

7 September 2023

Heritage NSW
Department of Planning and Environment

Dear All,

ATC NON-RACING DAY EVENTS - ROYAL RANDWICK RACECOURSE - REQUEST TO AMEND SEARS

INTRODUCTION

This letter has been prepared to support a scoping document requesting Secretary's Environmental Assessment Requirements (SEARs) for the State Significant Development Application (SSDA) which seeks approval for the ongoing use of the Royal Randwick Racecourse, Alison Road, Randwick (The subject area) for non-race day events.

This letter has been prepared to request that the SEARs exclude the standard requirement for an Aboriginal Cultural Heritage Assessment Report (ACHAR). This request is made on the basis of the nature of the proposal and conditions at the subject area, which make the requirement for an Aboriginal Cultural Heritage Assessment Report (ACHAR) unnecessary, as is demonstrated below. This request is supported by a previous waiver which was granted for an ACHAR at the site under SSD-11973381, which sought consent for the same proposed works, and the results of the accompanying Aboriginal Objects Due Diligence Assessment (ADD).

In requesting the waiver, Urbis draw particular attention to the nature of the proposal, with no ground disturbing activities proposed, along with the existing site conditions and the archaeological context of the subject area, with numerous previous ACHARs completed and one currently underway for nearby section of the racecourse. These previous assessments have included or recommended test excavation, which has identified truncated aeolian sand body below imported fill at 1.5m in depth, with no artefacts identified.

SUBJECT AREA LOCATION

The subject area is located at the Royal Randwick Racecourse, Alison Road, Randwick, Gadigal land, New South Wales, comprising Lot 2009 DP 116904, within the bounds of the Randwick Local Government Area (LGA).

The current proposed non-race day events would be held in the Spectator Precinct, Infield Precinct, and Midfield Precinct within the broader Royal Randwick Racecourse site.

The **Spectator Precinct** accommodates Royal Randwick's spectator, entertainment and convention facilities, and comprises a concentration of buildings/structures, a number of which are significant in heritage and landscape terms. This area accommodates the Queen Elizabeth II Stand and new Winx Stand (refer SSD-10285). Access and egress infrastructure such as the exclusive bus way and taxi terminal have been designed and constructed to facilitate a crowd of up to 55,000 people.

The **Infield Precinct** comprises a grassed area and hard stand in the centre of the racetrack that is primarily used for morning horse training sessions and for carparking on race days. Access to the

infield is via the vehicle tunnel off High St running below the track surface. From the infield there is access to the Spectator Precinct via the pedestrian tunnel.

The **Midfield Precinct** comprises grassed area between the inner and outer courses. This precinct accommodates race day spectator facilities and irregular non-racing recreation and entertainment uses. This precinct is associated with the Infield Precinct.

PROPOSED SCOPE

This application seeks approval for the use of land and buildings within the Spectator, Midfield and Infield precincts of the Royal Randwick Racecourse for various non-race day activities including events, functions and festivals.

The accommodation of non-race day events on the site is consistent with the historical use of the site as a recreation facility (major) and the broader event character of the precinct. The site has accommodated a number of non-race day events under previous approvals, and this application seeks to continue the ongoing use of the site for this purpose.

Previous development consents which have granted consent for the use of the site for non-race day activities include SSD-6134-2013, SSD-5394-2012, and SSD-4995-2011. These consents have lapsed and as such this application will re-seek consent for the accommodation of these activities on the site. In 2022, SSD-11973381 sought consent for the same proposed scope however the SEARs for this project lapsed prior to its completion.

This application **does not** seek consent for construction of permanent structures or significant ground penetration. As such the proposal will not result in additional impacts to the ground surface.

The proposal will also involve the erection of temporary structures within the designated zones in the Spectator, Midfield and Infield precincts. Temporary structures will include stages, marquees, screens, and ancillary structures such as amenities and lighting typically found at events. The temporary structures will be erected in the days preceding the events and dismantled and removed from the site within 10 days following the event. Existing services and utilities will be utilised for the events.

The erection of temporary structures on the site is consistent with existing practice at the Royal Randwick Racecourse and will not result in a below-ground impact.

The proposal will seek consent for ten non-race day events per annum, with a capacity of between 5,000 - 15,000 patrons

REQUEST FOR SEARS

The subject area and surrounding landscape have been previously assessed through various archaeological investigations. The most recent archaeological investigations at the subject area have been carried out by Urbis and have included consultation with Aboriginal community in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010). In 2020, archaeological test excavations were carried out within a section of the Leger Lawn area, which is located along the southern boundary of the Spectator Precinct. The archaeological test excavations did not identify any Aboriginal artefacts, and the Registered Aboriginal Parties (RAPs) involved did not express any comments regarding any intangible cultural heritage values associated with the subject area during the consultation process. The test excavations identified high disturbance with fill to considerable depth overlying natural soils. Urbis has recently completed (July 2023) a ACHAR for works under a separate proposal for works within the Spectator Precinct, which included further consultation with Registered Aboriginal Parties.

The combination of preliminary research, geotechnical investigations and archaeological test excavations have confirmed the high level of disturbance and placement of fill down to 1.5 to 2m across the subject area. Below this layer of fill is the consolidated aeolian sand body that is associated with the Tuggerah Soil Landscape and locally the Botany Bay sands. However, geomorphological investigation confirmed that the sand body has been heavily truncated, and this has further lowered the potential for Aboriginal objects.

There are no significant ground disturbance activities associated with the current proposal. The current proposal includes the ongoing use of the subject area for recreational activities, which will

utilise the existing infrastructure with some temporary marquees or stalls also erected on an ad-hoc basis. ATC have been erecting temporary structures at the subject area without a requirement for consent for some time, as no ground disturbance will occur as a result of this activity.

As there is no impact to the ground surface or Aboriginal objects which may occur at the subject site below fill levels, it is therefore determined that it is appropriate in this instance to waive the requirement for an ACHAR within the SEARs, and instead permit the attached ADD to accompany the EIS.

CONCLUSIONS AND RECOMMENDATIONS

On the basis of the assessment as above, Urbis concludes that an ACHAR is not relevant for the proposed works as there will be no impacts to any landscape features/deposits associated with potential for Aboriginal objects Urbis conclude that the attached ADD is sufficient to assess the impacts associated with the current proposal.

The following recommendations should be implemented:

- The SEARs for this project should exclude the requirement for an ACHAR to accompany the Environmental Impact Statement.
- The Aboriginal Objects Due Diligence Assessment accompanying this letter should be considered satisfactory for the assessment of potential impact to Aboriginal objects under the current proposal.
- This letter should be considered to apply only to the current proposal. If future proposals for the subject area will involve impacts to the ground surface, additional assessment either in the form of an ADD or an ACHA should be prepared, to be determined on a case-by-case basis pending the nature and location of the proposal.

Yours sincerely,



Meggan Walker
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APPENDIX A

PREVIOUS WAIVER

Meggan Walker

From: Sarah Robertson <Sarah.Robertson@environment.nsw.gov.au>
Sent: Tuesday, 4 October 2022 12:34 PM
To: Minoshi Weerasinghe
Cc: Eliza Scobie; Sarah Horsfield; Meggan Walker
Subject: RE: RE: Royal Randwick Non-Race Day Events SSD 11973381 - ACHAR

Dear Minoshi,

Heritage NSW has reviewed the Urbis letter and Due Diligence report with respect to Aboriginal Cultural Heritage (ACH), in relation to the proposed Australian Turf Club Non-Racing Events, Randwick, as requested.

In this instance, Heritage NSW considers that it is appropriate to amend the standards ACH SEARs for SSD-11973381 to reflect that an ACHAR is not required. This advice is provided based on the following reasons:

- Numerous archaeological investigations, including test excavations, have already been undertaken within the subject area and surrounding landscape.
- Urbis' desk top assessment based on these assessments concluded that no landscape features/deposits associated with potential for Aboriginal objects will be impacted by the proposed works.
- The area of the Randwick Racecourse has been subject to significant ground disturbing activities since at least the 1830s and test excavations have identified approximately 1.1m to 3m of fill covering the deeper natural dune deposit.
- The proposed works will not results in any ground disturbance that could impact Aboriginal objects beneath the fill.
- The current proposal will not results in any significant ground disturbance activities because it will use a combination of existing infrastructure and temporary marquees and/or stalls.

DPE could consider requiring:

- The applicant to prepare an unexpected finds procedure to follow if Aboriginal objects were identified during works.

Please note that the recommendation to waive an ACHAR is specific to SSD-11973381. A separate archaeological assessment will be required if ground disturbance is proposed as a result of future projects at the site.

I will place our advice on file, and please feel free to contact me if you require any additional information.

Kind Regards,
Sarah

Sarah Robertson BA (Hons), PhD
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Working days Monday to Friday



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

From: Meggan Walker <mwalker@urbis.com.au>
Sent: Thursday, 29 September 2022 5:07 PM
To: Sarah Robertson <Sarah.Robertson@environment.nsw.gov.au>
Cc: Eliza Scobie <escobie@urbis.com.au>; Sarah Horsfield <shorsfield@urbis.com.au>; Minoshi Weerasinghe <Minoshi.Weerasinghe@planning.nsw.gov.au>
Subject: RE: RE: Royal Randwick Non-Race Day Events SSD 11973381 - ACHAR

Hi Sarah,

Following on from the below, please see attached the draft ADD and covering letter requesting an amendment to the SEARs to replace Requirement 11 to instead consider the ADD satisfactory. As stated in the ADD and letter, the waiver is considered appropriate given the absence of ground disturbance activity, the previous assessment of the subject area, and the depth of natural soils with potential to contain artefacts below current surface and fill.

Please let me know if you have any questions or comments.

Kind regards,

MEGGAN WALKER *she/her/hers*
SENIOR CONSULTANT

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From: Meggan Walker
Sent: Thursday, 1 September 2022 6:35 PM
To: 'Sarah.Robertson@environment.nsw.gov.au' <Sarah.Robertson@environment.nsw.gov.au>
Cc: Eliza Scobie <escobie@urbis.com.au>; Sarah Horsfield <shorsfield@urbis.com.au>;
'Minoshi.Weerasinghe@planning.nsw.gov.au' <Minoshi.Weerasinghe@planning.nsw.gov.au>
Subject: RE: Royal Randwick Non-Race Day Events SSD 11973381 - ACHAR

Hello Sarah,

Hope you're well. I am responding on behalf of Eliza in reference to the above SSDA waiver request for an ACHA. We believe that an ACHA would not be necessary for this project given that there are no impacts to the ground proposed and a Due Diligence is currently under preparation by Urbis, we will provide this within the next week, it is currently in internal review. The proposed works under the SSDA are of the same nature as has previously been approved on a singular basis, with the SSDA seeking this approval for ongoing use. There have been previous ACHAs undertaken on the subject site, including one that is currently in preparation, which have involved consultation with community. For these reasons, we believe it is appropriate to waive this requirement for SSD-11973381. In response to your previous questions, we note that the subject area is generally disturbed due to the ongoing use as the Randwick Racecourse. Urbis have previously undertaken excavation in the area (see attached ATR) for SSDA-10285, which identified a differentially truncated natural sand dune profile below approximately 1.6m of levelling fill and subsurface service, with the A1 horizon removed. No Aboriginal archaeological resources were identified. As such we identify the depth of the sand body being greater than 1.6m, with the current proposal involving no ground disturbance. Therefore there is nil potential for the proposal to impact Aboriginal objects, even if they may be present in a subsurface capacity.

Please let me know if you require further information.

Kind regards,

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From: Sarah Robertson <Sarah.Robertson@environment.nsw.gov.au>
Sent: Tuesday, 30 August 2022 2:12 PM
To: Eliza Scobie <escobie@urbis.com.au>
Cc: Sarah Horsfield <shorsfield@urbis.com.au>; Minoshi Weerasinghe

<Minoshi.Weerasinghe@planning.nsw.gov.au>

Subject: RE: Royal Randwick Non-Race Day Events SSD 11973381 - ACHAR

Good afternoon Eliza,

Thank you for your email in relation to State Significant Development Application (SSD 11973381) for the Non-Race Day Events at Royal Randwick Racecourse. I note that your email is in relation to the SEARs issued by Department of Planning and Environment (DPE) on 24 December 2020, with respect to Aboriginal cultural heritage (ACH).

I understand that Urbis, on behalf of the proponent, is requesting that Heritage NSW allow a Due Diligence Assessment in lieu of an ACHAR.

Please be advised that the due diligence process outlined in the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (2010)* is a legal defence against harm under section 87 of the *National Parks and Wildlife Act 1979* (NPW Act) and is not designed for the assessment of major projects. Under the NPW Act, regardless of the existence of due diligence, if an object is found and is going to be harmed, even in a disturbed context, work must stop, and an Aboriginal Heritage Impact Permit applied for. As section 90 of the NPW Act does not apply to major projects, PDE maintains the use of the due diligence process is not appropriate in this instance.

I can advise that for a limited number of proposals, Heritage NSW consider it appropriate to amend the standard ACH SEARs to reflect that an ACHAR is not required. For this to be considered for SSD 11973381, we require a Due Diligence Assessment and a justification written by a suitably qualified person which provides the following:

1. A description of all previous ground disturbance within the project area, including depth of disturbance;
2. The depth below current ground surface of the consolidated aeolian sand body with potential for Aboriginal objects or archaeological deposits.
3. A summary and map of all previous ACHARs undertaken at Royal Randwick;
4. A map of the distribution of fill across Royal Randwick; and
5. A map showing the location of previous test excavations at Royal Randwick.

Kind Regards,
Sarah

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I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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From: Eliza Scobie <escobie@urbis.com.au>
Sent: Tuesday, 30 August 2022 1:51 PM
To: Sarah Robertson <Sarah.Robertson@environment.nsw.gov.au>
Cc: Sarah Horsfield <shorsfield@urbis.com.au>; Minoshi Weerasinghe <Minoshi.Weerasinghe@planning.nsw.gov.au>
Subject: Royal Randwick Non-Race Day Events SSD 11973381 - ACHAR

Good afternoon Sarah,

I hope you are well. I received your contact details from Minoshi, the relevant assessing officer for our application for Royal Randwick Non-Race Day Events State Significant DA no.11973381. We are emailing you on behalf of the Australian Turf Club (ATC, the applicant) with regard to SEARs Item 11, which states:

The EIS must include:

...

an Aboriginal Cultural Heritage Assessment Report in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the site, including archaeology.

The applicant requests that the SEAR for the submission of an ACHAR be waived for the reasons outlined in the attached ACHAR Waiver Request letter, prepared by Urbis Heritage.

In summary, Urbis Heritage are of the view that the nature of the proposal and conditions at the subject area make the requirement for an ACHAR unnecessary. Urbis are in the process of preparing an Aboriginal Objects Due Diligence Assessment (ADD) to accompany this letter which will be included in the SSDA submission, which should be considered satisfactory to assess the impacts associated with the proposal on Aboriginal cultural heritage.

We emphasise the proposed works relate to the **use of the site** for non-race day activities, and **does not involve additional impacts to the ground surface**. Events will utilise existing facilities and services, with some temporary structures to be erected on an ad-hoc basis consistent with the current operation of the site as a recreational precinct.

We trust that the submitted information will allow DPE / Heritage NSW to make an informed decision regarding the need to submit a ACHAR.

Could you please review and advise of your response to our request at your earliest convenience? Should you require any further information please do not hesitate to contact me.

Kind regards,

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APPENDIX B

ABORIGINAL OBJECTS DUE DILIGENCE ASSESSMENT

The logo for URBIS, featuring the word "URBIS" in a bold, white, sans-serif font. The letters are partially enclosed by a white square frame that is open on the right side. The background of the entire page is a vertical gradient from purple at the top to yellow at the bottom, with a white line running vertically down the left side and a horizontal line intersecting it at the level of the logo.

URBIS

ABORIGINAL OBJECTS DUE DILIGENCE ASSESSMENT

Australian Turf Club Non-
Racing Day Events, Randwick,
Gadigal Country, NSW

Prepared for

**MOSTYN COPPER ON BEHALF OF AUSTRALIAN
TURF CLUB**

May 2023

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code	P0026563
Report Number	D01 – Issued 25 October 2021 D02 – Issued 27 September 2022 D03 – Issued 29 September 2022 FNL – Issued 11 May 2023.

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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	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.
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).
Code of Practice	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010).
DCP	Development Control Plan
DECCW	Department of Environment, Climate Change and Water NSW.
DPC	Department of Premier and Cabinet
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.

Term	Definition
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.
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

Urbis has been engaged by the Mostyn Copper on behalf of Australian Turf Club (ATC) ('the Proponent') to conduct a desktop Aboriginal Objects Due Diligence Assessment (ADD) to support a State Significant Development Application (SSDA), which seeks approval for the ongoing use of the Royal Randwick Racecourse. The Royal Randwick Racecourse is located at Alison Road, Randwick, within Gadigal land and is legally referred to as Lot 2009 in Deposited Plan 1169042 ('the subject area') (Figure 1 and Figure 2).

This ADD has been prepared to accompany a request to waive the standard Secretary's Environmental Assessment Requirements (SEARs) requirement for an Aboriginal Cultural Heritage Assessment Report (ACHAR).

The ADD was undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010) ('Due Diligence Code'), and included the following:

- Search of the Aboriginal Heritage Information Management System (AHIMS) register.
- Searches of statutory and non-statutory heritage listings.
- Analysis of previously conducted archaeological assessments in the vicinity of the subject area.
- Landscape analysis.
- Analysis of historical land use and its impact on the subject area.

The assessment concluded that:

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- The subject area and surrounding landscape have been previously assessed through various archaeological investigations. This includes test excavation within a section of the Leger Lawn area, which is located along the southern boundary of the Spectator Precinct. This excavation identified high disturbance with fill to considerable depth overlying natural soils.
- Geotechnical findings confirm the impact of historical activities on the soil profile, with disturbance being encountered to a minimum depth of 1.1m-3m below the current ground surface. There is nil to low potential for Aboriginal objects within the disturbed soil layers.
- The subject area has moderate archaeological potential for artefact scatters / campsites, burials, isolated finds, middens and PADS within intact natural soil at depths exceeding 1.1/3m below the current ground surface level.
- There are **no impacts** anticipated resulting from the current proposal. The proposed works involve the casual use of the subject area for non-race day activities, including opportunities for music festivals and other temporary events. No permanent structures or services are proposed associated with this use, with the erection of temporary, non-fixed structures above ground surface level on an ad-hoc basis.
- On the basis of the assessment as above, Urbis concludes that an ACHA is not relevant for the proposed works as there will be no impacts to any landscape features or deposits associated with potential for Aboriginal objects.
- Urbis conclude that this ADD sufficient to assess the impacts associated with the current proposal.

Based on the above conclusions, Urbis recommends the following:

1. This assessment should be kept as evidence of due diligence at the subject area.
2. Although no ground works are proposed during this scope of works, if ground disturbance is proposed in future projects at the site, a separate assessment will be required.

1. INTRODUCTION

Urbis have been engaged by Mostyn Copper on behalf of Australian Turf Club (ATC) ('the Proponent') to prepare a desktop Aboriginal Objects Due Diligence Assessment (ADD) at the Royal Randwick Racecourse, Randwick, Gadigal land, New South Wales. The ADD will be used to accompany a State Significant Development Application (SSDA).

This ADD has been prepared to accompany a request to waive the standard Secretary's Environmental Assessment Requirements (SEARs) requirement for an Aboriginal Cultural Heritage Assessment Report (ACHAR).

This ADD is prepared to investigate whether the proposed development has the potential to impact on Aboriginal objects, whether further investigation is needed.

The ADD followed the generic steps of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW, 2010) ('Due Diligence Code') shown in Figure 6 below. The ADD included the following:

- Search of the Aboriginal Heritage Information Management System (AHIMS) register.
- Searches of statutory and non-statutory heritage listings.
- Analysis of previously conducted archaeological assessments in the vicinity of the subject area.
- Landscape analysis.
- Analysis of historical land use and its impact on the subject area.

1.1. SUBJECT AREA LOCATION

The subject area is located at Alison Road, Randwick, Gadigal land, New South Wales, comprising Lot 2009 DP 116904, within the boundary of the Randwick Local Government Area (LGA).

The current proposed non-race day events would be held in the Spectator Precinct, Infield Precinct, and Midfield Precinct within the broader Royal Randwick Racecourse site. The location of the Spectator Precinct, Infield Precinct, and Midfield Precinct are shown in Figure 1 and Figure 2.

The subject area can be summarised as the following:

- **The Spectator Precinct:** accommodates Royal Randwick's spectator, entertainment and convention facilities, and comprises a concentration of buildings/structures, a number of which are significant in heritage and landscape terms. This area accommodates the Queen Elizabeth II Stand and new Winx Stand (refer SSD-10285). Access and egress infrastructure such as the exclusive bus way and taxi terminal have been designed and constructed to facilitate a crowd of up to 55,000 people.
- **The Infield Precinct:** comprises a grassed area and hard stand in the centre of the racetrack that is primarily used for morning horse training sessions and for carparking on race days. Access to the infield is via the vehicle tunnel off High St running below the track surface. From the infield there is access to the Spectator Precinct via the pedestrian tunnel.
- **The Midfield Precinct:** comprises grassed area between the inner and outer courses. This precinct accommodates race day spectator facilities and irregular non-racing recreation and entertainment uses. This precinct is associated with the Infield Precinct.

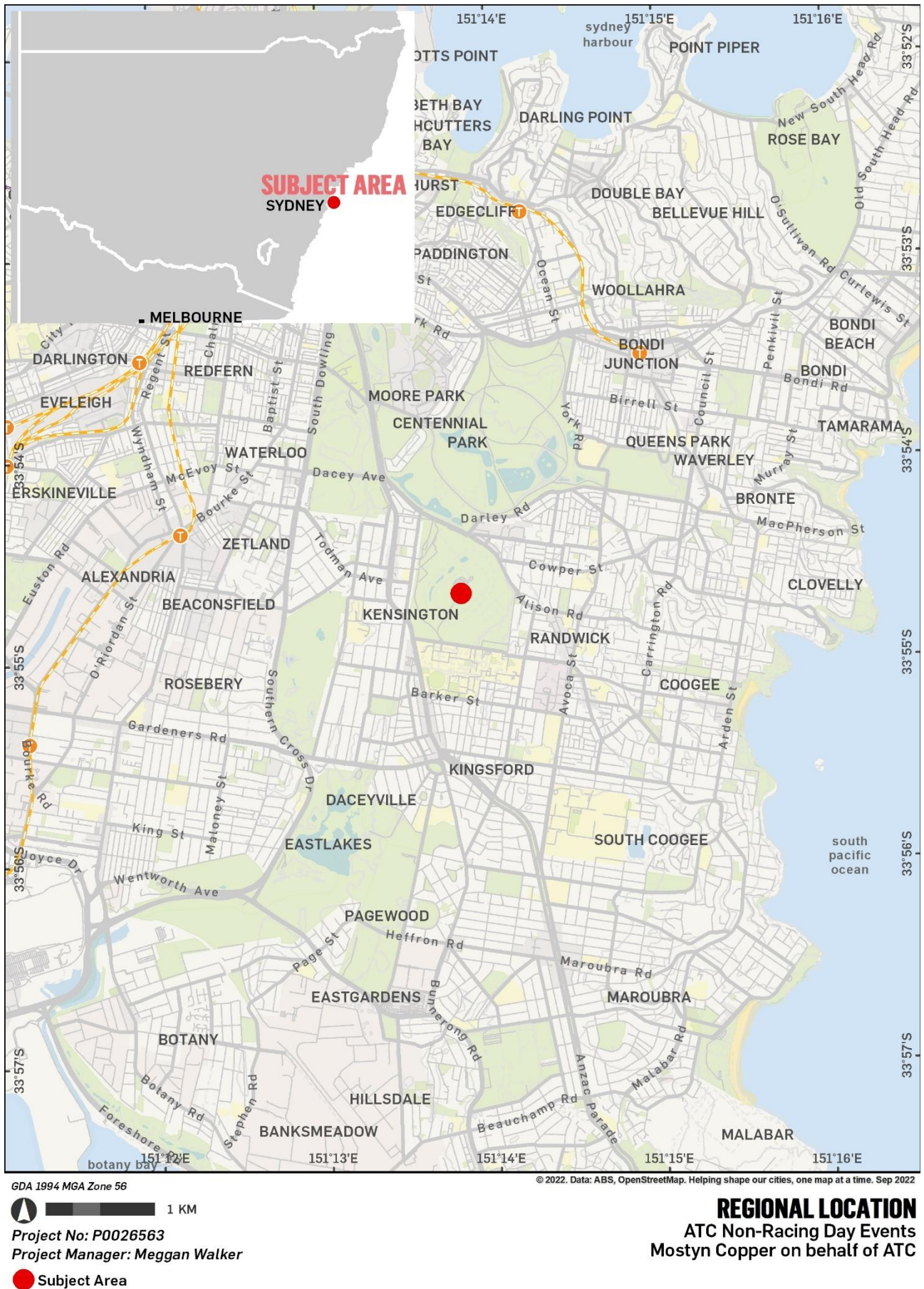


Figure 1 – Regional location



Figure 2 – Location of the subject area

1.2. PROPOSED WORKS

This application seeks approval for the use of land and buildings within the Spectator, Midfield and Infield precincts of the Royal Randwick Racecourse for various non-race day activities including events, functions and festivals.

The accommodation of non-race day events on the site is consistent with the historical use of the site as a recreation facility (major) and the broader event character of the precinct. The site has accommodated a number of non-race day events under previous approvals, and this application seeks to continue the ongoing use of the site for this purpose.

Previous development consents which have granted consent for the use of the site for non-race day activities include SSD-6134-2013, SSD-5394-2012, and SSD-4995-2011. These consents have lapsed and as such this application will re-seek consent for the accommodation of these activities on the site.

This application **does not** seek consent for construction of permanent structures or significant ground penetration. As such the proposal will not result in additional impacts to the ground surface.

The proposal will also involve the erection of temporary structures within the designated zones in the Spectator, Midfield and Infield precincts. Temporary structures will include stages, marquees, screens, and ancillary structures such as amenities and lighting typically found at events. The temporary structures will be erected in the days preceding the events and dismantled and removed from the site within 10 days following the event. Existing services and utilities will be utilised for the events.

The erection of temporary structures on the site is consistent with existing practice at the Royal Randwick Racecourse and will not result in a below-ground impact.

Non Race Day events will fall into the below categories:

- Category 1 - 35,000 – 50,000 - 2 events per year
- Category 2 - 10,000 - 35,000 - 7 events per year
- Category 3 - 5,000 - 10,000 - 12 events per year

Indicative plans for each category of event are included below. Note, this is subject to change based on event type.



Figure 3 – Typical category 1 event layout

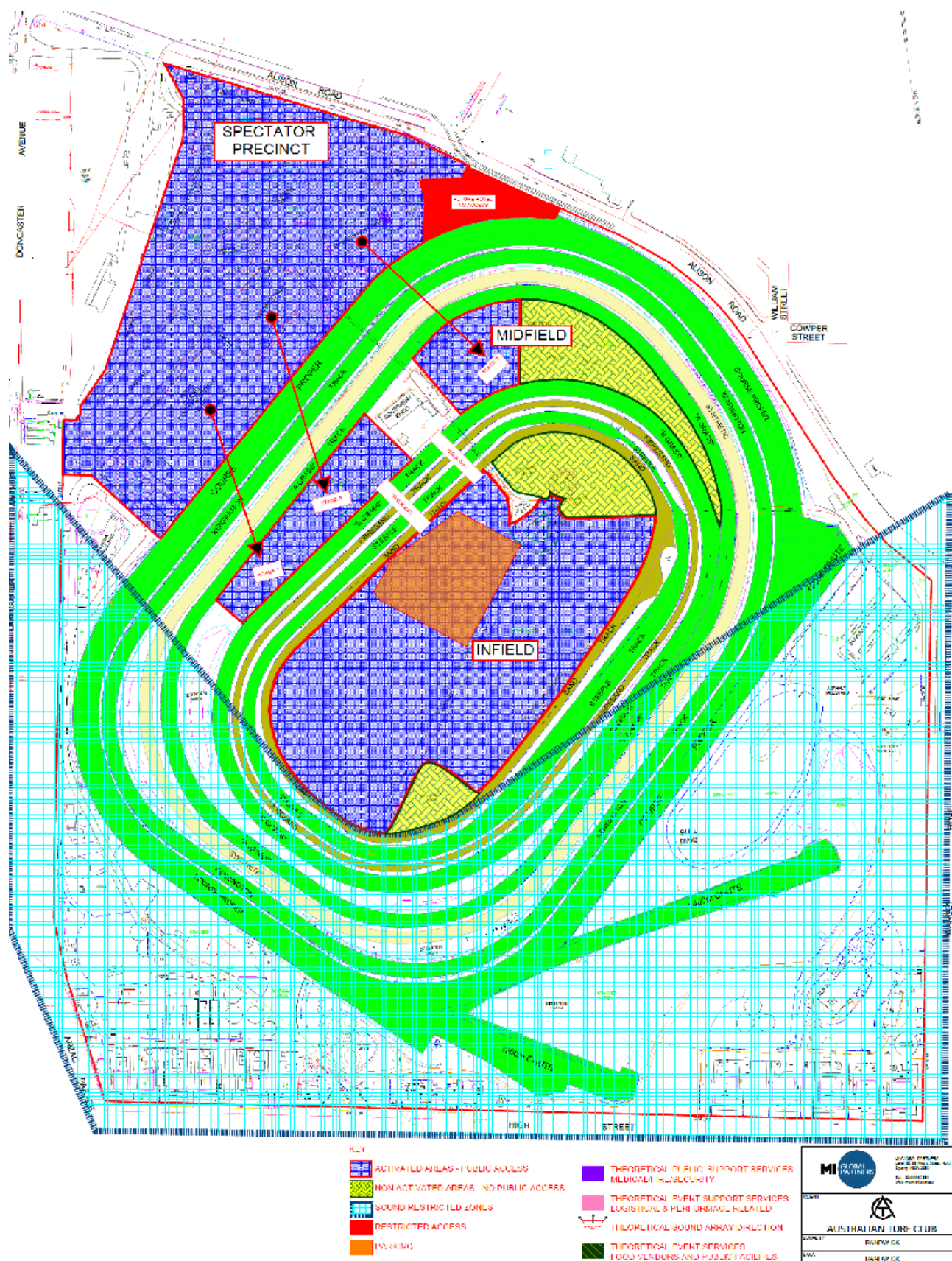


Figure 4 – Typical category 2 event layout

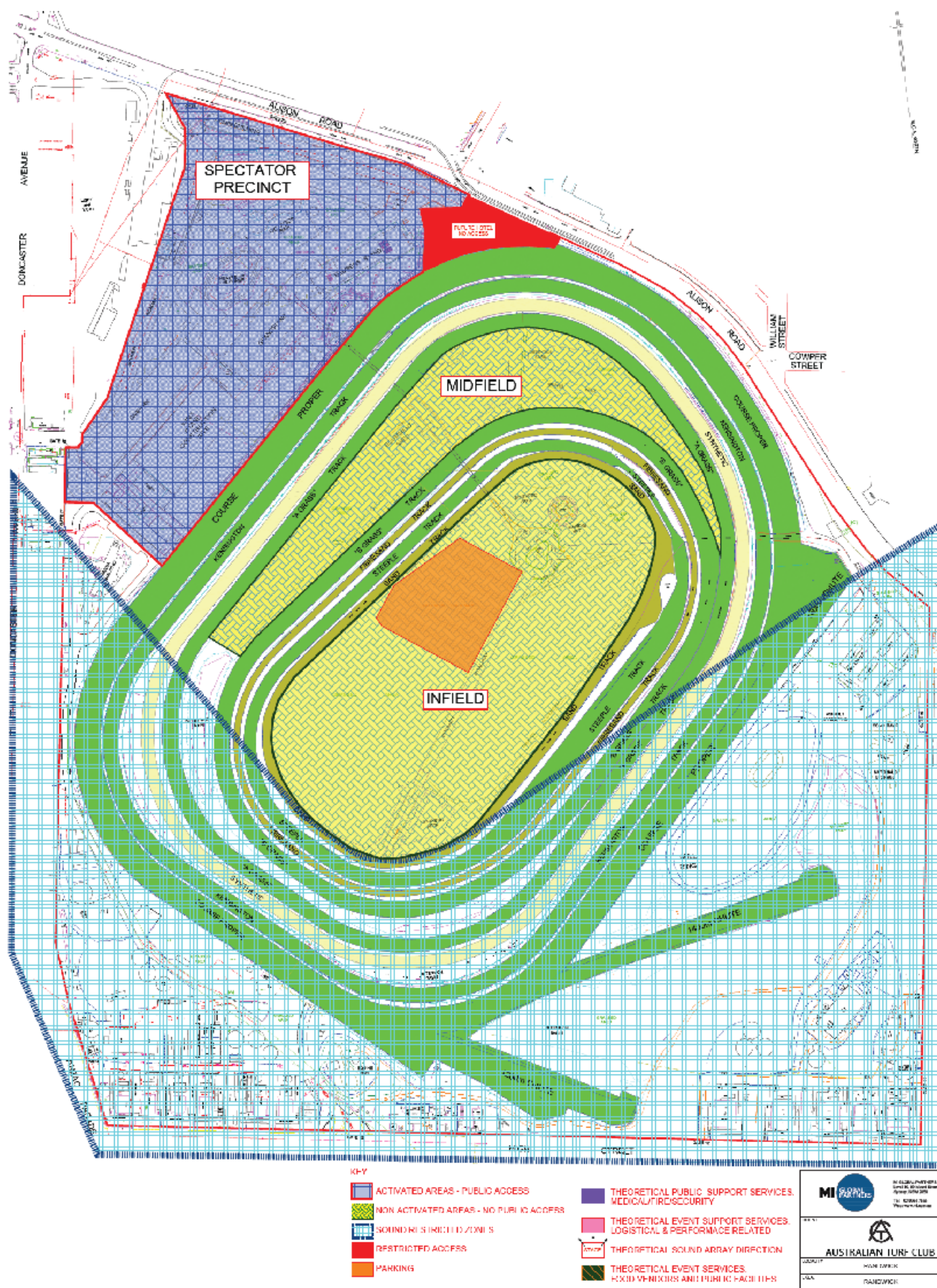


Figure 5 – Typical category 3 event layout

1.3. AUTHORSHIP

The present report has been prepared by Wade Goldwyer (Urbis Consultant Archaeologist) with review and quality control undertaken by Meggan Walker (Urbis Senior Archaeologist) and Balazs Hansel (Urbis Director, Archaeology).

Wade Goldwyer holds a Bachelor of Arts (Honours - Archaeology) from the University of Western Australia. Meggan Walker holds a Bachelor of Arts (Archaeology & Ancient History) (Honours) from the University of Sydney. Balazs Hansel holds a Masters (History) and Masters (Archaeology and Museum Studies) from the University of Szeged (Hungary).

1.4. LIMITATIONS

The ADD was limited to Aboriginal archaeological resources and does not consider historical archaeological remains or built heritage items. Historical archaeology is considered in the Historical Archaeological Impact Assessment prepared by Urbis (2022). Aboriginal community consultation was not undertaken as part of the ADD, nor was any assessment of significance of the subject area undertaken. Neither is required to be undertaken under the Due Diligence Code, and the nature of the proposed works does not result in the requirement for such assessment to be undertaken.

The ADD is based on the understanding that any future works would include ground disturbing activities across the entire subject area. Any departure from that understanding would require a reassessment of the impact on Aboriginal objects within the subject area.

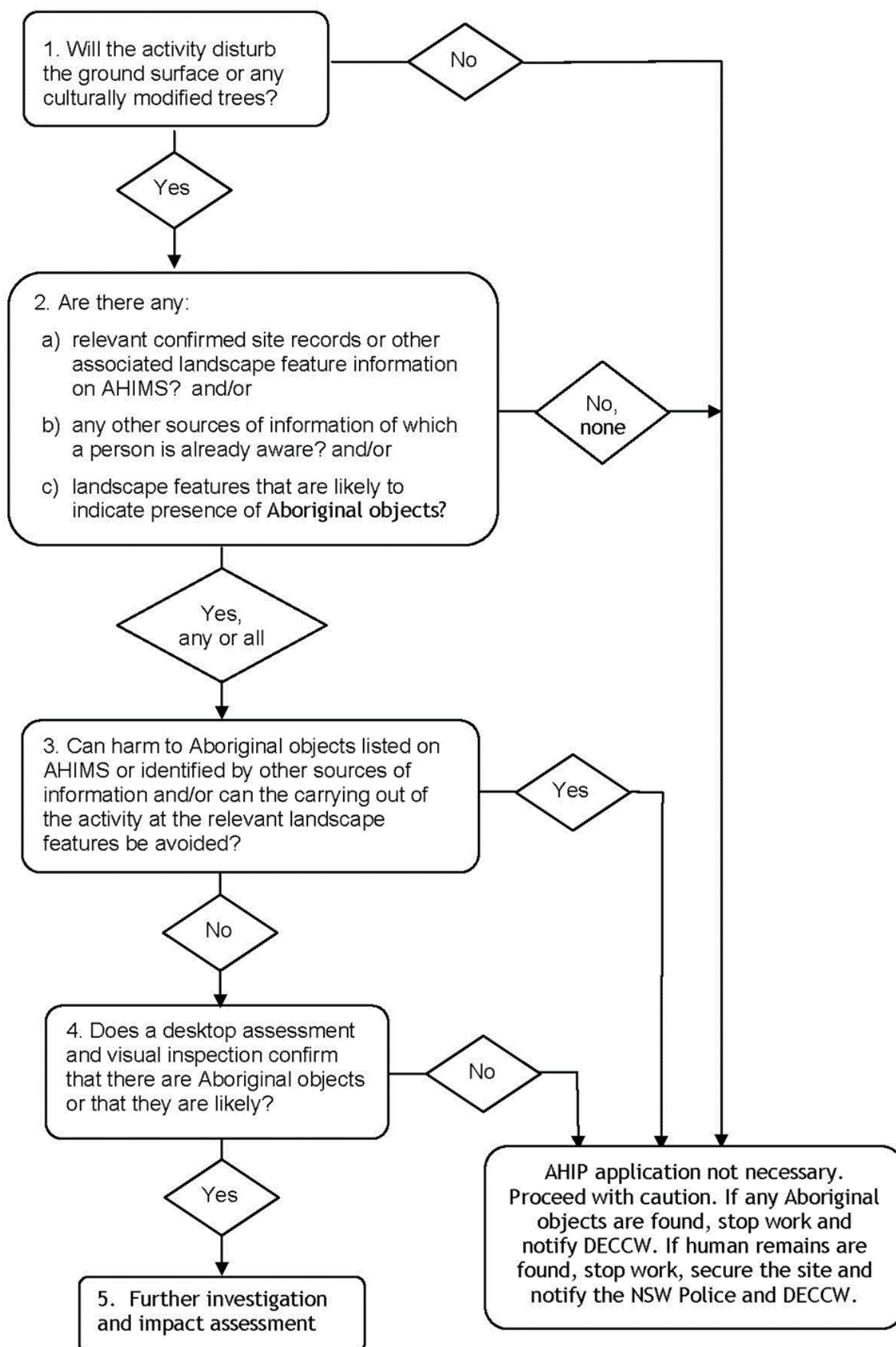


Figure 6 – Generic due diligence assessment.
Source: DECCW, 2010

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).

Section 86 of the NPW Act identifies rules and penalties surrounding harming or desecrating Aboriginal objects and Aboriginal places. These are identified as follows:

- (1) *A person must not harm or desecrate an object that the person knows is an Aboriginal object.*

Maximum penalty:

(a) in the case of an individual—2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or

(b) in the case of a corporation—10,000 penalty units.

- (2) *A person must not harm an Aboriginal object.*

Maximum penalty:

(a) in the case of an individual—500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or

(b) in the case of a corporation—2,000 penalty units.

- (4) *A person must not harm or desecrate an Aboriginal place.*

Maximum penalty:

(a) in the case of an individual—5,000 penalty units or imprisonment for 2 years, or both, or

(b) in the case of a corporation—10,000 penalty units.

- (5) *The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.*

- (6) *Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.*
- (7) *A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.*
- (8) *If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).*

Section 87 (1), (2) and (4) of the NPW Act establishes defences against prosecution under s.86. The defences are as follows:

- The harm was authorised by an Aboriginal Heritage Impact Permit (AHIP) (s.87(1)).
- Due diligence was exercised to establish Aboriginal objects will not be harmed (s.87(2)).

Due diligence may be achieved by compliance with requirements set out in the NPW Regulation or a code of practice adopted or prescribed by the NPW Regulation (s.87(3)).

The present ADD follows the Due Diligence Code and aims to establish whether any Aboriginal objects would be harmed by the proposed redevelopment of the subject area, consistent with s.87(2) of the NPW Act.

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.

A search of the CHL was undertaken on 1 September 2022. No items on the CHL were found to be within, or in proximity to, the subject area.

2.1.3. Statutory and Non-Statutory Heritage 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.

This section includes a high-level assessment of historical (built) heritage constraints of the subject area. The assessment based on the statutory and non-statutory heritage listings and information available from previously undertaken archaeological investigations.

A search of the Statutory and Non-Statutory Heritage Registers was undertaken on 1 September 2022. The search identified one listed heritage item within the curtilage of the subject area listed under the Register of the National Estate (Non-statutory archive), namely the Members Stand Royal Randwick Racecourse, Alison Rd, Randwick, NSW, Australia (Item# 1752).

The Queens Stand at the Royal Randwick Racecourse was previously listed on the Register of the National Estate (Non-statutory archive) (Item# 100460). However, this listing has since been removed from the register.

2.1.4. NSW State Heritage Register (SHR)

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 1 September 2022. No items within or in proximity to the subject area were identified.

2.1.5. Australian Heritage Database

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 (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 undertaken on 1 September 2022. The search did not identify any heritage items within the curtilage of the subject area.

2.1.6. Randwick Council Local Environment Plan 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 Randwick Council Local Environment Plan (LEP) 2012 Schedule 5 provides information on items of local heritage significance and outlines consent requirements for undertaking activities within identified areas of significance.

A search of the Randwick Council Local Environment Plan (LEP) 2012 was undertaken on 1 September 2022. The whole of the Royal Randwick Racecourse, including the subject area, is located within, and forms the majority of, the C13 Racecourse Heritage Conservation Area under Schedule 5 of the Randwick LEP 2012. The conservation area includes the adjoining strip of residential dwellings along Doncaster Avenue, which adjoin Royal Randwick's western boundary. Within Royal Randwick, the Member's Stand is individually listed as a local heritage item under Schedule 5 of the Randwick LEP 2012, as Item 249, 'Members' Stand/Official Stand, Royal Randwick'. This is the only heritage item listed within the Royal Randwick precinct.

Additional individual heritage items are located along Doncaster Avenue, comprising residential dwellings, and to the north, being the whole of Centennial Park. These heritage items are located outside of the subject property boundary, however those heritage listed dwellings along the eastern alignment of Doncaster Avenue are located within the overall C13 Racecourse Heritage Conservation Area.

2.1.7. Randwick Council Development Control Plan 2013

The EP&A Act requires each LGA to produce a Development Control Plan (DCP). Not all LGAs provide information regarding Aboriginal cultural heritage and specific development controls to protect Aboriginal cultural heritage. The subject area is identified within the Randwick Council Development Control Plan (DCP) 2013. The Randwick DCP addresses the heritage specific to the Royal Randwick Racecourse in section 3.2.

Section 3.2 pertains to heritage and archaeological sites with a number of identified objectives. These are essentially to conserve, manage and interpret the heritage significance of the Racecourse; to manage built, landscape and archaeological components, historic views and spaces in accordance with their assessed significance; to manage and respect the archaeological values of the site; to manage the cultural landscape of the Racecourse; to actively promote and interpret the heritage values of the site.

Section 3.2 pertains primarily to historical archaeology and built heritage. However, the following control measure applies to Aboriginal cultural heritage:

e. Identified and potential Aboriginal sites are to be managed and conserved in accordance with the NSW NPWA, 1974. Consultation with Aboriginal groups is to be part of developing an understanding of the Aboriginal significance of the site. Such consultation is to occur prior to any major development application on land identified as "high aboriginal sensitivity" in the vicinity of High Street and Wansey Road (see CMP).

The abovementioned controls are not required as the proposed works will not have any impact to potential Aboriginal cultural heritage sites.

2.2. SUMMARY

The following conclusions were made after the assessment of the relevant statutory and non-statutory historic heritage and archaeological constraints:

- There are no items listed on any other heritage listings – including the SHR, SHI or Australian Heritage Database – within or in proximity to the subject area.
- Searches of the State Heritage Inventory and Australian Heritage Database did not identify any Aboriginal heritage items within the curtilage of the subject area.
- The subject area comprises part of the Racecourse Heritage Conservation Area (ID# C13) under Schedule 5 of the Randwick LEP 2012.
- The subject area contains a locally listed heritage item, namely the Member's Stand (Item# 249), 'Members' Stand/Official Stand, Royal Randwick'. This is the only heritage item listed within the Royal Randwick precinct. The same heritage item is listed under the Register of the National Estate (Non-statutory archive) and is named the 'Members Stand Royal Randwick Racecourse, Alison Rd, Randwick, NSW, Australia' (Item# 1752).
- The subject area is in proximity to a number of heritage listed items on the Randwick LEP, including residential dwellings located along Doncaster Avenue, and Centennial Park to the north. These heritage items are located outside of the subject area, however those heritage listed dwellings along the eastern alignment of Doncaster Avenue are located within the overall C13 Racecourse Heritage Conservation Area.
- The Randwick Council DCP contains control measures for the protection of Aboriginal cultural heritage that is specific to the Royal Randwick Racecourse site. However, these control measures are not required as the proposed works will not have any impact to potential Aboriginal cultural heritage sites.



GDA 1994 MGA Zone 56

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200 M

Project No: P0026563

Project Manager: Meggan Walker

Subject Area Hydrology Conservation Area - General Item - General

Light Rail Station and Route

Contours

State Heritage Register

HISTORICAL HERITAGE ITEMS

ATC Non-Racing Day Events
Mostyn Copper on behalf of ATC

Figure 7 – Heritage items

3. ABORIGINAL HERITAGE BACKGROUND

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.

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.

3.1. PAST ABORIGINAL LAND USE

The history of the subject area has been extracted from the Aboriginal Cultural Heritage Assessment (ACHA) prepared by Urbis (Urbis, 2019).

Aboriginal occupation of the region is known to have extended from at least 20 000 years ago, but the lack of histories written in the area during the early years of European occupation, prior to the impacts of the European diseases and conflicts on the population numbers, has presented difficulties in understanding the pre-contact culture in the area. The population of Aboriginal people around Sydney has been estimated at between 2000 and 3000 people, with the greater Sydney region estimated at somewhere between 4000 and 8000. The changing belief systems, social organisation and ritual are difficult to fully understand, as behaviours recorded by Europeans may have been impacted by the presence of those same Europeans (Attenbrow 2010:17).

The Randwick racecourse area forms part of the traditional lands of the Gadigal people, with the dune systems and wetlands incredibly important for subsistence and the exploitation of resources. The permanent freshwater supply of the Lachlan Swamplands to the north in the area that is now Centennial Parklands, was fundamental to camping and resource gathering in the region. The swamps are also recorded to have provided food sources to the local Aboriginal people, who ate roots dug up from the swamplands (Tench, 1789). This area would also have provided good hunting grounds and aquatic resources, including fish and eels.

Shell, stone artefacts and bone are the most common material remains of land use, however a range of other materials including wood and other organic materials would also have been utilised. The nature of soils and in the area makes the preservation of these organic materials unlikely. There is also evidence in the area of the adaptation of European materials including ceramic and flint by local Indigenous groups.

The region was dissected by a series of pathways which connected various parts of Gadigal lands, including areas beyond for hunting and resource collection, trade, and social and ceremonial activities.

Approximately 4.5km north-east of the current subject area is 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 artefact scatter was found 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.

High density archaeological sites have also been recently located adjacent to the subject area during the CSELR works, within the Randwick Racecourse Stabling Yards. These included tens of thousands of flint artefacts, with scientific analysis demonstrating that this flint was sourced from the banks of the River Thames in London and transported to Sydney on passenger ships as ballast. Local Aboriginal groups adopted the material quickly, recognising its potential for knapping, resulting in the cache of artefacts located at the Stabling Yards (GML, 2021).

3.2. PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Previous archaeological investigations can provide invaluable information on the nature, spatial distribution, and extent of archaeological resources in a given area.

The subject area comprises a large portion of the Royal Randwick Racecourse and has been the subject of several previous archaeological investigations. Additionally, the wider Eastern Sydney Region has been the subject of considerable number of archaeological investigations. For clarity and brevity previous

archaeological investigations conducted either within the subject area or immediately adjacent are presented below in Section 2.2.2.1. Section 2.2.2.2 Regional archaeological context expands beyond the immediate subject area to present archaeological investigations of the Eastern Sydney region.

Table 1 – Archaeological Context.

Consultant - Year	Summary of assessment	Relevance to subject area
Urbis, 2020. Winx Stand, Royal Randwick Racecourse, Randwick - Aboriginal Archaeological Test Excavation Report	In accordance with the recommendations from the 2019 ACHA by Urbis, archaeological test excavations were carried out in 2020 at the Winx Stand. The Winx Stand is located within the subject area to the south-west of the Spectators Precinct. The soil profile was found to consist of a differentially truncated natural sand dune profile below approximately 1.6m of levelling fill, demolition fill and subsurface services. The deeper natural dune deposit consists of bleached-sand (A2 horizon) and a lower dune stratigraphy (orange subsoils). The western section of the Winx stands contained a higher degree of disturbance and as a result contained soils that were much more truncated (limited to the lower dune stratigraphic layer/orange subsoil). The A1 horizon that would have included the top layer of the sand dunes have been removed across the site and most possibly deposited in various areas to level the site during early historical land use. The test pits were discontinued at 3m below the ground surface. The archaeological test excavation identified no Aboriginal archaeological resources. The investigations concluded that no further archaeological investigation was required and that the proposed works could proceed following an archaeological Chance Find Procedure (CFP).	▪ The assessment covers the current subject area. ▪ Test excavations identified a thick covering of fill over the subject area (approximately 1.6m). ▪ Test excavations did not uncover Aboriginal objects.
Urbis, 2019, Aboriginal Cultural Heritage Assessment Report: Royal Randwick Racecourse, Leger Lawn.	This report is an Aboriginal Cultural Heritage Assessment (ACHA) was prepared for the proposed redevelopment for the Leger Lawn, located along the southern boundary of the Spectators Precinct, to inform an Environmental Impact Statement (EIS) which was submitted to support a State Significance Development Application (SSDA). There were no registered Aboriginal cultural heritage sites found within or near to the study site. The subject area was found to be situated on a landscape feature associated with Aboriginal archaeological potential, namely the sand body associated with the Tuggerah Soil Landscape. The analysis of the geotechnical reports confirmed that the subject area is covered by approximately 1 to 1.5m depth of fill, which overlies the sand body associated with the Tuggerah Soil Landscape. The ACHA concluded with the recommendation of further subsurface investigation in the form of an Aboriginal archaeological test excavation.	▪ The assessment is within subject area. ▪ Identified a covering of fill over the subject area. ▪ The subject area has been identified to be on top of the sand body associated with the Tuggerah Soil Landscape, which has Aboriginal archaeological potential.
Godden Mackay Logan, 2006. Randwick Racecourse Conservation Management Plan.	The Randwick Racecourse Conservation Management Plan (CMP) analysed the significance of the Randwick Racecourse, and the associated constraints and opportunities. The subject area is included in the area analysed for the CMP. Regarding Aboriginal archaeological potential, it was identified that the original landscape of the subject area was restrictive for Aboriginal settlement, due to the swamps. The subject area was likely utilised for resource gathering. This CMP identifies the majority of the racecourse as having low Aboriginal	▪ The subject area was included in this assessment and was determined to have low Aboriginal archaeological sensitivity, based on the assumption that the

Consultant - Year	Summary of assessment	Relevance to subject area
	archaeological sensitivity, excluding the southeast sandhills which were assessed as having high Aboriginal archaeological sensitivity. However, this CMP did not fully consider the nature of the archaeological background and Aboriginal utilisation of the land. The CMP acknowledges that the original landscape of the Randwick region was inaccessible, with few roads or tracks (GML, 2006 pg. 12). However, this is based off European utilisation of the land, where roads and tracks were necessary. Local Aboriginal groups were likely familiar with the terrain and not as reliant on the existence of tracks and paths to make their way through the region. Furthermore, the CMP argues that the swampland nature of the Randwick Racecourse area would have likely made it uninhabitable, while neglecting the fact that the abundant resources would have positioned the area as a favourable location for camps on the banks of the swamps. More recent archaeological research in the immediate vicinity of Randwick Racecourse has resulted in the identification of high-density artefact scatters (see GML, 2015), supporting the current interpretation of landscape factors and Aboriginal archaeological potential.	swamplands were unsuitable for extended periods of inhabitation. ▪ The above statement of potential and significance has since been revised to moderate to high for Aboriginal archaeological resources by GML based on the results of the archaeological excavations within the SLR Stabling Yards, located approximately 300m north-west of the subject area.
Dominic Steele Consulting Archaeology, 2006. Aboriginal Archaeological Heritage Impact Assessment, Randwick Racecourse, NSW.	Dominic Steele Consulting Archaeology (DSCA) prepared an Aboriginal Archaeological Heritage Impact Assessment for Godden Mackay Logan on behalf of the Australian Jockey Club. The assessment was used to guide further planning at the Randwick Racecourse. The current subject area was covered by this assessment. DSCA concluded that the majority of the subject land was assessed to possess 'Low Aboriginal Archaeological Sensitivity' based upon the evaluation that the environmental context of the place (in that it originally comprised part of a largely low-lying swampy landscape), and also from a consideration of the combined impacts that have occurred over time from ongoing historic land use practices dating from at least 1830s that have seemingly served to significantly modify the original local topography. was predicted that the archaeological evidence potentially associated with this low-lying swampy landscape is likely to occur in the form of low-intensity distributions of flaked stone artefacts related to at best successive short term camping stopovers that will have been largely disturbed. Stated that the area considered to have 'Low Aboriginal Archaeological Sensitivity' has no 'clear and obvious' Aboriginal cultural heritage constraints to any future development works.	▪ Identified that archaeological materials can occur in sand dunes at depth despite extant surface disturbance. ▪ Stated that few specific locations on the subject land itself would have represented particularly attractive campsite locations resulting in visits of any long-term duration that may have resulted in the creation of substantial archaeological deposits.

3.3. 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.

The AHIMS search was carried out on 1 September 2022 (AHIMS Client Service ID# 713663) for an area of approximately 12 km x 8 km. No Aboriginal objects or Aboriginal Places were identified as registered within the subject area.

In the broader search area, a total of 71 Aboriginal objects and no Aboriginal places are registered. Three sites were identified as 'not a site' in the search results and one was identified as a duplicate. These sites were excluded from the below analysis, reducing the total to 67. A summary of all previously registered Aboriginal sites within the extensive search area is provided in Table 2 and Figure 8. The spatial distribution of all previously registered Aboriginal sites within the extensive search area 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.

Table 2 – Summary of extensive AHIMS search (AHIMS Client Service ID: 713663)

Site Type	Context	Total	Percentage
Rock Engraving	Open	14	21%
PAD	Open	14	21%
Shelter with PAD	Closed	13	19%
Artefact Scatter	Open	9	13%
Shelter with Art	Closed	6	9%
Isolated Find	Open	3	5%
Shelter with Midden	Closed	2	4%
Hearth	Open	2	4%
Midden	Open	1	1%
Grinding Groove	Open	1	1%
Artefact Scatter with PAD	Open	1	1%
Aboriginal Gathering	Open	1	1%
Total		67	100%

AHIMS CSID: 713663

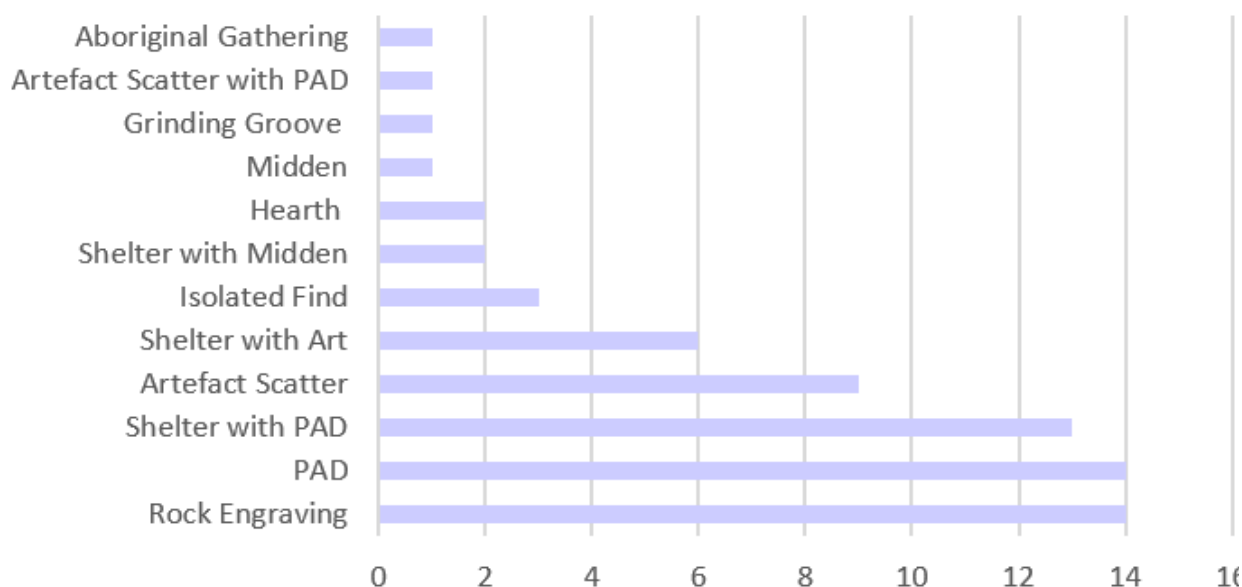


Figure 8 – AHIMS sites in extensive search (Client Service ID: 713663).

The AHIMS search identified no Aboriginal objects and no Aboriginal places within the curtilage of the subject area. The two closest registered Aboriginal sites are associated with the Stabling Yards complex of the Sydney Light Rail, approximately 300 north-west of the subject area (Figure 10). These sites are known as 'Doncaster Avenue PAD' (AHIMS ID#45-6-3245) and 'RSY1' (AHIMS ID#45-6-3246).

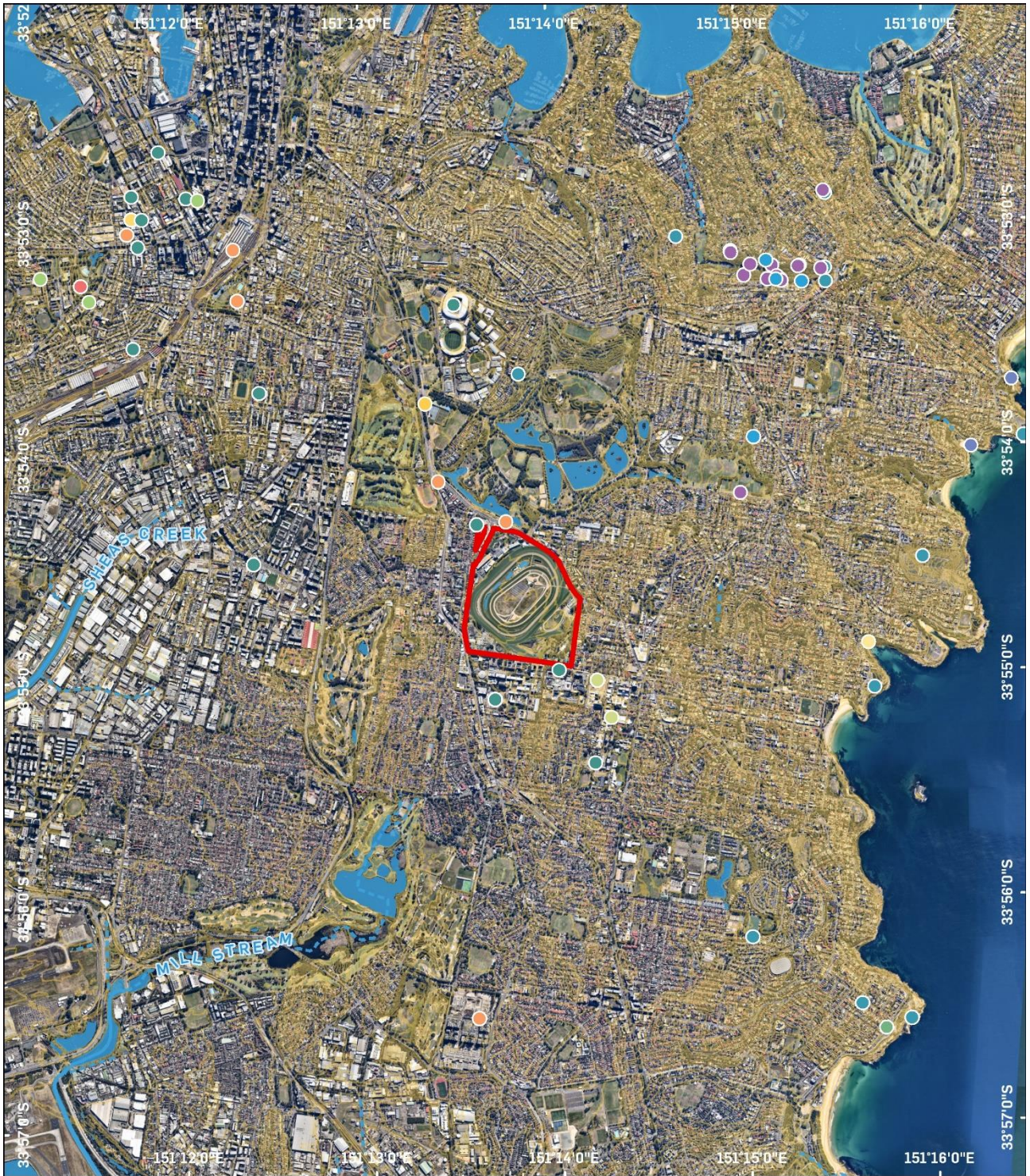
It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or sites in a specified area as it lists recorded sites only identified during previous archaeological survey effort. The wider surroundings of the subject area and the region in general have 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.

Furthermore, it is important to note that archaeological sites alone will not provide the full context of how Aboriginal people might have used the landscape in the past and how their every day and ceremonial activities shaped the landscape and provided the cultural connection to the natural environment. Archaeological resources comprise only one aspect (tangible) of Aboriginal cultural heritage and intangible cultural heritage provides a more holistic context of past and present Aboriginal life.

Overwhelming majority of sites identified by the AHIMS search are open sites comprising 66% (n=46) while 34% (n=21) sites are associated with closed context being shelters with art, midden or Potential Archaeological Deposit (PAD).

Open sites include rock engravings and axe grinding grooves associated with the outcrops of the sandstone bedrock comprising 22% (n=15), various number of stone artefacts comprising 18% (n=13) identified on exposed soil profiles, PADs comprising 21% (n=14) identified on potential landscape features, one midden, one hearth and one Aboriginal gathering. The variety of site types represent the most common site types within the wider region. Identified sites that are located on similar landscape features and environmental settings to the subject area such as the Botany Lowlands sand dune systems comprise stone artefact scatters in exposed soil profiles or in sub-surface context and PADs. No outcrops of the Hawkesbury Sandstone geological formation were identified within the subject area. Additional information for the geology, soils and landscape context of the subject area is provided in Section 4.

The impact of the expanding urban development in the Eastern 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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1 KM

Project No: P0026563

Project Manager: Meggan Walker

AHIMS SITES IN EXTENSIVE SEARCH AREA

ATC Non-Racing Day Events
Mostyn Copper on behalf of ATC

- | | | | |
|--|---|---|---|
| Subject Area | ● Aboriginal Gathering | ● Grinding Groove | ● PAD |
| — Contours | ● Artefact Scatter | ● Hearth | ● Rock Engraving |
| — Permanent | ● Artefact Scatter | ● Isolated Find | ● Shelter with Art |
| - - Ephemeral | ● Artefact Scatter with PAD | ● Midden | ● Shelter with Midden |
| ■ Hydrology | | | ● Shelter with PAD |

Figure 9 – Map of AHIMS sites in extensive search area



Figure 10 – Close up map of AHIMS sites in extensive search area

3.4. 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, or within close proximity to the subject area.
- The original ground surface of the subject area has been significantly disturbed from subsequent historical developments which have resulted in the likely removal of Aboriginal objects. There is still however moderate-high potential for Aboriginal objects within intact subsurface deposits associated with the Botany sand body, which are likely to date to the Pleistocene.
- Previous archaeological test excavations carried out at the subject area, within the Spectators Precinct, have confirmed there to be a thick fill layer across the ground surface (approximately 1.6m depth at the Winx Stand/Ledger Lawn area).

4. ENVIRONMENTAL CONTEXT

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, water sources, 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.

4.1. 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 original topography of the subject area consisted of undulating to low hilly sand dunes. However, the subject area has been significantly modified from historical developments since the early 19th century. These developments include the overlaying of fill to artificially level the subject area.

4.2. SOIL LANDSCAPE AND GEOLOGY

The main geological formation that underlays the subject area is Hawkesbury Sandstone, and outcrops can be found along the coast and in the Centennial Parklands located north-west of the subject area. Sandstone outcrops do not occur within the current subject area, removing the potential for Aboriginal archaeological site types including shelters, grinding grooves and engraving sites to occur.

The soils of the subject area consist of consolidated aeolian sand dunes that are a part of the Tuggerah Soil Landscape and locally form a part of the Botany Lowlands. The Quaternary wind-blown sand dunes have been overlain by imported fill used extensively within the grounds of the racecourse to level the original undulating terrain. The marking of the area as 'Disturbed Terrain' (Figure 6) based on the extensive modification of the original natural landscape since the start of European occupation and especially the development of the Royal Randwick Racecourse. As per the results of the archaeological background research provided in Section 2.2 above, the surface disturbance and placement of imported fill did not have significant impact on deeper sand deposits that have the potential to retain archaeological objects and deposits. In fact, on some occasions the placement of imported fill provided a buffer between the original landscape features and later impact of historic land use and might have preserved the archaeological resources on or close to the original surface.

The Tuggerah soil landscape is a dune system that exists upon 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 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 Tuggerah Soil Landscape has the potential for Aboriginal objects both in surface and subsurface context. Given the surface level disturbance and landscaping at the subject area, it is unlikely that surface materials will be identified, but subsurface archaeological potential remains high.

4.3. GEOTECHNICAL INVESTIGATION

A large part of the subject area, covering the Spectators Precinct, was the subject of geotechnical analysis in 2016 by Douglas Partners (Douglas Partners, 2016).

There was a total of nine (9) cone penetration tests, six (6) boreholes across the Spectator Precinct. The geotechnical survey confirmed that there is an imported fill situated on top of the original sand dunes extending between 1.1-3 m relative depth. Table 3 provides a summary of geotechnical borehole findings and relative soil depths. The depth of the imported fill is uneven, and it seems it was used to fill-up and level the original undulating sandy landscape. The geotechnical analysis also confirmed that the original sand dune system is highly consolidated and extends down to considerable depths beyond the 15m reach of the geotechnical drilling. There was no indication from the geotechnical analysis that major disturbance or the complete removal of soils has taken place, with disturbance existing exclusively in the first 3m including the fill and associated impacts.

Table 3 – Geotechnical borehole findings.

Inferred Unit	Encountered Depth to Top of Unit (m)	Description
Imported Fill	0 – 1.1m/3m	Dark brown, clayey silty sand (topsoil) with some rootlets, orange-brown, clayey sand filling with some medium to coarse crushed sandstone gravel, damp and compacted.
Botany Bay Soils	1.1m/3m to 18m	Medium dense to dense, grey-brown, fine to medium sand, damp
Bedrock	Assumed to be below 18m	Sandstone

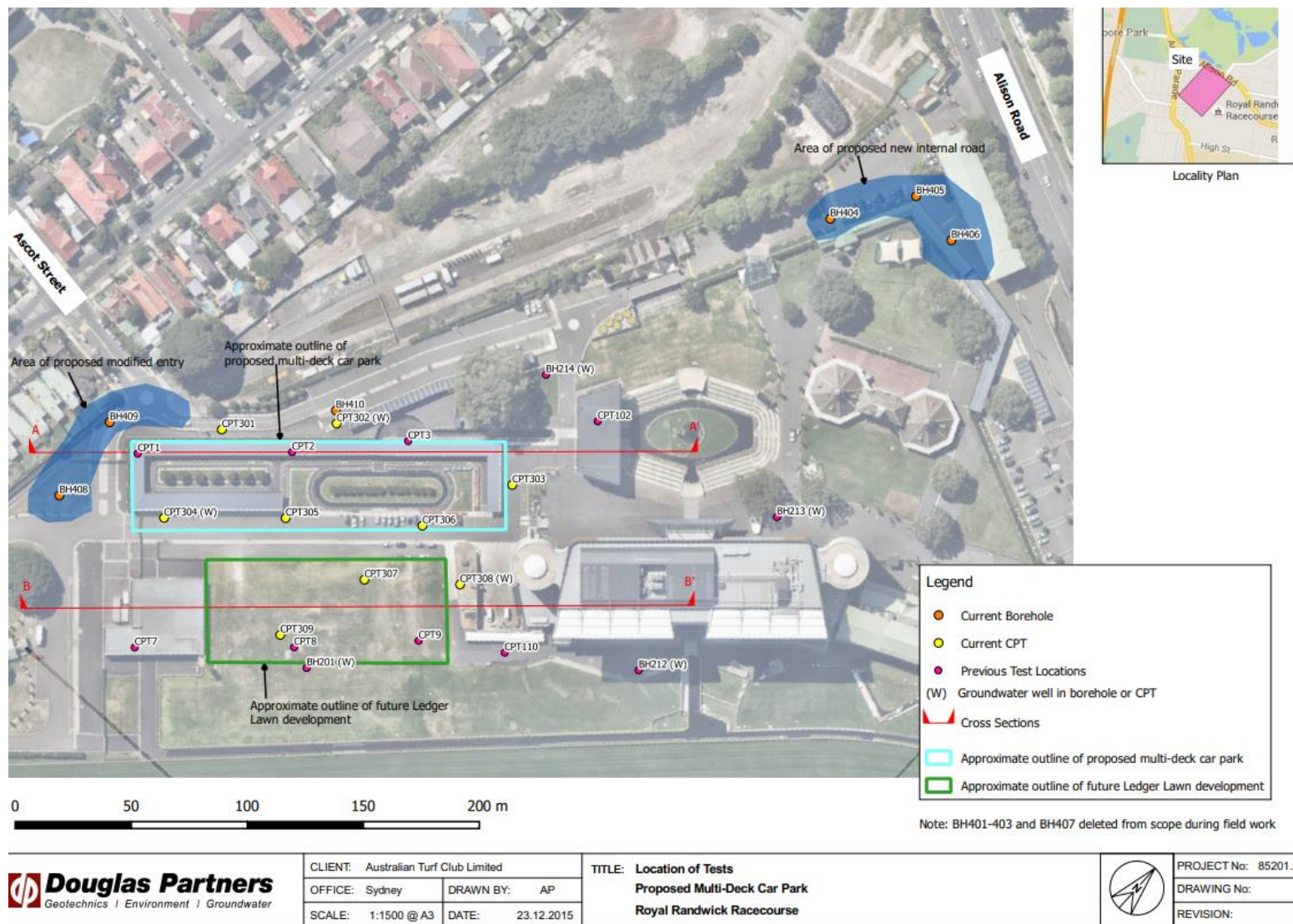


Figure 11 – Location of geotechnical boreholes within the Spectators Precinct, comprising the northern section of the subject area.
 Source: Douglas Partners, 2016

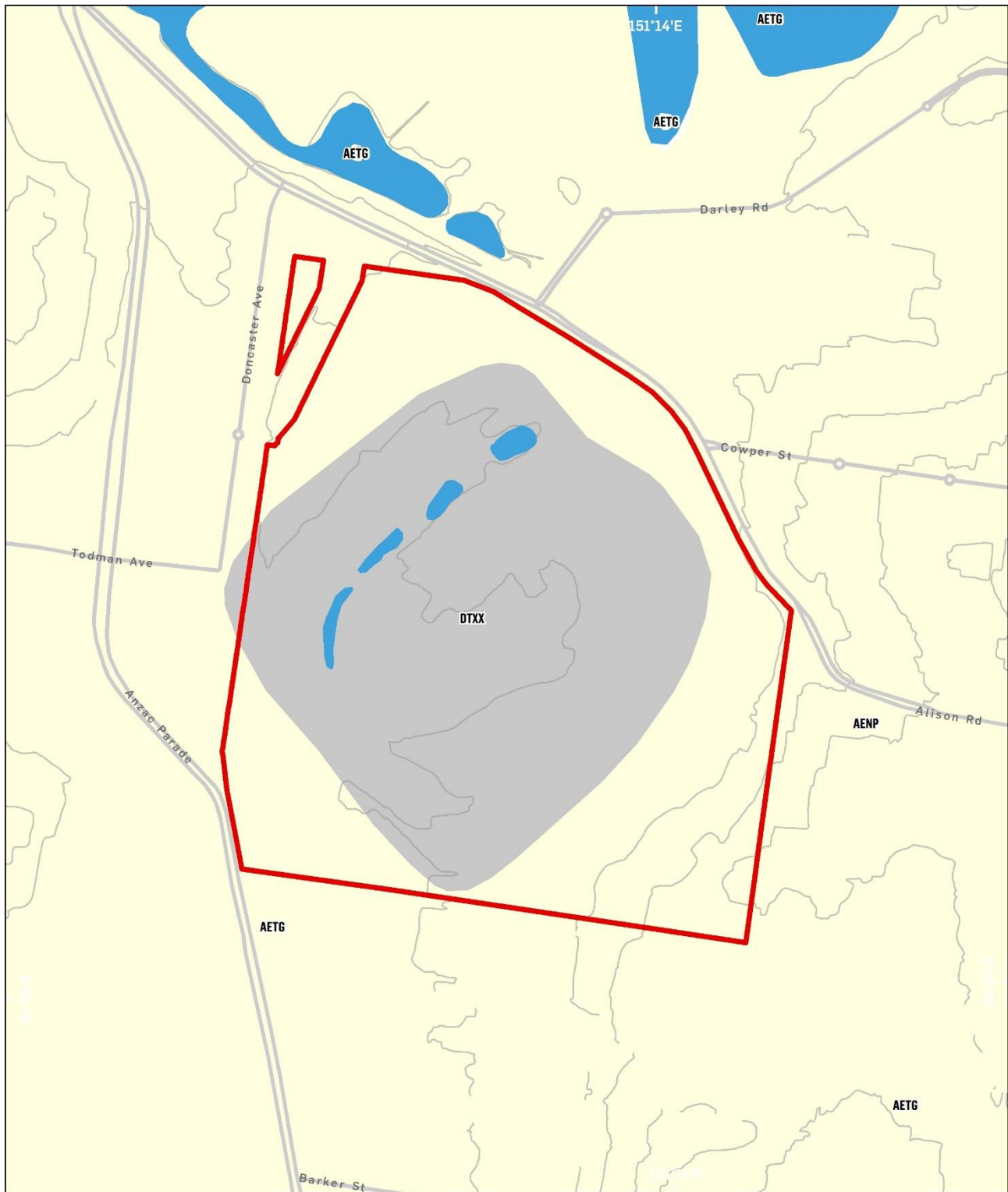
4.4. VEGETATION

The native vegetation of the subject area has been entirely cleared. As the subject area has been cleared of all vegetation there is no possibility of culturally modified trees being retained. Vegetation within the swamp environment to the west of the subject area (now the Centennial Parklands) would have been dominated by woody heath and she-oaks. Eastern Banksia Scrub communities which include heath, scrub and low forest communities presently inhabit sand environs and as such are likely to have been present within the subject area prior to European colonisation.

4.5. HYDROLOGY

Proximity to a body of water is a factor in determining archaeological potential in accordance with the due diligence code. 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.

There are no natural surface water sources exist in and the immediate vicinity of the subject area (Figure 12). The subject area forms part of what once was the Lachlan Swamplands, although intense land modification has occurred since European colonisation. Impacts included the clearing of vegetation, the dredging of the swamplands, realigning local waterways, placement of imported fill, levelling, potentially the quarrying of sand and levelling the surface and the construction of various structures and infrastructure of the racecourse. The sandy substrate associated with the Botany Sands has such high permeability that the frequency of surface stream channels would have been low prior to European impacts. Accordingly, surface water was largely localised to the low-lying swamplands now characterised by the formalised ponds within the centre of the racecourse and Centennial Park 300m north of the subject area.



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0.8 KM

Project No: P0026563

Project Manager: Meggan Walker

Subject Area Aeolian (AENp) Aeolian (AETg) Disturbed Terrain (DTxx)

Hydrology

Hydrology 200m Buffer

Contours

SOIL LANDSCAPES AND HYDROLOGY

ATC Non-Racing Day Events
Mostyn Copper on behalf of ATC

Figure 12 – Soil Landscapes and Hydrology

4.6. SUMMARY OF ENVIRONMENTAL CONTEXT

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

- The subject area is located within a sand dune associated with the Tuggerah soil landscape. This sand dune is an archaeologically sensitive landform that indicates likely past land use by Aboriginal people, which suggests potential for Aboriginal objects to be present. The sand dune has been overlain by imported fill used extensively within the grounds of the racecourse to level the original undulating terrain.
- Geotechnical investigation indicates the subject area is covered by approximately 1.1-3m of imported fill, which indicates nil Aboriginal archaeological potential on the surface and within the top layer of the subject area. The underlying sand dune is an archeologically sensitive landscape feature and is likely to have moderate-high potential for Aboriginal objects.
- Since European settlement, the subject area has since been cleared of all original vegetation. The subject area therefore has nil potential to retain in any culturally modified trees.

5. HISTORICAL CONTEXT

The brief historical overview provided in this section is derived from the Randwick Racecourse Conservation Management Plan prepared by Godden Mackay Logan (GML) in 2006. The below provides a summary of the historical context.

5.1. SUMMARY OF HISTORICAL CONTEXT

- European settlement within and to the east of the Lachlan Swamps was sparse in the early years of the colony due to the low-lying swampy conditions. By approximately 1817 the first roads in the area had been constructed to enable access from the Sydney settlement to the watchtower at Botany Bay. This early colonial road (now established as Frenchman's Road and Anzac Parade) is assumed to have followed an established Aboriginal route through the swamplands.
- By circa 1832, the area had previously been cleared and improved as a training track. The earliest plan of the Randwick Racecourse (Figure 13) shows a convict constructed oval course with associated early structure.
- The 'sandy course' was not conducive to racing and quickly fell into disrepair. The track was abandoned by 1838. Randwick Racecourse remained unutilised and in disrepair until refurbishment and further development commenced in the 1850s.
- By the 1850s, the racecourse underwent a transformation. Growth of interest in horse racing in the colony led to the establishment of better facilities at Randwick, with further land grants in 1863 allowing the Australian Jockey Club (AJC) to feel secure in their tenure. This resulted in the formalising of the track and construction of facilities including grandstands, amenities, refreshment rooms and bars. Overall, this was a period of widespread development for the entire racecourse.
- The remainder of the twentieth century saw further development at Randwick Racecourse, and consolidation of existing structures and facilities.

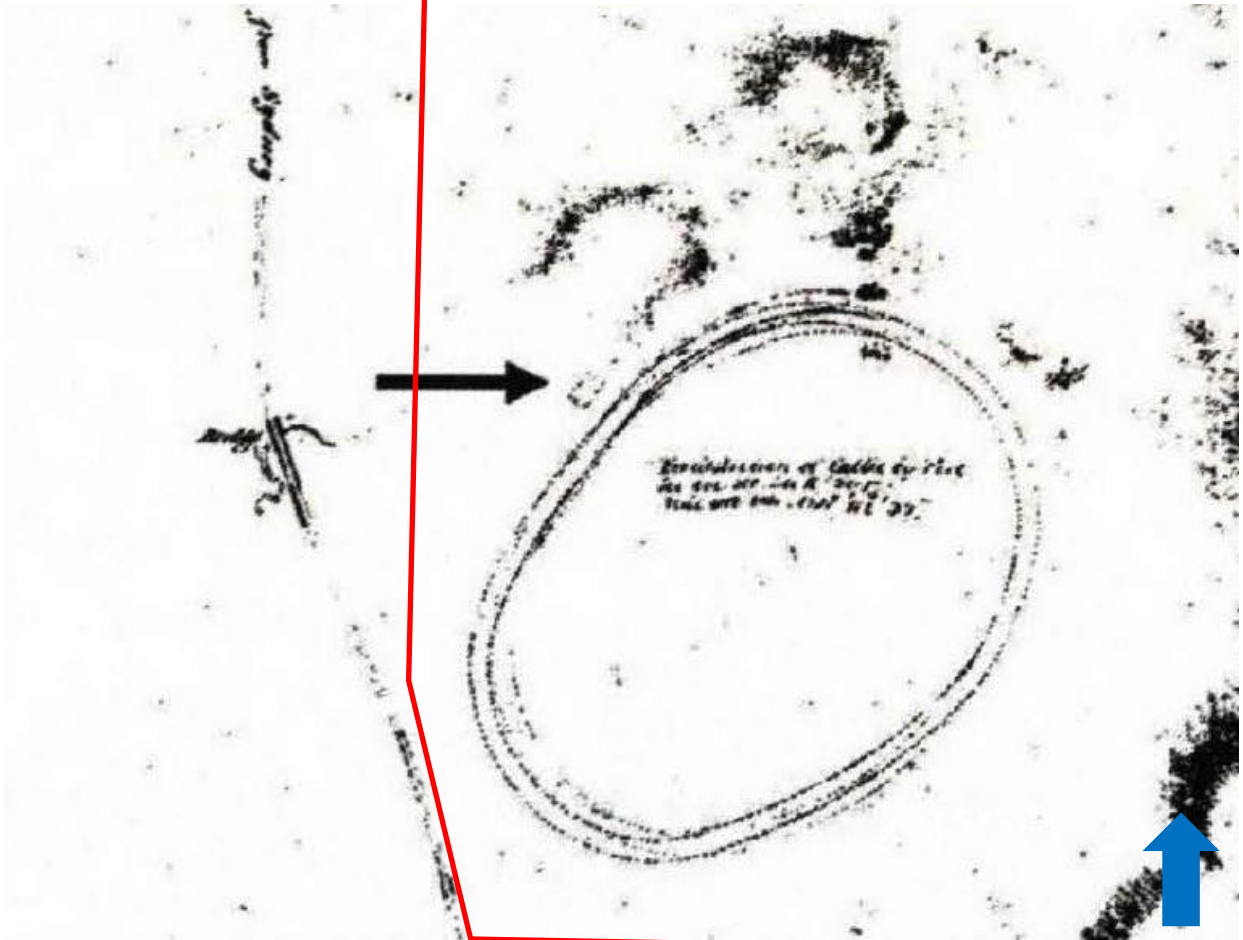


Figure 13 – Plan of oval racecourse and early structure by later colonial architect Mortimer Lewis, dated 1832. The approximate location of the subject area is outlined in red. The early structure is indicated by the black arrow. The blue arrow indicates north.

Source: *State Records Map No. 5538*

5.2. ANALYSIS OF HISTORICAL AERIAL PHOTOGRAPHS

An informative way of assessing the level of soil disturbance is to analyse historical aerial photographs which can provide vital information on the changing environment and the impacts of historical land use within a given area. Aerial photographs from 1930, 1961 and 1986 and 2005 were analysed to evaluate previous land use and associated impacts.

Table 4 – Analysis of historic aerial imagery

Year	Observation
1930	By 1930, the entire subject area has already been subject to vegetation clearance and other disturbance activities associated with the racecourse. This includes concreting, lawn landscaping and the construction of structures, primarily located in the Spectators Precinct. The south-eastern section of the racecourse has undergone the least amount of disturbance as the area is still vegetated and contains visible sand dunes associated with the Botany sand body.
1961	The 1961 aerial shows relatively few changes within the Spectators Precinct as well as the south-eastern section of the racecourse. There are new structures that have been constructed in the midfield area with further landscaping works carried out across the midfield and infield areas. Further structural developments have taken place in the south-western section of the racecourse.
1986	The 1986 aerial shows some minor changes. The main structural development has taken place in the south-eastern section of the racecourse where the remnant sand dunes are located. However, there are still sections of the sand dune that are left undeveloped. Additional landscaping has occurred to create a smaller field area, which is located in the south-eastern section of the racecourse. In the midfield area, previous structures shown in the 1961 aerial imagery have been demolished and further landscaping has occurred in the midfield area with the installation of three ponds.
2005	By 2005, a number of structures and stands have been demolished in the western section of the Spectators Precinct., which has left an open area for future developments. The tracks surrounding the infield area have had a change in the layout and there is a new underground tunnel which has been constructed to the north.

The subject area has been the subject of consecutive developments since as early as the 1830s, with historical research affirming that structures have been present since at least 1832. Historical land use and associated disturbance within the subject area is generally consistent with the rest of the Randwick City area, which was heavily developed prior the introduction of legislation protecting Aboriginal and historical heritage and archaeology.



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Project No: P0026563

Project Manager: Meggan Walker

■ Subject Area

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HISTORICAL AERIAL PHOTOGRAPHS
 ATC Non-Racing Day Events
 Mostyn Copper on behalf of ATC

Figure 14 – Historical aerial imagery

5.3. SUMMARY OF HISTORICAL CONTEXT AND DISTURBANCE

The review of the historical context is summarised as follows:

- The historical activities are determined to have caused a high level of surface and subsurface disturbance across the subject area, which has reduced the likelihood of Aboriginal objects being present. These disturbances include vegetation clearance, the construction facilities and services at the Royal Randwick Racecourse.

6. 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 5 below.

Table 5 – 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.

6.1. 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 water sources, 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 water sources, 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.

6.2. ASSESSMENT OF ARCHAEOLOGICAL POTENTIAL

The likelihood of the site types described in Section 6.1 above occurring within the present subject area is assessed in Table 6 below. The likelihood of impact to such site types is also included in this table.

Table 6 – Predictive Model

Site type	Assessment	Potential	Impact
Art	The subject area does not include any visible sandstone outcrops or rock overhangs that would be indicative of the potential for rock art. The likelihood of any concealed rock overhangs or sandstone outcrops being present within the subject area is considered to be negligible.	Nil	Nil
Artefact Scatters / Campsites	The subject area is located within the soft, sandy Tuggerah soil landscape which is indicative of likely past Aboriginal land use and the potential for artefact scatters / campsites. A high level of historical ground disturbance across the entire subject significantly reduces the potential for artefact scatters / campsites from the Holocene. However, there is moderate potential for the presence of artefact scatters / campsites from the Pleistocene in the underlying natural sand body at depths of at least 1.1m/3m to 18m.	Moderate	Nil
Bora / Ceremonial	The subject area is located within the soft, sandy Tuggerah soil landscape, which is indicative of likely past Aboriginal land use and the potential for bora / ceremonial sites. However, due to the high level of historical ground disturbance across the entire subject area and susceptibility of bora / ceremonial	Low-Nil	Nil

Site type	Assessment	Potential	Impact
	sites to disturbance, the likelihood of such sites being retained is considered to be low.		
Burial	The subject area is located within the soft, sandy Tuggerah soil landscape. A high level of historical ground disturbance across the entire subject significantly reduces the potential for burials from the Holocene. However, there is moderate potential for the presence of burials from the Pleistocene in the underlying natural sand body at depths of at least 1.1m/3m to 18m.	Moderate	Nil
Contact site	The location of the subject area 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 entire subject significantly reduces the potential for contact sites to be retained.	Low-Nil	Nil
Grinding Grooves	The subject area does not include any visible sandstone outcrops that would be indicative of the potential for grinding grooves. The likelihood of any concealed sandstone outcrops being present within the subject area is considered to be low.	Low-Nil	Nil
Isolated Finds	The subject area is located within the soft, sandy Tuggerah soil landscape, which is indicative of likely past Aboriginal land use and the potential for isolated finds. A high level of historical ground disturbance across the entire subject significantly reduces the potential for isolated finds from the Holocene. However, there is moderate potential for the presence of isolated finds from the Pleistocene in the underlying natural sand body at depths of at least 1.1m/3m to 18m.	Moderate	Nil
Midden	The subject area is located within the soft, sandy Tuggerah soil landscape. A high level of historical ground disturbance across the entire subject significantly reduces the potential for middens from the Holocene. However, there is moderate potential for the presence of middens from the Pleistocene in the underlying natural sand body at depths of at least 1.1m/3m to 18m.	Moderate	Nil
Modified Trees	Historical development of the subject area has resulted in clearance of all native vegetation, removing any potential for the presence of modified trees.	Nil	Nil
PADs	Historical development of the subject area has resulted in the high level of disturbance and placement of fill across the subject area. The fill level	Moderate	Nil

Site type	Assessment	Potential	Impact
	is approximately to 1.1m-3m deep and is unlikely to contain potential for Aboriginal archaeological deposits. However, below the layer of fill is the consolidated aeolian sand body that is associated with the Tuggerah Soil Landscape and locally the Botany Bay sands. This sand body is a sensitive landscape feature that is likely to contain potential for Aboriginal archaeological deposits from the Pleistocene at depths of at least 1.1m/3m to 18m.		
Shelters	The subject area does not include any visible rock overhangs that would be indicative of the potential for shelters. The likelihood of any concealed rock overhangs being present within the subject area is nil.	Nil	Nil

6.3. 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.
- The subject area is located in the Tuggerah soil landscape, which is an archaeologically sensitive landscape feature.
- Historical activities associated with the development and use of the Randwick Racecourse are determined to have caused a high level of ground disturbance across the subject area.
- Geotechnical findings confirm the impact of historical activities on the soil profile, with disturbance being encountered to a minimum depth of 1.1m-3m below the existing ground surface.
- Previous Aboriginal test excavations within the subject area (Winx Stand) have confirmed the existence of a thick fill deposit overlying the natural sand body. There were no Aboriginal objects found during these excavations.
- Previous archaeological investigations from similar contexts near to the subject area identified the potential for archaeological resources dating to the Pleistocene within intact natural soils below historical disturbance.
- There is nil to low potential for Aboriginal sites within the disturbed soil layers to depths of approximately 1.1m-3m below the existing ground surface.
- The subject area has moderate archaeological potential for artefact scatters / campsites, burials, isolated finds, middens and PADS dating to the Pleistocene within intact natural soil at depths exceeding 1.1m-3m below the existing ground surface.

7. DUE DILIGENCE ASSESSMENT

7.1. OVERVIEW OF DUE DILIGENCE PROCESS

The NPW Act provides statutory protection for Aboriginal objects and places in NSW. Section 87 (2), Part 6 of the NPW Act ensures that a person who exercises 'due diligence' in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence, outlined by Section 86 of Part 6 of the NPW Act, if they later unknowingly harm an object without an Aboriginal Heritage Impact Permit (AHIP).

The Due Diligence Code (DECCW, 2010) was developed to help individuals and/or organisations to establish whether certain activities have the potential to harm Aboriginal objects within a given proposed activity footprint. Following the generic due diligence process (Figure 6), which is adopted by the NPW Regulation, would be regarded as 'due diligence' and consequently would provide a defence under the NPW Act.

The due diligence process outlines a set of practicable steps for individuals and organisations to:

1. Identify whether or not Aboriginal objects are, or likely to be, present in an area.
2. Determine whether or not their activities are likely to harm Aboriginal objects (if present).
3. Determine whether an AHIP application is required to carry out the harm.

The present assessment follows the steps of the due diligence process and provides clear and concise answers. Where necessary the present assessment provides detailed description to every aspect of the due diligence code to ensure the compliance of the proposed development and assessment of any Aboriginal heritage constraints.

7.2. IS THE ACTIVITY A LOW IMPACT ACTIVITY FOR WHICH THERE IS A DEFENCE IN THE REGULATIONS?

Yes.

The NPW Regulation removes the need to follow the due diligence process if the proposed activity is a low impact activity which is prescribed as a defence against prosecution for an offence under section 86(2) of the NPW Act. The following low impact activities are prescribed in the NPW Regulation:

- Certain maintenance work on land that has been disturbed.
- Certain farming and land management work on land that has been disturbed.
- Farming and land management work that involved the maintenance of certain existing infrastructure.
- The grazing of animals.
- An activity on land that has been disturbed that comprises exempt development or was the subject of a complying development certificate issued under the *Environmental Planning and Assessment Act 1979*.
- Certain mining exploration work on land that has been disturbed.
- Certain geophysical work.
- The removal of isolated, dead or dying vegetation, but only if there is minimal disturbance to the surrounding ground surface.
- Seismic surveying on land that has been disturbed,
- The construction and maintenance of ground water monitoring bores on land that has been disturbed.
- Environmental rehabilitation work including temporary silt fencing, tree planting, bush regeneration and weed removal, but not including erosion control or soil conservation works (such as contour banks).

The extent of ground disturbance will include the installation of tent pegs which will have minimal impact on the disturbed layer of fill which covers the entire subject area. The proposed works does not include earthworks and therefore is listed as a low impact activity for which a defence against prosecution under section 86(2) of the NPW Act is prescribed under the NPW Regulation.

7.3. STEP 1 – WILL THE ACTIVITY DISTURB THE GROUND SURFACE?

No.

There is no proposed ground disturbance activity resulting from the current proposal.

7.4. STEP 2A – ARE THERE ANY RELEVANT CONFIRMED SITE RECORDS OR OTHER ASSOCIATED LANDSCAPE FEATURE INFORMATION ON AHIMS?

No.

The AHIMS database records no Aboriginal sites within the curtilage of, or near to, the subject area (see Section 3.3 above). There is no information recorded in the AHIMS database about landscape features of relevance to the determining the presence of Aboriginal objects or Aboriginal places within the subject area (see Section 3.3 above).

7.5. STEP 2B – ARE THERE ANY OTHER SOURCES OF INFORMATION OF WHICH A PERSON IS AWARE?

Yes.

The Due Diligence Code requires identification of any other sources of information, such as previous studies, reports or surveys, relevant to identifying the presence of Aboriginal objects within the subject area.

There are few Aboriginal archaeological assessments, including test excavations, that have been conducted within the subject area. All these assessments have confirmed the entire subject area to be significantly disturbed with a historical fill layer overlying natural sand dunes. These Aboriginal assessments have so far not identified any Aboriginal objects within the subject area (see Section 3).

7.6. STEP 2C – ARE THERE ANY LANDSCAPE FEATURES THAT ARE LIKELY TO INDICATE THE PRESENCE OF ABORIGINAL OBJECTS?

Yes.

The Due Diligence Code identifies certain landscape features that have high potential for Aboriginal archaeological resources and cultural heritage. The following landscape features are identified as having high potential for Aboriginal objects:

- within 200m of waters including freshwater and the high tide mark of shorelines; or
- located within a sand dune system; or
- located on a ridge top, ridge line or headland; or
- located within 200m below or above a cliff face; or
- within 20m of or in a cave, rock shelter, or a cave mouth.

There are no known Aboriginal archaeological sites registered within the subject area.

The subject area contains the consolidated aeolian sand body that part of the Tuggerah Soil Landscape and locally the Botany Bay sands, with potential for Aboriginal objects or archaeological deposits located within the subject area. However, the subject area has been substantially modified with a layer of fill covering the surface. The impacts of the proposed works will occur primarily on the surface of the subject area and will therefore not impact any subsurface deposits associated with the consolidated aeolian sand body.

7.7. STEP 3 – CAN HARM TO ABORIGINAL OBJECTS LISTED ON AHIMS OR IDENTIFIED BY OTHER SOURCES OF INFORMATION BE AVOIDED AND/OR CAN THE CARRYING OUT OF THE ACTIVITY AT THE RELEVANT LANDSCAPE FEATURES BE AVOIDED?

N/A.

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed or contains known Aboriginal objects. The historical development and utilisation of the subject area is determined to have caused high levels of ground disturbance across the entire subject area. The desktop assessment confirmed that there are no Aboriginal objects listed on AHIMS or identified by other sources of information within the subject area. Furthermore, the proposed works are not anticipated to impact the ground surface and as such harm is avoided through the design.

As such no direct or indirect harm is anticipated associated with the proposed development.

7.8. STEP 4 – DOES THE DESKTOP ASSESSMENT AND VISUAL INSPECTION CONFIRM THAT THERE ARE ABORIGINAL OBJECTS OR THAT THEY ARE LIKELY?

Yes.

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed or contains known Aboriginal objects. The historical development and utilisation of the subject area is determined to have caused high levels of ground disturbance across the entire subject area.

The subject area contains the consolidated aeolian sand body that part of the Tuggerah Soil Landscape and locally the Botany Bay sands, with potential for Aboriginal objects or archaeological deposits from the Pleistocene. This archaeologically sensitive landscape feature is however underlying a historical fill layer approximately 1.1m-3m below the ground surface. The current proposal does not involve any ground surface impacts and as such will not result in impact to Aboriginal objects.

7.9. OUTCOME OF DUE DILIGENCE ASSESSMENT

In accordance with the due diligence process described in the Due Diligence Code and outlined in Figure 6, the above assessment has determined that no further investigation is required for the subject area.

Urbis recommends that any future development should proceed with caution.

8. CONCLUSIONS AND RECOMMENDATIONS

The present report was prepared to investigate whether development of the subject area has the potential to harm Aboriginal objects and/or places that may exist within the subject area. The assessment was undertaken in accordance with the Due Diligence Code, and included the following:

- No Aboriginal objects or Aboriginal places are registered within the subject area.
- The subject area and surrounding landscape have been previously assessed through various archaeological investigations. This includes test excavation within a section of the Leger Lawn area, which is located along the southern boundary of the Spectator Precinct. This excavation identified high disturbance with fill to considerable depth overlying natural soils. Geotechnical findings confirm the impact of historical activities on the soil profile, with disturbance being encountered to a minimum depth of 1.1m-3m below the current ground surface. There is nil to low potential for Aboriginal objects within the disturbed soil layers.
- The subject area has moderate archaeological potential for artefact scatters / campsites, burials, isolated finds, middens and PADS dating to the potentially the Pleistocene within intact natural soil at depths exceeding 1.1/3m below the current ground surface level.
- There are **no impacts** anticipated resulting from the current proposal. The proposed works under SSD-11973381 involve the casual use of the subject area for non-race day activities, including opportunities for music festivals and other temporary events. No permanent structures or services are proposed associated with this use, with the erection of temporary, non-fixed structures above ground surface level on an ad-hoc basis.
- On the basis of the assessment as above, Urbis concludes that an ACHA is not relevant for the proposed works as there will be no impacts to any landscape features or deposits associated with potential for Aboriginal objects.
- Urbis conclude that this ADD is sufficient to assess the impacts associated with the current proposal.

Based on the above conclusions, Urbis recommends the following:

1. This assessment should be kept as evidence of due diligence at the subject area.
2. Although no ground works are proposed during this scope of works, if ground disturbance is proposed in future projects at the site, a separate assessment will be required.

9. REFERENCES

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Conybeare Morrison & Partners, 2003. *Centennial Parklands Conservation Management Plan.*

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GML, 2006. *Royal Randwick Racecourse – Conservation Management Plan.*

Randwick Council Local Environment Plan (LEP) 2012

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National Parks and Wildlife Regulations 2009.

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DISCLAIMER

This report is dated 11 May 2023 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Mostyn Copper (**Instructing Party**) for the purpose of an Aboriginal Objects Due Diligence Assessment (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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.

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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

AHIMS BASIC AND EXTENSIVE RESULTS

Urbis Pty Ltd - Angel Place L8 123 Pitt Street

Date: 01 September 2022

Level 8 123 Angel Street
Sydney New South Wales 2000

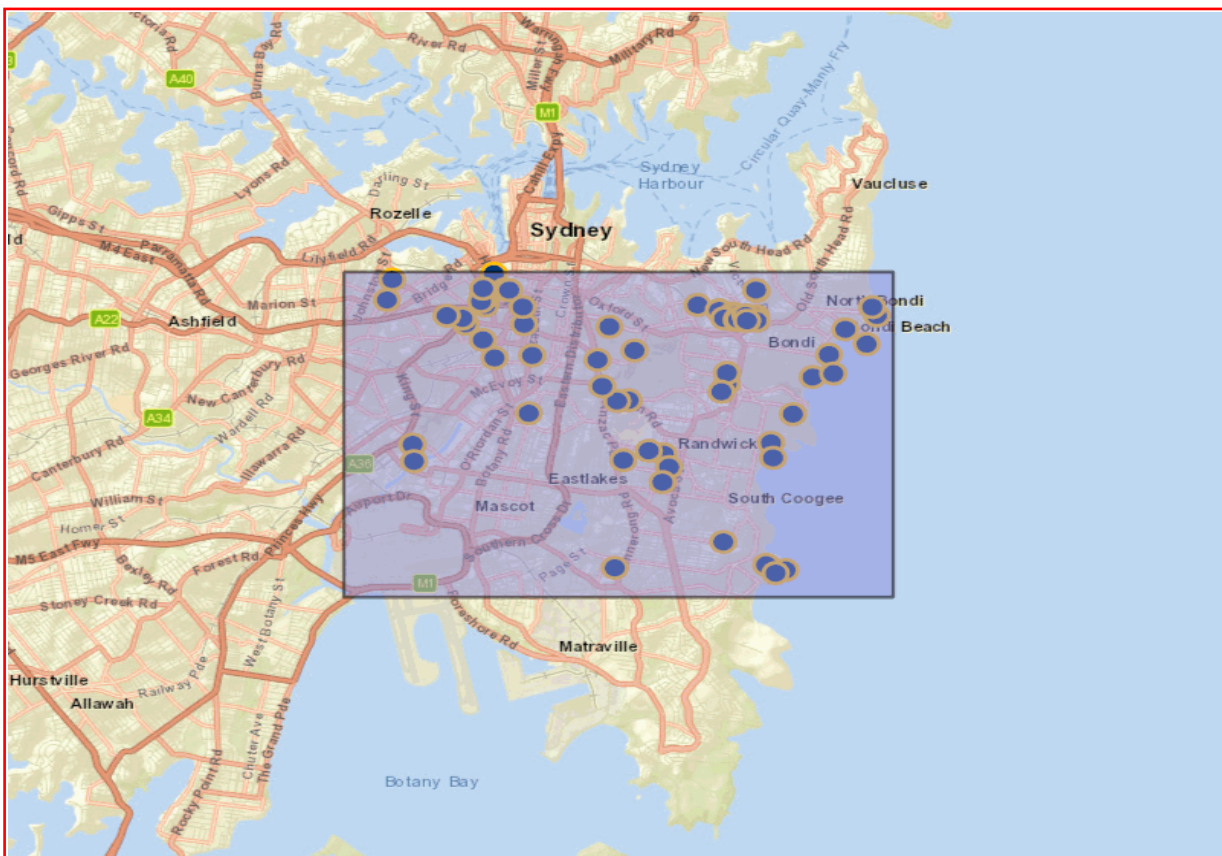
Attention: Wade Goldwyer

Email: wgoldwyer@urbis.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -33.9484, 151.1651 - Lat, Long To : -33.8771, 151.2887, conducted by Wade Goldwyer on 01 September 2022.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

71	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(https://www.legislation.nsw.gov.au/gazette\)](https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-2597	Wynyard St Midden	GDA	56	333469	6247920	Open site	Not a Site	Shell : -, Artefact : -	Midden	102494,10276 3,102765
	Contact	Recorders	Mr.D Coe					Permits		
45-6-2280	Jensen Place;Lurline Bay South Coogee;	AGD	56	338200	6243340	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	J Storey					Permits		
45-6-2306	Gordons Bay	GDA	56	339255	6245955	Open site	Valid	Grinding Groove : -	Axe Grinding Groove	
	Contact	Recorders	Mary Dallas Consulting Archaeologists (MDCA),W Hayes,Ms.Tamika Goward					Permits		
45-6-0690	Cooper Park;Bellevue Hill;	GDA	56	338900	6248920	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Unknown Author					Permits		
45-6-0691	Woollahra;Bellevue Hill;	GDA	56	338894	6249642	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Unknown Author					Permits		
45-6-0694	Middle Head;Port Jackson;	AGD	56	339594	6246471	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Unknown Author					Permits		
45-6-0697	Coogee Bay;Randwick;	AGD	56	339200	6245400	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Ms.Lisa Campbell,W Newell					Permits		
45-6-0698	Maroubra;Athol Park House;	AGD	56	339100	6242800	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Ms.Lisa Campbell					Permits		
45-6-0701	Mistral Point Maroubra	AGD	56	339505	6242680	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	Ms.Lisa Campbell					Permits		
45-6-2060	South Bondi Cave;	AGD	56	340320	6247930	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	1809
	Contact	Recorders	Michael Guider					Permits		
45-6-0647	Centennial Park	AGD	56	336273	6247961	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	Contact	Recorders	ASRSYS					Permits		
45-6-2495	Prince of Wales Hospital Aboriginal;Hearth;	AGD	56	337040	6245140	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	Recorders	Mary Dallas Consulting Archaeologists (MDCA)					Permits	1055,4386	
45-6-1405	Bellevue Hill;Cooper Park;	GDA	56	338705	6248915	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	
	Contact	Recorders	W Newell					Permits		
45-6-2169	Bondi Beach;	AGD	56	340650	6248550	Open site	Valid	Artefact : -	Open Camp Site	
	Contact	Recorders	Michael Guider					Permits	4646,4968	
45-6-1947	Tamarama Beach Cave;	AGD	56	339990	6247380	Closed site	Valid	Shell : -, Artefact : -	Shelter with Midden	

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0718	Bondi;Hugh Bamford Park;	AGD	56	341200	6249100	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0719	Bondi Golf Links;North Bondi;	AGD	56	341300	6248900	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0720	Bondi Bay;Ben Bucker;	AGD	56	341100	6248200	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0734	Bellevue Hill;Cooper Park,;	GDA	56	338893	6249031	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0750	Marks Park;Tamarama;Bondi Beach;	AGD	56	340420	6247470	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0751	Shea's Creek Dugong	GDA	56	331839	6245378	Open site	Destroyed	Aboriginal Resource and Gathering : -, Non-Human Bone and Organic Material : -, Artefact : -	Open Camp Site	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-1496	Shea's Creek	AGD	56	331697	6245597	Open site	Not a Site	Shell : -, Artefact : -	Midden	30,591,940
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0675	Randwick Queen's Park Waverley	AGD	56	338204	6247450	Closed site	Valid	Art (Pigment or Engraved) : -	Shelter with Art	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-0898	Woollahra;	GDA	56	337670	6249281	Open site	Valid	Art (Pigment or Engraved) : -	Rock Engraving	
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-2629	Broadway 1	AGD	56	333060	6249100	Open site	Valid	Artefact : -		102494,102763,102765
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-2652	Ultimo PAD 1	GDA	56	333419	6249969	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,102763,102765
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							
45-6-2675	JVM 2	AGD	56	339300	6242600	Closed site	Valid	Art (Pigment or Engraved) : 1, Shell : 6		
	<u>Contact</u>	<u>Recorders</u>	<u>Permits</u>							

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-2676	Johnstons Creek	AGD	56	331100	6249100	Closed site	Valid	Art (Pigment or Engraved) : 2, Artefact : 5		102142,102763
	Contact	Recorders	Michael Guider					Permits		
45-6-2666	Wattle Street PAD 1	GDA	56	333200	6249602	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,102763,102765
	Contact	Recorders	Dominic Steele Archaeological Consulting,Mr.Matthew Kelleher,Kelleher Nightinga					Permits	1738	
45-6-2663	Mountain Street Ultimo	GDA	56	333199	6249418	Open site	Valid	Artefact : -, Potential Archaeological Deposit (PAD) : -		102494,102763,102765
	Contact	Recorders	Mary Dallas Consulting Archaeologists (MDCA),Mr.Matthew Kelleher,Kelleher Nigh					Permits	1719	
45-6-2680	Broadway Picture Theatre PAD 1	AGD	56	333150	6249000	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102142,102494,102763,102765
	Contact	Recorders	Jim Wheeler					Permits	1854	
45-6-2745	University of Sydney Law Building PAD	AGD	56	332350	6248740	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102201,102494,102763,102765
	Contact	Recorders	Doctor.Jo McDonald					Permits	2153,2320,2443	
45-6-2767	Tent Embassy	AGD	56	332680	6248680	Open site	Valid	Aboriginal Resource and Gathering : 1		102494,102763,102765
	Contact	Recorders	T Russell					Permits		
45-6-2822	USYD: Central	AGD	56	332750	6248550	Open site	Valid	Artefact : -		100302,102494,102763,102765
	Contact	Recorders	Jo McDonald Cultural Heritage Management see GML					Permits	2554	
45-6-2897	Queens Park PAD (duplicate see 45-6-2896)	AGD	56	338203	6247179	Closed site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	Recorders	Mr.Paul Irish					Permits		
45-6-2896	Queens Park PADs	GDA	56	338203	6247179	Open site	Valid	Habitation Structure : 1, Potential Archaeological Deposit (PAD) : 1		
	Contact	Recorders	Dominic Steele Archaeological Consulting					Permits		
45-6-2979	UTS PAD 1 14-28 Ultimo Rd Syd	GDA	56	333650	6249590	Open site	Valid	Potential Archaeological Deposit (PAD) : -		102494,102763,102765
	Contact	Recorders	Dominic Steele Archaeological Consulting,Mr.Dominic Steele					Permits	3458	

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-3071	445-473 Wattle Street PAD	GDA	56	333285	6249412	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		
	Contact	Recorders	Biosis Pty Ltd - Sydney							
45-6-2987	Poultry Market 1	GDA	56	333746	6249575	Open site	Valid	Artefact : 1		102494,102763
	Contact	Recorders	Ms.Samantha Higgs,Biosis Pty Ltd - Canberra							
								Permits	3506	
45-6-3064	445-473 WATTLE ST PAD	GDA	56	333285	6249412	Open site	Valid	Potential Archaeological Deposit (PAD) : 1		102763
	Contact	Recorders	Biosis Pty Ltd - Sydney							
								Permits		
45-6-3155	Moore Park AS1	GDA	56	335613	6247909	Open site	Valid	Artefact : -		
	Contact	Recorders	Artefact - Cultural Heritage Management - Pyrmont,Artefact - Cultural Heritage Ma							
								Permits	4019	
45-6-3342	Not a site	GDA	56	337014	6244960	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mary Dallas Consulting Archaeologists (MDCA),Ms.Tamika Goward							
								Permits	4183	
45-6-3245	DoncasterAve PAD	GDA	56	336037	6246916	Open site	Destroyed	Potential Archaeological Deposit (PAD) : -, Hearth : -		
	Contact	Recorders	GML Heritage Pty Ltd - Surry Hills,GML Heritage Pty Ltd - Surry Hills,Doctor.Tim O							
								Permits	4188	
45-6-3246	RSY 1	GDA	56	336060	6242862	Open site	Partially Destroyed	Artefact : -		
	Contact	Recorders	GML Heritage Pty Ltd - Surry Hills,GML Heritage Pty Ltd - Surry Hills,GML Heritage							
								Permits	4188	
45-6-3645	SFS PAD 1	GDA	56	335846	6248721	Open site	Partially Destroyed	Potential Archaeological Deposit (PAD) : 1		
	Contact	Recorders	Miss.Sam Cooling,Curio Projects Pty Ltd,Curio Projects Pty Ltd,Mx.Sam Cooling							
								Permits		
45-6-3552	Smith Hogan and Spindlers Park Midden	GDA	56	331309	6249791	Open site	Not a Site	Shell : -, Burial : -		104371
	Contact	Recorders	Mr.Mark Simon							
								Permits		
45-6-3654	CRS AS 01 (Central Railway Station Artefact scatter 01)	GDA	56	334035	6249170	Open site	Partially Destroyed	Artefact : -		104403
	Contact	Recorders	Artefact - Cultural Heritage Management - Pyrmont,Artefact - Cultural Heritage Ma							
								Permits	4639	
45-6-3727	POWH-ASB-HTH	GDA	56	337029	6245641	Open site	Valid	Hearth : -		
	Contact	Recorders	Mary Dallas Consulting Archaeologists (MDCA),Ms.Lucinda O'Connor							
								Permits		
45-6-3728	UNSW B22 Area of Sensitivity	GDA	56	336715	6245720	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Ms.Fenella Atkinson,Coast History & Heritage							
								Permits		

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
45-6-3729	UNSW Sand Body Area of Sensitivity	GDA	56	336190	6245480	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Ms.Fenella Atkinson,Coast History & Heritage					Permits	4568	
45-6-3704	Tay Reserve Artefact	GDA	56	335723	6247268	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Artefact - Cultural Heritage Management - Pyrmont,Artefact - Cultural Heritage Ma					Permits		
45-6-3848	244 Cleveland Street	GDA	56	334070	6248750	Open site	Valid	Artefact : -		
	Contact	Recorders	Comber Consultants Pty Limited,Ms.Veronica Norman					Permits		
45-6-3812	FZ 23 artefact scatter	GDA	56	336278	6246940	Open site	Destroyed	Artefact : -		
	Contact	Recorders	Artefact - Cultural Heritage Management - Pyrmont,Artefact - Cultural Heritage Ma					Permits		
45-6-3944	New Green Square School	GDA	56	334204	6246587	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Strata Archaeology,AMAC Group P/L					Permits	4809	
45-6-3899	ES-PAD-2018-01	GDA	56	334251	6247993	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Extent Heritage Pty Ltd - Pyrmont - Individual users,Doctor:Tse Siang Lim					Permits	4818	
45-6-3948	Woollahra Possible Shelter WAH128	GDA	56	338682	6249049	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		
45-6-3949	Woollahra Possible Shelter WAH127	GDA	56	338674	6249042	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		
45-6-3950	Woollahra Possible Shelter WAH126	GDA	56	338861	6249025	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		
45-6-3962	Woollahra Possible Shelter WAH136	GDA	56	338525	6248937	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		
45-6-3963	Woollahra Possible Shelter WAH132	GDA	56	338460	6249048	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		
45-6-3970	Cooper Park North Shelter WAH142	GDA	56	338410	6249090	Closed site	Valid	Art (Pigment or Engraved) : -		
	Contact	Recorders	Mr.Paul Irish,Coast History & Heritage					Permits		

<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status **</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
45-6-3972	Woollahra Possible Shelter WAH135	GDA	56	338500	6248960	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3973	Woollahra Possible Shelter WAH134	GDA	56	338421	6248937	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3974	Woollahra Possible Shelter WAH133	GDA	56	338228	6248966	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3975	Woollahra Possible Shelter WAH131	GDA	56	338279	6249056	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3976	Woollahra Possible Engraving WAH130	GDA	56	338118	6249167	Open site	Valid	Art (Pigment or Engraved) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3977	Woollahra Possible Shelter WAH129	GDA	56	338120	6249152	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3980	Woollahra Possible Shelter WAH137	GDA	56	338533	6248923	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3984	Drumalbyn shelter	GDA	56	338880	6249665	Closed site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-3985	Cooper Park Shelter	GDA	56	338493	6248933	Closed site	Valid	Art (Pigment or Engraved) : -, Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr.Paul Irish,Coast History & Heritage							
45-6-4050	RNE-PAD01	GDA	56	333218	6248353	Open site	Valid	Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Artefact - Cultural Heritage Management - Pyrmont,Mr.Michael Lever							



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : P0034669 - Basic Search 1

Client Service ID : 713663

<u>SiteID</u>	<u>SiteName</u>	<u>Datum</u>	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>	<u>Context</u>	<u>Site Status **</u>	<u>SiteFeatures</u>	<u>SiteTypes</u>	<u>Reports</u>
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**** Site Status**
Valid - The site has been recorded and accepted onto the system as valid
Destroyed - The site has been completely impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.
Partially Destroyed - The site has been only partially impacted or harmed usually as consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground
Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified

Report generated by AHIMS Web Service on 01/09/2022 for Wade Goldwyer for the following area at Lat, Long From : -33.9484, 151.1651 - Lat, Long To : -33.8771, 151.2887. Number of Aboriginal sites and Aboriginal objects found is 71

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.



From: [Nicole Davis](#)
To: [Lucinda Craig](#)
Subject: Heritage NSW - Aboriginal Cultural Heritage (ACH) - Advice on SEARs - Non Race Day Events at Royal Randwick Racecourse (SSD-62462713) (Randwick City)
Date: Monday, 25 September 2023 7:31:00 PM
Attachments: [..datacontent\img\email\images\logo1644468813661.png](#)
[image001.png](#)

Dear Lucinda,

Thank you for your referral. I note that the applicant has requested to exclude the standard Heritage NSW SEARs requirement that an Aboriginal Cultural Heritage Assessment Report (ACHAR) be prepared in relation to the ongoing use of the Royal Randwick Racecourse (SSD-62462713) (Randwick City) for Non Race Day Events.

I note that the current application does not seek consent for the construction of permanent structures or any significant ground penetration works. Heritage NSW understands that the proposal will not result in additional impacts to the ground surface, rather that the proposal will also involve the erection of temporary structures within the designated zones in the Spectator, Midfield and Infield precincts. Heritage NSW notes that there will be no significant ground disturbance activities associated with the current proposal.

On the basis of the assessment provided, I concur that the SEARs for the proposed Non Race Day Events at Royal Randwick Racecourse (SSD-62462713) (Randwick City) should exclude the requirement for an ACHAR to accompany the Environmental Impact Statement. I note this advice only applies only to the current proposal, if future proposals for the subject area involve impacts to the ground surface, additional assessment with respect to Aboriginal Cultural Heritage could be required, depending on the nature and location of the proposal.

Kind Regards

Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
E nicole.davis@environment.nsw.gov.au
Locked Bag 5020 Parramatta 2124



From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Tuesday, 19 September 2023 2:36 PM
To: Erin McWhirter <Erin.McWhirter@environment.nsw.gov.au>; Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Cc: Lucinda Craig <lucinda.craig@dpie.nsw.gov.au>
Subject: Major Projects – New Request for Advice - Non Race Day Events at Royal Randwick Racecourse (SSD-62462713) (Randwick City)

The Department has sent you a request for advice in relation to the Non Race Day Events at Royal Randwick Racecourse. The due date for this request is 22/09/23.

Please sign in to your account to view the details of this request and to upload your advice.

If you have any enquiries, please contact Lucinda Craig on 0295856027 /at lucinda.craig@dpie.nsw.gov.au.

To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

The Department of Planning and Environment



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