturbed with no need for further archaeological assessment.

The project is being assessed as a State Significant Development (SSD) and the application is currently being submitted for assessment. The ACHAR and AR were prepared in anticipation of Secretary's Environmental Assessment Requirements (SEARs) being issued and requiring preparation of such reports. The SEARs have since been issued and did require preparation of these reports, and as such, the reports have been prepared to meet the requirements of the SEARs.

Generally, consultation with the Aboriginal community under the ACHCRs must be maintained for a project for the life of the application process, with contact made at least every six months. In this instance, as there were no impacts proposed to Aboriginal cultural heritage, consultation was not maintained; but consultation with Heritage NSW has advised that in this instance, this is not necessary.

Subsequent to finalisation of the reports in 2023, Apex Archaeology wrote to all Registered Aboriginal Parties (RAPs) on 21 March 2025, advising them of the intent to submit the application for the project and inviting any further comment to be provided by Friday 4 April 2025. No comments were received from any of the RAPs. A copy of the email sent to all RAPs is attached to this letter, as well as the correspondence received from Heritage NSW on this matter.

Additionally, an updated search of the Aboriginal Heritage Information Management System (AHIMS) register was undertaken to determine if any additional Aboriginal sites had been registered in the study area or surrounds since the original search was



completed. No Aboriginal sites were identified within the study area or within a 200m buffer. A copy of the AHIMS search is also attached to this letter.

Overall, the assessment found that with regard to Aboriginal cultural heritage, no further assessment was required prior to works commencing.

Kind regards,

Jenni Bate

A handwritten signature in black ink, appearing to read 'Jenni Bate', written in a cursive style.

Director/Archaeologist
Apex Archaeology

E: jenni@apexarchaeology.com.au

M: 0422 229 179

Apex Archaeology

PO BOX 236

Nowra New South Wales 2541

Attention: Leigh Bate

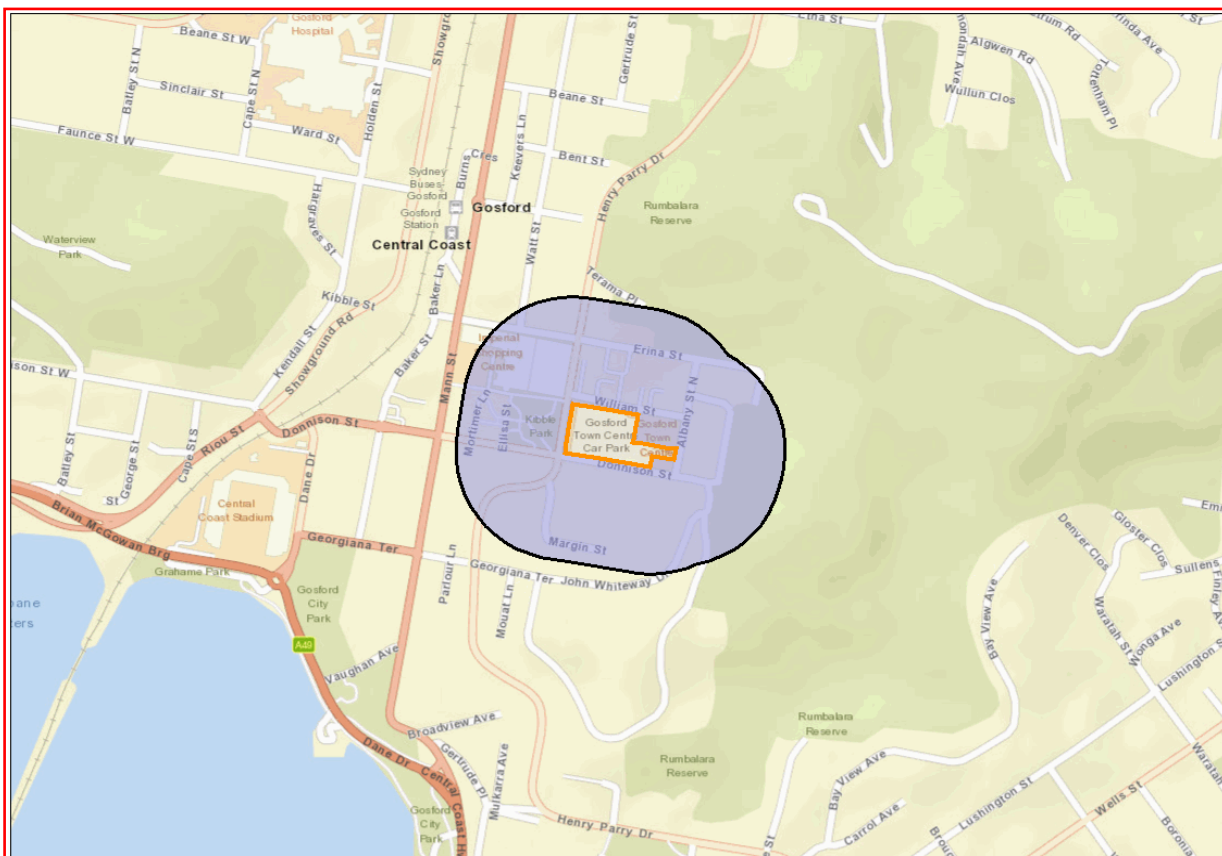
Email: leigh@apexarchaeology.com.au

Date: 04 April 2025

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 6, DP:DP598833, Section : - with a Buffer of 200 meters, conducted by Leigh Bate on 04 April 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 to 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.

From: [Corey O'Driscoll](#)
To: jenni@apexarchaeology.com.au; [Nicole Davis](#)
Cc: [Leigh](#); [Alison Lamond](#)
Subject: RE: 136-146 Donnison Street, Gosford - SSD query
Date: Tuesday, 18 March 2025 4:26:21 PM
Attachments: [image002.png](#)

Dear Jenni,

Thank you for contacting Heritage NSW regarding consultation requirements for 36-146 Donnison Street, Gosford (SSD-78031991). As per our phone call, as long as the existing consultation complied with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010)* and the Aboriginal Cultural Heritage Assessment Report (ACHAR) adequately describes the levels of disturbance, then the proposed approach is acceptable. Heritage NSW recommends that any additional comments received from the Registered Aboriginal Parties (RAPs) are adequately considered and addressed. Additionally, please include a cover letter detailing what had occurred since the completion of the ACHAR.

If you have any further questions, please do not hesitate to contact me

Kind regards,
Corey

Corey O'Driscoll (*he/him*)

Senior Assessments Officer (Archaeologist) – Major Projects
Heritage NSW

**Department of Climate Change,
Energy, the Environment and Water**

T: 02 62297079 E: Corey.ODriscoll@environment.nsw.gov.au

dcceew.nsw.gov.au

Level 3, 11 Farrer Place, Queanbeyan NSW 2620



I acknowledge and respect the traditional custodians and ancestors of the lands I work across.

Please note my work days are Monday, Tuesday, Thursday, and Friday. For anything urgent, please contact Heritage Mailbox (Heritagemailbox@environment.nsw.gov.au). Otherwise, I will respond to your email as soon as possible when I am back in the office.

From: jenni@apexarchaeology.com.au <jenni@apexarchaeology.com.au>

Sent: Friday, March 14, 2025 4:13 PM

To: Nicole Davis <Nicole.Davis@environment.nsw.gov.au>

Cc: Leigh <leigh@apexarchaeology.com.au>; Alison Lamond <alison.lamond@environment.nsw.gov.au>; Corey O'Driscoll <Corey.ODriscoll@environment.nsw.gov.au>

Subject: 136-146 Donnison Street, Gosford - SSD query

Good afternoon Nicole,

I hope you're well. We prepared an ACHA to inform an SSD project at the above address (SSD-78031991). The SEARs were issued 27/11/2024 and require preparation of an ACHA for the project. Our ACHA was prepared for the site in anticipation of the SEARs and was completed in August 2023.

The assessment identified significant disturbance across the entirety of the study area and no specific cultural values or significance were identified by the RAPs for the project. As it was considered that the proposal was unlikely to impact on Aboriginal objects, places, or cultural values, the report was finalised and no further consultation occurred. However, the EIS for the project was still in preparation and SEARs were only issued late last year. As such, there has been a lapse in the six-monthly consultation necessary to consider consultation continuous for the project.

I am writing to ask whether it would be acceptable to undertake an updated AHIMS search and write to the RAPs for the project, advising them of the issue of the SEARs and the intent to use the existing report to inform the EIS in place of completely restarting the consultation process in this instance? We note that consultation must be maintained for all SSD projects, regardless of the outcome; however this advice was only received subsequent to completion of this specific project.

If you could please advise whether the above approach would be acceptable, or whether we need to restart the consultation process, I would be very grateful.

Kind regards,



Jenni Bate
DIRECTOR - ARCHAEOLOGIST

0422 229 179

JENNI@APEXARCHAEOLOGY.COM.AU

WWW.APEXARCHAEOLOGY.COM.AU

This email is intended for the addressee(s) named and may contain confidential and/or privileged information.

If you are not the intended recipient, please notify the sender and then delete it

immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment, Energy and Science.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: jenni@apexarchaeology.com.au
To: "Undisclosed Recipients"
Bcc: Amandahickey@live.com.au; corroboreecorp@bigpond.com; Gunjeewongculturalheritage21@hotmail.com; Kerrie@awabakal.com.au; leannekirkman1964@gmail.com; lowerhunterai@gmail.com; Matthew.Syron@dlalc.org.au; philipkhan.acn@live.com.au; tracey@guringai.com.au; Yurwang.Gundana.C.H.S@outlook.com
Subject: 136-146 & 148 Donnison Street, Gosford ACHA
Date: Friday, 21 March 2025 3:30:05 PM

Good afternoon,

I hope you're well. Apex Archaeology prepared an ACHA for the Gosford Alive project, located at 136-146 & 148 Donnison Street, Gosford, with the ACHA completed in July 2023. The assessment did not identify any Aboriginal constraints and no further Aboriginal archaeological work was recommended for the site. The project is a State Significant Development (SSD) and as such the ACHA was necessary to inform the project approval. The ACHA process was started before the project requirements (Secretary's Environmental Approval Requirements – SEARs) were issued, in anticipation that those requirements would include preparation of an ACHA. SEARs have been issued and as expected, preparation of an ACHA is required.

The proponent is now preparing to lodge the project application and has noted that consultation with the Aboriginal community has not been continuous since the completion of the ACHA. We have spoken with Heritage NSW who have advised us to write to all RAPs and advise you that the proponent is now planning to lodge the application with the department.

If you would like to review the ACHA documents, they are available at this link: <https://we.tl/t-8B0QwZw6XU>

Please don't hesitate to get in touch if you have any questions or comments about the project. I'd be grateful if any additional comments could be sent by CoB Friday 4 April 2025.

Kind regards,



Jenni Bate
DIRECTOR - ARCHAEOLOGIST

0422 229 179

[JENNI@APEXARCHAEOLOGY.COM.AU](mailto:jenni@apexarchaeology.com.au)

[WWW.APEXARCHAEOLOGY.COM.AU](http://www.apexarchaeology.com.au)

136-146 & 148 DONNISON STREET, GOSFORD, NSW

ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

Report to Bathla Group

LGA: Central Coast

August 2023





EXECUTIVE SUMMARY

Apex Archaeology have been engaged to assist The Bathla Group to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 & 148 Donnison Street, Gosford, NSW. The project is located within the Central Coast LGA and has been approved as a State Significant Development (SSD-9813) under Part 4 (Division 4.1) of the *Environmental Planning & Assessment Act* (1979). Following determination of the SSD application, it was noted that any future development applications should be accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR).

This report details the results of the archaeological assessment of the site, prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010) (the Code of Practice). This report has been prepared in accordance with requirement C17 of the project approval.

The project proposes the construction of five residential and mix-use towers within the study area. These works will also include underground car parking, landscaping and services such as telecommunications, water and electricity. The study area is approximately 1.4 hectares and currently contains the former Gosford Town Shopping Centre, and a vacant block of land in the south east corner. It is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and businesses that border the remaining areas of the former shopping complex.

A previous Aboriginal cultural heritage due diligence assessment of the study area undertaken by Extent Heritage Advisors in June 2019 did not identify any Aboriginal sites. Their investigation included a review of Aboriginal archaeological and heritage assessments completed in the surrounding area, as well as consideration of the environmental background and a pedestrian survey. The site was assessed as being heavily impacted by the construction of the current shopping mall, that is now derelict, and other former buildings. It was proposed that these works would have truncated the upper soil profile by at least 1m, which is the soil profile that most likely would have contained cultural material. With regards to the vacant lot in the southeast corner, the report stated that it would have been impacted by the construction of the surrounding multi-storey structures. It was recommended that works could proceed with caution.

Despite the results of this previous assessment, an ACHAR is required to meet conditions of the project approval, and therefore this report has been prepared in accordance with these requirements. This was completed in consultation with the Aboriginal communities.



A total of ten Aboriginal people and organisations registered an interest in being consulted for the project. The following list comprises the registered Aboriginal parties (RAPs) for the project:

- Darkinjung Local Aboriginal Land Council
- Amanda Hickey
- Awabakal Traditional Owners Aboriginal Corporation
- Awabakal and Guringai Pty Ltd
- Corroboree Aboriginal Corporation
- Gomeroy Consultation
- Gunjeewong Cultural Heritage
- Kamilaroi Yankuntjatjara Working Group
- Lower Hunter Aboriginal Incorporated
- Yurwang Gundana

The current investigation included a subsequent pedestrian survey that was undertaken by Apex Archaeology in December 2022. Although the Darkinjung Local Aboriginal Land Council confirmed a representative would be participating in this survey, they were unable to make it on the day due to unforeseen circumstances. The results of this survey, along with consideration of previous archaeological and heritage investigations within the surrounding area, and the past and current environment, found the entire site to have been completely impacted by previous constructions of buildings across the study area. Given the significant historical land disturbance that have occurred within the study-area boundaries, it was concluded that it is unlikely that any archaeological objects would be found in an intact context.

Based on the results of the cultural heritage and archaeological assessments, the following recommendations have been made for the project:

RECOMMENDATION 1: NO FURTHER ARCHAEOLOGICAL ASSESSMENT REQUIRED

This report details the archaeological potential of the site, which has been assessed as negligible. No further archaeological assessment is required for the site. No application for an Aboriginal Heritage Impact Permit (AHIP) is necessary, as no Aboriginal heritage sites would be impacted by the proposed works.

RECOMMENDATION 2: DEVELOPMENT BOUNDARIES

The proposed development works must be contained within the assessed boundaries for this project. If there is any alteration to the boundaries of the proposed development to include areas not assessed as part of this archaeological investigation, further investigation of those areas should be completed to assist in managing Aboriginal objects and places which may be present in an appropriate manner.



RECOMMENDATION 3: STOP WORK PROVISION

Should unanticipated Aboriginal archaeological material be encountered during site works, all work must cease in the vicinity of the find and an archaeologist contacted to make an assessment of the find and to advise on the course of action to be taken. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.

In the unlikely event that suspected human remains are identified during construction works, all activity in the vicinity of the find must cease immediately and the find protected from harm or damage. The NSW Police and the Coroner's Office must be notified immediately. If the finds are confirmed to be human and of Aboriginal origin, further assessment by an archaeologist experienced in the assessment of human remains and consultation with both Heritage NSW and the RAPs for the project would be required.

RECOMMENDATION 4: REPORTING

One digital copy of this report should be forwarded to the AHIMS registrar for inclusion on the AHIMS database.

One copy of this report should be forwarded to each of the registered Aboriginal stakeholders for the project.



Apex Archaeology acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation and in whose land this assessment took place, and to the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

DOCUMENT CONTROL

The following register documents the development and issue of the document entitled '136-146 & 148 Donnison Street, Gosford NSW: Aboriginal Cultural Heritage Assessment Report', prepared by Apex Archaeology in accordance with its quality management system.

Revision	Prepared by	Reviewed by	Comment	Issue Date
1 – Draft	Rebecca Bryant	Jenni Bate	Client Review	24 April 2023
2 – Draft	Jenni Bate	Bathla	RAP Review	9 June 2023
3 – Final	Jenni Bate	RAPs	Issue of final	30 August 2023



GLOSSARY OF TERMS

Aboriginal Object	An object relating to the Aboriginal habitation of NSW (as defined in the NPW Act), which may comprise a deposit, object or material evidence, including Aboriginal human remains.
ACHA	Aboriginal Cultural Heritage Assessment
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRs	<i>Aboriginal cultural heritage consultation requirements for proponents 2010</i>
AHIMS	Aboriginal Heritage Information Management System maintained by Heritage NSW, detailing known and registered Aboriginal archaeological sites within NSW
AHIP	Aboriginal Heritage Impact Permit
ASIRF	Aboriginal Site Impact Recording Form
BP	Before Present, defined as before 1 January 1950.
Code of Practice	The DECCW September 2010 <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i>
Consultation	Aboriginal community consultation in accordance with the DECCW April 2010 <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .
DA	Development Application
DECCW	The Department of Environment, Climate Change and Water (now Heritage NSW)
Disturbed Land	If land has been subject to previous human activity which has changed the land's surface and are clear and observable, then that land is considered to be disturbed
Due Diligence	Taking reasonable and practical steps to determine the potential for an activity to harm Aboriginal objects under the <i>National Parks and Wildlife Act 1974</i> and whether an application for an AHIP is required prior to commencement of any site works, and determining the steps to be taken to avoid harm
Due Diligence Code of Practice	The DECCW Sept 2010 <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i>
GIS	Geographical Information Systems
GSV	Ground Surface Visibility
Harm	To destroy, deface or damage an Aboriginal object; to move an object from land on which it is situated, or to cause or permit an object to be harmed
Heritage NSW	Heritage NSW within the Department of Premier and Cabinet; responsible for overseeing heritage matters within NSW
ka	Kiloannus, a unit of time equating to 1,000 years
LALC	Local Aboriginal Land Council
LGA	Local Government Area
NPW Act	<i>NSW National Parks and Wildlife Act 1974</i>
NPWS	National Parks and Wildlife Service
OEH	The Office of Environment and Heritage of the NSW Department of Premier and Cabinet (now Heritage NSW)
PAD	Potential Archaeological Deposit
RAPs	Registered Aboriginal Parties



CONTENTS

1.0	Introduction.....	1
1.1	Project Proponent.....	1
1.2	Study Area and Project Brief.....	1
1.3	Statutory Context	7
1.3.1	NSW Environmental Planning and Assessment Act 1979.....	7
1.3.2	National Parks and Wildlife Act 1974.....	8
1.3.3	NSW National Parks and Wildlife Regulation 2019.....	8
1.4	Objectives of the Aboriginal Cultural Heritage Assessment	9
1.5	Limitations.....	10
2.0	Aboriginal Consultation Process	11
2.1	The Consultation Process	11
2.2	Stage 1 Consultation: Commencement	12
2.3	Stage 2 & 3 Consultation: Presentation and Gathering of Information.....	13
2.4	Stage 4: Review of Draft Report	14
3.0	Summary and Analysis of Background Information.....	15
3.1	Description of the Study Area.....	15
3.2	Existing Environment	15
3.2.1	Geology, Soils and Topography	15
3.2.2	Flora and Fauna.....	16
3.2.3	Hydrology	16
3.3	Material Evidence of Aboriginal Land Use	17
3.3.1	AHIMS	17
3.3.2	Previous Archaeological Assessment.....	19
3.4	Ethnohistory	20
4.0	Aboriginal Cultural Heritage Significance Assessment	23
4.1	Introduction	23
4.2	Criteria	23
4.3	Significance Assessment	23
4.4	Cultural Significance Assessment	24
4.5	Statement of Archaeological Significance.....	24
5.0	Proposed Activity	25
5.1	Justification.....	25



6.0	Avoiding and Minimising Harm.....	26
6.1	Avoidance of Harm.....	26
6.2	Ecologically Sustainable Development	26
6.2.1	Intergenerational Equity.....	27
6.2.2	Cumulative Impacts.....	27
6.3	Aboriginal Community Input	27
7.0	Recommendations	28
8.0	Bibliography	30

APPENDICES

Appendix A: Correspondence Log

Appendix B: Step 1 Letters and Responses

Appendix C: Step 2 Letters and Responses

Appendix D: Advertisement

Appendix E: Methodology, Cover Letters and Responses

Appendix F: Draft Report Emails and Responses

Appendix G: Unexpected Finds Protocol

Appendix H: Archaeological Report

FIGURES

Figure 1: Study area in its regional context	2
Figure 2: Study area in its local context.....	3
Figure 3: Plan view of approved development layout (Source: Buchan 2022)	4
Figure 4: Approved elevations of development from Donnison Street (Source: Buchan 2022)	5
Figure 5: Approved elevations of development from William Street (Source: Buchan 2022) .	6
Figure 6: The Strahler system (Source: Department of Planning and Environment 2016).....	16
Figure 7: AHIMS sites within a 5km area of the study area.	18



1.0 INTRODUCTION

Apex Archaeology have been engaged to assist The Bathla Group to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 and 148 Donnison Street, Gosford, NSW. The project is located within the Central Coast LGA and has been approved as a State Significant Development (SSD-9813). Under the Conditions of Consent for Stage 1 Works, Part B (B1), an Aboriginal Cultural Heritage Assessment (ACHAR) in consultation with the local Aboriginal community must be submitted to the Planning Secretary for approval prior to commencement of demolition works.

This report has been prepared in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (April 2011); the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, April 2010) (the ACHCRs); and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010) (the Code of Practice). It has been prepared to inform the Development Application (DA) for the project.

1.1 PROJECT PROPONENT

The proponent for the project is The Bathla Group. The project manager for the project was Jaimin Desai from The Bathla Group.

1.2 STUDY AREA AND PROJECT BRIEF

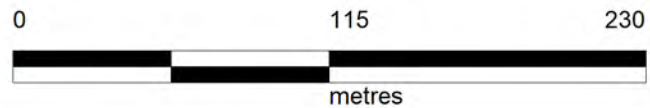
The study area is located at 136-146 and 148 Donnison Street Gosford, NSW and is approximately 77km north of the Sydney Central Business District CBD and 92 km southwest of Newcastle (Figure 1). The study area is within the Central Coast LGA and is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. It comprises approximately 1.4 ha and currently contains the Gosford Town Shopping Centre that is no longer occupied, and a vacant block of land in the southeast corner. It is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and business offices that border the remaining areas of the former shopping complex (Figure 2).

The proposed works (Figure 3, Figure 4 and Figure 5) will be undertaken in two stages. The first stage will involve the demolition of existing buildings and a substation, removal of existing on-site vegetation, extinguish easements and realignment of stormwater/sewer infrastructure. The next stage will involve the construction of three residential towers in the southern portion of the study area and two residential towers within the northern portions. Three of the towers will have commercial and/or retail spaces at the base the buildings, and the other two towers will have services at the base of the buildings. There is also proposed underground carparking, inground swimming pools and landscaping. These activities, along with





- Study Area
- Lot Boundary



Projection:
MGA Zone 56 (GDA 94)
Base Map:
NearMaps 2023
Image Date: 06/03/2023
Final - Version 1

Figure 2: Study area within its local context.



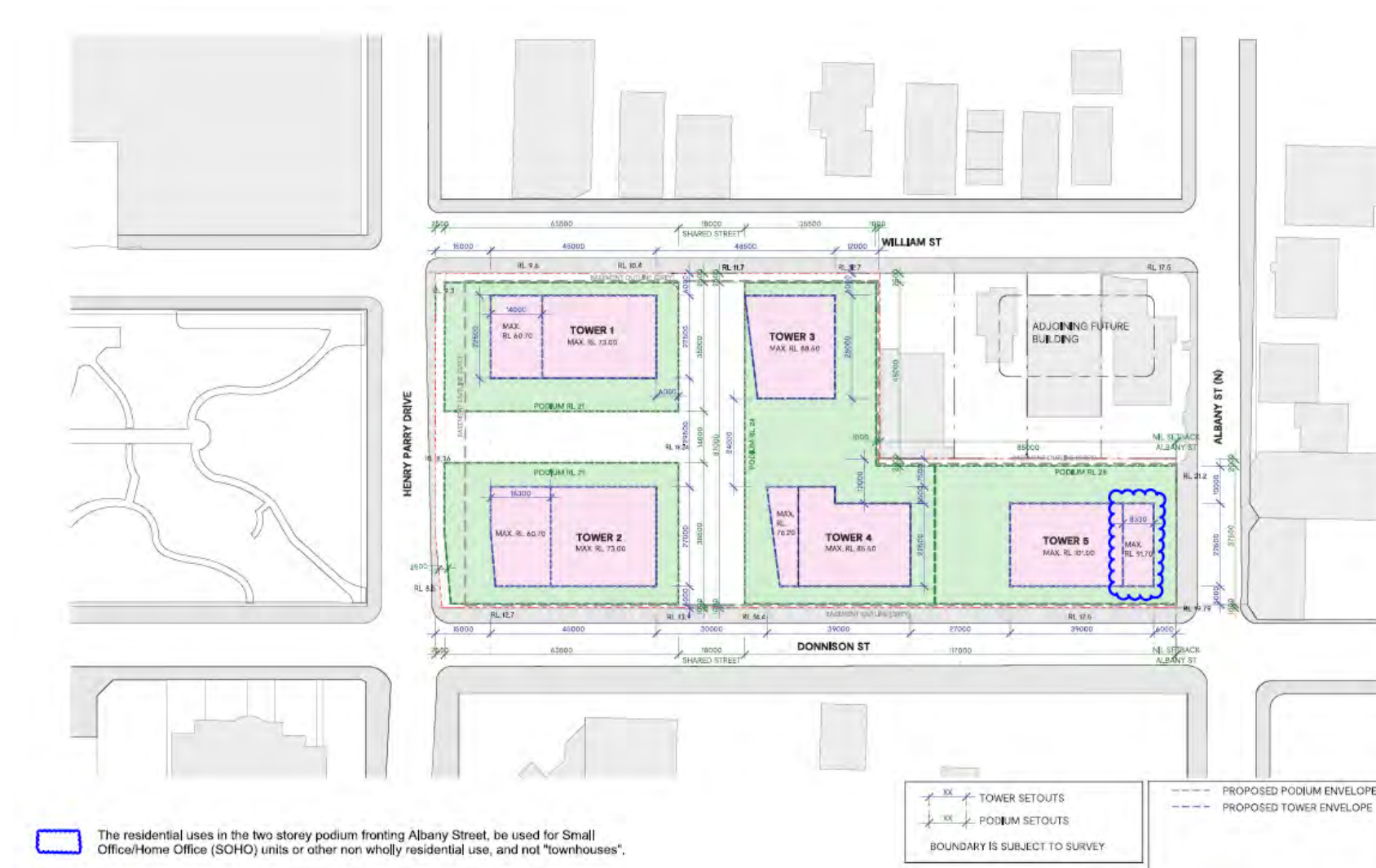


Figure 3: Plan view of approved development layout (Source: Buchan 2022)

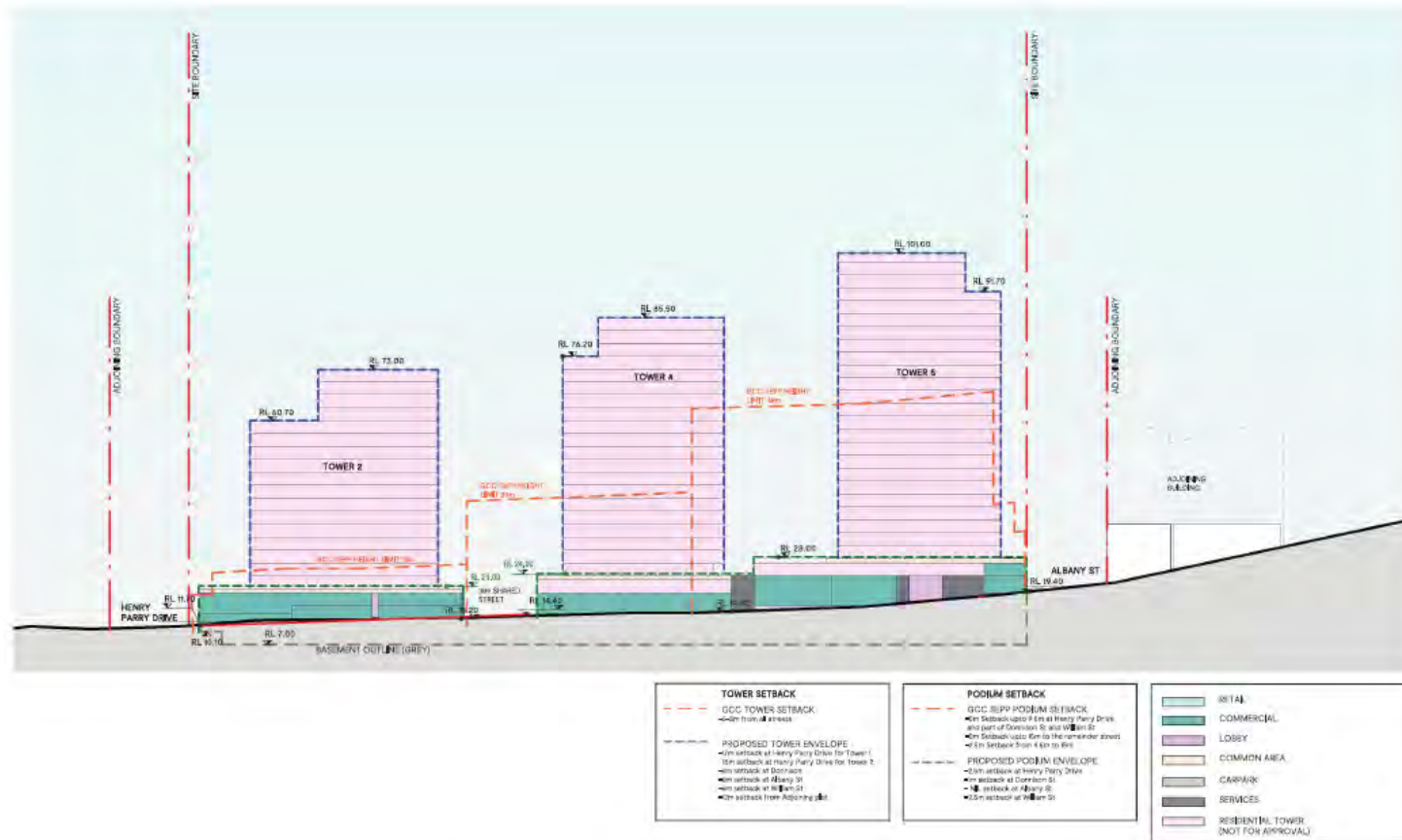


Figure 4: Approved elevations of development from Donnison Street (Source: Buchan 2022)

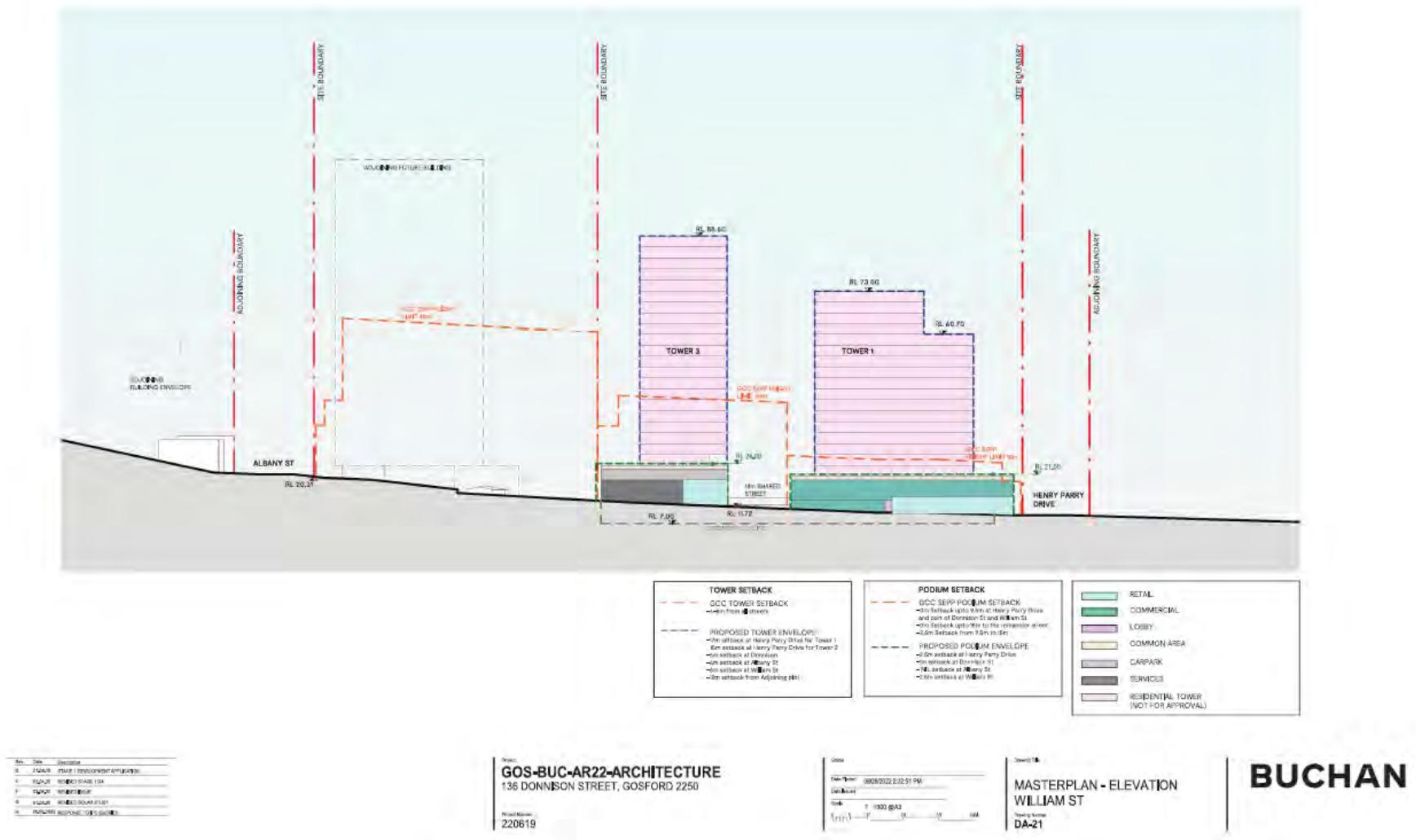


Figure 5: Approved elevations of development from William Street (Source: Buchan 2022)



the implementation of services such as water, electricity and telecommunications are expected to result in subsurface excavations and modification to the natural landscape. There is also a probability that excavated soil will be removed from the study area or redeposited within it, and other fill may be introduced to the site.

As all the above-mentioned activities may potentially impact any items of Aboriginal heritage, a more comprehensive investigation in the form of an Aboriginal cultural heritage assessment was required to determine the nature and extent of potential deposits within the study area, and whether any sites identified could be avoided by the proposed works.

1.3 STATUTORY CONTEXT

The current project has been approved as a State Significant Development (SSD-9813) under Part 4 (Division 4.1) of the *Environmental Planning & Assessment Act* (1979). Following determination of the SSD application, it was noted that any future development applications should be accompanied by an ACHAR. This report has been prepared in accordance with Requirement C17 of the project approval. In accordance with Requirement C16 of the project approval, an unexpected finds protocol has been prepared for the project. This is attached as an appendix to this report.

It is noted that the development consent for the project requires that, prior to commencement of demolition works on site, an ACHAR must be prepared in consultation with the Aboriginal community (Part B1 of development consent). B2 further outlined a process to waive the requirement to prepare an ACHAR; but much of the waiver process was similar to that required for preparation of an ACHAR, and as such it was determined it was most appropriate to undertake the ACHA process for the project.

1.3.1 NSW ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Part 4, division 4.7 State Significant Development of the EP&A Act outlines the requirements for assessment of State Significant Development. Section 4.41 outlines approvals and legislation that does not apply to SSD projects. This clause states:

1. The following authorisations are not required for State significant development that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such an authority do not apply)-
 - a) (repealed)
 - b) A permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
 - c) An approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
 - d) An Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1997*



- e) (repealed)
 - f) A bush fire safety authority under section 100B of the *Rural Fires Act 1997*
 - g) A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the *Water Management Act 2000*.
2. Division 8 of Part 6 of the *Heritage Act 12977* does not apply to prevent or interfere with the carrying out of State significant development that is authorised by a development consent granted after the commencement of this Division.
 3. A reference in this section to State significant development that is authorised by a development consent granted after the commencement of this Division includes a reference to any investigative or other activities that are required to be carried out for the purposed of complying with any environmental assessment requirements under this Part in connection with a development application for any such development.

The EPA Act is administered by the Department of Planning and Environment and the Minister will determine this project. In accordance with this act, there is no requirement to obtain consent from Heritage NSW under the provisions of s.90 of the NPW Act.

1.3.2 NATIONAL PARKS AND WILDLIFE ACT 1974

The *National Parks and Wildlife Act 1974* provides protection for all Aboriginal objects and places within NSW. Aboriginal objects are defined as the material evidence of the Aboriginal occupation of NSW, while Aboriginal Places are defined as areas of cultural significance to the Aboriginal community. All Aboriginal objects are protected equally under the Act, regardless of their level of significance. Aboriginal Places are gazetted if the Minister is satisfied that the location was and/or is of special significance to Aboriginal people.

Following amendments to the NPW Act in 2010, approval to impact Aboriginal cultural heritage sites is only granted under a Section 90 AHIP, which is granted by Heritage NSW in the Department of Premier and Cabinet. In this instance, the requirement to obtain an AHIP under Section 90 of the NPW Act is “switched off” by the requirements of the EPA Act.

1.3.3 NSW NATIONAL PARKS AND WILDLIFE REGULATION 2019

Part 5, Division 2 of the *National Parks and Wildlife Regulation 2019* addresses Aboriginal objects and places in relation to the NPW Act 1974, and outlines how compliance with relevant codes of practice can be met.

Clause 58(1) outlines the defence of low impact acts or omissions to the offence of harming Aboriginal objects, which includes maintenance works on existing roads and fire trails, farming and land management work, grazing of animals, activities on land that has been disturbed that is exempt or complying development, mining



exploration work, removal of vegetation (aside from Aboriginal culturally modified trees), seismic surveying or groundwater monitoring bores on disturbed ground, or environmental rehabilitation work (aside from erosion control or soil conservation works such as contour banks).

Clause 58(4) outlines the definition of 'disturbed land', as land that "has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable".

Clause 59 relates to the notification of Aboriginal objects and sites and Clause 60 relates to the requirements for the consultation process to support an AHIP application. The regulation sets out the requirements broadly in line with those outlined in the ACHCRs.

1.4 OBJECTIVES OF THE ABORIGINAL CULTURAL HERITAGE ASSESSMENT

The archaeological investigation was undertaken to meet the requirements of the Code of Practice and ACHCRs.

The purpose of the archaeological investigation is to understand and establish the potential harm the proposed development may have on Aboriginal cultural heritage within the study area, both tangible and intangible.

Aboriginal community consultation was undertaken for the project with the aim of:

- Identifying the Aboriginal community members who can speak for Country within which the study area is located;
- Involving the Aboriginal community in making decisions about the management of their cultural heritage;
- Identifying, assessing and recording Aboriginal heritage values within the study area;
- Preparing an assessment of the cultural heritage values in consultation with the Aboriginal community;
- Identifying the potential impact of the proposed development on the assessed cultural heritage values; and
- Developing conservation and mitigation strategies for these values, with the aim of minimising impacts to cultural heritage wherever possible.

In addition, this report provides a significance assessment of the identified Aboriginal heritage values, as defined by the registered Aboriginal stakeholders (RAPs) for the project. Aboriginal people are the primary determinants of the significance of their cultural heritage and therefore Apex Archaeology cannot make a determination on the cultural significance without the input of the RAPs.

Any development works which disturb the ground surface have the potential to impact Aboriginal archaeological deposits and therefore an assessment of whether



the study area contains such deposits is required prior to the commencement of construction works. An assessment of whether the proposed development would impact these deposits (if present) is also necessary, and identification of to what extent the deposits would be impacted is also required. The degree of impact which may be allowable is determined, in part, with consideration of the level of cultural significance attributed to the cultural values of the study area, both tangible and intangible.

1.5 LIMITATIONS

This report relies in part on previously recorded archaeological and environmental information for the wider region. This includes information from AHIMS, which is acknowledged to be occasionally inaccurate, due to inaccuracies in recording methods. No independent verification of the results of external reports has been made as part of this report.

It should be noted that AHIMS results are a record only of the sites that have been previously registered with AHIMS and are not a definitive list of all Aboriginal sites within an area, as there is potential for sites to exist within areas that have not previously been subject to archaeological assessment.

Field investigations for this report included a pedestrian survey. The results are considered to be indicative of the nature and extent of Aboriginal archaeological remains within the study area, but it should be noted that Aboriginal objects and sites which have not been identified as part of this assessment may be present within the wider area.

It is recognised that Aboriginal people are the primary determinants of the significance of their cultural heritage, and as such, Apex Archaeology have relied on the Aboriginal community to provide cultural knowledge regarding the site, where they are willing and able to share such knowledge. However, there may be occasions where RAPs are unwilling or unable to share cultural knowledge regarding the site and thus our assessment of significance relies on scientific assessment only.



2.0 ABORIGINAL CONSULTATION PROCESS

This section details the Aboriginal community consultation undertaken to assist in the heritage assessment of the study area. Aboriginal consultation in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* was undertaken by Apex Archaeology for this project.

Aboriginal community consultation is a requirement in order to make assessments of Aboriginal cultural values, as Aboriginal people are the primary determinants of the significance of their cultural heritage and therefore Apex Archaeology cannot make a determination on the cultural significance without the input of the RAPs. Aboriginal people often have a strong connection to their Country, and to their ancestors, both past and present.

Material evidence of past Aboriginal occupation of an area is a tangible link to the intangible traditions, lore, customs, beliefs and history. These intangible values provide a sense of belonging for Aboriginal people, and cultural heritage and cultural practices are kept alive through being incorporated into everyday life, which helps maintain a connection to the past and to the present. It is a vital part of the identity of Aboriginal people.

Therefore, it is important that Aboriginal people are afforded the opportunity to understand, comment on and have input into projects that may impact areas which may be culturally sensitive, or damage items of cultural significance. The process of Aboriginal community consultation provides this opportunity, and this ACHAR details the results of the consultation undertaken for this project.

2.1 THE CONSULTATION PROCESS

The *Aboriginal cultural heritage consultation requirements for proponents 2010* provide the process for undertaking consultation with the Aboriginal community. This process includes identification, registration, engagement and consultation with those Aboriginal people who may have cultural knowledge which is relevant to determining the cultural significance of Aboriginal objects and places which may be within the study area.

The Consultation Guidelines detail a number of stages for consultation, as follows:

- Identification of those people who should be consulted for the project
- Inviting Aboriginal people to register their interest in being consulted for the project
- Providing information regarding the nature and scope of the project to the Aboriginal people who have registered an interest in being consulted – the registered Aboriginal parties (RAPs)
- Providing opportunities for RAPs to comment on the proposed methodology for cultural heritage consultation



- Presenting information about the potential impacts of the proposed development for the RAPs to comment on
- Providing opportunities for RAPs to comment on the cultural significance of the proposed development area
- Providing opportunities for RAPs to comment on the draft reports detailing the results of the archaeological and cultural assessments for the project

2.2 STAGE 1 CONSULTATION: COMMENCEMENT

Stage 1 requires a list of Aboriginal people who may have cultural knowledge relevant to the area to be prepared from several sources of information. The first step requires enquiries to be made of certain statutory bodies regarding whether they are aware of Aboriginal people or organisations that may have an interest in the study area, and their contact details. Any Aboriginal people or organisations identified in this step must be contacted and invited to register an interest in the project. In addition, a notification must be placed in local print media requesting Aboriginal people or organisations to register their interest in the project. A list of those who register an interest must be compiled. A minimum of 14 days from the date of the letter or newspaper advertisement must be allowed for registrations of interest.

As a result of the Stage 1 activities, a list of Aboriginal people who wish to be consulted for the project is developed. These Aboriginal people become the registered Aboriginal parties – the RAPs – for the project.

Letters requesting the details of Aboriginal people who may hold cultural knowledge relevant to the study area and who may wish to be consulted for the project were sent to several statutory agencies on 10 October 2022. Copies of these letters and responses are attached in Appendix B. These Step 1 letters were sent to the following agencies:

- Heritage NSW
- Local Land Services (LLS)
- Central Coast Council (CCC)
- Darkinjung Local Aboriginal Land Council (DLALC)
- Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW) (ORALRA)
- Native Title Services Corp (NTSCorp)

Responses were received from Heritage NSW, LLS, CCC and DLALC. Heritage NSW provided a list of Aboriginal people and organisations, LLS advised that Heritage NSW should be contacted regarding a contact list for Aboriginal communities, CCC advised to contact Darkinjung LALC, and DLALC emailed to express interest in registering for the project. The organisations provided by the agencies were invited to participate in consultation for the project.



An online search of the National Native Title Tribunal (NNTT) did not identify any Native Title Applications or Native Title Registrations over the study area.

The Aboriginal people and organisations identified during this initial stage were contacted via letter (email if provided or via post if no email address given) on 25 October 2022, inviting them to register an interest in the project. Registrations were accepted until 8 November 2022. This is Step 2 of Stage 1 of consultation. Copies of these letters are attached in Appendix C.

In addition, an advertisement was placed in the Newcastle Herald on 25 October 2022, inviting registrations of interest from people who may have cultural knowledge of the project area. A copy of the advertisement is attached in Appendix D.

A total of ten Aboriginal people and organisations registered an interest in being consulted for the project. The following list comprises the registered Aboriginal parties (RAPs) for the project:

- Darkinjung Local Aboriginal Land Council
- Amanda Hickey
- Awabakal Traditional Owners Aboriginal Corporation
- Awabakal and Guringai Pty Ltd
- Corroboree Aboriginal Corporation
- Gomeroy Consultation
- Gunjeewong Cultural Heritage
- Kamilaroi Yankuntjatjara Working Group
- Lower Hunter Aboriginal Incorporated
- Yurwang Gundana

2.3 STAGE 2 & 3 CONSULTATION: PRESENTATION AND GATHERING OF INFORMATION

During Stage 2, information about the proposed project is provided to the RAPs, including location, scale, proposed development plans, timeframes, methodologies and any other relevant details relating to the project. This information can be provided in writing or at a meeting (or both), and an opportunity for the RAPs to visit the site may also be provided.

During Stage 3, RAPs are invited to share information about the cultural significance of the study area, which can assist in the assessment of the cultural significance of the Aboriginal objects and/or places within the study area. The cultural heritage assessment informs and integrates with the scientific assessment of significance and therefore can assist in the development of mitigation and management measures for the project. A methodology detailing how this information will be gathered must be provided to the RAPs for comment and a minimum of 28 days must be allowed for responses to be received. Any feedback must be considered and implemented as appropriate into the methodology.



Stage 2 and 3 can be undertaken concurrently. The information about the project and the methodology for seeking cultural knowledge can be provided in the same written documentation or at the same meeting.

Details of the proposed project and the proposed methodology for undertaking the cultural heritage and archaeological assessments for the project were provided in writing to each of the RAPs on 9 November 2022. Comments were accepted until 6 December 2022. Responses were received from the following Groups:

- Kamilaroi Yankunytjatjara Working Group
- Yurwang Gundana

Yurwang Gundana agreed with the methodology and expressed an interest in field work. KYWG advised that they agree with our recommendations, and they also recommended that a connecting to Country Component be undertaken with the guidance of the Aboriginal community. Rebecca Bryant from Apex Archaeology responded to KYWC and advised that Apex Archaeology have not been engaged to undertake a connecting to country component but will include KYWG's comments in the report to the client. The RAP responses are attached in Appendix E.

No other comments were received from any of the other RAPs for the project, and no specific cultural information pertaining to the study area was received from any of the RAPs for the project during this stage of consultation.

2.4 STAGE 4: REVIEW OF DRAFT REPORT

Stage 4 sees the preparation of the draft ACHAR, which details the results of the cultural heritage assessment. The draft is provided to the RAPs for their review and comment. A minimum of 28 days to comment on the ACHAR must be allowed. All comments must be addressed in the final document and the proponent's response to RAP comments must be included. Copies of any submissions received from RAPs must be included in the final ACHAR.

The draft report was provided to all RAPs on 9 June 2023, with comments accepted until 7 July 2023. Two responses were received, from Guringai and Darkinjung LALC. Both were positive. DLALC noted their approval of the recommendation for works to cease in the event of unexpected finds during works, and further consultation occurring with the RAPs in this event. No other comments were received. Copies of this consultation are attached in Appendix F.



3.0 SUMMARY AND ANALYSIS OF BACKGROUND INFORMATION

This section presents information about both the physical and cultural landscape in which the study area is located, as well as previous archaeological and ethnohistorical studies, to provide context and background to the existing knowledge of Aboriginal culture in the area.

3.1 DESCRIPTION OF THE STUDY AREA

The study area is located at 136-146 and 148 Donnison Street Gosford, NSW and is approximately 77km north of the Sydney CBD and 92km southwest of Newcastle (Figure 1 and Figure 2). The study area is within the Central Coast LGA in Northumberland County and within the Gosford Parish. It is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292 and comprises approximately 1.4ha. The study area currently contains the Gosford Town Shopping Centre that is no longer occupied, and a vacant block of land in the southeast corner. It is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and business offices that border the remaining areas of the former shopping complex.

3.2 EXISTING ENVIRONMENT

The study area is located within the geological structure known as the Sydney Basin, which is roughly bounded by the Great Dividing Range to the west, the coast to the east, Newcastle to the north and Durras, near Batemans Bay, to the south. The current study area is at the base of a coastal sandstone ridge that traverses in a northwest to southeast direction through Kantandra and Rubalara Reserve that are situated just east of the study area. The land encompassing the study area slopes in a moderate to gentle, north – south and west-east direction toward the harbour within Brisbane Waters, approximately 600m to the south. The study area is within the city of Gosford which has been extensively modified through land reclamation along the harbour front, quarrying of sandstone from the surrounding cliffs, and residential and commercial development. The immediate study area has been impacted by the construction of buildings that extend to the boundaries of the study area.

3.2.1 GEOLOGY, SOILS AND TOPOGRAPHY

The western section of the study area is mapped as being on disturbed terrain. This would have been a result of the reclamation works undertaken along the Gosford foreshore in the late 1930s. The eastern section is mapped as being within the Erina Soil Landscape that comprises yellow to red podzolic soils that varying in depth from approximately 100cm to over 200cm, depending on where they are in the landscape. The soils occur on rolling hills and foot slopes but are prone to very high erosion. The underlying geology for this soil type is within the Narrabeen Group that consists of lithic and quartz sandstone and siltstone, minor sedimentary breccia, claystone and conglomerate. The elevated cliffs bordering the study are Hawkesbury sandstone

that lies above the Narrabeen Group. This is finer grained and has been heavily quarried in the area for commercial use, including directly to the east of the current study area.

3.2.2 FLORA AND FAUNA

Although there is nothing left of the original landscape within the study area it would have consisted of tall open-forest (wet sclerophyll forest) with open – heath. Common species of the open-forest include spotted gum *Eucalyptus maculata*, grey ironbark *E. paniculata* and forest oak *Allocasuarina torulosa*. Turpentine gum *Syncarpia glomulifera* and Sydney blue gum *E. saligna* would have also been common (NSW Government SEED 2022). Many of these would have provided resources for Aboriginal people, either for dietary needs or to provide tools and implements.

3.2.3 HYDROLOGY

There are a number of unnamed natural drainage lines to the east of the area within Rumbalara Reserve that is situated in the elevated cliff area to the east. They do not appear to feed into any other surrounding creek systems so it is unclear if these would have provided reliable fresh water. The closest permanent water source would have been Narara Creek, approximately 2km to the west of the study area. However, this creek feeds into the tidal waters of Brisbane Water Bay so it is likely to have been salty or brackish for a considerable way upstream.

Watercourse classification ranges from first order through to fourth order (and above), with first order being the lowest, ie a minor creek or ephemeral watercourse, and fourth or above being a large watercourse such as a river (Figure 6), as defined by the Department of Planning and Environment (DPE). This classification is recognised as a factor which helps the development of predictive modelling in Aboriginal archaeology in NSW. Although Nara Creek is classified as a third order creek this classification system is not applicable as it is not known if the section of the creek closest to the study area would have provided a permanent water supply for Aboriginal people.

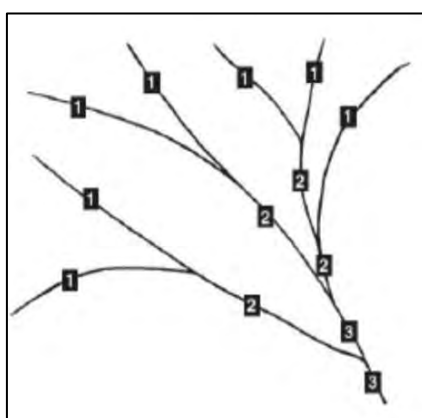


Figure 6: The Strahler system (Source: Department of Planning and Environment 2016).



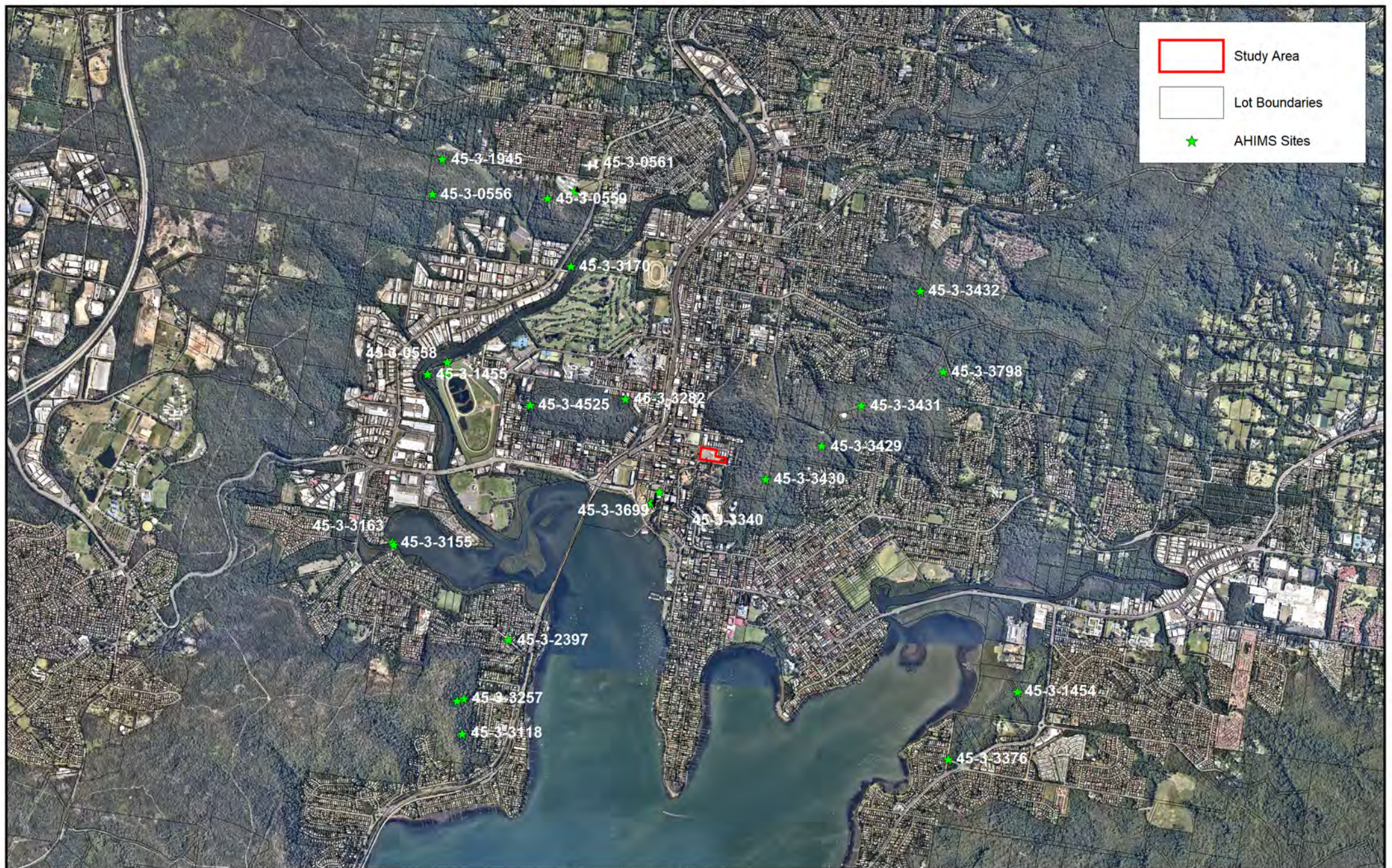
3.3 MATERIAL EVIDENCE OF ABORIGINAL LAND USE

3.3.1 AHIMS

An extensive 5km search centred on the study area was conducted of the AHIMS Register on 08 November 2022. A total of 25 sites were found to be registered as 'valid' (Figure 7). As can be seen in (Table 2) a wide variety of sites have been identified within 5km of the study area including shell middens, isolated stone artefacts and stone artefact scatters, grinding grooves and engravings and pigment art. Just under half of these were in rockshelters and the remaining were in open areas.

Table 1 Summary of registered Aboriginal heritage sites on AHIMS with 1km of the study area

Site ID	Site Name	Site features	Context
45-3-3155	Fagan's Bay	Shell: Artefact	Open Site
45-3-3163	Fagan's Bay	Shell: Artefact	Open Site
45-3-3118	BWNP Midden SWD Talinga Ave	Shell: Artefact	Closed Site
45-3-2397	Brisbane Water N.P	Art (pigment or engraved)	Closed Site
45-3-1454	Erina Avoca Drive	Shell: Artefact	Open Site
45-3-1455	Old Gosford Rd, Gosford Racecourse	Shell: Artefact	Open Site
45-3-0556	Narara	Art (pigment or engraved)	Closed Site
45-3-0558	Gosford, Narara Ck	Shell: Artefact	Open Site
45-3-0559	Gosford	Shell: Artefact	Closed Site
45-3-0561	Gosford	Grinding Groove: Artefact	Closed Site
45-3-1945	Strickland S.F. Two Hands and Charcoal SWA	Grinding Groove: Art (Pigment or Engraved)	Closed Site
45-3-3170	NC-M-1 (Gosford)	Shell	Open Site
45-3-3257	B.W.N.P. Point Claire; Stencil and Drawing SWA	Art (Pigment or Engraved): Shell	Closed Site
45-3-3282	Shelter with deposit	PAD; Shell	Closed Site
45-3-3340	Dane Drive PAD	PAD	Open Site
45-3-3376	Avoca Drive PAD	AD	Open Site
45-3-1456	Old Gosford Road (Gosford Racecourse)	Shell: Artefact	Open Site
45-3-3429	Rumbalara 1	Shell: Artefact	Closed Site
45-3-3430	Rumbalara 2	Artefact	Open Site
45-3-3431	Rumbalara 3	Artefact	Open Site
45-3-3432	Rumbalara 4	Shell: Artefact	Closed Site
45-3-3798	Rumbalara 5	Art (pigment or engraved)	Open Site
45-3-3699	ATO Mann Street	Artefact	Open Site
45-3-4373	Additional information from 45-3-3257	Art (pigment or engraved)	Closed Site
45-3-4525	Gosford CBD1	Shell	Open Site





3.3.2 PREVIOUS ARCHAEOLOGICAL ASSESSMENT

A number of previous archaeological assessments and research projects have been undertaken in the Central Coast region and within the immediate vicinity and current study area Table 3. In summary these have demonstrated that the whole of the region has been used by the Aboriginal people for at least the last 11,000 years. The combination of geology and climate within the Central Coast region created varied landscapes with numerous rivers and creeks that contained a plethora of natural resources that were used in their daily lives and would also have played a significant part in economic exchanges systems and ceremonial lives of Aboriginal people. However, the more recent archaeological assessments and excavations within the immediate study area have identified very little archaeological material. The few subsurface archaeological excavations that have been undertaken within Gosford area have been concentrated near the foreshore where there is a large amount of fill. Only a couple of stone artefacts have been located here in a disturbed context. Unfortunately, Gosford City has been heavily impacted by development since the 1800's that would have destroyed the majority of surface and subsurface archaeological material before it had been identified.

As with the registered Aboriginal sites, these studies and assessments are discussed in more detail in the Apex Archaeology (2023) Archaeological Report attached to this ACHA.

Table 2: Previous heritage assessments undertaken by archaeological consultants in the region

Consultant/Researcher	Date	Sites Identified/Type of Assessment or Study	Region
Patricia Vinnicombe	1980	Predictive model	Gosford And Wyong
Jo McDonald Cultural Heritage Management	2001	None	Woy Woy
Val Attenbrow	2003	Discussion of previous sites	Mangrove Mountain
AHMS	2007	One	Gosford
Insite Heritage	2011	None	Koolewong
AHMS	2011	2 PADs	Terrigal
RPS Harper Somers O'Sullivan	2011	None	Somersby, near Gosford
Attenbrow and Kononenko	2017	Usewear and residue analysis undertaken on ground-edged artefacts	Central Coast region
Extent Heritage Advisors	2019	None	Gosford
Heritage Now	2020	1site identified	Kariong
Archaeological Management and Consulting Group	2020	None (1 previously identified)	Mann Street, Gosford
Kleinfelder	2022	None	Empire Bay



3.4 ETHNOHISTORY

Ethnohistorical evidence is based on the reports of colonisers and do not tend to include the Aboriginal perspective, leading to a Eurocentric view of Aboriginality. Additionally, historical records can be contradictory and incomplete regarding the exact tribal boundaries and locations of ceremonial or domiciliary activities of Aboriginal people pre-contact within the Central Coast region. Boot (2002:58) notes:

The problem associated with ethnohistoric documents include their tendency to record unusual, rather than everyday events, and their focus on religious behaviour to the exclusion of woman and children (Attenbrow 1976:34; Sullivan 1983:12.4).

According to the Darkinjung Local Aboriginal Land Council (2022) the traditional boundaries of Darkinjung (Darkinyung) land extend from the Hawkesbury River in the south, Lake Macquarie in the north, the McDonald River and Wollombi up to Mt Yengo in the west and the Pacific Ocean in the east. Although it is not possible to determine how long these boundaries have existed, relatively recent research undertaken by the Australian Museum in conjunction with the University of New England shows the movement of ground-edged stone artefacts within these areas. Attenbrow et al. 2017 published some of their findings from a long-term research project that matched Aboriginal ground-edged stone artefacts, such as hatchets (axes) found within the Sydney Basin to their original geological source. The results showed that a number of ground-edged artefacts found along the coastal areas of the Central Coast matched the Peats Ridge-Popran creek basalt within the Mangrove Mountain area that is within the traditional lands of the Darkinjung people. Additionally, ground-edged artefacts found within the Mangrove Mountain area were found to match a cobble source along the banks of the Nepean-Hawkesbury River in the Castlereagh area of western Sydney. As noted by Attenbrow (2017:181), historical accounts documented by members of the First Fleet noted that Governor Phillip embarked on a trip along the Hawkesbury-Nepean River where he spoke with Aboriginal people collecting stones to make hatchets. Analysis of the reports by linguists in 2008 concluded that the people Governor Phillip conversed with on the banks of the Hawkesbury were Darkinjung-speakers who lived in what is now the Central Coast region (Attenbrow 2017:181).

A review of numerous historical maps and documents published since the late 1800s by white settlers regarding the original Aboriginal inhabitants of the Central Coast area shows there are contradictory theories on the names of the peoples who lived here at the time of contact. Over the past eight years considerable discussion has centred on the use of name Guringai in connection to their traditional boundaries. According to Laurie Bimson (2022), a traditional owner and director of the Guringai Tribal Link Aboriginal Corporation, Guringai Country is proposed to extend from Lane Cove River in Sydney to Lake Macquarie. In 2015, the Aboriginal Heritage Office (AHO) that is based in Sydney and supports a number of local government councils issued a document 'Filling a Void'. This was in response to numerous inquiries they



had received by local councils and the general public regarding the historical use of the word 'Guringai'. The AHO notes that regarding the Sydney area, original documents from those on the First Fleet recognised that there was a distinction in language or dialect between the Aboriginal people of the coast, inland and those further north of Broken Bay, but there was no record of the word Kuring-gai in the early accounts.

The AHO outlined that John Fraser's 1892 book was the first to state that the 'Kuringai' was a 'tribe' that stretched from the Macleay River (Northern Tablelands and Mid North Coast) to south of Sydney. It was suggested that it is possible that Fraser was influenced by the name of the Gringai tribe of the Hunter River district and 'kuri' for men. Variations of this name were then subsequently used by a number of researchers. In the 1960s linguist Arthur Capel reanalysed the south central coastline and identified that the Kuringgai (Guringai) was spoken on the north side of Port Jackson and extended to Tuggerah Lakes. Helen Brayshaw, a consultant archaeologist who completed her PhD on the Aboriginal people of the Hunter River district also noted that the 'Gringai' lived near the junction of the Paterson and Allyn Rivers in the Hunter region but refers to the 'kuringgai', following Fraser and Capel, as living in both north and south of Broken Bay.

As noted by the AHO other researchers did not support the existence of the Guringai's traditional boundaries to extend into the Sydney and Central Coast areas. For example, Scott and Bennett in 1873 referred to the 'Gringai tribe' as a sub-branch of numerous native people that once inhabited the lower portions of the Hunter and Karuah valleys. Additionally, entomologist, ethnologist and anthropologist Norman Tindale who produced the Australia-wide tribal boundaries map showing the distribution of the Aboriginal tribes of Australia removed Fraser's 'kuringgai' geographic range entirely. More recently an article published in the Koori Mail (December 4, 2019) by Mr Bob Syron, a Registered Aboriginal Owner of Worimi Guringai Lands, stated that his language group, Guringay/Gringai has been extensively recorded from the Port Stephens, Barrington and Dungog areas.

Although there is conflicting historical documentation of the people who once inhabited the Gosford area it is apparent that a thriving Aboriginal population inhabited the area prior to colonisation, and the arrival of European settlers dramatically and negatively impacted the Aboriginal people of the Central Coast Region.

In general, it is believed that Aboriginal society was constructed of a hierarchy of social levels and groups, with fluid boundaries (Peterson 1976). The smallest group comprising a family of a man and his wife/wives, children and some grandparents, referred to as a 'clan' (Attenbrow 2010). These clans formed bands, which were small groups of several families who worked together for hunting and gathering purposes (Attenbrow 2010). Regional networks were formed containing a number of



bands that generally shared a common language dialect and/or had a belief in a common ancestor. Networks would come together for specific ceremonial purposes.

The traditional lifestyles of Aboriginal groups depended largely on the environment in which they lived. Whilst coastal groups utilised marine and estuarine resources, hinterland groups relied on freshwater and terrestrial animals and plants. Gosford is within the coastal region which would have had an abundance of fish, shell fish and crustaceans, as well as small animals such as wallabies, possums, small birds and reptiles. These animals along with a variety of plant resources were available year-round within the Central Coast region and would have formed part of the Aboriginal peoples' diet.



4.0 ABORIGINAL CULTURAL HERITAGE SIGNIFICANCE ASSESSMENT

4.1 INTRODUCTION

Cultural or social significance can be defined as relating to the spiritual, traditional, historical and/or contemporary associations and values attached to a place or objects by Aboriginal people. Further, the tangible and intangible evidence of their cultural heritage is valued by Aboriginal people as it forms an essential part of their cultural identity and their connection to Country (DECCW 2010a).

The *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010a) acknowledge that:

- Aboriginal people have the right to maintain their culture, language, knowledge and identity
- Aboriginal people have the right to directly participate in matters that may affect their heritage
- Aboriginal people are the primary determinants of the cultural significance of their heritage

Undertaking consultation with Aboriginal people ensures that potential harm to Aboriginal objects and places from proposed developments is identified and mitigation measures developed early in the planning process.

4.2 CRITERIA

The Burra Charter is considered an appropriate framework for the assessment of cultural heritage, which can be made based on the following assessment criteria:

- **Social value:** Also referred to as cultural value, this criterion considers the spiritual, traditional, historical or contemporary associations an area or place has for Aboriginal people
- **Historic value:** the relationship between a place and people, events, phases or activities of importance to the Aboriginal community
- **Scientific value:** assessment under this criterion considered the ability of a landscape, place, area or object to inform scientific research and/or analysis and to assist in answering research questions
- **Aesthetic value:** the ability of a place, area, landscape or object to demonstrate aesthetic characteristics, or possess creative or technical values

These should be graded so as to allow the significance to be described and compared as high, moderate or low.

4.3 SIGNIFICANCE ASSESSMENT

SOCIAL VALUE

The Aboriginal community are best placed to make a determination of the social or cultural value of the study areas. No specific comments regarding the social value



of the areas to Aboriginal people have been received from the RAPs to date, although it is noted that all areas with evidence of Aboriginal occupation hold significance to Aboriginal people.

HISTORIC VALUE

No previously recorded sites are located within the study area. The site is not known to have specific historic value to Aboriginal people.

SCIENTIFIC VALUE

No archaeological material was identified within the study area and it has been heavily disturbed by previous land use activities. It was not considered to hold value under this criterion.

AESTHETIC VALUE

Generally, aesthetic value is determined by the response evoked by a setting. The study area is not considered to have value under this criterion.

4.4 CULTURAL SIGNIFICANCE ASSESSMENT

Generally, all Aboriginal sites are of high significance and importance to the Aboriginal community, both locally and more broadly. The Aboriginal social or cultural value of the study area can only be determined by the Aboriginal community and to date, no comments have been received regarding the specific social significance of the study area.

4.5 STATEMENT OF ARCHAEOLOGICAL SIGNIFICANCE

The study area located at 136-146 Donnison Street, Gosford, is considered to have low Aboriginal cultural significance due to the lack of the cultural material present within the study area. It is acknowledged that the area was inhabited by Aboriginal people in the past and the evidence of this occupation existed within the wider area, even if it has subsequently been disturbed.



5.0 PROPOSED ACTIVITY

The proposed works will be undertaken in two stages. The first stage will involve the demolition of existing buildings and a substation, removal of existing on-site vegetation, extinguish easements and realignment of stormwater/sewer infrastructure. The next stage will involve the construction of three residential towers in the southern portion of the study area and two residential towers within the northern portions. There is also proposed underground carparking, inground swimming pools and landscaping. These activities, along with the implementation of services such as water, electricity and telecommunications are expected to result in subsurface excavations and modification to the natural landscape. There is also a probability that excavated soil will be removed from the study area or redeposited within it, and other fill may be introduced to the site.

5.1 JUSTIFICATION

The proposed works are for a mixed-use development that will contain residential apartments, business offices and retail outlets. The project will revitalise the Gosford area and provide business opportunities for the local community.



6.0 AVOIDING AND MINIMISING HARM

6.1 AVOIDANCE OF HARM

The study area does not contain Aboriginal archaeological evidence and thus no harm avoidance or mitigation is necessary.

6.2 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

It is a requirement of Section 2A(2) of the NPW Act to apply the principles of Ecologically Sustainable Development (ESD) when considering any impact to Aboriginal objects and places. ESD integrates economic and environmental considerations, which includes cultural heritage, into decision-making processes. In general, ESD can be achieved through consideration and implementation of two key principles, being intergenerational equity and the precautionary principle.

Intergenerational equity refers to the present generation having consideration for the health, diversity and productivity of the environment for those generations to come. In terms of Aboriginal cultural heritage, this relates to cumulative impacts to Aboriginal objects and places within a region. Intergenerational equity therefore relies on the understanding that a reduction in the number of Aboriginal objects and places within a region results in fewer opportunities for Aboriginal people to access their cultural heritage in the future. Thus, it is essential to understand what comprises the Aboriginal heritage resource, both known and potential, when assessing intergenerational equity within a region.

The precautionary principle relates to threats of serious or irreversible environmental damage, and that lack of scientific certainty regarding the degree of potential damage should not be a reason to postpone adequate reasonable measures to prevent harm to the environment. Regarding Aboriginal cultural heritage, the precautionary principle relates to where a proposed development may seriously or irreversibly impact Aboriginal objects or places, or their significance; and where there may be uncertainty relating to the integrity, rarity or representativeness of Aboriginal cultural values. The Code of Practice outlines that a precautionary approach should be taken to avoid or reduce damage to Aboriginal objects or places, with cost-effective measures implemented wherever possible. Additionally, a cumulative impact assessment should be completed to determine how the proposed development would impact the cultural resource in the wider region.

Consideration should be given to the significance of the sites present within an area, and whether they are able to transmit cultural information to future generations, or to act as teaching aids.

The study area is assessed as being of low cultural significance, based on the information available at this stage.



6.2.1 INTERGENERATIONAL EQUITY

As no Aboriginal cultural material was identified within the study area, it is considered that the impact of the development of this site would be negligible with regards to the ongoing transmission of cultural knowledge to future generations. The proposal is not considered to impact on intergenerational equity.

6.2.2 CUMULATIVE IMPACTS

The cumulative impact of the project on the Aboriginal cultural resource must be considered as part of an assessment, and managed appropriately and sensitively. Avoidance of impact is the best practice approach wherever possible, particularly for sites that are intact, contain high numbers of artefacts, or are considered significant to the community.

In terms of cumulative impact, the site does not contain evidence of Aboriginal occupation. Overall, it is considered that the proposal has negligible impact on the Aboriginal cultural heritage of the region.

6.3 ABORIGINAL COMMUNITY INPUT

The RAPs have been consulted as part of this project, and their input, where received, has been incorporated into the report and recommendations.



7.0 RECOMMENDATIONS

The following recommendations are made on the basis of:

- The statutory requirements of the NP&W Act 1974;
- The requirements of Heritage NSW;
- The results of the cultural and archaeological assessment;
- An assessment of the likely impacts of the proposed development; and
- The interests of the registered Aboriginal stakeholders and the cultural heritage record.

It was found that:

- There were no previously registered sites within the study area.
- No surface artefacts were identified during the survey.
- No areas considered to have potential for subsurface archaeological deposits were identified within the study area.
- The area was considered to be disturbed throughout due to historical clearance, land use practices and development.
- The site is not considered to contain potential for Aboriginal cultural material to be present.

The following recommendations have been made.

RECOMMENDATION 1: NO FURTHER ARCHAEOLOGICAL ASSESSMENT REQUIRED

This report details the archaeological potential of the site, which has been assessed as negligible. No further archaeological assessment is required for the site. No application for an Aboriginal Heritage Impact Permit (AHIP) is necessary, as no Aboriginal heritage sites would be impacted by the proposed works.

RECOMMENDATION 2: DEVELOPMENT BOUNDARIES

The proposed development works must be contained within the assessed boundaries for this project. If there is any alteration to the boundaries of the proposed development to include areas not assessed as part of this archaeological investigation, further investigation of those areas should be completed to assist in managing Aboriginal objects and places which may be present in an appropriate manner.

RECOMMENDATION 3: STOP WORK PROVISION

Should unanticipated Aboriginal archaeological material be encountered during site works, all work must cease in the vicinity of the find and an archaeologist contacted to make an assessment of the find and to advise on the course of action to be taken. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.



In the unlikely event that suspected human remains are identified during construction works, all activity in the vicinity of the find must cease immediately and the find protected from harm or damage. The NSW Police and the Coroner's Office must be notified immediately. If the finds are confirmed to be human and of Aboriginal origin, further assessment by an archaeologist experienced in the assessment of human remains and consultation with both Heritage NSW and the RAPs for the project would be required.

RECOMMENDATION 4: REPORTING

One digital copy of this report should be forwarded to the AHIMS registrar for inclusion on the AHIMS database.

One copy of this report should be forwarded to each of the registered Aboriginal stakeholders for the project.



8.0 BIBLIOGRAPHY

Aboriginal Heritage office, 2015. *Filling a Void: a review of the historical context for the use of the word 'Guringai'*. Aboriginal Heritage Office

Archaeological Management & Consulting Group. 2020. *Final Archaeological Report: ATO Development 38 Mann Street, Gosford NSW*. Report to BLOC Pty Ltd.

Archaeological Management & Consulting Group. 2020, *Aboriginal Cultural Heritage Assessment Report Lot 11 DP 1250131, Lots 2-7 DP 14761 and Lot 469 DP821073 Central Coast Quarter 26-32 Mann Street, Gosford*. Report to SH Gosford Residential Pty Ltd

Archaeological and Heritage Management Solutions. 2011, *Aboriginal and Historical Archaeological and Cultural Heritage Assessment: 5 Lands Coastal Walkway*. Report to Andrews Neil Urban Design Group.

Attenbrow,V. 2003. Habitation and land use patterns in the Upper Mangrove Creek catchment, New South Wales central coast, Australia. *Australian Archaeology*, Vol 57 (1):20-31.

Attenbrow, V. 2010, *Sydney's Aboriginal Past: Investigating the archaeological and historical records*. UNSW Press, Sydney (Second Edition).

Attenbrow,V, Corkill, T., Pogson, R., Sutherland, L, Grave, P. 2017. 'Non-destructive Provenancing of Ground-Edged Mafic Artifacts: A Holocene Case Study from the Sydney Basin, Australia'. *Journal of Field Archaeology* 42(3): 173-186.

Attenbrow,V. and Kononenko, N. 2017. *Microscopic Revelations: The Forms and Multi Uses of Ground-edged Artefacts of the New South Wales Central Coast*. Australia. Technical Reports of the Australian Museum

Attenbrow, V., Corkill, T., Pogson, R., Sutherland, L. and Grave, P. 2017 *Non-destructive Provenancing of Ground-Edged Mafic Artifacts: A Holocene Case Study from the Sydney Basin, Australia*. *Journal of Field Archaeology* 42 (3):173-186.

Boot, P. 2002, *Didthul, Bhundoo, Gulaga and Wadbilliga: An Archaeological Study of the Aboriginals of the New South Wales South Coast Hinterland*. Thesis submitted for the degree of Doctor of Philosophy of the Australian National University.

Bowdler, S. 1970, *Bass Point: The Excavation of a South East Australian Shell Midden Showing Cultural and Economic Change*. Unpublished BA (Hons) Thesis, University of Sydney, Sydney.

Bowdler, JM., Johnston, H., Olley JM., Prescott, JR., Roberts, RG., Shawcross, W and Spooner, N. 2003, 'New ages for human occupation and climactic change at Lake Mungo, Australia.' *Nature* Vol 421:30, pp.837-840.



Brimson, L. 2022 My Story . Guringai Aboriginal Stories. Accessed February 2023 at <https://www.guringaitours.com.au/about/>

Corkill, T. 2005. "Sourcing Stone from the Sydney Region: A Hatchet Job." *Australian Archaeology* 60: 41–50.

Clarkson, C., Smith, M., Marwick, B., Fullagar, R., Wallis, L., Faulkner, P., Manne, T., Hayes, E., Roberts, R., Jacobs, Z., Carah, X., Lowe, K., Matthews, J and Florin, S. 2015, The archaeology, chronology and stratigraphy of Madjedbebe (Malakunanja II): A site in northern Australia with early occupation. *Journal of Human Evolution*. 83:46–64

DECCW 2010a. *Aboriginal cultural heritage consultation requirements for proponents 2010*. DECCW, Sydney South.

DECCW 2010b. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

DECCW 2010c. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

Eades, D.K. 1976, *The Dharawal and Dhurga Languages of the NSW South Coast*, Australian institute of Aboriginal Studies, ANU, Canberra.

Extent Heritage Advisors. 2019. *Aboriginal Heritage Due Diligence: 136-146 and 148 Donnison Stret, Gosford*. Report to Lederer Group

Fitzhardinge, L. F. 1979, *Sydney's First Four Years, A Narrative of the Expedition to Botany Bay and a Complete Account of the settlement of Port Jackson 1788 – 1791 by Captain Watkin Tench of the Marines*. Library of Australian History: Sydney.

Grant, J. 1801, Extract from Ships journal in letter from Governor King to Duke of Portland. In *Historical Records of New South Wales*, Vol IV, Hunter and King 1800, 1801, 1802. Charles Potter, Government Printer, Facsimile Edition 1976.

Heritage Branch Department of Planning. 2009, *Assessing Significance for Historical Archaeological Sites and 'Relics'*. Heritage Council of NSW, Sydney.

Heritage Now. 2020. *Lot 512 and 513 DP727686 Woy Woy Road, Kariong Aboriginal Cultural Heritage Assessment*. Report to Darkinjung Local Aboriginal Land Council

Howitt, AW. 1904, *The Native Tribes of South-East Australia*. Macentimetresillan & Co. London.

Hughes, P & R Lampert. 1982, Prehistorical population changes in southern coastal New South Wales. In S. Bowdler (ed) *Coastal Archaeology in Eastern Australia: Proceedings of the 1980 Valla Conference on Australian Prehistory*. Pp 16-28. Occasional Papers in Prehistory 11. Department of Prehistory Research School of Pacific Studies, Australian National University, Canberra.



Insite Heritage Pty Ltd. 2011, *Aboriginal Cultural Heritage and Historical Cultural Heritage Assessment: proposed Koolewong Marina Koolewong, Central Coast, NSW*. Report to ADW Johnson on behalf of Gemsted Pty Ltd.

JoMcDonald Cultural Heritage Management.2001. Survey for Aboriginal Sites Bulls Hill Quarry, Woy Woy NSW

Kleinfelder. 2022, *Aboriginal Cultural Heritage Assessment: 437 Ward Hill Road Empire Bay NSW*. Report to Barnes Property Investments Pty Ltd.

JoMcDonald Cultural Heritage Management.2005, *Archaeological salvage excavation of site RTA-G1 109-113 George Street Parramatta*. Unpublished report to Landcom Pty Ltd.

Kuskie, P. and Kamminga, J. 2000 *Salvage of Aboriginal archaeological sites in relation to the F3 Freeway near Lenaghans Drive, Black Hill, New South Wales*. Unpublished report by Southeast Archaeology to Northern Region, Roads and Traffic Authority.

Kohen, JL., Stockton, ED., and Williams, MAJ. 1984, 'Shaws Creek KII rockshelter: a prehistoric occupation site in the Blue Mountains piedmont, eastern New South Wales'. *Archaeology in Oceania* 19(2):57-73.

Lampert, RJ. 1971, Coastal Aborigines of Southeastern Australia. In DJ Mulvaney and J Golson (Eds), *Aboriginal Man and Environment in Australia*. Pp 114-132. Australian National University Press, Canberra.

McDonald J. 2005, *Archaeological Salvage Excavation of Eight Archaeological Landscapes in the Second Ponds Creek Valley Rouse Hill Development Area, NSW*. Unpublished report to Rouse Hill Infrastructure Pty Ltd and Landcom.

McDonald, J. 2008, *Dreamtime superhighway: An analysis of Sydney Basin rock art and prehistoric information exchange*. *Terra Australis*. Australian National University E Press, Canberra.

Mulvaney, J & Kamminga, J. 1999, *Prehistory of Australia*. Allen & Unwin, Crows Nest.

Nicol, G & Sewell, J. 1793, *A Complete Account of the Settlement at Port Jackson in New South Wales, Including An Accurate Description of the Situation of the Colony; of the Natives; and Of Its Natural Productions*. London.

O'Connell, J.F and Allen, J. 2004. Dating the colonization of Sahul (Pleistocene Australia-New Guinea): a review of recent research. *Journal of Archaeological Science* 31:835-853.

OEH 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. OEH, Sydney South.



RPS Harper Somers O'Sullivan Pty Ltd. 2011, *Aboriginal and European Heritage impact Assessment for Hanson Central Coast Sand Quarry at Somersby near Gosford, NSW*. Report to Hanson Construction Materials Pty Ltd.

Smith, MA. 2013, *The Archaeology of Australia's Deserts*. Cambridge University Press, New York.

Stockton, ED. 1973. 'Shaws Creek Shelter: Human Displacement of Artefacts and its significance.' *Mankind* 9: 112-117

Stockton, ED. & Holland, WN. 1974. 'Cultural sites and their environment in the Blue Mountains.' *Archaeology and Physical Anthropology in Oceania*. 9:36-65

SHP (Sue Hodges Productions). 2019. *Central Coast Council Gosford CBD Heritage Interpretation Strategy*. Report to Central Coast Council.

Tindale, N.B. 1974, *Aboriginal Tribes of Australia – Their Terrain, Environmental Controls, Distribution, Limits and Proper Names*. Online resource, accessed from <http://archives.samuseum.sa.gov.au/tribalmmap/index.html>



APPENDIX A: CORRESPONDENCE LOG

22172 136-146 Donnison Street, Gosford, NSW – Consultation Log

Date	Type of Consultation	Parties Contacted	Outcome
10/10/2022	Requesting details of Aboriginal individuals or organisations with cultural knowledge of the area and who may wish to participate in consultation (Section 4.1.1 of ACHCRs)	Heritage NSW	17/10/2022 – emailed letter received with list of stakeholders for Central Coast LGA
		Darkinjung LALC	11/10/2022 – email received requesting registration for the project and advising they would like to be involved in all aspects of the project
		(Greater Sydney) LLS	No response
		Central Coast City Council	No response
		NTSCorp	No response
		ORALRA	No response
		National Native Title Tribunal	No response
25/10/2022	Advertisement for registrations of interest for consultation from Aboriginal people or organisations with cultural knowledge relevant to the area	Advertisement placed in <i>Newcastle Herald</i>	No responses
25/10/2022	Letters sent to identified individuals and organisations from Section 4.1.1 of ACHCRs Letter sent via email if address provided; and by post where email not available	A1 Indigenous Services	No response
		Corroboree Aboriginal Corporation	24/10/2022-email received form Marilyn Johnson requesting registration.
		Kawul Pty Ltd trading as Wonn1 Sites	No response
		Lower Hunter Aboriginal Incorporated	26/10/2022 – email received requesting registration.
		Michael Green Cultural Heritage Consultant	No response
		WATTAKA Pty Ltd	No response
		Widescope Indigenous Group	No response
		Didge Ngunawal Clan	No response
		Yinarr Cultural Services	No response
		Awabakal Traditional Owners Aboriginal Corporation	05/11/2022 – email received requesting.

	Metropolitan Local Aboriginal Land Council	No response
	Kevin Duncan	No response
	Awabakal & Guringai Pty Ltd	24/10/2022 – email received requesting registration. Rebecca Bryant emailed Tracie to advise Kerrie Brauer is on the NSW Heritage list for this organisation as well. Tracie replied to advise that Kerrie should be listed for Awabakal Traditional Owners Aboriginal Corporation. RB advised she will do so.
	Awabakal Descendants Traditional Owners Aboriginal Corporation	02/11/2022 – email received from
	B-H Heritage Consultants	No response
	Kyle Howie	No response
	Trudy Smith	No response
	Yvette and Jackson Walker	No response
	Sharon Hodgetts	No response
	Darkinjung Local Aboriginal Land Council	No response
	Guringai Tribal Link Aboriginal Corporation	No response
	Tim Selwyn	No response
	Metropolitan Local Aboriginal Land Council	No response
	Amanda Hickey Cultural Services	28/10/2022 – email received requesting registration
	Phillip Pullbrook	No response
	Renee Sales	No response
	Gunjeewong Cultural Heritage Aboriginal Corporation	28/10/2022 – email received requesting registration
	Woka Aboriginal Corporation	No response
	Kamilaroi Yankuntjatjara Working Group	01/11/2022- email received requesting registration
	Gomery Cultural Consultants	28/10/2022 – Received email requesting registration

		Yurwang Gundana Consultancy Cultural Heritage Services.	31/10/2022 -email received requesting registration.
		Trent Hodgetts	No response
		Glen Morris	No response
09/11/2022	Provision of project information and methodology	Darkinjung LALC	No response
		Amanda Hicky	No response
		Awabakal and Guringai Pty Ltd	No response
		Awabakal Traditional Owners Aboriginal Corporation	No response
		Gomeroy	No response
		Corroboree Aboriginal Corporation	No response
		Gunjeewong	No response
		Kamilaroi Yankuntjatjara Working Group	16/12/2002 – received an email advising the group agrees with the information and methodology but suggested that there is room for a ‘connecting to country’ design for the project. Rebecca Bryant from Apex Archaeology replied and advised that although Apex Archaeology has not been engaged to undertake this, she would advise the clients of the group’s suggestions.
		Lower Hunter Aboriginal Incorporated	No response
		Yurwang Gundana Cultural Heritage	12/11/2022 - email received from Merekai Bell advising they agree with the Information and Methodology document and would like to be part of field work
5/12/2022	Site Survey Confirmation	Darkinjung LALC	Sent confirmation email to Matthew Syron for site inspection but did not receive a response
6/12/2022	Site Survey Confirmation	Darkinjung LALC	Contacted Darkinjung LALC to confirm site survey as hadn’t received a response from Matthew Syron. Was advised that Matthew was not in the office, but the booking was in the calendar.

7/12/2022	Site Survey	Darkinjung LALC	Unfortunately, Matthew was unable to undertake the field inspection due to an unforeseen emergency that day.
9/6/2023	Provision of draft report to all RAPs for comment	Darkinjung LALC	17/7/2023 – late response received stating that DLALC agreed area highly disturbed, and supporting recommendation for all work to cease and to “communicate with the Aboriginal community on next steps” in the event of unexpected finds.
		Amanda Hickey	No response
		Awabakal and Guringai Pty Ltd	12/06/2023 – email of thanks received from Tracey Howie.
		Awabakal Traditional Owners Aboriginal Corporation	No response
		Gomeroy	No response
		Corroboree Aboriginal Corporation	No response
		Gunjeewong	No response
		Kamilaroi Yankuntjatjara Working Group	No response
		Lower Hunter Aboriginal Incorporated	No response
		Yurwang Gundana Cultural Heritage	No response



APPENDIX B: STEP 1 LETTERS AND RESPONSES

From: rebecca@apexarchaeology.com.au
To: ["undisclosed recipients"](#)
Bcc: adminofficer@oralra.nsw.gov.au; ask@centralcoast.nsw.gov.au; corrine.quinlan@dlalc.org.au; darkinjung@dlalc.org.au; gs.service@lls.nsw.gov.au; heritagemailbox@environment.nsw.gov.au; information@ntscorp.com.au
Subject: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment
Date: Monday, 10 October 2022 3:59:08 PM
Attachments: [image001.png](#)
[22172 136-146 148 Donnison St Gosford Consultation letter -ACHA.pdf](#)

Good afternoon,

Please find attached a letter requesting contact details for any Aboriginal individuals or organisations who may be interested in being consulted for a project at 136-146. 148 Donnison Street, Gosford, NSW within the Central Coast Council LGA

Please feel free to contact me if you have any questions at all.

Warm regards,



10 October 2022

Establishing a Register of Interest for an Aboriginal Cultural Heritage Assessment – development proposal, 136-146 and 148 Donnison Street, Gosford, NSW

This letter is sent in accordance with Section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (ACHCRs) in order to initiate Stage 1 of the Aboriginal consultation process in relation to the above project.

The Bathla Group (the proponent) has engaged Apex Archaeology to assist in preparing an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 and 148 Donnison Street, Gosford, NSW (Figure 1 and Figure 2). The land is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. The project is located within the Central Coast LGA. The project is being assessed as part of a State Significant Development Application (SSDA) and the ACHA is required to address the Secretary's Environmental Assessment Requirements (SEARs) for the project under Schedule 3, Part B.

A process of Aboriginal community consultation in accordance with the ACHCRs is being initiated by Apex Archaeology on behalf of the proponent. Apex Archaeology will be undertaking a full archaeological assessment under the ACHCRs.

In accordance with Section 4.1.2 of the ACHCRs, I am writing to request any information you may have regarding Aboriginal stakeholders who may have cultural knowledge relevant to determining the significance of Aboriginal objects that may be located within the study area. Any identified Aboriginal individuals or organisations will be invited to register an interest in the project and participate in the consultation process.

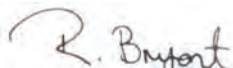
The proponent's project manager is Jaimin Desai who can be contacted via email at jaimin.desai@bathla.com.au

Information regarding Aboriginal stakeholders can be sent to PO Box 236, Nowra, NSW 2541, or rebecca@apexarchaeology.com.au. I am available to assist with any inquiries about the process and can be contacted by telephone on 0405 236 821.

We would appreciate a response within 14 days of the date of this letter wherever possible.

Kind regards,

Rebecca Bryant



Archaeologist
Apex Archaeology
E: rebecca@apexarchaeology.com.au
M: 0405 236 821



Figure 1: Location of study area (red flag within red circle) within Gosford (Source: SixMaps 2022)



Figure 2: Location of study area (shaded in red) within Gosford (Source: SixMaps 2022)

rebecca@apexarchaeology.com.au

From: rebecca@apexarchaeology.com.au
Sent: Tuesday, 1 November 2022 2:39 PM
To: 'Glenn Cannard'
Subject: RE: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment

Good afternoon Glenn,

Thank you very much for your reply.

I have contacted the Dakinjung LALC and they have registered for the project.

Warm regards,

Rebecca

From: Glenn Cannard <Glenn.Cannard@centralcoast.nsw.gov.au>
Sent: Monday, 31 October 2022 11:55 AM
To: rebecca@apexarchaeology.com.au
Subject: RE: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment

Hi Rebecca,

Apologies in the delayed response, this has just recently been brought to my attention.

Given the local situation Council generally advise you contact the local Darkinjung Local Aboriginal Land Council initially on matters related to cultural consultation with the local Aboriginal community.

There CEO is Brendan Moyle and he can be reached on brendan.moyle@dlalc.org.au

Kind Regards
Glenn

Glenn Cannard
Unit Manager
Community and Culture
Central Coast Council
P.O. Box 20 Wyong, NSW 2259
t: 02 4325 8348
m: 0417 386 449
e: Glenn.Cannard@centralcoast.nsw.gov.au



 Please consider the environment before printing this email

From: rebecca@apexarchaeology.com.au <rebecca@apexarchaeology.com.au>

Sent: Monday, 10 October 2022 3:59 PM

To: 'undisclosed recipients' <jenni@apexarchaeology.com.au>

Subject: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment

[EXTERNAL EMAIL] Do not click any links or attachments unless you have checked the sender and trust the content is safe. If you are unsure, please report this to I&T Service Desk via the Portal.

Good afternoon,

Please find attached a letter requesting contact details for any Aboriginal individuals or organisations who may be interested in being consulted for a project at 136-146. 148 Donnison Street, Gosford, NSW within the Central Coast Council LGA

Please feel free to contact me if you have any questions at all.

Warm regards,



rebecca@apexarchaeology.com.au

From: Matthew Syron <Matthew.Syron@dlalc.org.au>
Sent: Tuesday, 11 October 2022 10:50 AM
To: rebecca@apexarchaeology.com.au
Subject: 136-146 and 148 Donnison Street, Gosford, NSW

Yaama Rebecca,

Darkinjung LALC, would like to be involved in this upcoming Project and wish to kept up to date with any processes that we may be able to help with.

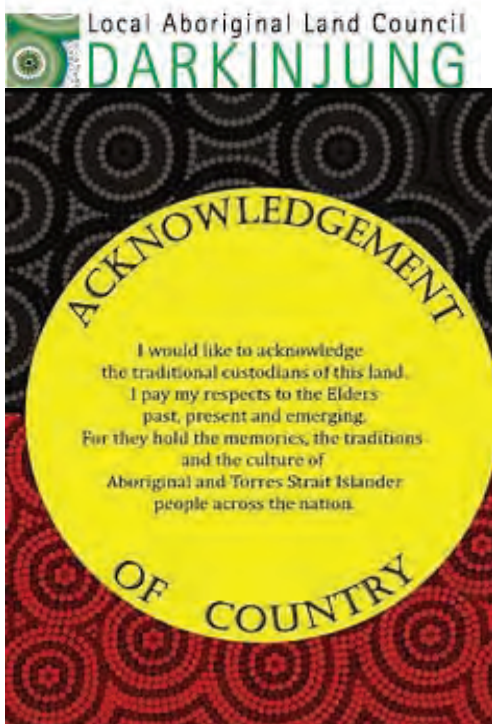
Please let me know of any site meetings planned as I would very much like to attend and as our books are filling up quick I'd like to lock this in ASAP.

Yilaalu

Matthew Syron

Senior Cultural & Heritage Officer

0416 330 099



Sent from [Mail](#) for Windows



Heritage NSW
Department of Planning and Environment

Our reference: Doc22/901077

Rebecca Bryant
Archaeologist
Apex Archaeology
Po Box 236
Nowra NSW 2541

17/10/2022

Dear Rebecca,

WRITTEN NOTIFICATION OF PROPOSAL AS REQUIRED UNDER DECCW ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS FOR PROPONENTS 2010

Subject: 136-146 and 148 Donnison Street, Gosford, NSW.

Thank you for your correspondence dated 10 October 2022 to Heritage NSW (Department of Premier and Cabinet) regarding the above project.

Attached is a list of known Aboriginal parties for the proposed development at the **Central Coast** Local Government Area that Heritage NSW considers likely to have an interest in the activity.

Please note this list is not necessarily an exhaustive list of all interested Aboriginal parties.

Receipt of this list does not remove the requirement of a proponent/ consultant to advertise in local print media and contact other bodies seeking interested Aboriginal parties, in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (April 2010).

Under Section 4.1.6. of the Consultation Requirements, you must also provide a copy of the names of each Aboriginal person who registered an interest to the relevant Heritage NSW office and Local Aboriginal Land Council (LALC) within 28 days from the closing date for registering an interest.

Please note that the contact details in the list provided by Heritage NSW may be out of date as it relies on Aboriginal parties advising Heritage NSW when their details need changing. If individuals/companies undertaking consultation are aware that any groups contact details are out of date, or letters are returned unopened, please contact either the relevant stakeholder group (if you know their more current details) and/or Heritage NSW. AHIP applicants should make a note of any group they are unable to contact as part of their consultation record.

If you have any questions about this advice, please email:
heritagemailbox@environment.nsw.gov.au or contact (02) 9873 8500.

Yours sincerely



Barry Gunther, Aboriginal Senior Assessment Officer
Environment and Heritage – Heritage NSW
Department of Planning and Environment
Aboriginal Heritage Regulation Branch – South Heritage NSW

Attachment A:

Registered Aboriginal Interests DPE RAP List for the **Central Coast** Local Government Area.

From: [LLS GS Service Mailbox](#)
To: rebecca@apexarchaeology.com.au
Subject: Re: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment
Date: Tuesday, 11 October 2022 1:58:17 PM
Attachments: [image001.png](#)
[Outlook-NSW Govern.png](#)
[Outlook-rkfwzrw4.png](#)
[Outlook-yicgvocx.png](#)
[Outlook-ncu2f1ea.png](#)
[Outlook-4hfxlyl.png](#)

Dear Ms Bryant

Thank you for your recent letter seeking assistance to identify Aboriginal stakeholder organisations and persons who may hold an interest in Country at the project area designated in your correspondence.

Greater Sydney Local Land Services (GS LLS) acknowledges that Local Land Services (formerly as Catchment Management Authorities) has been listed in Section 4.1.3.(g) of the Aboriginal Cultural Heritage Consultation requirements for proponents 2010, to support Part 6, of the NSW National Parks and Wildlife Act 1974 as a source of information to obtain the 'names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places'.

GS LLS understands and respects the significant role and values that tangible and intangible Aboriginal Cultural Heritage holds for First Nations/Aboriginal people with Country. GS LLS also partners with many First Nations communities on Caring for Country projects that aim to protect and enhance those tangible and intangible values in Country including Aboriginal Cultural Heritage. GS LLS considers Aboriginal Cultural Heritage matters in relation to its role in land management and considers cultural heritage issues in the context of Natural Resource Management.

However, GS LLS feels that it is not a primary source of contact for First Nations (Aboriginal) communities or persons that may inform or provide comment on development or planning issues.

GS LLS strongly recommends you contact Heritage NSW to seek their advice on all-inclusive contact lists of persons and organisations who 'speak for Country' and that may assist with your investigation.

Regards

Customer Service Team
Local Land Services | Greater Sydney
Department of Regional NSW

Level 4, 2-6 Station Street Penrith
PO Box 4515 WESTFIELD PENRITH

Office Hours: 8.30am - 4.30pm

E: gs.service@lls.nsw.gov.au | **W:** www.lls.nsw.gov.au



Department of Regional NSW

You can also get in touch with us is through our [online enquiry form](#)

How would you rate our service today?



Your opinion is valuable and will help us improve our service

Greater Sydney Local Land Services acknowledges we operate in and deliver services throughout Country of First Nations people in the Greater Sydney Region.

We recognise and respect Elders and cultural knowledge holders, past and present, while acknowledging the unique and diverse enduring cultures and histories of all First Nations people. Always was and always will be Aboriginal land.

From: rebecca@apexarchaeology.com.au <rebecca@apexarchaeology.com.au>

Sent: Monday, 10 October 2022 3:58 PM

To: 'undisclosed recipients' <jenni@apexarchaeology.com.au>

Subject: 136-146 and 148 Donnison Street, Gosford - Commencement of Aboriginal Cultural Heritage Assessment

Good afternoon,

Please find attached a letter requesting contact details for any Aboriginal individuals or organisations who may be interested in being consulted for a project at 136-146. 148 Donnison Street, Gosford, NSW within the Central Coast Council LGA

Please feel free to contact me if you have any questions at all.

Warm regards,



Show search results for Gos...

Measurement



Kilometers

Measurement Result

3.02 Kilometers

Clear

Press CTRL to enable snapping

Search result

Gosford Town Centre Car Park, Albany St N,
Gosford, Central Coast, New South Wales,
2250, AUS

[Zoom to](#)



APPENDIX C: STEP 2 LETTERS AND RESPONSES

From: rebecca@apexarchaeology.com.au
To: "undisclosed recipients"
Bcc: Amandahickey@live.com.au; bunyipnick50@gmail.com; cazadirect@live.com; corroboreecorp@bigpond.com; darkinoong@gmail.com; darrenhampton4@gmail.com; deshickey@bigpond.com; didgengunawalclan@yahoo.com.au; dontminemeay@gmail.com; Gunjeewongculturalheritage21@hotmail.com; hamptonralph46@gmail.com; hunters_1@bigpond.com; kerrie@awabakal.com.au; kevin.duncan@bigpond.com; kinghampton77@gmail.com; kyle@guringai.com.au; leannekirkman1964@gmail.com; lowerhunterai@gmail.com; mischelle.morris@outlook.com; ngunawal56@outlook.com; peterleven@y7mail.com; philipkhan.acn@live.com.au; pipulbrook@gmail.com; sharonhodgetts@hotmail.com; tim@girrigirra.com.au; trenthodgetts@gmail.com; widescope.group@live.com; wokacorp@yahoo.com; Wonn1sites@gmail.com; yinarculturalservices@bigpond.com; Yurwang.Gundana.C.H.S@outlook.com; yvettewalker1@hotmail.com
Subject: RE: 136-146, 148 Donnison Street, Gosford - Invitation to register
Date: Tuesday, 25 October 2022 9:48:39 AM
Attachments: [image001.png](#)
[22172 136-146 148 Donnison St Gosford -Stakholder Invitation.pdf](#)

Good morning,

Your details have been provided by Heritage NSW as an Aboriginal person or organisation who might like to take part in consultation for a project at 136-146, 148 Donnison Street, Gosford, NSW.

Please find attached a letter with more information and inviting you to register your interest by the close of business, Tuesday 8th November 2022.

Please get in touch if you have any questions. I look forward to hearing from you.

Kind regards,



Rebecca Bryant
ARCHAEOLOGIST
0405 236 821
REBECCA@APEXARCHAEOLOGY.COM.AU
WWW.APEXARCHAEOLOGY.COM.AU

25 October 2022

Establishing a Register of Interest for an Aboriginal Cultural Heritage Assessment – development proposal, 136-146 and 148 Donnison Street, Gosford, NSW.

This letter is sent in accordance with Section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (ACHCRs) in order to initiate Stage 1 of the Aboriginal consultation process in relation to the above project.

The Bathla Group (the proponent) has engaged Apex Archaeology to assist in preparing an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 and 148 Donnison Street, Gosford, NSW (Figure 1 and Figure 2). The land is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. The project is located within the Central Coast LGA. The project is being assessed as part of a State Significant Development Application (SSDA) and the ACHA is required to address the Secretary's Environmental Assessment Requirements (SEARs) for the project under Schedule 3, Part B.

The purpose of consultation with Aboriginal people for this project is to assist the proponent in identifying Aboriginal people with cultural knowledge relevant to determining the significance of Aboriginal objects at this location.

The proponent invites Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and places within the study area to register an interest in the process of Aboriginal community consultation.

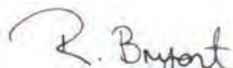
Please consider whether it is culturally appropriate for you to be consulted for this project prior to registering your interest in consultation.

Please note that details of the Aboriginal people or organisations who register an interest in consultation will be forwarded to both Heritage NSW and the Darkinjung Local Aboriginal Land Council (DLALC). Please advise at the time of registration if you do not wish for your details to be forwarded to either entity.

The project manager is Jaimin Desai who can be contacted via email at jaimin.desai@bathla.com.au. Aboriginal stakeholders can register their interest by PO Box 236, Nowra, NSW 2541; via phone on 0405 236 821; or via rebecca@apexarchaeology.com.au

Registrations of interest will be accepted until close of business, **Tuesday 8 November 2022.**

Kind regards,
Rebecca Bryant



Archaeologist
Apex Archaeology
E: rebecca@apexarchaeology.com.au
M: 0405 236 821



Figure 2: Location of study area (shaded in red) within Gosford (Source: SixMaps 2022)



APPENDIX D: ADVERTISEMENT

Connect with Classifieds

NEWCASTLE
HERALD

Phone: 131 696
Email: classifieds@newcastleherald.com.au



NEWCASTLE
HERALD

Connect with Classifieds

Place a Classifieds ad

- 131 696
- classifieds@newcastleherald.com.au
- Save time, submit online 24/7 addirect.com.au



Print and online packages available throughout Australia

Advertising self service enquiries: acmadonline@austcommunitymedia.com.au

Self Service

In Memoriam



MCCLELLAND
Carmen M.,

In loving memory of the worlds' best mum,
I miss you each and every day,
Your loving son,
Ron

For Sale

A range of
preloved 4
wheel mobility
scooters

In top condition
Workshop checked,
all with front
baskets and rear
bags

Free delivery
0418 430 643

Wanted to Buy

TOOLS old tools, guitars,
fishing items, old model
trains and cars, jewellery,
Dvd/Cd. Riz 0431 296741

Motor Vehicles

**#1 CASH
FOR CARS**

If you've got old cars
give Yogi a call and we
will give you some cash
0487 810 022
7 days a week!!!

careerone

SHOP ONLINE FOR LESS

Search thousands of
discount codes and save!



**Australian
COUPONS**
australiancoupons.com.au

Public Notices



NOTICE OF INTENT TO TREAT AQUATIC WEEDS

In accordance with the conditions imposed on Licence Number 5346 issued by the NSW Environment Protection Authority and pursuant to the Protection of the Environment Operations Act 1997, notice is given that Hunter Water intends to treat aquatic weeds within the waters and wetland of Balickera Canal.

The herbicides 'Roundup Biactive' (active ingredient Glyphosate) and 'Brushoff' (active ingredient Metsulfuron-Methyl) will be used to treat weeds in the Balickera Canal and the northern section of Grahamstown Dam.

This work will be carried out by qualified contractors during November and December 2022, weather conditions permitting.

Under the terms and conditions of the Licence, the following warning is provided to customers in the subject area: "not to use, drink or swim in the water" during the period of treatment.

Any further enquiries may be directed to Rhys Blackmore, Catchment Operations on 1300 657 657.

hunterwater.com.au



Aboriginal Cultural Heritage Assessment Invitation to Register Interest - HN534-A

Heritage Now is acting for Empire Marinas Group (EMG) with respect to potential on-land and on-water alterations and additions (the Potential Project) at its Marmong Point Marina. Marmong Point Marina is located at Marmong Point on the north-western shores of Lake Macquarie, 15 kilometres south-west of Newcastle.

We are requesting Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal cultural heritage within and adjoining the existing extent of Marmong Point Marina to register with us for consultation on the Potential Project. Further details regarding the Potential Project will be provided to people who register.

Records of the consultation undertaken will be included in an Aboriginal Cultural Heritage Assessment (ACHA), which we will prepare for the Potential Project. In the event that EMG ultimately submits a Development application for the Potential Project, the ACHA will be included in that application to assist the Consent Authority to understand the significance of Aboriginal cultural heritage in relation to the Potential Project and whether an Aboriginal Heritage Impact Permit (AHIP) is required with respect to any works proposed in the Potential Project. If an AHIP is ultimately required, the consultation recorded in the ACHA will assist EMG prepare the AHIP application and assist the Department of Premier and Cabinet Secretary (or a delegate under the National Parks and Wildlife Act 1974) in his or her consideration and determination of the AHIP application.

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements 2010*, please send your registration to:

Jenna Weston
1/48 Kalaroo Road, Redhead NSW 2290
hello@heritagenow.com.au by 8 November 2022.

Please be advised that your details will be forwarded to Heritage NSW and the Local Aboriginal Land Council, unless you inform us that you do not want your details released.

Public Notices

Aboriginal Cultural Heritage Assessment; 136-146 and 148 Donnison Street, Gosford, NSW

Notification and Registration of Aboriginal Interests

The Bathla Group (the proponent) has engaged Apex Archaeology to assist in preparing an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed Development at 136-146 and 148 Donnison Street, Gosford, NSW. The land is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. The project is located within the Central Coast LGA. The proponent's project manager is Jaimin Desai who can be contacted via email at jaimin.desai@bathla.com.au

The assessment will inform a State Significant Development Application under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979* and is required to include Aboriginal community consultation in accordance with the Section 4.1.3 of the *Heritage NSW Aboriginal cultural heritage consultation requirements for proponents*. The purpose of consultation with Aboriginal people is to assist the Department of Premier and Cabinet (DPC) in the DPC Secretary's consideration and determination of the application.

The proponent invites Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and places within the study area to register an interest in the process of Aboriginal community consultation.

Please note that details of the Aboriginal people or organisations who register an interest in consultation will be forwarded to both Heritage NSW and the Darkinjung Local Aboriginal Land Council (DLALC). Please advise at the time of registration if you do not wish for your details to be forwarded to either entity.

Please consider if it is culturally appropriate for you to be consulted for this project before registering your interest.

Aboriginal stakeholders can register their interest by post to PO Box 236, Nowra, NSW 2541; via phone on 0405 236 821; or via rebecca@apexarchaeology.com.au. Please include the name and contact details of your preferred contact person in your registration.

Registrations will be accepted until COB Tuesday 8 November 2022.

Positions Vacant

MR Driver Required

for furniture removalist in
Maitland area.

04932 2111

Work Wanted

ELECTRICIAN

licensed and insured
looking for work in and
around the local area.
No job too small. Pension-
er discount. Lic154981c
TMKC Electrical Contractor
Dave 0423 518408

**EMOJI
NOW
AVAILABLE**

Trade Services

A Quality Hills Stockist

CLOTHESLINES

Sales - Installations
Spares - Rewires - Repairs
Airdri Clotheslines P/L
Tel: 4960 9923

GYPROCK/PLASTERER

Small job specialist. Fix
ceiling & wall cracks,
water damaged ceilings.
Small renos, update old
rooms to new. All as-
pects of gyprocking.
35yrs exp, tidy & reliable.
Call Dean 0401 542 289

Adult Services

NEW! NEW! NEW!

GOOD NEWS! ~
Everyday different
ladies working.
Body Rub starts
from \$50.00 for
30 minutes.
0410 397 336

A1 ANGEL

Angela Eva Linda
\$120 2 ladies 1/2 hr
Bodyrub full service.
\$75 1/2 hr, \$150 hr
4961 2272
7 Denney St,
Broadmeadow

AA Maitland Shire

Oriental Star
Seductive, Sexy & Classy
19-24yo Asian Ladies
F/Service, B/Rub, Spa.
9am - Late, 7 days
Escort ok, cc & eftpos
7 Kyle St, Rutherford
4932 3255

Adult Services

ANGEL & Lala, Asian,
sz8, attractive, sexy in/
out calls 0422 229 981

ASIA BODY RUB
320 Sandgate Road,
Shortland. Open 7 Days
0488 094 385

ASIAN, A professional,
private, oil **BODYRUB**.
Mon-Sat 9am-8pm, a/c
0401 833 750

At Sunflowers 29
Bella, Anna, Alice / Thai
Nicole / Mongolia
Tammy / Hong Kong
0458 226 123
29 Wollong St Gosford

AT MAYFIELD

\$70 1 hr BODYRUB
142 Maitland Road
7 Days Ph **0478 545 527**

AWESOME AUSSIE

Relax, de-stress with
experienced Masseuse
Ph **0439 659 811**

Pretty Woman Rose

Aussie
Ph: **0400 648 993**

Shenti Body Rub

Private & Discrete
at 35C Beaumont St,
Hamilton (behind NAB bank)
4063 0064 or 0482 176 053

TRANS RAQUEL
Exotic, bodacious,
100% feminine, active,
cheeky & affectionate.
0448 616 829

TRANSEXUAL BEA
Hot Sexy Model, Body
Rub. Ph **0409 616 688**

**ADD A
LOGO
TO
YOUR AD**

Dennis recently relocated and between his old area and new area he has to book jobs in advance. The thing though he mentioned was that he chose to keep his regular ad in the old area as he said a lot of customers tell him they misplace his number so they wait for the next paper to come out and get it from there as they know he always has an ad in the classifieds.

Like Dennis, don't miss a job by thinking everyone knows how to contact you. Let our classified team help you today.



**SAVE TIME,
SUBMIT ONLINE**

**Place your classified ad anytime 24/7
addirect.com.au**



APPENDIX E: METHODOLOGY, COVER LETTERS AND RESPONSES

136-146 & 148 DONNISON STREET, GOSFORD, NSW

METHODOLOGY AND PROJECT INFORMATION

LGA: Central Coast

November 2022





Apex Archaeology would like to acknowledge the Aboriginal people who are the traditional custodians of the land in which this project is located. Apex Archaeology would also like to pay respect to Elders both past and present.

DOCUMENT CONTROL

The following register documents the development and issue of the document entitled '136-146 and 148 Donnison Street, Gosford, NSW – Methodology and Project Information', prepared by Apex Archaeology in accordance with its quality management system.

Revision	Prepared by	Reviewed by	Comment	Issue Date
1 – Draft	Rebecca Bryant	Jenni Bate	Issue for RAP review	9 November 2022



GLOSSARY OF TERMS

Aboriginal Object	An object relating to the Aboriginal habitation of NSW (as defined in the NPW Act), which may comprise a deposit, object or material evidence, including Aboriginal human remains.
ACHA	Aboriginal Cultural Heritage Assessment
ACHCRs	The DECCW April 2010 <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i>
AHIMS	Aboriginal Heritage Information Management System maintained by Heritage NSW, detailing known and registered Aboriginal archaeological sites within NSW
AHIP	Aboriginal Heritage Impact Permit
BP	Before Present, defined as before 1 January 1950.
Code of Practice	The DECCW September 2010 <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i>
Consultation	Aboriginal community consultation in accordance with the DECCW April 2010 <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> . Consultation is not a required step in a due diligence assessment; however, it is strongly encouraged to consult with the relevant Local Aboriginal Land Council and to determine if there are any Aboriginal owners, registered native title claimants or holders, or any registered Indigenous Land Use Agreements in place for the subject land
DA	Development Application
DECCW	The Department of Environment, Climate Change and Water – now Heritage NSW
Disturbed Land	If land has been subject to previous human activity which has changed the land's surface and are clear and observable, then that land is considered to be disturbed
DPIE	Department of Planning, Industry and Environment
Due Diligence	Taking reasonable and practical steps to determine the potential for an activity to harm Aboriginal objects under the <i>National Parks and Wildlife Act 1974</i> and whether an application for an AHIP is required prior to commencement of any site works, and determining the steps to be taken to avoid harm
Due Diligence Code of Practice	The DECCW Sept 2010 <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i>
GIS	Geographical Information Systems
GSV	Ground Surface Visibility
Heritage NSW	Heritage NSW in the Department of Premier and Cabinet, responsible for heritage matters within NSW
Harm	To destroy, deface or damage an Aboriginal object; to move an object from land on which it is situated, or to cause or permit an object to be harmed
LALC	Local Aboriginal Land Council
LGA	Local Government Area
NPW Act	NSW <i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage – now Heritage NSW
RAPs	Registered Aboriginal Parties



CONTENTS

1.0	Introduction	1
1.1	Study Area and Project Brief.....	1
1.2	Purpose of Consultation	4
1.3	COVID Policies.....	4
2.0	Cultural Heritage Assessment.....	5
2.1	Full Assessment.....	5
2.2	The ACHCRs.....	5
	Stage 1: Notification of Project Proposal and Registration of Interest	5
	Stage 2: Presentation of Information About the Proposed Project.....	6
	Stage 3: Gathering Information About Cultural Significance of the Project.....	6
	Stage 4: Review of Draft Cultural Heritage Assessment Report	6
2.3	The Code of Practice	6
2.4	Test Excavation.....	7
2.5	RAP Input.....	7
3.0	Detailed Methodology.....	8
3.1	Cultural Significance	8
3.2	Field Survey Sampling Strategy	9
3.3	Test Pit Layout	10
3.4	Excavation Methodology.....	11
3.5	Recording	12
3.6	Artefacts	12
3.7	Cessation of Excavation	12
3.8	Backfill and Salvage Excavation	12
4.0	Information Sought	13
5.0	References	14
	Appendix A: RAP Correspondence	15

FIGURES

Figure 1: Study area (circled in red) in its regional context (Source: NSW Imagery 2022)	4
Figure 2: Study area within 136-146 and 148 Donnison Street, Gosford, NSW (Source: Google Maps 2022).....	5
Figure 3: Proposed layout of mix-development towers within study area outline in red (Source: Buchan 2020).....	6



1.0 INTRODUCTION

The Bathla Group has engaged Apex Archaeology to assist in preparing an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 and 148 Donnison Street, Gosford, NSW.

A process of Aboriginal community consultation in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (the ACHCRs) has been initiated by Apex Archaeology.

The following document provides information about the project, and outlines the detailed methodology for cultural heritage assessment, field survey and test excavation (as required) that Apex Archaeology will be utilising for this project, along with the proposed heritage management activities. It has been developed to address requirements of Section 4.3 in the ACHCRs. The assessment would also be undertaken in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice).

1.1 STUDY AREA AND PROJECT BRIEF

The study area (Figure 1) is located within the city of Gosford, which is approximately 77 km north of the Sydney CBD, and within the Central Coast Local Government Area (LGA). The study area is located at 136 -146 and 148 Donnison Street, Gosford, NSW (Figure 2). It is approximately 3.6 ha in size and is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. The proposed development is for the construction of five multistorey building towers for mixed-use development, which includes residential apartments, business offices and retail outlets (Figure 3).

These works will be assessed as a State Significant Development (SSD-9813) under Part 4 Division 4.7 of the *Environmental Planning and Assessment Act 1979*. The Independent Planning Commission as the declared consent authority has required that an Aboriginal Cultural Heritage Assessment report as per requirement in Schedule 2, C16 p.8 and Schedule 3, B1-B4 (P.19) be prepared. This is to be undertaken in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*.

As a result, Apex Archaeology has been engaged to undertake this project to assist the consent authority in their assessment of the proposal.

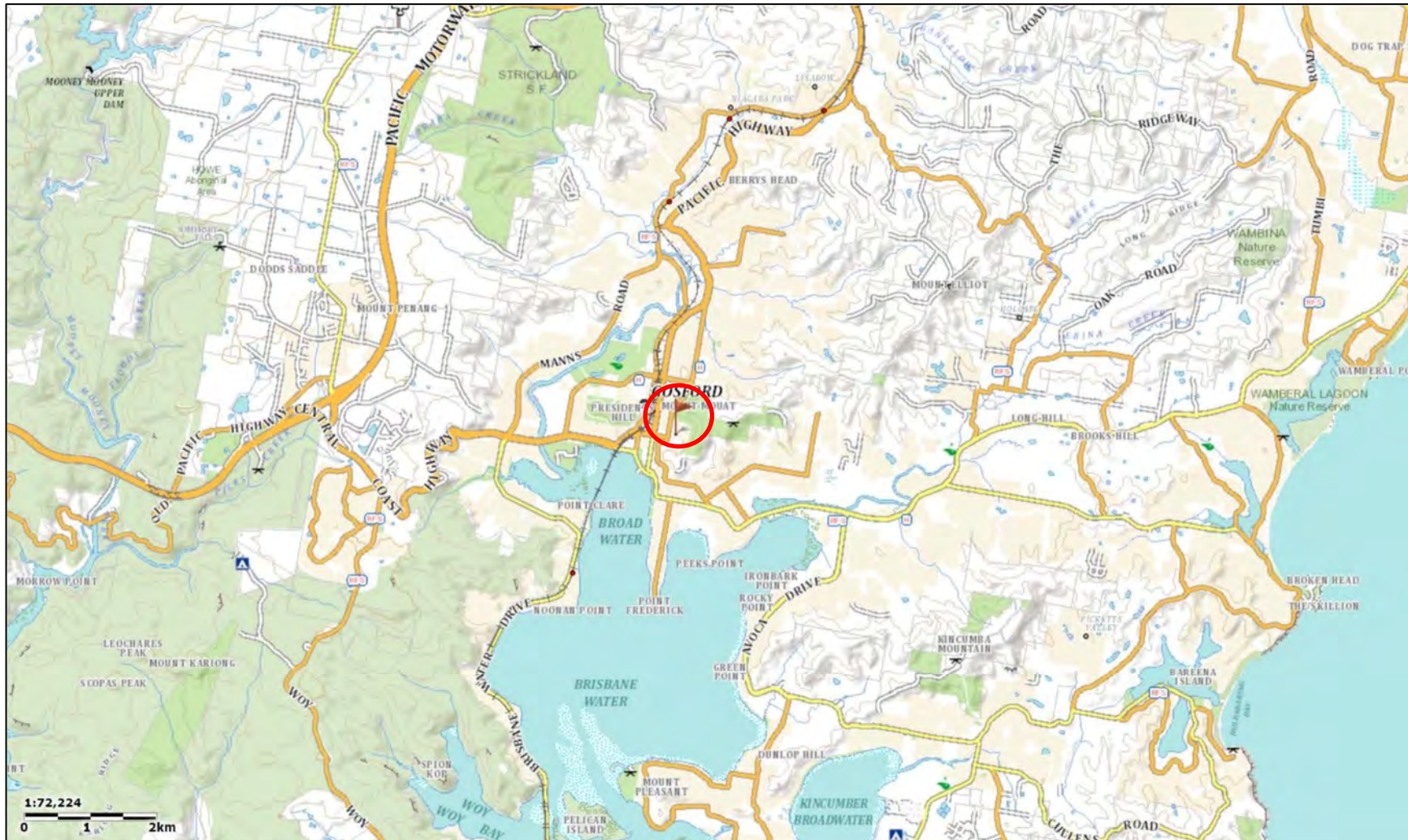


Figure 1: Study area (circled in red) in its regional context (Source: NSW Imagery 2022)



Figure 2: Study area within 136-146 and 148 Donnison Street, Gosford, NSW (Source: Google Maps 2022).

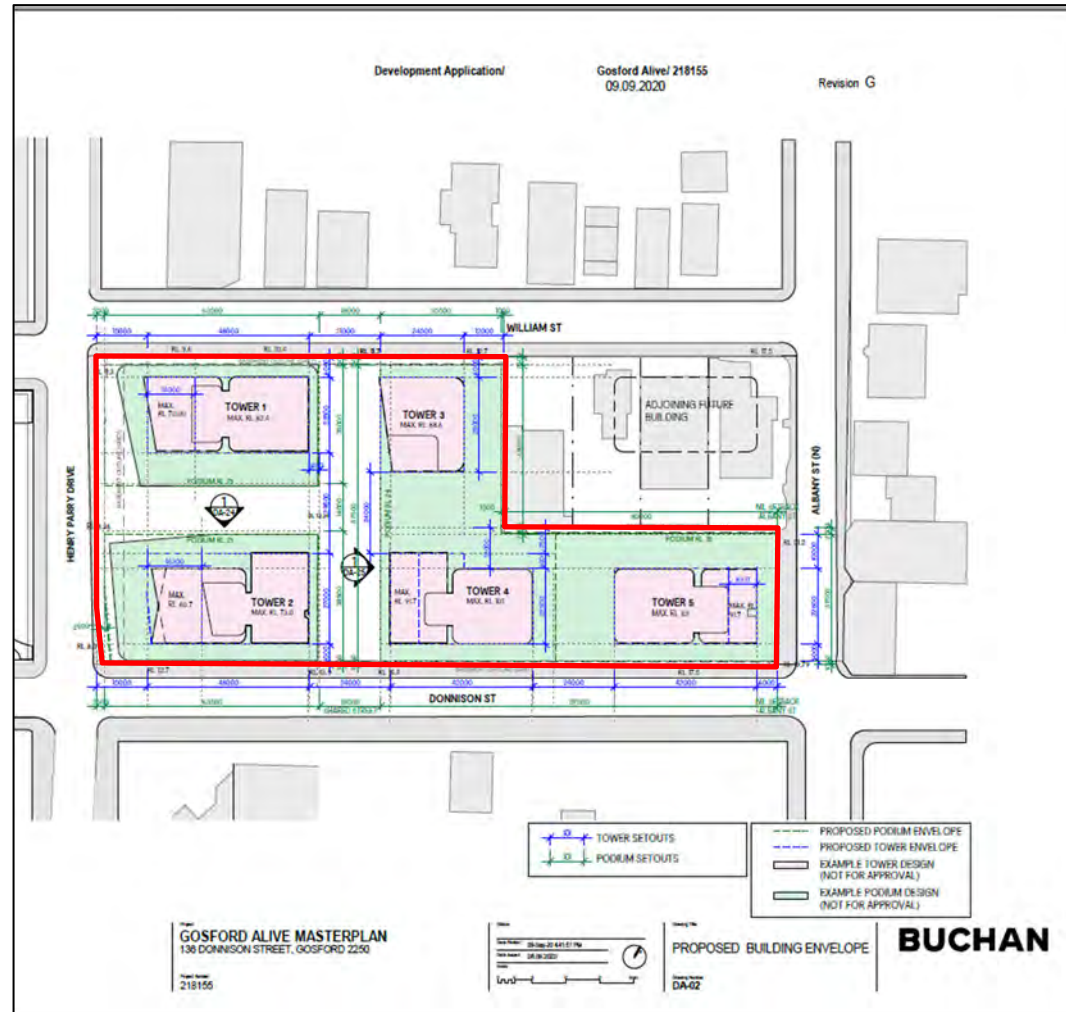


Figure 3: Proposed layout of mix-development towers within study area outline in red (Source: Buchan 2020)



1.2 PURPOSE OF CONSULTATION

In accordance with the ACHCRs, the purpose of consultation with Aboriginal people and organisations is to:

- Understand Aboriginal people's views and concerns about the proposed project;
- Understand the Aboriginal cultural heritage values present within the area;
- Assist in gathering relevant information about the cultural significance and values of the area;
- Consider cultural and scientific significance and values as part of the design of the methodology;
- Assist in developing cultural heritage management options and recommendations for the area; and
- To assist the Chief Executive in their consideration and determination of any AHIP application that may be required.

Please note, Section 3.4 of the ACHCRs states the following:

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement however, this is separate from consultation...The proponent is not obligated to employ those Aboriginal people registered for consultation. Consultation as per these requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

Reasonable costs will be paid by the proponent to any Aboriginal people engaged to assist with site inspections or other activities which may be required, such as salvage excavation. However, these activities are separate to the consultation process and do not form part of the process itself.

1.3 COVID POLICIES

Apex Archaeology takes the safety of our staff and the wider community very seriously. All recommendations from both the NSW Government and NSW Health will be implemented as necessary, including social distancing, wearing of masks, limiting the number of participants in meetings, ensuring adequate locations for meetings are selected if they should occur, and any other restrictions that may be implemented. As such, we are encouraging communications via phone, email, post, or video conferencing as appropriate.



2.0 CULTURAL HERITAGE ASSESSMENT

Apex Archaeology recognises that “Aboriginal people are the primary determinants of the cultural significance of their heritage” (DECCW 2010). As such, Apex Archaeology will consult with the Aboriginal community to provide an opportunity for cultural knowledge relating to the study area to be recorded and included in the Cultural Heritage Assessment.

As the need for test excavation in this instance is not known, a methodology has been prepared to guide test excavations and prepare a test excavation report in accordance with the *2010 Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (Code of Practice) if required. The steps involved are presented below.

2.1 FULL ASSESSMENT

A full assessment would comprise production of an Aboriginal Cultural Heritage Assessment Report (ACHAR) to meet the ACHCRs and an Archaeological Technical Report (ATR) to meet the Code of Practice requirements.

The ACHAR would outline the results of the Aboriginal community consultation, while the ATR would outline the results of the Aboriginal archaeological assessment of the study area. The report would be prepared in order to support any Aboriginal Heritage Management Plan if necessary. The Consultation Guidelines and the Code of Practice are complementary and work with each other to allow a comprehensive assessment of Aboriginal cultural heritage within an area.

2.2 THE ACHCRs

The *Aboriginal cultural heritage consultation requirements for proponents* (ACHCRs) detail how consultation with the Aboriginal community is to be undertaken in order to assess the cultural significance of an area. There are four stages, as detailed below. Each stage has statutory timeframes associated to ensure sufficient time is allowed for registered Aboriginal parties (RAPs) to provide an appropriate response.

STAGE 1: NOTIFICATION OF PROJECT PROPOSAL AND REGISTRATION OF INTEREST

Stage 1 requires a list of Aboriginal people who may have cultural knowledge relevant to the area to be prepared from several sources of information. The first step requires enquiries to be made of certain statutory bodies regarding whether they are aware of Aboriginal people or organisations that may have an interest in the study area, and their contact details. Any Aboriginal people or organisations identified in this step must be contacted and invited to register an interest in the project. In addition, a notification must be placed in local print media requesting Aboriginal people or organisations to register their interest in the project. A list of those who register an interest must be compiled. A minimum of 14 days from the date of the letter or newspaper advertisement must be allowed for registrations of interest.



This stage has been completed for this project and a total of nine Aboriginal stakeholders have registered an interest in being consulted for the project.

STAGE 2: PRESENTATION OF INFORMATION ABOUT THE PROPOSED PROJECT

During Stage 2, information about the proposed project is provided to the RAPs, including location, scale, proposed development plans, timeframes, methodologies and any other relevant details relating to the project.

STAGE 3: GATHERING INFORMATION ABOUT CULTURAL SIGNIFICANCE OF THE PROJECT

During Stage 3, RAPs are invited to share information about the cultural significance of the study area, which can assist in the assessment of the cultural significance of the Aboriginal objects and/or places within the study area. The cultural heritage assessment informs and integrates with the scientific assessment of significance and therefore can assist in the development of mitigation and management measures for the project. Any feedback must be considered and implemented as appropriate into the methodology.

In this instance Apex Archaeology is providing this document in fulfilment of Stage 2 and 3 of the Consultation Guidelines.

STAGE 4: REVIEW OF DRAFT CULTURAL HERITAGE ASSESSMENT REPORT

Stage 4 sees the preparation of the draft ACHA Report, which details the results of the cultural heritage assessment. The draft is provided to the RAPs for their review and comment. A minimum of 28 days to comment on the ACHAR must be allowed. All comments must be addressed in the final document and the proponent's response to RAP comments must be included. Copies of any submissions received from RAPs must be included in the final ACHAR.

2.3 THE CODE OF PRACTICE

The Code of Practice provides a guideline for undertaking the archaeological and scientific assessment of Aboriginal archaeological sites within NSW. There are a number of requirements to be followed which will enable an assessment of the nature and extent of any archaeological deposits within the study area.

Previous archaeological work within an area can provide important information about the archaeological context of an area which can be used in the development of a predictive model for the specific study area, along with the ethnohistorical context of a study area. Sources of information include previous archaeological assessment reports and searches of the Aboriginal Heritage Information Management System (AHIMS), and the results will be included in the ACHAR prepared for the project.

An understanding of the landscape context in which a study area is located can assist in the assessment of the likelihood of archaeological material being preserved (if present), and if it is likely to be present, how well it may have been preserved. It can also assist in predicting how Aboriginal people may have used the area in the



past and therefore how any archaeological material may have been distributed across the landscape. A number of factors must be included, such as past land use, landforms present, geomorphic activity within the study area, any erosion, types of soils present and natural resources within the area.

Based on the information identified during the above process, a predictive model of Aboriginal land use of the area will be developed, which considers how archaeological evidence may have been distributed across the landscape. This predictive model will include an assessment of how and why Aboriginal people may have utilised the area in the past (for example, for subsistence activities, camping, ceremonial purposes, etc) and will consider both the spatial and temporal relationships of archaeological sites. Statements about the archaeological potential of specific areas within the study area will be made and presented in the ATR.

2.4 TEST EXCAVATION

This document forms a part of the Aboriginal community consultation in accordance with the Consultation Guidelines, which must have been implemented and completed to the stage of inviting comments on the methodology at a minimum, prior to undertaking test excavation. A detailed sampling strategy for both survey and test excavation is also proposed in this document. At this stage, the need for test excavation has not yet been determined. In the event test excavations are required within the study area, they would be undertaken in accordance with the detailed methodology proposed in Section 3.3.

Test excavations must be conducted in accordance with Requirement 16 of the Code of Practice, which details the size of test pits, spacing, sieving methodology, and other details relating to test excavations. Any archaeological objects recovered during excavation must be recorded and managed appropriately.

2.5 RAP INPUT

If comments are received from RAPs stating that an alternative method would be preferred for any of the following sections, these will be considered and alternatives may be proposed, with this document updated to reflect the amendments.

RAPs are under no obligation to share any cultural knowledge that they do not wish to share. It should be noted that our ultimate goal is to protect and avoid any known sites of archaeological and/or cultural significance, and if we do not know the location of these, we cannot ensure they are avoided.



3.0 DETAILED METHODOLOGY

Apex Archaeology has prepared the following detailed methodologies for assessment of cultural significance, field survey, preparation of test pit locations, manual excavation of test pits, additional salvage and recording of test pits. Indicative test pit locations have not been identified at this stage and will be refined should the need for test excavation arise.

3.1 CULTURAL SIGNIFICANCE

In order to gather information about the cultural significance of the study area, the following procedures will be followed for the project:

Aboriginal people who have registered an interest in being consulted for the project (registered Aboriginal parties – RAPs) may have an opportunity to visit the site and discuss the impacts that have already occurred within the site, and what is proposed as part of the development. During this visit, RAPs may have an opportunity to discuss any cultural knowledge that they may have regarding the site, should they wish to disclose such. RAPs would also have the opportunity to share knowledge either in writing or via telephone if they prefer. Additionally, requests for cultural knowledge may be made in writing.

Wherever possible, we prefer to communicate in writing, generally via email if possible. This is for a number of reasons, as follows:

- It ensures all information shared is recorded appropriately, which can be missed in phone conversations.
- It ensures all participants in consultation are able to provide a measured and considered response, rather than being ‘put on the spot’ by a phone call, and thus all participants can respond at their leisure within the consultation timeframes.
- It ensures consultation can be undertaken in an appropriately civil manner by all participants.

Any cultural knowledge provided by the RAPs will be treated in the manner determined by the RAPs. Any requests for knowledge to be kept confidential or restricted in terms of who may access the information would be respected. Electronic documents would be password protected where necessary to protect the integrity of the information. Information would only be included in reports where permission to include such is given.

Should you prefer to be consulted in a manner other than in writing (email or letter), please advise as a response to this document and advise your preferred manner of consultation.



3.2 FIELD SURVEY SAMPLING STRATEGY

The field survey will be completed in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW, September 2010) (the Code of Practice); and the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (April 2011). The field survey is not intended to be an opportunity for gathering information regarding the cultural significance of the area, but rather is a scientific inspection of the area to determine the current state and archaeological potential of the site. The survey will be undertaken in accordance with the following:

- The study area will be visually inspected by pedestrian survey;
- The study area will be surveyed utilising pedestrian transects, with each participant responsible for inspecting a 2m wide transect on each pass;
- If stone artefacts are identified on the ground each item will have a flag placed at its location;
- The Archaeologist will record each item as per the lithic site recording form and lithic item recording form detailed below;
- The study area will be recorded utilising survey recording forms. The following is a list of attributes that will be recorded for each area surveyed:
 - Survey area;
 - Recorder name;
 - Date;
 - Landform element;
 - Slope;
 - Distance to watercourse;
 - Vegetation;
 - Land surface;
 - Rock outcrops;
 - Detection limiting factors; and
 - Ground disturbance.
- The study area will be divided into survey units based on landform and given ratings in the following categories:
 - Survey area (as defined by the length of area surveyed multiplied by two. A participant in this instance can only see 1m either side at a time. Survey area covered increases when more participants are added);
 - Total area surveyed;
 - Percentage of sample inspected;
 - Archaeological visibility (this is a percentage of potential within the landform);
 - Surface visibility;
 - Exposure type; and
 - Effective survey coverage
- Photos of each survey unit will be taken and identifying photograph file numbers recorded on the survey recording forms.
- Aboriginal lithic site recording forms will be used to record artefact scatters and isolated finds. The following list of attributes will be recorded for each site:
 - Site Number;



- Survey Area;
 - Date;
 - Recorder name;
 - Total number of artefacts recorded;
 - Visible extent of artefacts;
 - Extent of surface exposure;
 - GPS reading;
 - Sub-surface potential;
 - Research potential;
 - Raw stone material available;
 - Ground Disturbance;
 - Vegetation;
 - Photographs of site; and
 - Site plan.
- Each artefact will be recorded using a lithic item recording form with the following attributes recorded:
 - Artefact number;
 - Locus;
 - Colour;
 - Stone material;
 - Lithic item type;
 - Length, Width & Thickness (mm);
 - Cortex Percentage;
 - Cortex type; and
 - Comments.

3.3 TEST PIT LAYOUT

Only if test excavations are required, the following methodology would be implemented:

- Under the Code of Practice, a maximum of 0.5% of the area of a PAD can be excavated during test excavations. The presence of PAD has not been determined. Therefore, a maximum area cannot be determined at this stage, if at all.
- Transects will be spaced at 10m, with pits at 20m intervals, in a 'checkerboard' fashion, in accordance with the method described in Orton 2000:90 whereby a staggered square grid is considered more efficient than a square grid for undertaking subsurface sampling;
- Test pits will be oriented north – south using a handheld compass for accuracy;
- Test pits will avoid areas clearly disturbed;
- The location of the north west corner of the first test pit will be recorded by GPS, and following pits will be tied into the transect using the distance and bearing technique. This method requires a 60m or 100m tape measure and compass to measure from the initial test pit. The tape is run out from the first pit and subsequent pits laid out at 10m intervals;



- Each test pit will have a flag placed in the north-west corner with the test square number in sequence and Easting and Northing of its location written on it, taken from the GPS coordinate for the initial pit and extrapolated based on the location of the pit in relation to the initial pit; and
- Each test pit will be planned to scale using 1mm grid paper (additional landscape features including trees, fence lines, creeks and contour lines will also be added).

3.4 EXCAVATION METHODOLOGY

- Test pits will be 50 x 50cm;
- All test pits will be excavated in 5cm spits by hand using a shovel, mattock and trowel. Spit depths will be consistently checked with a hand tape measure to ensure accuracy of excavation depth. Once the first test pit has been excavated and an understanding of the stratigraphy has been obtained, following test pits for that transect may be excavated stratigraphically;
- Test pit excavation will cease on reaching basal clay, bedrock or a culturally sterile layer, or at the discretion of the archaeologist;
- Test pits may be combined to form 1m² squares by digging four contiguous 50 x 50 cm test pits to determine if artefact concentrations continue;
- If artefact concentrations warrant further expansion (5 or more artefacts) continuation of 1m² test pits into a 3m² open area may also be necessary. This is the maximum open area allowed for under the Code of Practice. If artefact concentrations are still high once a 3m² area has been excavated then this area would be prioritised for salvage;
- If cultural features (e.g. hearths, heat treatment pits, knapping floors) are identified during excavation, excavation with hand tools (e.g. mattock and shovel) will cease and continue with trowel only;
- Locations of identified features will be planned onto 1mm graph paper. X, Y and Z coordinates of individual artefacts from in-situ knapping floors will be recorded prior to removal (where possible) and continuation of excavation;
- Charcoal samples for dating (C14) will only be taken during in-situ excavation of accurately identified cultural features (e.g. hearths and heat treatment pits);
- Any charcoal samples will be recovered and placed into aluminium foil, securely sealed, and placed into zip lock bags, clearly labelled and provenanced;
- The soil from each spit will be placed in 10L plastic buckets and transported to the sieving station;
- To ensure sufficient control of each spit excavated, a bag and tag will be written to accompany the buckets from each spit. The following information will be recorded on each bag and tag: site name, date, pit location (easting & northing) and name of excavator;
- All material from each test pit will be wet sieved through table sieves (1 x 1m) with a wire mesh aperture gauge of 3mm and 5mm depending on the soil matrix;
- All material recovered from the sieving process will be checked by a qualified archaeologist with experience in artefact identification prior to being placed into the spit bag; and



- Artefact counts will be recorded for each spit.

3.5 RECORDING

- Each spit will be recorded on a spit sheet with the following information:
 - site name;
 - date;
 - excavator name;
 - spit number;
 - spit depth;
 - pit location (easting & northing);
 - start levels & end levels;
 - bucket count and end total bucket count;
 - soil description;
 - description of disturbance;
 - description of artefacts (material type & artefact type if in situ);
 - in situ recording of artefacts where possible (xyz coordinates); and
 - photograph details (from surface and of each spit to base).
- Each test pit will have a section planned on 1mm grid paper.

3.6 ARTEFACTS

Any artefacts that are recovered from the test excavation will be analysed by an archaeologist experienced in artefact analysis and interpretation. At the conclusion of the project all artefacts will be reburied on site in accordance with Requirement 26 of the Code of Practice. Artefacts will be temporarily held at Apex Archaeology's office during the analysis and stored in a lockable safe. Once the artefacts are reburied the location will be recorded and provided to AHIMS. It is likely that reburial cannot occur until the development has been completed and a suitable location identified.

3.7 CESSATION OF EXCAVATION

Excavations will cease upon reaching basal clay, bedrock or a culturally sterile layer, or at the discretion of the archaeologist (for example, if it becomes unsafe to continue excavation due to depth).

3.8 BACKFILL AND SALVAGE EXCAVATION

At the conclusion of the testing program, all test pits will either be backfilled (by collapsing the sides of the test pit in with a shovel or mattock, and/or filling with spoil or clean fill to return the pit to original ground level). If a test pit has yielded a significant artefact deposit requiring further salvage then the pit will be securely bunded off with wooden stakes and bunding so that expansion (open area excavation) can be undertaken more easily at a later stage.



4.0 INFORMATION SOUGHT

As required by Section 4.3 of the ACHCRs, Apex Archaeology is seeking the following information from your organisation:

- feedback on the proposed methodology outlined above;
- any protocols that you would like adopted during this project to obtain and/or use cultural information;
- any Aboriginal objects of cultural significance and/or importance that you are aware of within the study area;
- any places of cultural significance and/or importance that you are aware of within the study area;
- your preference for the management of any archaeological material recovered during works (ie community repatriation, reburial on site, deposition with appropriate museum);
- guidance on the protocols, sensitivity, use and/or distribution of any cultural information that you provide Apex Archaeology; and
- whether you require any further information on the project.

We respectfully request that any comments are provided by CoB Tuesday 6 December 2022.



5.0 REFERENCES

DECCW 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

DECCW 2010. *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

DECCW 2010. *Aboriginal cultural heritage consultation requirements for proponents 2010*. DECCW, Sydney South.

OEH 2011. *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. OEH, Sydney South.

Orton, C, 2000. *Cambridge Manuals in Archaeology: Sampling in Archaeology*. Cambridge University Press, Cambridge.



RAP CORRESPONDENCE

From: rebecca@apexarchaeology.com.au
To: "Matthew Syron"
Cc: jenni@apexarchaeology.com.au
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information
Date: Wednesday, 9 November 2022 9:23:05 AM
Attachments: [image001.png](#)
[22172 136-146 Donnison Street, Gosford - Project info.pdf](#)

Good morning Matthew,

I hope you are well and enjoying the lovely sun that's returned.

Please find attached the information and methodology document for the project at 136-146 & 148 Donnison Street, Gosford.

Could please provide any comments or recommendations by Tuesday 6th December.

Also, you mentioned in your last email that your books are filling up for site meetings. Could you please advise if you would be available for a site inspection at 9.00 am for (1/2 day) on the either on Wed 7th , Thurs 8th , or Fri the 9th Dec. I can arrange to be there early from 8.00am if it's more convenient.

In the meantime, if you have any questions whatsoever, please contact me.

Warm regards,

Rebecca



Rebecca Bryant
ARCHAEOLOGIST

0405 236 821

REBECCA@APEXARCHAEOLOGY.COM.AU

WWW.APEXARCHAEOLOGY.COM.AU

From: rebecca@apexarchaeology.com.au
To: ["undisclosed recipients"](#)
Bcc: Amandahickey@live.com.au; corroboreecorp@bigpond.com; Gunjeewongculturalheritage21@hotmail.com; kerrie@awabakal.com.au; leannekirkman1964@gmail.com; lowerhunterai@gmail.com; philipkhan.acn@live.com.au; tracey@guringai.com.au; Yurwang.Gundana.C.H.S@outlook.com
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information
Date: Wednesday, 9 November 2022 9:02:37 AM
Attachments: [image001.png](#)
[22172 136-146 Donnison Street, Gosford - Project info.pdf](#)

Good afternoon,

Thank you for your registration of interest in the above project. Please find attached further information about the project, as well as the proposed methodology for the assessment.

Could you please provide any comments you may have by CoB Tuesday 6 December 2022.

Please get in touch if you'd like to discuss the project further.

Kind regards,

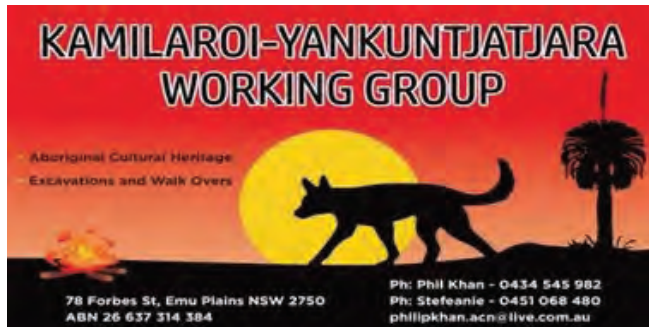


From: [Phil Khan](#)
To: rebecca@apexarchaeology.com.au
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information
Date: Tuesday, 7 February 2023 10:32:30 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Rebecca,

Thank you, much appreciated. Have a great day.

Kind Regards
Kadibulla Khan



Sent from [Mail](#) for Windows 10

From: rebecca@apexarchaeology.com.au
Sent: Tuesday, 7 February 2023 10:04 AM
To: 'Phil Khan'
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information

Hi Kadibulla,

Thank you for your reply and apologies for the delay in responding to your email.

Apex archaeology has not been engaged to undertake a Connecting to Country component for this project. However, I will include KYWG's recommendation that it be undertaken with guidance from the Aboriginal community in the final report to the client.

Please contact me if you would like to discuss this further or have any questions whatsoever.

Warm regards,

Rebecca

From: Phil Khan <philipkhan.acn@live.com.au>
Sent: Friday, December 16, 2022 10:48 AM
To: rebecca@apexarchaeology.com.au
Subject: Re: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information

Hi Rebecca,

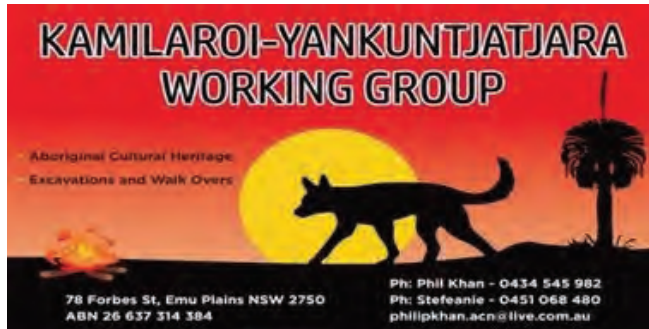
Thank you for your ACHA methodology for proposed 136-148 Donnison St, Gosford.

The site is highly significant to our people there are water ways and resource rich areas full of flora and fauna. There are tangible and intangible aspects to the area and surrounding area, these aspects are

what makes up our culture. not only is there physical aspects relating to our culture but there is the intangible the dreaming story's, song line, and also today's dreaming or story of our resilience and continuing culture.

There is room to connect with Country for your project, for your design seek advice we believe connecting with Country should be met with the guidance of the Aboriginal community. With our recommendation we would like to agree to your recommendations and we support your report. We look forward to furthering consultation within this project.

Kind Regards
Kadibulla Khan



From: rebecca@apexarchaeology.com.au <rebecca@apexarchaeology.com.au>
Sent: Wednesday, 9 November 2022 9:02 AM
To: 'undisclosed recipients' <jenni@apexarchaeology.com.au>
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information

Good afternoon,

Thank you for your registration of interest in the above project. Please find attached further information about the project, as well as the proposed methodology for the assessment.

Could you please provide any comments you may have by CoB Tuesday 6 December 2022. Please get in touch if you'd like to discuss the project further.

Kind regards,



rebecca@apexarchaeology.com.au

From: yurwang gundana <Yurwang.Gundana.C.H.S@outlook.com>
Sent: Saturday, 12 November 2022 6:56 PM
To: rebecca@apexarchaeology.com.au; 'undisclosed recipients'
Subject: Re: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information

Yuma, I hope you are doing well

Yurwang Gundana agrees with the methodology and wishes to be a part of the fieldwork

Thanks
Merekai Bell
Yurwang Gundana Cultural Heritage Services

Get [Outlook for Android](#)

From: rebecca@apexarchaeology.com.au <rebecca@apexarchaeology.com.au>
Sent: Wednesday, November 9, 2022 9:02:17 AM
To: 'undisclosed recipients' <jenni@apexarchaeology.com.au>
Subject: RE: 136-146 & 148 Donnison Street, Gosford NSW- Method and Project Information

Good afternoon,

Thank you for your registration of interest in the above project. Please find attached further information about the project, as well as the proposed methodology for the assessment.

Could you please provide any comments you may have by CoB Tuesday 6 December 2022. Please get in touch if you'd like to discuss the project further.

Kind regards,





APPENDIX F: DRAFT REPORT EMAILS AND RESPONSES

From: [Jenni Bate](#)
To: [Undisclosed Recipients](#)
Cc: [Rebecca Bryant](#)
Bcc: [Amanda De Zwart](#); tracey@guringai.com.au; [Kerrie Brauer](#); [Corrroboree Aboriginal Corporation](#); [Shayne Dickson](#); [Phil Khan](#); leannekirkman1964@gmail.com; lowerhunterai@gmail.com; [yurwang gundana](#); matthew.syron@dlalc.org.au; [Darkinjung](#)
Subject: 136-146 and 148 Donnison Street, Gosford - Draft ACHA and AR report
Date: Friday, 9 June 2023 2:20:16 PM
Attachments: [22172 136-146 Donnison Street, Gosford Draft AR.pdf](#)
[22172 136-146 Donnison Street, Gosford Draft ACHA.pdf](#)

Good afternoon,

Thanks again for your registration of interest in the above project. Please find attached the draft reports for your review and comment.

The assessment concluded that the site was highly disturbed through past construction works and did not retain any archaeological potential. An unexpected finds protocol has been attached to the ACHA as an appendix.

We look forward to receiving your comments by CoB Friday 7 July 2023. Please don't hesitate to get in touch if you have any questions.

Kind regards,



Apex Archaeology is proud to support the [Immunisation Foundation of Australia](#) through our workplace giving program.

From: [Jacob Cain](#)
To: [Jenni Bate](#)
Cc: [Rebecca Bryant](#)
Subject: Re: 136-146 and 148 Donnison Street, Gosford - Draft ACHA and AR report
Date: Monday, 17 July 2023 11:34:22 AM
Attachments: [Outlook-cid_image0.png](#)

Yaama Jenni,

Sorry I missed the cut off date for comments, this all seems ok to me, and I agree that this area has been highly disturbed.

You covered a recommendation I was going to say which is to cease all work and communicate with the Aboriginal Community on next steps if anything of our heritage was to be found.

Kind regards,

Jacob Cain | Culture, Heritage & Education Officer



Phone: 02 4351 2930 **Fax:** [02 4351 2946](#)

Postal: [PO%20Box%20401%20Wyong%20NSW%202259]PO Box 401 Wyong NSW 2259

Website: darkinjung.com.au

From: Jenni Bate <jenni@apexarchaeology.com.au>

Sent: Friday, June 9, 2023 2:20 PM

To: Undisclosed Recipients <jenni@apexarchaeology.com.au>

Cc: Rebecca Bryant <rebecca@apexarchaeology.com.au>

Subject: 136-146 and 148 Donnison Street, Gosford - Draft ACHA and AR report

Good afternoon,

Thanks again for your registration of interest in the above project. Please find attached the draft reports for your review and comment.

The assessment concluded that the site was highly disturbed through past construction works and did not retain any archaeological potential. An unexpected finds protocol has been attached to the ACHA as an appendix.

We look forward to receiving your comments by CoB Friday 7 July 2023. Please don't hesitate to get in touch if you have any questions.

Kind regards,



Jenni Bate
DIRECTOR - ARCHAEOLOGIST

0422 229 179

JENNI@APEXARCHAEOLOGY.COM.AU

WWW.APEXARCHAEOLOGY.COM.AU

Apex Archaeology is proud to support the [Immunisation Foundation of Australia](#) through our workplace giving program.

From: [Tracey Howie](#)
To: [Jenni Bate](#)
Cc: [Rebecca Bryant](#)
Subject: Re: 136-146 and 148 Donnison Street, Gosford - Draft ACHA and AR report
Date: Monday, 12 June 2023 2:43:47 PM

Thank you Jenni.

Regards,

Tracey

A W A B A K A L & G U R I N G A I



Tracey Howie | Director | Awabakal & Guringai Pty Ltd
ABN : 81 609 498 491 | ACN : 609 498 491
M : 0404 182 049 | E : tracey@guringai.com.au
PO Box 122 Rutherford NSW 2320 Australia

On 9 Jun 2023, at 2:20 pm, Jenni Bate <jenni@apexarchaeology.com.au> wrote:

Good afternoon,

Thanks again for your registration of interest in the above project.
Please find attached the draft reports for your review and comment.

The assessment concluded that the site was highly disturbed through past construction works and did not retain any archaeological potential. An unexpected finds protocol has been attached to the ACHA as an appendix.

We look forward to receiving your comments by CoB Friday 7 July 2023. Please don't hesitate to get in touch if you have any questions.

Kind regards,

<image001.jpg>

Apex Archaeology is proud to support the [Immunisation Foundation of Australia](#) through our workplace giving program.

<22172 136-146 Donnison Street, Gosford Draft AR.pdf><22172 136-146 Donnison Street, Gosford Draft ACHA.pdf>



APPENDIX G: UNEXPECTED FINDS PROTOCOL

Should unanticipated Aboriginal archaeological material be encountered during site works, all work must cease in the vicinity of the find and an archaeologist contacted to make an assessment of the find and to advise on the course of action to be taken. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.

In the unlikely event that suspected human remains are identified during construction works, all activity in the vicinity of the find must cease immediately and the find protected from harm or damage. The NSW Police must be notified immediately. If the finds are confirmed to be human and of Aboriginal origin, further assessment by an archaeologist experienced in the assessment of human remains and consultation with both Heritage NSW and the RAPs for the project would be required.



APPENDIX H: ARCHAEOLOGICAL REPORT

136-146 & 148 DONNISON STREET, GOSFORD, NSW

ARCHAEOLOGICAL REPORT

Report to The Bathla Group

LGA: Central Coast

August 2023





EXECUTIVE SUMMARY

Apex Archaeology have been engaged to assist The Bathla Group to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed development at 136-146 and 148 Donnison Street, Gosford, NSW. The project is located within the Central Coast LGA and has been approved as a State Significant Development (SSD-9813) under Part 4 (Division 4.1) of the *Environmental Planning & Assessment Act* (1979). Following determination of the SSD application, it was noted that any future development applications should be accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR).

This report details the results of the archaeological assessment of the site, prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010) (the Code of Practice). This report forms an appendix to the ACHA report and has been prepared in accordance with requirement C17 of the project approval.

The proposed development includes the demolition of the existing structures and the construction of five residential and mix-use towers. These works will also include underground car parking, landscaping and services such as telecommunications, water and electricity. The study area is approximately 1.4 hectares and currently contains the Gosford Town Shopping Centre that is no longer occupied, and a vacant block of land in the south east corner. It is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and businesses that border the remaining areas of the former shopping complex.

A previous Aboriginal cultural heritage due diligence assessment of the study area undertaken by Extent Heritage Advisors in June 2019 did not identify any Aboriginal sites. Their investigation included a review of Aboriginal archaeological and heritage assessments completed in the surrounding area, as well as consideration of the environmental background and a pedestrian survey. The site was assessed as being heavily impacted by the construction of the current shopping mall, that is now derelict, and other former buildings. It was proposed that these works would have truncated the upper soil profile by at least 1 m, which is the soil profile that most likely would have contained cultural material. With regards to the vacant lot in the southeast corner, the report stated that it would have been impacted by the construction of the surrounding multi-storey structures. It was recommended that works could proceed with caution.

Despite the results of this previous assessment, an ACHAR is required to meet conditions of the project approval, and therefore this report has been prepared in accordance with these requirements.

The current investigation included a pedestrian survey that was undertaken by Apex Archaeology in December 2022. Although the Darkinjung Local Aboriginal Land Council confirmed a representative would be participating in this survey, they were



unable to make it on the day due to unforeseen circumstances. The results of this survey, along with consideration of previous archaeological and heritage investigations within the surrounding area, and the past and current environment, found the entire site had been completely impacted by previous construction of buildings across the study area. Given the significant historical land disturbance that has occurred within the study area boundaries, it was concluded that it is unlikely that any intact archaeological deposits were likely to remain within the assessment area.

Based on the results of the cultural heritage and archaeological assessments, the following recommendations have been made for the project:

RECOMMENDATION 1: NO FURTHER ARCHAEOLOGICAL ASSESSMENT REQUIRED

This report details the archaeological potential of the site, which has been assessed as negligible. No further archaeological assessment is required for the site prior to the commencement of proposed development activities.

RECOMMENDATION 2: DEVELOPMENT BOUNDARIES

The proposed development works must be contained within the assessed boundaries for this project. If there is any alteration to the boundaries of the proposed development to include areas not assessed as part of this archaeological investigation, further investigation of those areas should be completed to assist in managing Aboriginal objects and places which may be present in an appropriate manner.

RECOMMENDATION 3: STOP WORK PROVISION

Should unanticipated Aboriginal archaeological material be encountered during site works, all work must cease in the vicinity of the find and an archaeologist contacted to make an assessment of the find and to advise on the course of action to be taken. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.

In the unlikely event that suspected human remains are identified during construction works, all activity in the vicinity of the find must cease immediately and the find protected from harm or damage. The NSW Police and the Coroner's Office must be notified immediately. If the finds are confirmed to be human and of Aboriginal origin, further assessment by an archaeologist experienced in the assessment of human remains and consultation with both Heritage NSW and the RAPs for the project would be required.

RECOMMENDATION 4: REPORTING

One digital copy of this report should be forwarded to Heritage NSW for inclusion on the Aboriginal Heritage Information Management System (AHIMS).

One copy of this report should be forwarded to each of the registered Aboriginal stakeholders for the project.



Apex Archaeology acknowledges and pays respect to the past, present and future Traditional Custodians and Elders of this nation and in whose land this assessment took place, and to the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

DOCUMENT CONTROL

The following register documents the development and issue of the document entitled '136-146 & 148 Donnison Street, Gosford NSW: Archaeological Report', prepared by Apex Archaeology in accordance with its quality management system.

Revision	Prepared by	Reviewed by	Comment	Issue Date
1 – Draft	Rebecca Bryant	Jenni Bate	Client Review	24 April 2023
2 – Draft	Jenni Bate	Bathla	RAP Review	9 June 2023
3 – Final	Jenni Bate	RAPs	Issue of final	30 August 2023



GLOSSARY OF TERMS

Aboriginal Object	An object relating to the Aboriginal habitation of NSW (as defined in the NPW Act), which may comprise a deposit, object or material evidence, including Aboriginal human remains.
ACHA	Aboriginal Cultural Heritage Assessment
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHCRs	<i>Aboriginal cultural heritage consultation requirements for proponents 2010</i>
AHIMS	Aboriginal Heritage Information Management System maintained by Heritage NSW, detailing known and registered Aboriginal archaeological sites within NSW
AHIP	Aboriginal Heritage Impact Permit
AR	Archaeological report
ASIRF	Aboriginal Site Impact Recording Form
BP	Before Present, defined as before 1 January 1950.
Code of Practice	The DECCW September 2010 <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i>
Consultation	Aboriginal community consultation in accordance with the DECCW April 2010 <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> .
DA	Development Application
DECCW	The Department of Environment, Climate Change and Water (now Heritage NSW)
Disturbed Land	If land has been subject to previous human activity which has changed the land's surface and are clear and observable, then that land is considered to be disturbed
Due Diligence	Taking reasonable and practical steps to determine the potential for an activity to harm Aboriginal objects under the <i>National Parks and Wildlife Act 1974</i> and whether an application for an AHIP is required prior to commencement of any site works, and determining the steps to be taken to avoid harm
Due Diligence Code of Practice	The DECCW Sept 2010 <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i>
GIS	Geographical Information Systems
GSV	Ground Surface Visibility
Harm	To destroy, deface or damage an Aboriginal object; to move an object from land on which it is situated, or to cause or permit an object to be harmed
Heritage NSW	Heritage NSW within the Department of Premier and Cabinet; responsible for overseeing heritage matters within NSW
ka	Kiloannus, a unit of time equating to 1,000 years
LALC	Local Aboriginal Land Council
LGA	Local Government Area
NPW Act	<i>NSW National Parks and Wildlife Act 1974</i>
NPWS	National Parks and Wildlife Service
OEH	The Office of Environment and Heritage of the NSW Department of Premier and Cabinet (now Heritage NSW)
PAD	Potential Archaeological Deposit
RAPs	Registered Aboriginal Parties



CONTENTS

1.0	Introduction.....	1
1.1	Objectives of the Archaeological Assessment.....	1
1.2	Study Area and Project Brief.....	1
1.3	Project Framework.....	2
1.4	Investigators and Contributors	3
1.5	Limitations.....	3
2.0	Statutory Context.....	9
2.1	Commonwealth Legislation.....	9
2.1.1	Aboriginal and Torres Strait Islander Heritage Protection Act 1984.....	9
2.1.2	Environment Protection and Biodiversity Conservation Act 1999	9
2.1.3	Native Title Act 1993.....	10
2.2	New South Wales Legislation	10
2.2.1	National Parks and Wildlife Act 1974.....	10
2.2.2	NSW National Parks and Wildlife Regulation 2019.....	10
2.2.3	Environmental Planning & Assessment Act 1979	11
2.2.4	Central Coast Local Environmental Plan 2022	12
3.0	Aboriginal Cultural Heritage	14
3.1	Existing Environment	14
3.1.1	Soils, Geology and Topography	14
3.1.2	Flora and Fauna.....	14
3.1.3	Hydrology	15
3.1.4	Raw Materials.....	16
3.1.5	Procurement.....	18
3.1.6	Manufacture.....	18
3.2	Land Use History	19
4.0	Literature Review	25
4.1	Previous Archaeological Work	25
4.1.1	Previous Regional Heritage Assessments	25
4.1.2	Previous Heritage Assessments within the Current Study Area.....	31
4.2	AHIMS Results.....	31
4.3	Predictive Model	35
5.0	Field Work	39
5.1	Sampling Strategy.....	39



5.2	Site Inspection	39
5.3	Survey Coverage.....	39
5.4	Survey Results	42
5.5	Survey Summary	47
5.6	Discussion.....	47
6.0	Scientific Values and Significance Assessment.....	48
6.1	Introduction	48
6.2	Archaeological Significance	48
6.3	Criteria	48
6.4	Significance Assessment	49
6.5	Statement of Archaeological Significance.....	49
7.0	Impact Assessment	50
7.1	Proposed Development.....	50
7.2	Potential Impact	50
8.0	Management, Mitigation and Recommendations.....	51
8.1	Guiding Principles	51
8.2	Harm Avoidance or Mitigation.....	51
9.0	Recommendations	52
10.0	Bibliography	54
	Appendix A: AHIMS Searches	58

FIGURES

Figure 1: Study area within its regional context.	4
Figure 2: Study area within its local context.	5
Figure 3: Approved development layout (Source: Buchan 2022)	6
Figure 4: Approved elevations of development from Donnison Street (Source: Buchan 2022)	7
Figure 5: Approved elevations of development from William Street (Source: Buchan 2022) .	8
Figure 6: Detail of the CC Heritage Map, study area outlined in red (Source: NSW Government ePlanning Historical Viewer)	13
Figure 7: The Strahler system (Source: Department of Planning and Environment 2016).....	15
Figure 8: AHIMS sites within a 5 km area of the study area.....	33
Figure 9: Survey transect within the study area.....	41



1.0 INTRODUCTION

Apex Archaeology have been engaged to assist The Bathla Group to undertake an Aboriginal Cultural Heritage Assessment (ACHA) for a proposed residential development at 136 -146 & 148 Donnison Street, Gosford. The project is located within the Central Coast Local Government Area (LGA). The project is located within the Central Coast LGA and has been approved as a State Significant Development (SSD-9813) under Part 4 (Division 4.1) of the *Environmental Planning & Assessment Act* (1979). Following determination of the SSD application, it was noted that any future development applications should be accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR).

This report details the results of the archaeological assessment of the site, prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (September 2010) (the Code of Practice). This report forms an appendix to the ACHA report prepared for the project.

The proponent for the project is The Bathla Group. The project manager for the project was Jaimin Desai from The Bathla Group.

1.1 OBJECTIVES OF THE ARCHAEOLOGICAL ASSESSMENT

The archaeological investigation was undertaken to meet the requirements of the Code of Practice.

The purpose of the archaeological investigation is to understand and establish the potential harm the proposed development may have on Aboriginal cultural heritage within the study area, both tangible and intangible.

Any development works which disturb the ground surface have the potential to impact Aboriginal archaeological deposits and therefore an assessment of whether the study area contains such deposits is required prior to the commencement of construction works. An assessment of whether the proposed development would impact these deposits (if present) is also necessary, and identification of to what extent the deposits would be impacted is also required. The degree of impact which may be allowable is determined, in part, with consideration of the level of cultural significance attributed to the cultural values of the study area, both tangible and intangible.

As such, the objectives of the assessment are to determine whether Aboriginal cultural values exist within the study area, and whether the proposed project can avoid impact to these values, or if mitigation measures may be necessary.

1.2 STUDY AREA AND PROJECT BRIEF

The study area is located at 136-146 & 148 Donnison Street Gosford, NSW and is approximately 77km north of the Sydney Central Business District CBD and 92km



southwest of Newcastle (Figure 1). The study area is within the Central Coast LGA and is legally defined as Lot 6 DP 598833 and Lot 1 DP 540292. It comprises approximately 1.4 ha and currently contains the Gosford Town Shopping Centre that is no longer occupied, and a vacant block of land in the southeast corner. It is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and business offices that border the remaining areas of the former shopping complex (Figure 2).

The proposed works (Figure 3, Figure 4, and Figure 5) will be undertaken in two stages. The first stage will involve the demolition of existing buildings and a substation, removal of existing on-site vegetation, extinguish easements and realignment of stormwater/sewer infrastructure. The next stage will involve the construction of three residential towers in the southern portion of the study area and two residential towers within the northern portions. Three of the towers will have commercial and/or retail spaces at the base the buildings, and the other two towers will have services at the base of the buildings. There is also proposed underground carparking, inground swimming pools and landscaping. These activities, along with the implementation of services such as water, electricity and telecommunications are expected to result in subsurface excavations and modification to the natural landscape. There is also a probability that excavated soil will be removed from the study area or redeposited within it, and other fill may be introduced to the site.

As all the above-mentioned activities may potentially impact any items of Aboriginal heritage, a more comprehensive investigation in the form of an Aboriginal cultural heritage assessment was required to determine the nature and extent of potential deposits within the study area, and whether any sites identified could be avoided by the proposed works.

1.3 PROJECT FRAMEWORK

The project is referred to as the 'Gosford Alive' development and is a mixed-use development that will provide residential housing and business opportunities in the Gosford area. The complex will also enable significant economic opportunities including employment opportunities, especially during the construction stage, and then through retail opportunities and the upkeep of the development.

The proposed development has been approved as a State Significant Development (SSD-9813) and prior to the commencement of Stage 1 Works, an Aboriginal Cultural Heritage Assessment (ACHA) in consultation with the local Aboriginal community must be submitted to the Planning Secretary for approval prior to commencement of demolition works.



1.4 INVESTIGATORS AND CONTRIBUTORS

This archaeological assessment was commissioned by The Bathla Group. Apex Archaeology thanks Jaimin Desai for his assistance with the project. Thanks are also extended to the registered Aboriginal groups for their participation and assistance with the project.

This report has been prepared by Rebecca Bryant, Archaeologist with Apex Archaeology. The report was reviewed by Jenni Bate, Director and Archaeologist with Apex Archaeology. Jenni has over sixteen years of archaeological consulting experience within NSW, and Rebecca has 11 years of experience in archaeological research projects (inc. 6 years in consultancy). Project team roles and qualifications are shown in Table 1.

Table 1: Project team roles and qualifications

Name	Role	Qualifications
Rebecca Bryant	Report Author; fieldwork	B.Science (Arch/Paleo); Mphil
Jenni Bate	Review	B.Archaeology; Grad. Dip. CHM

1.5 LIMITATIONS

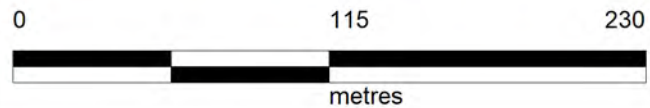
This report relies in part on previously recorded archaeological and environmental information for the wider region. This includes information from AHIMS, which is acknowledged to be occasionally inaccurate, due to inaccuracies in recording methods. No independent verification of the results of external reports has been made as part of this report.

It should be noted that AHIMS results are a record only of the sites that have been previously registered with AHIMS and are not a definitive list of all Aboriginal sites within an area, as there is potential for sites to exist within areas that have not previously been subject to archaeological assessment.

Field investigations for this report included a pedestrian survey. The results are considered to be indicative of the nature and extent of Aboriginal archaeological remains within the study area, but it should be noted that further Aboriginal objects and sites which have not been identified as part of this assessment may be present within the wider area.



- Study Area
- Lot Boundary



Projection:
MGA Zone 56 (GDA 94)
Base Map:
NearMaps 2023
Image Date: 06/03/2023
Final - Version 1

Figure 2: Study area within its local context.



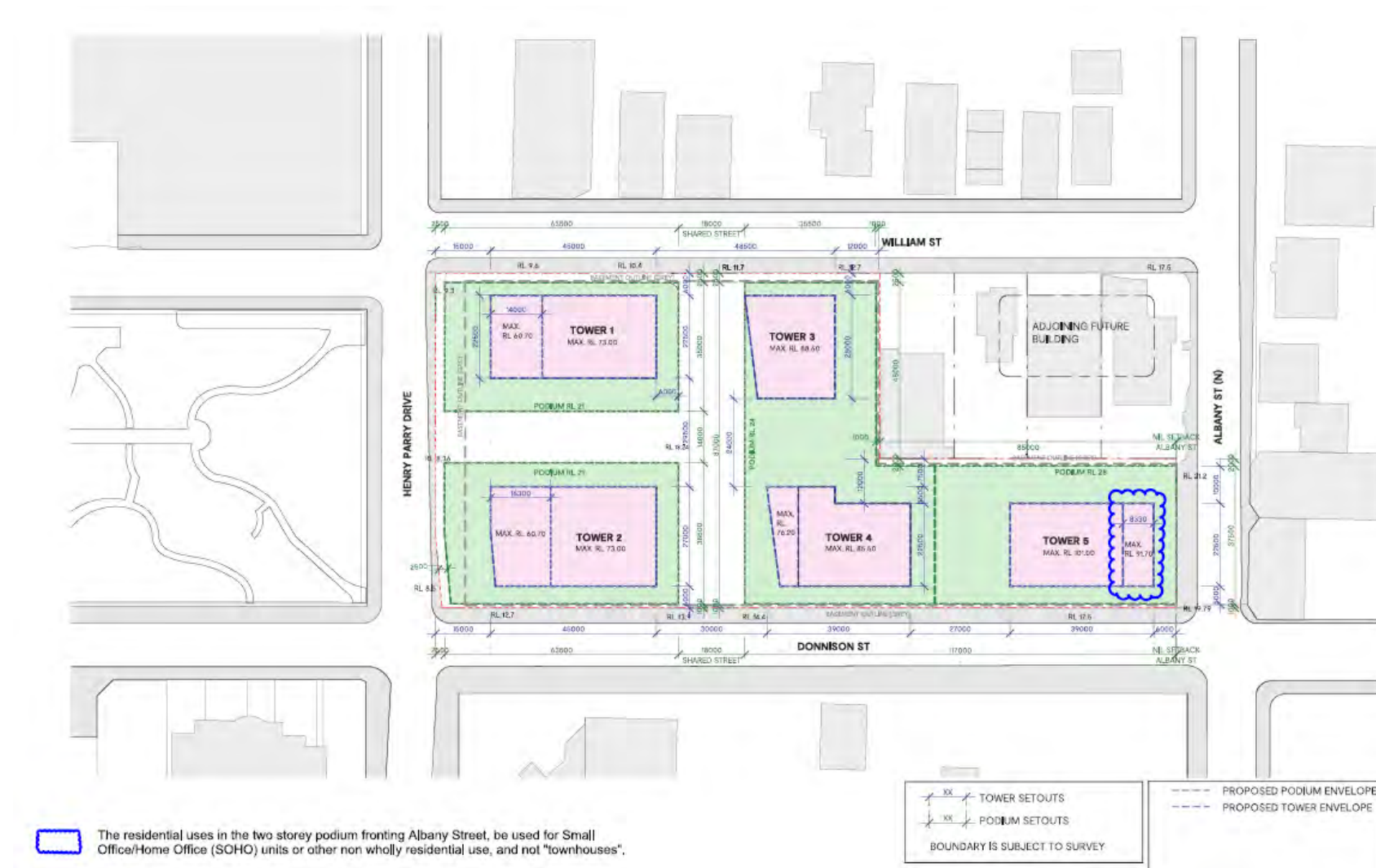
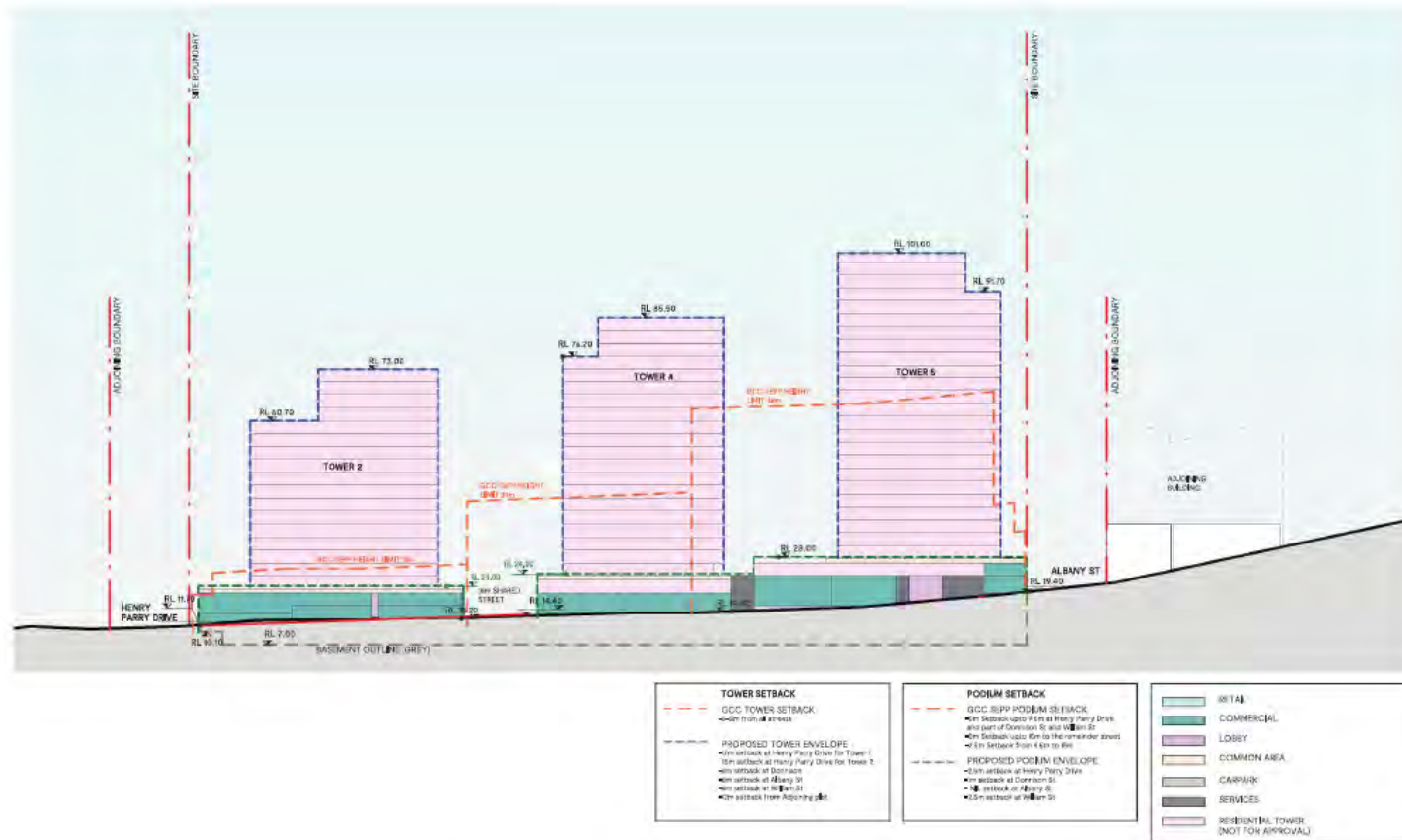


Figure 3: Approved development layout (Source: Buchan 2022)



BUCHAN

7

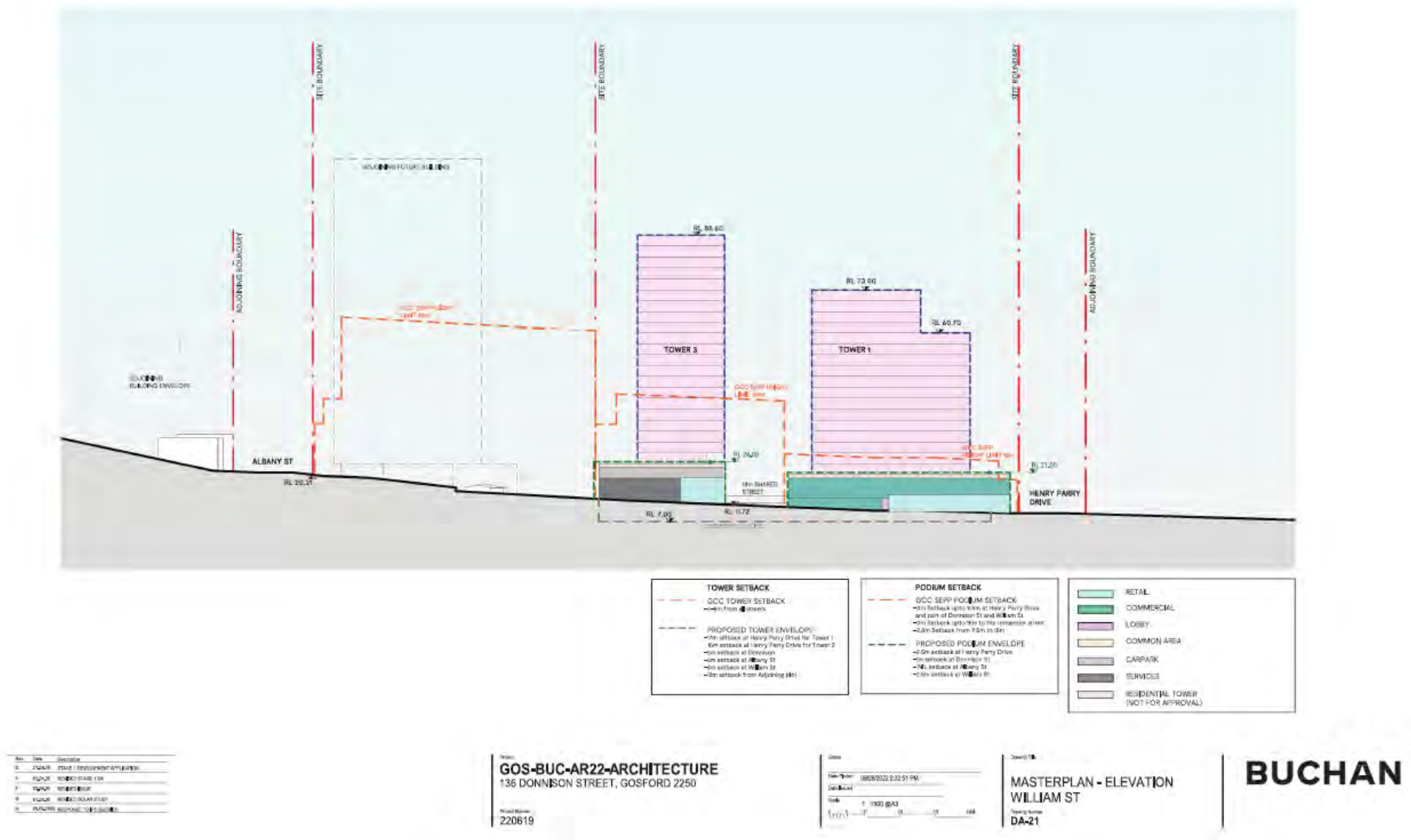


Figure 5: Approved elevations of development from William Street (Source: Buchan 2022)



2.0 STATUTORY CONTEXT

Heritage in Australia, including both Aboriginal and non-Aboriginal heritage, is protected and managed under several different Acts. The following section presents a summary of the applicable Acts which provide protection to cultural heritage within NSW.

2.1 COMMONWEALTH LEGISLATION

2.1.1 ABORIGINAL AND TORRES STRAIT ISLANDER HERITAGE PROTECTION ACT 1984

This Act provides for the preservation and protection of injury and/or desecration of areas and objects in Australia and its waters that are of significance to Aboriginal people, in accordance with Aboriginal tradition.

Under this Act, the responsible Minister has provision to make both temporary and/or long-term declarations, in order to provide protection to areas and objects which are at threat of injury or desecration. In some instances, this Act can override State or Territory provisions, or be invoked if State or Territory provisions are not enforced. An Aboriginal or Torres Strait Islander individual or organisation must invoke the Act.

No items within the study area are listed or protected under this Act.

2.1.2 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

The EPBC Act provides protection to environmental sites of national significance, including places with cultural heritage values that contribute to Australia's national identity. The Act aims to respect the role of Indigenous peoples in the conservation and ecologically sustainable use of Australia's biodiversity, and to enhance the protection and management of important natural and cultural places. Additionally, the Act is designed to promote the use of Indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

The National Heritage List provides a listing of natural, historic and Indigenous places of outstanding significance to the nation, while the Commonwealth Heritage List details the Indigenous, historic and natural places owned or controlled by the Australian Government.

Under the EPBC Act, approvals are required if any action is proposed that will have (or is likely to have) a significant impact on the National Heritage values of a National Heritage place. Therefore, actions must be referred to the Australian Government Minister for the Environment and Heritage. A decision will be made as to whether the proposed action will have a significant impact on any matters of national significance.

A search of both the NHL and the CHL did not identify any items within the study area.



2.1.3 NATIVE TITLE ACT 1993

The *Native Title Act 1993*, as amended, provides protection and recognition for Native title. Native title is recognised where the rights and interests of over land or waters where Aboriginal and Torres Strait Islander practiced traditional laws and customs prior to the arrival of European settlers, and where these traditional laws and customs have continued to be practiced.

The National Native Title Tribunal (NNTT) was established to mediate native title claims made under this Act. Three registers are maintained by the NNTT, as follows:

- National Native Title Register
- Register of Native Title Claims
- Register of Indigenous Land Use Agreements.

Searching the NNTT registers allows identification of potential Aboriginal stakeholders who may wish to participate in consultation.

A search of all three registers did not identify any registered or determined Native Title claims over the study area.

2.2 NEW SOUTH WALES LEGISLATION

2.2.1 NATIONAL PARKS AND WILDLIFE ACT 1974

The *National Parks and Wildlife Act 1974* provides protection for all Aboriginal objects and places within NSW. Aboriginal objects are defined as the material evidence of the Aboriginal occupation of NSW, while Aboriginal Places are defined as areas of cultural significance to the Aboriginal community. All Aboriginal objects are protected equally under the Act, regardless of their level of significance. Aboriginal Places are gazetted if the Minister is satisfied that the location was and/or is of special significance to Aboriginal people.

Following amendments to the NPW Act in 2010, approval to impact Aboriginal cultural heritage sites is only granted under a Section 90 AHIP, which is granted by Heritage NSW in the Department of Premier and Cabinet. In this instance, the requirement to obtain an AHIP under Section 90 of the NPW Act is “switched off” by the requirements of the EPA Act.

2.2.2 NSW NATIONAL PARKS AND WILDLIFE REGULATION 2019

Part 5, Division 2 of the *NSW National Parks and Wildlife Regulation 2019* addresses Aboriginal objects and places in relation to the NPW Act 1974, and outlines how compliance with relevant codes of practice can be met.

Clause 58(1) outlines the defence of low impact acts or omissions to the offence of harming Aboriginal objects, which includes maintenance works on existing roads and fire trails, farming and land management work, grazing of animals, activities on land that has been disturbed that is exempt or complying development, mining exploration work, removal of vegetation (aside from Aboriginal culturally modified



trees), seismic surveying or groundwater monitoring bores on disturbed ground, or environmental rehabilitation work (aside from erosion control or soil conservation works such as contour banks).

Clause 58(4) outlines the definition of 'disturbed land', as land that "has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable".

Clause 59 relates to the notification of Aboriginal objects and sites and Clause 60 relates to the requirements for the consultation process to support an AHIP application. The regulation sets out the requirements broadly in line with those outlined in the ACHCRs.

2.2.3 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

Under the EP&A Act, it is necessary to consider environmental impacts, including impact to cultural heritage, as part of the land use process. Local Environmental Plans (LEPs) and Development Control Plans (DCPs) are also required to be prepared by Local Government Areas (LGAs) in order to provide guidance on the applicable level of environmental assessment. LGAs are required to maintain a list of locally significant heritage items as part of their LEP.

Under the EP&A Act, Part 3 describes the planning instruments at both local and regional levels; Part 4 relates to development assessment and consent processes, and Part 5 refers to infrastructure and environmental impact assessment.

Part 4, division 4.7 State Significant Development of the EP&A Act outlines the requirements for assessment of State Significant Development. Section 4.41 outlines approvals and legislation that does not apply to SSD projects. This clause states:

1. The following authorisations are not required for State significant development that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such an authority do not apply)-
 - a) (repealed)
 - b) A permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
 - c) An approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
 - d) **An Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1997***
 - e) (repealed)
 - f) A bush fire safety authority under section 100B of the *Rural Fires Act 1997*
 - g) A water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the *Water Management Act 2000*.
2. Division 8 of Part 6 of the *Heritage Act 1977* does not apply to prevent or interfere with the carrying out of State significant development that is



authorised by a development consent granted after the commencement of this Division.

3. A reference in this section to State significant development that is authorised by a development consent granted after the commencement of this Division includes a reference to any investigative or other activities that are required to be carried out for the purpose of complying with any environmental assessment requirements under this Part in connection with a development application for any such development.

The EPA Act is administered by the Department of Planning and Environment and the Minister will determine this project. In accordance with this act, there is no requirement to obtain consent from Heritage NSW under the provisions of s.90 of the NPW Act.

2.2.4 CENTRAL COAST LOCAL ENVIRONMENTAL PLAN 2022

The *Central Coast Local Environmental Plan (LEP) 2022* is the overarching planning instrument applicable to the Central Coast LGA.

Clause 5.10(2) (e) identifies that no buildings may be erected on land within a heritage conservation area, or which contains an Aboriginal object, without first obtaining development consent. Further, Clause 5.10(2) (c) states that archaeological sites may not be disturbed or excavated without development consent. Exceptions to the requirement for development consent are detailed by -

Clause 5.10(3) (a) and include work that is minor in nature or is for the maintenance of a heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, and would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance.

Clause 5.10(8) (a & b) requires that the effect of any development on an Aboriginal place of heritage significance must be considered, and the Aboriginal community must be notified of any proposed developments and take into consideration any responses received within 28 days after the notice was sent. This document details the notification to the registered Aboriginal community regarding the intention to develop the study area and the consultation undertaken regarding the proposed development's potential impact on Aboriginal cultural heritage in the area.

Clause 5.10(10) (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance.

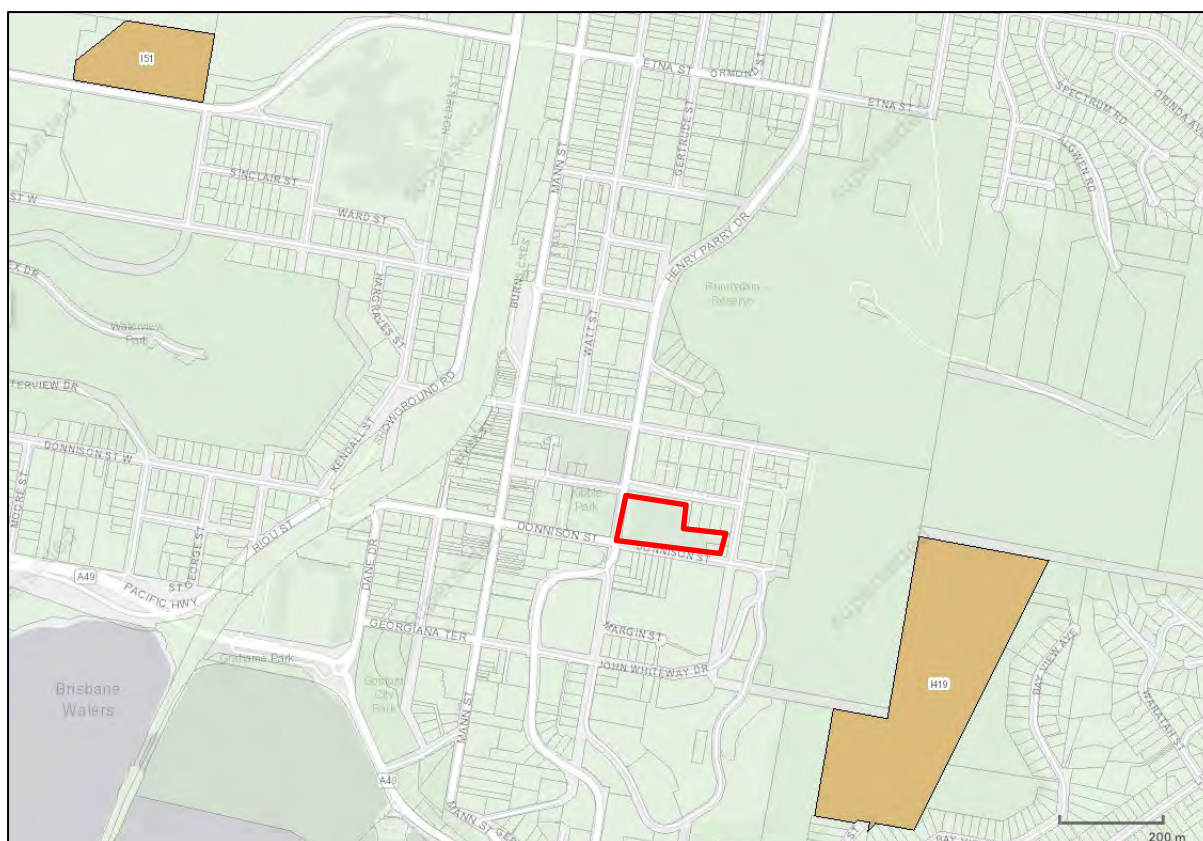


Figure 6: Detail of the CC Heritage Map, study area outlined in red (Source: NSW Government ePlanning Historical Viewer)

There are no known items of Aboriginal heritage significance identified within the LEP that fall within the current study areas (Figure 6). The areas on the map shaded in brown are 'General' non-Aboriginal heritage item listed in the CCLEP 2022. Although there are no Aboriginal heritage items listed this does not mean that the land has low Aboriginal cultural heritage significance.



3.0 ABORIGINAL CULTURAL HERITAGE

This section presents information about both the physical and cultural landscape in which the study area is located, as well as previous archaeological and ethnohistorical studies, to provide context and background to the existing knowledge of Aboriginal culture in the area.

3.1 EXISTING ENVIRONMENT

The study area is located within the geological structure known as the Sydney Basin, which is roughly bounded by the Great Dividing Range to the west, the coast to the east, Newcastle to the north and Durras, near Batemans Bay, to the south. The current study area is at the base of a coastal sandstone ridge that traverses in a northwest to southeast direction through Kantandra and Rubalara Reserve that are situated just east of the study area. The land encompassing the study area slopes in a moderate to gentle, north-south and west-east direction toward the harbour within Brisbane Water, approximately 600 m to the south. The study area is within Gosford which has been extensively modified through land reclamation along the harbour front, quarrying of sandstone from the surrounding cliffs, and residential and commercial development. The immediate study area has been impacted by the construction of buildings that extend to the boundary of the study area.

3.1.1 SOILS, GEOLOGY AND TOPOGRAPHY

The western section of the study area is mapped as being on disturbed terrain. This would have been a result of the reclamation works undertaken along the Gosford foreshore in the late 1930s. The eastern section is mapped as being within the Erina Soil Landscape that comprises yellow to red podzolic soils that varying in depth from approximately 100 cm to over 200 cm, depending on where they are in the landscape. The soils occur on rolling hills and foot slopes but are prone to very high erosion. The underlying geology for this soil type is within the Narrabeen Group that consists of lithic and quartz sandstone and siltstone, minor sedimentary breccia, claystone and conglomerate. The elevated cliffs bordering the study are Hawkesbury sandstone that lies above the Narrabeen Group. This is finer grained and has been heavily quarried in the area for commercial use, including directly to the east of the current study area.

3.1.2 FLORA AND FAUNA

Although there is nothing left of the original landscape within the study area it would have consisted of tall open-forest (wet sclerophyll forest) with open – heath. Common species of the open-forest include spotted gum *Eucalyptus maculata*, grey ironbark *E. paniculata* and forest oak *Allocasuarina torulosa*. Turpentine gum *Syncarpia glomulifera* and Sydney blue gum *E. saligna* would have also been common (NSW Government SEED 2022). Many of these would have provided resources for Aboriginal people, either for dietary needs or to provide tools and implements.

Animals within the study area and surrounds would have included possums, snakes, lizards, birds, and fish, shellfish, crustaceans, molluscs and octopus from the nearby coastal shoreline.

3.1.3 HYDROLOGY

There are a number of unnamed natural drainage lines to the east of the area within Rumbalara Reserve that is situated in the elevated cliff area to the east. They do not appear to feed into any other surrounding creek systems so it is unclear if these would have provided reliable fresh water. The closest permanent water source would have been Narara Creek, approximately 2 km to the west of the study area. However, this creek feeds into the tidal waters of Brisbane Water Bay which is likely to have been salty or brackish for a considerable way upstream.

Watercourse classification ranges from first order through to fourth order (and above), with first order being the lowest, ie a minor creek or ephemeral watercourse, and fourth or above being a large watercourse such as a river (Figure 7), as defined by the Department of Planning and Environment (DPE). This classification is recognised as a factor which helps the development of predictive modelling in Aboriginal archaeology in NSW. Although Narara Creek is classified as a third order creek this classification system is not applicable as it is not known if the section of the creek closest to the study area would have provided a permanent freshwater supply for Aboriginal people.

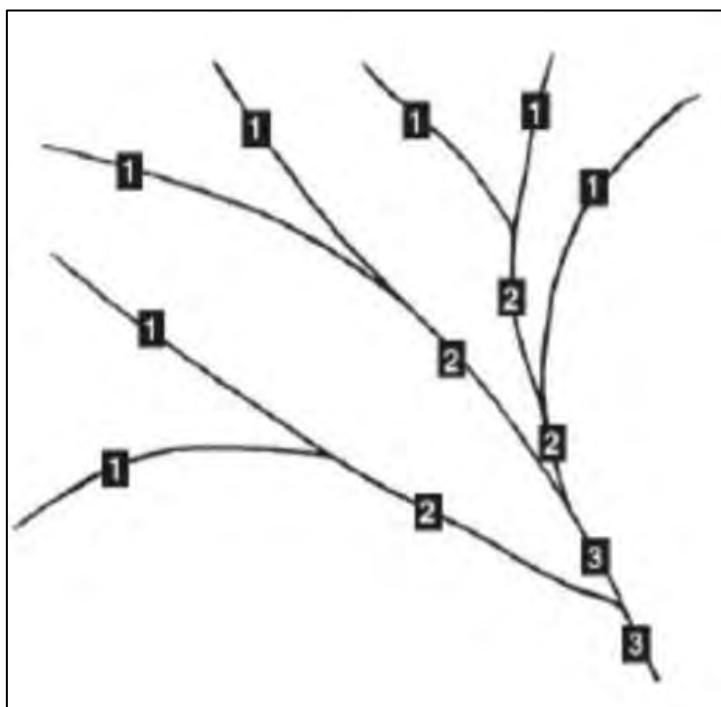


Figure 7: The Strahler system (Source: Department of Planning and Environment 2016).



3.1.4 RAW MATERIALS

A wide range of raw materials were selected by Aboriginal people for flaking to create stone implements. Material types ranged from high quality to poor quality for flaking purposes, depending on the geology of the area and readily available material types. The following is a description of a range of raw material types known to have been utilised by Aboriginal people for the creation of stone artefacts. Not all occur naturally within all environments, although different resources can be identified within different regions due to trade or resource carrying (ie 'manuport' stone).

BRECCIA

Breccias are coarse, angular volcanic fragments cemented together by a finer grained tuffaceous matrix.

CHALCEDONY

Chalcedony is a microcrystalline, siliceous rock which is very smooth and can be glossy. Introduction of impurities can produce different coloured versions of chalcedony, including yellow/brown (referred to as carnelian), brown (sard), jasper (red/burgundy) and multicoloured agate. It flakes with a sharp edge and was a prized material type for the creation of stone artefacts in parts of Australia (Kuskie & Kamminga 2000: 186).

CHERT

Chert is a highly siliceous sedimentary rock, formed in marine sediments and also found within nodules of limestone. Accumulation of substances such as iron oxide during the formation process often results in banded materials with strong colours. Chert is found in the Illawarra Coal Measures and also as pebbles and colluvial gravels. It flakes with durable, sharp edges and can range in colour from cream to red to brown and grey.

PETRIFIED WOOD

Petrified wood is formed following burial of dead wood by sediment and the original wood being replaced by silica. Petrified wood is a type of chert and is a brown and grey banded rock and fractures irregularly along the original grain.

QUARTZ

Pure quartz is formed of silicon dioxide, and has a glossy texture and is translucent. Introduction of traces of minerals can lead to colouration of the quartz, such as pink, grey or yellow. The crystalline nature of quartz allows for minute vacuoles to fill with gas or liquid, giving the material a milky appearance.

Often quartz exhibits internal flaws which can affect the flaking quality of the material, meaning that in general it is a low-quality flaking material (Kuskie & Kamminga 2000: 186). However, quartz is an abundant and widely available material type and therefore is one of the most common raw materials used for artefact manufacture in Australia. Flaking of quartz can produce small, very sharp flakes which can be used for activities such as cutting plant materials, butchering and skinning.



QUARTZITE

Formed from sandstone, quartzite is a metamorphic stone high in silica that has been heated or had silica infiltrate the voids found between the sand grains. Quartzite ranges in colour from grey to yellow and brown.

SILCRETE

Silcrete is a siliceous material formed by the cementing of quartz clasts with a matrix. These clasts may be very fine grained to quite large. It ranges in colour from grey to white, brown, red or yellow. Silcrete flakes with sharp edges and is quite durable, making silcrete suitable for use in heavy duty woodworking activities and also for spear barbs (Kuskie & Kamminga 2000:184).

TUFF/INDURATED MUDSTONE

There is some disagreement relating to the identification of lithic materials as tuff or indurated mudstone. The material is a finely textured, very hard yellow/orange/reddish-brown or grey rock. Kuskie and Kamminga (2000: 6, 180) describe that identification of lithic materials followed the classification developed by Hughes (1984), with indurated mudstone described as a common stone material in the area. However, Kuskie and Kamminga's analysis, which included x-ray diffraction, identified that lithics identified as 'indurated mudstone' was actually rhyolitic tuff, with significant differences in mineral composition and fracture mechanics between the stone types. They define mudstone as rocks formed from more than 50% clay and silt with very fine grain sizes and then hardened.

The lithification of these mudstones results in shale (Kuskie & Kamminga 2000: 181) and thus 'indurated mudstone', in the opinion of Kuskie and Kamminga, do not produce stones with the properties required for lithic manufacture.

In 2011, Hughes, Hiscock and Watchman undertook an assessment of the different types of stones to determine whether tuff or indurated mudstone is the most appropriate terminology for describing this lithic material. The authors undertook thin section studies of a number of rocks and determined that the term 'indurated mudstone' is appropriate, with an acknowledgment that some of this material may have been volcanic in origin. They also acknowledge that precise interpretation of the differences between material types is difficult without detailed petrological examination, and suggest that artefacts produced on this material are labelled as 'IMT' or 'indurated mudstone/tuff'.

VOLCANIC

Both volcanic and acid volcanic stones are raw material type within the South Coast. Without detailed petrological analysis it can be sometimes difficult to identify the specific raw material. However, probably one of the most common and recognisable types of volcanic stone is basalt, which is commonly referred to as 'blue metal'. It is solidified lava that was produced by now extinct volcanoes and diatremes that are spread-out within the Sydney Basin. If the lava cools quickly it results in fine-grained basalt that is easily flaked or ground to make tools, implements or weapons. Tuff



forms from the tiny ash particles that are also released during volcanic explosions. When it cools it hardens into a fine-grained rock called 'tuff', as discussed above.

Basalt would have been either collected from the primary deposits formed during the eruption, which would require pieces to be broken off (quarried) or it was collected in cobble-form from a creek bed or shoreline. Cobbles are referred to as secondary sources as they are formed from pieces of rock that have been dislodged from their primary source and end up in creeks and/or river systems (Petrequin 2016; Attenbrow *et al.* 2017). The flow of water moves them around and smooths them into water-rolled cobbles that can be transported considerable distance from the original source. Basalt was often used to make axes which were either flaked into the desired shape from quarried stone, or from cobbles which quite often only required only one end to be ground into a sharp working edge.

Basalt cobbles can be found along the banks of rivers, and in bedrock quarries within the South Coast region. A known basalt source was in the Popran Creek area close to Mangrove Mountain, approximately 30 km northwest of the study area. Recent research undertaken by the Australian Museum and University of New England using portable XRF technology demonstrated that a number of ground-edged stone artefacts (inc. stone hatchets) that have been found within the Gosford area and are held at the Australian Museum have been traced to these sources (Attenbrow *et al.* 2017).

3.1.5 PROCUREMENT

Assemblage characteristics are related to and dependent on the distance of the knapping site from raw materials for artefact manufacture, and different material types were better suited for certain tasks than other material types. Considerations such as social or territorial limitations or restrictions on access to raw material sources, movement of groups across the landscape and knowledge of source locations can influence the procurement behaviour of Aboriginal people. Raw materials may also have been used for trade or special exchange between different tribes.

3.1.6 MANUFACTURE

A range of methodologies were used in the manufacture of stone artefacts and tools, through the reduction of a stone source. Stone may have been sourced from river gravels, rock outcrops, or opportunistic cobble selection. Hiscock (1988:36-40) suggests artefact manufacture comprises six stages, as follows:

1. The initial reduction of a selected stone material may have occurred at the initial source location, or once the stone had been transported to the site.
2. The initial reduction phase produced large flakes which were relatively thick and contained high percentages of cortex. Generally the blows were struck by direct percussion and would often take advantage of prominent natural ridges in the source material.



3. Some of these initial flakes would be selected for further reduction. Generally only larger flakes with a weight greater than 13-15 grams would be selected for further flaking activities.
4. Beginning of 'tranchet reduction', whereby the ventral surface of a larger flake was struck to remove smaller flakes from the dorsal surface, with this retouch applied to the lateral margins to create potential platforms, and to the distal and proximal ends to create ridges and remove any unwanted mass. These steps were alternated during further reduction of the flake.
5. Flakes were selected for further working in the form of backing.
6. Suitable flakes such as microblades were retouched along a thick margin opposite the chord to create a backed blade.

Hiscock (1986) proposed that working of stone materials followed a production line style of working, with initial reduction of cores to produce large flakes, followed by heat treatment of suitable flakes before the commencement of tranchet reduction. These steps did not necessarily have to occur at the same physical location, but instead may have been undertaken as the opportunity presented.

Although probably less common than the process of flaking stone to modify it, the grinding technique was used within the Sydney Basin. This has been documented by early settlers particularly in the manufacture of axe heads where the end of a cobble was ground to achieve a working edge (Corkill 2005).

3.2 LAND USE HISTORY

INDIGENOUS OCCUPATION

When Aboriginal occupation of Australia is likely to have first commenced, around 60,000 years ago (Mulvaney and Kamminga 1999; Bowdler *et al* 2003; Attenbrow 2010), sea levels were around 30-35m lower than present levels, and this further decreased to up to 130m lower than present sea levels (Attenbrow 2010). Sea levels stabilised around 7-6,500 years ago, and as a result many older coastal sites would have been inundated with increasing sea levels. It is possible that areas that are now considered "coastal" would once have limited resources available to Aboriginal people, and as such would have been less likely to have been occupied or used for repeated habitation sites.

Archaeological work at the Madjedbebe site in Arnhem Land in the Northern Territory revealed evidence confidently dated to the period before 45-46 ka and possibly up to 50-55 ka (Clarkson *et al* 2015). In NSW, there is strong evidence available to support Aboriginal occupation of the Cumberland Plain region in the Pleistocene period (approximately 40 ka) and possibly earlier. Work in Cranebrook Terrace was dated to 41,700 years BCE by Stockton and Holland (1974), and a site in Parramatta within deep sandy deposits was dated to 25-30 ka (JMcDCHM 2005). Kohen's 1984 assessment of Shaws Creek in the Blue Mountain foothills yielded ages of 13 ka. Deeply stratified occupation deposits at Pitt Town were dated to 39ka (Apex



Archaeology 2018). These ages are obtained from both radiocarbon and optically stimulated luminescence (OSL) dating.

Some experts have cast doubt onto the assessment of the items from Cranebrook Terrace as artefactual (Mulvaney & Kamminga 1999; McDonald 2008), although they do not doubt the results of the radiocarbon dates – it is the association of the artefacts with the dated deposits that is problematic, and Mulvaney and Kamminga (1999) consider that there are better examples of sites with more robust identification of age available. There has certainly been a great deal of research undertaken within the Sydney region in the intervening years.

Aboriginal people have occupied the NSW Central Coast for at least 11,000 years. This date was obtained from Loggers Shelter at Mangrove Creek by Attenbrow who undertook her PhD research in the late 1970s and early 1980s on Aboriginal sites within the Upper Mangrove Creek catchment, approximately 30 km northwest of the current study. Attenbrow's comprehensive and detailed study on the subsistence patterns, resource use, stone tool technology and trade within the Central Coast region has had a profound impact on Australian archaeology.

Attenbrow (2003) proposed that the Mangrove Mountain catchment's inhabitants were relatively mobile hunter-gatherers who moved between many short-term base camps within their country, with group size varying according to weather, season and locality. While in the catchment, family groups stayed at base camps for several nights undertaking a range of domestic tasks, some members going out daily to obtain food and raw materials. Activities undertaken at locations away from base camps may have included: (a) hunting, butchering, fishing and shellfishing, plant and honey collecting; (b) raw material procurement – such as stone, wood, plant fibre and resin; and, (c) religious or ritual responsibilities. During these daily forays, to places either inside or outside the catchment, damaged tools and implements would have been mended and food prepared and/or eaten at locations away from the base camp. People also may have sought protection in rockshelters during the day from the extreme heat of summer, the frosts and cold winds of winter, and the rain at any time of the year. Individuals or small groups would have made occasional longer trips for subsistence, trade or social purposes to places which necessitated the use of overnight/transit camps away from their base camps. Large gatherings for ceremonial purposes probably occurred at locations outside the catchment.

POST CONTACT OCCUPATION

Following the establishment of the first European settlement at Sydney Cove, the need for additional agricultural land was identified, as Sydney Cove was considered unsuitable for farming. By November 1788, food supplies were running low for the settlement, and an expedition led by Governor Philip set off up the Parramatta River in search of arable land. An area known as Rose Hill (now Parramatta) was settled by a small group of 11 soldiers and 10 convicts. The grain crops at Sydney Cove failed, and the settlement at Rose Hill was ordered to be used for agriculture. These



crops were luckily successful, and a further settlement comprising a convict farm was established at Toongabbie.

Governor Arthur Phillip led the exploration of Broken Bay and a tributary called the "north-east arm" in 1788, five weeks after establishing the settlement at Sydney Cove. Phillip made a further exploration in 1789 and this tributary subsequently came to be called "Brisbane Water". The first known white settlers to the area took up land on the ocean shores in the 1820s with varying agricultural and ocean-based enterprises.

In 1827 the original Gosford watch-house was built in Donnison Street. It was a three-roomed shingle-roofed slab timber structure that quickly became inadequate for its purpose. Around 1833 the Gosford courthouse was added, and in 1826 the first Police Magistrate, Willoughby Bean was appointed.

In the 1830s the township of East Gosford was established by Samuel Peek, and in 1839 Governor Gipps formally named the town of Gosford in 1839. It is believed to have been named after Archibald Acheson, the 2nd Earl of Gosford.

From the early 1920s 'Gosford Sandstone' was quarried and sent by boat to many locations, including Sydney and Canberra. The quarries were located at Mount Mouat and Rumbalara Reserve, which are directly east of the current study area. The quarrying continued into the late 1970s (SHP 2019).

To assess the disturbance that may have resulted from historical occupation, a series of historical aerial photographs dating back to the mid-twentieth century were reviewed. The images indicate that most of the surrounding area had been cleared of the original vegetation and the land had been subdivided. Roads had been built and commercial and residential buildings had been constructed. An image from 1963 shows that a large building had been constructed at the western end of the study area and numerous smaller ones had been built in the eastern end (Plate 1). Another image taken around 20 years later in 1983 (Plate 2) shows that there had not been much change to the study area since the 1960s. By 1993 (Plate 3) all previous buildings, apart from the one in the southeastern corner, had been demolished and the shopping complex that is still present within the study area, albeit in a derelict state, had been constructed.

An image from 2009 (Plate 4) shows that by this time the building in the southeast section was no longer present, and more buildings had been constructed in the neighbouring northeast lot. An article from the Daily Telegraph dated February 14, 2007 reported that a fiery explosion had demolished the building in the southeastern corner of the current study area just after 1 am that day. At the time the premise was being used as an electrical store. The newspaper article also noted that there was asbestos in the roof. Given that the whole building collapsed and the asbestos would have fragmented and dispersed, the removal of the debris would

have also included a considerable amount of the underlying subsoil to reduce the risk of contamination.

In summary, the entire site has been impacted by the initial clearance of original vegetation and the construction of numerous individual buildings. These buildings were then demolished and replaced by a large shopping complex that would have required deep sub surface excavations for the below-street accesses to accommodate parking and deliveries. The small building that was once positioned in the southeast corner of the study area was destroyed by an explosion. The removal of dangerous building material would have also impacted the subsurface. It is therefore highly unlikely that any of the original A1 soil horizon that would most likely contain archaeological material would have survived the numerous and extensive impacts that have occurred within the study area over many years.



Plate 1: 1963 aerial. Study area in red (Source: NSW Spatial Services HV 2022)



Plate 2: 1980 aerial. Study area in red. (Source: NSW Spatial Services HV 2022)



Plate 3: 1993 aerial. Study area outlined in red (Source: NSW Spatial Services HV 2022)



Plate 4: 2009 aerial. Study area outlined in red (Source Google Earth 2022)

4.0 LITERATURE REVIEW

A review of previous archaeological work within the surrounding region of the study area was undertaken. A number of reports were identified from background research and the AHIMS database and are summarised below, with detailed summaries presented in Section 4.1.

Table 2: Previous heritage assessments and studies undertaken by archaeological consultants and researchers in the region

Consultant/Researcher	Date	Sites Identified/Type of Assessment or Study	Region
Patricia Vinnicombe	1980	Predictive model	Gosford And Wyong
Jo McDonald Cultural Heritage Management	2001	None	Woy Woy
Val Attenbrow	2003	Discussion of previous sites	Mangrove Mountain
AHMS	2007	One	Gosford
Insite Heritage	2011	None	Koolewong
AHMS	2011	2 PADs	Terrigal
RPS Harper Somers O'Sullivan	2011	None	Somersby, near Gosford
Attenbrow and Kononenko	2017	Usewear and residue analysis undertaken on ground-edged artefacts	Central Coast region
Extent Heritage Advisors	2019	None	Gosford
Heritage Now	2020	1site identified	Kariong
Archaeological Management and Consulting Group	2020	None (1 previously identified)	Mann Street, Gosford
Kleinfelder	2022	None	Empire Bay

4.1 PREVIOUS ARCHAEOLOGICAL WORK

An analysis of previous archaeological work within the study area assists in the preparation of predictive models for the area, through understanding what has been found previously. By compiling, analysing and synthesising the previous archaeological work, an indication of the nature and range of the material traces of Aboriginal land use is developed. An understanding of the context in which the archaeological assessment is vital, as development does not occur within a vacuum, but within a wider cultural landscape, and this must be considered during any archaeological assessment in order to develop appropriate mitigation and management recommendations.

4.1.1 PREVIOUS REGIONAL HERITAGE ASSESSMENTS

A number of previous archaeological assessments have been undertaken in the surrounding areas. Some of these assessments are summarised below, including one that was undertaken within the current study area.



PATRICIA VINNICOMBE 1980

Vinnicombe's (cited in McDonald 1980) work covered the Gosford and Wyong Shires and was divided into three sample areas based on major ecosystems: open coastline and coastal estuary, riverine estuary, and inland sclerophyll forest. The aim of the project was to obtain reliable data on numbers and types of sites, and their distribution within the two shires, leading ultimately to the formulation of a predictive model for site location.

JO McDONALD CULTURAL HERITAGE MANAGEMENT (JMcCHM) 2001

JMcCHM was engaged to undertake an archaeological report to identify any Aboriginal heritage items that may be on site for the Bays Park Resource Recovery Facility (Bull's Hill Quarry) Woy Woy Road, Woy Woy. The investigation included background research and a field survey conducted with the Darkinjung Local Aboriginal Land Council.

The study area was on the surrounding slopes of a sandstone quarry site. No new sites or previously identified sites were found during the investigation. However it was noted that there were 115 sites within a 3km radius which were predominately related to sandstone outcrops. These included engravings, grinding grooves and rock shelters. It was concluded that there was a low potential for Aboriginal sites given that the site had been used as a sandstone quarry. Additionally, as no works were proposed in the vegetation buffer around the quarry that may contain sites that are not currently visible, it was recommended that works could proceed.

VAL ATTENBROW 2003

As discussed in the previous section, Attenbrow undertook site surveys and excavations in the Upper Mangrove Creek catchment for her PhD research between 1979 and 1982. Her research overlapped with a salvage program of Aboriginal sites to be impacted by the Mangrove Creek Dam. The dam catchment was approximately 101km² and located approximately 30km north west of the current study area in Gosford.

The catchment is part of the heavily dissected Hornsby Plateau; the ridgetops and upper ridge sides are of Hawkesbury sandstone which is underlain by Narrabeen Group sandstones into which the creek and its tributaries have cut in the lower elevations. Apart from several cleared areas along the main section of Mangrove Creek and on the periphery ridgetops, the catchment is forested.

The survey included samples from the main valley bottom, main valley ridge sides, subsidiary valley bottoms, subsidiary valley ridge sides, periphery ridgetops, peninsula ridgetops. Fifty-nine Aboriginal sites were recorded in the random sampling units. These sites had a total of 80 archaeological traits in rockshelters and open locations: 35 archaeological deposits (rockshelters - 30; open locations - 5), 22 images rockshelters - 20; open rock platforms - 2), 22 grinding areas (rockshelters - 2; open rock platforms - 20), and one burial (rockshelter). Thirty of the archaeological deposits found in rock shelters were excavated and included in the



analyses. Radiocarbon ages were obtained for 15 archaeological deposits with ages ranging from ca 350 years to ca 11,000 years BP.

Attenbrow's research showed that the number of habitations established and used over time increased dramatically between 4,000 to 3,000 years ago. Analysis of the habitation and artefact data according to topographic zones also indicated that habitations were established first in the main valley bottom, then on the periphery ridgetop and then in areas between. This patterning suggests that over time, and particularly in the last 2,000 years, as well as the increase in numbers of habitations in the catchment, the number of topographic zones in which new habitations were established increased. Additionally, there was a greater dispersal of activities within the catchment over time.

Attenbrow proposed that the catchment's inhabitants were relatively mobile hunter-gatherers who moved between many short-term base camps within their country, with group size varying according to weather, season and locality. While in the catchment, family groups stayed at base camps for several nights undertaking a range of domestic tasks, some members going out daily to obtain food and raw materials. Activities undertaken at locations away from base camps may have included: (a) hunting, butchering, fishing [including eels] and shell fishing [freshwater mussel], plant and honey collecting; (b) raw material procurement – such as stone, wood, plant fibre and resin; and, (c) religious or ritual responsibilities. During these daily forays, to places either inside or outside the catchment, damaged tools and implements would have been mended and food prepared and/or eaten at locations away from the base camp. People also may have sought protection in rockshelters during the day from the extreme heat of summer, the frosts and cold winds of winter, and the rain at any time of the year. Individuals or small groups would have made occasional longer trips for subsistence, trade or social purposes to places which necessitated the use of overnight/transit camps away from their base camps. Large gatherings for ceremonial purposes probably occurred at locations outside the catchment.

Within the catchment, the numerous archaeological deposits (habitations), sites with images (mostly pigment drawings in shelters), grinding grooves, and a scarred tree, demonstrate that many of the activities such as hunting, tool making and repairs, gathering of raw materials and religious or ritual responsibilities were carried out. For example, the grinding grooves indicate the shaping and sharpening of ground-edged implements occurred, and the pigment and engraved images were likely created in association with both religious and secular activities. Although there is no outcropping bedrock in the catchment from which stone artefacts can be made, pebbles and cobbles eroded from conglomerate beds in the Narrabeen sandstones are available. Additionally, basalt to make ground-edged hatchets was available from around the Popran Creek/Peats Ridge area, less than 10km to the east.



Attenbrow also proposed that some catchment habitations may have been used as overnight transit camps by people travelling from one locality to another on ceremonial business, or to procure raw materials by direct access or trade. For example there was an historically documented route between the Hunter Valley and Brisbane Waters via the Wollombi Valley and the ridge forming the catchment's eastern boundary, which also linked with other routes extending west as far as Mudgee–Rylstone.

ABORIGINAL CULTURAL HERITAGE MANAGEMENT SERVICES (AHMS) 2007

An Aboriginal Heritage Assessment was conducted by AHMS in 2007 at the intersection of Dane Drive and Masons Parade in response to a roads upgrade. The results of the investigation led to the registration of a Potential Archaeological Deposit (PAD) and was registered as AHIMS #45-3-3340. The site is approx. 500m southwest of the current study area. A subsequent test excavation of the site by the Archaeological Management and Consulting Group (AMAC) confirmed through test excavations at 32 Smith Street, Gosford in 2017, that this PAD was located within reclaimed fill and resulted in no Aboriginal objects and/or features of archaeological and/or cultural significance being located. This testing programme resulted in the site card 45-3-3340 being amended (AMAC 2020:50-51).

INSITE HERITAGE 2011

Insite Heritage was engaged to undertake an Aboriginal Cultural Heritage Assessment for a proposed 50 berth marina, and associated amendments to a carpark, on Murphy's Bay, Koolewong, approximately 7km to the south west of the current study area. The investigation included a review of registered sites within a 16 km radius and previous archaeological investigation. A pedestrian survey was also conducted with representatives from the Darkinjung Local Aboriginal Land Council and the Guringai Tribal Link Aboriginal Corporation. The site was found to be on reclaimed land and there was no evidence of an archaeological material or potential. It was recommended that no further archaeological investigations were warranted.

ARCHAEOLOGICAL AND HERITAGE MANAGEMENT SOLUTIONS (AHMS) 2011

AHMS was engaged to undertake an Aboriginal impact assessment of the 5 Lands Coastal Walkway stretching from McMasters Beach to Terrigal. In addition, a series of alternate routes for the Walkway were also explored. The assessment included an archaeological predictive model using detailed background information of previous archaeological investigations in the region and information from the AHIMS database. A site survey was also undertaken in conjunction with the Aboriginal communities.

Two areas were identified as containing potential cultural material, including shell midden beneath the fore dunes along the eastern section of Copacabana Beach and between the foreshore and the beach at Winney Bay.



It was recommended that no new impacts be permitted within the fore-dunes area (between the back of the beach and residential suburbs behind) without further investigation including sub-surface testing. Within the area of proposed works it was recommended that the site be monitored and inspected during site preparation and construction, including vegetation clearing and earth works.

RPS HARPER SOMERS O'SULLIVAN (RPS HSO) 2011

RPS Harper Somers undertook an Aboriginal Heritage Impact Assessment in relation to a quarry extension and associated access for the Hanson Central Coast Sand Quarry at Somersby near Gosford in New South Wales.

A pedestrian survey was undertaken with representatives from the Darkinjung Local Aboriginal Land Council and Guringai Tribal Link Aboriginal Corporation. No sites were identified and there for no archaeological constraints were considered to the proposed works. However, the Aboriginal stakeholders requested that the overall cultural and archaeological significance of the broader region be noted when considering the survey area.

ATTENBROW AND KONONENKO 2017

Attenbrow and Kononenko undertook use wear and residue analysis on a number of ground-edged artefacts (GEAs) that are held at the Australian Museum and were collected throughout the Central Coast region since the 1800s. Although a few of the artefacts were retrieved from excavated deposits, the majority were surface finds. A number of the GEAs were found along the coastal areas of Woy Woy, Mooney Mooney bridge and Gosford. Although most would be classified as ground-edged hatchets, there were also Bulga knives that are tools that have been ground along one lateral margin.

The study used low and high-powered microscopy to identify evidence of use wear in the form of pitting, polish, striations etc, and material residue from shell, bone, blood etc. A total of 18 wear types were identified that showed the implements were for a variety of function including to work wood, skin and ochre. They were also used to abrade and polish stone and some hatchets were repurposed to use as hammer/pounders to process non-woody plant material.

HERITAGE NOW 2020

Heritage Now undertook an Aboriginal Due Diligence Assessment for a proposed subdivision at The Avenue and Festival Drive, Kariong along with land to the north-west along Kangoo Road, on the eastern side of the Central Coast Highway. The assessment included a review of previous archaeological investigations and a pedestrian survey. One previously identified site, comprising a rock engraving (AHIMS #45-3-1289), was found to have been incorrectly mapped as being within the study area and was not relocated during the survey. One isolated stone artefact flake made of tuff was identified during the survey undertaken with a representative of the Darkinjung Local Aboriginal Land Council. Outcropping sandstone was also



noted during the survey and was considered to potentially have engravings and/or grinding grooves that may have been obscured by vegetation.

It was recommended that an Aboriginal Heritage Impact Permit (AHIP) be sought for the collection of the artefact and the potential discovery of more artefacts after the vegetation is removed. It was also recommended that a high-visibility barrier fencing is to be erected around the identified artefacts and the sandstone sheeting and remain in place until the cessation of construction.

ARCHAEOLOGICAL MANAGEMENT & CONSULTING GROUP (AMAC) 2020

AMAC undertook an Aboriginal Cultural Heritage Assessment Report (ACHAR) for a proposed mixed-use development at 26-32 Mann Street, Gosford, approx. 400 m to the southwest of the current study area. The investigation included a review of previous archaeological investigations, consideration of the underlying geology and soil profile, and a search of AHIMS. One site (AHIMS #45-3-3699), comprising a stone artefact, had been previously identified in the northern section of the study area. An archaeological test excavation was undertaken in the eastern slope because it was considered to be outside the reclamation zone of disturbance area that consisted of nine 50 cm x 50 cm test trenches, of which three were abandoned due to high level of disturbance and modern fill. Although previous results from two bore holes showed there was up to 1m of natural brown silty clay topsoil with traces of organics overlaying up to 1.45m of grey-brown sandy clay alluvium soil in a small portion within the eastern section, no Aboriginal archaeological and cultural material/deposits were located as a result of the test excavation.

Overall, the site was found to have nil-low archaeological significance and it was recommended that no further investigation was warranted, and works may proceed with caution.

KLEINFELDER 2022

Kleinfelder undertook an Aboriginal Cultural Heritage Assessment at 437 Ward Hill Road, Empire Bay. The assessment included consideration of the underlying geology and soli landscape, a review of previous archaeological investigations and a pedestrian survey.

No sites or areas were considered to have potential archaeological deposits (PAD). The landscape within the study area was considered to have been disturbed through landscaping, construction of buildings, roads and infrastructure.

It was recommended that the individuals or persons responsible for the management of onsite works ensure that all site personnel are made aware of the statutory legislation protecting sites and places of significance.



4.1.2 PREVIOUS HERITAGE ASSESSMENTS WITHIN THE CURRENT STUDY AREA

EXTENT HERITAGE ADVISORS 2019

The current study area has been subject to an Aboriginal due diligence assessment undertaken by Extent Heritage Advisors in June 2019. The assessment included a review of previous archaeological investigation in the surrounding area, including Aboriginal sites registered on AHIMS, and consideration of the environmental background. A pedestrian survey was conducted, and the site was assessed as being heavily impacted by the construction of the former shopping mall that would have truncated the upper soil profile by at least 1m. This upper deposit was considered to have been that likely to have retained cultural material, and its removal was considered to have removed any potential for intact deposits to remain within the study area. With regards to the vacant lot in the southeast corner, the report stated that it would have been impacted by the construction of the surrounding multi-storey structures.

The assessment also stated that as the area was on a gentle slope encompassed by a shallow soil landscape, this would limit the likelihood of cultural material to be found. It was proposed that deeply buried cultural material would be found closer to Brisbane Waters.

SUMMARY

Previous research projects undertaken within the Central Coast area have demonstrated that the whole of the region has been used by the Aboriginal people for at least the last 11,000 years. The combination of geology and climate within the region created varied landscapes with numerous rivers and creeks that contained a plethora of natural resources that were used in their daily lives and would also have played a significant part in economic exchanges systems and ceremonial lives of Aboriginal people. However, the more recent archaeological assessments and excavations within the immediate study area have identified very little archaeological material. The few subsurface archaeological excavations that have been undertaken within Gosford area have been concentrated near the foreshore where there is a large amount of fill. Only a couple of stone artefacts have been located here in a disturbed context. The Gosford City region has been heavily impacted by development since the 1800s that would have destroyed the majority of surface and subsurface archaeological material before it had been identified.

4.2 AHIMS RESULTS

An extensive 5 km search centred on the study area was conducted of the AHIMS Register on 08 November 2022. A total of 25 sites were found to registered as 'valid' (Figure 7).

Sites can be recorded as a particular site type: closed or open. For the 25 sites in the search area, 14 (56%) are registered as open sites and 11 (44%) are rockshelters. Rockshelters are generally present where bedrock outcrops in escarpments. Within



the search area this landscape is seen in the elevated cliffs fringing Broad Water and Fagans Bay.

Sites are also recorded with one or more of a set of twenty-two site features specified by AHIMS. For the 25 sites in the search area, a total of 40 instances of five site features have been recorded (Table 4). The two site features that have been most commonly recorded are shell, and artefact. The site feature 'shell' generally indicates the presence of middens. Seven of the 15 midden sites are in rockshelters and the remaining four are in open sites. The site feature 'artefact' is used when artefacts are found on the ground surface or within subsurface deposit. Of these fourteen 'artefact' sites, nine are recorded as open, and the remaining five or in rockshelters. There are six art sites that can be either pigment or engraving. The engravings are likely to be on exposed sandstone platforms and the pigment art within rockshelters. There are two grinding groove sites, that also are on exposed sandstone outcrops. There are also three sites recorded as Potential Archaeological Deposits, one of these is listed in association with shell.

The study area is located at the base of a sandstone escarpments, approximately 600m from Broad Water Bay. However as mentioned previously in section 3.1 a substantial amount of the land bordering the bay, as well as the western section of the current study area is mapped as being on reclaimed land. Five sites have been recorded within 1km of the study area and are included in (Table 3) Two of these AHIMS #45-3-3340 (Dane Drive PAD) and AHIMS 45-3-3699 (ATO Mann Street) that are approximately 500m and 400m (respectively) south of the current site. AHIMS#45-3-3340 was subject to subsurface test excavation that found the site was on reclaimed fill and no artefacts were identified. AHIMS #45-3-699 was also subject to test excavation that retrieved two stone artefacts. Varying depths of fill were found across the study area but below this fill the A horizon artefact-bearing deposit were found.

No previous AHIPs that include the current study were identified.

SUMMARY

In summary, a wide variety of sites have been identified within 5 km of the study area including shell middens, isolated stone artefacts and stone artefact scatters, grinding grooves and engravings and pigment art. Just under half of these were in rockshelters and the remaining were in open areas. Rockshelters have not been recorded in close proximity to the study area but are present to the east and west of the current study area where there is outcropping sandstone. The original landscape of the current site has been completely modified by the construction of buildings that were then demolished and new ones rebuilt since the 1960s. These works would have required subsurface excavations into a sloping area that would have truncated the soil profile and impacted the artefact-bearing A1 soil profile that may have contained material evidence of past occupation or visitation by Aboriginal people.





Table 3: Summary of registered Aboriginal heritage sites on AHIMS within 5 km of the study area

Site ID	Site Name	Site features	Context
45-3-3155	Fagan's Bay	Shell: Artefact	Open Site
45-3-3163	Fagan's Bay	Shell: Artefact	Open Site
45-3-3118	BWNP Midden SWD Talinga Ave	Shell: Artefact	Closed Site
45-3-2397	Brisbane Water N.P	Art (pigment or engraved)	Closed Site
45-3-1454	Erina Avoca Drive	Shell: Artefact	Open Site
45-3-1455	Old Gosford Rd, Gosford Racecourse	Shell: Artefact	Open Site
45-3-0556	Narara	Art (pigment or engraved)	Closed Site
45-3-0558	Gosford, Narara Ck	Shell: Artefact	Open Site
45-3-0559	Gosford	Shell: Artefact	Closed Site
45-3-0561	Gosford	Grinding Groove: Artefact	Closed Site
45-3-1945	Strickland S.F. Two Hands and Charcoal SWA	Grinding Groove: Art (Pigment or Engraved)	Closed Site
45-3-3170	NC-M-1 (Gosford)	Shell	Open Site
45-3-3257	B.W.N.P. Point Claire; Stencil and Drawing SWA	Art (Pigment or Engraved): Shell	Closed Site
45-3-3282	Shelter with deposit	PAD; Shell	Closed Site
45-3-3340	Dane Drive PAD	PAD	Open Site
45-3-3376	Avoca Drive PAD	PAD	Open Site
45-3-1456	Old Gosford Road (Gosford Racecourse)	Shell: Artefact	Open Site
45-3-3429	Rumbalara 1	Shell: Artefact	Closed Site
45-3-3430	Rumbalara 2	Artefact	Open Site
45-3-3431	Rumbalara 3	Artefact	Open Site
45-3-3432	Rumbalara 4	Shell: Artefact	Closed Site
45-3-3798	Rumbalara 5	Art (pigment or engraved)	Open Site
45-3-3699	ATO Mann Street	Artefact	Open Site
45-3-4373	Additional information from AHIMS #45-3-3257	Art (pigment or engraved)	Closed Site
45-3-4525	Gosford CBD1	Shell	Open Site

Table 4: Site features recorded for the 25 sites in the 5 km search of the AHIMS data base

Site Features	No. of instances	% of total
Shell	15	37.5
Artefact	14	35
Art (Pigment or engraving)	6	15
Grinding Groove	2	5
PAD	3	7.5
Total	40	100



4.3 PREDICTIVE MODEL

Based on the results of previous archaeological investigations within the wider region, a number of predictions regarding Aboriginal use of the area can be made. These predictions focus on the nature, extent and integrity of the remaining evidence.

The landscape characteristics of the area influence the prediction of the nature of potential sites within the landscape itself. Disturbance is the predominant factor determining whether or not artefacts are likely to be identified within a landscape.

Surface sites are likely to have been impacted by pedestrian activity, vegetation clearance, the construction of water drainage and structures within the area over the historic period. Natural actions such as erosion and bioturbation are likely to have also impacted not only the surface, but also at least the upper levels of subsurface archaeological deposits. Whilst these actions may impact the integrity of stratigraphy within the deposit, this does not necessarily mean associated archaeological objects will also be disturbed.

In general, Aboriginal use of an area is based on a number of factors, such as:

- Proximity to permanent water sources – generally permanent or areas of repeat habitation are located within approximately 200m of permanent water;
- Proximity to ephemeral water sources – generally sites near ephemeral water sources were utilised for one-off occupation;
- Ease of travel – ridgelines were often utilised for travel during subsistence activities; and
- The local relief – flatter, more level areas were more likely to be utilised for long term or repeat habitation sites than areas of greater relief, especially if the slopes are at a distance from water.

STONE ARTEFACTS

Stone artefacts can be identified on the ground surface or within subsurface deposits. Generally, artefact concentrations are representative of debris from knapping activities, which includes flakes, flake fragments, cores, and pieces likely to have been knapped but with no or inconclusive diagnostic features, referred to as flaked pieces. Modified artefacts can also be identified, including backed artefacts, scrapers, or edge ground axes, although these are generally a smaller proportion of the artefact assemblage. During excavation, very small debris (~3-5mm) can be identified within sieved material, and is referred to as debitage. This is indicative of *in situ* knapping activities.

As the detection of stone artefacts relies on surface visibility, factors such as vegetation cover can prevent their identification. Conversely, areas of exposure can assist in their identification. Stone artefacts have not previously been identified within the current study area, and given the extent of historical impact and the



construction of buildings over the study area that would have included subsurface excavation, it is unlikely that they will be present in exposed and/or subsurface areas.

QUARRY AND PROCUREMENT

Exposures of stone which can be exploited for the production of lithics are referred to as quarries or procurement sites. Quarries generally have evidence of extraction visible, while procurement sites can be inferred through the presence of artefactual material made from raw material sources present within the area.

There are no known quarrying sites within the study area and surrounds that have been recorded as being used by the traditional Aboriginal owners of the area. The sandstone immediately to the east of the study area however was quarried in historical times for commercial and residential use by European settlers in the early 1920s.

MIDDENS

Middens are concentrations of shell, and may also contain stone artefacts, bone and sometimes human burials. These sites are generally recorded along coastal areas. Middens are formed through the exploitation of locally available species by humans for resources, and accumulation of the shell material within a specific location. Middens can range in size from small, discrete deposits, to deposits covering a large area.

Generally, middens reflect the species available in the local area. In estuarine regions, estuarine species will dominate the composition of the midden, while around headlands, rock platform species tend to dominate. The closest midden is recorded as being 700m to the east within the elevated area of Rumbalara Reserve, and another midden along Narara Creek is over 2 km to the west of the current study area. Although it is possible that this type of site may have once been present within the study area it is unlikely there is potential for any archaeological remnants to have survived the previous historical impacts.

BURIALS

Aboriginal people across Australia utilised a range of burial forms, which depended on the customs of the individual tribes. Common burial practices included inhumation, cremation, desiccation and exposure. Burials are known to occur within sandy contexts in the wider region. These are generally found within coastal Holocene sand bodies, and generally are not identified during field survey as there is usually minimal surface expression of this type of site. No burials have been recorded on AHIMS as being within Gosford city area and given the deep excavation and disturbance that the current study area has undergone, it is unlikely that they may be present.



ROCK SHELTERS

Rock shelters are formed by rock overhangs which would have provided shelter to Aboriginal people in the past. Often, evidence of this occupation can be found in the form of art and/or artefacts. Shell, midden material, grinding grooves, pictographs (rock engravings), artworks including stencils and paintings, and potential archaeological deposits (PAD) are common features of rock shelter sites.

Hawkesbury Sandstone is mapped as being to the east of the area and the underlying of the study area is mapped as being on with the Narrabeen Formation that includes sandstone. However, the study area has been completely impacted by the construction and demolition of buildings since at least the 1960s and there is currently a derelict shopping mall on the majority of the site. Although this type of site may have existed in the past It is considered highly unlikely that any evidence of a rock shelter will occur with the study area.

GRINDING GROOVES

Grinding grooves are formed on sandstone exposures through the creation and maintenance of ground edge tools, such as axes and spears. Usually, stone was ground to form a sharp edge, although bone and shell were also ground to create sharp points.

Generally, fine grained sandstone was favoured for these maintenance activities, and the presence of a water source nearby or overflowing the sandstone was also favoured. Grinding grooves range from individual examples through to hundreds of grooves within an area, sometimes arranged in a specific pattern. Horizontal sandstone was generally preferred, although there are examples of vertical grooves.

As mentioned above, Hawkesbury Sandstone is mapped as being to the east of the area and the underlying bedrock of the study area is mapped as being on with the Narrabeen Formation that includes sandstone. However, given the deep excavation and disturbance that the current study area has undergone, it is unlikely that this type of site they may be present. Additionally, no outcropping exposed sandstone was noted within the small, exposed section within the study area in Extent's 2019 Aboriginal heritage due diligence assessment.

SCARRED AND CARVED TREES

Scarred and carved trees are created during the removal of bark from a tree for a range of reasons, both domestic and ceremonial. This type of site can be identified within areas containing trees of the correct species and appropriate age. Deliberately scarred trees can be difficult to differentiate from naturally occurring damage to trees, and specific criteria must be considered when assessing a scar for a cultural origin.

Given the level of historical land clearing within the study area and surrounds, the likelihood of culturally scarred trees remaining within the small, exposed areas bordering the study area is considered low to nil.



CEREMONIAL SITES

Specific places were used for ritual and ceremonial purposes, including initiation and burial practices. Secret rituals were also undertaken at specific places by specific individuals, such as at water holes and by clever men.

The landscape itself was also considered to hold significance to Aboriginal people, and the understanding of this is referred to as a sacred geography. This includes natural features which were associated with spirits or creation beings. The meaning attributed to the landscape provided Aboriginal people with legitimacy regarding their role as guardians of the places which had been created by the spiritual ancestors (Boot 2002).

Many areas within the Central Coast of NSW are considered to be sacred to the original inhabitants. There are no known recorded areas within the study area, although this does not preclude these values from existing within this location.

CONTACT SITES

Contact sites contain evidence of Aboriginal occupation concurrent with initial colonisers in an area. This could include evidence such as flaked artefacts formed on glass, or burials containing non-Aboriginal grave goods. Often Aboriginal camps would form around newly built towns, allowing for employment (or exploitation) of the Aboriginal people by the colonists, and also for trade to exist between the two communities. Contact sites can also occur around Aboriginal mission sites, where Aboriginal children were taken from their families to raise in the European manner. Families often camped around the mission boundaries to try to catch a glimpse of their children.

There is no known evidence of initial contact between Aboriginal people and colonists within the study area. Although unlikely, there is some potential for this type of site to occur within the study area.



5.0 FIELD WORK

5.1 SAMPLING STRATEGY

A sampling strategy was developed and provided to the Registered Aboriginal Parties (RAPs) as part of the consultation process completed for the ACHA. The strategy included assessment of all landforms within the study area that have the potential to be impacted by the proposed development. Areas considered likely to have archaeological potential were closely scrutinised, although the entire study area was considered.

The sampling strategy included consideration of the entirety of the study area due to the nature of the development proposal, in order to provide an accurate assessment of the study area in relation to the proposed impacts.

5.2 SITE INSPECTION

A site survey was undertaken on Wednesday 7 December 2022 by Rebecca Bryant from Apex Archaeology. Matthew Syron, Senior Cultural and Heritage Officer at Darkinjung Local Aboriginal Land Council had also arranged to participate in the survey, but unfortunately could not make it due to last-minute unforeseen circumstances on the day.

5.3 SURVEY COVERAGE

The survey was conducted on foot for the purposes of discovering Aboriginal objects within the study area, including areas considered to have potential for subsurface objects to be present. The survey was undertaken in accordance with the sampling strategy prepared for the project and included the entirety of the study area.

The survey was undertaken by one participant for the entire survey track length who was responsible for inspecting the perimeter of the study area and a section of vacant land in the southeast corner. Given that apart from a small section in the southeast corner the entire study area was covered by an existing structure, the survey was area was assessed as one survey unit (Figure 9).

Table 5: Survey units

Unit name	Landform Element	Number of participants	Total Length
ATU 1	Undulating landform with gentle slope, moderate slope	1	690m

During the survey completed by Apex Archaeology the study area was inspected for Aboriginal archaeological evidence. An assessment of landform element and slope was made for the study area, with the results presented in Table 6.

**Table 6: Survey unit results**

Survey Area #	Landform Element	Slope	Vegetation	Detection Limiting Factors	Ground Disturbance
ATU 1	Gentle to moderate Slope	Gentle >1.45°-7.45°	Cleared, some introduced trees on outside perimeter of the buildings and weeds within vacant lot	Concrete, built structures, vegetation/grass weeds.	High

The total survey coverage (meaning the areas physically inspected for archaeological evidence) was approximately 1,380m². The total area of the development impact is approximately 14,424 m². A range of factors were considered and recorded during the survey, including the surface visibility (percentage of bare ground within a survey unit); archaeological visibility (amount of bare ground within an area in which artefacts could be expected to be identified if present); exposure type (A or B soil horizon) and calculations of how effective the survey coverage was. The results of the survey coverage are presented in Table 7.

Table 7: Survey coverage results

Survey Area #	Total Area Surveyed (m ²)	Surface Visibility (%)	Arch Vis (%)	Exposure Type (A/B)	Effective Coverage (m ²)	% Total Effective Survey Coverage of Context
ATU 1	1,380	7	3	A	2.8	0.2

Surface visibility across the study areas was limited due the construction of buildings, weeds and gravel coverage in the southeast corner. Total effective survey coverage for the survey transect was 0.2%. Total effective survey coverage of the entire study area was 0.01% (Table 8).

Table 8: Total effective survey coverage results

Survey Area #	Total Area of Study Area (m ²)	Total Area Effectively Surveyed (m ²)	Surface Visibility (%)	Arch Vis (%)	Exposure Type (A/B)	% Effective Survey Coverage of Context (Total Area)
ATU 1	14,424	2.8	7	3	A	0.01





5.4 SURVEY RESULTS

The majority of the original surface was not visible due to construction of the now derelict shopping mall, and the only exposed areas contained introduced plants, fill and debris. However, the observations made together with the background information discussed in previous sections of this report were enough to determine the likelihood of Aboriginal archaeological material to be present within the property.

The study area is situated approximately 600m north of Brisbane Water foreshore and at the base of sandstone cliffs. The underlying landform slopes down gently to moderately steep from east to west (Plate 1), and south to north. The study area primarily consists of a derelict shopping complex that is bound by Henry Parry Drive along the western boundary and Donnison Street along the southern boundary. William Street forms half of the northern boundary and Albany Street North forms half of the eastern boundary. There are car parking areas and a collection of businesses that are in current use that border the remaining areas of the former shopping complex.

A vacant lot, approx. 890m² in the southeast corner of the study area (Plate 2 & Plate 3) once contained an electrical shop that burnt down in an explosive fire in 2007. Closer inspection of this area during the survey found that the entire area is now a depressed cavity that is covered in weeds and rubbish intermingled with basalt road gravel, that was probably deposited there after the fire and may have been used as fill. The remaining land within the study area of the site contains a multi-storey derelict concrete shopping complex and underground access (Plate 4 and Plate 5). The whole complex and now-vacant block appears to have been terraced into the natural slope of the land to provide level surfaces for construction of the buildings and carparks. This would have removed the original topsoil that may have contained archaeological material.

There are a few small areas of exposure between the footpaths shopping complex that extend around the perimeter of the study area (Plate 6, Plate 7 & Plate 8). All these were inspected and were found to contain metal covers for subsurface services interspersed with introduced plants and weeds. The soil in these exposed areas contained mainly organic material of leaves and bark mixed with sand, road gravel and rubbish. These areas would have been added after completion of the shopping complex for aesthetic reasons and were not part of the original landscape that contained the natural soil landscape.



Plate 5: View facing east along southern boundary of the study area bordering Donnison Street.



Plate 6: View facing west along the southern boundary along Donnison Street, showing the now-vacant piece of land within the study area.



Plate 7: View west over the southeast portion of the study area from the eastern boundary bordering Albany Street North.



Plate 8: View west from Albany Street North across the north east portion of the study area showing derelict shopping complex with ramp to car parking below.



Plate 9: View west of derelict shopping mall along the northern boundary of the study area along William Street.



Plate 10: View north of exposed ground along western boundary showing services and introduced trees.



Plate 11: View south along western boundary of study area bordering Henry Parry Drive.



Plate 12: View east from western boundary bordering Henry Parry Drive showing introduced weeds between building and pedestrian pavement.



5.5 SURVEY SUMMARY

The previous archaeological assessment of the study area undertaken by Extent Heritage Advisors in June 2019 did not identify any archaeological sites or areas that were considered to be archaeologically sensitive. Extent's investigations concluded that study area had been heavily impacted by the construction buildings that would have truncated the upper soil profile by at least 1 m, which may once have retained cultural material.

The results of the survey conducted for this current assessment confirmed that the entire study area has been impacted by the construction of the shopping complex, and previous construction of a building that was once present in the now-vacant block of land. These constructions would have required substantial subsurface excavations. Additionally, the removal of debris from the explosive fire of the previous building in the southeast corner would have also impacted the original natural landform to the degree that it is unlikely that any of the artefactual material would remain. No artefacts or culturally modified trees were found during the inspection.

5.6 DISCUSSION

The study area is within Gosford town centre that has been heavily impacted by the initial land clearing of the vast majority of original vegetation followed by residential and business development. There has also been extensive commercial quarrying of sandstone to the east which would have demolished any rock shelters, engravings or grinding grooves. Additionally, land impacts including land reclamation closer to the shoreline of Brisbane Water has further modified the original landscape. As a result, no areas of potential archaeological deposits were identified during the assessment, and no Aboriginal cultural material was identified during the survey.



6.0 SCIENTIFIC VALUES AND SIGNIFICANCE ASSESSMENT

6.1 INTRODUCTION

The *Aboriginal cultural heritage consultation requirements for proponents 2010* acknowledge that:

- Aboriginal people have the right to maintain their culture, language, knowledge and identity
- Aboriginal people have the right to directly participate in matters that may affect their heritage
- Aboriginal people are the primary determinants of the cultural significance of their heritage

Undertaking consultation with Aboriginal people ensures that potential harm to Aboriginal objects and places from proposed developments is identified and mitigation measures developed early in the planning process.

6.2 ARCHAEOLOGICAL SIGNIFICANCE

Archaeological or scientific significance relates to the value of archaeological objects or sites as they are able to inform research questions considered important to the archaeological community, which includes Aboriginal people, heritage consultants and academic researchers. The value of this type of significance is determined on how the objects and sites can provide information regarding how people in the past lived their lives. The criteria for archaeological significance assessment generally reflect the criteria of the ICOMOS Burra Charter.

6.3 CRITERIA

Archaeological significance is assessed based on the archaeological or scientific values of an area. These values can be defined as the importance of the area relating to several criteria. Criteria used for determining the archaeological significance of an area are as follows:

- **Research potential:** Can the site contribute to an understanding of the area/region and/or the state's natural and cultural history? Is the site able to provide information that no other site or resource is able to do?
- **Representativeness:** Is the site representative of this type of site? Is there variability both inside and outside the study area? Are similar site types conserved?
- **Rarity:** Is the subject area a rare site type? Does it contain rare archaeological material or demonstrate cultural activities that no other site can demonstrate? Is this type of site in danger of being lost?
- **Integrity/Intactness:** Has the site been subject to significant disturbance? Is the site likely to contain deposits which may possess intact stratigraphy?



Further, an assessment of the grade of significance is made, based on how well the item fulfils the assessment criteria. The Heritage Branch of the Department of Planning (now Heritage NSW) 2009 guideline *Assessing Significance for Historical Archaeological Sites and 'Relics'* defines the grading of significance as follows:

Table 9: Grading of significance, from Heritage Branch 2009

Grading	Justification
Exceptional	Rare or outstanding item of local or State significance. High degree of intactness. Item can be interpreted relatively easily.
High	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.
Moderate	Altered or modified elements. Elements with little heritage value but which contribute to the overall significance of the item.
Little	Alterations detract from significance. Difficult to interpret.
Intrusive	Damaging to the item's heritage significance.

Whilst this was developed for the assessment of significance of historical items, the criteria are applicable to archaeological significance assessments as well. It is important to note that the below assessment is specific to Aboriginal cultural heritage and does not consider the non-Aboriginal significance of the site.

6.4 SIGNIFICANCE ASSESSMENT

RESEARCH POTENTIAL

The study area is not considered to possess research potential, based on the results of the background research and site survey confirming high levels of disturbance. Therefore, the study area does not meet this criterion.

REPRESENTATIVENESS

No archaeological material was identified within the study area and it has been heavily disturbed by previous land use activities. As such, is not considered representative of the Gosford area as it was prior to European settlement.

RARITY

The study area does not contain Aboriginal archaeological evidence. Therefore, the study area does not meet this criterion.

INTEGRITY/INTACTNESS

The site has been subject to intense disturbance and is not considered to be intact, nor to have integrity.

6.5 STATEMENT OF ARCHAEOLOGICAL SIGNIFICANCE

The study area for 136-146 Donnison Street, Gosford is not considered to have archaeological significance based on its lack of research potential, representativeness, rarity and integrity. No stone artefacts or culturally modified trees were observed during the survey. The potential for the site to contribute a greater understanding of the archaeological record is therefore limited.



7.0 IMPACT ASSESSMENT

7.1 PROPOSED DEVELOPMENT

The proposed works, as shown in Figure 3, Figure 4 and Figure 5 will be undertaken in two stages. The first stage will involve the demolition of existing buildings and a substation; removal of existing on-site vegetation; extinguishment of easements; and realignment of stormwater/sewer infrastructure. The next stage will involve the construction of three residential towers in the southern portion of the study area and two residential towers within the northern portions. Three of the towers will have commercial and/or retail spaces at the base the buildings, and the other two towers will have services at the base of the buildings. There is also proposed underground carparking, inground swimming pools and landscaping. These activities, along with the implementation of services such as water, electricity and telecommunications are expected to result in subsurface excavations and modification to the natural landscape. There is also a probability that excavated soil will be removed from the study area or redeposited within it, and other fill may be introduced to the site.

The proposed development has been approved as a State Significant Development (SSD-9813) and under the Conditions of Consent for Stage 1 Works, Part B (B1), an Aboriginal Cultural Heritage Assessment (ACHAR) in consultation with the local Aboriginal community must be submitted to the Planning Secretary for approval prior to commencement of demolition works.

7.2 POTENTIAL IMPACT

No surface artefacts, scarred trees or other Aboriginal archaeological sites were identified within the study area during the site inspection, and therefore the proposed development will not impact any identified Aboriginal objects. The site is not considered to have potential for subsurface archaeological deposits due to the historical and contemporary disturbance across the site, and therefore it is not considered likely that the proposed works would impact any Aboriginal heritage values within the site.



8.0 MANAGEMENT, MITIGATION AND RECOMMENDATIONS

8.1 GUIDING PRINCIPLES

Wherever possible and practicable, it is preferred to avoid impact to Aboriginal archaeological sites. In situations where conservation is not possible or practicable, mitigation measures must be implemented.

The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013 (The Burra Charter) provides guidance for the management of culturally sensitive places. The Burra Charter is predominantly focussed on places of built heritage significance, but the principles are applicable to other places of significance as well.

The first guiding principle for management of culturally significant sites states that “places of cultural significance should be conserved” (Article 2.1). A cautious approach should be adopted, whereby only “as much as necessary but as little as possible” (Article 3.1) should be changed or impacted.

Mitigation measures depend on the significance assessment for the site. Cultural significance of sites should also be considered in consultation with the Aboriginal community during community consultation.

8.2 HARM AVOIDANCE OR MITIGATION

The study area does not contain any previously registered Aboriginal sites and none were found during the investigation. As such, no harm avoidance and mitigation measures for this site are necessary.



9.0 RECOMMENDATIONS

The following recommendations are made on the basis of:

- The statutory requirements of the NP&W Act 1974;
- The requirements of Heritage NSW;
- The results of the cultural and archaeological assessment;
- An assessment of the likely impacts of the proposed development; and
- The interests of the registered Aboriginal stakeholders and the cultural heritage record.

It was found that:

- There were no previously registered sites within the study area.
- No surface artefacts were identified during the survey.
- No areas considered to have potential for subsurface archaeological deposits were identified within the study area.
- The area was considered to be disturbed throughout due to historical clearance, land use practices and development.
- The site is not considered to contain potential for Aboriginal cultural material to be present.

As such, the following recommendations have been made:

RECOMMENDATION 1: NO FURTHER ARCHAEOLOGICAL ASSESSMENT REQUIRED

This report details the archaeological potential of the site, which has been assessed as negligible. No further archaeological assessment is required for the site. No application for an Aboriginal Heritage Impact Permit (AHIP) is necessary, as no Aboriginal heritage sites would be impacted by the proposed works.

RECOMMENDATION 2: DEVELOPMENT BOUNDARIES

The proposed development works must be contained within the assessed boundaries for this project. If there is any alteration to the boundaries of the proposed development to include areas not assessed as part of this archaeological investigation, further investigation of those areas should be completed to assist in managing Aboriginal objects and places which may be present in an appropriate manner.

RECOMMENDATION 3: STOP WORK PROVISION

Should unanticipated Aboriginal archaeological material be encountered during site works, all work must cease in the vicinity of the find and an archaeologist contacted to make an assessment of the find and to advise on the course of action to be taken. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.



In the unlikely event that suspected human remains are identified during construction works, all activity in the vicinity of the find must cease immediately and the find protected from harm or damage. The NSW Police and the Coroner's Office must be notified immediately. If the finds are confirmed to be human and of Aboriginal origin, further assessment by an archaeologist experienced in the assessment of human remains and consultation with both Heritage NSW and the RAPs for the project would be required.

RECOMMENDATION 4: REPORTING

One digital copy of this report should be forwarded to the AHIMS registrar for inclusion on the AHIMS database.

One copy of this report should be forwarded to each of the registered Aboriginal stakeholders for the project.



10.0 BIBLIOGRAPHY

Archaeological Management & Consulting Group. 2020, *Final Archaeological Report: ATO Development 38 Mann Street, Gosford NSW*. Report to BLOC Pty Ltd.

Archaeological Management & Consulting Group. 2020, *Aboriginal Cultural Heritage Assessment Report Lot 11 DP 1250131, Lots 2-7 DP 14761 and Lot 469 DP821073 Central Coast Quarter 26-32 Mann Street, Gosford*. Report to SH Gosford Residential Pty Ltd

Archaeological and Heritage Management Solutions. 2011, *Aboriginal and Historical Archaeological and Cultural Heritage Assessment: 5 Lands Coastal Walkway*. Report to Andrews Neil Urban Design Group.

Attenbrow, V. 2003, Habitation and land use patterns in the Upper Mangrove Creek catchment, New South Wales central coast, Australia. *Australian Archaeology*, Vol 57 (1):20-31.

Attenbrow, V. 2010, *Sydney's Aboriginal Past: Investigating the archaeological and historical records*. UNSW Press, Sydney (Second Edition).

Attenbrow,V, Corkill, T., Pogson, R., Sutherland, L, Grave,P. 2017. 'Non-destructive Provenancing of Ground-Edged Mafic Artifacts: A Holocene Case Study from the Sydney Basin, Australia'. *Journal of Field Archaeology* 42(3): 173-186.

Attenbrow,V. and Kononenko, N. 2017, *Microscopic Revelations: The Forms and Multi Uses of Ground-edged Artefacts of the New South Wales Central Coast*. Australia. Technical Reports of the Australian Museum

Boot, P. 2002, *Didthul, Bhundoo, Gulaga and Wadbilliga: An Archaeological Study of the Aboriginals of the New South Wales South Coast Hinterland*. Thesis submitted for the degree of Doctor of Philosophy of the Australian National University.

Bowdler, S. 1970, *Bass Point: The Excavation of a South East Australian Shell Midden Showing Cultural and Economic Change*. Unpublished BA (Hons) Thesis, University of Sydney, Sydney.

Bowdler, JM., Johnston, H., Olley JM., Prescott, JR., Roberts, RG., Shawcross, W and Spooner, N. 2003, 'New ages for human occupation and climactic change at Lake Mungo, Australia.' *Nature* Vol 421:30, pp.837-840.

Corkill, T. 2005, "Sourcing Stone from the Sydney Region: A Hatchet Job." *Australian Archaeology* 60: 41-50.

Clarkson, C., Smith, M., Marwick, B., Fullagar, R., Wallis, L., Faulkner, P., Manne, T., Hayes, E., Roberts, R., Jacobs, Z., Carah, X., Lowe, K., Matthews, J and Florin, S. 2015, The archaeology, chronology and stratigraphy of Madjedbebe (Malakunanja II): A site in northern Australia with early occupation. *Journal of Human Evolution*. 83:46-64



DECCW. 2010a, *Aboriginal cultural heritage consultation requirements for proponents 2010*. DECCW, Sydney South.

DECCW. 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

DECCW. 2010c, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. DECCW, Sydney South.

Eades, D.K. 1976, *The Dharawal and Dhurga Languages of the NSW South Coast*, Australian institute of Aboriginal Studies, ANU, Canberra.

Extent Heritage Advisors. 2019, *Aboriginal Heritage Due Diligence: 136-146 and 148 Donnison Stret, Gosford*. Report to Lederer Group

Fitzhardinge, L. F. 1979, *Sydney's First Four Years, A Narrative of the Expedition to Botany Bay and a Complete Account of the settlement of Port Jackson 1788 – 1791 by Captain Watkin Tench of the Marines*. Library of Australian History: Sydney.

Grant, J. 1801, Extract from Ships journal in letter from Governor King to Duke of Portland. In *Historical Records of New South Wales*, Vol IV, Hunter and King 1800, 1801, 1802. Charles Potter, Government Printer, Facsimile Edition 1976.

Heritage Branch Department of Planning. 2009, *Assessing Significance for Historical Archaeological Sites and 'Relics'*. Heritage Council of NSW, Sydney.

Heritage Now. 2020, *Lot 512 and 513 DP727686 Woy Woy Road, Kariong Aboriginal Cultural Heritage Assessment*. Report to Darkinjung Local Aboriginal Land Council

Howitt, AW. 1904, *The Native Tribes of South-East Australia*. Macentimetresillan & Co. London.

Hughes, P & R Lampert. 1982, Prehistorical population changes in southern coastal New South Wales. In S. Bowdler (ed) *Coastal Archaeology in Eastern Australia: Proceedings of the 1980 Valla Conference on Australian Prehistory*. Pp 16-28. Occasional Papers in Prehistory 11. Department of Prehistory Research School of Pacific Studies, Australian National University, Canberra.

Insite Heritage Pty Ltd. 2011, *Aboriginal Cultural Heritage and Historical Cultural Heritage Assessment: proposed Koolewong Marina Koolewong, Central Coast, NSW*. Report to ADW Johnson on behalf of Gemsted Pty Ltd.

Jo McDonald Cultural Heritage Management. 2001, *Survey for Aboriginal Sites Bulls Hill Quarry, Woy Woy NSW*.

Jo McDonald Cultural Heritage Management. 2005, *Archaeological salvage excavation of site RTA-G1 109-113 George Street Parramatta*. Unpublished report to Landcom Pty Ltd.



Kleinfelder. 2022, *Aboriginal Cultural Heritage Assessment: 437 Ward Hill Road Empire Bay NSW*. Report to Barnes Property Investments Pty Ltd.

Kuskie, P. and Kamminga, J. 2000, *Salvage of Aboriginal archaeological sites in relation to the F3 Freeway near Lenaghans Drive, Black Hill, New South Wales*. Unpublished report by Southeast Archaeology to Northern Region, Roads and Traffic Authority.

Kohen, JL., Stockton, ED., and Williams, MAJ. 1984, 'Shaws Creek KII rockshelter: a prehistoric occupation site in the Blue Mountains piedmont, eastern New South Wales'. *Archaeology in Oceania* 19(2):57-73.

Lampert, RJ. 1971, Coastal Aborigines of Southeastern Australia. In DJ Mulvaney and J Golson (Eds), *Aboriginal Man and Environment in Australia*. Pp 114-132. Australian National University Press, Canberra.

McDonald J. 2005, *Archaeological Salvage Excavation of Eight Archaeological Landscapes in the Second Ponds Creek Valley Rouse Hill Development Area, NSW*. Unpublished report to Rouse Hill Infrastructure Pty Ltd and Landcom.

McDonald, J. 2008, *Dreamtime superhighway: An analysis of Sydney Basin rock art and prehistoric information exchange*. *Terra Australis*. Australian National University E Press, Canberra.

Mulvaney, J & Kamminga, J. 1999, *Prehistory of Australia*. Allen & Unwin, Crows Nest.

Nicol, G & Sewell, J. 1793, *A Complete Account of the Settlement at Port Jackson in New South Wales, Including An Accurate Description of the Situation of the Colony; of the Natives; and Of Its Natural Productions*. London.

O'Connell, J.F and Allen, J. 2004, Dating the colonization of Sahul (Pleistocene Australia-New Guinea): a review of recent research. *Journal of Archaeological Science* 31:835-853.

OEH. 2011, *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*. OEH, Sydney South.

RPS Harper Somers O'Sullivan Pty Ltd. 2011, *Aboriginal and European Heritage impact Assessment for Hanson Central Coast Sand Quarry at Somersby near Gosford, NSW*. Report to Hanson Construction Materials Pty Ltd.

Smith, MA. 2013, *The Archaeology of Australia's Deserts*. Cambridge University Press, New York.

Stockton, ED. 1973. 'Shaws Creek Shelter: Human Displacement of Artefacts and its significance.' *Mankind* 9: 112-117

Stockton, ED. & Holland, WN. 1974, 'Cultural sites and their environment in the Blue Mountains.' *Archaeology and Physical Anthropology in Oceania*. 9:36-65



SHP (Sue Hodges Productions). 2019, *Central Coast Council Gosford CBD Heritage Interpretation Strategy*. Report to Central Coast Council.

Tindale, N.B. 1974, *Aboriginal Tribes of Australia – Their Terrain, Environmental Controls, Distribution, Limits and Proper Names*. Online resource, accessed from <http://archives.samuseum.sa.gov.au/tribalmmap/index.html>



APPENDIX A: AHIMS SEARCHES

Apex Archaeology

PO BOX 236

Nowra New South Wales 2541

Attention: Rebecca Bryant

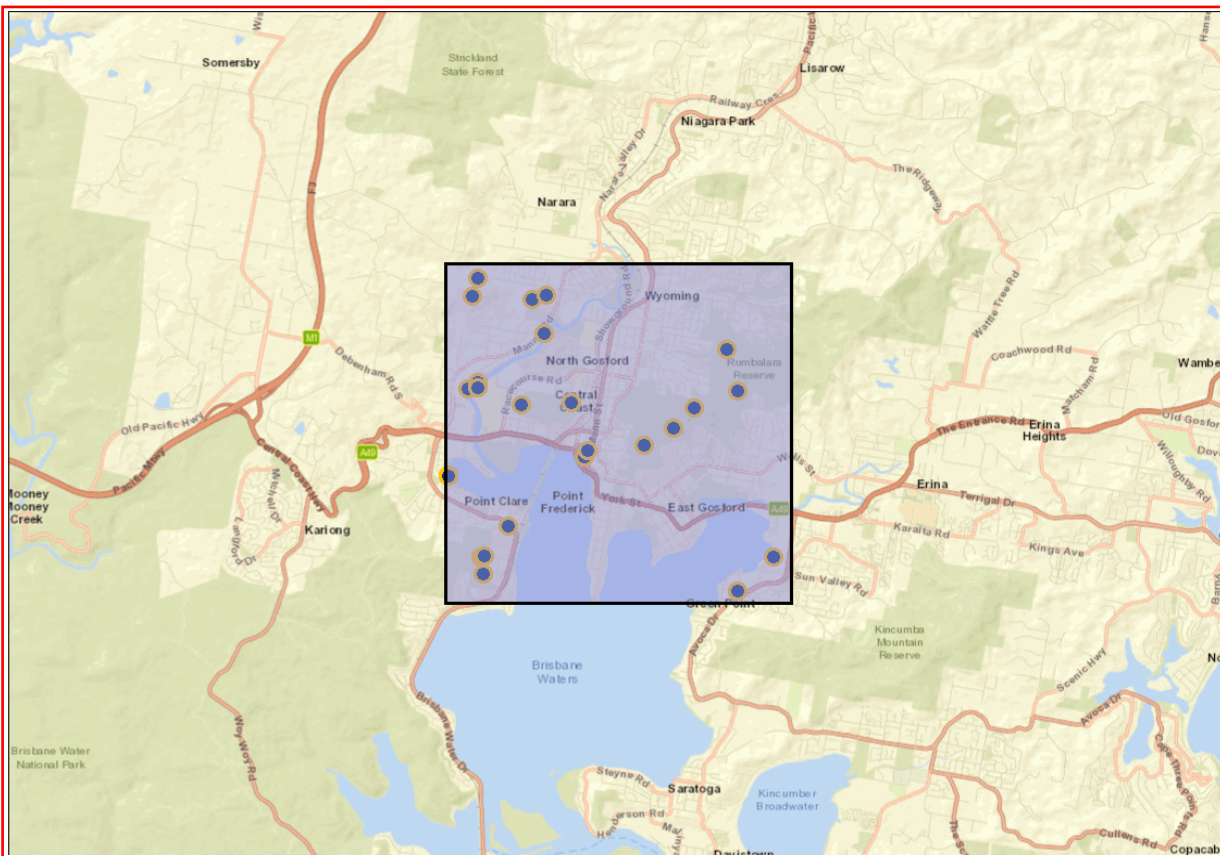
Email: rebecca@apexarchaeology.com.au

Date: 08 November 2022

Dear Sir or Madam:

AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 343700.0 - 348700.0, Northings : 6297650.0 - 6302650.0 with a Buffer of 0 meters, conducted by Rebecca Bryant on 08 November 2022.

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:

25	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 to 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.

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-3-3155	Fagan's Bay	AGD	56	343610	6299300	Open site	Valid	Shell : -, Artefact : -	Midden	1333
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-3163	Fagan's Bay	AGD	56	343620	6299280	Open site	Valid	Shell : -, Artefact : -	Midden	1333
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-3118	BWNP MIDDEN SWD TALINGA AVE	GDA	56	344251	6298018	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1333
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-2397	Brisbane Wter N.P.;	AGD	56	344500	6298550	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	1333
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-1454	Erina Avoca Drive	AGD	56	348410	6298150	Open site	Valid	Shell : -, Artefact : -	Midden	377
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-1455	Old Gosford Road Gosford Racecourse	AGD	56	343880	6300590	Open site	Valid	Shell : -, Artefact : -	Midden	377,98683
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-0556	Narara;	AGD	56	343916	6301973	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	98683
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-0558	Gosford;Narara Ck;	AGD	56	344033	6300603	Open site	Valid	Shell : -, Artefact : -	Midden	98683
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-0559	Gosford ;	AGD	56	344800	6301940	Closed site	Valid	Shell : -, Artefact : -, Grinding Groove : -	Axe Grinding Groove,Shelter with Midden	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-0561	Gosford;	AGD	56	345012	6301994	Closed site	Valid	Grinding Groove : -, Artefact : -	Axe Grinding Groove,Shelter with Deposit	98683
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-1945	Strickland S.F. TWO HANDS AND CHARCOAL SWA	GDA	56	344098	6302433	Closed site	Valid	Grinding Groove : -, Art (Pigment or Engraved) : -	Axe Grinding Groove	1333
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-3170	NC-M-1 (Gosford)	AGD	56	344980	6301420	Open site	Valid	Shell : -		482
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-3-3257	B.W.N.P. Point Claire; STENCIL AND DRAWING SWA	GDA	56	344265	6298288	Closed site	Valid	Art (Pigment or Engraved) : 6, Shell : -		
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-3-3282	Shelter with deposit	AGD	56	345400	6300400	Closed site	Valid	Potential Archaeological Deposit (PAD) : -, Shell : -		
	<u>Contact</u> T Russell	<u>Recorders</u>	Environmental Assessment (Previously Enviromental Appraisal)					<u>Permits</u>		
45-3-3340	Dane drive PAD	AGD	56	345600	6299600	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		100693
	<u>Contact</u> T Russell	<u>Recorders</u>	Extent Heritage Pty Ltd - Pyrmont - Individual users					<u>Permits</u>	4020	
45-3-3376	Avoca Drive PAD	AGD	56	347879	6297633	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	<u>Contact</u>	<u>Recorders</u>	Andrew Roberts					<u>Permits</u>	3002	
45-3-1456	Old Gosford Road (Gosford Racecourse)	AGD	56	344030	6300680	Open site	Valid	Shell : -, Artefact : -	Midden	377
	<u>Contact</u>	<u>Recorders</u>	ASRSYS					<u>Permits</u>		
45-3-3429	Rumbalara 1	GDA	56	347014	6300228	Closed site	Valid	Artefact : -, Shell : 6		
	<u>Contact</u>	<u>Recorders</u>	Mr.Anthony Dunk					<u>Permits</u>		
45-3-3430	Rumbalara 2	GDA	56	346582	6299973	Open site	Valid	Artefact : -, Shell : 2		
	<u>Contact</u>	<u>Recorders</u>	Mr.Anthony Dunk					<u>Permits</u>		
45-3-3431	Rumbalara 3	GDA	56	347318	6300541	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Anthony Dunk					<u>Permits</u>		
45-3-3432	Rumbalara 4	GDA	56	347769	6301420	Closed site	Valid	Artefact : -, Shell : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Anthony Dunk					<u>Permits</u>		
45-3-3798	Rumbalara 5	GDA	56	347947	6300799	Open site	Valid	Art (Pigment or Engraved) : 1, Shell : 1		
	<u>Contact</u>	<u>Recorders</u>	Mr.Anthony Dunk					<u>Permits</u>		
45-3-3699	ATO Mann Street	GDA	56	345764	6299874	Open site	Valid	Artefact : 2		
	<u>Contact</u>	<u>Recorders</u>	Mr.Benjamin Streat					<u>Permits</u>		
45-3-4373	ADDITIONAL INFORMATION FOR 45-3-3257	GDA	56	344213	6298272	Closed site	Valid	Art (Pigment or Engraved) : -		
	<u>Contact</u>	<u>Recorders</u>	Ms.Collette Douchkov					<u>Permits</u>		
45-3-4525	Gosford CBD1	GDA	56	344775	6300544	Open site	Valid	Shell : -		
	<u>Contact</u>	<u>Recorders</u>	MCH - McCardle Cultural Heritage Pty Ltd,Ms.Penny Mccardle					<u>Permits</u>	4747	

** Site Status

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified