



Penrith Stadium

Aboriginal Cultural Heritage Management Plan

April 2025

Document Information

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Curio Projects Pty Ltd
Suite 3.01/Level 3 249 Pitt Street
Sydney NSW 2000



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Relevant Abbreviations

ABBREVIATION/ TERM	DEFINITION
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACHMP	Aboriginal Cultural Heritage Management Plan
ATR	Archaeological Technical Report
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ASIRF	Aboriginal Site Impact Recording Form
'Code of Practice'	DECCW 2010, Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales.
'Consultation Guidelines'	DECCW 2010, Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.
DECCW	Department of Environment, Climate Change and Water (later known as Office of Environment and Heritage—OEH, now under Heritage NSW).
'Due Diligence Code of Practice'	DECCW 2010, Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.
EP&A Act	Environmental Planning and Assessment Act 1979
'Guide to Investigating'	OEH 2011, Guide to Investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW.
Heritage Act	NSW Heritage Act 1977
ICOMOS	International Council of Monuments and Sites
LALC	Local Aboriginal Land Council
LGA	Local Government Area
NPW Act	NSW National Parks and Wildlife Act 1974
OEH	NSW Office of Environment and Heritage (formerly DECCW, now under Heritage NSW)
PAD	Potential Archaeological Deposit
RAPs	Registered Aboriginal Parties
REF	Review of Environmental Factors
SHR	NSW State Heritage Register

1. Introduction

1. Introduction

1.1. Project Background

This Aboriginal Cultural Heritage Management Plan (ACHMP) has been prepared to guide the construction and post-construction management of Aboriginal cultural heritage values at the Penrith Stadium study area (Figure 1.1). This ACHMP also fulfills Development Consent requirements for SSD-68292713.

1.2. Site Identification

Penrith Stadium (the study area, see map below), is located between Mulgoa Road, Ransley Street and Station Street within the Penrith City Council LGA and upon the lands of the Dharug (also Darug) people. The site comprises Lot 1 DP 1147219 and part Lot 2 DP 1147219. The site contains Penrith Stadium, originally constructed in the mid-twentieth century and modified since. The site also contains a small at-grade car park to the north and a training field to the east.

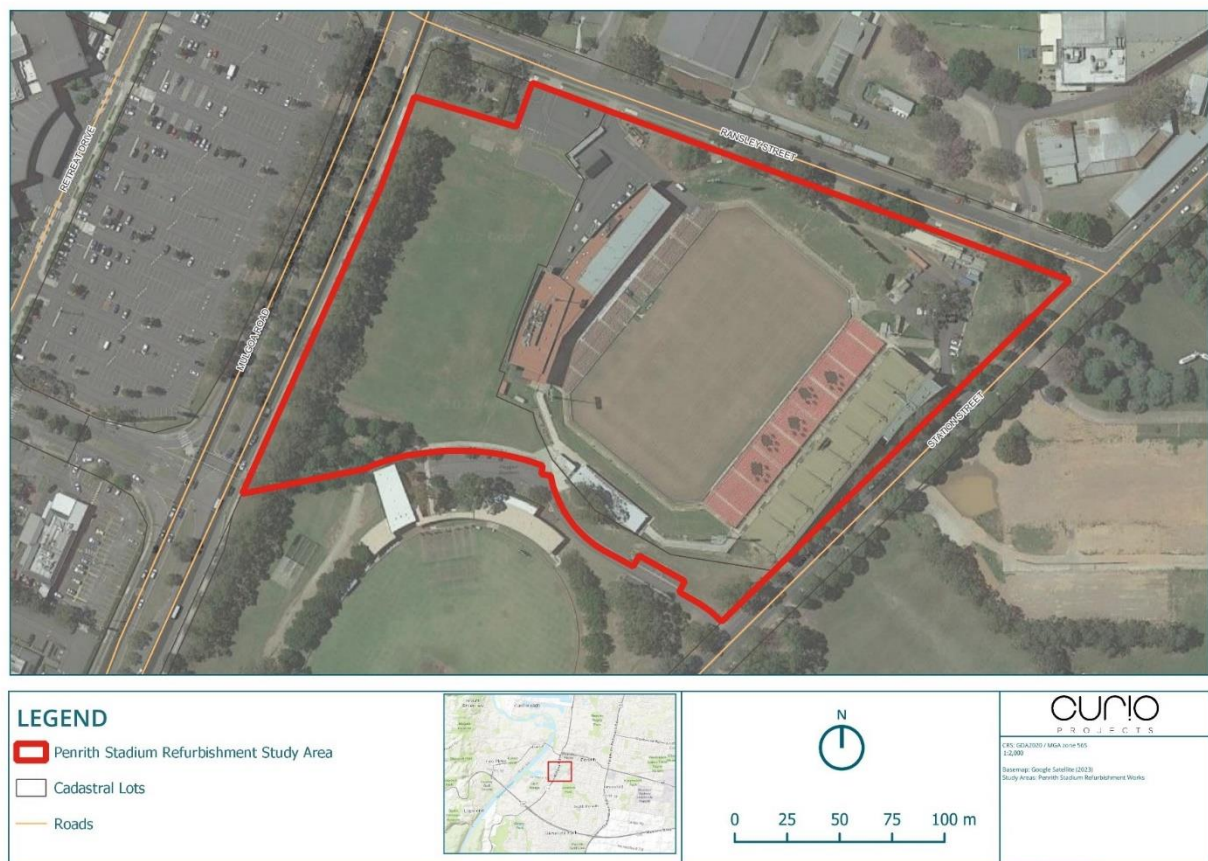


Figure 1.1: Site boundary for Penrith Stadium Upgrade. Source: Curio 2023

1.3. Previous Work

Curio was engaged by Infrastructure NSW (INSW) to provide archaeological (historical and Aboriginal) assessment to support both a State Significant Development Application (SSD-68292713) for the redevelopment of Penrith Stadium.

As part of the initial SSDA assessments, Curio identified that the site contained moderate to high archaeological potential for Aboriginal cultural material, and low to moderate archaeological potential for historical relics. It was recommended for that an Unexpected Finds Procedure be put in place for historical archaeology, and an Archaeological Research Design and Excavation

Methodology was prepared for Aboriginal archaeology, to be included in the SSDA submission. While test excavation is generally undertaken in accordance with Requirements 16 and 17 of the Code of Practice, the constraints of the study area (i.e. deep soils) dictated that this typical approach is would likely not be suitable, and accordingly Curio proposed that the test excavations would be primarily undertaken via mechanical excavation.

After the SSDA submission, Curio was approached by INSW to complete an early works Review of Environmental Factors (REF) approvals pathway for the proposed works to divert a sewer line through the training field that lies on the western side of the Penrith Stadium. As part of the initial SSDA assessments, Curio identified that the overall site contained moderate to high archaeological potential for Aboriginal cultural material, and therefore, the REF process would require an additional ACHAR, consultation process and excavation methodology. Due to the understanding of the site, and previous excavation methodology prepared, an Aboriginal Heritage Impact Permit (AHIP) would be required to undertake excavation works outside of the SSDA process.

A program of Aboriginal archaeological test excavation took place in the training field (registered AHIMS #45-5-5902 PAD site) during October and November 2024 under AHIP permit #5314 within the identified high potential area (shaded yellow in map below).



Figure 1.2: Predictive model for Aboriginal archaeological potential. Yellow = high potential, Blue = moderate potential.
Source: Curio 2024

1.4. SSDA (SSD-68292713)

In April 2024, the site became subject to a State Significant Development Application (SSDA) for a new Penrith Stadium redevelopment. Curio was engaged by Infrastructure NSW (INSW) to prepare archaeological and heritage documentation for the SSDA application, that was subsequently submitted in May 2024. This package included an Aboriginal Cultural Heritage Assessment Report (ACHAR), with a full process of Aboriginal community consultation, as well as a Historical Archaeological Assessment (HAA) and Heritage Impact Statement (HIS). Following exhibition of the Environmental Impact Statement (EIS) for the SSDA, a Response to Submissions was requested. With

the knowledge of the REF at this point in the process, discussions were put in place with Heritage NSW that the results of early works test excavation would influence the resulting excavation that would be required as a part of the SSDA development. The ACHAR was updated and resubmitted in July 2024.

Development consent was granted by the office of the Minister for Planning and Public Spaces under Section 4.38 of the *Environmental Planning and Assessment Act 1979* on 4 November 2024, subject to the Development Consent Conditions for the project. Under Schedule 2 of the Minister's Administrative Conditions of Consent for the project, the Aboriginal Cultural Heritage Management Plan (ACHMP) which includes recommendations for both general and site-specific protocols and recommendations along with ongoing community consultation all contribute to the broader strategy in avoiding harm to Aboriginal cultural heritage and values. (Conditions A31, A32, A33, B38, C27 and C28).

1.5. Purpose

This ACHMP has been developed in compliance with the conditions of approval and to outline policies for the project relevant to:

- Ongoing consultation with Project RAPs
- Management of Aboriginal cultural heritage within the study area during the construction phase of the project
- Protocols for unexpected archaeological finds including Aboriginal objects and human remains
- Post-construction management of recovered Aboriginal objects

1.6. Relevant Development Consent Conditions

Under Part B of the development consent conditions (B38) requires the preparation of an Aboriginal Cultural Heritage Management Plan that will provide mitigative measures in place in the event that archaeological and cultural material is identified on site. The document will be prepared in accordance with the following requirements outlined in Table 1.

Table 1: Development Consent Conditions

Condition	Response
<i>Part A - Aboriginal Heritage:</i>	
<i>Condition A31: All reasonable steps must be taken to avoid harm, modification of or impact to Aboriginal objects except as authorised by this approval.</i>	This ACHMP considered all mitigative measures to ensure no harm comes to any potential Aboriginal cultural material or heritage values.
<i>Condition A32: The Registered Aboriginal Parties (RAPs) must be kept informed about the development. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage requirements of the development.</i>	This ACHMP will be sent to the project RAPs for their review and comments, which will be outlined in chapter 2 of this document.
<i>Condition A33: If regionally significant and/or highly culturally significant (e.g. burial, ceremonial grounds) finds are identified during the archaeological excavations, consultation must be undertaken with the RAPs, Heritage NSW, and Planning Secretary for consideration of the project redesign to avoid further impacts to the Aboriginal cultural heritage.</i>	This ACHMP considered unexpected significant finds and provides protocols to follow that entail additional discussion with Heritage NSW and DPHI.

Condition	Response
<i>Part B - Aboriginal Heritage Management Plan</i>	
<p><i>Condition B38:</i></p> <p><i>Prior to the commencement of construction, an Aboriginal Cultural Heritage Management Plan must be submitted to and approval obtained from the Planning Secretary. The plan must:</i></p> <ul style="list-style-type: none"> <i>a) be prepared by suitably qualified and experienced persons</i> <i>b) be prepared in consultation with RAPs and reviewed by Heritage NSW</i> <i>c) include a description of the measures that would be implemented for</i> <ul style="list-style-type: none"> <i>i. undertaking Aboriginal archaeological test excavations</i> <i>ii. ongoing consultation with RAPs, including consultation regarding changes to the Aboriginal Cultural Heritage Management Plan</i> <i>iii. a strategy for the short-term and long-term management of any Aboriginal objects recovered under approval</i> <i>iv. management of Unexpected Heritage Finds and Human Remains. The management procedure must be prepared by a suitably qualified and experienced heritage specialist in relation to Aboriginal heritage, in consultation with the RAPs and in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010). The unexpected Heritage Finds and Human Remains Procedure must be implemented for the duration of the development</i> <i>v. ensuring workers on site receive suitable heritage inductions prior to carrying out any construction on site, and that records are kept of these inductions</i> <i>d) specify that, where previously unidentified Aboriginal objects are discovered, all work must immediately stop in the vicinity of the affected area. Works potentially affecting the previously unidentified objects must not recommence until Heritage NSW has been informed. The measures to consider and manage this process must be specified in the Unexpected Heritage Finds and Human Remains Protocol required by B38(c)(iv) and include registration in the Aboriginal Heritage Information Management System (AHIMS)</i> 	<p>This ACHMP will be sent to the project RAPs for their review and comments, which will be outlined in chapter 2 of this document.</p> <p>This ACHMP outlines the management procedures in chapter 4, covering test excavation, ongoing RAP consultation, management of any aboriginal objects in both the long and short term, an unexpected finds and human remains procedure and a heritage induction for all workers on site.</p> <p>This ACHMP has been informed by the ACHAR prepared by Curio and the results of the Aboriginal archaeological test excavation undertaken at the training field, west of the study area in October - November 2024.</p> <p>This ACHMP recognises the continued Aboriginal connection of the site, and outlines measures for reburial of uncovered Aboriginal objects within the project area as a way of maintaining this connection, should that be the advice of the projects RAPs.</p>
<i>Part C</i>	
<p><i>Condition C27: Aboriginal Cultural Heritage</i></p> <p><i>Construction must be undertaken in accordance with the recommendations of 'Aboriginal Cultural Heritage Assessment Report' (Issue 5), prepared by Curio Projects and dated 22 July 2024.</i></p>	<p>This ACHMP has been informed by the ACHAR prepared by Curio and the results of the Aboriginal archaeological test excavation undertaken at the training field, west of the study area in October - November 2024.</p>
<p><i>Condition C28: Unexpected Finds Protocol – Aboriginal Heritage</i></p> <p><i>In the event that surface disturbance identifies a new Aboriginal object:</i></p>	<p>This ACHMP outlines the management procedures in chapter 4, covering test excavation, ongoing RAP consultation, management of any aboriginal objects in</p>

Condition	Response
a) <i>all works must halt in the immediate area to prevent any further impacts to the object(s)</i>	both the long and short term, an unexpected finds and human remains procedure and a heritage induction for all workers on site.
b) <i>a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects</i>	
c) <i>the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS</i>	This ACHMP considered unexpected significant Aboriginal and/or historic finds and provides protocols to follow that entail additional discussion with Heritage NSW and DPHI.
d) <i>the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites</i>	
e) <i>works may only recommence with the written approval of the Planning Secretary.</i>	

Condition C29: Unexpected Finds Protocol – Historic Heritage

If any unexpected archaeological relics are uncovered during the work, then:

- a) *all works must cease immediately in that area and notice is to be given to Heritage NSW and the Planning Secretary*
- b) *depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area as determined in consultation with Heritage NSW*
- c) *works may only recommence with the written approval of the Planning Secretary.*

The recommendations of the management plan will also include consideration of the previously prepared ACHAR recommendations (and current understanding of the site) as per condition C27 of the development consent. The plan will also include requirements C28 and C29 unexpected finds protocols for archaeology.

1.7. Registered Aboriginal Parties

The names, organisations and contact details of all Project RAPs consulted throughout preparation of the ACHAR in 2024 and throughout the development of this document are outlined in Table 2.

Table 2: Project RAPs for SSDA

RAP	Contact Name	Email (s)
A1 Indigenous Services	Carolyn Hickey	Cazadirect@live.com
Amanda Hickey Cultural Services	Amanda Hickey	amandahickey@live.com.au
Barraby Cultural Services	Lee Field	barrabyculturalservices@gmail.com
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnston	corroboreecorp@outlook.com
Didge Ngunawal Clan	Paul Boyd and Lilly Carroll	didgengunawalclan@yahoo.com.au
Freeman and Marx	Clive Freeman	clive.freeman@y7mail.com
Kamilaroi Yankuntjatjara Working Group	Phil Khan	philipkhan.acn@live.com.au

RAP	Contact Name	Email (s)
Konanggo Aboriginal Cultural Heritage Services	Robert Young	Konanggo_consultancy@hotmail.com
Koori Digs	Korri Currell	kooridigs@gmail.com
Muragadi Heritage Indigenous Corporation	Jesse & Anthony Johnson	muragadi@yahoo.com.au
Ninnum Group	Kevin Campbell	ninnum_group@outlook.com
Waawaar Awaa Aboriginal Corporation	Rodney Gunther	waawarr.awaa@gmail.com
Widescope Indigenous Group	Steven Hickey	widescope.group@live.com
Wurramay	Vicky Slater	wurramay31@outlook.com
Yarrawalk	Scott Franks	scott@yarrawalk.com.au
Yulay Cultural Services	Arika Jalomaki	yulayculturalservices@gmail.com

2. Aboriginal Community Consultation

2. Aboriginal Community Consultation

2.1. Summary of Previous Consultation

2.1.1. SSDA Stadium Redevelopment ACHAR

Aboriginal community consultation was undertaken for the ACHAR in accordance with Heritage NSW guidelines *Aboriginal Cultural Heritage Assessment Requirements for Proponents*. This included; invitation to register, site visit, approval of Methodology and approval of the final ACHAR.

As a result of the consultation process, 16 RAPs were registered for the project (Table 2 above).

2.1.2. REF Sewer Relocation ACHAR

A new round of community consultation, ACHAR, excavation methodology and subsequent AHIP application was required for the proposed early works sewer relocation within the training field of the study area. Table 3 below lists the RAPs that registered to be a part of this early works program and associated test excavation.

Table 3: Project RAPs for REF Sewer Early Works

RAP	Contact Name	Email (s)
A1 Indigenous Services	Carolyn Hickey	Cazadirect@live.com
Amanda Hickey Cultural Services	Amanda Hickey	amandahickey@live.com.au
Bariyan Cultural Connections	Kayelene Slater	Bariyan.culturalconnections@gmail.com
Butucarbin Heritage	Jenny	butuheritage@gmail.com
Corroboree Aboriginal Corporation	Marilyn Carroll-Johnson	corroboreecorp@outlook.com
Dharug Custodian Aboriginal Corporation	Justine Coplin	justinecoplin@optusnet.com.au
Guthers Aboriginal Corporation		guthersic@gmail.com
Long Gully Cultural Services	Ethan Trewlynn	Ethan3trewlynn@gmail.com
Muragadi Heritage Indigenous Corporation	Jesse Johnson	muragadi@yahoo.com.au
Shane Laws		sjaskl@me.com
Thomas Dahlstrom		Gamila_roi@yahoo.com.au
Widescope	Steven Hickey	Widescope.group@live.com
Yarrawalk	Scott Franks	scott@yarrawalk.com.au
Yulay Cultural Services	Arika Jalomaki	yulayculturalservices@gmail.com

2.2. ACHMP Consultation

A draft copy of this ACHMP was provided to the SSDA RAPs on 7 February 2025 for a period of 14 days of review. The RAPs were invited to contribute to the management policies outlined in Section 4 and the long-term management of Aboriginal objects uncovered during the test excavation. A reminder was sent out on 18 February 2025 inviting RAPs to provide comment.

After the ACHMP was reviewed by both Heritage NSW and the Department of Planning, Housing and Infrastructure, several amendments were made to the document to streamline its policies and methodologies. In line with Condition B38(c)(ii), the ACHMP was resent to all SSDA registered RAPs on 21 March 2025 to provide them with the opportunity to comment on the changes. A reminder email was sent on 2 April 2025. RAP comments on the ACHMP are provided below.

Table 4: RAP comments on the ACHMP

Date	Organisation	Comment
14 February 2025	Yulay	<i>No comments from me.</i>
18 February 2025	Widescope	<i>I hope you're having a great day. I wanted to let you know that Steven Hickey has reviewed the draft plan and is fully supportive of it. Thank you for all your hard work on this project. If there's anything else you need from our end, please don't hesitate to reach out.</i>
20 February 2025	Kamilaroi-Yankuntjatjara Working Group	<i>Thank you for your ACHA for Penrith Stadium. We would like to agree and support you report to investigate further in the way of test excavations for the other area within the study area. We also agree with your reburial method. We would like to express or interest to take part in the fieldwork.</i>
18 February 2025	Konanggo Aboriginal Cultural Heritage Services	<i>KACHS has reviewed the attached documents and acknowledges the processes outlined within this project. We appreciate the thoroughness and detail provided in the Aboriginal Cultural Heritage Management Plan and the summary of the test excavation works.</i>
2 April 2025	Wurrmay	<p><i>Can you please call me when you have a spare moment in regards I to the Penrith Stadium Redevelopment.</i></p> <p>A phone call was made between Rebecca Agius and Vicky Slater and discussed that the document was comprehensive. Vicky was also glad to see that the proposed test excavation works within the stadium grounds would take place.</p>
2 April 2025	Konanggo Aboriginal Cultural Heritage Services	<i>Thank you for sharing the updated ACHMP report and providing the opportunity for feedback. At this stage, I have no further comments to add.</i>
2 April 2025	Amanda Hickey Cultural Services	<i>Thank you for the email AHCS supports the management planned for Penrith stadium</i>

2.3. Ongoing Community Consultation

2.3.1. Communication with RAPs

Consistent updates and communication via Curio will be provided to all RAPs associated with the SSDA portion of the project, where relevant to their participation. This includes updates on the organisation of ground-breaking works, test excavation, unexpected finds outside the scope of the proposed excavation works, input into heritage induction presentations, and interpretation and cultural management of any artefacts or intangible cultural heritage values. Any concerns or questions brought up by the RAPs outside of the scope of their involvement listed above will also be addressed throughout the project.

2.3.2. Record Keeping

A complete log of all communications between Curio Projects, Registered Aboriginal Parties (RAPs) and Deerubbin LALC will be maintained throughout the remainder of the project. This complete log will be provided to all appropriate consent authorities at the closure of the project, as well as upon request throughout the project if required. The log will consist of copies of any meeting minutes, written correspondence, phone calls and any other responses from RAPs etc.

Cultural protocols with regard to RAP requests to censor, redact or omit sensitive cultural information from reports and correspondence will be observed throughout the consultation process. Therefore, some correspondence may be excluded from direct reproduction, where requested by project RAPs.

3. Archaeological Context

3. Archaeological Context

The following sections provide an overview of results of the early works testing program that was undertaken in the training field, on the Western side of the Penrith Stadium, as part of the sewer relocation for the Penrith Stadium.

Under the REF sewer relocation works, it was recommended that an AHIP application to test due to the nature of the site and its soil profile. While test excavation is generally undertaken in accordance with Requirements 16 and 17 of the Code of Practice, the constraints of the study area, as indicated by the geotechnical results (i.e. deep soils and heavy clay content), dictate that this typical approach would not be suitable, and accordingly Curio proposed that the test excavations would be primarily undertaken via mechanical excavation.

As a part of the AHIP process, the application generally requires for impacted AHIMS sites to be identified within the study area. Therefore, AHIMS 45-5-5902 was registered as a Potential Archaeological Deposit (PAD) site for the purposes of applying for this AHIP. The area identified as the PAD had been assessed to contain high archaeological potential at the time of preparing the ACHAR documentation. As AHIP applications require the identification of proposed harm to AHIMS sites, a PAD was registered. The excavation works were undertaken under AHIP #5314.

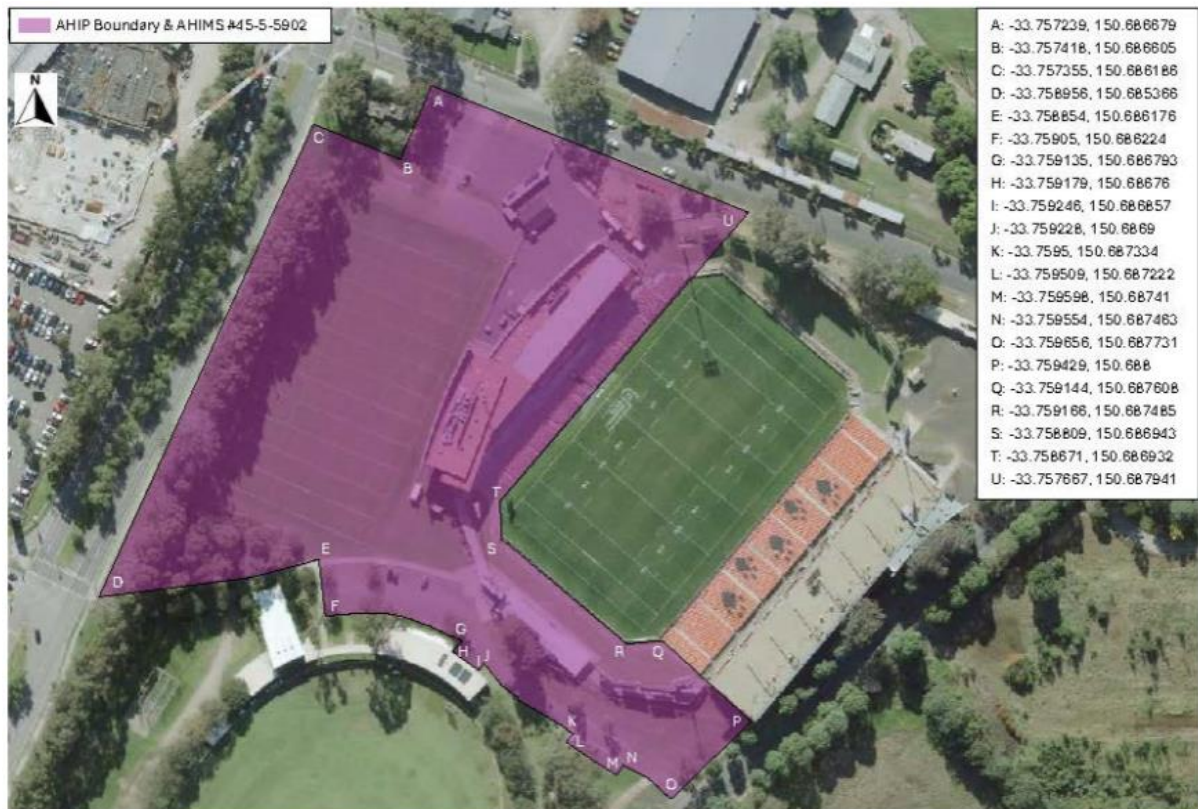


Figure 3.1: Identified AHIMS #45-5-5902 and AHIP boundary for AHIP #5314
Source: Curio 2024

3.1. Test Excavation Results

The testing program run in October-November 2024 included investigation of seven 1m x 3m test trenches distributed across the identified high potential area training field to the west of the stadium. The test excavation found that:

- Bulk excavation of fill across the site shows that fill depth averaged between 70cm - 1m.
- Sample testing of the fill produced occasional historic/building material, river pebbles and irrigation system associated with the training field. Based on findings within the fill, RAPs sieved through as much as they were comfortable with (due to asbestos contamination), and until satisfied with the findings within each test pit location.
- Below the fill, soils were predominately very compact clay, with medium plasticity and little to no material of interest within it – based on colour, consistency and inclusions that were present, it was determined that across the site the remnant natural soils were most likely truncated A horizon, moving into B horizon based on descriptions of the Richmond soil landscape and visual observations (i.e. *...reddish to yellowish brown light or light medium clay...It occurs as subsoil [B horizon]...Small [2–20 mm] iron-indurated gravels may occur in concentrated bands or dispersed throughout this material*).¹
- Test trench 6, in the north-eastern corner of the site contained extremely sandy soils with minimal clay content, but all other features of the soils indicated that this was also B horizon – this trench was investigated down to 3m (depth of proposed works) and maintained no trace of artefacts.
- No identifiable material that would be used to make stone tools was identified across the site other than unworked river pebbles (mostly found in the fill). Some material was collected for preliminary analysis, with majority determined not to be artefacts in the field. Approximately 10-15 potential artefacts scattered across the investigated area were collected, as they were undetermined in the field and required additional analysis. These potential findings were not quantitative enough to trigger either expansion of test pits or salvage excavation as per the AHIP methodology.
- Upon further detailed inspection, none of these suspected artefacts turned out to be artefacts.
- After discussion with the RAPs, they were satisfied that no further material was likely to be found on site and were happy with the conclusion of the excavation under the proposed REF works.

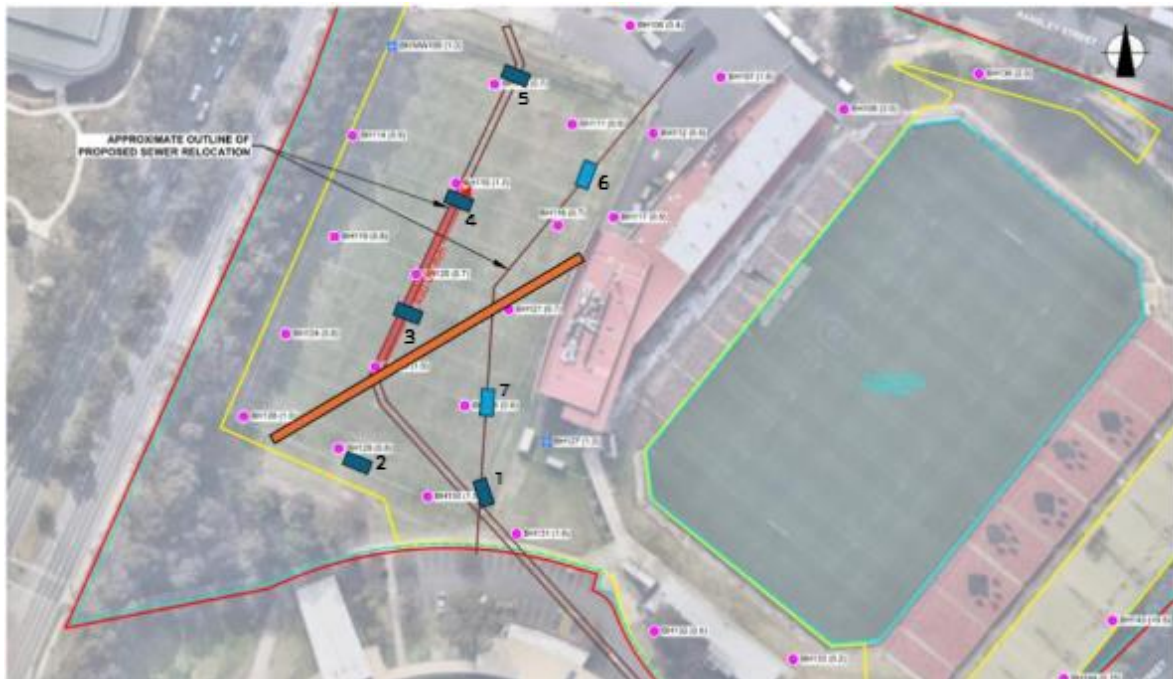


Figure 3.2: Locations of test pits (numbered turquoise rectangles) during excavation and their alignment to the proposed sewer works in the training field, west of the stadium.
Source: JK Environments 2024 with Curio additions.

3.2. AHIP #5314

It is acknowledged that the boundary for AHIP #5314 makes up a portion of the overall boundary of SSD-68292713. Whilst the AHIP boundary is currently still active, the proposed methodologies for the SSDA test excavation and management of cultural heritage remain very similar to that of the AHIP approved methodology. Moving forward, any relation to Aboriginal cultural heritage will follow the methodology outlined in this ACHMP.

The AHIP remains active as post excavation reporting under Condition 13, 14 and 15 of the AHIP are still underway.

3.3. Revised Archaeological Investigation

Based on the newfound understanding of the site from the 2024 test excavation, Curio believes that a reduced scope of works of the approved SSDA archaeological investigation be implemented across the other areas of the stadium study area to either confirm that the remainder of the site is either consistent with the findings of the training field, or in the event that Aboriginal archaeological resources are present elsewhere on the site, identify these.

It is also acknowledged that while the test excavation of trenches appeared to demonstrate truncated remnant soils, there is the possibility that the test excavations completed for the early works did not reach the full depths of the Richmond soil landscape and Cranebrook Formation that may have contained archaeological deposits (as seen at Peach Tree Creek in 2014, where artefacts were identified at depths of 3.5m - 5m and within gravel pits).

3.3.1. Revised Archaeological Potential and Predictive Model

- The study area sits 1.3km from the Nepean River (but within its flood zone) and 815m from Peach Tree Creek. The study area is therefore associated with archaeologically sensitive landforms and/or landscape features. It is highly likely that the area was used by Aboriginal people in the past for short term occupation, land use and resource gathering.

- The Nepean River and its associated tributaries and landscape represent the primary source of freshwater and marine resources. Areas surrounding these watercourses were therefore likely the focal point for past Aboriginal life and activities within the region while other areas located further away may have been used sporadically during movement through the landscape.
- Aboriginal site types across Penrith area are most likely to consist of stone artefact and PAD sites. Artefact sites may occur as surface sites and isolated finds in disturbed contexts, as well as intact sites in a subsurface capacity within natural soil profiles.
- Artefact bearing deposits may have the potential to be located at a significant depth below ground level.
- Previous test excavation works within the study area (2024) have indicated that it is likely that artefact bearing deposits may be truncated across the site, with indicators of B horizon (i.e. yellowish-brown clay with iron-indurated gravel dispersed throughout).
- No artefacts were identified during the test excavation program in 2024. However, resources were present that may have been used by Aboriginal communities, particularly within a disturbed context across the site.
- Amended predictive model anticipates the site to overall contain **low archaeological potential**.

3.3.2. Archaeological Sampling Strategy

Due to the potential for deep soils and known high clay content across the site, it is proposed that test excavations are primarily undertaken via mechanical excavation. This is consistent with the test excavation in 2024 on the site. During the test excavation in 2024, hand excavation was initially proposed but was quickly established to be impractical due to the high clay content of the soils.

It is acknowledged that mechanical test excavation can impact vertical control, however the excavation methodology will ensure that the risk of harm to Aboriginal material culture is avoided or minimised.

To allow for comprehensive coverage of the remainder of the site, Aboriginal test pits are proposed to be 3m² (300cm x 100cm) and would be targeted within the following locations (Figure 2.2).

- **Yellow Locations:** 2 x machine test pits
- **Blue Locations:** 5 x machine test pits
- Test pit locations have been nominated due to the location within areas of archaeological potential and within locations of proposed impacts.
- All test pits will be separated by a minimum of 40m

3.3.3. Location of Test Pits

- The proposed placement and orientation of proposed test pits are specific to the conditions, alignment, and size of the study area. They will be focused across the study area that has not already been subject to test excavation works and focusing on where ground disturbing works will be present.
- Figure 3.2 indicates the locations where test pits have already been investigated as a part of the REF sewer relocation works in 2024.

- Figure 3.3 shows the original proposed locations for test pits assessed under the approved SSDA application. It now also outlines the proposed locations for test pits under this revised methodology in relation to 2024 excavations (circled in blue).
- All test pit locations are using the GDA94 / MGA zone 565 referencing system. The potential minimum number of test pits is estimated to be 7. Should the minimum number of test pits need to be modified, Heritage NSW must be consulted, and their endorsement sought.
- All test pit locations/numbers can be subject to change following on site discussion with RAPs. Reasons may include unexpected fill depth, contaminants or unexpected ground obstacles.
- The ability to move the proposed locations will ensure adequate coverage and characterisation of the potential archaeological deposit and subsurface landscape subject to the proposed development and inform Aboriginal cultural heritage avoidance and impact minimisation strategies.



Figure 3.3: Recommended test pits (circled in blue) to be excavated during SSDA works.
Source: Curio 2024

3.3.4. Excavation Methodology

It is proposed that the excavation be undertaken in a phased approach with in which the ED will consult with Heritage NSW to seek endorsement to the next phase of excavation, as well as completion of the excavation program.

It is also proposed that the ED will seek endorsement from Heritage NSW in the event that the methodology requires modification due to onsite obstacles.

Phase 1 – Archaeological Monitoring and Machine Excavation of Fill Deposits

- All machine excavation will be undertaken by an experienced machine operator who has been inducted to the specifics of the site and methodology by the ED.
- All machine excavation will be monitored by the ED and Project RAPs.
- Archaeological monitoring must be undertaken during the removal of slabs, other hard surfaces or obstructions in direct contact with the ground.
- Test pits will be excavated as an overall 300cm X 100cm area to allow for bucket width.
- Test pits will be bulk excavated to remove modern fill and potential contamination, facilitating safe undertaking archaeological investigation. Soils excavated will be set aside on a piece of geofabric or tarp to collect a sample to sieve.
- A sample (up to 50% maximum) of fill deposits will be sieved to identify and confirm the deposit's characteristics, should it be safe to do so.
- If artefacts are present, these will be collected from the sieves, bagged and labelled according to provenance.

Phase 2 – Excavation of Natural Deposits

- Test pits will be excavated in approximate 10cm spits where natural landform is identified.
- A sample (up to 50% maximum) of deposits from natural landforms will be wet sieved using 5mm wire mesh. If spits demonstrate an artefact concentration, then all soil will be sieved.
- If artefacts are present, these will be collected from the sieves, bagged and labelled according to provenance.
- Soil samples will be taken from natural landform deposits of interest.
- If required, test pits may be machine benched through fill deposits to allow for greater access to natural landforms.
- If benching is required, the same methodology outlined above regarding mechanical excavation of fill deposits will be employed, with machine excavation ceasing at any natural soil contexts.
- Excavation will cease where one or more of the following criteria is met:
 - B horizon deposits are encountered
 - Safety or health constraints are identified
 - Risk of collapse or water identified within the trench
 - Culturally sterile deposits (minimum 2 spits that do not contain Aboriginal objects)
 - Depth of proposed project impacts are reached

Hand Excavation

The use of hand excavation will be dependent on what the ground condition reveals itself to be once on site and beginning excavation in the proposed locations. Based on the geotechnical investigation, as well as excavation of the training field in 2024, Curio is aware that there are varying depths of fill across the site over residual soils, with depths varying between 40cm to 160cm. It is unknown how

deep the fill will be specifically in the locations of the test pits, and therefore, hand excavation may not be viable without benching.

The consistency of the soil profile is also unlikely to be viable for proactive hand excavation. 2024 test excavations revealed that in most locations, residual soils were extremely compact clay heavy and required assistance of an excavation machine to break through. One test pit during the excavation program (Trench 6) presented with more sandy soils that were able to be hand excavated.

Dependant on the nature of natural landforms identified before 150cm, project archaeologists and RAPs will discuss if hand excavation should be performed instead of machine excavation.

Due to the potential unsafe depths, machine excavation has been recommended, with hand excavation as an option, with benching, if necessary, should significant finds be uncovered within a test pit that requires more care and closer investigation.

Where hand excavation may be required (following the identification of potential localised, accessible archaeological features or sandy soils), the following methodology will be employed.

- Excavation will use hand tools only.
- The machine trench will be divided into 3 X 1m² test pits to allow for greater stratigraphic and locational provenance.
- Excavation will continue in 10cm spits.
- 100% of natural landforms/soil deposits will be sieved and sampled.
- Test pits will be recorded as above.
- Excavation will cease; if groundwater is encountered; at a level below culturally sterile deposits; or when no longer safe to continue.

Phase 3 – Test Pit Expansion and Salvage Excavation

The need for test pit expansion will be determined by the results and soil profiles encountered during phase 1 and 2 works. Should test excavation findings reveal a substantial Aboriginal archaeological deposit within the study area, then test pit expansion and salvage excavation works may be required. These works would be completed by hand excavation where possible and safe to do so.

If required, a specific Salvage Excavation methodology will be submitted to Heritage NSW and project RAPs for approval prior to works being undertaken, dependant on the nature of the find.

Some examples of potential triggers for test pit expansion and/or salvage excavation include, but are not limited to:

- High density of Aboriginal artefacts identified (10+ found per test pit)
- The presence of significant or uncharacteristic tool types (e.g. grinding stones, hammerstones, axes, high proportions of retouched artefacts, artefacts with obvious usewear)
- Any other unusual or unique archaeological and/or geomorphological features identified by the Excavation Director

- Multiple test pits in proximity to each other identify the presence of artefacts and have the potential to indicate a wider area of Aboriginal use and occupation.
- Features such as a hearths or heat treated pits, burials, or other unexpected archaeological resources have been identified.

This list of triggers is not exhaustive and is subject to change and discussion in the field between the excavation director and project RAPs. **A potential hold point may be required for the construction program, should salvage be necessary.**

If regionally significant and/or highly culturally significant (e.g. burial, ceremonial grounds) finds are identified during the archaeological excavations, consultation must be undertaken with the RAPs, Heritage NSW, and Planning Secretary for consideration of the project redesign to avoid further impacts to the Aboriginal cultural heritage.

However, should the test excavation be sufficient to classify the nature of any potential Aboriginal archaeological deposit within the study area (or lack thereof), Aboriginal archaeological works within the study area would be considered complete, and development works will be able to commence without further Aboriginal archaeological investigation.

Communication with Heritage NSW will take place on the appropriateness to complete excavation works.

Sieving

Due to the high clay soil content expected, all deposits will be wet sieved through 5mm aperture wire mesh sieves, and any archaeological materials recovered will be retained by provenance. If the clay content proves to be minimal, dry sieving may be implemented at the discretion of the ED and in consultation with the Project RAPs.

Completion of Testing and Recording

- Test pits will be excavated to the base of the potential artefact bearing soil profile, and then slightly further to confirm culturally sterile soils below, if it is safe to do so.
- All test pits will be documented using photographs, context sheets and scaled drawings where applicable.
- Excavation will cease if ground water is encountered.
- If no natural landforms are identified, machine excavation will continue to remove the fill until no longer safe to do so.
- If carbon or other features suitable for scientific dating are identified, these would be sampled for possible further analysis (e.g., C-14 dating or OSL dating, if required).
- Test pits will be backfilled as soon as practicable, if necessary.
- If archaeological material is identified during the excavation, an AHIMS site card will be prepared and registered.
- Excavation procedures may be modified at the discretion of the ED and in consultation with Project RAPs, should the nature and conditions of the excavation change.

Recording and Reporting

The location of each test pit will be recorded by GPS and recorded in detail including stratigraphic and soil profile descriptions and drawings, description of any relevant features, artefacts etc., and photographed using a DSLR camera and appropriate photo scale.

Following completion of archaeological investigation within the study area, a post excavation report detailing the results of the Aboriginal archaeological investigation works would be prepared and submitted to Heritage NSW, consistent with best practice for preparation of post excavation reporting. The report would be provided to all project RAPs for their information.

As a part of the post excavation recording process, Curio will submit an Aboriginal Site Impact Recording Form (ASIRF)/ AHIMS site card update for 'Penrith Stadium PAD' (AHIMS 45-5- 5902) following the completion of the test excavations.

Artefact Collection and Analysis

Any artefacts uncovered during the test excavations would be held temporarily at the Curio Head Office at Suite 3.01, 249 Pitt Street, Sydney NSW. Following completion of the test excavation, all uncovered artefacts would be catalogued and analysed in accordance with Requirement 26 of the Code of Practice.

Cultural material will be subject to analysis in accordance with the following features recorded as a minimum requirement:

- Artefact class
- Raw material
- Length, width, thickness
- Photographic record with photo scale of diagnostic artefacts
- Weight and species of shell, bone, organics and charcoal

Conservation Outcomes

Should significant in situ Aboriginal archaeological resources be identified during works, project redesign may be required to be considered to allow for positive conservation outcomes.

If required, project redesign will be informed by the results of the testing, location of any significant archaeological resources and significance of such resources, as well as consultation with RAPs and the ED.

Examples of positive conservation outcomes for a significant archaeological resource may include:

- Full or partial in situ conservation below development levels
- Conservation of archaeological assemblages by qualified professionals and provided to the LALC for safekeeping

Post Excavation Reporting

Following the conclusion of the test excavation, a post-excavation report will be prepared. The report will detail the findings of the archaeological investigation and may provide input into any interpretive outcomes from the project.

The report would be developed in accordance with Heritage NSW's guidelines (as current best practice), and include the following broad sections:

- Description of Aboriginal consultation undertaken during the project.
- A description of the methods and results of the excavation.
- Details of the Aboriginal objects identified during the works and results of any lithic analysis.
- Assessment of Significance of the archaeological resource.
- Addressing the Research Questions posed above.
- Comments on the effectiveness of the mitigation measures (i.e. test excavation).
- The current and proposed location of any Aboriginal objects recovered.
- Details the results of any analysis of recovered Aboriginal objects.
- Ensure the necessary Site Impact Recording Forms are lodged with Heritage NSW at completion of the project.
- A copy of the Excavation Report will be provided to all RAPs for their records

Management of Aboriginal Objects

There are several options when it comes to the long-term management and curation of Aboriginal objects, once recovered from excavations or community collection. The suitability of each option depends on a number of factors including the nature of the development, the significance and extent of the deposit, and the wishes of the project RAPs.

The project RAPs have not yet identified how the most appropriate methodology for any Aboriginal cultural material recovered from the Penrith Stadium study area is to be managed. The most appropriate long-term management options for any Aboriginal artefacts recovered from the study area will be open for discussion with the project RAPs, as well as being subject to discussion if and once artefacts are found on site during test excavation.

4. Management Policies

4. Management Policies

This ACHMP outlines general requirements to be implemented during construction works within the Penrith Stadium study area. These include:

- Outlining the roles and responsibilities for project personnel and their statutory requirements.
- Establishing and maintaining cultural awareness training for all contractors on the site.
- Procedures for unexpected Aboriginal archaeological finds, including Aboriginal objects and skeletal human remains.

This ACHMP also outlines site specific requirements to be implemented including:

- Management of Aboriginal objects uncovered from within the study area in both the short and long term.
- Ongoing consultation with RAPs, including consultation regarding changes to the Aboriginal Cultural Heritage Management Plan.

4.1. Proponent Roles and Responsibilities

Proponents operate within a commercial environment which includes:

- Financial and management issues, priorities and deadlines.
- The need to obtain broad community support and acceptance in order to secure any necessary approval/consent/licence/permit to operate.
- The desire for clearer processes and certainty of outcomes.
- The need for suitable access to land for the purpose of their development project.
- A need to work efficiently within the project's time, quality and cost planning and management parameters.
- The need for culturally appropriate assessment findings relevant to their project.

Under these requirements, proponents must:

- Bring the registered Aboriginal parties 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 registered Aboriginal parties involved in the consultation process in assessing cultural significance and developing any heritage management outcomes for Aboriginal object(s) and/or place(s).
- Accurately record and clearly articulate all consultation and archaeological findings.
- Provide copies of relevant reports and information to the registered Aboriginal parties who have been consulted.

Proponents must provide the opportunity for Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places as relevant to the proposed project area to be involved in consultation.

It is the responsibility of the Proponent and all other associated project personnel to adhere to the management policies outlined within this document, as well as additional verbal and written advice presented by Curio and the project RAPs throughout the remainder of the project. Knowingly impacting Aboriginal archaeology without proper mitigation measures enacted will result in liability to prosecution under the National Parks and Wildlife Act 1974.

4.1.1. Incidents and Non-Compliance

Environmental incidents and complaints are to be investigated, documented, actioned and closed out as per the details provided in the CEMP, including those related to Aboriginal and non-Aboriginal cultural heritage.

As part of this investigation, Heritage NSW and the Planning Secretary must be notified immediately through the Major Projects Portal after the Applicant and/or Project Archaeologists becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. In the case of non-compliance, the Applicant must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Conditions of Consent A24-28 and Appendix 2 of the Development Consent for SSD-68292713 outlines the requirements and procedures for reporting incidents and non-compliance, outlined as follows:

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the Major Projects Portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A24 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a) identify the development and application number.
 - b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident).
 - c) identify how the incident was detected.
 - d) identify when the applicant became aware of the incident.
 - e) identify any actual or potential non-compliance with conditions of consent.
 - f) describe what immediate steps were taken in relation to the incident.
 - g) identify further action(s) that will be taken in relation to the incident.
 - h) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

4. The Incident Report must include:
 - a) a summary of the incident.
 - b) outcomes of an incident investigation, including identification of the cause of the incident.
 - c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence.
 - d) details of any communication with other stakeholders regarding the incident.

4.2. Statutory Requirements

4.2.1. National Parks and Wildlife Act (NSW) 1974

The NPW Act, administered by the Aboriginal Heritage Regulation Section, Heritage NSW, of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) (formerly known as the Office of Environment and Heritage – OEH), is the primary legislation that provides statutory protection for all 'Aboriginal objects' (Part 6, Section 90) and 'Aboriginal places' (Part 6, Section 84) within NSW.

An Aboriginal object is defined throughout the NPW Act as:

"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 the area by persons of non-Aboriginal extraction, and includes Aboriginal remains."

The NPW Act provides the definition of 'harm' to Aboriginal objects and places as:

"...any act or omission that:

(a) Destroys, defaces or damages the object or place, or

(b) In relation to an object – moves object from the land on which it had been situated, or

(c) Is specified by the regulations, or

(d) Causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c)

The NPW Act also establishes penalties for 'harm' to Aboriginal objects and declared Aboriginal places, as well as defences and exemptions for harm. One of the main defences against the harming of Aboriginal objects and cultural material is to seek an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the NPW Act, under which disturbance to Aboriginal objects could be undertaken, in accordance with the requirement of an approved AHIP.

4.2.2. NSW Aboriginal Heritage Statutory Guidelines

In order to best implement and administer the protection afforded to Aboriginal objects and places as through the NPW and EPA Acts, the OEH (now part of Heritage NSW under the DPE) have prepared a series of best practice statutory guidelines with regards to Aboriginal heritage. These guidelines are designed to assist developers, landowners and archaeologists to better understand their statutory obligations with regards to Aboriginal heritage in NSW and implement best practice policies into their investigation of Aboriginal heritage values and archaeology in relation to their land and/or development. This report has been prepared in accordance with these guidelines, including:

- DECCW 2010(a), *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (the Due Diligence Code of Practice)
- DECCW 2010(b), *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice)
- DECCW 2010(c), *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the Consultation Guidelines)
- OEH 2011(a), *Guide to investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (the Guide to Investigating)
- OEH 2011(b), *Aboriginal Heritage Impact Permits, A Guide for Applicants*

4.3. General Protocols

4.3.1. Aboriginal Heritage Induction

Standard workplace inductions for the project must include sections relevant to Aboriginal heritage.

The induction must include descriptions and photographs of potential Aboriginal objects that may be identified during works.

The induction will also need to include the protocols to be implemented for unexpected finds and suspected human remains as outlined below.

Signage sheets and records of all heritage-related inductions must be logged under accordance with Consent Condition B38(c)(v).

4.3.2. Unexpected Finds

Under the requirements of B38 (d), C28 (e) and C29 of the Development Consent Conditions, upon discovery of an archaeological feature that is suspected to be either a historical or Aboriginal Unexpected Find (excluding human remains - see below), the following procedure must be followed:

1. Cease works in the immediate vicinity of the find.
2. Contact the Project archaeologist to verify the nature of the find.
3. If Unexpected Find is confirmed as Aboriginal archaeology, Project archaeologist will notify Project RAPs, Heritage NSW and the Planning Secretary of the find. If Unexpected Find is confirmed as not Aboriginal in origin, Project archaeologist will provide advice for works to recommence.
4. Project Archaeologist/Project RAPs will undertake a preliminary assessment and recording of the find.
5. Formulate archaeological or heritage management plan- specific to nature of the find.
6. Implement archaeological/heritage management plan.
7. Register the find on the Aboriginal Heritage Information Management System (AHIMS)
8. Works may commence once archaeological/heritage management plan has been successfully implemented, written approval from the Planning Secretary has been provided and Project archaeologist provides sign off to contractor for works to resume in vicinity of find.

This protocol is applicable for locations of the project study area that has already been signed off by Curio Projects and does not require further archaeological oversight. At the time of the preparation of this document (March 2025), this applies to the training field, which has been subject to test excavation early works in October-November 2024 (Figure 4.1). This map is a live resource that will be updated as the test excavations and other project developments continue.



Figure 4.1: Area subject to Unexpected Finds Protocol as of February 2025 outlined in blue
Source: Curio 2025

4.3.3. Suspected Human Remains

While not anticipated to be encountered within the study area, the unexpected discovery of any potential skeletal remains during development works would be managed in accordance with the approved Heritage NSW protocol for the discovery of human remains which is stated as:

If any suspected human remains are discovered and/or harmed the proponent must:

1. Not further harm these remains.
2. Immediately cease all work at the particular location.
3. Secure the area so as to avoid further harm to the remains.
4. Notify the local police, Planning Secretary and Heritage NSW's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location.
5. If human remains are suspected to be of Aboriginal descent, notify RAPs and involve them in the assessment, recording and next steps.
6. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.

4.4. Project Specific Protocols

Throughout the project, project RAPs must be kept informed about any developments and continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage requirements of the development.

4.4.1. Management of Aboriginal Objects

During Construction

All Aboriginal objects uncovered during test excavation (as well as any unexpected finds) will be stored in a locked cupboard at the Curio Projects office.

Following Completion of Construction

There are several options when it comes to the long-term management and curation of Aboriginal objects, once recovered from excavations or community collection. The suitability of each option depends on a number of factors including the nature of the development, the significance and extent of the deposit, and the wishes of the project RAPs.

The project RAPs have not yet identified how the most appropriate methodology for any Aboriginal cultural material recovered from the Penrith Stadium study area is to be managed. The most appropriate long-term management options for any Aboriginal artefacts recovered from the study area will be open for discussion with the project RAPs, as well as being subject to discussion if and once artefacts are found on site during test excavation.

Should any artefacts be uncovered during construction, the Project RAPs may choose to have any and/or all Aboriginal cultural material uncovered during the excavation reburied/relocated within the study area. The methodology for reburial is as follows, in accordance with Heritage NSW¹ requirements:

- All Aboriginal objects to be individually double-bagged in good quality archaeological artefact bags.
- All bags to be externally labelled as well as internal Tyvek labels within bags with full archaeological context details.
- A printed catalogue including photographic records to be included.
- All items to be placed within a labelled, sealable plastic container.
- Project RAPs to be invited to undertake reburial of Aboriginal objects.

Following reburial, the final location of collection will be recorded, and a new site form submitted to AHIMS. Details will include a map with location, depth of reburial and full photographic record.

¹ DECCW, 2010, Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW

4.4.2. Site Preparation and Archaeological Monitoring

The program of test excavation (outlined in Section 3 above) is proposed to be conducted after demolition of the stadium facility and prior to any significant ground disturbing and bulk excavation works across the site.

Depending on the nature of the excavation, archaeological monitoring under the guide of Curio and project RAPs may be required throughout the remainder of the project, or in targeted areas. If archaeological material is identified during monitoring, the location may be subject to further investigation under the excavation methodology provided. Should monitoring not be required, the unexpected finds protocols will be applicable.

4.4.3. Archaeological Test Excavations

It is recommended that the test pit locations indicated in Figure 4 in Section 3 above will be machine excavated with a sample (up to 50%) of the soils sieved. The test trenches will be consistent in size with the trenches in the training field, west of the stadium, being 3m long x 1 m deep. Depending on the nature of the soils, being sandy or clay heavy, wet and/or dry sieving can be implemented at the discretion of the archaeologists and project RAPs on site. The location of the test trenches has been devised based on the information gained from the archaeological investigation in the training field.

4.5. Review of ACHMP

This ACHMP is considered to be a live document and should be reviewed and updated where appropriate in accordance with the following conditions:

4.5.1. Development Consent

- In accordance with Consent Condition A29 – i.e. within 3 months of:
 - a) The submission of an incident report under Condition A25.
 - b) The submission of an Independent Audit under condition C39 or C4.
 - c) The approval of any modification of the conditions of consent.
 - d) The issue of a direction of the Planning Secretary under condition A3 which requires a review, the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.
- In accordance with Consent Condition A30 – i.e. If it is necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

4.5.2. Specific to Archaeological and Project Activities

- Upon completion of construction works.
- Upon completion and implementation of the Care and Control Agreement.
- Following discovery of any unexpected finds.
- Upon the mutual agreement of all project RAPs.

References

References

Curio Projects, 2024, *Aboriginal Cultural Heritage Assessment Report: Penrith Stadium*, prepared for INSW.

Curio Projects, 2024, *Aboriginal Cultural Heritage Assessment Report: Penrith Stadium Sewer Relocation*, prepared for INSW.

Curio Projects, 2024, *Aboriginal Archaeological Advice for SSDA*, prepared for INSW

DECCW, 2010, *Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW*

Department of Planning and Housing, 2024, *Development Consent SSD-68292713*

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Appendix A – Consultation Log

From: Rebecca Agius
Sent: Friday, 7 February 2025 12:08 PM
To: Carolyn .H <cazadirect@live.com>; Amanda DeZwart <amandahickey@live.com.au>; Lee Field <barraby cultural services@gmail.com>; Corroboree Aboriginal Corporation <corroboreecorp@bigpond.com>; Lilly Carroll <didgengunawalclan@yahoo.com.au>; Clive Freeman <clive.freeman@y7mail.com>; Phil Khan <philipkhan.acn@live.com.au>; Robert Young <konanggo_consultancy@hotmail.com>; Muragadi <muragadi@yahoo.com.au>; Kevin Campbell <ninum_group@outlook.com>; Korri Currell <kooridigs@gmail.com>; Phillip Boney <Waarlan12@outlook.com>; Widescope Group <widescope_group@live.com>; Vicky Slater <wurrumay31@outlook.com>; Scott <scott@yarrowalk.com.au>; Arika J <yulaycultural services@gmail.com>
Cc: Milan Males-JHG <Milan.Males@jhg.com.au>; Tristan Rodrigues-JHG <Tristan.Rodrigues@jhg.com.au>; Alicia Ison-JHG <Alicia.Ison@jhg.com.au>; Cameron Newling-JHG <Cameron.Newling@jhg.com.au>; Lee Djusic-JHG <Lee.Djusic@jhg.com.au>
Subject: Penrith Stadium Redevelopment

Hi all,

Hope that you are all well!

The Penrith Stadium Redevelopment SSDA portion is starting up again. As part of the conditions of consent for this development, an Aboriginal Cultural Heritage Management Plan has been prepared to aid in the management and mitigation of cultural heritage as the project moves forward. Attached is the ACHMP for you to review as a part of an informal consultation process for the remainder of the project. **If you could please provide your feedback and comment by 21 February 2025 that would be greatly appreciated.**

As some of you may be aware, a separate process of consultation, ACHAR, AHIP and test excavation was conducted as an early works program for the site at the end of last year. These results indicated that there is a smaller potential for cultural material to be present on the site that first indicated prior to excavation. Curio is using this knowledge to move forward with a modified test excavation program for the rest of the site once it is demolished. I have attached a summary of the test excavation works if you are interested in reading it.

If you have any further questions about the project, I am happy to discuss.

Cheers

Bec

From: Arika J
To: Rebecca Agius
Cc: cazadirect@live.com; Amanda DeZwart; Lee Field; corroboreecorp@bigpond.com; didgengunawalclan@yahoo.com.au; clive.freeman@y7mail.com; philipkhan.acn@live.com.au; Robert Young; muragadi@yahoo.com.au; Kevin Campbell; kooridigs@gmail.com; Phillip Boney; widescope_group@live.com; Vicky Slater; scott@yarrowalk.com.au; Milan Males-JHG; Tristan Rodrigues-JHG; Alicia Ison-JHG; Cameron Newling-JHG; Lee Djusic-JHG
Subject: Re: Penrith Stadium Redevelopment
Date: Friday, 14 February 2025 9:26:53 PM
Attachments: [image004.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

No comments from me.

From: Rebecca Agius <rebecca.agius@curioprospects.com.au>
Date: Tuesday, 18 February 2025 at 11:50 am
To: cazadirect@live.com <cazadirect@live.com>, Amanda DeZwart <amandahickey@live.com.au>, Lee Field <barrabyculturalservices@gmail.com>, corroboreecorp@bigpond.com <corroboreecorp@bigpond.com>, didgengunawalclan@yahoo.com.au <didgengunawalclan@yahoo.com.au>, clive.freeman@y7mail.com <clive.freeman@y7mail.com>, philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>, Robert Young <konanggo_consultancy@hotmail.com>, muragadi@yahoo.com.au <muragadi@yahoo.com.au>, kevin campbell <ninum_group@outlook.com>, kooridigs@gmail.com <kooridigs@gmail.com>, Phillip Boney <Waarlan12@outlook.com>, widescope.group@live.com <widescope.group@live.com>, Vicky Slater <wurumay31@outlook.com>, Scott Franks <scott@yarrawalk.com.au>, Arika J <yulayculturalservices@gmail.com>
Cc: Milan Males-JHG <Milan.Males@jhg.com.au>, Tristan Rodrigues-JHG <Tristan.Rodrigues@jhg.com.au>, Alicia Ison-JHG <Alicia.Ison@jhg.com.au>, Cameron Newling-JHG <Cameron.Newling@jhg.com.au>, Lee Djusic-JHG <Lee.Djusic@jhg.com.au>
Subject: FW: Penrith Stadium Redevelopment

Hi all,

Thank you to those who have already responded. If you would still like for your input and feedback to be included within the Management Plan for the project, please let me know by **Friday 21 Feb**

Thanks

Bec

From: Scott Franks <scott@yarrawalk.com.au>
Sent: Tuesday, 18 February 2025 11:59 AM
To: Rebecca Agius <rebecca.agius@curioprospects.com.au>
Subject: Re: Penrith Stadium Redevelopment

Rebecca,

Sorry for the late response, as a rule Yarrawalk will not comment on any projects that our staff were not involved in. We will not comment on field assessments and finding if we were not engaged on that project.

Regards
Scott Franks
CEO
Native Title & Environmental Services Consultant
Native title applicant for the PCWP

From: [Rebecca Agius](#)
To: [Scott Franks](#)
Subject: RE: Penrith Stadium Redevelopment
Date: Tuesday, 18 February 2025 1:12:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

Hi Scott,

Thanks for the response. We had Yarrowalk down on our list as one of the RAPs for this project from last year, hence the email. But if there is no comment on the project going forward, no problem at all.

Have a lovely rest of your week.

Cheers

Bec

Rebecca Agius

Senior Archaeologist and Heritage Specialist

(02) 8014 9800 | 0457 131 111

Suite 3.01, 249 Pitt Street, Sydney NSW 2000

curioprojects.com.au

From: [WIDESCOPE](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Tuesday, 18 February 2025 4:32:46 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon Rebecca,

I hope you're having a great day. I wanted to let you know that Steven Hickey has reviewed the draft plan and is fully supportive of it.

Thank you for all your hard work on this project. If there's anything else you need from our end, please don't hesitate to reach out.

Best regards



Widescope Indigenous Group

Contact : Donna Hickey

Address H/O: 73 Russell St, Emu Plains NSW 2750

E-mail : Widescope.group@live.com

Mobile : 0425 232 056

From: [Robert Young](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Tuesday, 18 February 2025 3:12:42 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Rebecca,

I hope you're doing well

KACHS has reviewed the attached documents and acknowledges the processes outlined within this project. We appreciate the thoroughness and detail provided in the Aboriginal Cultural Heritage Management Plan and the summary of the test excavation works.

Yours In Culture,

Robert Young
Konanggo Aboriginal Cultural Heritage Services
9/19-23 Moate Avenue, Brighton Le Sands 2216 NSW
Email: konanggo_consultancy@hotmail.com
Phone: 0450497270

From: [Phil Khan](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Thursday, 20 February 2025 1:58:52 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Outlook-d0iznkmd.png](#)

Hi Rebecca,

Thank you for your ACHA for Penrith Stadium. We would like to agree and support you report to investigate further in the way of test excavations for the other area within the study area. We also agree with your reburial method.

We would like to express or interest to take part in the fieldwork.

Kind Regards
Phil Khan – Director
P 0451068480
E philipkhan.acn@live.com.au
ABN 26 637 314 384

From: Rebecca Agius

Sent: Friday, 21 March 2025 4:28 PM

To: 'Carolyn .H' <cazadirect@live.com>; 'Amanda DeZwart' <amandahickey@live.com.au>; 'Lee Field' <barrabyculturalservices@gmail.com>; 'Corroboree Aboriginal Corporation' <corroboreecorp@bigpond.com>; 'lilly carroll' <didgengunawalclan@yahoo.com.au>; 'Clive Freeman' <clive.freeman@y7mail.com>; 'Phil Khan' <philipkhan.acn@live.com.au>; 'Robert Young' <konanggo_consultancy@hotmail.com>; 'muragadi@yahoo.com.au' <muragadi@yahoo.com.au>; 'kevin campbell' <ninum_group@outlook.com>; 'Korri Currell' <kooridigs@gmail.com>; 'Phillip Boney' <Waarlan12@outlook.com>; 'widescope.group@live.com' <widescope.group@live.com>; 'Vicky Slater' <wurrumay31@outlook.com>; 'scott@yarrawalk.com.au' <scott@yarrawalk.com.au>; 'Arika J' <yulayculturalservices@gmail.com>

Cc: 'Milan Males-JHG' <Milan.Males@jhg.com.au>; 'Tristan Rodrigues-JHG' <Tristan.Rodrigues@jhg.com.au>

Subject: RE: Penrith Stadium Redevelopment

Hi All,

Thank you to those who responded to the first round of review for the ACHMP. Since your last review, the report has been updated, having undergone review from both Heritage NSW and the Department of Planning. As per Condition B38(c)(ii) of the development consent, ongoing consultation with RAPs is required regarding changes to the ACHMP.

If you could please provide any feedback by 4 April, that would be greatly appreciated.

If you have any further questions regarding the ACHMP or project in general, I am happy to be of assistance.

Kind regards

Rebecca

From: Rebecca Agius <rebecca.agius@curioprospects.com.au>

Sent: Wednesday, April 2, 2025 1:42:04 PM

To: cazadirect@live.com <cazadirect@live.com>; Amanda DeZwart <amandahickey@live.com.au>; Lee Field <barrabyculturalservices@gmail.com>; corroboreecorp@bigpond.com <corroboreecorp@bigpond.com>; didgengunawalclan@yahoo.com.au <didgengunawalclan@yahoo.com.au>; clive.freeman@y7mail.com <clive.freeman@y7mail.com>; philipkhan.acn@live.com.au <philipkhan.acn@live.com.au>; Robert Young <konanggo_consultancy@hotmail.com>; muragadi@yahoo.com.au <muragadi@yahoo.com.au>; kevin campbell <ninum_group@outlook.com>; kooridigs@gmail.com <kooridigs@gmail.com>; Phillip Boney <Waarlan12@outlook.com>; widescope.group@live.com <widescope.group@live.com>; Vicky Slater <wurrumay31@outlook.com>; scott@yarrawalk.com.au <scott@yarrawalk.com.au>; Arika J <yulayculturalservices@gmail.com>

Subject: RE: Penrith Stadium Redevelopment

Hi all,

Just emailing to confirm if anyone else would like to provide comment or add to the management plan for Penrith Stadium before this Friday

Thanks

Bec

From: [Robert Young](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Wednesday, 2 April 2025 7:27:20 PM
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hi Rebecca,

I hope you're doing well. Thank you for sharing the updated ACHMP report and providing the opportunity for feedback. At this stage, I have no further comments to add.

Yours In Culture,

Robert Young

Konanggo Aboriginal Cultural Heritage Services
9/19-23 Moate Avenue,
Brighton Le Sands 2216 NSW

Email: konanggo_consultancy@hotmail.com

Email: kachskonanggo@gmail.com

W: <https://www.konanggo.com>

P: 0450497270

From: [Amanda De Zwart](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Wednesday, 2 April 2025 8:33:37 PM
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Hi Rebecca

Thank you for the email AHCS supports the management planned for penrith stadium

Have a great day

Amanda

Get [Outlook for Android](#)

From: [Vicky Slater](#)
To: [Rebecca Agius](#)
Subject: Re: Penrith Stadium Redevelopment
Date: Wednesday, 2 April 2025 2:52:28 PM

Good Evening Bec,

Can you please call me when you have a spare moment in regards 1 to the Penrith Stadium Redevelopment.

Thanks

Vicky

M: 0421 0775 21

VS

Vicky Slater

Wurrumay




message



call



video



mail

2 April 2025

3:01 pm Incoming Call

8 minutes



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