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SYDNEY NSW 2000**

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ABN 50 105 256 228

18th November 2021

Hayden Kegg
Project Director
Mostyn Copper Group
Suite 2 Level 8
60 Pitt Street
Sydney NSW 2000

Dear Hayden,

AUSTRALIAN TURF CLUB NIGHT RACING – RESPONSE TO SUBMISSIONS – HISTORICAL AND ABORIGINAL ARCHAEOLOGY

INTRODUCTION

This letter has been prepared to respond to submissions relating to Historical and Aboriginal archaeology received in response to SSD-8706 being State Significant Development Application (SSDA) for the establishment of night racing events at the Royal Randwick Racecourse. The establishment of night racing at the Royal Randwick Racecourse will require the installation of new trackside and spectator precinct lighting, as well as generators to power the lighting. Submissions to SSD-8706 have been received by a number of agencies including the following:

- Randwick City Council.
- Centennial and Moore Park, Parramatta Park & Western Sydney Parklands Trust (*No relevant comments received*).
- Heritage NSW as delegate of the Heritage Council of NSW (*No relevant comments received*).
- Heritage NSW – Aboriginal Cultural Heritage Regulation – South Heritage NSW.
- Department of Planning Industry & Environment (*No relevant comments received*).

Urbis' response to the received submissions is detailed in Section 0.

ARCHAEOLOGICAL CONTEXT

Urbis understands that Environmental Impact Statement (EIS) for SSD-8706 was submitted in May 2021, supported by a Heritage Impact Statement (HIS) with consideration archaeological impact prepared by Urbis (March, 2021), and an Aboriginal Objects Due Diligence Assessment (ADD) prepared by McCardle Cultural Heritage Pty Ltd (October, 2017). These documents were considered acceptable at the Test of Adequacy Phase. These documents were prepared to meet the requirements of the revised Secretary's Environmental Assessment Requirements (SEARs) (received 2017, confirmed 2021) which included the following:

4. Heritage

The EIS Shall:

Include a Heritage Impact Statement (HIS) prepared in accordance with the guidelines in the NSW Heritage Manual addressing the heritage impact of the proposal on the heritage item on the site (the Members Stand) and the Racecourse Heritage Conservation Area. The HIS must address impacts on buildings, structures and landscape components including important historical views, as well as any impact on Aboriginal or Historical Archaeological values on the site and provide details of measures to protect the heritage significance of the item and conservation area.

Address the draft Randwick Racecourse Conservation Management Plan and reference the Randwick Comprehensive DCP: Part E3.

Notably, the SEARs did **not** request an Aboriginal Cultural Heritage Assessment be prepared.

HISTORICAL ARCHAEOLOGY

The Archaeological Impact Review within the HIS prepared by Urbis was limited to a review of impact and did not include a separate Historical Archaeological Assessment. Regarding historical archaeology, reference was made to the 2006 Conservation Management Plan for the Royal Randwick Racecourse, prepared by Godden Mackay Logan. The CMP identified that generally while the potential remained for archaeological relics across the Royal Randwick precinct, including the potential for structural remains associated with previous buildings, the high level of disturbance across the subject site limited the archaeological research potential of archaeological resources, which would likely have low spatial and physical integrity. As such GML concluded that the historical archaeological resource of the Royal Randwick Racecourse was of 'little significance'. It is relevant to note that due to legislative changes in 2009 under *The Heritage Act 1977* (as amended), 'little significance' is no longer considered an appropriate grading of significance for archaeological resources, with archaeological significance to be graded as 'State', 'Local', or 'No' significance. This is reflected in the addendum Historical Archaeological Impact Letter provided in Appendix A.

ABORIGINAL ARCHAEOLOGY

Aboriginal archaeology was addressed under the ADD prepared in 2017 by McCardle Cultural Heritage Pty Ltd. This report identified that, while the initial SEARs has requested Aboriginal consultation be undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (Consultation Requirements, DECCW, 2010), this was not necessary due to the significant disturbance at the subject site, including modification of the natural landscape. McCardle determined a due diligence assessment was satisfactory for the subject site. This assessment identified that the Royal Randwick Racecourse was highly disturbed resulting from long term intensive land use, including complete clearing and removal of original landforms, importation of fill and the construction of the previous and existing track and grandstands. As such, McCardle determined that the development was proposed to occur in areas of nil-low Aboriginal archaeological potential, and as such could proceed with a Chance Finds Procedure and Aboriginal cultural heritage induction in place.

RESPONSE TO AGENCY SUBMISSIONS

Urbis have reviewed the relevant responses received by State and Local Government Agencies. Our response can be found in Table 1 below.

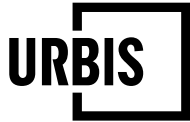
Updated assessments are included in Appendix A and Appendix B.

Table 1 – Response to Agency Submissions

Agency Comment	Urbis Response
Randwick City Council	
Aboriginal Archaeology 36. The Aboriginal Heritage Due Diligence letter prepared by McCardle Cultural Heritage includes a number of recommendations for the protection and management of protected sites and places of significance. The recommendations make reference to site 45-5-3968, however the site number is not discussed elsewhere in the Due Diligence letter or EIS. Clarification is required in this regard.	Urbis have prepared an Addendum ADD for the subject site, which clarifies the location and discussion of AHIMS ID #45-5-3968. This site is not registered within or in proximity to the subject site, and was referenced in error. This is included in Appendix B.
37. The assessment of Aboriginal archaeology is sufficient to meet statutory requirements, and the recommendations of the Due Diligence letter should be included as consent conditions, subject to clarification of the site number which has been quoted.	An Addendum ADD has been prepared and is included in Appendix B. The recommendations have remained with minor alteration to satisfy comments from Heritage NSW, as below.
European archaeology 38. The Heritage Impact Statement prepared by Urbis includes the Potential Historical Archaeological Significance mapping from the 2006 Godden Mackay Logan Conservation and Management Plan for the site which identifies areas on the site having Moderate-Significance and Low Significance in relation to historical archaeological sensitivity. No assessment of the proposal in relation to this mapping has been provided however, and the SSD submission is deficient in this regard.	Urbis have prepared and addendum Historical Archaeological Impact Assessment (HAIA) letter, which is included in Appendix A. This letter considers the archaeological potential and significance of the subject site (in accordance with the <i>Heritage Act 1977</i> , as amended 2009). This has necessitated updates to the 2006 GML CMP grading of archaeological significance which does not meet the requirements of the legislative changes which came into effect in 2009. This assessment has considered the impacts of the proposal against the 2006 archaeological zoning plan prepared by GML for the CMP.

<p>The Potential Historical Archaeological Significance mapping identifies a number of sites within the Spectator Precinct and the ARF Laboratory Area, associated with previous structures, as being of Moderate significance and it is unclear whether excavation for the footings of the proposed light columns will impact on these archaeological values.</p>	<p>The addendum HAIA letter has considered the impacts of the proposed works against areas of identified potential and significance as identified by GML in 2006 and updated by Urbis in 2021. This is provided in Appendix A. the addendum HAIA has concluded the structures will not impact on the archaeological resources associated with the Spectator Precinct and ARF Laboratory area, with the 12 light columns proposed in areas outside of identified significance.</p>
<p>Heritage NSW as delegate of the Heritage Council of NSW</p>	
<p>The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological relics.</p> <p>Therefore, no further heritage comments are required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.</p>	<p>N/A</p>
<p>Heritage NSW – Aboriginal Cultural Heritage Regulation – South Heritage NSW</p>	
<p>We note that this report does not fulfill the requirements of the SEARs because it was not undertaken in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales and does not include a process of Aboriginal consultation undertaken in line with Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010. Undertaking Aboriginal consultation may provide further information about the cultural values of the land.</p>	<p>Urbis note that the SEARs for this assessment did not include a requirement for an ACHA. McCardle made the decision not to undertake an ACHA on the basis of the high levels of disturbance at the subject site. Response to this comment is included in detail in the Addendum ADD letter, provided in Appendix B.</p> <p>Urbis have previously undertaken an ACHA for a site at the Royal Randwick Racecourse, being the Leger Lawn. Details of this consultation are included in the Addendum ADD Letter, provided in Appendix B.</p>
<p>An updated search of the Aboriginal Heritage Information Management System (AHIMS) database be undertaken as the previous search was undertaken on 13 October 2017 and the search results are only valid for 12 months.</p>	<p>An updated search of the AHIMS database has been undertaken and is discussed in the Addendum ADD letter provided in Appendix B.</p>

<p>Section 2.2 of the report be updated because: it currently references the Lake Macquarie area; and numerous archaeological studies have been undertaken in the local Randwick area since 2017 which have identified significant sites and a natural sand body of archaeological sensitivity immediately south of the racecourse. These sites and additional studies need to be considered. Additionally, the potential for the proposed works (e.g. trenching for cabling associated with the installation of lighting) to impact on Aboriginal sites that may occur at depth must also be evaluated.</p>	<p>An Addendum letter to the ADD is provided in Appendix B, which includes further discussion of the surrounding archaeological context. We note that the existing ADD was prepared prior to the extensive excavations within the surrounding area which have provided further clarification on the archaeological sensitivity of the former sand dunes within the Royal Randwick Racecourse area. These excavations have been considered in the addendum letter. Further discussion of ancillary works has been included in the addendum letter, including discussion of their potential impact to potential resources.</p>
<p>Aboriginal cultural heritage regulation advice Given the landscape the development is located within, we support raising the cultural awareness of contractors working on site and provide additional recommendations:</p> <ul style="list-style-type: none"> • Any Aboriginal cultural heritage awareness inductions would benefit from the involvement of Aboriginal community representatives. • An Unexpected Finds Protocol for Aboriginal objects needs to be included as part of any Construction Environmental Management Plan (CMP) prepared for the development works. 	<p>Urbis support the recommendations provided by Heritage NSW and these have been included in the updated ADD, provided in Appendix B. Urbis have noted in the Addendum ADD that the induction should be developed in consultation with Aboriginal community representatives.</p>
<p>The EIS and due diligence report also contain several errors that need to be revised including:</p> <ul style="list-style-type: none"> • contacting the Office of Environment and Heritage under sections 1.5.1 and 5.3 (Due Diligence report pages 10 and 19) if Aboriginal objects are found during works. This should now refer to Heritage NSW. 	<p>Errors in the 2017 ADD have been addressed and resolved in the Addendum letter to the ADD, provided in Appendix B.</p>
Department of Planning, Industry and Environment	
N/A	
Centennial and Moore Park, Parramatta Park & Western Sydney Parklands Trust	
N/A	



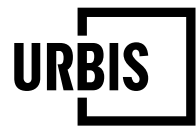
CONCLUSIONS

This letter has addressed the submissions received by the relevant State and Local Government Agencies in response to SSD-8706. Urbis are of the opinion that the HAIA letter and Addendum ADD Letter satisfy all comments and recommendations of these submissions, and that there are no outstanding submissions which pertain to the Aboriginal or Historic archaeological potential of the subject site.

Yours sincerely,

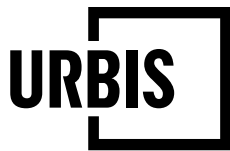
A handwritten signature in blue ink, appearing to read "M Walker", with a stylized flourish at the end.

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APPENDIX A

HISTORICAL ARCHAEOLOGICAL IMPACT ASSESSMENT LETTER



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18th November 2021

Hayden Kegg
Project Director
Mostyn Copper Group
Suite 2 Level 8
60 Pitt Street
Sydney NSW 2000

Dear Hayden,

AUSTRALIAN TURF CLUB - ROYAL RANDWICK RACECOURSE NIGHT RACING - ADDENDUM HISTORICAL ARCHAEOLOGICAL IMPACT ASSESSMENT.

INTRODUCTION

This letter format Historical Archaeological Impact Assessment has been prepared as an addendum to supplement the existing Heritage Impact Statement (HIS) prepared by Urbis in 2021, and to respond to the submissions received by Randwick City Council in relation to State Significant Development Application (SSDA) SSD-8086 for the proposed works at the site.

The 2021 HIS prepared by Urbis provided a review of the historical and Aboriginal archaeological contexts through reference to previous reporting, including the *Draft Randwick Racecourse Conservation Management Plan* (CMP) prepared by Godden-Mackay-Logan (GML, 2006). The HIS did not assess the potential for relics to be impacted by the proposed development as this was outside of the scope. Comments received by Randwick City Council in responses to SSD-8086 have included the following in regard to historical archaeology:

38. The Heritage Impact Statement prepared by Urbis includes the Potential Historical Archaeological Significance mapping from the 2006 Godden Mackay Logan Conservation and Management Plan for the site which identifies areas on the site having Moderate-Significance and Low Significance in relation to historical archaeological sensitivity.

No assessment of the proposal in relation to this mapping has been provided however, and the SSD submission is deficient in this regard.

39. The Potential Historical Archaeological Significance mapping identifies a number of sites within the Spectator Precinct and the ARF Laboratory Area, associated with previous structures, as being of Moderate significance and it is unclear whether excavation for the footings of the proposed light columns will impact on these archaeological values.

This letter has been prepared to address these comments.

HISTORICAL ARCHAEOLOGICAL IMPACT ASSESSMENT

The CMP identified various areas of historical archaeological sensitivity, with potential for relics of moderate and low significance. In light of legislative changes to The *Heritage Act 1977* As amended (2009), 'moderate' and 'low' are no longer considered appropriate gradings of significance for archaeological relics, with only two levels of significance identified in the legislation – being State and Local significance. Archaeological resources are only considered relics when they satisfy the criteria for significance on a local or State level. The following defines these gradings:

'State heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to the State Heritage Register. in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A)

'Local heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A)

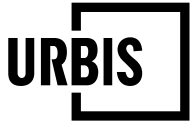
In view of this, the gradings of significance as identified by GML in the 2006 CMP can instead be considered as nil (low) and Local (moderate), depending on the integrity of the resource and the ability to provide information that can't be derived from other sources. Due to the high level of disturbance at the subject site, and given that a large amount of historical information is readily available for the history of the site, it is anticipated that any potential relics would be Locally significant, with limited research potential or ability to provide information that is not already known.

Figure 1 below represents areas of potential archaeological significance as identified by GML in the CMP, with an overlay of the proposed works. The Royal Randwick Race Course has been divided into 9 precincts as a means of portraying the different functional and physical attributes of each area (GML 2006b:i). The majority of the light designs are located in areas with nil (low) archaeological significance, such as in precincts 1, 2, 4, 5, 8 and 9.

The Infield (Precinct 1) is the largest area within the subject site and shows evidence of extensive disturbances. Past disturbances include land clearing, landscaping, excavation of trenches and the construction of an underground tunnel (GML 2006b:vii). These disturbances are anticipated to have entirely removed the subsurface archaeological potential.

Figure 1 shows two light designs located within the Doncaster Avenue Residential Area (precinct 9). The archaeological deposits likely to be found within precinct 9 consists of the structural elements associated with stables/out buildings/sheds, i.e. concrete slab footings (GML 2006b:xxii).

Within precincts 2 and 4, there are three light designs located within areas of local (medium) archaeological significance, primarily the areas within the vicinity of the Queens lawn and Leger lawn. These two areas previously contained two structures built in the early twentieth century that are now demolished, namely the Ladies (Members'/Queen's) Stand and the Third St Leger Stand. The likely archaeological potential in these areas may consist of the remnants of structural footings, amenities, as well as some brick structural elements (GML 2006b:xvi & xxii). In accordance with the CMP, areas of moderate archaeological potential are considered to contain partially disturbed archaeological deposits. These deposits are associated with important phases of the sites history that are subsequently able to potentially provide new information (GML 2006a:137).



While generally potential archaeological deposits identified across the subject site consist primarily of structural remains, there is an additional possibility that artefactual deposits may occur, indicative of incidental events rather than intentional deposition (GML 2006b:ii). The potential for low-density isolated artefacts is unlikely due to extensive historical disturbances.

As identified by the below diagram, the proposed light poles are located primarily within the track area, which is identified as of low (nil) significance by GML, resulting from high levels of disturbance with potential archaeological relics unlikely to occur, and should they occur unlikely to contain a high degree of spatial and physical integrity. As such, should any archaeological resources occur within this area, they are unlikely to satisfy the criteria for significance as the high levels of disturbance would reduce the research potential.

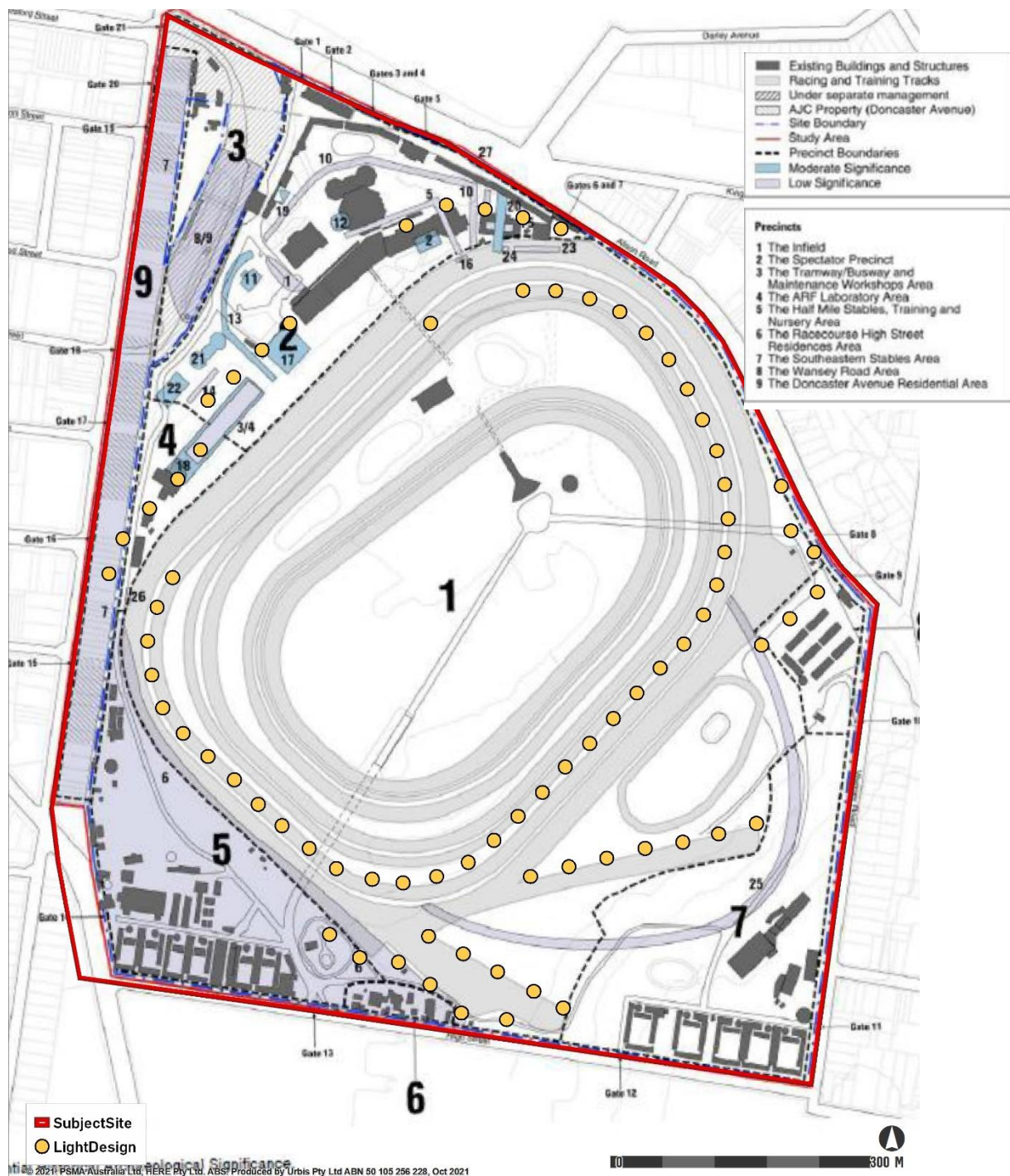


Figure 1 – Overlay of proposed works on areas of identified archaeological significance from GML 2006 CMP.

Source: Urbis overlay on GML base plan, GML, 2006, figure 5.4, pg. 147.

SPECTATOR PRECINCT AND ARF LABORATORY AREA

While the majority of the light poles are proposed around the course proper, which is understood to have low archaeological potential, there are 12 light poles proposed to be located within the Spectator Precinct and ARF Laboratory area. There are portions of these areas which have been identified by GML as having potential for 'moderately' significant relics. The 12 light poles within this area are identified in Figure 2 below and discussed in Table 1.

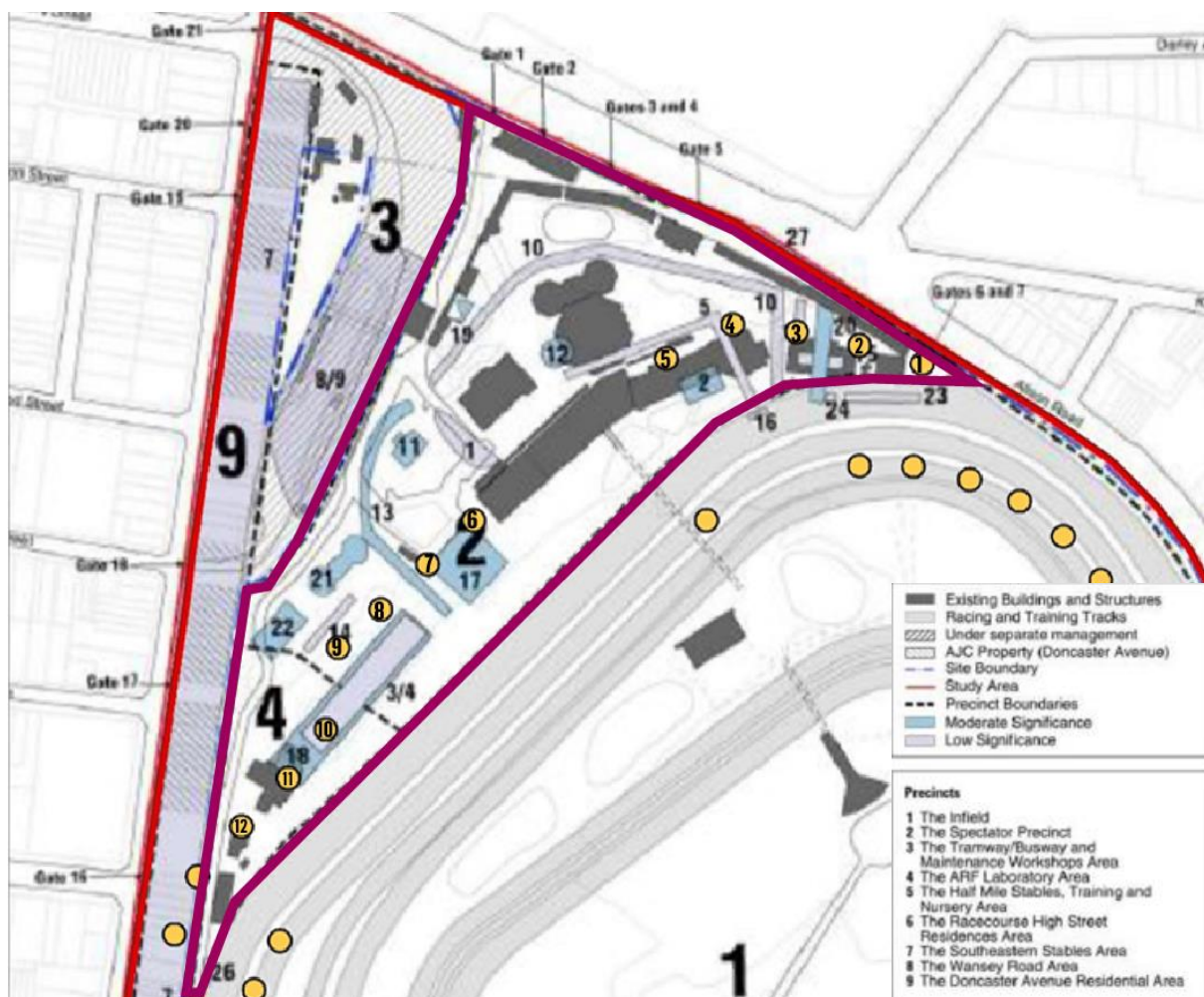


Figure 2 – Overlay of proposed pole locations on the Spectator Precinct and the ARF Laboratory Area, identified as containing potential relics of 'moderate' significance by GML 2006. Spectator Precinct and ARF Laboratory area indicated in purple. 12 lighting poles are numbered, to be read in conjunction with table below.

Source: Urbis overlay on GML base plan, GML, 2006 figure 5.4, pg. 147.

Table 1 – Pole locations within the Spectator Precinct and ARF Laboratory Area

Pole No.	Potential Impact	Discussion
1	Low	Not within identified area of potential significance
2	Low	Not within identified area of potential significance
3	Low	Not within identified area of potential significance
4	Low	Not within identified area of potential significance
5	Low	Not within identified area of potential significance
6	Low	Within area of identified 'moderate' significance – GPR within this area identified footings, not within proposed light pole location. Footings will not be impacted by the light pole.
7	Low	Within area of identified 'moderate' significance – GPR within this area identified footings, not within proposed light pole location. Footings will not be impacted by the light pole.
8	Low	Not within identified area of potential significance
9	Low	Not within identified area of potential significance
10	Low	Within area of identified 'low' significance.
11	Low	Located on the border of an area identified as containing 'moderate' significance, and extant building. The light pole is unlikely to disrupt archaeological resources as it will be within the extant building footprint, and the extant building has likely already removed or highly disturbed any archaeological resources that may have been present.
12	Low	Not within identified area of potential significance

Generally, the light poles in these locations are not anticipated to impact on any significant archaeological resource. This conclusion is informed by the 2006 GML CMP, and also by previous archaeological investigations across the site including the Ground Penetrating Radar (GPR) investigations undertaken in 2019 at the Leger Lawn which identified that while footings may be present, this was not within the proposed light pole location.

CONCLUSIONS AND RECOMMENDATIONS

It has been determined that it is unlikely that the proposed lighting poles will impact on any archaeological deposits of local or state significance including structural remains or relics resulting from incidental discard. The net impact area of the proposed works is minimal and concentrated primarily on the Infield track area, where low potential is present. There is minimal intervention in areas of moderate potential indicated by GML for locally significant relics (see Figure 1) with only three poles within the vicinity of areas identified as of 'moderate' significance. It is unlikely these poles will impact archaeological relics, with low potential generally and previous assessments inclusive of GPR demonstrating that footings are not present in the proposed impact area. The remaining 9 poles within the Spectator Precinct and ARF Laboratory Area are not proposed in locations identified as containing 'moderate' significance by GML.

Should archaeological relics be identified during works, the following Unexpected Finds Procedure should be implemented:

Archaeological Finds Procedure

Should any archaeological deposits be uncovered during any site works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment, and the area should be cordoned off with signage indicating the area as a 'no-go' zone.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW.
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject site may be required and further archaeological investigation undertaken.
5. Reporting, including a Section 146 Letter, may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

Human Remains Procedure

In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop, and the area should be cordoned off with signage indicating the area as a 'no-go' zone.
2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.



4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.

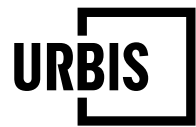
5. Works are not to recommence until the find has been appropriately managed.

Urbis confirm that works within the subject site are supported in conjunction with the above recommendations.

Yours sincerely,

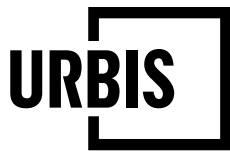
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APPENDIX B

ADDENDUM ABORIGINAL OBJECTS DUE DILIGENCE ASSESSMENT LETTER



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18th November 2021

Hayden Kegg
Project Director
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60 Pitt Street
Sydney NSW 2000

Dear Hayden,

AUSTRALIAN TURF CLUB NIGHT RACING - ADDENDUM ABORIGINAL DUE DILIGENCE ASSESSMENT

INTRODUCTION

This letter has been prepared as an addendum to supplement the existing Aboriginal Objects Due Diligence Assessment (ADD) prepared by McCardle Cultural Heritage Pty Ltd in October, 2017 to assess the impacts of proposed works including the addition of lighting to facilitate night racing at the Royal Randwick Racecourse (the subject area). This letter has been prepared in response to submissions received by Randwick City Council and Heritage NSW Aboriginal Cultural Heritage Regulation Branch (HNSW-ACHRB) to the State Significant Development Application (SSDA) SSD-8086 for the proposed works to the subject area. Urbis has considered each submission received and our response is included in the sections below.

RESPONSE TO SUBMISSION

The below details comments received in response to SSD-8086 by the relevant agencies, and Urbis' response to these comments. Comments are grouped by Agency under separate headings. Italicised and indented text represents a direct quote of the comment received from the relevant Agency, with Urbis' response in normal text below.

RANDWICK CITY COUNCIL

36. The Aboriginal Heritage Due Diligence letter prepared by McCardle Cultural Heritage includes a number of recommendations for the protection and management of protected sites and places of significance. The recommendations make reference to site 45-5-3968, however the site number is not discussed elsewhere in the Due Diligence letter or EIS. Clarification is required in this regard.

The 2017 ADD makes reference to a site registered on the Aboriginal Heritage Information Management System (AHIMS), being AHIMS ID #45-5-3968 within the Executive Summary and Recommendations sections. AHIMS ID #45-5-3968 is an Isolated Find located approximately 37.51km

to the south west of the current subject area, in Austral NSW. This registered AHIMS site has no relevance to the current subject area and has been referenced in error by McCardle in the 2017.

Recommendations associated with this AHIMS site are to be disregarded. To confirm this, the AHIMS Site Card for AHIMS ID #45-5-3968 has been appended to this letter, see Appendix B.

37. The assessment of Aboriginal archaeology is sufficient to meet statutory requirements, and the recommendations of the Due Diligence letter should be included as consent conditions, subject to clarification of the site number which has been quoted.

Urbis have provided updated conclusions and recommendations within this document (see Section 0) which include the removal of the recommendation relevant to AHIMS ID #45-5-3968. With the exclusion of that recommendation, Urbis agree that the recommendations are sufficient and should form a Condition of Consent for the development.

No further comments were raised by Randwick City Council in relation to Aboriginal heritage & archaeology for SSD-8086.

HNSW-ACHRB

We note that this report does not fulfill the requirements of the SEARs because it was not undertaken in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales and does not include a process of Aboriginal consultation undertaken in line with Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010. Undertaking Aboriginal consultation may provide further information about the cultural values of the land.

Urbis understand that requirements of the updated SEARs provided in 2021 did not include specific requirement for the preparation of an assessment or report in relation to Aboriginal cultural heritage values. Comments received in the updated SEARs provided in 2021 by the Department of Planning, Industry and Environment (DPIE) regarding Aboriginal heritage are as follows:

"The HIS must address impacts...as well as any impact on Aboriginal or Historical archaeological values on the site and provide details of measures to protect the heritage significance of the item".

No specific reference was made within the SEARs to the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011)*, the *Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)*, or the need for an Aboriginal Cultural Heritage Assessment (ACHA) to be undertaken at the site. Urbis do, however, acknowledge that consultation is important for the provision of information regarding cultural values and significance which may include tangible and intangible cultural heritage values. Urbis have previously prepared an ACHA for ATC for the new Winx Stand at the Royal Randwick Racecourse site, in 2019. Throughout the consultation process for this project, no specific social or cultural values were identified by Registered Aboriginal Parties (RAPs) in relation to the racecourse area. This assessment also included archaeological test excavation with RAPs on site in 2020, with the test excavation report sent to RAPs in October 2020. No Aboriginal artefacts were identified during the excavation, and no comments regarding any intangible cultural heritage values were raised by RAPs in response to the test excavation report or on site. The test excavation confirmed of high level of disturbance and placement of fill down to 1.5 to 2 metres across the site.

As such, Urbis assert that additional consultation for this project is unlikely to provide further information regarding the cultural values of the land.

An updated search of the Aboriginal Heritage Information Management System (AHIMS) database be undertaken as the previous search was undertaken on 13 October 2017 and the search results are only valid for 12 months.

Urbis have undertaken an additional AHIMS search as required due to the validity of AHIMS searches lapsing after 12 months.

The additional AHIMS search was carried out on 30th September 2021 (AHIMS Client Service ID# 628007). The AHIMS search covered the same area as the AHIMS search from the McCardle report (approximately 3 km radius) however, there has been an additional five (5) AHIMS sites added to the database since 2017. These are included in the table below.

Table 1 – AHIMS sites added to the database following 2017

AHIMS Site ID #	AHIMS Site Name	Site Type	Proximity to Subject site (Approx.)
45-6-3704*	Tay Reserve Artefact	Isolated Find	650m northwest
45-6-3727	POWH-ASB-HTH	Hearth	685m east
45-6-3728	UNSW B22 Area of Sensitivity	PAD	350m southeast
46-6-3729	UNSW Sand Body Area of Sensitivity	PAD	480m south
45-6-3812*	FZ 23 Artefact Scatter	Artefact Scatter	60m north

* asterisk indicates site has since been destroyed.

AHIMS site Doncaster Ave PAD (AHIMS ID# 45-6-3245) was identified in the McCardle report as being a valid confidential site located along the western boundary of the project area. The 2021 AHIMS search has confirmed that this site is now listed as destroyed due to works associated with the Light Rail. This site was not found to extend into the subject area.

Section 2.2 of the report be updated because: it currently references the Lake Macquarie area; and numerous archaeological studies have been undertaken in the local Randwick area since 2017 which have identified significant sites and a natural sand body of archaeological sensitivity immediately south of the racecourse. These sites and additional studies need to be considered.

Urbis acknowledges that the McCardle report references Lake Macquarie. This is an error, and the McCardle ADD should be read in conjunction with this Addendum ADD going forward. Where Lake Macquarie is mentioned in the McCardle report it should instead reference the Randwick area. Mentions of OEH (Office of Environment and Heritage) should also be understood to be updated to Heritage NSW (HNSW).

A number of archaeological assessments have been undertaken in the Randwick area between 2017 and 2021 which have resulted in the identification of new archaeological sites of high scientific and cultural significance within the sand body associated with the Lachlan Swamplands which historically

covered the Centennial Parklands area. The most relevant of these assessments is the 2017 GML Aboriginal Cultural Heritage Assessment Report for 4-18 Doncaster Avenue, Kensington. This study identified the Doncaster Avenue PAD (AHIMS #45-6-3245) within the area of the artefact scatter site RSY1 (AHIMS ID#45-6-3246). This was assessed and destroyed under an Aboriginal Heritage Impact Permit, with construction undertaken for the Randwick Stabling Yards of the Light Rail development. Excavation identified high disturbance with a deeply stratified deposit from locally derived fill materials which had been historically displaced. The site was not found to extend into the racecourse.

In 2020, Urbis undertook archaeological test excavation for proposed works at the Royal Randwick Racecourse, for a separate SSD. This was determined to be necessary despite the generally low archaeological potential due to the potential presence of natural soils, including Tuggerah and Botany Bay sands, beneath fill layers. The investigations identified a differentially truncated natural sand dune profile below approximately 1.6m of levelling fill, demolition fill and subsurface services. The deeper natural dune deposit remained below the terrace to the east of the test site. The A1 horizon was determined to be removed and possibly deposited in various areas to level the site during early historical land use. No Aboriginal archaeological resources were identified during these investigations.

Additionally, the potential for the proposed works (e.g. trenching for cabling associated with the installation of lighting) to impact on Aboriginal sites that may occur at depth must also be evaluated.

Power supply and service works will be undertaken utilising under-bore methods around the track area, which is identified as highly disturbed. The piles will be excavated at a maximum depth of approximately 10 m.

Previous assessments at the Randwick Racecourse which have included test excavation have identified that fill is present at the site to depth of approximately 1.6m. Below fill, natural soils may be present however it is likely that the A-Horizon, which may have contained deposited artefacts, will have been removed. As such, it is not anticipated that the proposed poles or associated service infrastructure will extend to great enough depth to impact on potential natural soils, and furthermore considered unlikely that Aboriginal sites would occur at depth in accordance with the result of previous excavations.

Aboriginal cultural heritage regulation advice: Given the landscape the development is located within, we support raising the cultural awareness of contractors working on site and provide additional recommendations:

- *Any Aboriginal cultural heritage awareness inductions would benefit from the involvement of Aboriginal community representatives.*
- *An Unexpected Finds Protocol for Aboriginal objects needs to be included as part of any Construction Environmental Management Plan (CMP) prepared for the development works.*

Urbis agree that contractors should have an understanding of the archaeological context of the subject area and we also support raising the cultural awareness of contractors. Urbis have added a recommendation that an induction be prepared in conjunction with representatives of the La Perouse Local Aboriginal Land Council (LPLALC) and delivered to contractors working on the site.

An unexpected finds procedure will be included in the Construction Environmental Management Plan for works to the subject area.

The EIS and due diligence report also contain several errors that need to be revised including:

- contacting the Office of Environment and Heritage under sections 1.5.1 and 5.3 (Due Diligence report pages 10 and 19) if Aboriginal objects are found during works. This should now refer to Heritage NSW.*

This letter has been prepared to address these comments. This letter should be read in conjunction with the ADD prepared by McCardle, with these errors corrected in this letter.

CONCLUSIONS AND RECOMMENDATIONS

On the basis of the amended assessment as above, Urbis concludes that the ADD prepared by McCardle in 2017 is sufficient when read in accordance with this letter. The following recommendations should be implemented:

- This ADD report should be kept as evidence of the Due Diligence Process having been applied to the subject area.
- No further archaeological assessment of the subject area is required in accordance with the Due Diligence Code.
- All staff, contractors and others involved in construction and maintenance related activities are to be made aware of the statutory legislation protecting sites and places of significance through an archaeological induction, to be prepared in consultation with the La Perouse Local Aboriginal Land Council (LPLALC).
- Archaeological chance finds and human remains procedures should be implemented and followed, as described below:

Archaeological Finds Procedure

Should any archaeological deposits be uncovered during any site works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop. The find must not be moved 'out of the way' without assessment, and the area should be cordoned off with signage indicating the area as a 'no-go' zone.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS).
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.

6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

Human Remains Procedure

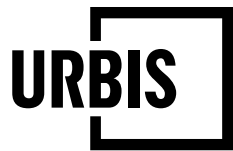
In the unlikely event that human remains are uncovered during the proposed works, the following steps must be followed:

1. All works within the vicinity of the find must immediately stop, and the area should be cordoned off with signage indicating the area as a 'no-go' zone.
2. The site supervisor or other nominated manager must notify the NSW Police and Heritage NSW (Enviroline 131 555).
3. The find must be assessed by the NSW Police, which may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the NSW Police, Heritage NSW and site representatives.
5. Works are not to recommence until the find has been appropriately managed.

Kind regards,

A handwritten signature in blue ink, appearing to read "M. Walker".

Meggan Walker
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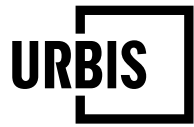


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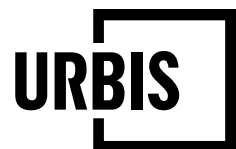
APPENDIX A

AHIMS BASIC & EXTENSIVE SEARCH



APPENDIX B

AHIMS SITE CARD – AHIMS ID #45-5-3968



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