

# **ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

Toga Central, 2 and 8A Lee Street,  
Haymarket NSW 2000 Gadigal Country

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| Project Code      | P0009615   |
| Report Number     | FNL  |

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**We acknowledge, in each of our offices the Traditional Owners on whose land we stand.**

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# GLOSSARY

| Term                         | Definition  |
|------------------------------|---|
| Aboriginal cultural heritage | The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.   |
| Aboriginal object(s)         | As defined in the NPW Act, any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.   |
| Aboriginal place             | As defined in the NPW Act, any place declared to be an Aboriginal place (under s.84 of the NPW Act) by the Minister administering the NPW Act, by order published in the NSW Government Gazette, because the Minister is of the opinion that the place is or was of special significance with respect to Aboriginal culture. It may or may not contain Aboriginal objects.  |
| ACHA                         | Aboriginal Cultural Heritage Assessment.  |
| ACHAR                        | Aboriginal Cultural Heritage Assessment Report.   |
| AHIMS                        | Aboriginal Heritage Information Management System: a register of previously reported Aboriginal objects and places managed by the DPC.  |
| AHIP                         | Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the <i>NPW Act</i> .   |
| Archaeology                  | The scientific study of human history, particularly the relics and cultural remains of the distant past.  |
| Art                          | Art sites can occur in the form of rock engravings or pigment on sandstone outcrops or within shelters. An engraving is some form of image which has been pecked or carved into a rock surface. Engravings typically vary in size and nature, with small abstract geometric forms as well as anthropomorphic figures and animals also depicted. Pigment art is the result of the application of material to a stone to leave a distinct impression. Pigment types include ochre, charcoal and pipeclay. |
| Artefact                     | An object made by human agency (e.g. stone artefacts).  |
| Consultation Requirements    | <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (DECCW, 2010).   |
| DCP                          | Development Control Plan.   |
| DECCW                        | Department of Environment, Climate Change and Water NSW.  |
| DPC                          | Department of Premier and Cabinet.  |

| Term                     | Definition  |
|--------------------------|---|
| EP&A Act                 | <i>NSW Environmental Planning and Assessment Act 1979.</i>  |
| Grinding Grooves         | The physical evidence of tool making, or food processing activities undertaken by Aboriginal people. The manual rubbing of stones against other stones creates grooves in the rock; these are usually found on flat areas of abrasive rock such as sandstone.   |
| Harm                     | As defined in the NPW Act, to destroy, deface, damage or move an Aboriginal object or destroy, deface or damage a declared Aboriginal place. Harm may be direct or indirect (e.g. through increased visitation or erosion). Harm does not include something that is trivial or negligible.                                      |
| Isolated find            | A single artefact found in an isolated context.   |
| LALC                     | Local Aboriginal Land Council: corporate body constituted under the <i>Aboriginal Land Rights Act 1983</i> , having a defined boundary within which it operates.  |
| LEP                      | Local Environment Plan.   |
| Midden                   | Midden sites are indicative of Aboriginal habitation, subsistence and resource extraction. Midden sites are expressed through the occurrence of shell deposits of edible shell species often associated with dark, ashy soil and charcoal. Middens may or may not contain other archaeological materials including stone tools. |
| NPW Act                  | <i>National Parks and Wildlife Act 1974.</i>  |
| NPW Regulation           | <i>National Parks and Wildlife Regulation 2019.</i>   |
| PAD                      | Potential Archaeological Deposit: a location considered to have a potential for subsurface archaeological material.   |
| RAPs                     | Registered Aboriginal Parties: Aboriginal persons or organisation who have registered to be consulted on the Project in accordance with the Consultation Requirements.  |
| Scarred / Modified Trees | Trees which display signs of human modification in the form of scars left from intentional bark removal for the creation of tools, or which are carved for ceremonial purposes.   |

# EXECUTIVE SUMMARY

This Aboriginal Cultural Heritage Assessment (ACHA) has been prepared by Urbis to accompany a detailed State Significant Development (SSD) Development Application (DA) for the mixed-use redevelopment proposal at TOGA Central, located at 2 & 8A Lee Street, Haymarket ('the subject area'). The site is legally described as Lot 30 in Deposited Plan 880518, Lot 13 in Deposited Plan 1062447, and part of Lot 14 in Deposited Plan 1062447. The site is also described as 'Site C' within the Western Gateway sub-precinct at the Central Precinct.

This report has been prepared to address the Secretary's Environmental Assessment Requirements (SEARs) issued for the SSD DA (SSD 33258337).

This report concludes that the proposed mixed-use redevelopment is suitable and warrants approval subject to the implementation of the following mitigation measures.

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act), Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg) and the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA concluded that:

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- No previous Aboriginal archaeological investigations have been identified that directly address the subject area.
- Previous assessments of the Western Gateway Sub-precinct which incorporates the subject area generally conclude that disturbance has removed archaeological potential across much of the Sub-Precinct.
- There are no observable or documented waterways within proximity to the subject area.
- Geotechnical investigation has identified alluvial sands are retained at the subject site, ranging from RL13.4-RL8.6 across five boreholes. Where sands are retained, potential is also retained for Aboriginal objects to occur.
- Due to the retention of natural sands within the southern portions of the subject area (Plaza areas), archaeological potential is retained. There is low-moderate potential within this area for artefact scatters / campsites, burials, isolated finds and PADs. There is nil-low potential across the remainder of the subject area for Aboriginal archaeological sites to occur.
- The assessment of archaeological potential within the subject area demonstrates that, even within areas of extreme historic ground disturbance, archaeological potential can be retained in discrete deposits of natural or redeposited natural soils.
- On the basis of these conclusions, further investigation is required in areas where natural soils are retained, to be undertaken post approval due to the existing site conditions and access.

Urbis recommends the following:

## Recommendation 1 – Aboriginal Cultural Heritage Management Plan

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed for the subject area in consultation with Registered Aboriginal Parties (RAPs). This ACHMP should include provision for the field investigation of Aboriginal archaeological potential and natural soils within the subject area. This could

include monitoring, test and/or salvage excavation at the site. The ACHMP should be submitted to Heritage NSW for approval prior to the commencement of works and include the following:

- Methodology for the investigation management of Aboriginal archaeological resources which may occur at the subject area.
- Details with regard to Cultural Heritage Induction protocol prior to works being undertaken at the subject area.
- Research questions relation to any Aboriginal archaeological resources that might be encountered and how Aboriginal people might have used the subject area in the past.
- Policies for the temporary and permanent storage of any Aboriginal objects or resources which may occur at the subject area.
- Documented consultation with RAPs on the development of the management plan and options considered to investigate potential.
- Provision for post-excavation reporting including details of the results of works undertaken, analysis of any identified Aboriginal objects, and response to research questions.

## **Recommendation 2 – Unexpected Finds Procedure**

In areas outside of the identified area of low-moderate potential, an unexpected finds procedure is to be implemented in the event that unexpected Aboriginal archaeological resources are encountered during works. This includes the following:

1. All works stop in the vicinity of the find. The find must not be moved 'out of the way' without assessment.
2. Site supervisor, or another nominated site representative must contact either the project archaeologist (if relevant) or DPC to contact a suitably qualified archaeologist.
3. The nominated archaeologist examines the find, provides a preliminary assessment of significance, records the item and decides on appropriate management, in conjunction with the RAPs for the project. Such management may require further consultation with DPC, preparation of a research design and archaeological investigation/salvage methodology and preparation of AHIMS Site Card.
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. Any such documentation should be appended to this ACHAR and revised accordingly.
6. Works in the vicinity of the find can only recommence upon relevant approvals from DPC.

## **Recommendation 3 – Human Remains Procedure**

In the unlikely event that human remains are uncovered during any site works, the following must be undertaken:

1. All works within the vicinity of the find immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact.
2. Site supervisor or other nominated manager must notify the NSW Police and DPC (Enviroline 131 555).
3. The find must be assessed by the NSW Police, and may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the Police, DPC, site representatives, and if appropriate, the RAPs involved with the project.
5. Works are not to recommence until the find has been appropriately managed.

## **Recommendation 4 – RAP consultation**

A copy of the final ACHA must be provided to all Project RAPs. Continued consultation should be undertaken in the event RAPs express the desire for further consultation on the project.

# 1. INTRODUCTION

Urbis has been engaged by Toga Development and Construction ('the proponent') to conduct an Aboriginal Cultural Heritage Assessment (ACHA). This report has been prepared to accompany a SSD DA for the for the mixed-use redevelopment proposal at TOGA Central, located at 2 & 8A Lee Street, Haymarket, legally referred to as Lot 30 DP877478, part Lot 13 DP1062447, and part of Lot 14 in Deposited Plan 1062447 ('the subject area') (Figure 2 and Figure 3).

The Minister for Planning, or their delegate, is the consent authority for the SSD DA and this application is lodged with the NSW Department of Planning and Environment (DPE) for assessment

The ACHA has been undertaken to investigate whether development of the subject area will harm Aboriginal objects or places that may exist within the subject area and determine whether the subject area presents any Aboriginal archaeological and heritage constraints. The current report Aboriginal Cultural Heritage Assessment Report (ACHAR) presents the results of the ACHA.

## 1.1. RESPONSE TO SEARS

The Planning Secretary's Environmental Assessment Requirements (SEARs) for the proposed development were issued on 17 December 2021 and issued for the SSD DA. The present ACHA report addresses SEARs Item 20, which is recited in Table 1 below.

Table 1 – SEARs requirements and relevant report sections

| Item                                    | Description of Requirement  | Section reference (this report)                     |
|---|---|---|
| 20. <i>Aboriginal Cultural Heritage</i> | Provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the subject area. | This Aboriginal Cultural Heritage Assessment Report |

## 1.2. SUBJECT AREA

The subject area is located within the City of Sydney Local Government Area (LGA). The subject area is situated 1.5km south of the Sydney CBD and 6.9km north-east of the Sydney International Airport within the suburb of Haymarket.

The subject area is located within the Western Gateway sub-precinct, an area of approximately 1.65ha that is located immediately west of Central Station within Haymarket on the southern fringe of the Sydney CBD. Immediately north of Central Station is Belmore Park, to the west is Haymarket (including the University of Technology, Sydney and Chinatown), to the south and east is rail lines and services and Prince Alfred Park and to the east is Elizabeth Street and Surry Hills.

Central Station is a public landmark, heritage building, and the largest transport interchange in NSW. With regional and suburban train services, connections to light rail, bus networks and to Sydney Airport, the area around Central Station is one of the most-connected destinations in Australia.

The subject area is located at 2 & 8A Lee Street, Haymarket and is legally described as Lot 30 in Deposited Plan 880518, Lot 13 in Deposited Plan 1062447 and part of Lot 14 in Deposited Plan 1062447.

The land that comprises the site under the Proponent's control (either wholly or limited in either height or depth) comprises a total area of approximately 4,159sqm. The subject area is on the traditional lands of the Gadigal people, and within the catchment of the Metropolitan Local Aboriginal Land Council (MLALC).

The location of the TOGA Central site is illustrated in Figure 1 and Figure 3.



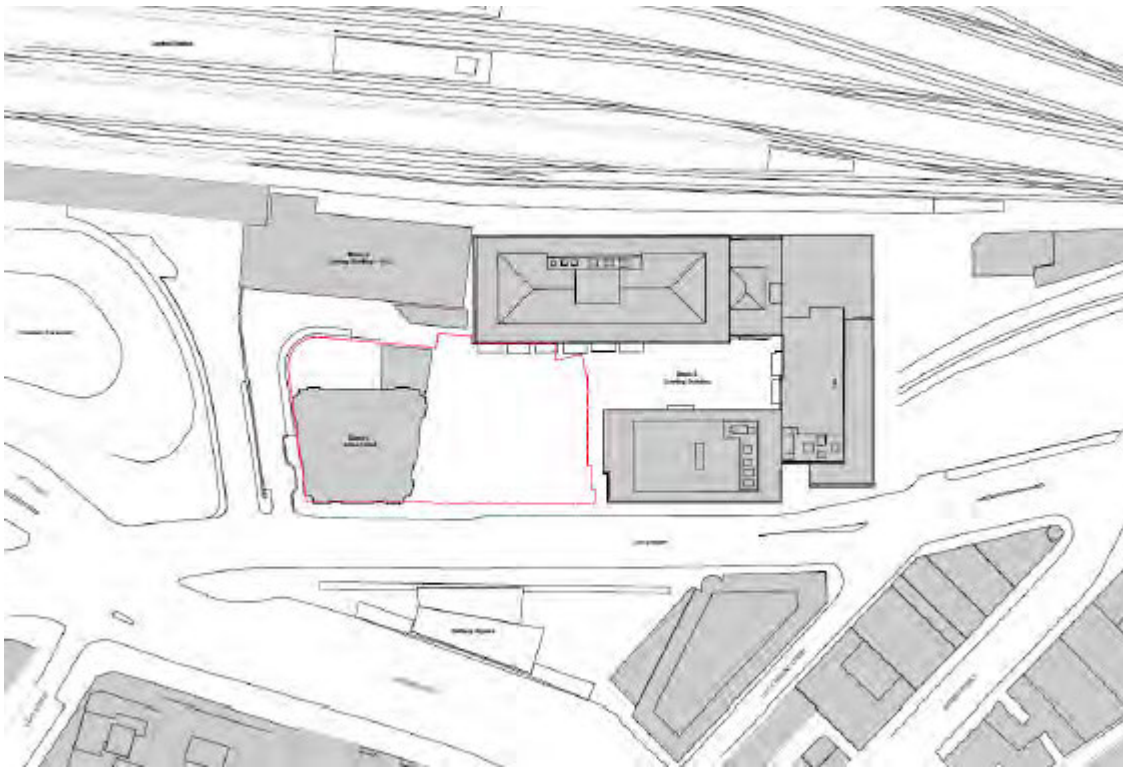


Figure 1 – Site Identification Plan

Source: Bates Smart, 2022

The subject area currently comprises the following existing development:

- Lot 30 in Deposited Plan 880518 (Adina Hotel building): the north-western lot within the Western Gateway sub-precinct accommodates a heritage-listed building which was originally developed as the Parcels Post Office building. The building has been adaptively re-used and is currently occupied by the Adina Hotel Sydney Central. The eight-storey building provides 98 short-stay visitor apartments and studio rooms with ancillary facilities including a swimming pool and outdoor seating at the rear of the subject area.
- Lot 13 in Deposited Plan 1062447 (Henry Deane Plaza): the central lot within the Western Gateway sub-precinct adjoins Lot 30 to the south. It accommodates 22 specialty food and beverage, convenience retail and commercial service tenancies. The lot also includes publicly accessible space which is used for pop-up events and a pedestrian thoroughfare from Central Station via the Devonshire Street Tunnel. At the entrance to Devonshire Street Tunnel is a large public sculpture and a glazed structure covers the walkway leading into Railway Square. This area forms part of the busy pedestrian connection from Central Station to Railway Square and on to George and Pitt Streets, and pedestrian subways.

The subject area is listed as an item of local significance under Schedule 5 of the Sydney Local Environmental Plan 2012 'Former Parcels Post Office including retaining wall, early lamp post and building interior', Item 855.

The subject area is also included within the Central Railway Station State heritage listing. This is listed on the State Heritage Register 'Sydney Terminal and Central Railway Station Group', Item SHR 01255, and in Schedule 5 of the Sydney Local Environmental Plan 2012 'Central Railway Station group including buildings, station yard, viaducts and building interiors' Item 824.

The subject area is not however listed independently on the State Heritage Register. There is an array of built forms that constitute Central Station, however the Main Terminal Building (particularly the western frontage) and associated clocktower constitute key components in the visual setting of the Parcel Post building.



## 1.3. PROPOSED WORKS

The purpose of the SSD DA is to complete the restoration of the heritage-listed building on the subject area, delivery of new commercial floorspace and public realm improvements that will contribute to the realisation of the Government's vision for an iconic technology precinct and transport gateway. The application seeks consent for the conservation, refurbishment and adaptive re-use of the Adina Hotel building (also referred to as the former Parcel Post building (fPPb)), construction of a 45-storey tower above and adjacent to the existing building and delivery of significant public domain improvements at street level, lower ground level and within Henry Deane Plaza. Specifically, the SSD DA seeks development consent for:

- Site establishment and removal of landscaping within Henry Deane Plaza.
- Demolition of contemporary additions to the fPPb and public domain elements within Henry Deane Plaza.
- Conservation work and alterations to the fPPb for retail premises, commercial premises, and hotel and motel accommodation. The adaptive reuse of the building will seek to accommodate:
  - Commercial lobby and hotel concierge facilities.
  - Retail tenancies including food and drink tenancies and convenience retail with back of house areas.
  - 4 levels of co-working space.
  - Function and conference area with access to level 6 outdoor rooftop space.
  - Reinstatement of the original fPPb roof pitch form in a contemporary terracotta materiality.
- Provision of retail floor space including a supermarket tenancy, smaller retail tenancies, and back of house areas below Henry Deane Plaza (at basement level 1 (RL12.10) and lower ground (RL 16)).
- Construction of a 45-storey hotel and commercial office tower above and adjacent to the fPPb. The tower will have a maximum building height of RL 202.28m, and comprise:
  - 10 levels of hotel facilities between level 10 – level 19 of the tower including 204 hotel keys and 2 levels of amenities including a pool, gymnasium and day spa to operate ancillary to the hotel premises. A glazed atrium and hotel arrival is accommodated adjacent to the fPPb, accessible from Lee Street.
  - 22 levels of commercial office space between level 23 – level 44 of the tower accommodated within a connected floor plate with a consolidated side core.
  - Rooftop plant, lift overrun, servicing and BMU.
- Provision of vehicular access into the subject area via a shared basement, with connection points provided to both Block A (at RL 5) and Block B (at RL5.5) basements. Primary access will be accommodated from the adjacent Atlassian site at 8-10 Lee Street, Haymarket, into 4 basement levels in a split-level arrangement. The basement will accommodate:
  - Car parking for 106 vehicles, 4 car share spaces and 5 loading bays.
  - Hotel, commercial and retail and waste storage areas.
  - Plant, utilities and servicing.
- Provision of end of trip facilities and 165 employee bicycle spaces within the fPPb basement, and an additional 71 visitor bicycle spaces within the public realm.
- Delivery of a revitalised public realm across the subject area that is coordinated with adjacent development, including an improved public plaza linking Railway Square (Lee Street), and Block B (known as 'Central Place Sydney'). The proposal includes the delivery of a significant area of new publicly accessible open space at street level, lower ground level, and at Henry Deane Plaza, including the following proposed elements:
  - Provision of equitable access within Henry Deane Plaza including stairways, ramp access and a publicly accessible lift.
  - Construction of an elevated pavilion within Henry Deane Plaza at RL21.

- Landscaping works within Henry Deane Plaza and along Lee Street.
- Utilities and service provision.
- Realignment of lot boundaries.

## 1.4. METHODOLOGY

The ACHA was undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) and Part 5 of the *National Parks and Wildlife Regulation 2019* (NPW Reg). The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW, 2010c) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The objectives of the ACHA are to:

- Investigate the presence, or absence, of Aboriginal objects and/or places within and in close proximity to the subject area, and whether those objects and/or places would be impacted by the proposed development.
- Investigate the presence, or absence, of any landscape features that may have the potential to contain Aboriginal objects and/or sites and whether those objects and/or sites would be impacted by the proposed development.
- Document the nature, extent, and significance of any Aboriginal objects and/or places and sites that may located within the subject area.
- Document consultation with the Registered Aboriginal Parties (RAPs) with the aim to identify any spiritual, traditional, historical or contemporary associations or attachments to the subject area and any Aboriginal objects and/or places that might be identified within the subject area.
- Provide management strategies for any identified Aboriginal objects and/or places or cultural heritage values.
- Provide recommendations for the implementation of the identified management strategies.
- Prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR)

Section 3.1 of the Assessment Guidelines specifies the content requirements of an ACHAR, which includes the requirements of Regulation 61 of the NPW Reg. The requirements are listed in Table 2 below, together with the sections of the present ACHAR in which they are addressed.

Table 2 – ACHAR Requirements

| Requirement  | Section of Report |
|--|-------------------|
| A description of the Aboriginal objects and declared Aboriginal places located within the area of the proposed activity  | Section 4         |
| A description of the cultural heritage values, including the significance of the Aboriginal objects and declared Aboriginal places, that exist across the whole area that will be affected by the proposed activity and the significance of these values for the Aboriginal people who have a cultural association with the land | Section 5         |

|  |           |
|--|-----------|
| How the requirements for consultation with Aboriginal people have been met (as specified in clause 80C of the NPW Regulation)  | Section 3 |
| The views of those Aboriginal people regarding the likely impact of the proposed activity on their cultural heritage (if any submissions have been received as a part of the consultation requirements, the report must include a copy of each submission and your response) | Section 3 |
| Actual or likely harm posed to the Aboriginal objects or declared Aboriginal places from the proposed activity, with reference to the cultural heritage values identified  | Section 6 |
| Any practical measures that may be taken to protect and conserve those Aboriginal objects or declared Aboriginal places  | Section 6 |
| Any practical measures that may be taken to avoid or mitigate any actual or likely harm, alternatives to harm or, if this is not possible, to manage (minimise) harm.  | Section 6 |

## 1.5. AUTHORSHIP

The present report has been prepared by Owen Barrett, Urbis Consultant Archaeologist with review and quality control undertaken by Balazs Hansel, Urbis director, Archaeologist and Sam Richards, Senior Consultant Archaeologist.

Owen Barrett holds a Bachelor of Arts (Archaeology and Palaeoanthropology) from the University of New England and a Diploma (Indigenous Archaeology) from the University of New England. Balazs Hansel holds a Masters (History) and Masters (Archaeology and Museum Studies) from the University of Szeged (Hungary) and is currently completing a PhD (Archaeology) at the University of Sydney. Sam Richards holds a Bachelor of Arts (Honours - First Class in Archaeology) from the University of Liverpool, United Kingdom.

## 1.6. LIMITATIONS

The ACHA was limited to an assessment of the archaeological remains of Aboriginal cultural heritage and does not consider historical archaeological remains or built heritage items.

An archaeological survey was determined unnecessary owing to the urban nature of the subject area and the total lack of ground surface visibility (GSV) resulting from the existing structures and paving. A site inspection was conducted on 25 February 2022 to discuss the project, ACHA and the findings.



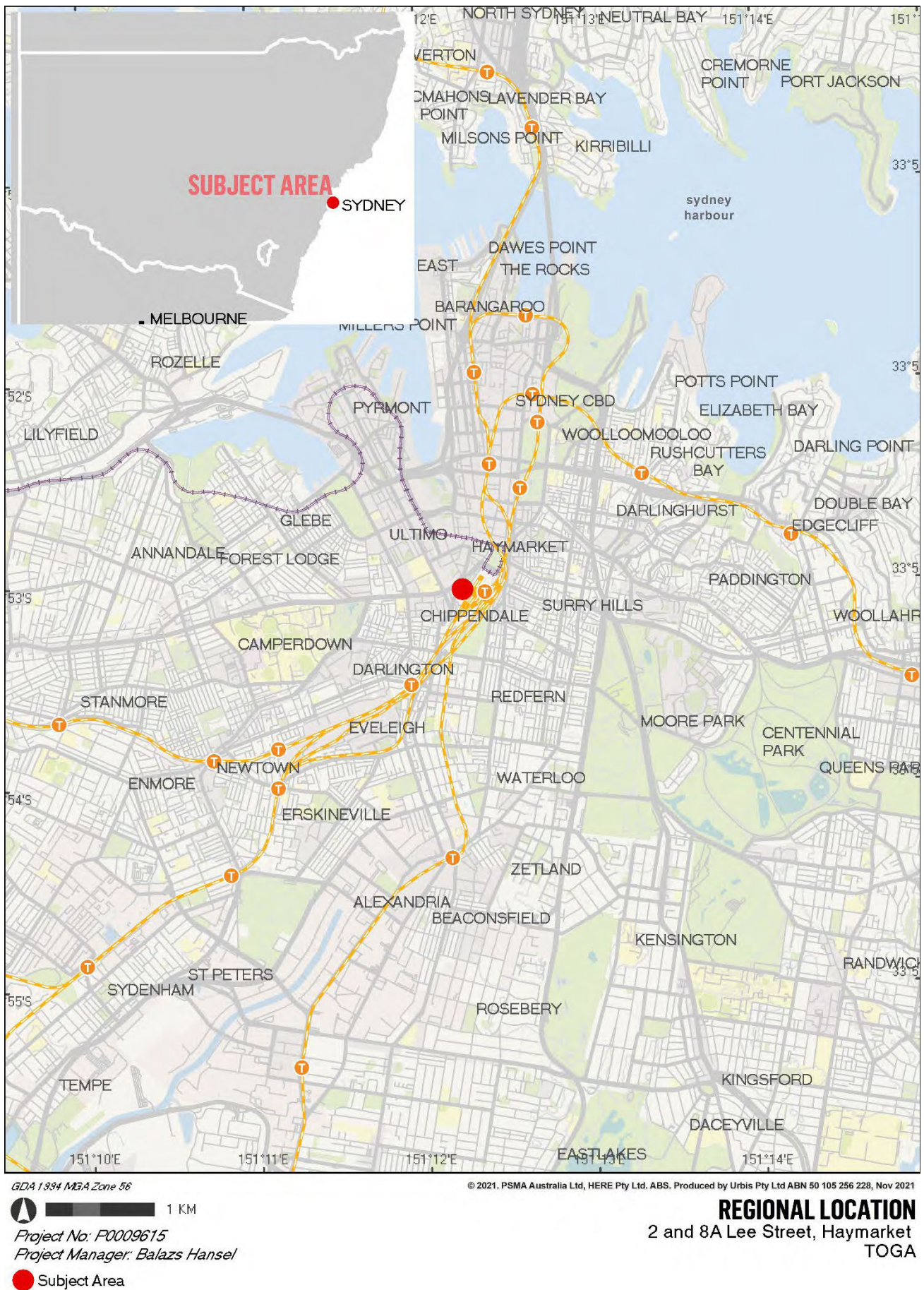


Figure 2 – Regional location





GDA 1994 MGA Zone 56

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40 M

Project No: P0009615

Project Manager: Balazs Hansel

Subject Area — Contours

**Location of the Subject Area**  
2 and 8A Lee Street, Haymarket  
TOGA

Figure 3 – Location of the subject area



## 2. STATUTORY CONTEXT

### 2.1. HERITAGE CONTROLS

The protection and management of Aboriginal cultural heritage items, places and archaeological sites within New South Wales is governed by the relevant Commonwealth, State or local government legislation. These are discussed below in relation to the present subject area.

#### 2.1.1. The National Parks and Wildlife Act 1974

Management of Aboriginal objects and places in NSW falls under the statutory control of the *National Parks and Wildlife Act 1974* (NPW Act). Application of the NPW Act is in accordance with the *National Parks and Wildlife Regulation 2019* (NPW Reg).

Section 5 of the NPW Act defines Aboriginal objects and Aboriginal places as follows:

*Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.*

*Aboriginal place means any place declared to be an Aboriginal place under section 84 of the NPW Act.*

The NPW Act provides statutory protection for Aboriginal objects, defining two tiers of offence against which individuals or corporations who harm Aboriginal objects or Aboriginal places can be prosecuted. The highest tier offences are reserved for knowledgeable harm of Aboriginal objects or knowledgeable desecration of Aboriginal places. Second tier offences are strict liability offences - that is, offences regardless of whether or not the offender knows they are harming an Aboriginal object or desecrating an Aboriginal place - against which defences may be established under the *National Parks and Wildlife Regulation 2009* (NSW) (the NPW Regulation).

It is an offence under section 86 of the NPW Act to harm or desecrate an Aboriginal object or place. Section 87 of the NPW Act specifies that that it is a defence to a prosecution for an offence under section 86 of the NPW Act that the harm or desecration was authorised by an Aboriginal Heritage Impact Permit (AHIP), provided the conditions to which that AHIP was subject were not contravened.

Regulation 61(1) of the NPW Regulation specifies that an application for the issue of an Aboriginal heritage impact permit must be accompanied by an ACHAR. The scope of the ACHAR is specified in Regulation 61(2) and 61(3):

- (2) *A cultural heritage assessment report is to deal with the following matters—*
  - (a) *the significance of the Aboriginal objects or Aboriginal places that are the subject of the application,*
  - (b) *the actual or likely harm to those Aboriginal objects or Aboriginal places from the proposed activity that is the subject of the application,*
  - (c) *any practical measures that may be taken to protect and conserve those Aboriginal objects or Aboriginal places,*
  - (d) *any practical measures that may be taken to avoid or mitigate any actual or likely harm to those Aboriginal objects or Aboriginal places.*
- (3) *A cultural heritage assessment report must include—*
  - (a) *if any submission has been received from a registered Aboriginal party under clause 60 (including any submission on the proposed methodology to be used in the preparation of the report and any submission on the draft report), a copy of the submission, and*
  - (b) *the applicant's response to each such submission.*

The present ACHAR is prepared in accordance with the above requirements.

## 2.1.2. Environment Protection and Biodiversity Conservation Act 1999

In 2004, a new Commonwealth heritage management system was introduced under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act protects any items listed in the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The National Heritage List (NHL) is a list of natural, historic and Indigenous places of outstanding significance to the nation. It was established to protect places that have outstanding value to the nation.

The Commonwealth Heritage List (CHL) was established to protect items and places owned or managed by Commonwealth agencies. The Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) is responsible for the implementation of national policy, programs and legislation to protect and conserve Australia's environment and heritage and to promote Australian arts and culture. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the NHL or CHL.

## 2.1.3. The Sydney Council LEP 2012

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires each LGA to produce a Local Environment Plan (LEP). The LEP identifies items and areas of local heritage significance and outlines development consent requirements.

The subject area falls within the Council of the City of Sydney Local Government Area (LGA) and is subject to Sydney LEP 2012. A search of the Sydney LEP 2012 Schedule 5 was undertaken on 22<sup>nd</sup> December 2021. This search identified one item within the subject area - the Former Parcels Post Office (1855) which is the current Adina Apartment Hotel. This search also identified the Central Station Railway Group including buildings, fencing and grounds. Under Section 5.10(2) of the Sydney LEP 2012 development consent is required for:

*(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—*

*(i) a heritage item,*

*(ii) an Aboriginal object,*

*(iii) a building, work, relic or tree within a heritage conservation area,*

*(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*

*(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*

*(d) disturbing or excavating an Aboriginal place of heritage significance,*

*(e) erecting a building on land—*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

*(f) subdividing land—*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

The ACHA was undertaken to determine whether or not Aboriginal archaeological resources are present within the subject area.

## 2.1.4. Sydney DCP 2012

A review of the Sydney DCP 2012 was completed on 22<sup>nd</sup> December 2021. Controls relating to Aboriginal heritage were identified in Section 3.9, Heritage, Objective (a) which addresses Aboriginal heritage, stating the objective to:

*Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.*

The Sydney DCP requires an archaeological assessment be submitted as part of the Statement of Environmental Effects accompanying any development application impacting an archaeological site or a place of Aboriginal Heritage significance, or a potential archaeological site likely to have heritage significance. This archaeological assessment is required to be prepared by a suitably qualified archaeologist in accordance with the legislative requirements of the Department of Premier and Cabinet (DPC)

This assessment must assess the archaeological potential and heritage significance of the Aboriginal site or place of cultural significance, the probable impact of the proposed development, the compatibility of the development with conservation policies contained within an applicable conservation management plan (CMP), and a management strategy to conserve the heritage significance of the archaeological site or place of Aboriginal significance.

The current ACHA addresses this requirement, by assessing archaeological potential within the subject area and the likelihood of impacts to any Aboriginal objects and/or sites through the proposed works.

Clause 11 of the State and Regional Development SEPP states that development control plans do not apply to State significant development. As such, there is no requirement for assessment of the proposal against the Sydney Development Control Plan 2012 (Sydney DCP) for this SSD DA.

Notwithstanding this, the ACHAR has reviewed the provisions of the Sydney DCP 2012 as it applies to the proposal.

## 2.2. HERITAGE LISTS & REGISTERS

A review of relevant heritage lists and registers was undertaken to determine whether any Aboriginal cultural heritage items are located within the curtilage of, or in proximity to, the subject area.

### 2.2.1. Australian Heritage Database

The Australian Heritage Database is a database of heritage items included in the World Heritage List, the National Heritage List (NHL), the Commonwealth Heritage list (CHL) and places in the Register of the National Estate. The list also includes places under consideration, or that may have been considered, for any one of these lists.

The Australian Heritage Database contains information about more than 20,000 natural, historic and Indigenous places including: places in the World Heritage List, Places in the National Heritage List, places in the Commonwealth Heritage list; and places in the Register of the National Estate (RNE) (non-statutory). The list also includes places under consideration, or that may have been considered for any one of these lists.

A search of the Australian Heritage Database was carried out on 22<sup>nd</sup> December 2021. One site was registered within the subject area. This is the Railway Square Parcel Post Office, which is now the Adina Apartment Hotel. It is registered on the RNE under Place ID 2456. Also identified within proximity was a cast iron drink fountain at Railway Square, however this is no longer in that location. Central Railway Station is also identified under place ID2196 and is within proximity.

No Aboriginal heritage items were listed within the subject area.

### 2.2.2. NSW State Heritage Inventory

The State Heritage Register (SHR) lists items that have been assessed as being of State heritage significance to New South Wales. Items appearing on the SHR are granted protection under s.60 of the *Heritage Act 1977* (Heritage Act).

A search of the SHR was completed on 22<sup>nd</sup> December 2021. One item was identified within the subject area. This is the Former Parcels Post Office, currently the Adina Apartment Hotel which will be refurbished and



conserved in accordance with conservation management principles. One item was identified in proximity to the subject area. This is the Railway Square Road overbridge, which is approximately 76m away. This will not be impacted by the proposed works.

No Aboriginal heritage items were listed within the subject area.

### **2.2.3. State Government Agency Conservation (Section170) Registers**

Section 170 of the Heritage Act requires that State Government Agencies establish and maintain a Heritage Conservation Register for heritage items located on land under their control or ownership. Items listed on the s.170 Register are listed on the State Heritage Inventory (SHI) and bound by the regulations of the Heritage Act.

A search of the SHI was completed on 22<sup>nd</sup> December 2021. One item was identified in proximity to the subject area and one item was located within the subject area. The Central Railway Central Group (Database #2424249) includes the Central Railway Station Terminus, the Station Yard and the station Viaducts. The Former Parcels Post Office (database # 2424235) is now the Adina Apartment Hotel and is within the subject area. It is registered for local significance and identified as a key part of the Railway Square Heritage Streetscape.

No Aboriginal heritage items were listed within the subject area.

## **2.3. SUMMARY**

The statutory context of the subject area is summarised as follows:

- One listed item was registered within the subject area on the Australian Heritage Database. This is the Railway Square Parcel Post Office, which is now the Adina Apartment Hotel. This item is to be retained and adaptively re-used under the current development proposal.
- One item was identified within the subject area on the State Heritage Inventory. This is the Former Parcels Post Office, now the Adina Apartment Hotel. This item will be retained and adaptively re-used under the current development proposal. One item was identified in proximity to the subject area on the State Heritage Inventory. This is the Railway Square Road overbridge, which is approximately 76m away. This will not be impacted by the proposed works
- One item was found within the subject area on the State Government Agency Conservation (Section170) Registers. This is the Former Parcels Post Office, now the Adina Apartment Hotel. This item will be retained and adaptively re-used under the current development proposal.
- No Aboriginal objects, places or sites of significance were identified within the curtilage or in the vicinity of the subject area.
- The present ACHA aims to establish whether any Aboriginal objects would be harmed by the proposed development of the subject area, thus addressing s.87(2) of the NPW Act, Section 5.10(2) of the Sydney LEP 2012 and Section 3.9 Objective (a) of the Sydney DCP 2012.







### 3. ABORIGINAL COMMUNITY CONSULTATION

In administering its statutory functions under Part 6 of the *NSW National Parks and Wildlife Act 1974*, the Department of Premier and Cabinet (DPC) requires that the proponent consult with Aboriginal people about the Aboriginal cultural heritage values (cultural significance) of Aboriginal objects and/or places within any given development area in accordance with Clause 80c of the *NSW National Parks and Wildlife Regulation 2019*.

The DPC maintains that the objective of consultation with Aboriginal communities about the cultural heritage values of Aboriginal objects and places is to ensure that Aboriginal people have the opportunity to improve ACHA outcomes by (DECCW 2010a):

- Providing relevant information about the cultural significance and values of Aboriginal objects and/or places.
- Influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places.
- Actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal objects and/or places within the proposed subject area.
- Commenting on draft assessment reports before they are submitted by the Proponent to the DPC.

Consultation in line with the Consultation Requirements (DECCW 2010) is a formal requirement where a Proponent is aware that their development activity has the potential to harm Aboriginal objects or places. The DPC also recommends that these requirements be used when the certainty of harm is not yet established but a proponent has, through some formal development mechanism, been required to undertake a cultural heritage assessment to establish the potential harm their proposal may have on Aboriginal objects and places.

The Consultation Requirements outline a four-stage consultation process that includes the following:

- Stage 1 – Notification of project proposal and registration of interest.
- Stage 2 – Presentation of information about the proposed project.
- Stage 3 – Gathering information about the cultural significance.
- Stage 4 – Review of draft cultural heritage assessment report.

The document also outlines the roles and responsibilities of the DPC, Registered Aboriginal Parties (RAPs) including Local and State Aboriginal Land Councils, and proponents throughout the consultation process.

To meet the requirements of consultation it is expected that proponents will:

- Bring the RAPs, or their nominated representatives, together and be responsible for ensuring appropriate administration and management of the consultation process.
- Consider the cultural perspectives, views, knowledge and advice of the RAPs involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal objects(s) and/or places(s).
- Provide evidence to the DPC of consultation by including information relevant to the cultural perspectives, views, knowledge and advice provided by the RAPs.
- Accurately record and clearly articulate all consultation findings in the final cultural heritage assessment report.
- Provide copies of the cultural heritage assessment report to the RAPs who have been consulted.

The consultation process undertaken to seek active involvement from relevant Aboriginal representatives for the project followed the current NSW statutory guideline, namely, the Consultation Requirements. Section 1.3 of the Consultation Requirements describes the guiding principles of the document. The principles have been derived directly from the principles section of the *Australian Heritage Commission's Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002).

The following outlines the process and results of the consultation conducted during this assessment to ascertain and reflect the Aboriginal cultural heritage values of the subject area.

## 3.1. STAGE 1: NOTIFICATION OF PROJECT AND REGISTRATION OF INTEREST

The aim of Stage 1 of the community consultation process is to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the subject area.

### 3.1.1. Native Title

A search of the National Native Title Tribunal (NNTT) registers and databases was undertaken on 15 October 2021. The search identified that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area. The NNTT was also contacted by email on the same date to request a formal search of the NNTT Register. A reply was received on 18 October 2021 indicating that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area.

### 3.1.2. Identification of Cultural Knowledge Holders

To identify Aboriginal people who may be interested in registering as Aboriginal parties for the project, the organisations stipulated in Section 4.1.2 of the Consultation Guidelines were contacted on 15 October 2021 (Table 3). The template for the emails sent to the above-mentioned organisations is included in Appendix C. A total of fifty-one (51) Aboriginal groups and individuals with a potential interest in the subject area were identified during this stage.

Table 3 – Contacted organisations

| Organisation   | Date Sent  | Notification | Date Received | Response |
|--|------------|--------------|---------------|----------|
| Office of the Registrar, Aboriginal Land Rights Act 1983 | 15/10/2021 |              | N/A           |          |
| Heritage NSW, Department of Premier and Cabinet          | 15/10/2021 |              | 18/10/2021    |          |
| NTS Corp   | 15/10/2021 |              | N/A           |          |
| Greater Sydney Local Land Services                       | 15/10/2021 |              | 15/10/21      |          |
| Metropolitan Local Aboriginal Land Council               | 15/10/2021 |              | N/A           |          |
| City of Sydney Council                                   | 15/10/2021 |              | 20/10/21      |          |

In accordance with Section 4.1.3 of the Consultation Guidelines, letters were sent to the fifty-one. (51) Aboriginal groups and individuals via email or post (depending on the method identified by each group) on 3 November 2021, to notify them of the proposed project. The letters included a brief introduction to the project and the project location and set a deadline for response of 17 November 2021, providing the 14 days to register an interest required by the Consultation Requirements. A copy of the letter template is included in Appendix C.

Further in accordance with Section 4.1.3 of the Consultation Guidelines, an advertisement was placed in one local newspaper, The Koori mail. This advertisement was published in the 3 November 2021 edition and registration was open until 17 November 2021, providing the 14 days to register required by the Consultation Requirements. A copy of the advertisement is included in Appendix C.

### 3.1.3. Registration of Interest

A total of nine (9) groups registered interest in the project as a result of this phase (Table 4). Acknowledgement emails were made by Urbis to all respondents to confirm registration had been received.

In accordance with Section 4.1.6 of the Consultation Guidelines, the list of Registered Aboriginal Parties (RAPs) was provided to the DPC and the Metropolitan Local Aboriginal Land Council on 11 January 2022 (see Appendix C).

Table 4 – Registered Aboriginal Parties

| Organisation/Individual | Contact Person |
|-------------------------|----------------|
|-------------------------|----------------|

|            |  |
|------------|--|
| [REDACTED] |  |
|------------|--|

## 3.2. STAGE 2: PRESENTATION OF PROJECT INFORMATION

The aim of Stage 2 of the community consultation process is to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.

### 3.2.1. Information Pack

A Stage 2/3 information pack was sent to the nine registered Aboriginal parties via email on 25 November 2021. The information pack was prepared as a combination of Stage 2 and 3 of the Consultation Guidelines, and included the following information:

- Project overview, location and purpose.
- Proposed works.
- Project history.
- Brief archaeological and environmental background.
- Protocol of gathering information on cultural heritage significance.
- Request for comment on methodology and recommendations for site investigation, and request for any cultural information the respondent wished to share.

A response to the Stage 2/3 information pack was requested by 23 December 2021, providing the 28 days to respond required by the Consultation Requirements. A copy of the Stage 2/3 information pack is included in Appendix C of this report.

### 3.2.2. Site Visit and Meeting

A separate communication was sent to all RAPs that responded to the stage 2/3, presenting, and gathering information, on 18 February 2022 notifying them of a site visit and meeting to be held on 25 February 2022. The communication invited RAPs to register for the visit, which formed part of Stage 2/3 of the ACHA process.

The site inspection and meeting was conducted by Sam Richards (Urbis, Senior Consultant) and Owen Barrett (Urbis, Consultant). Also present was David Springford, Senior Project Manager, Toga Development & Construction. From five RAPs invited to attend three RAPs participated in the site visit and meeting, listed in Table 5 below.

Table 5 – RAPs in attendance at site inspection and meeting

| Group | Representative |
|-------|----------------|
|       |                |
|       |                |
|       |                |

The purpose of the site inspection and meeting was to conduct a thorough briefing with the RAPs about the proposed development, to conduct a walkover of the subject area with the RAPs, to discuss the information provided in the Stage 2/3 document provided and to discuss potential archaeological mitigation strategies and the recommendation for the project.

### 3.3. STAGE 3: GATHERING CULTURAL INFORMATION

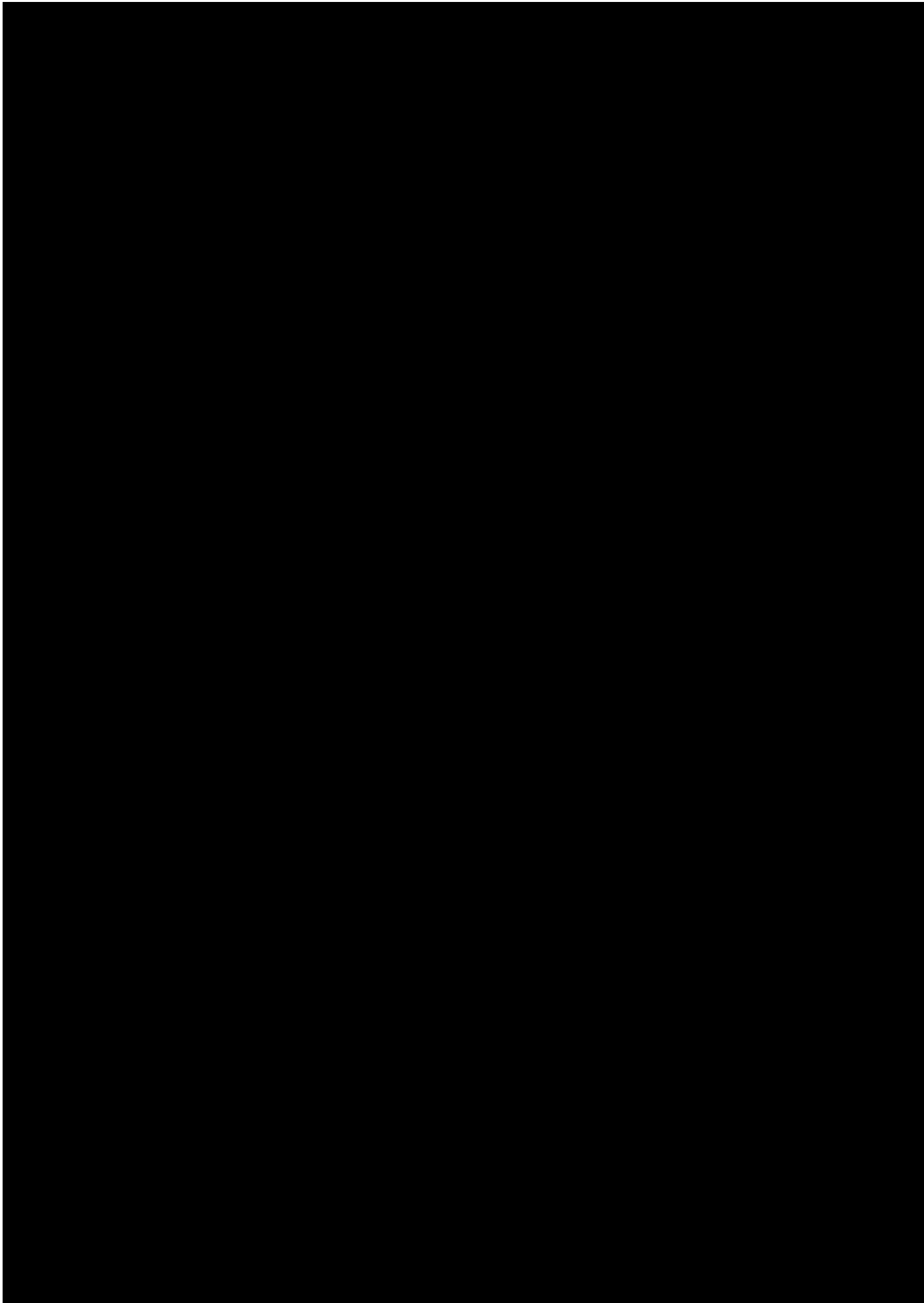
Stage 3 of the community consultation process is concerned with gathering feedback on a project, proposed methodologies, and obtaining any cultural information that registered Aboriginal parties wish to share. This may include ethno-historical information, or identification of significant sites or places in the local area.

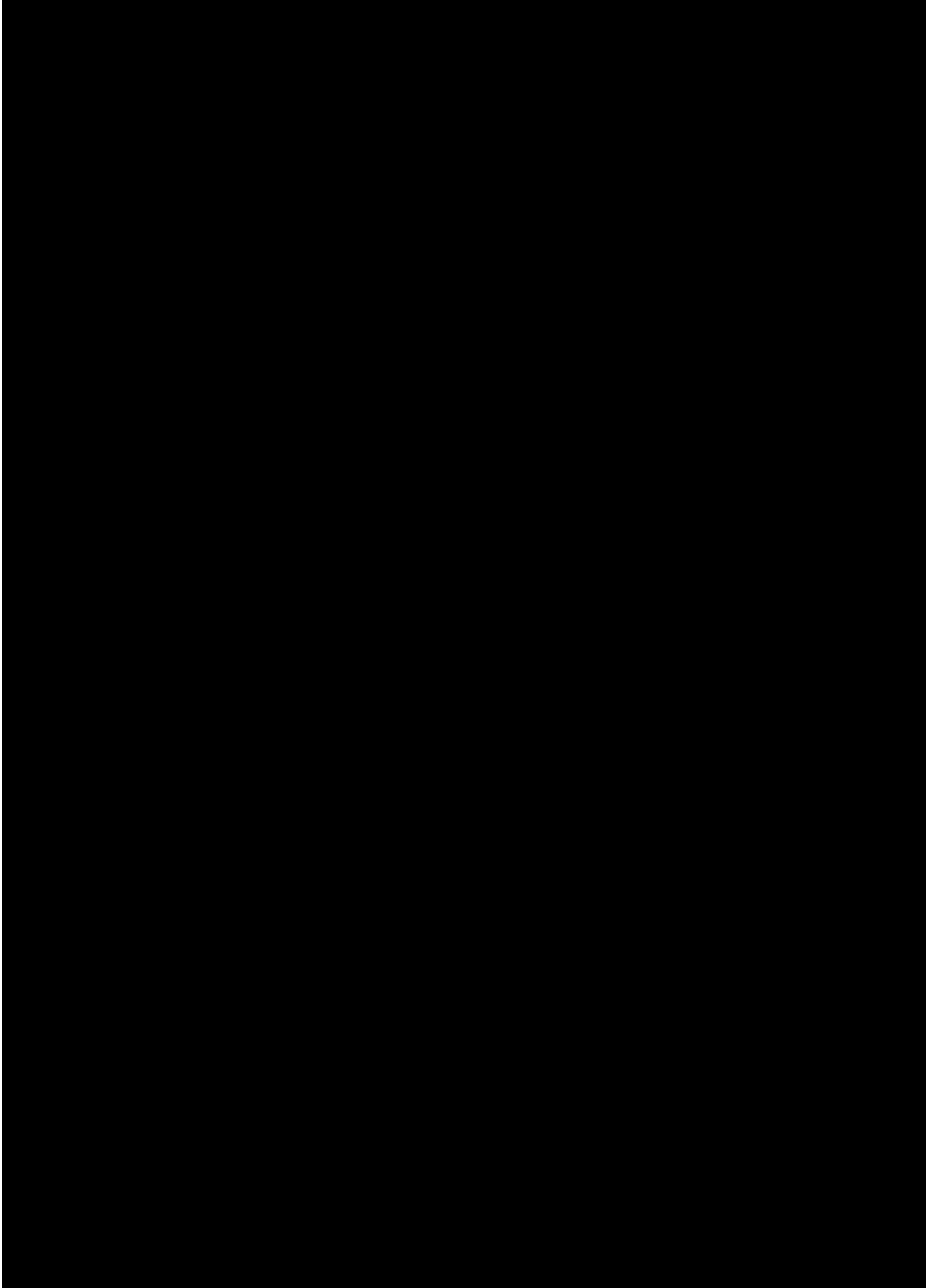
#### 3.3.1. Responses to Information Pack

Five responses were received in relation to the Stage 2/3 information pack. The responses are included in Appendix C and addressed in Table 6 below.

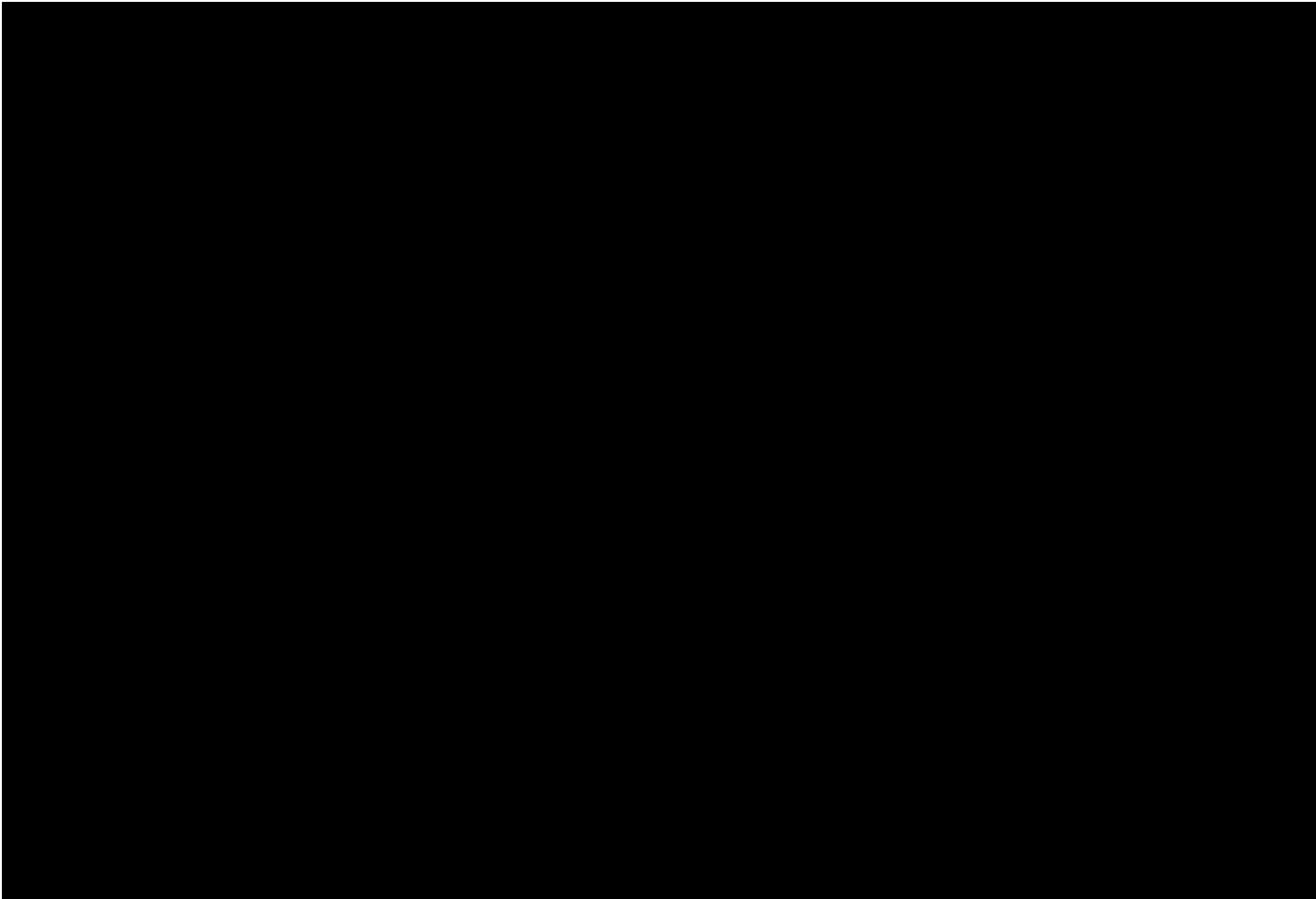
Table 6 – RAP responses to the Stage 2/3 Information Pack

| RAP | Response | Urbis Response |
|-----|----------|----------------|
|     |          |                |







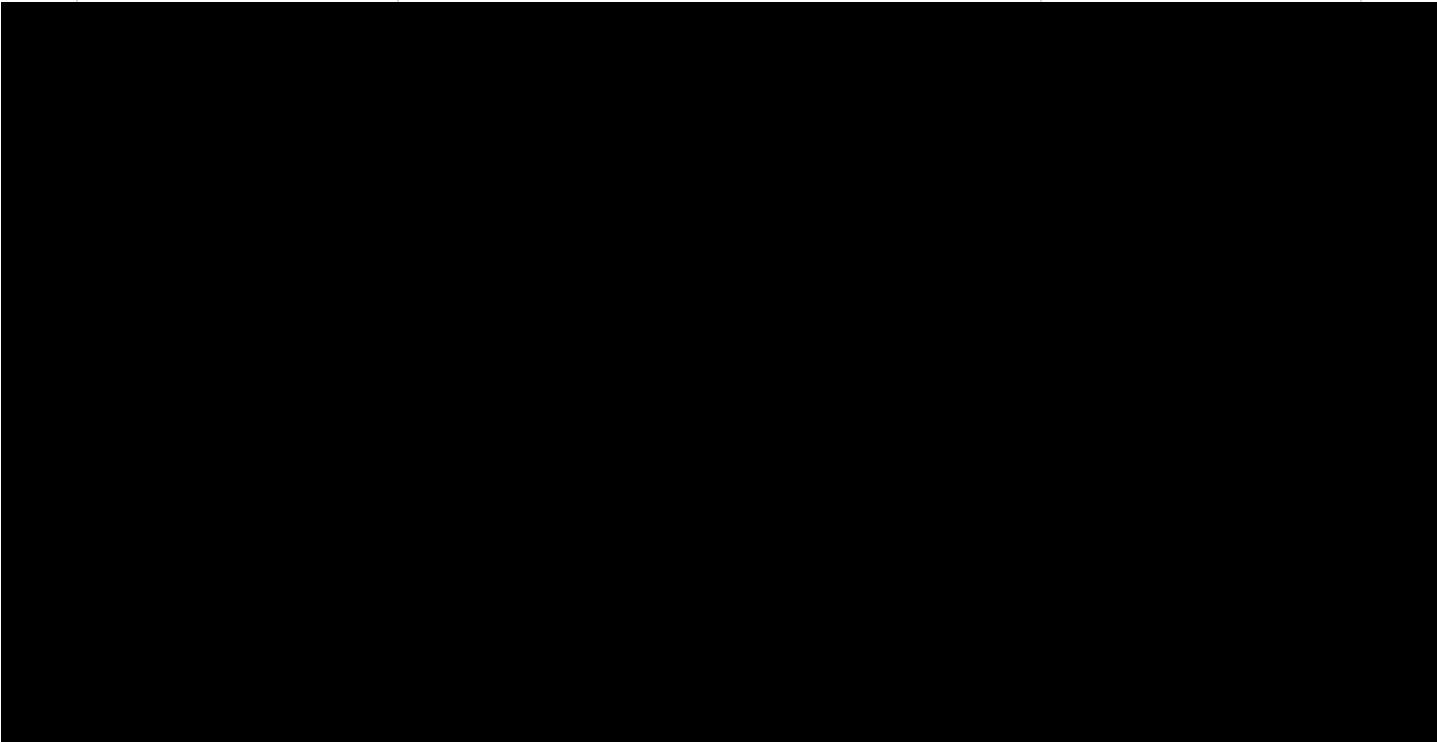


**3.3.2. Feedback from Site Inspection and Meeting**

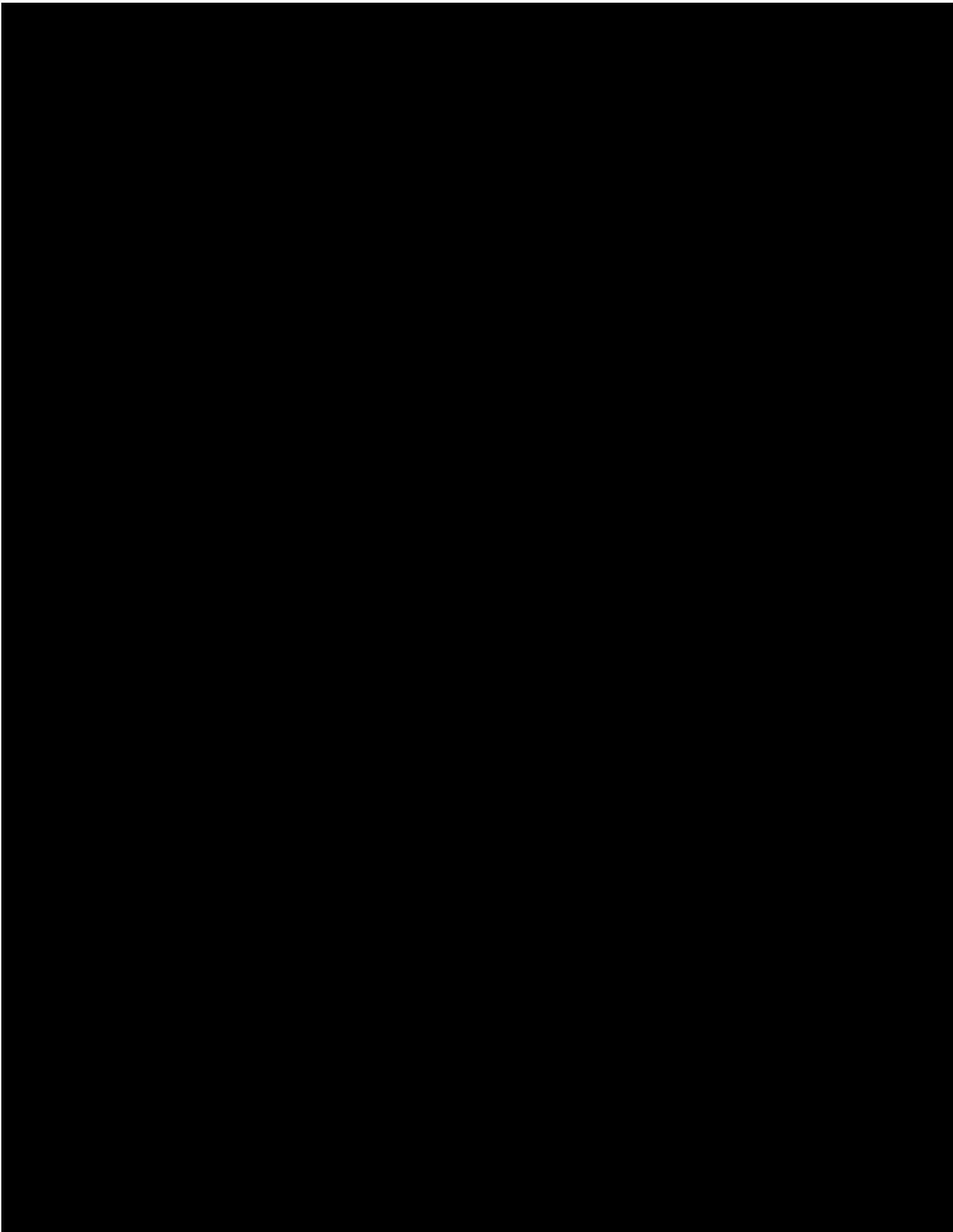
During the site inspection and meeting of 25 February 2022, RAPs were given the opportunity to provide verbal feedback. The feedback provided by RAPs during and following the site inspection and meeting is presented in Table 7 below.

Table 7 – RAP comments received during or following site inspection and meeting

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|







## 4. ABORIGINAL CULTURAL HERITAGE

An assessment of Aboriginal cultural heritage within a particular subject area requires an understanding of the archaeological and environmental contexts in which the area is situated. The following is a review and analysis of those contexts for the present subject area.

### 4.1. ARCHAEOLOGICAL CONTEXT

A summary of background research for Aboriginal cultural heritage resources within and around the subject area is provided below, including search results from the Aboriginal Heritage Information Management System (AHIMS) and consideration of previous archaeological investigations pertinent to the subject area.

#### 4.1.1. Past Aboriginal Land Use

Due to the absence of written records, much of our understanding of Aboriginal life pre-colonisation is informed by the histories documented in the late 18<sup>th</sup> and early 19<sup>th</sup> century by European observers. These histories provide an inherently biased interpretation of Aboriginal life both from the perspective of the observer but also through the act of observation. The social functions, activities and rituals recorded by Europeans may have been impacted by the Observer Effect, also known as the Hawthorne Effect. According to the Observer/Hawthorne Effect, individuals will modify their behaviour in response to their awareness of being observed. With this in mind, by comparing/contrasting these early observations with archaeological evidence it is possible to establish a general understanding of the customs, social structure, languages and beliefs of Aboriginal people (Attenbrow 2010).

Aboriginal people have inhabited the Sydney Basin region since at least 30,735+ BP, with some evidence of potential occupation as early as 40,000 years ago (JMCHM 2005a). Due to the absence of written records, it is difficult to infer what life was like prior to the arrival of European settlers. Much of our understanding of Aboriginal life pre-colonisation is informed by the histories documented in the late 18<sup>th</sup> and early 19<sup>th</sup> century by European observers. These histories provide an inherently biased interpretation of Aboriginal life both from the perspective of the observer but also through the act of observation. The social functions, activities and rituals recorded by Europeans may have been impacted by the Observer Effect, also known as the Hawthorne Effect. The Observer/Hawthorne Effect essentially states that individuals will modify their behaviour in response to their awareness of being observed. With this in mind, by comparing/contrasting these early observations with archaeological evidence one can establish a general understanding of the customs, social structure, languages, beliefs and general of the Aboriginal inhabitants of the Sydney Basin (Attenbrow 2010).

The Aboriginal population around Sydney at time of first contact has been estimated at between 2000 to 3000 people, with the greater Sydney region estimated at somewhere between 4000 and 8000. The social structure of Aboriginal groups has been documented with the division of tribes commonly being into two moieties within which intermarriage is common (Howitt, 1996). Clan descent is usually patrilineal. Marriages were not restricted to monogamous relationships, with polyamory common. An observation from Collins acknowledges both the occurrence of polyamory and the intermarriage between different groups. Collins describes Bennelong, of the Wanegal Clan, as married to both a woman of Kameraigal descent and a woman of Gweagal descent simultaneously (Collins, 1975).

Given the early contact with Aboriginal tribes in the Sydney region, more is known about these groups than those which inhabited regional areas. In the Sydney region, the land was occupied by the clans of the Eora tribe. The meaning of 'Eora' is unknown, but their land is documented to extend from the Hawkesbury River plateau margins in the north to Botany Bay and the Georges River in the south. There is some controversy regarding the linguistic origins of the Eora People. Some argue that the Eora People were a part of the Darug language group (Kohen, 1993). Others suggest the Eora People formed a distinct and separate language group (Hughes, 1987). The various clans of the Eora people include the Kameraigal, Wanegal, Borogegal and Gadigal. The Gadigal, also known as Cadigal, were believed to occupy the south side of Port Jackson, from South Head to Long Cove (now Darling Harbour) (Tindale, 1974; Turbett, 1989). This area incorporates the Eastern Suburbs, CBD and some of the Inner West.

Prior to European colonisation and development, the lands of the Gadigal people were abundant in resources. The Kangaroo Grounds (around present-day Summer Hill) were on the western border of their land, a border shared with the Wanegal. This was a hunting ground abundant with macropods, which could be used not only for food but also for their hides (Ashfield & District Historical Society, 1996). To the east, north and south of the Gadigal lands is the coastline. Not only were the rivers and streams which provided freshwater critical to Aboriginal groups, but the edible resources of these watercourses were of high importance. The diet of the

Gadigal people comprised primarily of fish, shellfish and other aquatic animals. They also sourced roots and foraged for food within the Lachlan Swamplands, now Centennial Park (Tench, 1789). The importance of aquatic resources is attested to in the archaeological record, with middens providing evidence of dietary practices located along the coast and waterways.

The archaeological record also provides evidence for the exploitation of stone materials to create tools and weapons, with high density artefact scatters located across the region. At Bondi Beach, situated in the former sandhills now covered by Campbell Parade, with the centre near what is now the North Bondi Surf Life Saving Club, a large artefact scatter was registered on AHIMS in 1990. This was located in the 1900s following a series of gales which exposed thousands of stone flakes and other tools, with local knowledge suggesting the whole of the back of the beach was covered in stone artefacts accumulated over thousands of years (AHIMS site card #45-6-2169). The distinctive 'backed' points collected from this extensive scatter have since become the type-name for this artefact type, which is located across sites throughout south-eastern Australia – the Bondi Point.

The Bondi Point is the second phase in the Eastern Regional Sequence, an early typology of stone technology from Eastern New South Wales. The first phase is identified as the Capertian Phase, the second is the Bondaian phase and the third is the Eloueran Phase. These phases were identified by McCarthy from excavations at Lapstone Creek and Capertee. McCarthy identified three distinct types of artefact distinguished by age, with Bondi Points (giving the name for Bondaian) restricted to the lower levels, and Elouera increasing in the upper levels (McCarthy, 1940a;1940b). Subsequent excavations within the Sydney Basin confirmed the sequence but also identified regional variations. These variations were condensed to include the Capertian and then Early, Middle and Late Bondaian, with Late Bondaian equivalent to Eloueran (Attenbrow, 2002).

There is abundant evidence throughout the Sydney area of contact between the local Gadigal people and European settlers. This evidence exists in the form of contact sites, with material remains including knapped ceramic and glass, European materials in middens, and rock engravings depicting European arrival. A contact period Aboriginal archaeological deposit was recently located during the CSELR works, within the Randwick Racecourse Stabling Yards. This deposit included flint artefacts, with scientific analysis demonstrating that this flint was sourced from the banks of the River Thames in London and transported to Sydney as ships ballast. This archaeological assemblage sheds light on the dynamic relationship between Europeans and Aboriginal groups, the differential assignment of value to material culture (flint ballast and bottle glass) and the spatial distribution of Aboriginal communities during the early years of colonisation (GML, in prep). There is also evidence for ceramic located within Aboriginal middens, for example in excavations undertaken in 1985 at Millers Point (in close proximity to the current subject area) where four sherds of blue and white transfer ware were located within a midden (Lampert, 1985).

As European settlement focused on the foreshores of Port Jackson, Aboriginal groups were pushed out of their traditional camping grounds around Sydney Cove and the domain, and further west. Prince Alfred Park, known at the time as Cleveland Paddocks and in close proximity to the subject area, became an Aboriginal camp site for Gadigal people on the fringes of the settlement of Sydney. This remained so until the mid-19<sup>th</sup> century when the railway disrupted the camp in 1855. The park became utilised as the showground for the Agricultural Society, pushing Aboriginal people even further out of their own lands (City of Sydney, 2013). It is likely the environment surrounding present-day central station at the time, with sand dunes covered in heath, low scrub, creeks and wetlands, would have not only supported a variety of fauna, but also been an appealing environment for Aboriginal people to camp or hunt within. The modification of this environment through the converting of the present stream to a brick drain and the substantial development within the area not only removed the appeal of the area for Aboriginal occupation, but furthermore likely removes any potential archaeological remains of Aboriginal occupation across the site (GML, 2019). In general the impacts of colonisation were devastating for all Aboriginal people, but particularly for those groups living around the coast and Sydney Cove. With colonisation, Aboriginal people were forced away from their lands and the resources they relied upon. Settlement around the coast drove faunal resources further inland, reducing the traditional hunting grounds of local Aboriginal groups (Evidence, 1835). Further to this, diseases including smallpox and conflicts between local Aboriginals and colonisers decimated their population. Rather than accepting fault for this, some colonisers attributed this population decline to the introduction of alcohol and other vices (Dredge, 1845). In 1789, an epidemic believed to be smallpox and called gal-galla by the local Aboriginal people resulted in great population decrease (Attenbrow, 2002). Early colonial accounts state '*From the great number of dead Natives found in every part of the harbour, it appears that the smallpox had made dreadful havoc among them*' (Bradley, 1789 cited in Kelly, 1997 pg. 30). Other historic accounts of the epidemic state that it resulted in the near complete decimation of the Gadigal clan, with only three people reportedly remaining – two of which were Colbee and Nanbaree (Collins, 1798).

Aboriginal people did not cease to exist within the Sydney region following European settlement, despite the devastating impacts it had. Aboriginal people continued to live in the area, adapting to the changes brought by settlement. This led to displacement of Aboriginal people from all over the country. There are stories, for example, of Aboriginal people from the South Coast of New South Wales migrating to La Perouse in search of employment (Kensy, 2008). However, not all of this movement was voluntary. In the early 1880s, George Thornton was appointed by Sir Henry Parkes as the “Protector of Aborigines”. Thornton supported the removal of Aboriginal people from traditional lands in urban areas (Goodall, 1996). In 1883, the “Aborigines Protection Board” (APB) was established, replacing Thornton. The Board established reserves, to which Aboriginal people were forcibly removed, segregating Aboriginal people from the rest of the community. More insidious were the Missions, a modified form of reserve which sought to convert Aboriginal people to Christianity (OEH, 2012). The APB were also responsible for the removal of Aboriginal children, resulting in the Stolen Generations. In 1909, the APB was given legislative authority under the “*Aborigines Protection Act*”. These missions and reserves were closed between the 1920s -1960s following changing public attitudes.

The fight for Aboriginal recognition was a political one. On 26<sup>th</sup> January 1938, a “Day of Mourning” protest was held, following campaigns by Aboriginal individuals including Jack Patten, William Cooper and Pearl Gibbs (a Botany Bay local) who fought for civil rights including the right to vote and representation in Parliament. This struggle was long fought, and Aboriginal and Torres Strait Islanders were granted the right to vote Australia wide by 1965. Aboriginal people were recognised in the census and subject to Commonwealth laws following the referendum for Indigenous Rights in 1967. Aboriginal people across Sydney and Australia continue to fight for recognition. In February 2008, then Prime Minister Kevin Rudd delivered an address apologising for the mistreatment of Aboriginal people throughout history and committing to closing the gap, recognising Aboriginal cultures as “*the oldest continuing cultures in human history*” (Rudd, 2008). In contemporary times, respect for Aboriginal people and connection to Country continues to grow. Despite attempts to eradicate Aboriginal people throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries, Aboriginal communities continue to thrive across Australia, and Aboriginal individuals and organisations play a vital role in all levels of society.

Based on the above background, it is possible that similar evidence of Aboriginal occupation may be present within the subject area.

## **4.1.2. Previous Archaeological Investigations**

Previous archaeological investigations may provide invaluable information on the spatial distribution, nature and extent of archaeological resources in a given area. Summaries of the most pertinent reports to the subject area are provided below.

### **4.1.2.1. Western Gateway Sub Precinct**

The subject area sits within a State Significant Precinct (Central SSP) and the Western Gateway Sub-precinct, the planning of which defines a strategic vision for the future redevelopment of the station and surrounds.

On 12 July 2019, the Minister for Planning and Public Spaces nominated the Central Precinct a State Significant Precinct (Central SSP), which comprises approximately 24 hectares of land in and around Central Station. Within this nomination was the identification of the Western Gateway Sub-precinct which could be considered for early rezoning. The Parcels Post site is located within the Western Gateway Sub-precinct, as well as the broader Central SSP.



Figure 5 – Map of the Central Precinct SSP study area

Source: Transport for NSW <https://www.transport.nsw.gov.au/projects/current-projects/central-precinct-renewal>



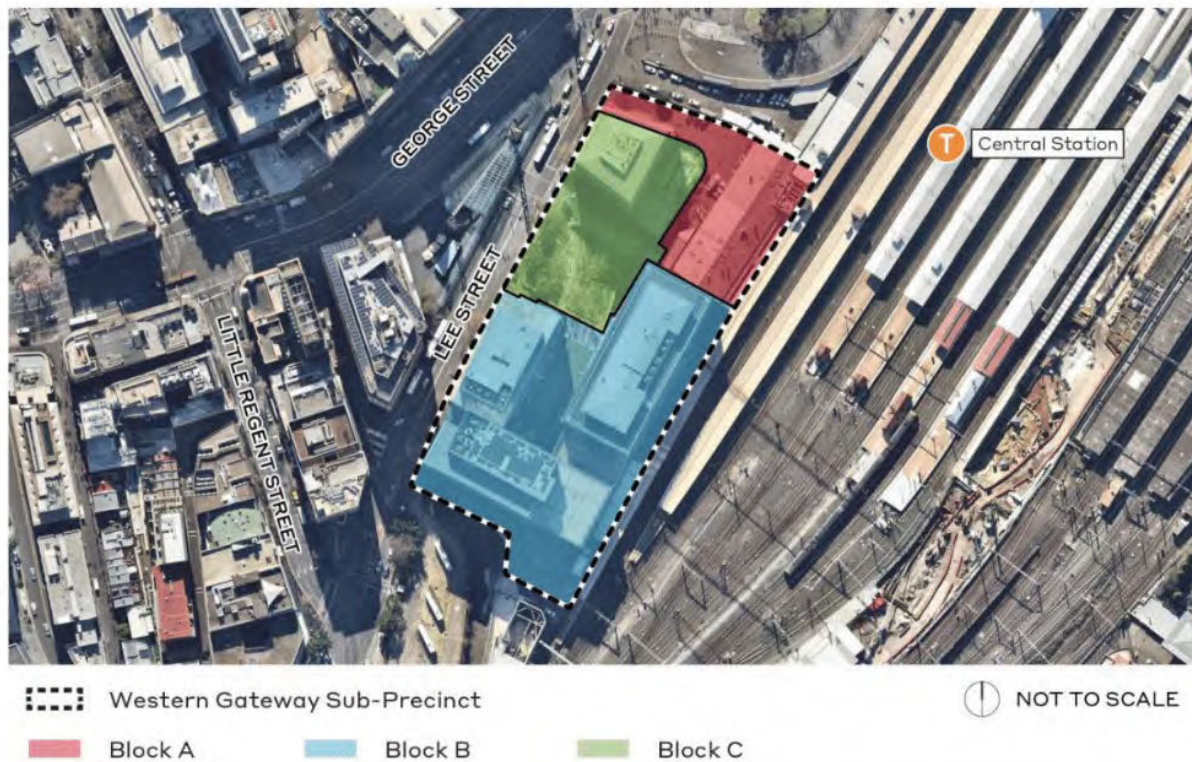


Figure 6 – Aerial photograph of the Western Gateway Sub-precinct and Blocks within. The subject area is identified as part of Block C

Source: NSW Government, *Western Gateway Sub-Precinct Explanation of Intended Effect*, October 2019 (Figure 2)

The Aboriginal archaeological potential of the Western Gateway Sub-Precinct has been investigated through various assessments for different portions of the area. The following presents a summary of the archaeological investigations of the Western Gateway Sub-Precinct.

#### **Artefact Heritage, 2018. Former Inwards Parcel Shed, Central Station. Aboriginal Heritage Due Diligence and Non-Aboriginal (Historic) Archaeological Assessment**

In 2018, Artefact Heritage undertook an archaeological assessment and Aboriginal heritage due diligence assessment for Block A of the Sub-Precinct.

Artefact surmised that due to the high level of disturbance, apparent depth of impacts associated with the Inwards Parcels Office and the third Central Station and the location of the subject area on the western edge of the Botany sand sheet, the subject area contained nil archaeological potential for Aboriginal cultural materials and recommended an unexpected finds policy be implemented.

#### **GML, 2019. Western Gateway Sub-Precinct Proposal: Block B, 14-30 Lee Street, Haymarket, NSW. Archaeological Assessment**

In 2019, GML undertook an archaeological assessment for Block B within the sub-precinct. This assessed both Aboriginal and historic archaeological potential. Regarding Aboriginal archaeological potential, GML concluded Block B has low-nil potential to contain Aboriginal sites and or/objects based on the historical and environmental context, predictive modelling and past developments which have impacted on the survival of intact deposits.





Figure 7 – Archaeological potential for Block B, as determined by GML.

Source: GML, 2020

#### Urbis, 2020. Aboriginal Cultural Heritage Assessment, Former Inwards Parcel Office

Urbis have prepared an ACHAR for the former Inwards Parcel Shed, within Block A of the Sub-Precinct. This ACHAR generally concluded that the site contains potential for remnant Tuggerah Soil Landscape as well as a potential paleo channel, and despite disturbance archaeological potential is retained at a moderate level, with test excavation required.

#### Summary of previous Sub-Precinct assessments

The subject area is located within the Western Gateway Sub-Precinct. The precinct is separated into three blocks, which have been assessed separately. These assessments are included in Table 9 below. The general conclusion is that disturbance has likely removed archaeological potential across much of the Sub-Precinct. However, where remnant natural soils are present, specifically natural sands, archaeological potential is retained with further assessment required, specifically within the east of the precinct

Table 9 – summary of previous Sub-Precinct Assessments.

| Assessment              | Block   | Conclusion   | Recommendation   |
|-------------------------|---------|--|--|
| Artefact Heritage, 2018 | Block A | Extreme levels of disturbance, nil potential.                            | No further work.   |
| GML, 2019               | Block B | Extreme levels of disturbance, low-nil potential.                        | No further work.   |
| Urbis, 2020             | Block A | Remnant soils may be present and encountered, low to moderate potential. | An Aboriginal Cultural Heritage Assessment will be required.<br>Test excavation might be required. |

#### 4.1.2.2. Previous assessments within the vicinity

Previously carried out archaeological investigations are also providing invaluable information on the spatial distribution, nature and extent of archaeological resources in a given area. There have been numerous

archaeological investigations carried out in the Sydney CBD and Inner West during the last 30 years. A few of these reports have been sourced from the AHIMS register. A summary of findings of these reports that are relevant to the subject area is provided in Table 10 below.

Table 10 – Summary of previously carried out archaeological reports.

| Report Author/Title/Year  | Summary of Report   | Relevance to the subject area  |
|---|---|--|
| Godden Mackay Heritage Consultants, 1997. Angel Place Final Excavation Report.  | Test excavation report for the excavation of AHIMS#45-5-2581, an open camp site identified adjacent to the central Sydney Tank Stream, containing fifty-four flaked stone artefacts recovered through excavation.   | <ul style="list-style-type: none"> <li>▪ Similar urban environment, suggesting disturbance related to previous development does not always remove the potential for Aboriginal objects.</li> <li>▪ However, it should be noted that the nature of the soil landscape within a given area have influenced the potential of the presence for sub-surface archaeological resources and on this occasion the artefacts were excavated from alluvial, sandy soil structures.</li> </ul> |
| Dominic Steele Consulting Archaeology, 2002. Salvage Excavation Potential Aboriginal Site, 589-593 George Street, Sydney. | Salvage Excavation report for a potential midden site, AHIMS #45-6-2637. No associated Aboriginal archaeological features were found with the shell; and as such they were determined not to be of Aboriginal origin but to reflect European use of the site.   | <ul style="list-style-type: none"> <li>▪ Provides precedent for determining origin of potential midden sites – concludes lack of correlated Aboriginal objects suggests non-Aboriginal origins for shell deposits.</li> </ul>  |
| Dominic Steele Consulting Archaeology, 2002. Aboriginal Archaeological Assessment Report, the KENS Site.                  | Aboriginal archaeological assessment report evaluating the likelihood for Aboriginal archaeological deposits to be present within Kent, Erskine, Napoleon and Sussex Streets (KENS site). This study concluded that this region of Sydney is likely to have been utilised by Indigenous people prior to, and concurrent with, European occupation. However, this study also concludes that European land use is likely to limit the potential for intact Aboriginal objects and/or archaeological sites to be located on the surface. Below the imported fill associated with European land use, subsurface evidence of Aboriginal utilisation of the area may still occur. | <ul style="list-style-type: none"> <li>▪ Similar urban environment with impacts from European occupation.</li> <li>▪ Suggests that while disturbance may impact the likelihood for Aboriginal archaeological materials to survive on the surface, <i>in situ</i> deposits may remain below imported fill.</li> </ul>   |
| Dominic Steele Consulting Archaeology, 2006. Aboriginal Archaeological Excavation Report, The KENS Site.                  | Aboriginal Heritage Assessment for KENS sites, involving excavation. A number of Aboriginal objects were recovered during excavation despite high levels of disturbance.  | <ul style="list-style-type: none"> <li>▪ Similar urban environment, suggesting evidence of Aboriginal occupation is still preserved even in areas heavily impacted by historical development.</li> <li>▪ However, it should be noted that the nature of the soil landscape within a given area have influences the potential of the presence for sub-surface archaeological resources</li> </ul>   |

| Report Author/Title/Year   | Summary of Report   | Relevance to the subject area   |
|--|---|---|
|  |   | and on this occasion the artefacts were excavated from alluvial, sandy soil structures.   |
| Biosis, 2012. 445-473 Wattle Street, Ultimo: Proposed Student Accommodation Development Aboriginal Cultural Heritage Assessment Report | Aboriginal Cultural Heritage Assessment in relation to the potential for Aboriginal objects or areas of sensitivity in Ultimo. Suggested that artefact bearing deposits may be present in alluvial soils below imported European fill.  | <ul style="list-style-type: none"> <li>▪ In proximity to the subject area</li> <li>▪ Similar Urban environment</li> <li>▪ Suggests artefact bearing soils may still be present despite the presence of development and imported fill.</li> </ul>  |
| Biosis, 2012. The Quay Project, Haymarket: Archaeological Report   | Aboriginal Due Diligence Assessment of in Haymarket, involving site survey/No Aboriginal objects or sites were identified, and it was determined that despite the likelihood of Aboriginal utilisation of the region prior to European occupation, disturbance related to this occupation will have removed any remnant evidence of Aboriginal utilisation through removal of topsoil.                      | <ul style="list-style-type: none"> <li>▪ In proximity to the subject area.</li> <li>▪ Similar Urban environment</li> <li>▪ Suggests that subsurface deposits in highly developed areas are unlikely due to the removal of topsoil during construction.</li> </ul>   |
| Biosis, 2012. The Quay Project, Haymarket: Aboriginal Cultural Heritage Assessment Final Report  | Aboriginal Cultural Heritage Assessment of the above site resulting from the identification of intact topsoil during historic salvage excavations. Test excavation was undertaken, resulting in the identification of no artefacts and the confirmation of low archaeological potential of the area. One stone artefact was identified during the historic salvage excavation, in highly disturbed context. | <ul style="list-style-type: none"> <li>▪ Intact topsoil may remain even in urban, highly developed areas</li> <li>▪ Aboriginal objects may occur in areas of high disturbance.</li> <li>▪ However, it should be noted that the nature of the soil landscape within a given area have influences the potential of the presence for sub-surface archaeological resources and on this occasion the artefacts were excavated from alluvial, sandy soil structures.</li> </ul> |
| Artefact Heritage, 2020. More Trains More Services – Sydney Terminal Area Reconfiguration: Aboriginal Cultural Heritage Assessment     | Aboriginal Cultural Heritage Assessment detailing excavations at site AHIMS ID 45-6-3654. An artefact scatter of three Aboriginal artefacts was recovered from disturbed and intact soils attributed to the Botany Sand Sheet. Three artefacts also recovered from redeposited local soils.   | <ul style="list-style-type: none"> <li>▪ AHIMS ID 45-6-3654 indicates the possibility that intact soil profiles can remain in-situ despite extensive disturbance due to historic development and importation of fill.</li> </ul>  |



### 4.1.3. AHIMS Database

The Aboriginal Heritage Information Management System (AHIMS) database comprises previously registered Aboriginal archaeological objects and cultural heritage places in NSW and it is managed by the Department of Premier and Cabinet (DPC) under Section 90Q of the NPW Act. 'Aboriginal objects' is the official term used in AHIMS for Aboriginal archaeological sites. The terms 'Aboriginal sites', 'AHIMS sites' and 'sites' are used herein to describe the nature and spatial distribution of archaeological resources in relation to the subject area.

A search of the Aboriginal Heritage Information Management System (AHIMS) was carried out on 15 November 2021 (AHIMS Client Service ID: 638527 for an area of approximately 4km x 5km. A summary of all previously registered Aboriginal sites within the extensive search area is provided in Table 11 and Figure 8 and their spatial distribution is shown in Figure 9 and Figure 10. The Basic and Extensive AHIMS search results are included in Appendix A. The results of the search are discussed below.

Altogether thirty-eight Aboriginal sites were identified by the AHIMS search. Within the search results, four sites were identified as 'not a site' and have subsequently been removed from the below AHIMS analysis. This brings the total to thirty-four sites.

The search found no registered Aboriginal sites within the subject area.

Table 11 – Summary of extensive AHIMS search (AHIMS Client Service ID: 638527)

| Site Type                 | Context | Total | Percentage |
|---------------------------|---------|-------|------------|
| Aboriginal Gathering      | Open    | 1     | 3%         |
| Artefact Scatter with PAD | Open    | 1     | 3%         |
| Midden                    | Open    | 1     | 3%         |
| Midden with PAD           | Open    | 1     | 3%         |
| Rock Engraving            | Open    | 1     | 3%         |
| Shelter with PAD          | Closed  | 1     | 3%         |
| Isolated Find             | Open    | 3     | 9%         |
| Artefact Scatter          | Open    | 7     | 21%        |
| PAD                       | Open    | 18    | 53%        |
| Total                     | N/A     | 34    | 100%       |

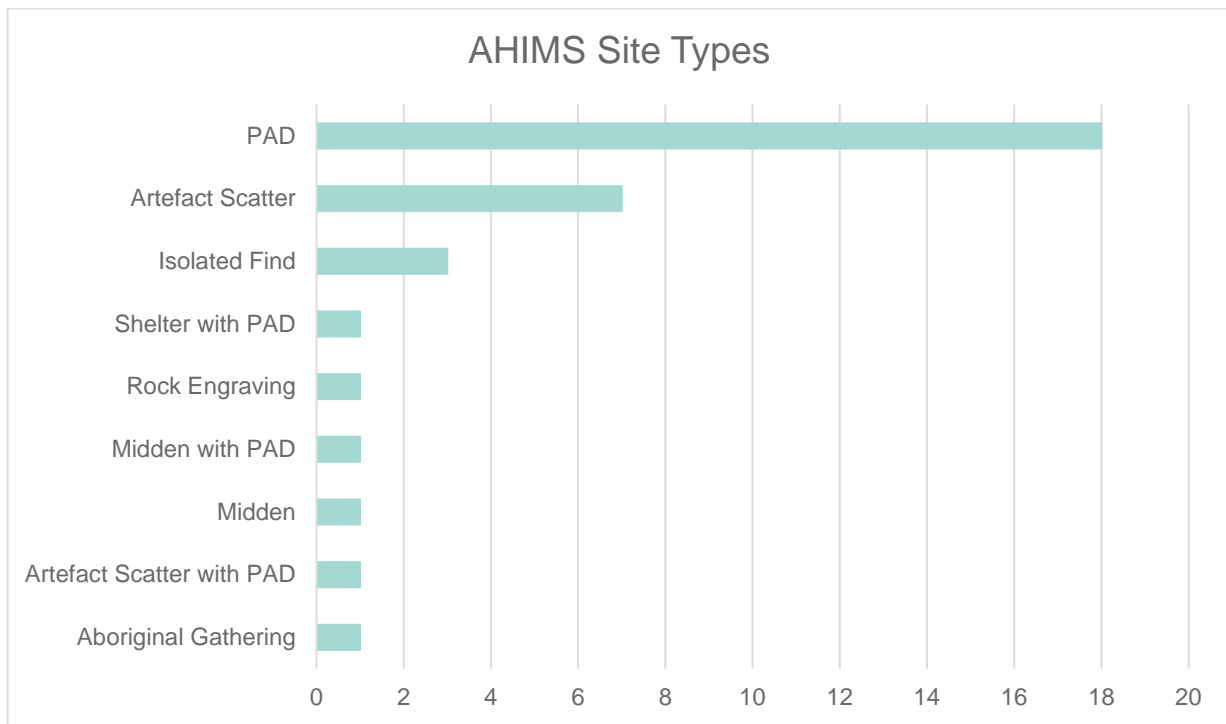


Figure 8 – Site types within the extensive search area

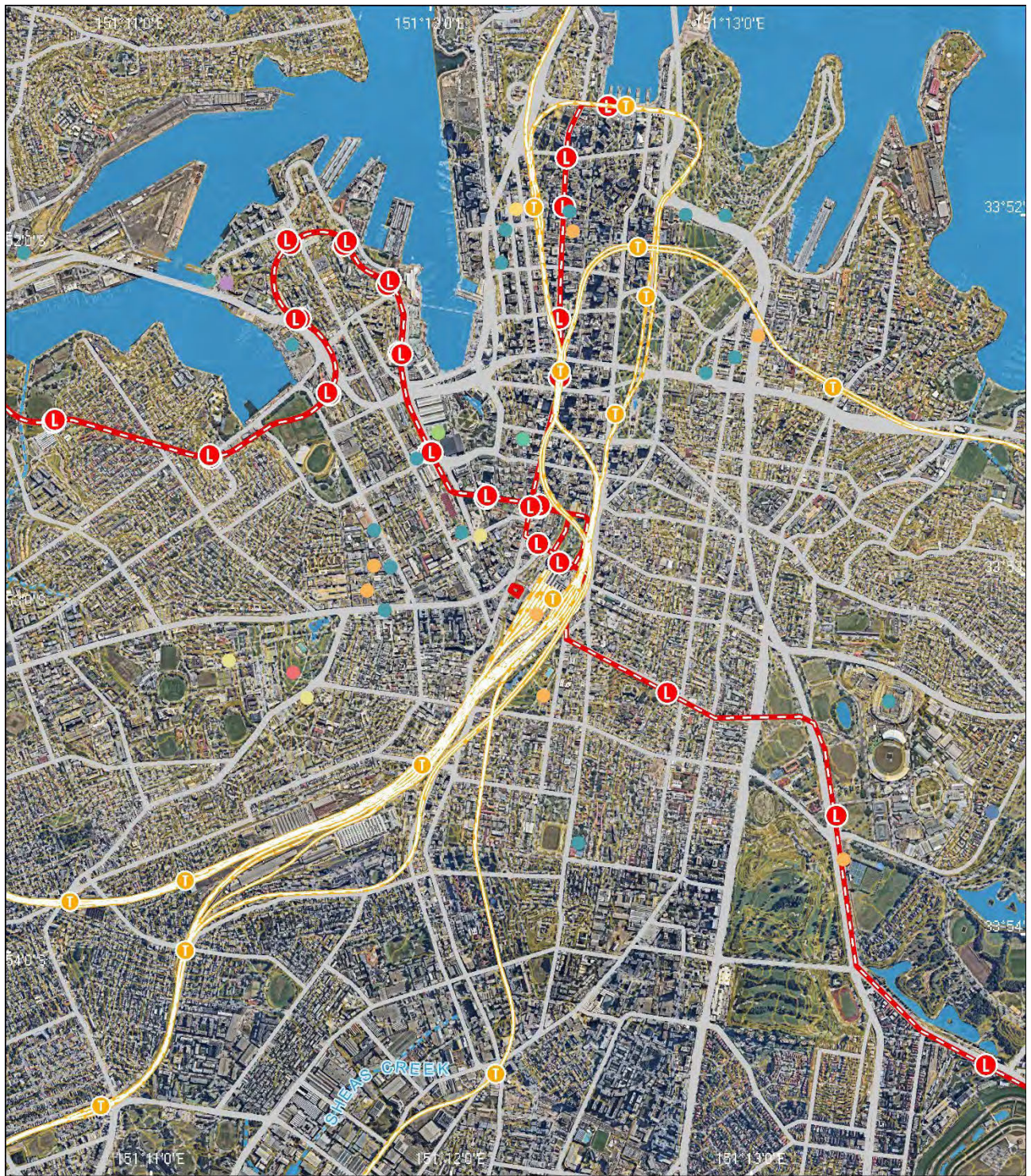
It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or sites in a specified area as it lists recorded sites only identified during previous archaeological survey effort. The wider surroundings of the subject area and the region in general have been the subject of various levels and intensity of archaeological investigations during the last few decades. Most registered sites have been identified through targeted, pre-development surveys for infrastructure and maintenance works, with the restrictions on extent and scope of those developments.

The most common site type represented in the AHIMS extensive search was PAD (potential archaeological deposit) (N=18, 53%). This site type reflects the lack of ground surface visibility in built up urban areas. Sites which have the potential to retain intact soils which might retain archaeological deposits are designated as PAD.

AHIMS ID #45-6-3654 was located within Central Station, approximately 130m to the east (Figure 10). This is an artefact scatter containing three stone artefacts identified during test excavation for the Central Sydney Metro project. The study area associated with AHIMS ID #45-6-3654 is considered to have moderate cultural significance and moderate archaeological significance. The site is now partially destroyed following extensive open area excavations conducted by Artefact Heritage. The identification of this Aboriginal site shows that archaeological potential can still remain in areas that have been the subject of intensive land use. The integrity and depth of archaeological deposit varies in light of the level of disturbance but might still survive historical land use.

The impact of the expanding urban development in the suburbs of Sydney had a major impact on the survival of Aboriginal archaeological resources. It is safe to assume that a large number of Aboriginal archaeological sites have been destroyed before the legislative protection of Aboriginal objects and places was introduced in 1974 and the registration of Aboriginal archaeological resources was made statutory.





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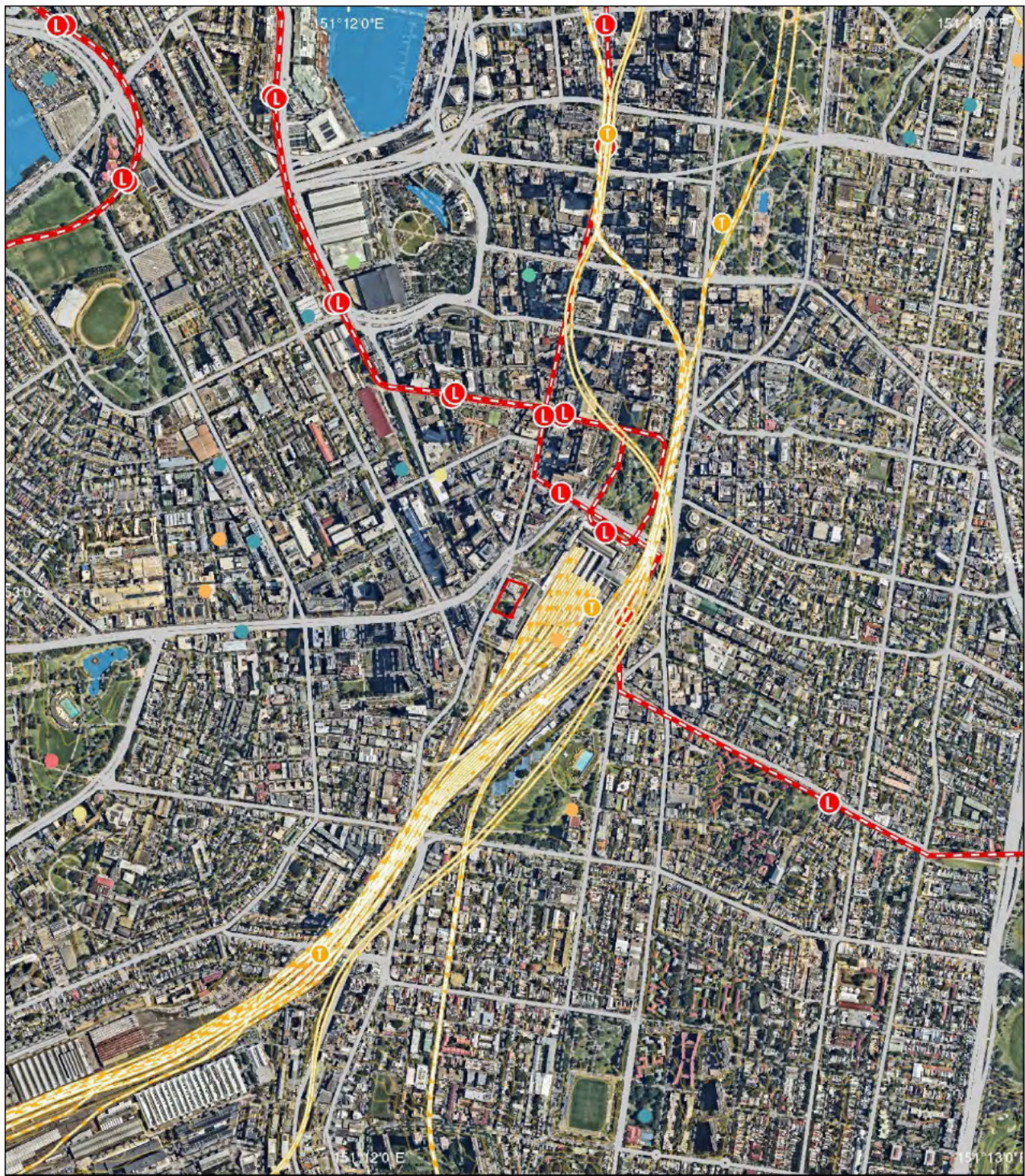
## AHIMS Sites in Extensive Search area

2 and 8A Lee Street, Haymarket  
TOGA

- |   |   |  |
|---|---|--|
| <span style="border: 2px dashed red; padding: 2px;"> </span> Subject Area | <span style="color: red;">●</span> Aboriginal Gathering         | <span style="color: green;">●</span> Midden with PAD   |
| <span style="color: yellow;">—</span> Contours                            | <span style="color: orange;">●</span> Artefact Scatter          | <span style="color: teal;">●</span> PAD                |
| <span style="color: blue;">—</span> Permanent                             | <span style="color: yellow;">●</span> Artefact Scatter with PAD | <span style="color: blue;">●</span> Rock Engraving     |
| <span style="color: blue;">- -</span> Ephemeral                           | <span style="color: lightgreen;">●</span> Isolated Find         | <span style="color: purple;">●</span> Shelter with PAD |
| <span style="color: blue;">■</span> Hydrology                             | <span style="color: green;">●</span> Midden                     |  |

Figure 9 – Map of AHIMS sites in extensive search area





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**AHIMS Sites in proximity**  
2 and 8A Lee Street, Haymarket  
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- Subject Area
- Aboriginal Gathering
- Midden with PAD
- Contours
- Artefact Scatter
- PAD
- Hydrology
- Artefact Scatter with PAD
- Rock Engraving
- Isolated Find
- Shelter with PAD
- Midden

Figure 10 – Map of AHIMS sites in proximity to subject area



#### 4.1.4. Conclusions Drawn from Archaeological Context

The following conclusions are drawn from the archaeological background information, including AHIMS results and pertinent regional archaeological investigations.

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- No previous Aboriginal archaeological investigations have been identified that directly address the subject area.
- Highly developed areas still have the potential to retain natural soils below imported fill and adjacent to extant structures. Where this is the case, archaeological potential remains.
- Previous assessments of the Western Gateway Sub-precinct which incorporates the subject area generally conclude that disturbance has removed archaeological potential across much of the Sub-Precinct. However, where remnant natural soils are present (in the east), specifically natural sands, archaeological potential is retained.
- AHIMS ID #45-6-3654 located within Central Station, approximately 130m to the east, confirms that Archaeological potential remains in highly developed areas despite historical disturbance.

## 4.2. ENVIRONMENTAL CONTEXT

The environmental context of a subject area is relevant to its potential for Aboriginal objects and places. Aboriginal objects may be associated with certain landscape features that played a part in the everyday lives and traditional cultural activities of Aboriginal people. Landscape features that are considered indicative of archaeological potential include rock shelters, sand dunes, waterways, waterholes and wetlands. Conversely, disturbance to the landscape after Aboriginal use may reduce the potential for Aboriginal objects and places. An analysis of the landscape within and near to the subject area is provided below.

### 4.2.1. Topography

Certain landform elements are associated with greater archaeological potential for Aboriginal objects and places. Areas that are located on a ridge top, ridge line or headland, located within 200m below or above a cliff face or within 20m of or in a cave, rock shelter or cave mouth are considered sensitive areas for Aboriginal objects and places.

The subject area consists of a level urban site and is not associated with any topographic features that are considered to be archaeologically sensitive.

### 4.2.2. Soil Landscape and Geology

Certain soil landscapes and geological features are associated with greater archaeological potential for Aboriginal objects and places. For example, sand dune systems are associated with the potential presence of burials and sandstone outcrops are associated with the potential presence of grinding grooves and rock art. The depth of natural soils is also relevant to the potential for archaeological materials to be present, especially in areas where disturbance is high. In general, as disturbance level increases, the integrity of any potential archaeological resource decreases. However, disturbance might not remove the archaeological potential even if it decreases integrity of the resources substantially.

The NSW Soil and Land Information System (SALIS) provides information on expected soil landscapes within NSW. The subject area sits within the Sydney Basin bioregion and within the transition between the soil landscapes of the Tuggerah and Blacktown soil Landscapes.

The Blacktown Soil Landscape is described as residing upon gently undulating rises on Wianamatta Group shales and Hawkesbury shale. Soils are described as shallow to moderately deep (<100 cm) Red and Brown Podzolic Soils (Dr3.21, Dr3.11, Db2.11) on crests, upper slopes and well-drained areas; deep (150-300 cm) Yellow Podzolic Soils and Soloths (Dy2.11, Dy3.11) on lower slopes and in areas of poor drainage.

The Tuggerah soil landscape is a dune system that exists within the Botany Lowlands and the coastline of the north-eastern suburbs of Sydney. Soils are described as deep (>200 cm) podzols (Uc2.31, Uc2.32, Uc2.34) on dunes and podzols/humus podzol intergrades (Uc2.23, Uc2.21, Uc2.3, Uc4.33) on swales. Dominant soil materials include as loose speckled grey-brown loamy sand, bleached loose sand, grey-brown mottled sand, black soft sandy organic pan, brown soft sandy iron pan and yellow massive sand.

The potential for Tuggerah sand to be located within the subject area increases the potential for archaeological deposits to remain within the subject area below the current structures. This is an archeologically sensitive soil landscape.

### 4.2.3. Hydrology

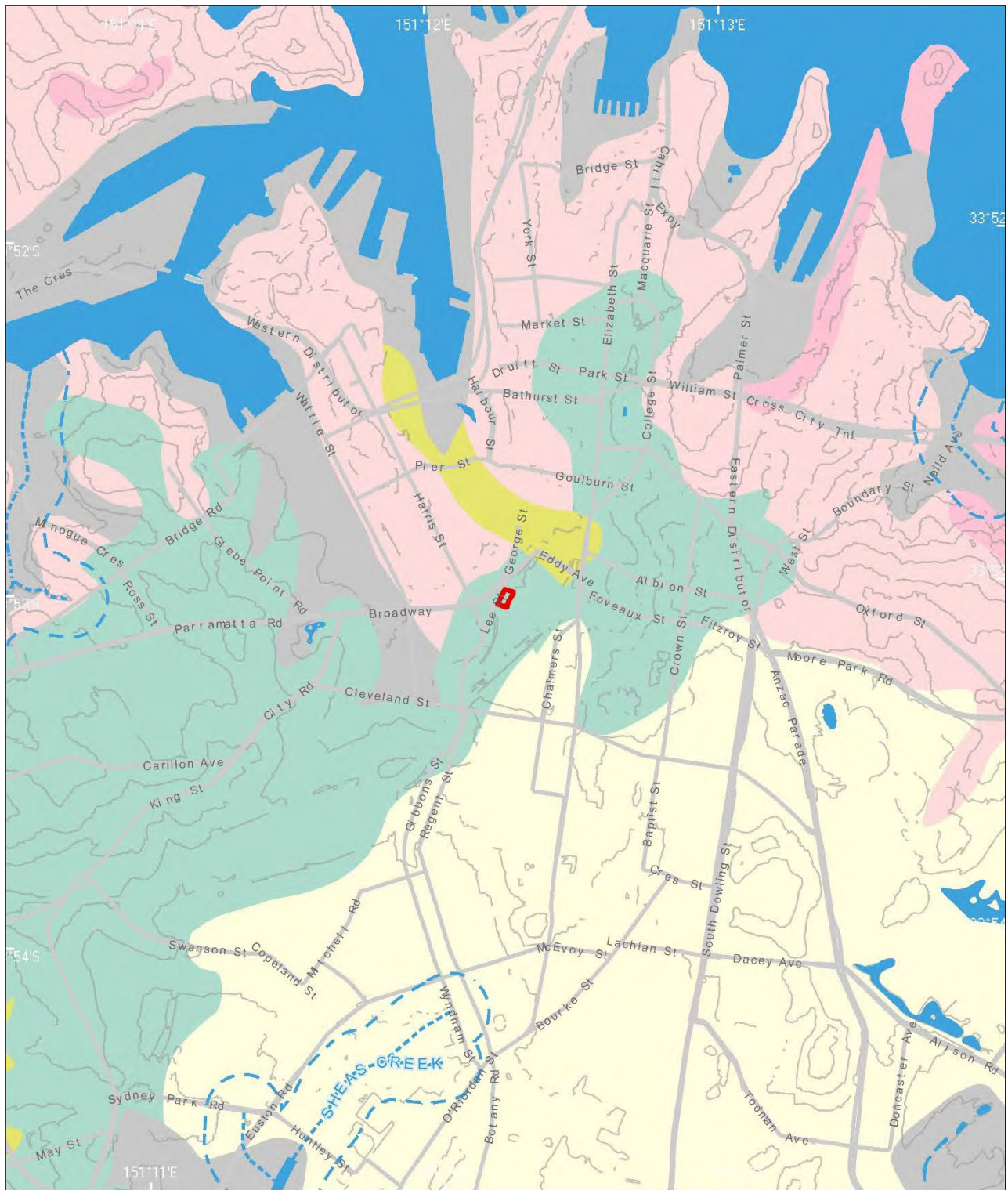
Proximity to a body of water is a factor in determining archaeological potential. Areas within 200m of the whole or any part of a river, stream, lake, lagoon, swamp, wetlands, natural watercourse or the high-tide mark of shorelines (including the sea) are considered sensitive areas for Aboriginal objects and places.

The landscape surrounding the subject area has been heavily modified since European occupation and as such there are no observable or documented waterways within proximity to the subject area.

### 4.2.4. Vegetation

The presence of certain types of vegetation within an area may be indicative of archaeological potential for certain site types, such as modified trees, or more generally of the habitability of an area for Aboriginal people.

As discussed in Section 4.2.5 below, historical use of the subject area has resulted in clearance of all original vegetation. There is therefore no possibility of culturally modified trees being retained within the subject area.



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1 KM

Project No: P0009615

Project Manager: Balazs Hansel

- Subject Area    --- Ephemeral      Aeolian (AEtg)      Alluvial (ALdc)      Disturbed Terrain (DTxx)      Residual (REbt)  
  Hydrology      Hydrology 200m Buffer      Alluvial (ALbg)      Colluvial (COha)      Erosional (ERgy)      Residual (RElh)  
— Permanent    — Contours      Water

## SOIL LANDSCAPES AND HYDROLOGY

2 and 8A Lee Street, Haymarket  
TOGA

Figure 11 – Soil Landscapes and Hydrology

## 4.2.5. Historical Ground Disturbance

Historical ground disturbance, either through human activity (e.g. soil ploughing, construction of buildings and clearing of vegetation) or natural processes (e.g. erosion) reduce the spatial and vertical integrity of archaeological resources within a subject area and expose sub-surface deposits. Ground disturbance can thus reduce the archaeological potential of a site.

The subject area has seen many phases of development since the early nineteenth century. Construction begun on the structure currently being utilised as the Adina Apartments, formerly the Parcels Post Building, in 1911. A summary of the phases of historical use of the study area follows.

- Phase 1: The subject area was part of the grounds of the Benevolent Society Asylum from 1821. The land was resumed for construction of Central Railway Station in 1900.
- Phase 2: Construction of Central Station including the Devonshire Street Subway the entrance of which was in the southern portion of the subject area.
- Phase 3: In 1911 construction of the Parcels Post building was commenced. The extension of the basement for carparking occurred in the 1960's.
- Phase 4: Modern additions to the subject area include Henry Deane Plaza. The Plaza was constructed between 1998-2000 between Railway Square bus station and George Street and the Devonshire Street Tunnel entrance to Central Station. It includes a retail plaza, the Henry Deane Building and Gateway House

Aerial photographs from 1943 to the present day reveal relatively minor changes to the ancillary structures within the study area and the roads adjacent to the study area over a period of approximately 80 years (Figure 12).

Significant excavation was undertaken to establish the descent from Lee Street to the tunnel entrance and Henry Dean Plaza (Figure 13 to Figure 16). Within the tunnel are a number of retail stores which extend under the current subject area.



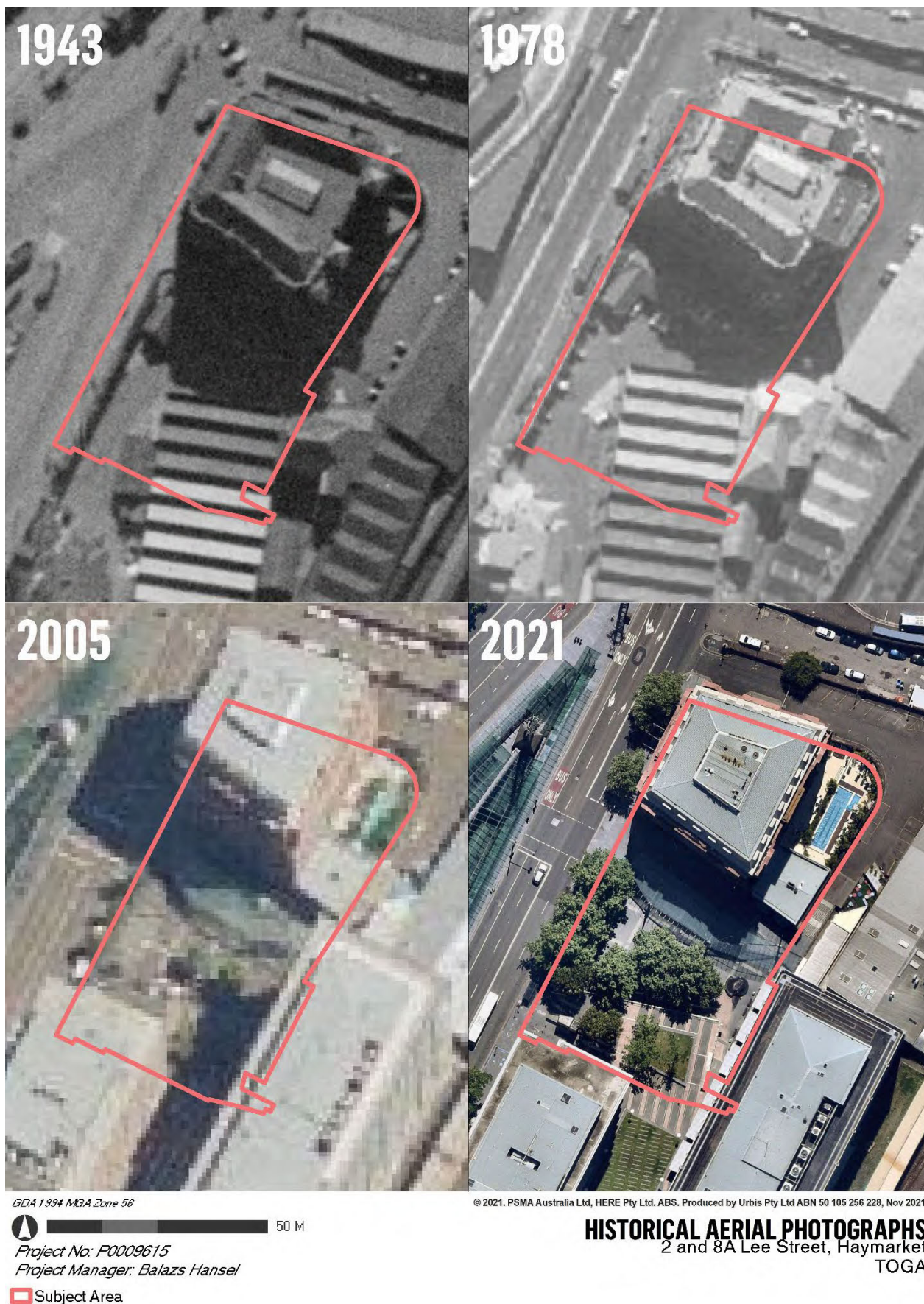


Figure 12 – Historical aerial images.





Figure 13 – 1970s photograph of the subject area indicating the extent of disturbance associated with the extension of the Devonshire Street tunnel.

Source: City of Sydney Archives, A-00055529, available at <https://archives.cityofsydney.nsw.gov.au/nodes/view/677677>



Figure 14 – 1970s photograph of the subject area indicating the extent of disturbance associated with the extension of the Devonshire Street tunnel.

Source: City of Sydney Archives, A-00055531, available at <https://archives.cityofsydney.nsw.gov.au/nodes/view/677679>



Figure 15 – 1970s photograph indicating descent from Lee Street to tunnel entrance.

Source: City of Sydney Archives, A-00016001, available at <https://archives.cityofsydney.nsw.gov.au/nodes/view/579787>



Figure 16 – 1970s photograph indicating descent from Lee Street to tunnel entrance.

Source: City of Sydney Archives, A-00016001, available at <https://archives.cityofsydney.nsw.gov.au/nodes/view/579787>

## 4.2.6. Conclusions Drawn from Environmental Context

The following conclusions are drawn from the above assessment of the environmental context of the subject area:

- The subject area is a level urban site therefore topography is not an indicative of potential archaeological deposits.
- Archaeological sites within the region reflect the environment and landscape, with sites anticipated to be higher in frequency near major waterways. There are no major waterways in proximity to the subject area.

- The potential for Tuggerah sand to be located within the subject area increases the potential for archaeological deposits to remain within the subject area under the current structures.
- There is no remnant natural vegetation present within the subject area and therefore nil likelihood that culturally modified trees will be present.
- High levels of disturbance as a result of intensive European land use have resulted in the complete removal of soil deposits. Construction of the Former Parcels Post building and later addition of a basement, excavation for the Devonshire Street Tunnel, Lee Street Tunnel and Henry Deane Plaza have impacted the entire subject area to a considerable depth below the original ground surface. As disturbance increases archaeological potential decreases, and as such the potential for archaeological deposits has been impacted by historic development.

## 4.3. TECHNICAL INVESTIGATIONS

### 4.3.1. Visual Inspection

- A site visit was undertaken within the subject area on 25 February 2022 by Sam Richards (Urbis, Senior Consultant) and Owen Barrett (Urbis, Consultant).
- The visual inspection was undertaken in rainy conditions. Visibility was nil across the subject area due to the presence of a paths, buildings and at the boundaries of the subject area. No exposures were present. Ground Surface Visibility (GSV) was 0% across the subject area (Figure 19 to Figure 24).

The site visit identified the following:

- The subject area shows clear evidence that the entire site has been heavily truncated below the original ground surface as evident in ground levels in the Central Station forecourt, Lee Street and adjacent buildings
- Inspection of basements revealed blockwork indicating that the original ground level of the Former Parcels Post building is currently 2.5 – 3 metres above the basement floor. Services such as drains have further impacted the subsoil.
- Inspection of Henry Deane Plaza and the Lee Street Tunnel on the southern side of the subject area further confirm that the subject area has been truncated to approximately 3 – 4 metres below the original ground surface.

The subject area has varying levels of historical disturbance that would have caused truncation of the natural soil profile.

### 4.3.2. Geotechnical Investigation

Douglas Partners conducted a geotechnical investigation at the subject area in 2022 as part of the Remediation Action Plan (RAP) for the site. The results of the geotechnical investigation are summarised below (Table 12), with borehole locations shown in figure 17.

Table 12 – Results of Geotechnical investigations

| Borehole # | Depth       | Description   |
|------------|-------------|---|
| BH1001     | 0.0-0.24m   | Concrete slab.  |
|            | 0.24-0.35m  | Fill/Gravel: coarse brown with fine to coarse sand, apparently in loose to medium dense condition.  |
|            | 0.35-1.54m  | Silty clay: medium to high plasticity, orange-brown trace fine to medium ironstone gravel and fine sand, w~PL, apparently firm to stiff, residual soil.   |
|            | 1.54-14.22m | Sandstone bedrock, varied.  |
| BH1002     | 0.0-0.24m   | Concrete slab.  |
|            | 0.24-0.35m  | Fill/Mixture of gravel and bricks: coarse sandstone gravel and bricks, brown, apparently in loose to medium dense condition.  |
|            | 0.35-0.53m  | Sandy clay: medium plasticity, pale grey with pale brown, with fine sandstone gravel and silt, w~PL (affected by diatube), apparently very stiff, extremely weathered sandstone (Mittagong Formation) |
|            | 0.53-18.1m  | Sandstone bedrock, varied.  |



| Borehole # | Depth       | Description   |
|------------|-------------|---|
| BH1003     | 0.0-0.04m   | Stone tile.   |
|            | 0.04-0.09m  | Sand and cement.  |
|            | 0.09-0.25m  | Concrete slab.  |
|            | 0.25-1.3m   | Fill/clayey sand: fine to medium brown with medium to coarse sandstone gravels, boulders, concrete and brick rubble, trace ash and slag.  |
|            | 1.3m        | Borehole discontinued.  |
| BH1003A    | 0.0-0.04m   | Stone tile.   |
|            | 0.04-0.12m  | Sand and cement.  |
|            | 0.012-0.23m | Concrete slab.  |
|            | 0.23-1.2m   | Fill/clayey sand: fine to medium brown with medium to coarse sandstone gravels and cobbles, concrete and brick rubble, trace ash and slag.  |
|            | 1.2-4.0m*   | Sand: medium, pale brown and pale grey, moist, medium dense, alluvial.  |
|            | 4.0-4.3m    | Silty clay: medium to high plasticity, pale grey and brown, with ironstone gravel.  |
|            | 4.3-4.58m   | Clayey sand: medium, brown, moist, apparently medium dense to dense, extremely weathered sandstone.   |
|            | 4.58-14.41m | Sandstone bedrock, varied.  |
| BH1004     | 0.0-0.04m   | Stone tile.   |
|            | 0.04-0.11m  | Sand and cement.  |
|            | 0.11-0.3m   | Concrete slab.  |
|            | 0.3-0.8m    | Fill/sandy clay: low to medium plasticity, brown and grey, with fine to medium sandstone and ironstone gravel, brick rubble, sandstone boulders and igneous rock cobble (railway ballast) trace ash and slag.       |
|            | 0.8-1.1m    | Borehole discontinued.  |
| BH1004A    | 0.0-0.04m   | Stone tile.   |
|            | 0.04-0.1m   | Sand and cement.  |
|            | 0.1-0.3m    | Concrete slab.  |
|            | 0.3-0.6m    | Fill/clayey sand: fine to medium, brown, with silty clay, sandstone gravel and cobbles, igneous rock cobbles (railway ballast), concrete and brick rubble, bricks and rubbish (plastic bottles), trace ash and slag |

| Borehole # | Depth      | Description  |
|------------|------------|--|
|            | 0.6-2.1m   | Fill: building rubble (concrete rubble, bricks, railway ballast, sandstone gravel, cobbles and boulders, in a clayey sand matrix)          |
|            | 2.1-2.2m   | Fill/silt: low to non-plastic grey, with sandstone gravel and bricks.  |
|            | 2.2-2.7m   | Fill: building rubble (concrete and bricks, possible footing)  |
|            | 2.7-3.0m   | Fill/sand: medium, brown, moist.   |
|            | 3.0-4.0m*  | Sand: medium, pale grey, wet, medium dense to dense, alluvial  |
|            | 4.0-5.6m*  | Silty clay: low to medium plasticity, grey trace charcoal, very soft to soft, alluvial.  |
|            | 5.6-18.22m | Sandstone bedrock, varied.   |
| BH1005     | 0.0-0.02m  | Stone tile.  |
|            | 0.02-0.07m | Sand and cement.   |
|            | 0.07-0.22m | Concrete slab.   |
|            | 0.22-0.3m  | Fill/clayey sand: fine to medium, brown, with fine to medium gravel and concrete rubble, dry.  |
|            | 0.3-1.3m   | Fill: building rubble (concrete, rubble, bricks, sandstone gravel, cobbles and boulders, railway ballast, ash, slag, in sandy clay matrix. |
|            | 1.3-2.8m   | Fill/clayey sand: fine to medium, brown and grey, with sandstone and igneous rock gravel and cobbles and brick rubble, trace ash and slag  |
|            | 2.8-4.2m*  | Sand: medium, pale grey, wet, medium dense to dense, alluvial.   |
|            | 4.2-5.2m*  | Sand: medium, pale brown and red-brown, wet, dense to very dense, alluvial   |
|            | 5.2-6.2m*  | Silty clay: medium to high plasticity, grey, trace fine gravel and charcoal, w=PL, stiff to very stiff, alluvial                           |
|            | 6.2-8.0m   | Clayey sand: medium, brown, dry, very dense, extremely weathered sandstone   |
|            | 8.0-15.85m | Sandstone bedrock, varied.   |
| BH1006     | 0.0-0.02m  | Stone tile.  |
|            | 0.02-0.06m | Sand and cement.   |
|            | 0.06-0.18m | Concrete slab.   |
|            | 0.18-0.8m  | Fill: igneous rock cobbles (railway ballast) with fine to medium rained sand and brick rubble.   |

| Borehole # | Depth      | Description  |
|------------|------------|--|
|            | 0.8m       | Borehole discontinued.   |
| BH1007     | 0.0-0.02m  | Stone tile.  |
|            | 0.02-0.07m | Sand and cement.   |
|            | 0.07-0.2m  | Concrete slab.   |
|            | 0.2-2.3m   | Fill/clayey sand: fine to medium, brown and grey, with sandstone gravel and cobbles, igneous rock cobble (railway ballast), concrete rubble and bricks, trace ash and slag   |
|            | 2.3-3.5m   | Fill/sand: medium to coarse, pale brown and grey, with pale grey and red-brown silty clay and fine to medium gravel, moist   |
|            | 3.5-5.7m*  | Sand: medium, pale grey, wet, dense, alluvial  |
|            | 5.7-6.5m*  | Silty clay: low to medium plasticity, grey, trace fine gravel, stiff to very stiff, alluvial.  |
|            | 6.5-7.2m*  | Sand: medium brown, wet, medium dense, alluvial.   |
|            | 7.2-8.0m   | Silty clay: medium to high plasticity, pale grey and brown, with ironstone gravel, very stiff, residual soil.  |
|            | 8.0-9.2m   | Clayey sand: medium to coarse, pale grey and brown, with silty clay layers, wet, medium dense, extremely weathered sandstone   |
|            | 9.2-16.2m  | Sandstone bedrock, varied.   |
| BH2001A    | 0.0-0.15m  | Concrete slab.   |
|            | 0.15-1.0m  | Fill/sand: medium brown, with sandstone ravel, cobbles and boulders, trace concrete rubble, moist, generally in a very dense condition.                                      |
|            | 1.0-2.0m   | Fill/sand: medium, brown and grey, with silty clay and sandstone, siltstone and igneous gravel, wet, generally in a medium dense condition.                                  |
|            | 2.0-2.5m   | Sandy clay: low to medium plasticity, pale grey and brown, fine sand, $w > PL$ , inferred very stiff to hard, residual soil.   |
|            | 2.5-12.0m  | Sandstone bedrock, varied.   |
| BH2002     | 0.0-0.08m  | Concrete slab.   |
|            | 0.08-0.6m  | Fill/sand: medium, brown, with concrete, brick and ceramic tile rubble, sandstone and igneous gravel and cobbles (up to 130mm), moist, generally in a medium dense condition |
|            | 0.6-1.65m* | Sand: medium, pale grey and brown, moist   |
|            | 1.65-1.95  | Sandy clay: low to medium plasticity, pale grey and brown, fine sand, $w \leq PL$ , very stiff, residual soil.   |

| Borehole # | Depth      | Description   |
|------------|------------|---|
|            | 1.95-2.47m | Sandy clay: low to medium plasticity, brown and red-brown, fine sand, $w \leq PL$ , very stiff to hard, relict rock texture, extremely weathered sandstone. |
|            | 2.47-12.0m | Sandstone bedrock, varied.  |

On the basis of the geotechnical results, soils including sand and silty clays identified as alluvial were noted as occurring in five (5) of the boreholes, all located to the south of the extant Adina Apartments building within the plaza area. Borehole locations containing alluvial sands include BH1003A, BH1004A, BH1005, BH1007 and BH2002. Alluvial soils were encountered at various depths below fill, occurring at their earliest at 0.6m (RL13.4) (BH2002) and extending to their deepest to 7.2m (RL8.6) (BH1007). The average depth to encounter alluvial soils is 3.3m. The retention of natural soils across the subject area indicates that, despite heavy ground disturbance, potential exists for Aboriginal objects to occur where natural soils are intact.

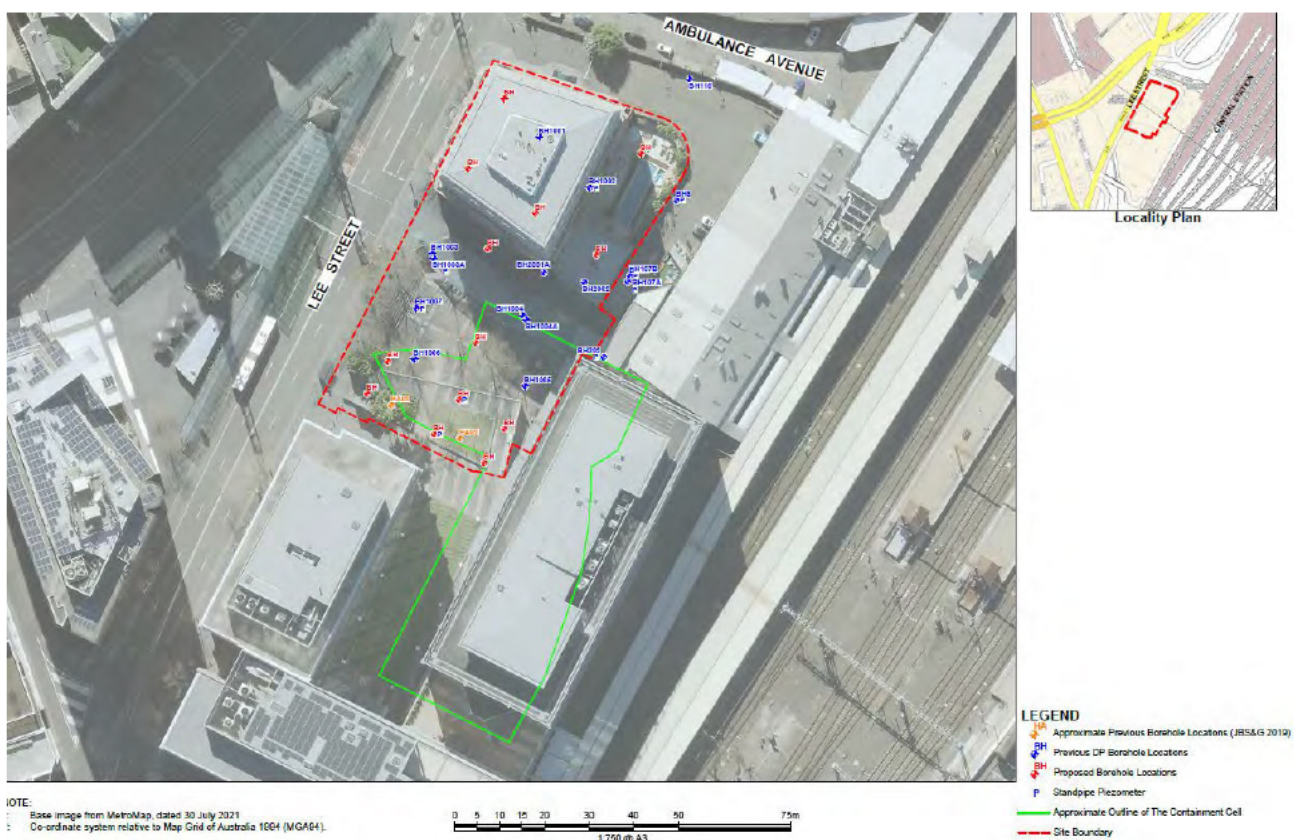


Figure 17 – geotechnical investigations – borehole locations.

## 4.4. PREDICTIVE MODEL

A predictive model may be used to estimate the nature and distribution of evidence of Aboriginal land use in a subject area. A predictive model should consider variables that may influence the location, distribution and density of sites, features or artefacts within a subject area. Variables typically relate to the environment and topography, such as soils, landscape features, slope, landform and cultural resources.

The general process archaeologists employ to determine the likelihood of any particular site type (artefact scatter, shelter, midden etc) occurring within a given subject area requires the synthesis of information for general distribution of archaeological sites within the wider area including:



- Detailed analysis of previous archaeological investigations within the same region.
- Presence or absence of landscape features that present potential for archaeological resources (human occupation, use) such as raised terraces adjacent to permeant water.
- Analysis of the geology and soil landscape within the subject area which allows for a determination to be made of the type of raw material that would have been available for artefact production (silcrete, tuff, quartz etc) and the potential for the accumulation of archaeological resource within the subject area.
- Investigation of and determination of the level of disturbance/historical land use within the subject area which may impact on or remove entirely any potential archaeological material.

An indicative process of determining the likelihood of a given site occurring within a subject area is provided in Table 13 below.

Table 13 – Indicative process\* for determining the potential presence of a site

| Likelihood | Indicative subject area context  | Indicative action   |
|------------|--|---|
| High       | Low level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.      | Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation. |
| Moderate   | Moderate level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area. | Detailed archaeological investigation including but not limited to survey, test excavation and potentially (depending on density and/or significance of archaeological deposit) salvage excavation. |
| Low        | High level of ground disturbance in combination with at least one archaeologically sensitive landscape feature or Aboriginal object (either registered or newly identified) within the subject area.     | Employ chance finds procedure and works can continue without further archaeological investigation.  |
| Nil        | Complete ground disturbance (i.e. complete removal of natural soil landscape); or no archaeologically sensitive landscape features and no archaeological sites within subject area.                      | Employ chance finds procedure and works can continue without further archaeological investigation.  |

#### 4.4.1. Typical Site Types

A range of Aboriginal site types are known to occur within New South Wales. Site types that are typically encountered in the Cumberland Plain are described below.

**Art sites** can occur in the form of rock engravings or pigment on sandstone outcrops or within shelters. An engraving is some form of image which has been pecked or carved into a rock surface. Engravings typically vary in size and nature, with small abstract geometric forms as well as anthropomorphic figures and animals also depicted. In the Sydney region engravings tend to be located on the tops of Hawkesbury Sandstone ridges where vistas occur. Pigment art is the result of the application of material to a stone to leave a distinct impression. Pigment types include ochre, charcoal and pipeclay. Pigment art within the Sydney region is usually located in areas associated with habitation and sustenance.

**Artefact Scatters/Camp Sites** represent past Aboriginal subsistence and stone knapping activities and include archaeological remains such as stone artefacts and hearths. This site type usually appears as surface scatters of stone artefacts in areas where vegetation is limited, and ground surface visibility increases. Such

scatters of artefacts are also often exposed by erosion, agricultural events such as ploughing, and the creation of informal, unsealed vehicle access tracks and walking paths. These types of sites are often located on dry, relatively flat land along or adjacent to rivers and creeks. Camp sites containing surface or subsurface deposit from repeated or continued occupation are more likely to occur on elevated ground near the most permanent, reliable water sources. Flat, open areas associated with creeks and their resource-rich surrounds would have offered ideal camping areas to the Aboriginal inhabitants of the local area.

**Bora / Ceremonial Sites** are locations that have spiritual or ceremonial values to Aboriginal people. Aboriginal ceremonial sites may comprise natural landforms and, in some cases, will also have archaeological material. Bora grounds are a ceremonial site type, usually consisting of a cleared area around one or more raised earth circles, and often comprised of two circles of different sizes, connected by a pathway, and accompanied by ground drawings or mouldings of people, animals or deities, and geometrically carved designs on the surrounding trees.

**Burials** of the dead often took place relatively close to camp site locations. This is due to the fact that most people tended to die in or close to camp (unless killed in warfare or hunting accidents), and it is difficult to move a body long distance. Soft, sandy soils on, or close to, rivers and creeks allowed for easier movement of earth for burial; and burials may also occur within rock shelters or middens. Aboriginal burial sites may be marked by stone cairns, carved trees or a natural landmark. Burial sites may also be identified through historic records or oral histories.

**Contact Sites** are most likely to occur in locations of Aboriginal and settler interaction, such as on the edge of pastoral properties or towns. Artefacts located at such sites may involve the use of introduced materials such as glass or ceramics by Aboriginal people or be sites of Aboriginal occupation in the historical period.

**Grinding Grooves** are the physical evidence of tool making or food processing activities undertaken by Aboriginal people. The manual rubbing of stones against other stones creates grooves in the rock; these are usually found on flat areas of abrasive rock such as sandstone. They may be associated with creek beds, or water sources such as rock pools in creek beds and on platforms, as water enables wet-grinding to occur.

**Isolated Finds** represent artefactual material in singular, one off occurrences. Isolated finds are generally indicative of stone tool production, although can also include contact sites. Isolated finds may represent a single item discard event or be the result of limited stone knapping activity. The presence of such isolated artefacts may indicate the presence of a more extensive, in situ buried archaeological deposit, or a larger deposit obscured by low ground visibility. Isolated artefacts are likely to be located on landforms associated with past Aboriginal activities, such as ridgelines that would have provided ease of movement through the area, and level areas with access to water, particularly creeks and rivers.

**Middens** are indicative of Aboriginal habitation, subsistence and resource extraction. Midden sites are expressed through the occurrence of shell deposits of edible shell species often associated with dark, ashy soil and charcoal. Middens often occur in shelters, or in eroded or collapsed sand dunes. Middens occur along the coast or in proximity to waterways, where edible resources were extracted. Midden may represent a single meal or an accumulation over a long period of time involving many different activities. They are also often associated with other artefact types.

**Modified Trees** are evidence of the utilisation of trees by Aboriginal people for various purposes, including the construction of shelters (huts), canoes, paddles, shields, baskets and bowls, fishing lines, cloaks, torches and bedding, as well as being beaten into fibre for string bags or ornaments. The removal of bark exposes the heart wood of the tree, resulting in a scar. Trees may also have been scarred in order to gain access to food resources (e.g. cutting toeholds so as to climb the tree and catch possums or birds), or to mark locations such as tribal territories. Such scars, when they occur, are typically described as scarred trees. These sites most often occur in areas with mature, remnant native vegetation. The locations of scarred trees often reflect an absence of historical clearance of vegetation rather than the actual pattern of scarred trees. Carved trees are different from scarred trees, and the carved designs may indicate totemic affiliation; they may also have been carved for ceremonial purposes or as grave markers.

**Potential Archaeological Deposits (PADs)** are areas where there is no surface expression of stone artefacts, but due to a landscape feature there is a strong likelihood that the area will contain buried deposits of stone artefacts. Landscape features which may feature in PADs include proximity to waterways, particularly terraces and flats near third order streams and above; ridge lines, ridge tops and sand dune systems.

**Shelters** are places of Aboriginal habitation. They take the form of rock overhangs which provided shelter and safety to Aboriginal people. Suitable overhangs must be large and wide enough to have accommodated people with low flooding risk. Due to the nature of these sites, with generic rock overhangs common particularly in

areas with an abundance of sandstone, their use by Aboriginal people is generally confirmed through the correlation of other site types including middens, art, PAD and/or artefactual deposits.

#### 4.4.2. Assessment of Archaeological Potential

The likelihood of the site types described in 4.4.1 above occurring within the present subject area is assessed in Table 14 below.

Table 14 – Predictive Model

| Site Type                            | Assessment   | Potential  |
|--------------------------------------|--|--|
| <b>Art</b>                           | An absence of visible stone outcrops and/or their removal during historical land use precludes the possibility of art existing in the subject area.  | <b>Nil</b>   |
| <b>Artefact Scatters / Campsites</b> | A high level of historical ground disturbance across the entire subject area has resulted in complete removal of natural soil deposits across the majority of the site, effectively eliminating reduces the potential for artefact scatters / campsites to be retained. However, where natural soils are retained there is low-moderate potential for resources to occur in these areas.   | <b>Nil – low</b> in areas without natural soils.<br><b>Low-Moderate</b> in areas where natural soils are retained. |
| <b>Bora / Ceremonial</b>             | A high level of historical ground disturbance across the entire subject area has resulted in complete removal of natural soil deposits, effectively eliminating the potential for bora / ceremonial sites to be retained.  | <b>Nil</b>   |
| <b>Burial</b>                        | The subject area potentially is within the sandy Tuggerah soil landscape which can indicate the possibility of burials. However a high level of historical ground disturbance across the majority of the subject area has resulted in removal of original soils, effectively eliminating the potential for burials. However, where natural soils are retained there is low potential for burials to occur in these areas.              | <b>Nil – low</b> in areas without natural soils.<br><b>Low</b> in areas where natural soils are retained.          |
| <b>Contact site</b>                  | The location of the subject area is within an area of early European settlement is indicative of the potential for contact sites. However, a high level of historical ground disturbance across the majority of the subject area significantly reduces the potential for contact sites to be retained. It is possible that contact archaeology will remain in disturbed and redeposited soils if present, or in remnant natural soils. | <b>Nil – low</b> in areas without natural soils.<br><b>Low-Moderate</b> in areas where natural soils are retained. |
| <b>Grinding Grooves</b>              | The subject area includes no visible sandstone outcrops that would be indicative of the potential for grinding grooves. Modern disturbance further reduces the likelihood that grinding grooves are retained.  | <b>Nil</b>   |
| <b>Isolated Finds</b>                | A high level of historical ground disturbance across the entire subject area has resulted in removal of natural soils across the majority of the site, significantly reducing the potential for isolated finds. It is possible that isolated finds will remain in disturbed and redeposited soils if present. Where natural soils are retained, there is low-moderate potential for resources to occur in these areas.                 | <b>Nil – low</b> in areas without natural soils.<br><b>Low-Moderate</b> in areas where natural soils are retained. |



| Site Type             | Assessment   | Potential   |
|-----------------------|--|---|
| <b>Midden</b>         | As the subject area is not located near to any resource-bearing water, the subject area is unlikely to be associated with a midden. Furthermore, a high level of historical ground disturbance across the entire subject area has resulted in complete removal of natural soils, effectively eliminating the potential middens.                        | Nil – low   |
| <b>Modified Trees</b> | Historical development of the subject area has resulted in clearance of all native vegetation, removing any potential for the presence of modified trees.  | Nil   |
| <b>PAD</b>            | A high level of historical ground disturbance across the majority of the subject area has resulted in the near-complete removal of natural soils, although as identified in geotechnical investigations there are areas of the site to the south where natural soils are potentially retained. In these areas, the potential for PAD is low-moderate.. | Nil – low in areas without natural soils.<br><b>Low-Moderate</b> in areas where natural soils are retained. |
| <b>Shelters</b>       | The subject area does not include any visible rock overhangs that would be indicative of the potential for shelters.   | Nil   |



Figure 18 – Archaeological potential of the subject site. Note low-moderate potential in areas where geotechnical investigations have identified the presence of natural sands.





Figure 19 – Original ground surface on left midground; excavated ground surface/Adina Apartments on right midground. View east.



Figure 20 – Excavated ground level; Lee Street tunnel in centre, Adina Apartments on right. View west.



Figure 21 – Excavated ground surface, Henry Deane Plaza. View south.



Figure 22 – Excavated ground surface, Henry Deane Plaza. Original ground surface right midground. View north.

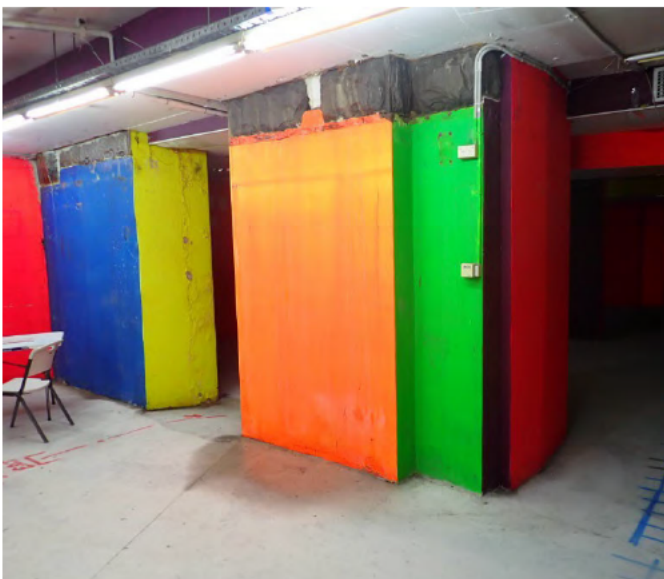


Figure 23 – Adina Apartments basement. Masonry at top of the columns shows the original base of the structure.



Figure 24 – Adina Apartments basement, southern retaining wall.

## 4.5. SUMMARY

The assessments of the archaeological and environmental contexts of the subject area are summarised as follows:

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- No previous Aboriginal archaeological investigations have been identified that directly address the subject area.
- Previous assessments have identified that highly developed areas still have the potential to retain natural soils below imported fill and adjacent to extant structures. Where this is the case, archaeological potential remains.
- The identification of Aboriginal site AHIMS ID# 45-6-3654 and associated artefacts show that the potential for archaeological deposits still exists within areas subject to significant historical land use impacts.
- Previous assessments of the Western Gateway Sub-precinct which incorporates the subject area generally conclude that disturbance has removed archaeological potential across much of the Sub-Precinct. However, where remnant natural soils are present (in the east), specifically natural sands, archaeological potential is retained.
- Geotechnical investigation has identified alluvial sands are retained at the subject site, ranging from depths of 0.6m-7.2m across five boreholes. Where sands are retained, potential is also retained for Aboriginal objects to occur.
- There are no observable or documented waterways within proximity to the subject area.
- The subject area has low-moderate archaeological potential for artefact scatters / campsites, burials, isolated finds and PADs to occur within the subject area.

## 5. SIGNIFICANCE ASSESSMENT

The following is an assessment and discussion of the cultural significance of the subject area, made in consultation with the RAPs. The assessment follows principles and procedures outlined in the Burra Charter the Assessment Guidelines.

The Burra Charter defines cultural significance as being derived from the following values: social or cultural value, historic value, scientific value and aesthetic value. Aesthetic, historic, scientific and social values are commonly interrelated. All assessments of heritage values occur within a social and historic context. Therefore, all potential heritage values will have a social component.

Assessment of each value should be graded in terms that allow the significance to be described and compared (e.g. high, moderate, or low). In applying these criteria, consideration should be given to:

- Research potential: *does the evidence suggest any potential to contribute to an understanding of the area and/or region and/or state's natural and cultural history?*
- Representativeness: *how much variability (outside and/or inside the subject area) exists, what is already conserved, how much connectivity is there?*
- Rarity: *is the subject area important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised? Is it in danger of being lost or of exceptional interest?*
- Education potential: *does the subject area contain teaching sites or sites that might have teaching potential?*

Heritage significance is assessed by considering each cultural or archaeological site against the significance criteria set out in the Assessment Guidelines. The Assessment Guidelines require that the assessment and justification in a statement of significance includes a discussion of whether any value meets the following criteria:

- Does the subject area have a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons? – social value.
- Is the subject area important to the cultural or natural history of the local area and/or region and/or state? – historic value.
- Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state? – scientific (archaeological) value.
- Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state? – aesthetic value.

### 5.1. ASSESSMENT OF HERITAGE VALUES

The following assessment of the social or cultural, historic, scientific and aesthetic values of the subject area has been prepared in accordance with the Assessment Guidelines.

In acknowledgment that the Aboriginal community themselves are in the best position to identify heritage values, the assessment is informed by consultation with the Aboriginal community. Consultation with Aboriginal people should provide insight into past events. The RAPs were invited to provide comment and input into this ACHAR and to the assessment of cultural heritage values for the subject area, as documented in this report. Any culturally sensitive values identified have not been explicitly included in the report or made publicly available. Any such values would be documented and lodged with the knowledge holder providing the information.

#### 5.1.1. Social or Cultural Value

Social or cultural value encompasses the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them. Places of social or cultural value have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods, or events. Communities can experience a sense of loss should a place of social or cultural value be damaged or destroyed. Social or cultural values can therefore only be identified through consultation with Aboriginal people.

Comment was received from Kadibulla Khan of Kamilaroi-Yankuntjatjara Working Group on 23 December 2021 and 6 April 2022:

*"The study area has high significance to our people as there are sites near by that can tell us a story about what our ancestors left behind ready unearth. Only leaving stone and always giving back to mother earth the traditional way of maintaining the land and keeping it healthy and well".*

*"The study area is of high significance, and it is a shame that there have been disturbances across the site due to land use and development, as there is tangible, intangible and aesthetic aspects that connect us to the country spiritually and mentally. It saddens us that, time and time again we lose our rich cultural heritage to the past land use and now to development."*

Comment was received from Justine Coplin of Darug Custodian Aboriginal Corporation on 17 December 2021 and 31 March 2022:

*"This area is significant to the Darug people due to the evidence of continued occupation, within close proximity to this project site there is a complex of significant sites. Landscapes and landforms are significant to us for the information that they hold and the connection to Darug people."*

*"The subject area is an area our group has a vast knowledge of, we have worked and lived in for many years, this area is highly significant to the Darug people due to the connection of sites and the continued occupation."*

*Aboriginal peoples are the oldest continued culture...the land may have been taken from us for many tens of years and disturbed. However, they still have cultural values, as a culture we have had to adapt to a forever changing landscape, allowance for culture, way of practicing these cultures and even our language is forever changing and adapting.*

*"Our histories are held by our people and places, when we are looking for cultural aspects of an area they are not only seen but felt, our spiritual connections are our culture and heritage that connect us to our old people through the evidence that we see on our site visits."*

Based on the consultation undertaken for this ACHAR, and in acknowledging that Aboriginal people are best placed to identify heritage values, it is considered that the subject area represents a portion of the wider cultural landscape associated with the Gadigal people with continuing social and cultural value.

### 5.1.2. Historic Value

Historic value encompasses the history of aesthetics, science and society. A place may have historic value because it is associated with a historic figure, event, phase or activity in an Aboriginal community. The significance of a place will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment. Places may also have 'shared' historic values with other (non-Aboriginal) communities.

Places of post-contact Aboriginal history have generally been poorly recognised in investigations of Aboriginal heritage. Consequently, the Aboriginal involvement and contribution to important regional historical themes is often missing from accepted historical narratives. For this reason, it is often necessary to collect oral histories along with archival or documentary research to gain a sufficient understanding of historic values.

No historical associations between Aboriginal people and the subject area have been identified and the potential for Aboriginal objects within the subject area is assessed to be nil to low. The subject area is therefore unlikely to have historic value insofar as it relates to Aboriginal cultural heritage.

### 5.1.3. Scientific (Archaeological) Value

Scientific value relates to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.

The subject area is highly disturbed, with the removal of the majority of natural soils for the subsurface structures relating to both the Devonshire and Lee Street tunnels and the Adina Apartment Hotel (formerly the Parcels Post Office). There is, however, natural soils retained in locations across the site with particular reference to the plaza area, as demonstrated by geotechnical investigations. As such, there is low-moderate



potential for Aboriginal objects including artefact scatters, PADs and isolated finds, with low potential for burials, to occur across this portion of the site. Should these resources occur they may have scientific value, and therefore this assessment should be updated following the completion of the archeologically investigation program.

#### **5.1.4. Aesthetic Value**

Aesthetic value of a place relates to the sensory, scenic, architectural and creative aspects of a place. It may include visual aspects, such as form, scale, colour, texture and material of the fabric, and the smells and sounds associated with the place and its use.

The high level of development within the subject area has removed any visual or sensory aspects that might have existed in the original landscape prior to European contact. The subject area has therefore been assessed as having no aesthetic value in so far as it relates to Aboriginal people.

### **5.2. STATEMENT OF SIGNIFICANCE**

The subject area is determined to have no historic or aesthetic value due to the highly modified nature of the urban environment.

Based on the evidence obtained during the consultation process, the subject area is determined to have social and cultural value to the Aboriginal community because of its association with other sites in the Sydney area which indicate continued occupation by Aboriginal people. The subject area, however, has been subjected to a high level of disturbance due to various construction phases, which may have removed Aboriginal objects that may have been present prior to development. The presence of natural soils indicates potential for Aboriginal objects to occur in a subsurface capacity where natural soils, or redeposited natural soils, are present. An updated assessment of significance should therefore be undertaken following the completion of archaeological investigations in the subject area to include the results of these works.

## 6. IMPACT ASSESSMENT

The following is an assessment of the potential impact of the proposed development on any Aboriginal objects and/or Aboriginal places within the subject area and the possible strategies for avoiding or minimising harm to those Aboriginal objects and/or Aboriginal places.

The potential harm to Aboriginal objects and Aboriginal places that is likely to be caused by a proposed activity is the effect of that activity on the Aboriginal heritage values identified above. According to the NPW Act, "harm" to an object or place includes any act or omission that:

- Destroys, defaces, or damages the object or place.
- Moves the object from the land on which it had been situated.
- Causes or permits the object or place to be harmed.

Harm does not include something that is trivial or negligible, such as picking up and replacing a small stone artefact, breaking a small Aboriginal object below the surface when you are gardening, crushing a small Aboriginal object when you walk on or off a track, picnicking, camping or other similar recreational activities.

The Assessment Guidelines define harm to Aboriginal objects and Aboriginal places as being either direct or indirect:

- **Direct harm** may occur as the result of any activity which disturbs the ground including, but not limited to, site preparation activities, installation of services and infrastructure, roadworks, excavation, flood mitigation measures.
- **Indirect harm** may affect sites or features located immediately beyond or within the area of the proposed activity. Examples include, but are not limited to, increased impact on art in a shelter from increased visitation, destruction from increased erosion and changes in access to wild food resources.

The present assessment of potential harm follows the principles of ecologically sustainable development (ESD), in particular the precautionary principle and the principle of inter-generational equity:

- The **precautionary principle** states that full scientific certainty about the threat of harm should never be used as a reason for not taking measures to prevent harm from occurring.
- The **principle of inter-generational equity** holds that the present generation should make every effort to ensure the health, diversity and productivity of the environment, which includes cultural heritage, is available for the benefit of future generations. If a site type that was once common in an area becomes rare, the loss of that site (and site type) will result in an incomplete archaeological record and will negatively affect intergenerational equity.

Consideration of potential harm to Aboriginal objects and Aboriginal places according to ESD principles allows for an understanding of the cumulative impact of the proposed activity and an understanding of how harm can be avoided or minimised, if possible.

### 6.1. ASSESSMENT OF POTENTIAL HARM

The potential harm to Aboriginal cultural heritage arising from the proposed works relates to ground disturbing works associated with the proposed development including a basement level beneath Henry Deane Plaza and footings for the proposed high-rise structure.

The ACHA and consultation process assessed that previous development has impacted the majority of the subject area to a significant depth. However, geotechnical investigation has confirmed the presence of alluvial soils retained within the Henry Deane Plaza area. These soils have the potential to contain Aboriginal objects. As such, the extent of potential harm cannot be known at this time, although there is low-moderate potential that objects could occur and therefore be harmed by the proposed works. Urbis recommend the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) to guide archaeological investigation of the site to mitigate harm to Aboriginal objects where possible.

## 6.2. AVOIDING AND MINIMISING HARM

All practicable measures must be taken to avoid harm and conserve any significant Aboriginal objects and/or Aboriginal places, along with their cultural heritage values. Avoidance and conservation measures must be feasible and within the financial viability of the proposed activity.

If harm to Aboriginal objects and/or Aboriginal places is unavoidable, management strategies must be considered to minimise the harm. The type of management strategies proposed must be appropriate to the significance of Aboriginal heritage values, Aboriginal objects and/or Aboriginal places. Mitigation measures must be feasible and within the financial viability of the proposed activity.

Urbis have concluded herein that there is **low-moderate** for Aboriginal objects to occur at the subject area within deposits of alluvial soils recorded as occurring in the Henry Deane Plaza portion of the site. As such, an ACHMP is proposed to guide archaeological investigation including monitoring, test and/or salvage excavation as required, to identify, record and recover Aboriginal objects which may occur.

## 7. CONCLUSIONS & RECOMMENDATIONS

The current report presents the results of an Aboriginal Cultural Heritage Assessment (ACHA) of the Adina Apartment Hotel and Henry Deane Plaza, 2 and 8A Lee Street, Haymarket legally referred to as Lot 30 DP877478, Lot 13 DP1062447, and part of Lot 14 in Deposited Plan 1062447 ('the subject area'). The ACHA has been undertaken to support a State Significant Development Application SSD-33258337 seeking approval for redevelopment of Adina Apartment Hotel and a portion of Henry Deane Plaza including the pedestrian access point to the Devonshire Street Tunnel.

The ACHA was undertaken in accordance with Part 6 of the NPW Act and Part 5 of the NPW Reg. The ACHA was further conducted in accordance with the following guidelines:

- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (Department of Environment, Climate Change and Water (DECCW), 2010) (the Consultation Guidelines).
- *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (Office of Environment and Heritage 2011) (the Assessment Guidelines).
- *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010) (the Code of Practice).
- *The Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013* (Burra Charter).

The ACHA concluded that:

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- No previous Aboriginal archaeological investigations have been identified that directly address the subject area.
- Previous assessments of the Western Gateway Sub-precinct which incorporates the subject area generally conclude that disturbance has removed archaeological potential across much of the Sub-Precinct.
- There are no observable or documented waterways within proximity to the subject area.
- Geotechnical investigation has identified alluvial sands are retained at the subject site, ranging from RL13.4-RL8.6 across five boreholes. Where sands are retained, potential is also retained for Aboriginal objects to occur.
- Due to the retention of natural sands within the southern portions of the subject area (Plaza areas), archaeological potential is retained. There is low-moderate potential within this area for artefact scatters / campsites, burials, isolated finds and PADs. There is nil-low potential across the remainder of the subject area for Aboriginal archaeological sites to occur.
- The assessment of archaeological potential within the subject area demonstrates that, even within areas of extreme historic ground disturbance, archaeological potential can be retained in discrete deposits of natural or redeposited natural soils.
- On the basis of these conclusions, further investigation is required in areas where natural soils are retained, to be undertaken post approval due to the existing site conditions and access.

Urbis recommends the following:

### Recommendation 1 – Aboriginal Cultural Heritage Management Plan

An Aboriginal Cultural Heritage Management Plan (ACHMP) should be developed for the subject area in consultation with Registered Aboriginal Parties (RAPs). This ACHMP should include provision for the field investigation of Aboriginal archaeological potential and natural soils within the subject area. This could include monitoring, test and/or salvage excavation at the site. The ACHMP should be submitted to Heritage NSW for approval prior to the commencement of works and include the following:

- Methodology for the investigation management of Aboriginal archaeological resources which may occur at the subject area.



- Details with regard to Cultural Heritage Induction protocol prior to works being undertaken at the subject area.
- Research questions relation to any Aboriginal archaeological resources that might be encountered and how Aboriginal people might have used the subject area in the past.
- Policies for the temporary and permanent storage of any Aboriginal objects or resources which may occur at the subject area.
- Documented consultation with RAPs on the development of the management plan and options considered to investigate potential.
- Provision for post-excavation reporting including details of the results of works undertaken, analysis of any identified Aboriginal objects, and response to research questions

## **Recommendation 2 – Unexpected Finds Procedure**

In areas outside of the identified area of low-moderate potential, an unexpected finds procedure is to be implemented in the event that unexpected Aboriginal archaeological resources are encountered during works. This includes the following:

1. All works stop in the vicinity of the find. The find must not be moved 'out of the way' without assessment.
2. Site supervisor, or another nominated site representative must contact either the project archaeologist (if relevant) or DPC to contact a suitably qualified archaeologist.
3. The nominated archaeologist examines the find, provides a preliminary assessment of significance, records the item and decides on appropriate management, in conjunction with the RAPs for the project. Such management may require further consultation with DPC, preparation of a research design and archaeological investigation/salvage methodology and preparation of AHIMS Site Card.
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. Any such documentation should be appended to this ACHAR and revised accordingly.
6. Works in the vicinity of the find can only recommence upon relevant approvals from DPC.

## **Recommendation 3 – Human Remains Procedure**

In the unlikely event that human remains are uncovered during any site works, the following must be undertaken:

1. All works within the vicinity of the find immediately stop. The find must be cordoned-off and signage installed to avoid accidental impact.
2. Site supervisor or other nominated manager must notify the NSW Police and DPC (Enviroline 131 555).
3. The find must be assessed by the NSW Police, and may include the assistance of a qualified forensic anthropologist.
4. Management recommendations are to be formulated by the Police, DPC, site representatives, and if appropriate, the RAPs involved with the project.
5. Works are not to recommence until the find has been appropriately managed.

## **Recommendation 4 – RAP consultation**

A copy of the final ACHA must be provided to all Project RAPs. Continued consultation should be undertaken in the event RAPs express the desire for further consultation on the project.

Following the implementation of the above mitigation measures, the remaining impacts are appropriate.

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# DISCLAIMER

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In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.





# **APPENDIX A - BASIC AND EXTENSIVE AHIMS SEARCH RESULTS**



# AHIMS Web Services (AWS)

## Search Result

Your Ref/PO Number : P0009615 - Basic Search 1

Client Service ID : 638572

Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 15 November 2021

Level 8 123 Angel Street  
Sydney New South Wales 2000

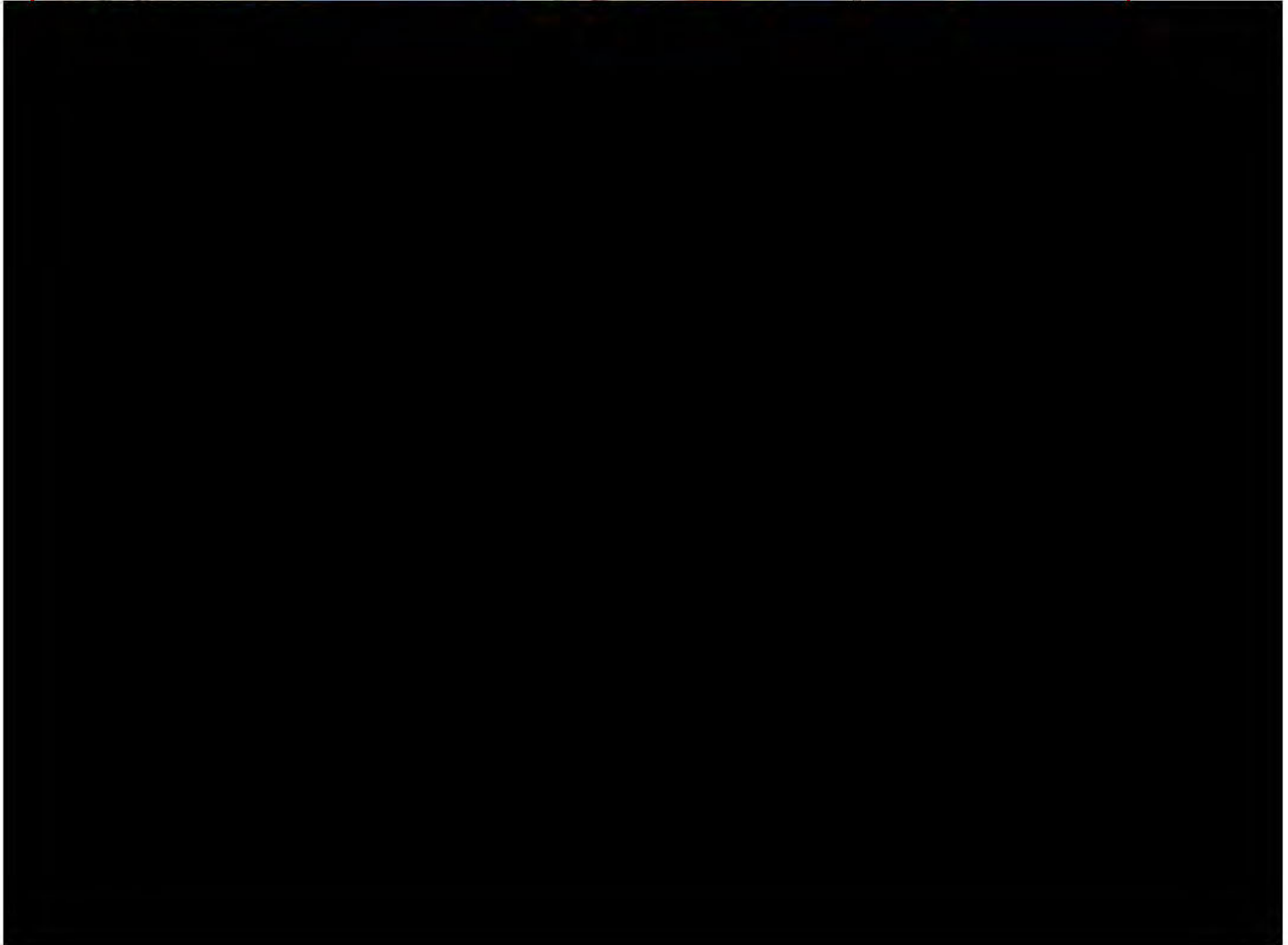
Attention: Wade Goldwayer

Email: wgoldwyer@urbis.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lat, Long From : -33.9017, 151.1757 - Lat, Long To : -33.8657, 151.2328, conducted by Wade Goldwayer on 15 November 2021.**

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.



**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.





# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : P0009615 - Basic Search 1

Client Service ID : 638572

**Report generated by AHIMS Web Service on 15/11/2021 for Wade Goldwayer for the following area at Lat, Long From : -33.9017, 151.1757 - Lat, Long To : -33.8657, 151.2328. Number of Aboriginal sites and Aboriginal objects found is 38**

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.





# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : P0009615 - Basic Search 1

Client Service ID : 638572

**Report generated by AHIMS Web Service on 15/11/2021 for Wade Goldwayer for the following area at Lat, Long From : -33.9017, 151.1757 - Lat, Long To : -33.8657, 151.2328. Number of Aboriginal sites and Aboriginal objects found is 38**

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.



# AHIMS Web Services (AWS)

## Extensive search - Site list report

Your Ref/PO Number : P0009615 - Basic Search 1

Client Service ID : 638572

**\*\* 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 AH MS 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

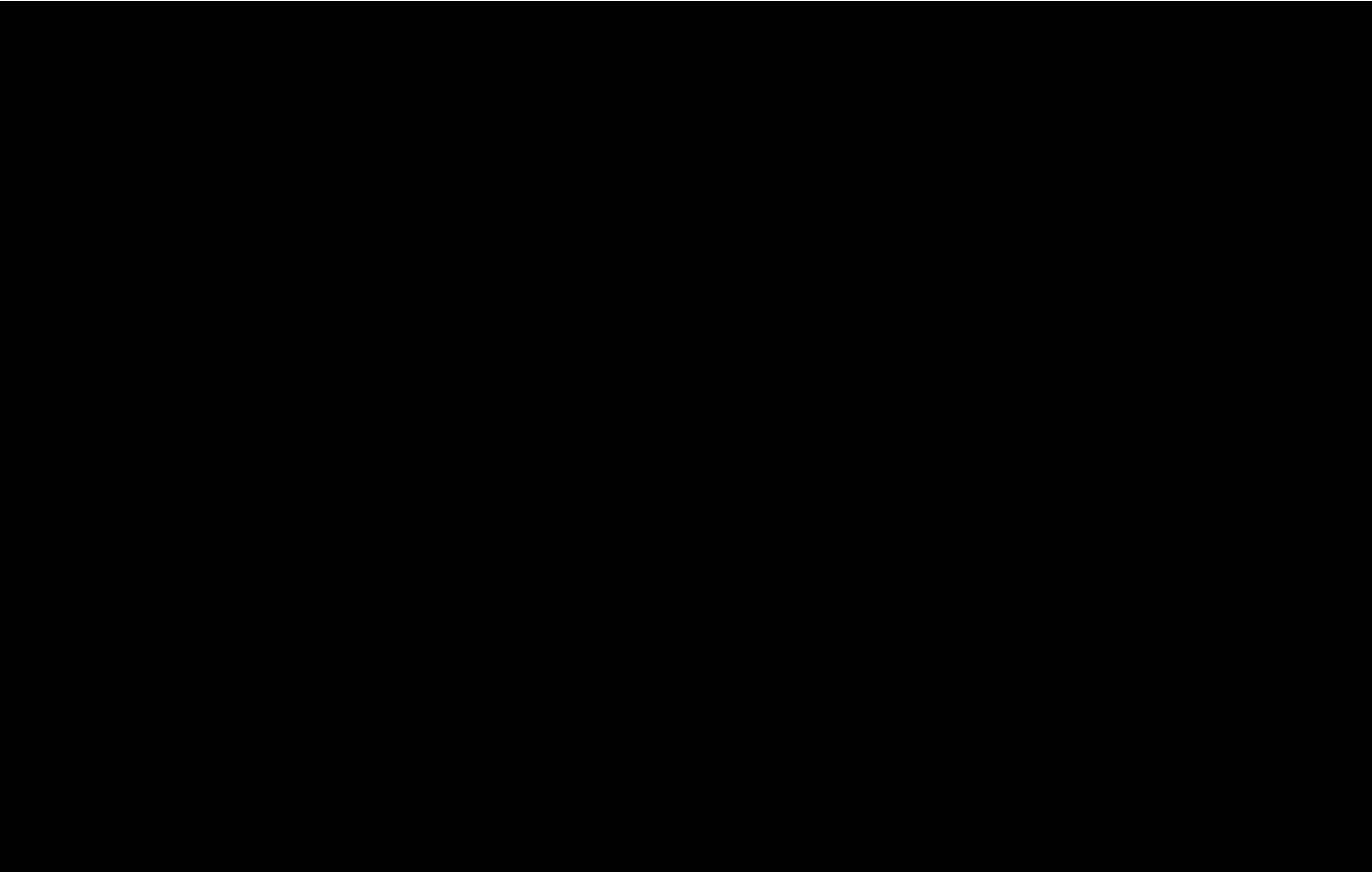
Report generated by AHIMS Web Service on 15/11/2021 for Wade Goldwayer for the following area at Lat, Long From : -33.9017, 151.1757 - Lat, Long To : -33.8657, 151.2328. Number of Aboriginal sites and Aboriginal objects found is 38

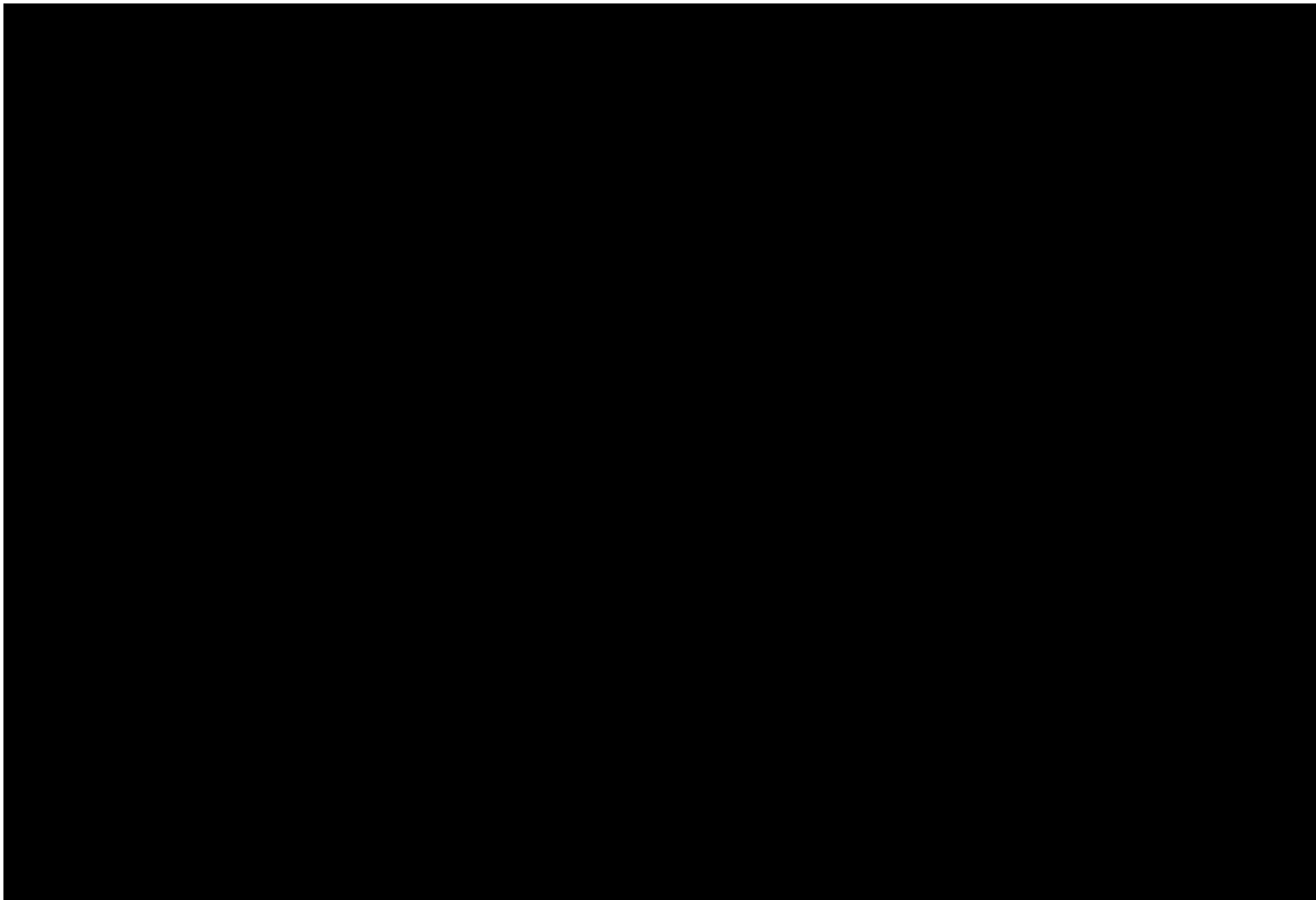
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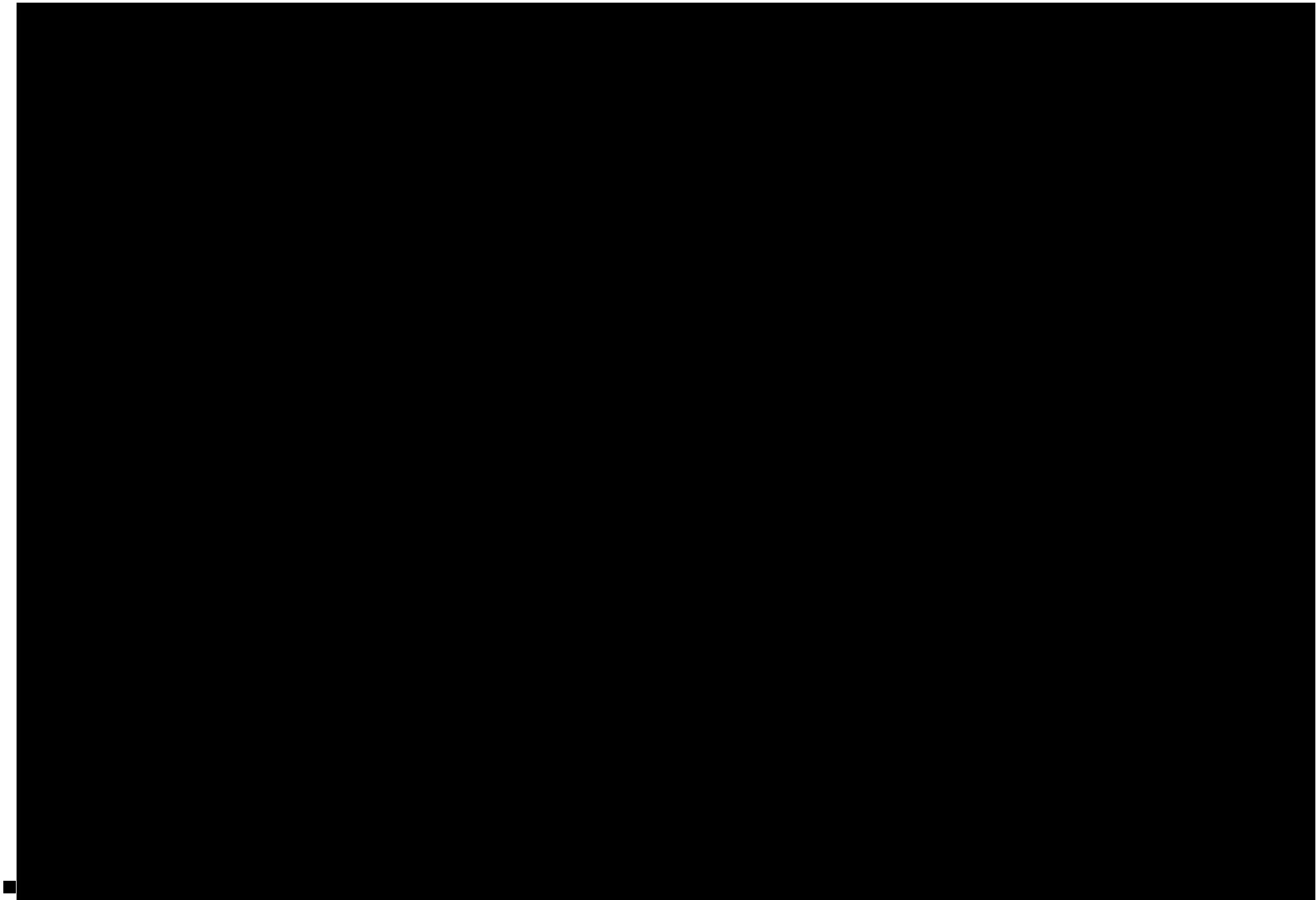


## **APPENDIX B - REGISTERED ABORIGINAL PARTY CONSULTATION LOG**

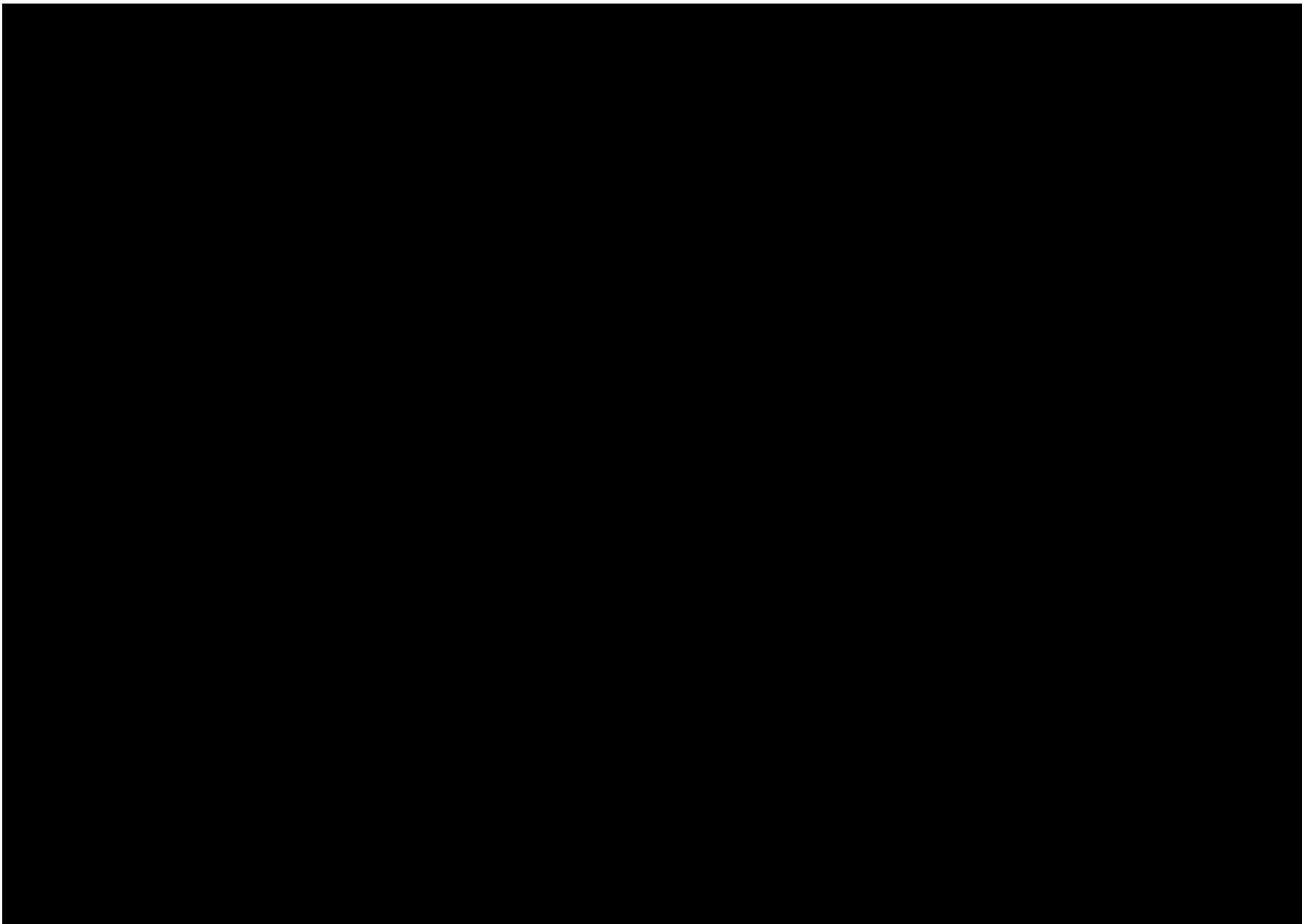
| Date                  | Time    | Type  | Contacted           | Contacted Individua | Contacted by | Contacted by Individua | Subject                | Reply | Follow-up needed? | Person actioned | Comment |
|-----------------------|---------|-------|---------------------|---------------------|--------------|------------------------|------------------------|-------|-------------------|-----------------|---------|
| Stage 1 Agency notice |         |       |                     |                     |              |                        |                        |       |                   |                 |         |
| 15/10/2021            | 2 13 PM | Email | Greater Sydney LLS; |                     | Urbis        | Wade Goldwyer (WG)     | Stage 1 Agency Notices |       |                   | WG              |         |











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## **APPENDIX C - REGISTERED ABORIGINAL PARTY CONSULTATION DOCUMENTATION**



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

15 October 2021

To whom it may concern,

## **2-26 LEE STREET, SYDNEY – ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1**

Urbis has been commissioned by TOGA Development & Construction (the Proponent) to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment to accommodate a mixed-use development including the provision of hotel and commercial office spaces at 2-26 Lee Street, Sydney NSW (hereafter referred to as 'the Subject Area') (see location in Figure 1).

This project is to be submitted to the Department of Planning, Industry and Environment (DPIE) as a State Significant Development Application (SSDA) and will therefore not require an Aboriginal Heritage Impact Permit (AHIP) under s90 of the National Parks & Wildlife Act (1974).

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act), including the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011). The assessment would detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

The Proponent can be contacted via:

David Springford  
Senior Project Manager  
Toga Development & Construction  
Via email: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

In accordance with the *Aboriginal cultural heritage consultation requirements for proponents (DEECW 2010)* (the Consultation Requirements) and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent will conduct a community consultation process with registered Aboriginal people to assist with the preparation of the ACHA to identify any Aboriginal cultural heritage values or archaeological materials and mitigate risk of harm.

In accordance with Section 4.1.2 of the Consultation Requirements, Urbis proposes to compile a list of Aboriginal people and organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.



**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

Should you be aware of any Aboriginal persons and/or organisations that may hold an interest in the project, please provide their details at your earliest convenience and preferably by **29 October 2021** in writing to:

Wade Goldwyer  
Urbis Consultant  
[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)  
Level 8, 123 Pitt Street, Sydney, 2000.

The proponent will write to each Aboriginal person or group whose details are provided to notify them of the proposed project and invite them to register an interest in the community consultation process.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

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

Meggan Walker  
Consultant  
+61 2 8233 7626  
[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)



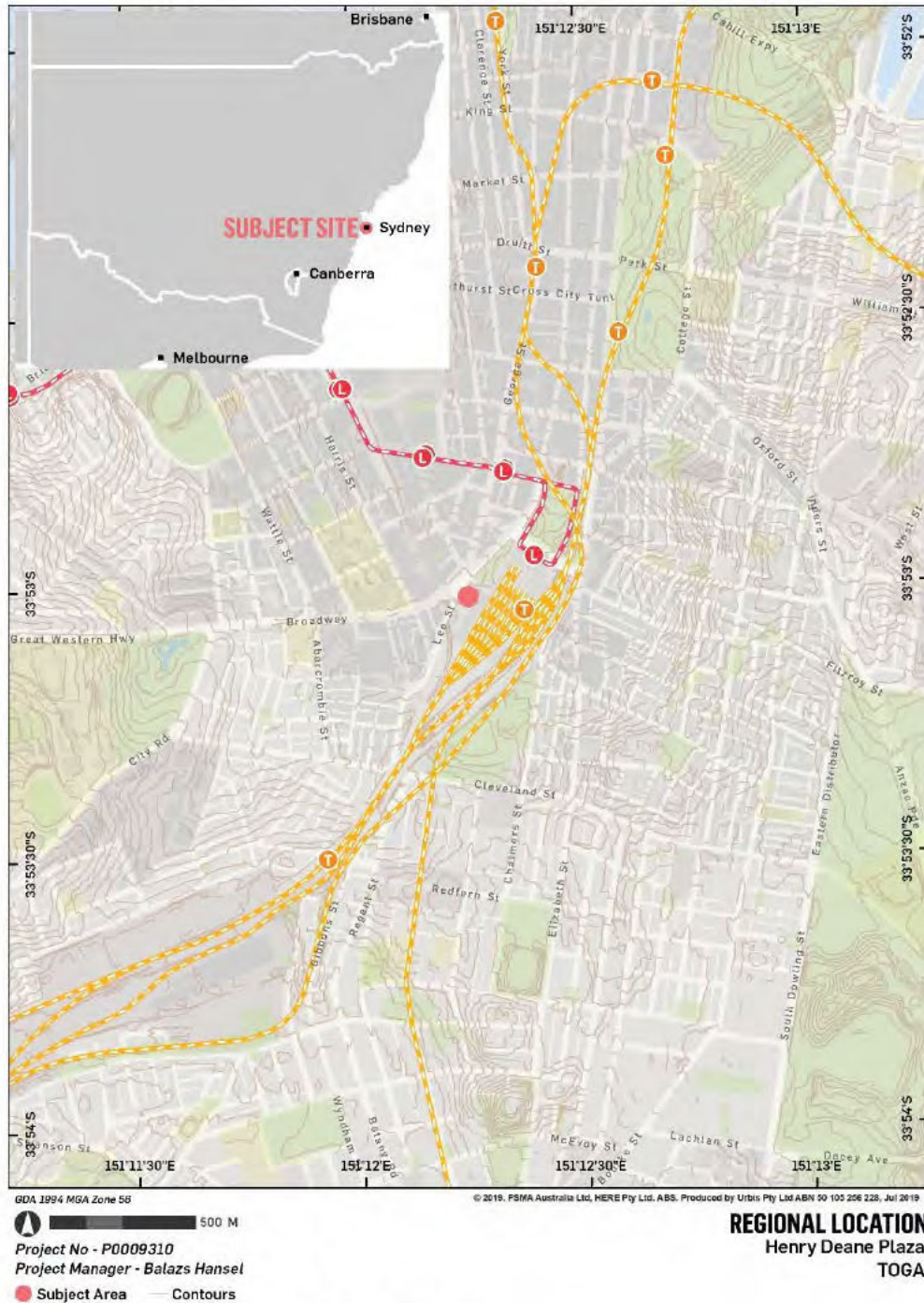


Figure 1 – Regional Location of the Subject Area



## Wade Goldwyer

---

**From:** Wade Goldwyer  
**Sent:** Friday, 15 October 2021 2:13 PM  
**Cc:** Meggan Walker; Balazs Hansel  
**Subject:** Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015  
**Attachments:** 02\_P0009615\_Stage 1.2\_Agency\_AdinaCentral.pdf

| Tracking: | Recipient                              | Delivery                      |
|-----------|--|-------------------------------|
|           | Meggan Walker                          | Delivered: 15/10/2021 2:14 PM |
|           | Balazs Hansel                          | Delivered: 15/10/2021 2:14 PM |
|           | gs.service@lls.nsw.gov.au              |                               |
|           | landconservation@metrolalc.org.au      |                               |
|           | council@cityofsydney.nsw.gov.au        |                               |
|           | information@ntscorp.com.au             |                               |
|           | heritagemailbox@environment.nsw.gov.au |                               |
|           | adminofficer@oralra.nsw.gov.au         |                               |

To whom it may concern,

We were hoping to politely follow up on the below request for any information regarding potential Aboriginal stakeholders for our project at 2-26 Lee Street, Sydney NSW.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

**SHAPING  
CITIES AND  
COMMUNITIES**



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900

Urbis recognises the traditional owners of the land on which we work.  
Learn more about our [Reconciliation Action Plan](#).

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**From:** [LLS GS Service Mailbox](#)  
**To:** [Wade Goldwyer](#)  
**Cc:** [Meggan Walker](#); [Balazs Hansel](#)  
**Subject:** Re: Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015  
**Date:** Friday, 15 October 2021 2:46:01 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

Dear Ms Walker

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**

**Greater Sydney Local Land Services**

Level 4, 2 - 6 Station St Penrith | PO Box 4515, Westfield Penrith NSW 2750

**T:** 02 4724 2100

**E:** [gs.service@lls.nsw.gov.au](mailto:gs.service@lls.nsw.gov.au) | **W:** [www.greatersydney.lls.nsw.gov.au](http://www.greatersydney.lls.nsw.gov.au)

You can also contact us through our [online enquiry form](#)

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:** Wade Goldwyer <[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)>

**Sent:** Friday, 15 October 2021 2:12 PM

**Cc:** Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>

**Subject:** Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage  
Assessment\_20211015

To whom it may concern,

We were hoping to politely follow up on the below request for any information regarding potential Aboriginal stakeholders for our project at 2-26 Lee Street, Sydney NSW.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

**WADE GOLDWYER**

CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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CITIES AND  
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Learn more about our [Reconciliation Action Plan](#).

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## Wade Goldwyer

---

**From:** Barry Gunther <Barry.Gunther@environment.nsw.gov.au>  
**Sent:** Monday, 18 October 2021 2:14 PM  
**To:** Wade Goldwyer  
**Subject:** DPC RAP list for 2-26 Lee Street, Sydney – City of Sydney LGA.  
**Attachments:** 02\_P0009615\_Stage 1.2\_Agency\_AdinaCentral.pdf; RAP list request 2-26 Lee Street, Sydney.docx; Attachment A - DPC RAP list - City of Sydney.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Wade,

Please find attached the DPC RAP list for 2-26 Lee Street, Sydney – City of Sydney LGA.

regards

**Barry Gunther, Aboriginal Heritage Planner Officer**  
Heritage NSW, Community Engagement, Department of Premier and Cabinet  
Level 6, 10 Valentine Ave, Parramatta | Locked Bag 5020 Parramatta 2124  
T: 02 9995 6830 | [barry.gunther@environment.nsw.gov.au](mailto:barry.gunther@environment.nsw.gov.au)

Please lodge all Applications to [Heritagemailbox@environment.nsw.gov.au](mailto:Heritagemailbox@environment.nsw.gov.au)

[Website](#) [Facebook](#) [Instagram](#) [LinkedIn](#)



**Premier  
& Cabinet**

**The Heritage Management System is live from 31 May. More information is available [here](#)**

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

### **Heritage NSW and coronavirus (COVID-19)**

Heritage NSW has taken steps to protect the safety, health and wellbeing of our staff, communities and customers. Whilst our offices remain open, we have put in place flexible working arrangements for our teams across NSW and continue to adapt our working arrangements as necessary. Face-to-face meetings and field work/site visits with our customers are subject to rules on gatherings and social distancing measures. We thank you for your patience and understanding at this time.

---

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



## Wade Goldwyer

---

**From:** Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>  
**Sent:** Monday, 18 October 2021 11:11 AM  
**To:** Wade Goldwyer  
**Cc:** Meggan Walker; Balazs Hansel  
**Subject:** RE: SR21/1615 - P0009615\_Stage 1 Native Title Search Request - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015 - SR21/1615  
**Attachments:** GeospatialSearch2020.dotx  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### UNCLASSIFIED

Native title search – NSW Parcel – Lot 30 on DP877478  
Your ref: P0009615 - Our ref: SR21/1615

Please note we have attached our current form for your convenience

Dear Wade Goldwyer,

Thank you for your search request received on 15 October 2021 in relation to the above area. Based on the records held by the National Native Title Tribunal as at 18 October 2021 it would appear that there are no Native Title Determination Applications, Determinations of Native Title, or Indigenous Land Use Agreements over the identified area.

#### Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Indigenous Land Use Agreements (Registered and notified)

At the time this search was carried out, there were no relevant entries in the above databases.

| Feature ID   | Tenure   | As At      | Feature Area SqKm | Overlapping Native Title Features |      |
|--------------|----------|------------|-------------------|-----------------------------------|------|
| 30//DP877478 | FREEHOLD | 11/10/2021 | 0.0018            | NNTT File Number                  | Name |
|              |          |            |                   | <a href="#">No overlap</a>        |      |

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Information on native title claims and freehold land can also be found on the Tribunal's website here: [Native title claims and freehold land](#).

**Please note:** There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

#### **Search results and the existence of native title**

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

#### **The Tribunal accepts no liability for reliance placed on enclosed information**

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us via [GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)

Regards,

#### **Geospatial Searches**

**National Native Title Tribunal | Perth**

Email: [GeospatialSearch@nntt.gov.au](mailto:GeospatialSearch@nntt.gov.au) | [www.nntt.gov.au](http://www.nntt.gov.au)

---

**From:** Wade Goldwyer <[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)>

**Sent:** Friday, 15 October 2021 11:21 AM

**To:** Geospatial Search Requests <[GeospatialSearch@NNTT.gov.au](mailto:GeospatialSearch@NNTT.gov.au)>

**Cc:** Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>

**Subject:** SR21/1615 - P0009615\_Stage 1 Native Title Search Request - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

We were hoping to politely follow up on the below request for any information regarding potential Aboriginal stakeholders for our project at 2-26 Lee Street, Sydney NSW.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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COMMUNITIES**



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900

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Learn more about our **Reconciliation Action Plan**.

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City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000  
Telephone +61 2 9265 9333  
council@cityofsydney.nsw.gov.au  
GPO Box 1591 Sydney NSW 2001  
cityofsydney.nsw.gov.au



20 October 2021

Our Ref: TRIM2021/450576-01

File No: S120598

David Springford  
Senior Project Manager  
Toga Development & Construction  
e-mail: dspringford@toga.com.au

Dear David,

**Re: 2-26 Lee Street Sydney – Aboriginal Cultural Heritage Assessment – Aboriginal Community Consultation Stage 1.**

I write in response to the letter of enquiry from Urbis dated 15 October 2021, their reference P0001695.

The City of Sydney defers to the [REDACTED] as the cultural stakeholder for these matters.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I hope that this information is useful. If you want to speak to a City of Sydney heritage specialist on this matter, please contact Michele Grande on 9265 9164.

Yours sincerely,

Tony Smith  
Urban Design & Heritage Manager – Planning Assessment Unit  
City of Sydney

CC: Wade Goldwyer – Urbis; Michele Grande – City of Sydney.

*city of sydney*

## Wade Goldwyer

---

**From:** Tony Smith <tsmith@cityofsydney.nsw.gov.au>  
**Sent:** Wednesday, 20 October 2021 4:38 PM  
**To:** Wade Goldwyer; dspringford@toga.com.au  
**Cc:** Meggan Walker; Balazs Hansel; Michele Grande  
**Subject:** RE: Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015  
**Attachments:** Outgoing Correspondence - TOGA - Response as drafted.pdf

Dear David and Wade,

Please find attached the information sought in the e-mail below.

Regards,

Tony Smith  
Urban Design & Heritage Mgr  
Planning Assessments



---

Telephone: +612 9265 9461  
[cityofsydney.nsw.gov.au](http://cityofsydney.nsw.gov.au)



The City of Sydney acknowledges  
the Gadigal of the Eora Nation as the  
Traditional Custodians of our local  
area.

---

**From:** Wade Goldwyer <wgoldwyer@urbis.com.au>  
**Sent:** Friday, 15 October 2021 2:13 PM  
**Cc:** Meggan Walker <mwalker@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>  
**Subject:** Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015

To whom it may concern,

We were hoping to politely follow up on the below request for any information regarding potential Aboriginal stakeholders for our project at 2-26 Lee Street, Sydney NSW.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT



D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
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**2-26 LEE STREET, SYDNEY**  
**Aboriginal Cultural Heritage Assessment – Community Consultation Stage 1**

The TOGA Development & Construction (the Proponent) are preparing a State Significant Development Application (SSDA) for redevelopment to accommodate a mixed-use development including the provision of hotel and commercial office spaces at 2-26 Lee Street, Sydney NSW (hereafter referred as the subject area).

This project is to be submitted to the Department of Planning, Industry and Environment (DPIE) as a State Significant Development Application (SSDA) and will therefore not require an Aboriginal Heritage Impact Permit (AHIP) under s90 of the National Parks & Wildlife Act (1974).

The proponent can be contacted directly via:

David Springford  
Senior Project Manager  
Toga Development & Construction  
Via email: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

In accordance with Section 4.1.3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010) and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent is seeking the registration of Aboriginal persons or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) that may be present in the subject area.

The purpose of community consultation with Aboriginal people is to assist the Proponent in the preparation of the ACHA and the assessment of the cultural heritage significance of the subject area.

Please register your interest in writing to the contact details provided below by **5.00pm, 17<sup>th</sup> November 2021.**

Wade Goldwyer  
Urbis Consultant  
[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)  
Level 8, 123 Pitt Street, Sydney, 2000.

Please be advised that the Proponent is required to forward the names of Aboriginal persons and groups who register an interest to the Department of Premier and Cabinet – Heritage New South Wales (HNSW) Aboriginal Cultural Heritage Regulation Branch and the Metropolitan Local Aboriginal Land Council (MLALC); unless the person or group specifies that they do not want their details released.



# Landmark reconciliation convention goes online



**RECONCILIATION**  
Australia is hosting the first national reconciliation gathering in more than 20 years.

Bundjalung woman Karen Mundine, Reconciliation Australia chief executive, said that the 2021 Australian Reconciliation Convention would be a vibrant and historic landmark event in Australia's reconciliation journey.

The virtual event will be live-streamed over three half days, Monday, November 15, to Wednesday, November 17, via EventCast.

Ms Mundine said that the convention's innovative approach will include rigorous discussions and panel presentations, storytelling and performances with local, national and international perspectives to reflect on the past and to explore the future of a just, equitable, and reconciled Australia.

2021 marks 20 years of Reconciliation Australia and almost three decades of the Australian formal reconciliation process.

"We had always planned for the convention program to be a rewarding and accessible experience for all – whether experienced in-person or online," Ms Mundine said.

"Our ticket sales had already reflected interest in both of those experiences.

"While we understand how much everyone – including us – was looking forward to meeting in person, we will come together in the most safe, informative and engaging way for the convention to proceed in the current environment.

"Building on our experience in delivering online events in the past 18 months, we have adjusted the original two-day program to three half-days, ensuring the most



Chief J Wilton Littlechild from the Cree Nation will discuss reconciliation and truth-telling in Canada and Australia with Senator Patrick Dodson, as part of the Australian Reconciliation Convention.

accessible experience across all time zones.

"Reconciliation is more than just raising awareness and knowledge. The Australian Reconciliation Convention will take us to a place of brave action through brave discussions."

An array of high-profile speakers will join the convention, including

Dr Jackie Huggins, Jean-Paul Gladu, Benjamin Law, Sally Scales, and Kirli Saunders.

A convention highlight sees Yawuru man Senator Patrick Dodson and Chief J Wilton Littlechild from the Cree Nation, in conversation on moving towards truth-telling.

Journalist Natalie Ahmat is



Journalists John Paul Janke (above left) and Natalie Ahmat (right) will host discussion sessions at the convention.



chairing the plenary session, 'Reconciliation and Truth-telling in Canada and Australia', featuring Chief Wilton Littlechild and Senator Dodson.

Other highlights include, Leah Armstrong chairing a breakout session, 'Brave Economic Futures', with Wiradjuri man Phil Usher, chief executive of the First Nations Foundation.

The session will discuss the paths forward for building and investing in strong futures.

First Nations governance and ingenuity are underlying strengths in prosperous First Nations organisations, businesses and economies. Business provides a path to community growth and individual aspirations.

Peter Yu is a panellist on breakout session, 'Leading through Indigenous Governance', with Donna Murray and chaired by Jahna Cedar.

Aboriginal and Torres Strait Islander people have maintained innovative and robust systems of governance for millennia. This session will talk about innovative

systems of Indigenous governance with culture at the heart and how it supports building a self-determined future.

The full conference program now includes three bonus foundational sessions, before the convention itself, from Monday, November 8 until Wednesday, November 10.

The bonus sessions will discuss, the UN Declaration on the Rights of Indigenous Peoples, paths to treaties and a First Nations Voice to Parliament.

They will be available for all registered attendees from Monday, November 8, and all Convention content will be available On Demand for 60 days after the Convention.

The Australian Reconciliation Convention is a landmark event in Australia's reconciliation journey. The program includes local, national and international perspectives and will reflect on the past to explore the future of a just, equitable, and reconciled Australia.

For more information and tickets go to [reconciliation.org.au](http://reconciliation.org.au)



## ABORIGINAL CULTURAL HERITAGE ADVISORY COMMITTEE (NSW) - Call For Nominations

**Do you want to make a contribution to Aboriginal cultural heritage management in NSW?**

**Do you have experience in working with other Aboriginal people to address significant cultural heritage management issues?**

The NSW Government is inviting nominations from Aboriginal persons for the appointment of four (4) members to the Aboriginal Cultural Heritage Advisory Committee (ACHAC).

ACHAC advises the Minister and Department on matters relating to the identification, assessment and management of Aboriginal cultural heritage in NSW.

**To receive an application kit or if you have any enquiries, please contact the Secretariat, Heritage NSW via:**

**Phone:** (02) 9873 8579 | **Email:** [ACHAC.Secretariat@environment.nsw.gov.au](mailto:ACHAC.Secretariat@environment.nsw.gov.au)

**Website:** [heritage.nsw.gov.au](http://heritage.nsw.gov.au)

**Applications kits may also be downloaded at:** [heritage.nsw.gov.au/what-we-do/aboriginal-cultural-heritage-advisory-committee/expressions-of-interest/](http://heritage.nsw.gov.au/what-we-do/aboriginal-cultural-heritage-advisory-committee/expressions-of-interest/)

**Application submissions:**

**By Email:** [ACHAC.Secretariat@environment.nsw.gov.au](mailto:ACHAC.Secretariat@environment.nsw.gov.au)

**By Post:** Secretariat Unit, Heritage NSW, Department of Premier and Cabinet, Locked Bag 5020, PARRAMATTA NSW 2150

**Applications close: 11:59pm Wednesday, 10 November 2021.**

Nominations are invited to fill current and future vacancies that may arise.

**Nominees must be**

- Nominees of Aboriginal elders groups; or
- Registered native title claimants; or
- Aboriginal owners listed on the register under the *Aboriginal Land Rights Act 1983*.

**Your nomination must demonstrate**

- your involvement in cultural heritage matters in your local community and
- your understanding of cultural heritage management issues.

Your written consent to the nomination is required for your nomination to be accepted.



## 2-26 LEE STREET, SYDNEY Aboriginal Cultural Heritage Assessment – Community Consultation Stage 1

The TOGA Development & Construction (the Proponent) are preparing a State Significant Development Application (SSDA) for redevelopment to accommodate a mixed-use development including the provision of hotel and commercial office spaces at 2-26 Lee Street, Sydney NSW (hereafter referred as the subject area). This project is to be submitted to the Department of Planning, Industry and Environment (DPIE) as a State Significant Development Application (SSDA) and will therefore not require an Aboriginal Heritage Impact Permit (AHIP) under s90 of the National Parks and Wildlife Act (1974).

The proponent can be contacted directly via:

David Sprngford  
Senior Project Manager  
TOGA Development & Construction  
Via email: [dsprngford@toga.com.au](mailto:dsprngford@toga.com.au)

In accordance with Section 4.1.3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010) and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent is seeking the registration of Aboriginal persons or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and/or place(s) that may be present in the subject area.

The purpose of community consultation with Aboriginal people is to assist the Proponent in the preparation of the ACHA and the assessment of the cultural heritage significance of the subject area. Please register your interest in writing to the contact details provided below by 5.00pm, 17th November 2021.

Wade Goudyer  
URBIS Consultant  
[wgoodyer@urbis.com.au](mailto:wgoodyer@urbis.com.au)  
Level 8, 123 Pitt Street, Sydney, 2000.

Please be advised that the Proponent is required to forward the names of Aboriginal persons and groups who register an interest to the Department of Premier and Cabinet – Heritage New South Wales (HNSW) Aboriginal Cultural Heritage Regulation Branch and the Metropolitan Local Aboriginal Land Council (MLALC); unless the person or group specifies that they do not want their details released.



## Wade Goldwyer

---

**From:** Wade Goldwyer  
**Sent:** Friday, 15 October 2021 2:27 PM  
**To:** chris@koorimail.com  
**Cc:** Meggan Walker; Balazs Hansel  
**Subject:** Stage 2\_Public notice booking - Adina Central - Our Ref # P0009615  
**Attachments:** 02\_P0009615\_Public Notice\_AdinaCentral.pdf

| Tracking: | Recipient           | Delivery                      |
|-----------|---------------------|-------------------------------|
|           | chris@koorimail.com |                               |
|           | Meggan Walker       | Delivered: 15/10/2021 2:28 PM |
|           | Balazs Hansel       | Delivered: 15/10/2021 2:28 PM |

Good afternoon Chris,

This is Wade from the Urbis archaeology team.

Could we please book the regular sized public notice (14x3) to run in the **November 3<sup>rd</sup> Edition of the KooriMail?** Wording is attached.

If you have any questions please do not hesitate to get in contact.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

3<sup>rd</sup> November 2021

To whom it may concern,

## **2-26 LEE STREET, SYDNEY - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1 - INVITATION TO REGISTER**

Please be advised that your contact details have been provided by the Department of Planning, Industry and Environment (DPIE) in accordance with Section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010) (hereafter referred as the Consultation Requirements) as a potential Aboriginal stakeholder who may have interest in registering to the abovementioned project.

Urbis has been commissioned by TOGA Development & Construction (the Proponent) to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment to accommodate a mixed-use development including the provision of hotel and commercial office spaces at 2-26 Lee Street, Sydney NSW (hereafter referred to as 'the Subject Area') (see location in Figure 1).

This project is to be submitted to the Department of Planning, Industry and Environment (DPIE) as a State Significant Development Application (SSDA) and will therefore not require an Aboriginal Heritage Impact Permit (AHIP) under s90 of the National Parks & Wildlife Act (1974).

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act), including the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011). The assessment would detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

The Proponent can be contacted via:

David Springford  
Senior Project Manager  
Toga Development & Construction  
Via email: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

In accordance with the Consultation Requirements and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent will conduct a community consultation process with registered Aboriginal people to assist with the preparation of the ACHA to identify any Aboriginal cultural heritage values or archaeological materials and mitigate risk of harm.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

P0009615\_2-26 Lee Street, Sydney





Should you wish to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**. Please send responses to the following:

Wade Goldwyer  
Urbis Consultant  
wgoldwyer@urbis.com.au  
Level 8, 123 Pitt Street, Sydney, 2000.

Please be advised that, as per the Consultation Requirements, the Proponent is required to forward the names of Aboriginal persons and groups who register an interest (Registered Aboriginal Parties) to the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Planning, Industry and Environment, unless the person or group specifies that they do not want their details released.

Please be advised that in accordance to Section 3.4 of the Consultation Requirements, inclusion in the consultation process does not automatically result in paid site assessment. The decision on who is engaged for delivering particular services is decided by the proponent and will be based on a range of considerations including skills, relevant experience, and providing necessary certificates of currency.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

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

Meggan Walker  
Consultant  
+61 2 8233 7626  
mwalker@urbis.com.au

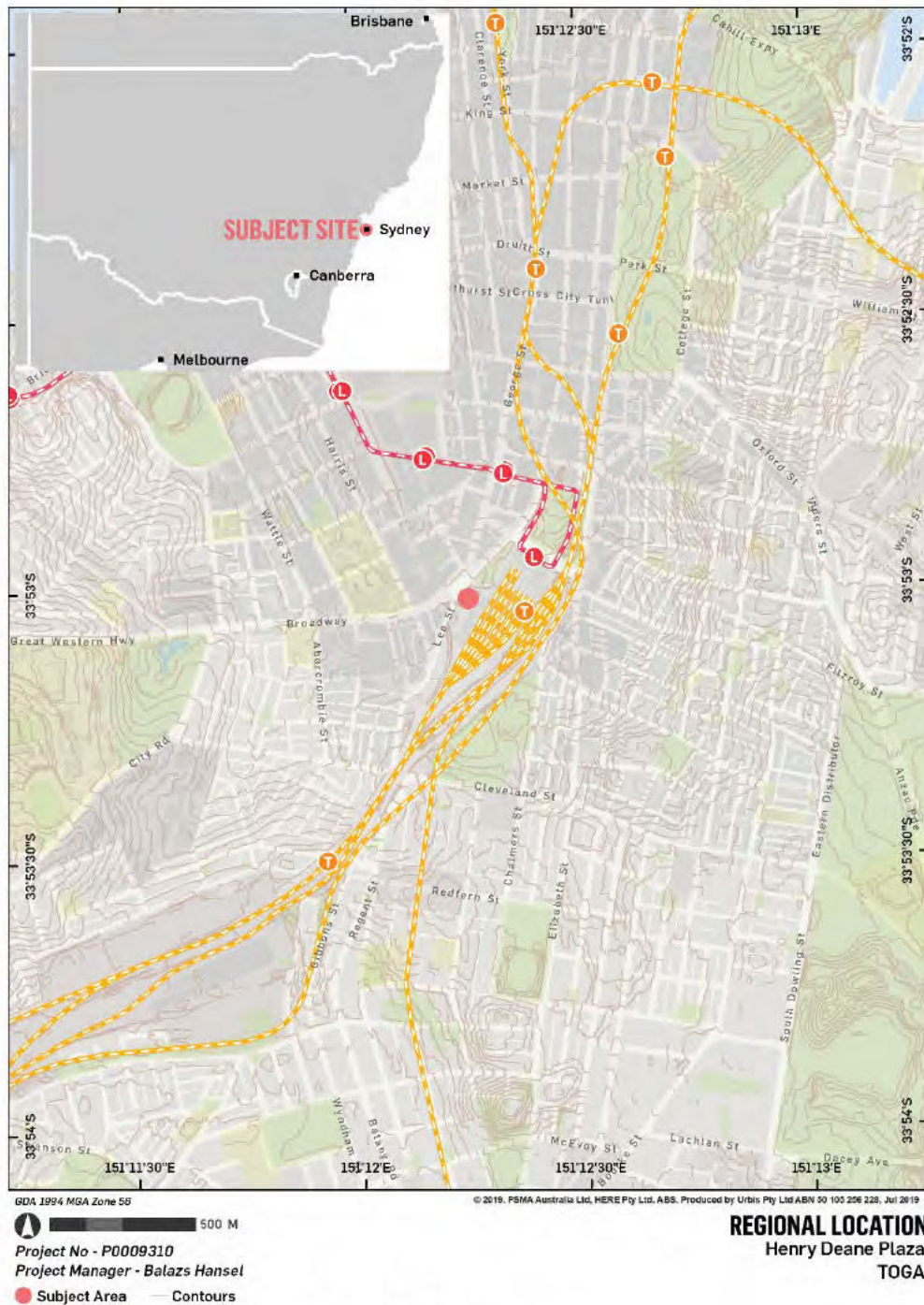


Figure 1 – Regional Location of the Subject Area

## Wade Goldwyer

---

**From:** Wade Goldwyer  
**Sent:** Wednesday, 3 November 2021 2:56 PM  
**To:** Meggan Walker  
**Cc:** Balazs Hansel  
**Subject:** Stage 1 RAP Notice - Adina Central - Aboriginal Cultural Heritage Assessment  
**Attachments:** 01\_P0009615\_Stage 1.3\_RAP Notification Letter.pdf

| Tracking: | Recipient     | Delivery                     |
|-----------|---------------|------------------------------|
|           | Meggan Walker | Delivered: 3/11/2021 2:57 PM |
|           | Balazs Hansel | Delivered: 3/11/2021 2:56 PM |
|           | [REDACTED]    |                              |
|           | [REDACTED]    |                              |
|           | [REDACTED]    |                              |

Good afternoon,

Urbis has been commissioned by TOGA Development & Construction to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment at 2-26 Lee Street, Sydney NSW.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**.

Please send responses to the following:

Wade Goldwyer  
Urbis Consultant  
[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)  
Level 8, 123 Pitt Street, Sydney, 2000.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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## Wade Goldwyer

---

**From:** Wade Goldwyer  
**Sent:** Thursday, 4 November 2021 3:28 PM  
**To:** Meggan Walker  
**Cc:** Balazs Hansel  
**Subject:** FW: Stage 1 RAP Notice - Adina Central - Aboriginal Cultural Heritage Assessment  
**Attachments:** 01\_P0009615\_Stage 1.3\_RAP Notification Letter.pdf

| Tracking: | Recipient     | Delivery                     |
|-----------|---------------|------------------------------|
|           | Meggan Walker | Delivered: 4/11/2021 3:29 PM |
|           | Balazs Hansel | Delivered: 4/11/2021 3:29 PM |
|           | [REDACTED]    |                              |

Good afternoon,

Urbis has been commissioned by TOGA Development & Construction to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment at 2-26 Lee Street, Sydney NSW.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**.

Please send responses to the following:

Wade Goldwyer  
Urbis Consultant  
[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)  
Level 8, 123 Pitt Street, Sydney, 2000.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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## Wade Goldwyer

---

**From:** Wade Goldwyer  
**Sent:** Wednesday, 3 November 2021 2:46 PM  
**To:** Meggan Walker  
**Cc:** Balazs Hansel  
**Subject:** Stage 1 RAP Notice - Adina Central - Aboriginal Cultural Heritage Assessment  
**Attachments:** 01\_P0009615\_Stage 1.3\_RAP Notification Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Tracking:**

**Recipient**

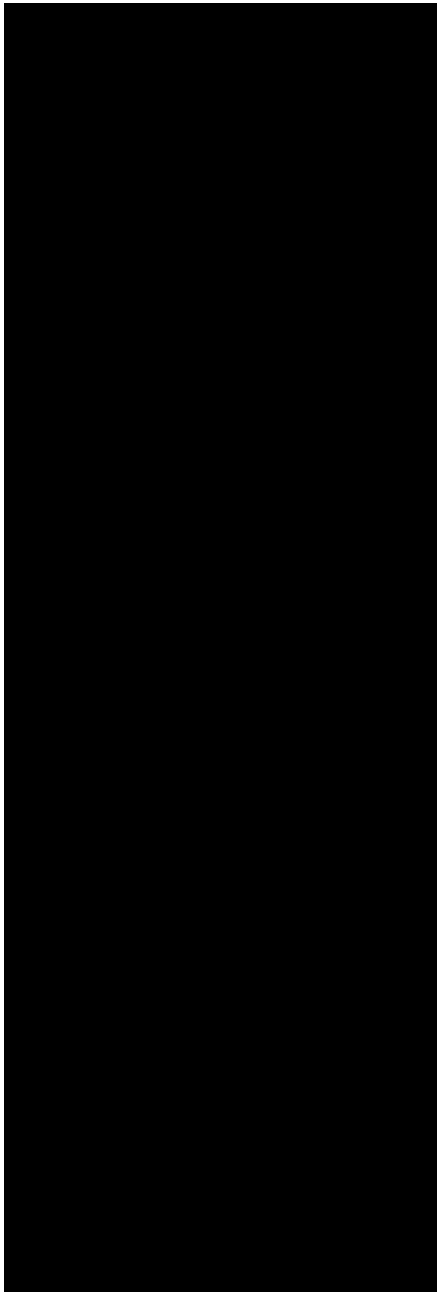
Meggan Walker

Balazs Hansel

**Delivery**

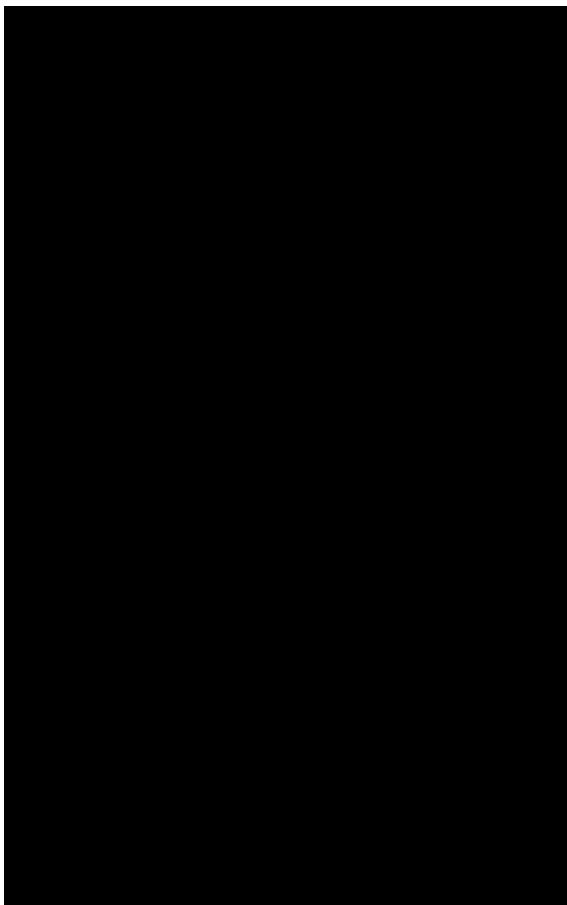
Delivered: 3/11/2021 2:47 PM

Delivered: 3/11/2021 2:47 PM



Recipient

Delivery



Good afternoon,

Urbis has been commissioned by TOGA Development & Construction to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment at 2-26 Lee Street, Sydney NSW.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**.

Please send responses to the following:

Wade Goldwyer

Urbis Consultant

[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Level 8, 123 Pitt Street, Sydney, 2000.

Kind regards,

**WADE GOLDWYER**

CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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---



Hi,

Thank you for your email, I would like to register in being involved in all levels of consultation for this project.

Including, Meetings, Reports, Sharing Cultural Information, and available Field Work.



I am a traditional custodian with over 20 years experience in helping preserve Aboriginal cultural heritage on projects.


I hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and values that exist in the project area.

**I have attached**  **Insurances.**






**From:** Wade Goldwyer <wgoldwyer@urbis.com.au>



17<sup>th</sup> November 2021

To whom it may concern,

On behalf of  I would like to register interest in the consultation in relation to the project at 2-26 Lee Street.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

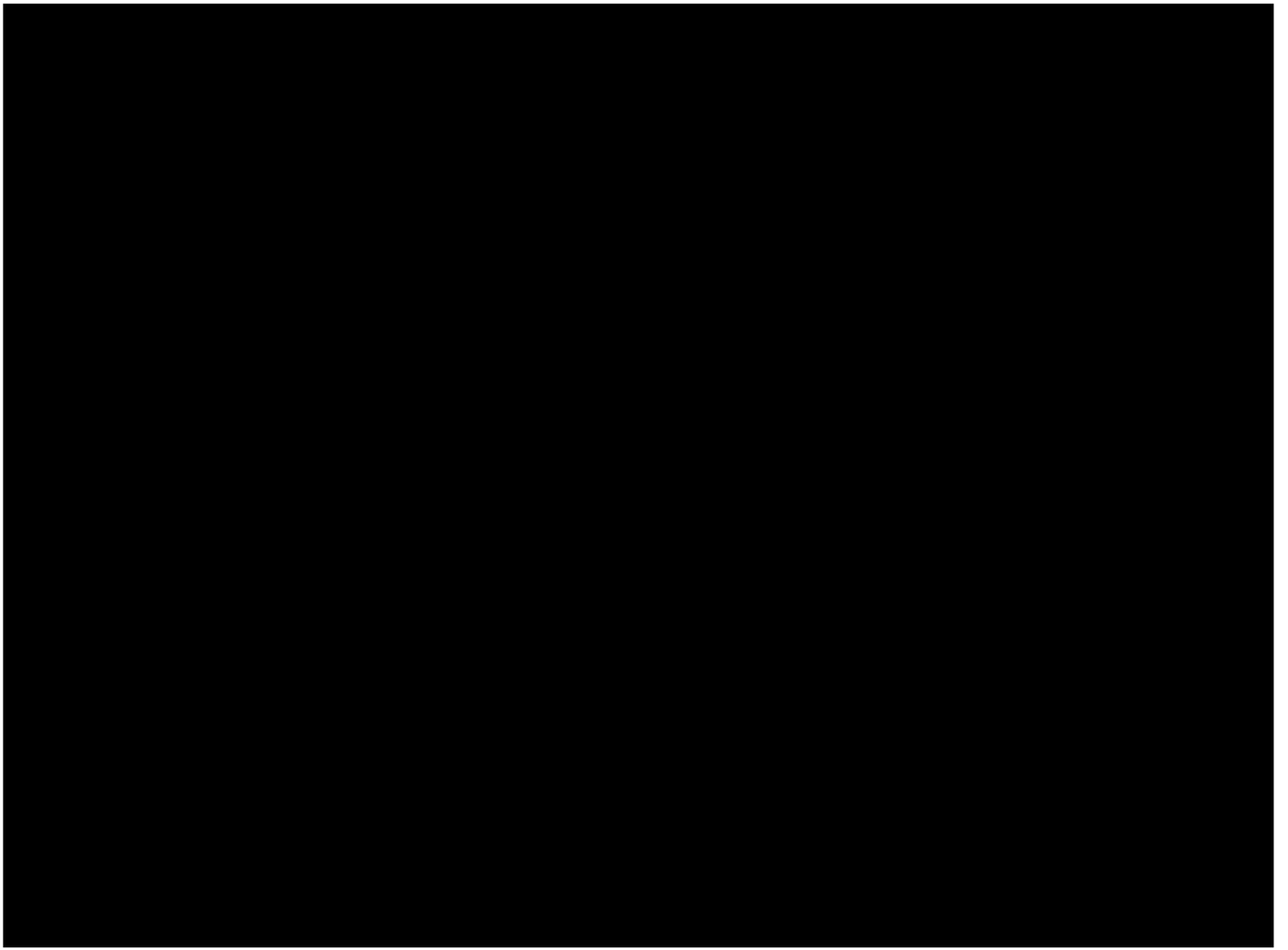
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]







**Attention: Urbis**

**Date: 04/11/21**

**Subject:** 2-26 Lee Street, Sydney NSW

Dear Wade

Our group is a non- profit organisation that has been active for over forty years in Western Sydney, we are a [REDACTED] with over three hundred members. The main aim in our constitution is the care of Darug sites, places, wildlife and to promote our culture and provide education on the Darug history.

The Sydney area is an area that our group has a vast knowledge of, we have worked and lived in for many years, this area is significant to the Darug people due to the connection of sites and the continued occupation. Our group has been involved in all previous assessments and works in this area as a traditional owner Darug group for the past 40 plus years.

People from other mobs should be respectful of our country and people if they are not respectful that the [REDACTED] are the knowledge holders then they are not cultural, therefore should not be involved on cultural heritage on [REDACTED].

Therefore, we would like to register our interest for full consultation and involvement in the above project area.

Please contact us with all further enquiries on the above contacts.

Regards







---

Hi Wade

█ would like to register an interest into Adina Central project

Fully insured and experienced/ Vaccinated site officers

Kind regards

On Wednesday, November 3, 2021, 2:46 pm, Wade Goldwyer <[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)> wrote:

Good afternoon,

Urbis has been commissioned by TOGA Development & Construction to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment at 2-26 Lee Street, Sydney NSW.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

Please find attached the official invitation letter with further information.

If you would like to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**.

Please send responses to the following:

Wade Goldwyer

Urbis Consultant

[wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

Level 8, 123 Pitt Street, Sydney, 2000.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956  
E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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---

Hi Wade,

Thank you for the invitation for the above project at 2-26 Lee Street, Sydney.

 would like to register their interest please,  
you can contact 





[REDACTED]

Thank you for informing us that **Urbis** will be involved in an Aboriginal Cultural Heritage Assessment at **2-26 Lee St, Sydney** that you are inviting Aboriginal organisations to register, if they wish too be involved in the community consultation process.

[REDACTED]

[REDACTED] I wish to provide to you my organisation's registration of interest.

I wish to be involved & participate in all levels of consultation/project involvement. I wish to attend all meetings, participate in available field work & receive a copy of the report.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Follow Up Flag:**  
**Flag Status:**

Follow up  
Flagged

Hello ,

My name is [REDACTED] the current cultural heritage officer with the [REDACTED]  
[REDACTED]

This email is to register our interest as Aboriginal stakeholders .  
[REDACTED]

Or on this email,

---

**From:** Wade Goldwyer <wgoldwyer@urbis.com.au>

**Sent:** Friday, 15 October 2021 2:13 PM

**Cc:** Meggan Walker <mwalker@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>

**Subject:** Stage 1 Agency Notice - Adina Central - Aboriginal Cultural Heritage Assessment\_20211015

To whom it may concern,

We were hoping to politely follow up on the below request for any information regarding potential Aboriginal stakeholders for our project at 2-26 Lee Street, Sydney NSW.

If you do not have any information regarding potential Aboriginal stakeholders, could you please confirm that in a response email.

Kind regards,

**WADE GOLDWYER**  
CONSULTANT

D +61 2 8233 9956

E [wgoldwyer@urbis.com.au](mailto:wgoldwyer@urbis.com.au)

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[REDACTED]

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

---

Dear Wade

[REDACTED] would like to register.

[REDACTED]



[REDACTED]

[REDACTED]

Thanks for approving the stage 2 and 3 letter. I will update the address and Lot numbers, update all figures when they are completed and get it sent today or tomorrow for completion by year end.

We had nine organisations respond on the project from the Stage 1 consultation period as follows:

[REDACTED]

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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---

**From:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>

**Sent:** Tuesday, 23 November 2021 5:29 PM

**To:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>

**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel

<bhansel@urbis.com.au>

**Subject:** RE: Toga Central consultation stage 2/3

Owen

My only other comment is that the site address should be  
2 & 8A Lee St, Haymarket, NSW

The remainder of the letter is approved.

Could you however just give me a quick update of outcomes of stage 1 of the ACHA process?

**David Springford**

Senior Project Manager, Toga Development & Construction | **TOGA**

M +61 (0) 417 671 512 | E: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

Head Office | Level 5, 45 Jones Street, Ultimo, NSW 2007

[toga.com.au](http://toga.com.au) | [tfehotels.com.au](http://tfehotels.com.au)



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---

**From:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>

**Sent:** Tuesday, 23 November 2021 2:38 PM

**To:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>

**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>

**Subject:** RE: Toga Central consultation stage 2/3

---

External email. Use caution with links & attachments.

Hi David,

Thanks, that's perfect, I'll get our GIS department to amend the figure along the lines of your suggestions.

Let us know when you have approved to rest of the letter and we'll get the ball rolling.

Thanks

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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---

**From:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>

**Sent:** Tuesday, 23 November 2021 1:20 PM

**To:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>

**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>; David McLaren <[dmclaren@toga.com.au](mailto:dmclaren@toga.com.au)>

**Subject:** RE: Toga Central consultation stage 2/3

Owen

My apologies

With regard to figure 2, I think we should exclude the portion of Lot 13 that runs under the Atlassian site. Our DA will not cover that part of lot 13. See my mark up below.

I think the subject area should be described as Lot 30 DP877478 and part Lot 13 DP1062447

Kind regards



**David Springford**  
Senior Project Manager, Toga Development & Construction | **TOGA**



M +61 (0) 417 671 512 | E: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)  
Head Office | Level 5, 45 Jones Street, Ultimo, NSW 2007  
[toga.com.au](http://toga.com.au) | [tfehotels.com.au](http://tfehotels.com.au)



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---

**From:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>  
**Sent:** Tuesday, 23 November 2021 10:04 AM  
**To:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>  
**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>  
**Subject:** RE: Toga Central consultation stage 2/3

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External email. Use caution with links & attachments.

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Hi David,

Just a quick follow up to check that you received my email last Friday in regards to The Stage 2/3 consultation letter.

Following your approval we can get it out as quickly as possible to get this stage underway to be completed by year end.

If you have any updated information in regards to project boundaries and lot numbers impacted that would be appreciated.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)





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---

**From:** Owen Barrett  
**Sent:** Friday, 19 November 2021 11:30 AM  
**To:** [dspringford@toga.com.au](mailto:dspringford@toga.com.au)  
**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>  
**Subject:** Toga Central consultation stage 2/3

Hi David,

Please find attached the consultation stage 2 and 3 letter for your review.

Could please clarify that the project boundaries in figure 2 are still current? Could you also confirm the lot and DP numbers which will be impacted by the development?

We look forward to your response.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)



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## Owen Barrett

---

**From:** Owen Barrett  
**Sent:** Wednesday, 24 November 2021 2:13 PM  
**To:** heritagemailbox@environment.nsw.gov.au  
**Cc:** Sam Richards; Meggan Walker; Balazs Hansel  
**Subject:** 2 and 8A Lee Street, Haymarket  
**Attachments:** DPIE\_Stage1.pdf

Good afternoon

In accordance with Section 4.1.6 of the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW, 2010), please find attached a list of Registered Aboriginal Parties (RAPs) and notification letter under Section 4.1.3 for the Redevelopment the Adina Apartments and Henry Deane Plaza at 2 and 8A Lee St. Haymarket.

Please note the change to the address following consultation with the client.

If you have any questions, please let us know.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 255 228

24 November 2021

Aboriginal Cultural Heritage Regulation Branch  
Heritage NSW  
Department of Premier and Cabinet  
Via email: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

To whom it may concern,

## STAGE 1.6 - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – 2 AND 8A LEE STREET, HAYMARKET, NSW – LIST OF REGISTERED ABORIGINAL PARTIES AND NOTIFICATION LETTER

In accordance with Section 4.1.6 of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010) please find below the compiled list of Registered Aboriginal Parties (RAPs) and notification letter under Section 4.1.3 for the abovementioned project.

Table 1 – List of Registered Aboriginal Parties

| Name       | Contact    | Updated    |
|------------|------------|------------|
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED] |



Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

A handwritten signature in black ink, appearing to read "O Barrett", followed by a small cross-like mark.

Owen Barrett  
Consultant  
+61 2 8424 5135  
obarrett@urbis.com.au





**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

3<sup>rd</sup> November 2021

To whom it may concern,

## **2-26 LEE STREET, SYDNEY - ABORIGINAL CULTURAL HERITAGE ASSESSMENT – ABORIGINAL COMMUNITY CONSULTATION STAGE 1 - INVITATION TO REGISTER**

Please be advised that your contact details have been provided by the Department of Planning, Industry and Environment (DPIE) in accordance with Section 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010) (hereafter referred as the Consultation Requirements) as a potential Aboriginal stakeholder who may have interest in registering to the abovementioned project.

Urbis has been commissioned by TOGA Development & Construction (the Proponent) to conduct an Aboriginal Cultural Heritage Assessment (ACHA) for redevelopment to accommodate a mixed-use development including the provision of hotel and commercial office spaces at 2-26 Lee Street, Sydney NSW (hereafter referred to as 'the Subject Area') (see location in Figure 1).

This project is to be submitted to the Department of Planning, Industry and Environment (DPIE) as a State Significant Development Application (SSDA) and will therefore not require an Aboriginal Heritage Impact Permit (AHIP) under s90 of the National Parks & Wildlife Act (1974).

The ACHA is to be carried out in accordance with relevant guidelines under the National Parks and Wildlife Act 1974 (NPW Act), including the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011). The assessment would detail any potential Aboriginal cultural heritage resources within the subject area and provide recommendations regarding management of those resources.

The Proponent can be contacted via:

David Springford  
Senior Project Manager  
Toga Development & Construction  
Via email: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

In accordance with the Consultation Requirements and Clause 80C of the NSW National Parks and Wildlife Regulation 2009, the Proponent will conduct a community consultation process with registered Aboriginal people to assist with the preparation of the ACHA to identify any Aboriginal cultural heritage values or archaeological materials and mitigate risk of harm.

In accordance with Section 4.1.2 of the Consultation Requirements Urbis proposes to invite Aboriginal people and/or organisations who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places that may exist within the subject area.

P0009615\_2-26 Lee Street, Sydney



Should you wish to register your interest in this project, please respond in writing by clearly stating your interest and nominating a contact person by **17<sup>th</sup> November 2021**. Please send responses to the following:

Wade Goldwyer  
Urbis Consultant  
wgoldwyer@urbis.com.au  
Level 8, 123 Pitt Street, Sydney, 2000.

Please be advised that, as per the Consultation Requirements, the Proponent is required to forward the names of Aboriginal persons and groups who register an interest (Registered Aboriginal Parties) to the Metropolitan Local Aboriginal Land Council (MLALC) and Department of Planning, Industry and Environment, unless the person or group specifies that they do not want their details released.

Please be advised that in accordance to Section 3.4 of the Consultation Requirements, inclusion in the consultation process does not automatically result in paid site assessment. The decision on who is engaged for delivering particular services is decided by the proponent and will be based on a range of considerations including skills, relevant experience, and providing necessary certificates of currency.

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Yours sincerely,

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

Meggan Walker  
Consultant  
+61 2 8233 7626  
mwalker@urbis.com.au





Figure 1 – Regional Location of the Subject Area

## Owen Barrett

---

**From:** Owen Barrett  
**Sent:** Wednesday, 24 November 2021 2:12 PM  
**To:** [REDACTED]  
[REDACTED] Sam Richards; Meggan Walker; Balazs Hansel  
**Subject:** Lee Street Haymarket  
**Attachments:** MLALC\_Stage1\_reduced.pdf

Good afternoon

In accordance with Section 4.1.6 of the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW, 2010), please find attached a list of Registered Aboriginal Parties (RAPs) and notification letter under Section 4.1.3 for the Redevelopment the Adina Apartments and Henry Deane Plaza at 2 and 8A Lee St. Haymarket.

Please note the change to the address following consultation with the client.

If you have any questions, please let us know.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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## Owen Barrett

---

**From:** Owen Barrett  
**Sent:** Thursday, 25 November 2021 12:32 PM  
**To:** Sam Richards; Balazs Hansel  
**Cc:** David Springford  
**Subject:** P0009615. 2 and 8A Lee St, Haymarket  
**Attachments:** P0009615\_CentralStationFormerParcelPost\_Stage2.3\_F01.pdf

Good afternoon,

Thank you for registering your interest in the above project at 2 and 8A Lee Street, Haymarket (Lot 30 DP877478 and part Lot DP1062447). Please find attached a letter as part of Stages 2 and 3 of the ACHA process, which provides information on the project and methodology proposed to be employed. You will note that we have included a request for specific information in the form of a Questionnaire (Appendix 2). We would appreciate your response to that questionnaire as soon as possible. If you have already provided us with your Schedule of Rates, please disregard that question. If you wish to provide any comments in relation to the attached document, please do so in writing, preferably by email, by **23 December 2021** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
P: 02 84245135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note the change to the subject area address and project boundary following discussion with the proponent.

Please let us know if you have any questions.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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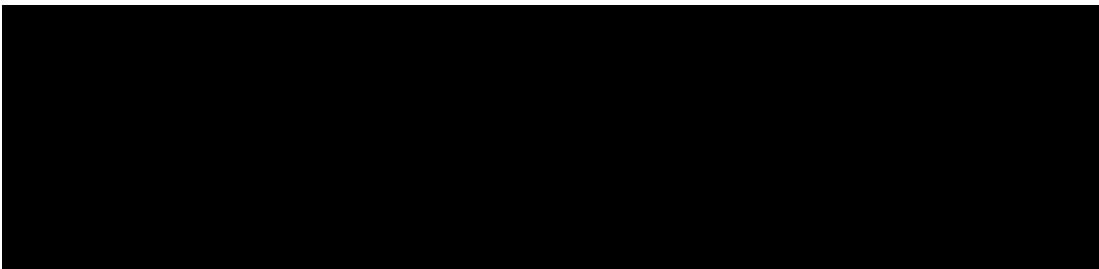
**From:** [Owen Barrett](#)  
**To:** [David Springford](#)  
**Cc:** [Sam Richards](#)  
**Subject:** RE: Toga Central consultation stage 2/3  
**Date:** Wednesday, 24 November 2021 9:01:09 AM  
**Attachments:** [image023.png](#)  
[image024.png](#)  
[image025.png](#)  
[image026.png](#)  
[image028.png](#)  
[image029.png](#)  
[image030.png](#)  
[image031.png](#)  
[image032.png](#)  
[image033.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

Hi David,

Thanks for approving the stage 2 and 3 letter. I will update the address and Lot numbers, update all figures when they are completed and get it sent today or tomorrow for completion by year end.

We had nine organisations respond on the project from the Stage 1 consultation period as follows:



Thank you

Owen

**OWEN BARRETT**  
CONSULTANT  
D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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---

**From:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>  
**Sent:** Tuesday, 23 November 2021 5:29 PM  
**To:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>  
**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>  
**Subject:** RE: Toga Central consultation stage 2/3

Owen

My only other comment is that the site address should be  
2 & 8A Lee St, Haymarket, NSW

The remainder of the letter is approved.

Could you however just give me a quick update of outcomes of stage 1 of the ACHA process?

**David Springford**

Senior Project Manager, Toga Development & Construction | **TOGA**

M +61 (0) 417 671 512 | E: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

Head Office | Level 5, 45 Jones Street, Ultimo, NSW 2007

[toga.com.au](http://toga.com.au) | [tfehotels.com.au](http://tfehotels.com.au)



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---

**From:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>

**Sent:** Tuesday, 23 November 2021 2:38 PM

**To:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>

**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>

**Subject:** RE: Toga Central consultation stage 2/3

External email. Use caution with links & attachments.

Hi David,

Thanks, that's perfect, I'll get our GIS department to amend the figure along the lines of your suggestions.

Let us know when you have approved to rest of the letter and we'll get the ball rolling.

Thanks

Owen

**OWEN BARRETT**

CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)



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---

**From:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>

**Sent:** Tuesday, 23 November 2021 1:20 PM

**To:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>

**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>; David McLaren <[dmclaren@toga.com.au](mailto:dmclaren@toga.com.au)>

**Subject:** RE: Toga Central consultation stage 2/3

Owen

My apologies

With regard to figure 2, I think we should exclude the portion of Lot 13 that runs under the Atlassian site. Our DA will not cover that part of lot 13. See my mark up below.

I think the subject area should be described as Lot 30 DP877478 and part Lot 13 DP1062447

Kind regards



### David Springford

Senior Project Manager, Toga Development & Construction | **TOGA**

M +61 (0) 417 671 512 | E: [dspringford@toga.com.au](mailto:dspringford@toga.com.au)

Head Office | Level 5, 45 Jones Street, Ultimo, NSW 2007

[toga.com.au](http://toga.com.au) | [tfehotels.com.au](http://tfehotels.com.au)





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**From:** Owen Barrett <[obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)>  
**Sent:** Tuesday, 23 November 2021 10:04 AM  
**To:** David Springford <[dspringford@toga.com.au](mailto:dspringford@toga.com.au)>  
**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Meggan Walker <[mwalker@urbis.com.au](mailto:mwalker@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>  
**Subject:** RE: Toga Central consultation stage 2/3

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Hi David,

Just a quick follow up to check that you received my email last Friday in regards to The Stage 2/3 consultation letter.

Following your approval we can get it out as quickly as possible to get this stage underway to be completed by year end.

If you have any updated information in regards to project boundaries and lot numbers impacted that would be appreciated.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT  
D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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**From:** Owen Barrett  
**Sent:** Friday, 19 November 2021 11:30 AM  
**To:** [dspringford@toga.com.au](mailto:dspringford@toga.com.au)  
**Cc:** Sam Richards <[sam.richards@urbis.com.au](mailto:sam.richards@urbis.com.au)>; Balazs Hansel <[bhansel@urbis.com.au](mailto:bhansel@urbis.com.au)>  
**Subject:** Toga Central consultation stage 2/3

Hi David,

Please find attached the consultation stage 2 and 3 letter for your review.

Could please clarify that the project boundaries in figure 2 are still current? Could you also confirm the lot and DP numbers which will be impacted by the development?

We look forward to your response.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT  
D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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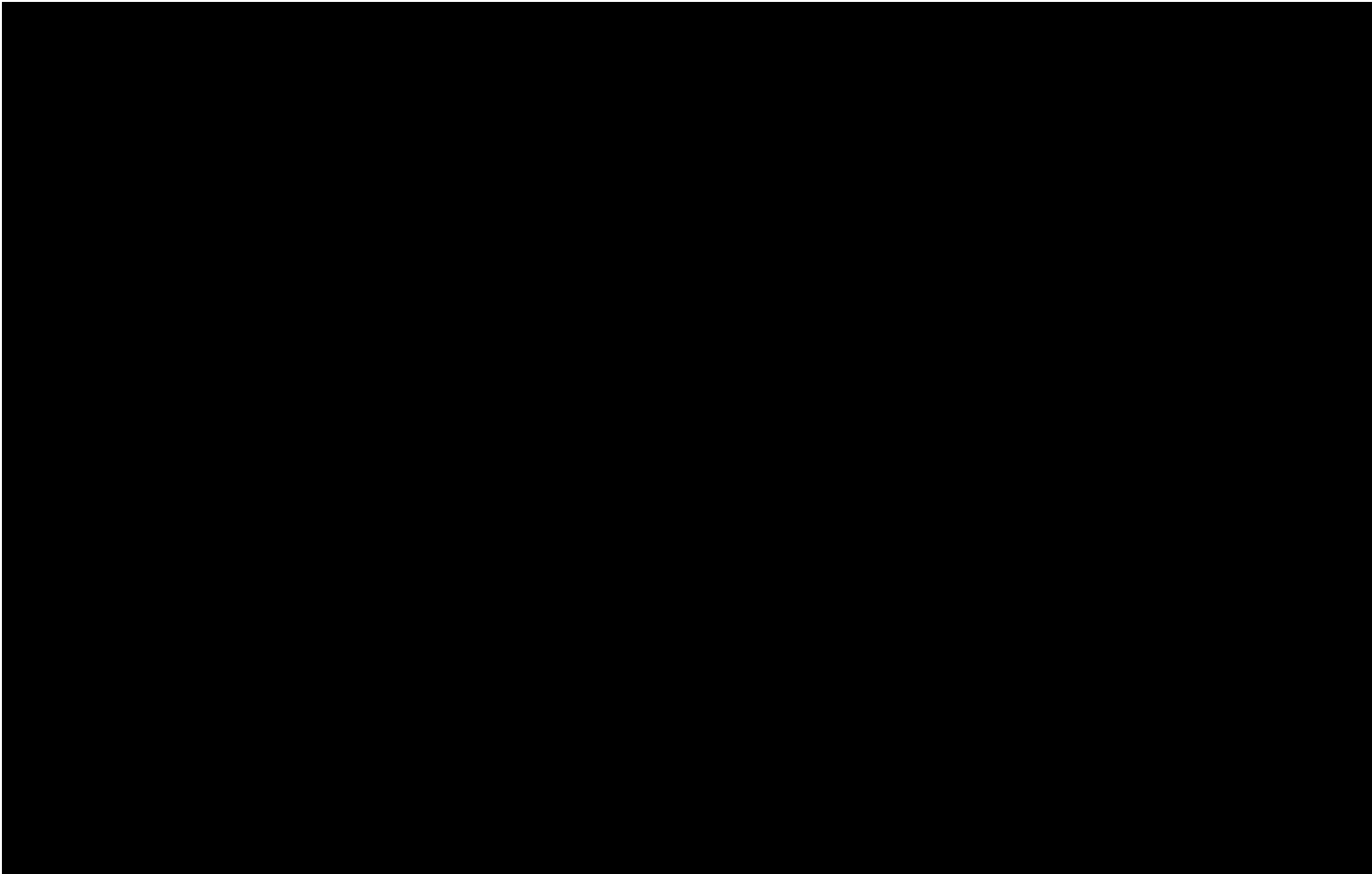
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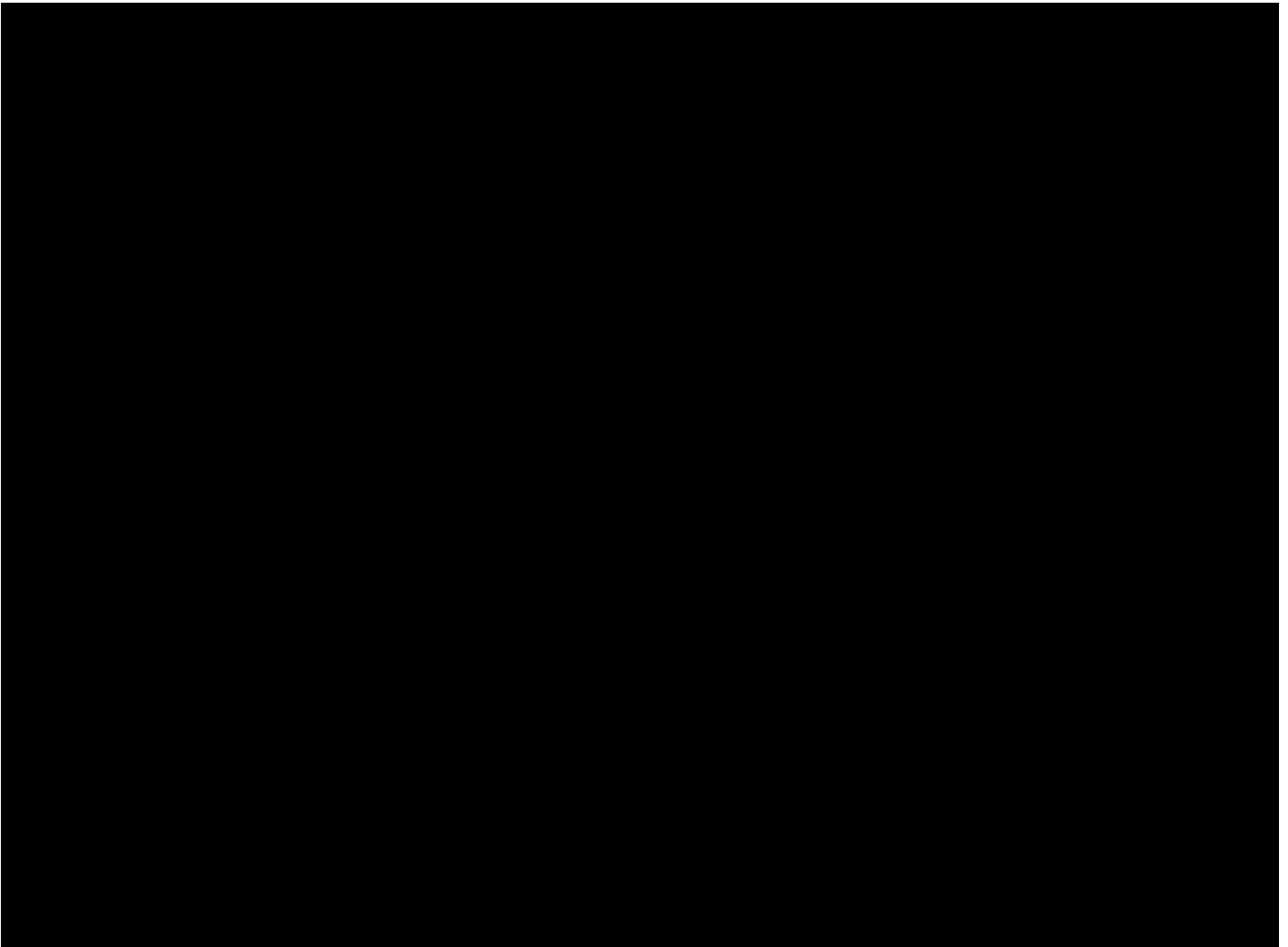
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Hi,  
I have reviewed the document and support the Information and  
Methodology.

 like to be involved in any future Meetings and field work.





**From:** Owen Barrett <obarrett@urbis.com.au>  
**Sent:** Thursday, 25 November 2021 12:32 PM  
**To:** Sam Richards <sam.richards@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>  
**Cc:** David Springford <dspringford@toga.com.au>  
**Subject:** P0009615. 2 and 8A Lee St, Haymarket

Good afternoon,

Thank you for registering your interest in the above project at 2 and 8A Lee Street, Haymarket (Lot 30 DP877478 and part Lot DP1062447). Please find attached a letter as part of Stages 2 and 3 of the ACHA process, which provides information on the project and methodology proposed to be employed. You will note that we have included a request for specific information in the form of a Questionnaire (Appendix 2). We would appreciate your response to that questionnaire as soon as possible. If you have already provided us with your Schedule of Rates, please disregard that question. If you wish to provide any comments in relation to the attached document, please do so in writing, preferably by email, by **23 December 2021** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
P: 02 84245135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note the change to the subject area address and project boundary following discussion with the proponent.

Please let us know if you have any questions.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT  
D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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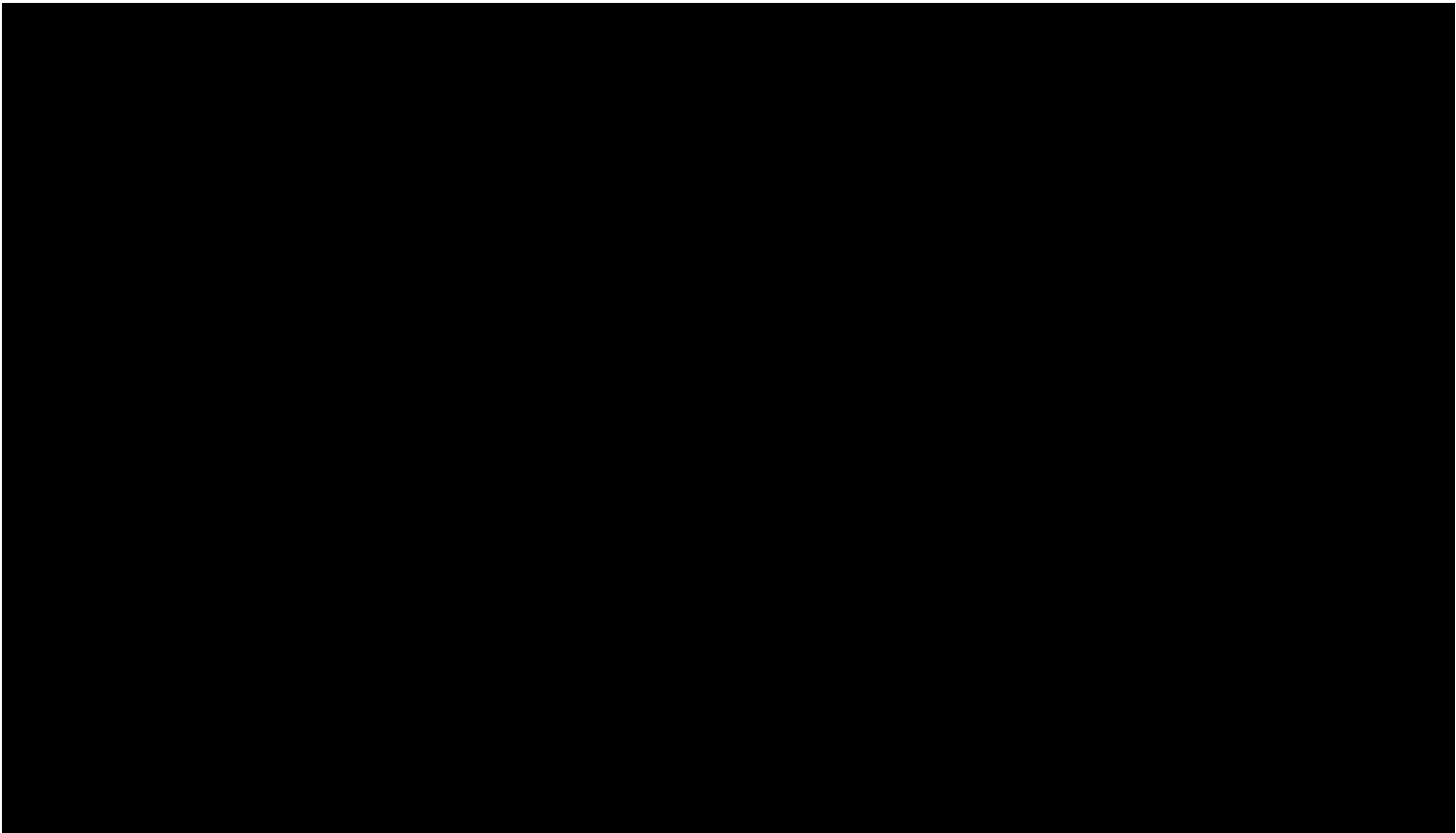


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**Attention:** urbis

**Date:**17/12/21

**Subject:** 8A Lee St, Haymarket

Dear Owen

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We support the recommendations set out in this report.

Please contact us with all further enquiries on the above contacts.







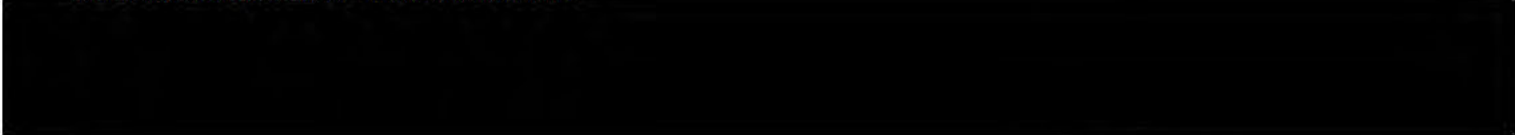




---

Hi Guys,

Just responding to your email in regards to



[Sent from Yahoo Mail for iPhone](#)

On Thursday, November 25, 2021, 12:32 pm, Owen Barrett <obarrett@urbis.com.au> wrote:

Good afternoon,

Thank you for registering your interest in the above project at 2 and 8A Lee Street, Haymarket (Lot 30 DP877478 and part Lot DP1062447). Please find attached a letter as part of Stages 2 and 3 of the ACHA process, which provides information on the project and methodology proposed to be employed. You will note that we have included a request for specific information in the form of a Questionnaire (Appendix 2). We would appreciate your response to that questionnaire as soon as possible. If you have already provided us with your Schedule of Rates, please disregard that question. If you wish to provide any comments in relation to the attached document, please do so in writing, preferably by email, by **23 December 2021** to:

Owen Barrett

Consultant

Urbis Pty Ltd

Level 8, 123 Pitt Street

Sydney NSW 2000

P: 02 84245135

E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note the change to the subject area address and project boundary following discussion with the proponent.

Please let us know if you have any questions.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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Please find attached the Questionnaire completed  
Thank you

Sent from [Mail](#) for Windows

---

**From:** Owen Barrett <obarrett@urbis.com.au>  
**Sent:** Thursday, November 25, 2021 12:32:08 PM  
**To:** Sam Richards <sam.richards@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>  
**Cc:** David Springford <dspringford@toga.com.au>  
**Subject:** P0009615. 2 and 8A Lee St, Haymarket

Good afternoon,

Thank you for registering your interest in the above project at 2 and 8A Lee Street, Haymarket (Lot 30 DP877478 and part Lot DP1062447). Please find attached a letter as part of Stages 2 and 3 of the ACHA process, which provides information on the project and methodology proposed to be employed. You will note that we have included a request for specific information in the form of a Questionnaire (Appendix 2). We would appreciate your response to that questionnaire as soon as possible. If you have already provided us with your Schedule of Rates, please disregard that question. If you wish to provide any comments in relation to the attached document, please do so in writing, preferably by email, by **23 December 2021** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
P: 02 84245135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note the change to the subject area address and project boundary following discussion with the proponent.

Please let us know if you have any questions.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)



ANGEL PLACE, LEVEL 8, 123 PITT STREET  
SYDNEY, NSW 2000, AUSTRALIA  
T +61 2 8233 9900

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**ANGEL PLACE  
LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

## **APPENDIX 2 – ACHA QUESTIONNAIRE**

1. **Cultural connection:** Please describe the nature of your cultural connection to the country on which the subject area is situated. Please include any relevant cultural knowledge or knowledge of Aboriginal objects or places within the subject area. Have you ever lived in or near the subject area? If you are a Traditional Owner, please state this clearly.

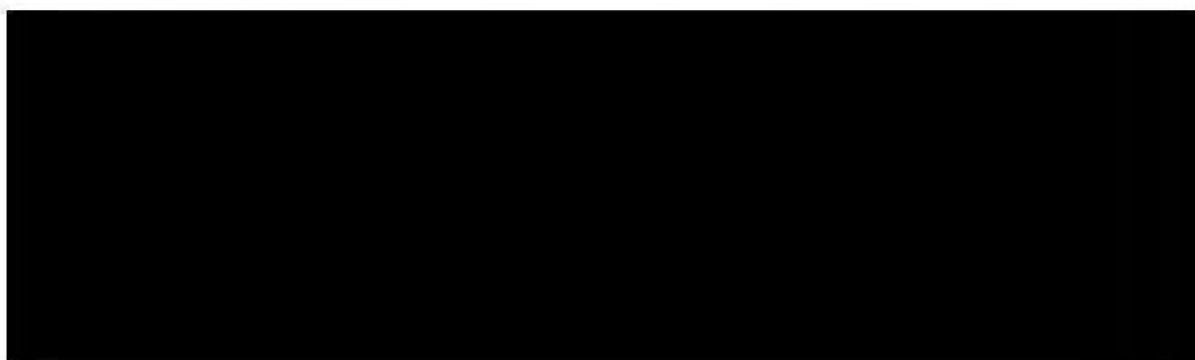
A large black rectangular box redacting the content of the questionnaire response.



2. **Representing your community members:** Please state who you or your organisation represents. Do you or your organisation represent other members of the Aboriginal community? If so, please describe how information is provided to the other members, and how their information and knowledge may be provided back to the Proponent and Urbis.



3. **Previous experience:** Please list your relevant (for example, in the area of the proposed project) previous experience in providing cultural heritage advice and survey participation.

A large black rectangular box redacting the response to question 3.





4. **Schedule of Rates:** Please provide your Certificate of Currency including Product and Public Liability Insurance and Worker's Compensation. Please also schedule of rates (hourly/half day/day) for fieldwork participation, and include any expenses you may expect to incur, and these will be sought to be reimbursed. Please note that it is for the discretion for the Proponent to decide if they invite RAPs for site works and the consultation process does not guarantee paid employment.



Good evening,

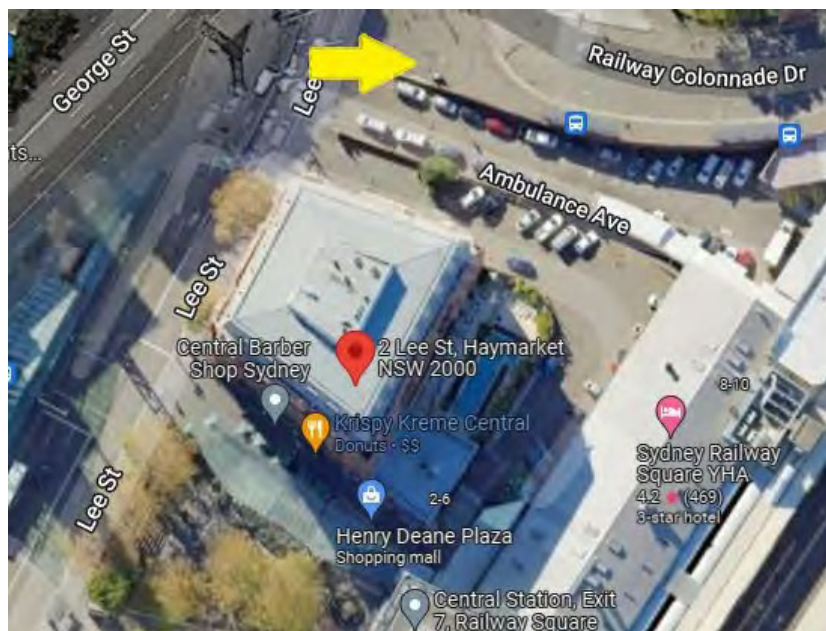
Thank you for registering your interest in the site visit and meeting for 2 & 8A Lee Street, Haymarket as part of the Aboriginal Cultural Heritage Assessment of that site.

The details of the site visit are as follows:

**Date:** Friday 25 February 2022

**Time:** 10am start and will take a few hours.

**Location:** 2 & 8A Lee Street, Haymarket (meeting place indicated by the yellow arrow on the map below).



The agenda for the site visit will include an initial meeting to discuss the proposed works and ACHA methodology, followed by a tour of the site.

Please bring the following protective equipment (PPE):

- Hi-vis shirt or vest
- Steel-capped boots
- Face mask

As the subject area is partially outdoors, we also recommend bringing wet weather gear and sunscreen.

If you feel unwell on the day, please do not attend the site visit. If you need to get in touch with us on the day to cancel, or for any other reason, please contact:

Sam Richards  
Mobile: 0493 042 925

If you have any questions before then, please let me know.

Kind regards

Owen

**OWEN BARRETT**

CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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[REDACTED]

Dear Owen,

[REDACTED]

[REDACTED]

We would like to agree to your methodology, and we support your report. we would also like to recommend that there is a cultural interpretation to be undertake for this project through connecting to county. We look forward to working along side you on this project.

[REDACTED]

Kind Regards

[REDACTED]

---

**From:** Owen Barrett <obarrett@urbis.com.au>  
**Sent:** Thursday, 25 November 2021 12:32 PM  
**To:** Sam Richards <sam.richards@urbis.com.au>; Balazs Hansel <bhansel@urbis.com.au>  
**Cc:** David Springford <dspringford@toga.com.au>  
**Subject:** P0009615. 2 and 8A Lee St, Haymarket

Good afternoon,

Thank you for registering your interest in the above project at 2 and 8A Lee Street, Haymarket (Lot 30 DP877478 and part Lot DP1062447). Please find attached a letter as part of Stages 2 and 3 of the ACHA process, which provides information on the project and methodology proposed to be employed. You will note that we have included a request for specific information in the form of a Questionnaire (Appendix 2). We would appreciate your response to that questionnaire as soon as possible. If you have already provided us with your Schedule of Rates, please disregard that question. If you wish to provide any comments in relation to the attached document, please do so in writing, preferably by email, by **23 December 2021** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney NSW 2000  
P: 02 84245135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note the change to the subject area address and project boundary following discussion with the proponent.

Please let us know if you have any questions.

Thank you

Owen

**OWEN BARRETT**  
CONSULTANT  
D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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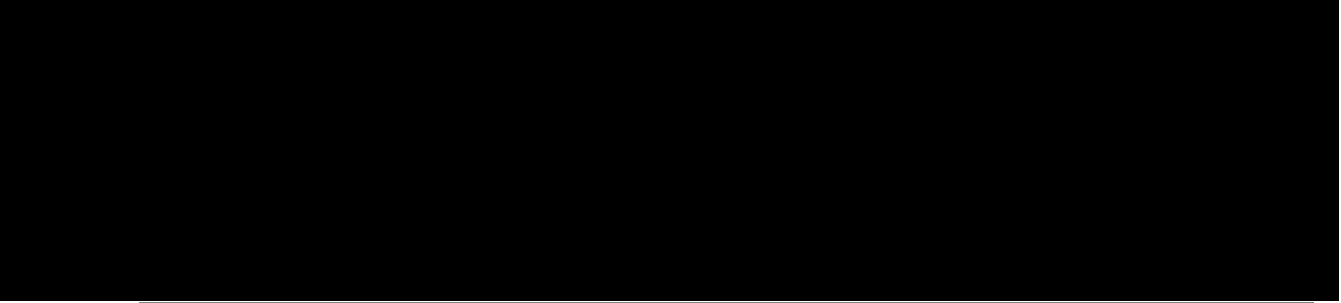


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Thank you Owen.

Kind Regards



Sent from [Mail](#) for Windows 10



Thanks for your input into the above project. We mentioned to the client your recommendation about a Connecting with Country Framework for the design process of this development.

We have been informed that TOGA has engaged Cox Inall Ridgeway who are consulting with the Aboriginal community and are preparing the Connecting with Country Framework report and are leading the process of integrating the CWC consultation outcomes into the design proposal.

If you would like more information we could direct you to the client for further enquiries.

Thanks

Owen

**OWEN BARRETT**

CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)


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---

Hi Owen

I don't have anyone free on that date sorry.



---

**From:** Owen Barrett <obarrett@urbis.com.au>  
**Sent:** Friday, 18 February 2022 9:05 AM  
**To:** Sam Richards <sam.richards@urbis.com.au>  
**Cc:** David Springford <dspringford@toga.com.au>  
**Subject:** 2 & 8A Lee St. Haymarket site visit invitation

Good morning,

Thank you for registering your interest and taking an active role in the consultation process for the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 2 & 8A Lee Street Haymarket, NSW (the subject area).

In accordance with Section 4.2 and 4.3 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW, 2010) (the Consultation Requirements) Urbis invites you on behalf of TOGA (the Proponent) to register your interest in attending an on-site meeting and inspection of the subject area. The meeting will provide the opportunity to familiarise yourself with the subject area, to discuss the cultural heritage approach and raise any cultural heritage information or concerns in accordance with Section 4.3 of the Consultation Requirements. The inspection will take place after the meeting and will include a walkover of the subject area.

The site visit will take place from **10am, Friday 25th February 2022**. At this stage we anticipate the inspection will only take a few hours.

Please also be advised that due to the current environment around social distancing rules for COVID19, one representative from each group is invited to attend. All representatives will be required to provide proof of full vaccination (i.e. at least two doses) prior to the day. There will be additional measures implemented on the day, non-attendance if you feel unwell or have been sick with the relevant symptoms. These will be detailed in a further communication prior to the site visit. The proponent has agreed to remuneration for one representative from each registered organisation for site visit.

If you wish to attend the site visit, **please respond** accordingly and provide the following no later than **close of business, Wednesday 23 February 2022**:

- Name and mobile phone number of the nominated site officer
- Proof of vaccination status
- Certificates of Currency (if not already provided)
- Schedule of Rates (if not already provided)

Please provide your registration of interest and associated documentation to:

Owen Barrett  
Urbis Pty Ltd  
Level 8, 123 Pitt Street  
Sydney 2000 NSW  
P: 02 8233 9957  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please do not hesitate to contact us should you have any queries in relation to the provided information.

Kind regards

Owen

**OWEN BARRETT**

CONSULTANT

D +61 2 8424 5135

E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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---

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Owen Barrett

Urbis Pty Ltd

Level 8, 123 Pitt Street

Sydney 2000 NSW

P: 02 8233 9957

E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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Kind regards

Owen

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---

Hi Owen,

We would like to attend the site meeting.



---

**From:** [Owen Barrett](#)

**Sent:** Friday, 18 February 2022 9:05 AM

**To:** [Sam Richards](#)

**Cc:** [David Springford](#)

**Subject:** 2 & 8A Lee St. Haymarket site visit invitation

Good morning,

Thank you for registering your interest and taking an active role in the consultation process for the Aboriginal Cultural Heritage Assessment (ACHA) for the proposed redevelopment of 2 & 8A Lee Street Haymarket, NSW (the subject area).

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E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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Kind regards

Owen

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Good afternoon,

Thank you again for registering your interest in the above project.

In accordance with Stage 4 of the consultation process for the Aboriginal Cultural Heritage Assessment (ACHA), we now provide a draft Aboriginal Cultural Heritage Assessment Report (ACHAR) for your consideration and comment.

Please provide any comments in relation to the draft ACHAR by **20 April 2022** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd  
Level 8 123 Pitt Street,  
Sydney, NSW, 2000  
P: 02 8424 5135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note that the currently provided architectural plans are yet to be finalised, however, proposed impacts to the ground will not be altered. As such future amendments will not affect the assessment of the ACHA relating to impact assessment and recommendations of the subject area.

If you have any questions please let us know.

We look forward to hearing from you.

Kind regards

Owen

**OWEN BARRETT**  
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Attention:

Date:

Subject:

Dear

[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
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[REDACTED]

[REDACTED]

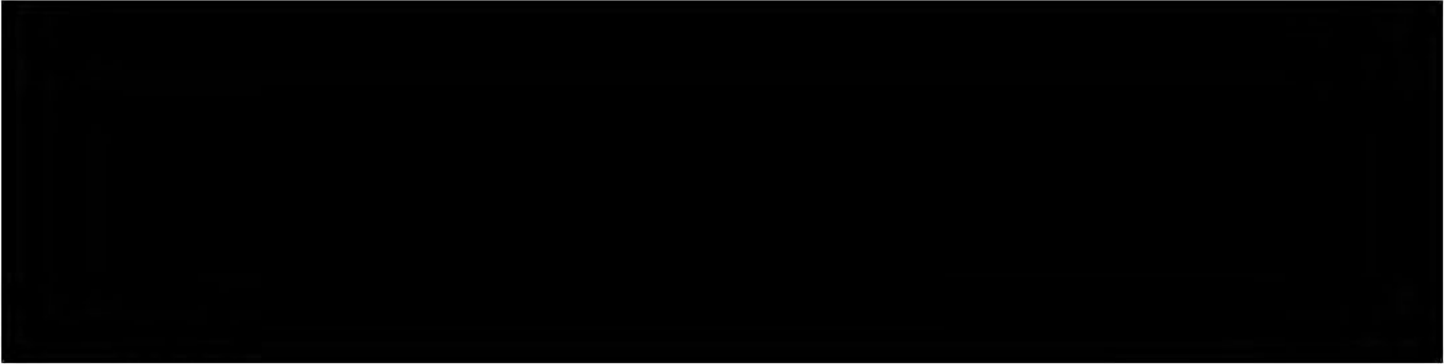
[REDACTED]

[REDACTED]

We support the project information and recommendations,

**We do not support input from non-Aboriginal people that comment on [REDACTED] and should be removed from your report.**

[REDACTED]



Dear Owen,



We highly recommend interpretation plan for this project a way not only recognise one of the oldest continuing cultures in the world but, also to educate the wider community. This can be achieved through native landscaping, edible gardens, water features, art, Aboriginal naming of buildings, signage QR codes linked to app with history of the site and many other ways.

We would like to agree with your recommendations and we support your report.



---

**From:** Owen Barrett <obarrett@urbis.com.au>

**Sent:** Wednesday, 23 March 2022 2:30 PM

**To:** Sam Richards <sam.richards@urbis.com.au>

**Cc:** David Springford <dspringford@toga.com.au>

**Subject:** RE: 2 and 8A Lee Street Haymarket, NSW - Aboriginal Cultural Heritage Assessment – Stage 4 Consultation RAP Review

Good afternoon,

Thank you again for registering your interest in the above project.

In accordance with Stage 4 of the consultation process for the Aboriginal Cultural Heritage Assessment (ACHA), we now provide a draft Aboriginal Cultural Heritage Assessment Report (ACHAR) for your consideration and comment.

Please provide any comments in relation to the draft ACHAR by **20 April 2022** to:

Owen Barrett  
Consultant  
Urbis Pty Ltd

Level 8 123 Pitt Street,  
Sydney, NSW, 2000  
P: 02 8424 5135  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

Please note that the currently provided architectural plans are yet to be finalised, however, proposed impacts to the ground will not be altered. As such future amendments will not affect the assessment of the ACHA relating to impact assessment and recommendations of the subject area.

If you have any questions please let us know.

We look forward to hearing from you.

Kind regards

Owen

**OWEN BARRETT**  
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## Owen Barrett

---

**From:** Owen Barrett  
**Sent:** Tuesday, 27 September 2022 12:08 PM  
**To:** Sam Richards  
**Subject:** 2 & 8A Lee Street - Aboriginal Cultural Heritage Assessment

Good afternoon,

Thank you for your ongoing involvement with the Aboriginal Cultural Heritage Assessment (ACHA) for 2 & 8A Lee Street Haymarket. The ACHA has been submitted with the Environmental Impact Statement to the Department of Planning and the Environment.

We will keep you informed of any changes or modifications should they arise and provide a copy of the final ACHA when the project is finalised.

Kind Regards

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

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## Owen Barrett

---

**From:** Owen Barrett  
**Sent:** Monday, 28 November 2022 3:23 PM  
**To:** Sam Richards  
**Cc:** Meggan Walker  
**Subject:** 2 & 8A Lee Street Haymarket – Aboriginal Cultural Heritage Assessment - Post Submission - RAP Review  
**Attachments:** URBIS-HT-REP-00000001[A] Toga Central SSDA ACHA.pdf - PostSubmissions\_Redacted\_Appendices.pdf; 01\_CoverLetter\_ACHA\_Amendments\_FNL.pdf

Good afternoon,

Thank you for your on-going participation in the above project. We are writing to keep you informed of recent developments which have resulted in modifications to the Aboriginal Cultural Heritage Assessment (ACHA). Following the receipt of submissions from Heritage NSW in response to the Environmental Impact Statement (EIS) and ACHA submitted for State Significant Development Application (SSDA) SSD-33258337, Urbis were made aware of additional geotechnical investigation undertaken at the subject area which has necessitated changes to the ACHA, including a changed recommendation to allow for the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) to guide archaeological investigations of potential natural soils at the site.

Please find attached the revised ACHA for your review and comment. Also attached is a cover letter explaining in detail which sections of the report have been modified.

Please note that the changes to the ACHA do not include an alteration of the assessment of cultural significance for the subject area, nor do they contradict previous comments received by RAPs during prior stages of consultation.

Please provide any comments in relation to the revised ACHAR by **12 December 2022** to:

Owen Barrett  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

If you have any questions please let us know.

We look forward to hearing from you.

Kind regards

Owen

**OWEN BARRETT**  
CONSULTANT

D +61 2 8424 5135  
E [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)



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**Owen Barrett**

---

**To:** Owen Barrett  
**Subject:** Re: 2 & 8A Lee Street Haymarket – Aboriginal Cultural Heritage Assessment - Post Submission - RAP Review

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**From:** Owen Barrett <obarrett@urbis.com.au>  
**Sent:** Sunday, 27 November 2022 8:23 PM  
**To:** Sam Richards <sam.richards@urbis.com.au>  
**Cc:** Meggan Walker <mwalker@urbis.com.au>  
**Subject:** 2 & 8A Lee Street Haymarket – Aboriginal Cultural Heritage Assessment - Post Submission - RAP Review

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Please find attached the revised ACHA for your review and comment. Also attached is a cover letter explaining in detail which sections of the report have been modified.

Please note that the changes to the ACHA do not include an alteration of the assessment of cultural significance for the subject area, nor do they contradict previous comments received by RAPs during prior stages of consultation.

Please provide any comments in relation to the revised ACHAR by **12 December 2022** to:

Owen Barrett  
Consultant  
Urbis  
Level 8, 123 Pitt Street  
Sydney, NSW, 2000  
E: [obarrett@urbis.com.au](mailto:obarrett@urbis.com.au)

If you have any questions please let us know.

We look forward to hearing from you.

Kind regards

Owen

**OWEN BARRETT**  
CONSULTANT

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