

An aerial, high-angle photograph of a busy city street, likely in Sydney, Australia. The street is filled with various vehicles including cars, vans, and trucks. Buildings of varying heights and styles line the street, with some featuring signs like 'ACARUBS' and 'CHINESE MEALS'. The overall scene is a dense urban environment.

URBIS

ABORIGINAL OBJECTS DUE DILIGENCE ASSESSMENT

164-194 William Street
Woolloomooloo, NSW

Prepared for
WILLIAM STREET NOMINEE PTY LTD
August 2025

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| Project Code | P0036191 |
| Report History | Draft issued to client 23 May 2025 Final issued 29 August 2025 |

**Urbis acknowledges the important contribution that
Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

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

Cover Image: 'William Street from 3rd Floor of building on corner of
Darlinghurst Road, Kings Cross', 1969
Source: City of Sydney Archives, A-00051670

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GLOSSARY

| Term | Definition |
|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Aboriginal ceremony and dreaming site | Previously referred to as mythological sites, these are spiritual/story places where no physical evidence of previous use of the place may occur, e.g. natural unmodified landscape features, ceremonial or spiritual areas, men's/women's sites, dreaming (creation) tracks, marriage places etc. These are Aboriginal site features recordable on AHIMS. |
| 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. |
| Aboriginal resource and gathering sites | Related to everyday activities such as food gathering, hunting, or collection and manufacture of materials and goods for use or trade. These are Aboriginal site features recordable on AHIMS. |
| AHIMS | Aboriginal Heritage Information Management System. A register of previously reported Aboriginal objects and Aboriginal places in NSW, managed under Section 90 of the NPW Act. |
| AHIP | Aboriginal Heritage Impact Permit. A permit issued under Section 90, Division 2 of Part 6 of the NPW Act. |
| Archaeology | The scientific study of material remains of past human life, including artefacts, relics, ruins, buildings and their environment and context. |
| Art | Art is found in shelters, overhangs and across rock formations. Techniques include painting, drawing, scratching, carving engraving, pitting, conjoining, abrading and the use of a range of binding agents and the use of natural pigments obtained from clays, charcoal and plants. These are Aboriginal site features recordable on AHIMS. |
| Artefact | Objects such as stone tools, and associated flaked material, spears, manuports, grindstones, discarded stone flakes, modified glass or shell demonstrating evidence of use of the area by Aboriginal people. These are Aboriginal site features recordable on AHIMS. |
| Artefact scatter | Multiple artefacts associated with one another in the same context. These are recordable on AHIMS as 'artefacts'. |
| Burial | A traditional or contemporary (post-contact) burial of an Aboriginal person, which may occur outside designated cemeteries and may not be marked, e.g. in caves, marked by stone cairns, in sand areas, along creek banks etc. These are Aboriginal site features recordable on AHIMS. |

| Term | Definition |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ceremonial ring | A Raised earth ring associated with ceremony. These are Aboriginal site features recordable on AHIMS. |
| Cliff | A steep rock face |
| Code of Practice | <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW 2010b). |
| Conflict site | Previously referred to as massacre sites where confrontations occurred between Aboriginal and non-Aboriginal people, or between different Aboriginal groups. These are Aboriginal site features recordable on AHIMS. |
| DECCW | Department of Environment, Climate Change and Water NSW. |
| Due Diligence Code | <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> (DECCW 2010a) |
| Dune | As defined in the Due Diligence Code, a sand ridge or sand hill formed by the wind. |
| Earth mound | A mounded deposit of round to oval shape containing baked clay lumps, ash, charcoal and, usually, black or dark grey sediment. The deposit may be compacted or loose and ashy. Mounds may contain various economic remains such as mussel shell and bone as well as stone artefacts. Occasionally they contain burials. These are Aboriginal site features recordable on AHIMS. |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> (NSW) |
| EP&BC Act | <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) |
| Fish trap | A modified area on watercourses where fish were trapped for short-term storage and gathering. These are Aboriginal site features recordable on AHIMS. |
| Grinding grooves | A groove in a rock surface resulting from manufacture of stone tools such as ground edge hatchets and spears, or rounded depressions resulting from grinding of seeds and grains. These are Aboriginal site features recordable on AHIMS. |
| 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. |
| Habitation structure | Structures constructed by Aboriginal people for short- or long-term shelter. Temporary structures are commonly preserved away from the coastline and may include historic camps of contemporary significance. Smaller structures may make use of natural materials such as branches, logs and bark sheets or manufactured materials such as corrugated iron to form shelters. Archaeological remains of a former structure such as chimney/fireplace, raised earth building platform, excavated pits, rubble mounds etc. These are Aboriginal site features recordable on AHIMS. |
| Headland | A narrow piece of coastal land that projects from a coastline into the sea or ocean |
| Hearth | Aboriginal site feature recordable on AHIMS. Cultural deposit sometimes marked by hearth stones, usually also contains charcoal and may also contain heat treated stone fragments. |
| Isolated find | A single artefact found in an isolated context. These are recordable on AHIMS as 'artefacts'. |

| Term | Definition |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Modified Trees | Trees which show the marks of modification as a result of cutting of bark from the trunk for use in the production of shields, canoes, boomerangs, burials shrouds, for medicinal purposes, foot holds etc, or alternately intentional carving of the heartwood of the tree to form a permanent marker to indicate ceremonial use/significance of a nearby area, again these carvings may also act as territorial or burial markers. These are Aboriginal site features recordable on AHIMS. |
| Non-human bone and organic material | Objects which can be found within cultural deposits as components of an Aboriginal site such as fish or mammal bones, ochres, cached objects which may otherwise have broken down such as resin, twine, dilly bags, nets etc. These are Aboriginal site features recordable on AHIMS. |
| NPW Act | <i>National Parks and Wildlife Act 1974</i> |
| NPW Regulation | <i>National Parks and Wildlife Regulation 2019</i> |
| Ochre quarry | A source of ochre used for ceremonial occasions, burials, trade and artwork. These are Aboriginal site features recordable on AHIMS. |
| PAD | A 'potential archaeological deposit'. An area where Aboriginal objects may occur below the ground surface. These are Aboriginal site features recordable on AHIMS. |
| Ridge | A compound landform element comprising a narrow crest that is longer than its width |
| Ridge top (or ridgeline) | The crest of a ridge that extends along its highest contours |
| Shell | An accumulation or deposit of shellfish from beach, estuarine, lacustrine or riverine species resulting from Aboriginal gathering and consumption. Usually found in deposits previously referred to as 'shell middens.' These are Aboriginal site features recordable on AHIMS. |
| SSDA | State Significant Development Application, under Division 4.7 of the EP&A Act |
| Stone arrangement | Human produced arrangements of stone usually associated with ceremonial activities, or used as markers for territorial limits or to mark/protect burials. These are Aboriginal site features recordable on AHIMS. |
| Stone quarry | A source of stone which was quarried and used for the production of stone tools by Aboriginal people. These are Aboriginal site features recordable on AHIMS. |
| Waterhole | A source of fresh water for Aboriginal groups which may have traditional ceremonial or dreaming significance and/or may also be used to the present day as a rich resource gathering area (e.g. waterbirds, eels, clays, reeds etc). These are Aboriginal site features recordable on AHIMS. |
| Waters | As defined in the Due Diligence Code, the whole or any part of any river, stream, lake, lagoon, swamp, wetlands, natural watercourse and tidal waters (including the sea), where the boundary of tidal waters is defined as the high-water mark. |

EXECUTIVE SUMMARY

This Aboriginal Objects Due Diligence Assessment ('ADD') has been prepared by Urbis to accompany the proposed State Significant Development Application (SSDA) for a mixed-use infill affordable housing development at 164-172 and 174-194 William Street Woolloomooloo. The site is made up of two (2) lots. The legal description of the site is outlined in Table 1.

Table 1 - Legal Description

| Property Address | Title Description |
|---------------------------------------|---------------------|
| 164-172 William Street, Woolloomooloo | Lot 52 in DP1049805 |
| 174-194 William Street, Woolloomooloo | Lot 1 in DP816050 |

This report has been prepared to address the Secretary's Environmental Assessment Requirements (**SEARs**) issued for the project (SSD-80211463). The ADD has been prepared to satisfy Item 21.

This report concludes that the proposed development is suitable and warrants approval subject to the implementation of the following mitigation measures.

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-80211463.

- **Recommendation 2 – Aboriginal Cultural Heritage Assessment Not Required**

In accordance with the due diligence process described in the Due Diligence Code and SEARs Item 21 for SSD-80211463, no further archaeological investigation is required for the subject area, subject to the following archaeological chance finds and human remains procedures being implemented and followed.

- **Recommendation 3 – Unexpected Archaeological Finds Procedure**

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

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds. The find must not be moved 'out of the way' without assessment.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS).
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

- **Recommendation 4 – Human Remains Procedure**

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

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

1. INTRODUCTION & BACKGROUND

Urbis has been commissioned by William Street Nominee Pty Ltd to prepare this report in accordance with the technical requirements of the Secretary's Environmental Assessment Requirements (SEARs), and in support of the State Significant Development Application (SSD-80211463) for the proposed mixed-use infill affordable housing development at 164-172 and 174-194 William Street Woolloomooloo.

Following the Design Excellence Competition, the scheme has been revised to include In-fill Affordable Housing (IAH) in line with the NSW Government's policy under the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*. This policy allows for a 30% increase in Floor Space Ratio (FSR) and building height when 15% of the total FSR is provided as affordable housing for 15 years. The proposed development meets these criteria and is eligible for the bonus uplift.

Given the residential component's Capital Investment Value (CIV) exceeds \$75 million, an SSDA pathway can be taken. The proposal retains key design principles recommended by the Design Excellence Panel and aims to provide additional residential dwellings with a 30% increase in GFA and building height, in accordance with the Housing SEPP.

The purpose of the project is to facilitate the delivery of a high-quality mixed-use development containing residential and retail uses as well as a centrally located park, public domain improvements and improved through-site connectivity at a strategically located site. The proposal seeks to deliver a built form outcome that responds appropriately to its location on William Street in Woolloomooloo and in close proximity to Kings Cross Station and the Sydney CBD. Furthermore, the proposed scheme seeks to deliver an outcome that is consistent with the desired and evolving character of the Woolloomooloo and Potts Point area.

Specifically, this SSDA seeks consent for:

- 227 apartments (167 market housing, 60 affordable housing units)
- Ground floor retail and commercial uses with 7 – 18 storeys of residential tower across four buildings being:
 - FJC - William Street (West)
 - FJC - William Street (East)
 - Studio Bright – Forbes Street
 - Tribe Studio – Dowling Street
- A publicly accessible central park
- Public domain works and improved through-site links
- Four basement levels for parking, services and storage
- Vehicular and loading access from Forbes Street

This report has been prepared in response to the requirements contained within SEARs dated 21 February 2025 and issued for SSD-80211463. Specifically, this report has been prepared to respond to the SEARs requirement issued below.

Table 2 – - SEARs Requirements

| Issue | Assessment Requirements | Reference |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 21. Aboriginal Cultural Heritage | <ul style="list-style-type: none"> ▪ Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: <ul style="list-style-type: none"> – Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or | This report |

| Issue | Assessment Requirements | Reference |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| | <ul style="list-style-type: none"> – Providing an initial assessment of the potential impacts. ▪ If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: <ul style="list-style-type: none"> – Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. – Is prepared in accordance with relevant guidelines. | |

1.1. SUBJECT AREA & SURROUNDING CONTEXT

The site is located at 164-172 and 174-194 William Street Woolloomooloo within the City of Sydney LGA. The site is comprised of multiple allotments and is legally described as:

- 164-172 William Street, Woolloomooloo
 - Lot 52 in DP1049805
- 174-194 William Street, Woolloomooloo
 - Lot 1 in DP816050

The land size totals 6,398m² and consists of a southern frontage to William Street, an eastern frontage to Dowling Street, a western frontage to Forbes Street and northern frontage to Judge Lane.

The immediate urban context surrounding the site is characterised by a mix of medium density residential, commercial, and retail uses. The site is in close proximity to Hyde Park, The Domain, and Rushcutters Bay Reserve. There are a number of educational and health services in proximity to the site, providing ample infrastructure support for the community.

William Street, to which the site fronts, is a classified road providing connection between the Eastern Suburbs of Sydney and the CBD. Vehicle access is currently provided from six points on the site from Judge Lane, Forbes Street, and Dowling Street. Pedestrian access to the site is currently available from all frontages.

The site is highly accessible to both bus and rail services, being approximately 300m away from Kings Cross Railway Station and having direct access to bus services on William Street that provide connections through the Metropolitan Transport Network.

At the time of lodgement, the site is improved by a warehouse style structure and glass office building to the site's frontage and an at-grade private carpark to the northwestern portion of the site.

1.2. PROPOSED WORKS

The proposed development of the subject area comprises the construction of a multi-storey mixed-use development including a portion of affordable housing.

The proposed development includes the following works:

- Demolition of existing structures
- Excavation for four basement levels
- Construction of four new multi-storey buildings, including:
 - Basement car parking, storage and services
 - Ground floor retail
 - Residential uses on upper floors.

- Pedestrian laneway and through-site links and vehicle access from Forbes Street

Plans of the proposed development are provided in Appendix A.

1.3. STATUTORY CONTROLS

1.3.1. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cth) ('the EPBC Act') provides protection for properties and places listed on the World Heritage List ('WHL'), the National Heritage List ('NHL') and the Commonwealth Heritage List ('CHL').

The WHL is a list of properties around the world considered to be of outstanding value to humanity, the NHL is a list of places of outstanding significance to the nation and the CHL is a list heritage places owned or controlled by the Australian Government. The WHL, NHL and CHL may include properties and places of Aboriginal heritage significance, in addition to places of natural and historical significance.

It is an offence under sections 15A, 15C, 27A and 27C of the EPBC Act to take any action that is likely to have a significant impact of the relevant heritage values of a place listed on the WHL, NHL or CHL. Approval from the Minister is required for controlled actions which will have a significant impact on items and places included on the WHL, NHL or CHL.

Properties and places listed on the WHL, NHL or CHL, are included in the Australian Heritage Database ('AHD'). The AHD also includes places under consideration, or that may have been considered, for any one of these lists. A search of the AHD was undertaken on 18 February 2025. The search did not identify any Aboriginal heritage properties or places within the curtilage of the subject area that are protected under the EPBC Act.

1.3.2. The National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NSW) ('the NPW Act') and *National Parks and Wildlife Regulation 2019* (NSW) ('the NPW Reg') protect 'Aboriginal objects' and 'Aboriginal places' in NSW.

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, which may or may not contain Aboriginal objects, that is declared to be an Aboriginal place under section 84 of the NPW Act because it is or was of special significance with respect to Aboriginal culture.

Under section 86 of the NPW Act, it is an offence to harm or desecrate an Aboriginal object or Aboriginal place. Section 87 of the NPW Act provides the following defences to prosecution under s. 86 of the NPW Act:

- The harm was to a previously unknown Aboriginal object, other than a modified tree, and was caused by a low impact activity as defined in reg. 58 of the NPW Reg.
- The harm was to a previously unknown Aboriginal object and due diligence was exercised by the Proponent to determine whether the activity would harm an Aboriginal object and reasonably determined that no Aboriginal object would be harmed, per section 87(2) of the NPW Act.
- The harm or desecration was authorised by an Aboriginal Heritage Impact Permit ('AHIP'), per section 87(1) of the NPW Act.
- The harm or desecration was authorised by an approved State Significant Development Application, per section 4.41(1)(d) of the *Environmental Planning and Assessment Act 1979* (NSW).

Regulation 58 of the NPW Reg defines 'low impact' activities as:

- Maintenance of existing roads, fire and other trails and tracks and existing utilities and other similar services, on disturbed land.

- Farming and land management work for cropping and leaving paddocks fallow, the construction of water storage works, the construction of fences, the construction of irrigation infrastructure, ground water bores or flood mitigation works, or the construction of erosion control or soil conservation works (such as contour banks), on disturbed land.
- Farming and land management work that involved the maintenance of existing grain, fibre or fertiliser storage areas, existing water storage works, existing irrigation infrastructure, ground water bores or flood mitigation works, existing fences, or existing erosion control or soil conservation works.
- 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*.
- Mining exploration work that involved costeaning, bulk sampling or drilling, on disturbed land.
- Geological mapping, surface geophysical surveys (excluding seismic surveys), sub-surface geophysical surveys that involve downhole logging and sampling and coring using hand-held equipment (except when carried out as part of an archaeological investigation).
- The removal of isolated, dead or dying vegetation, but only if there is minimal disturbance to the surrounding ground surface.
- Seismic surveying and the construction and maintenance of ground water monitoring bores on disturbed land.
- Environmental rehabilitation work (excluding erosion control or soil conservation works).

For the purposes of the above, land is 'disturbed' if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable (reg. 58(4)).

The proposed works described in Section 1.2 above are not 'low impact' activities as defined in reg. 58 of the NPW Reg. Therefore, the present ADD was undertaken to exercise due diligence to determine whether the proposed activity would harm an Aboriginal object or Aboriginal place.

1.4. METHODOLOGY

In accordance with section 87(3) of the NPW Act, due diligence may be exercised by compliance with the requirements set out in the NPW Regulation or a code of practice adopted or prescribed by the NPW Regulation.

The present ADD was undertaken in accordance with the generic due diligence process described in Section 8 of the Due Diligence Code. It is noted that there is an inconsistency between the due diligence process depicted in the flowchart on page 10 of the Due Diligence Code and the process described on pages 11 to 14. The latter was adopted in *Williams v Graham* [2016] NSWLEC 151 and has been applied for the present ADD.

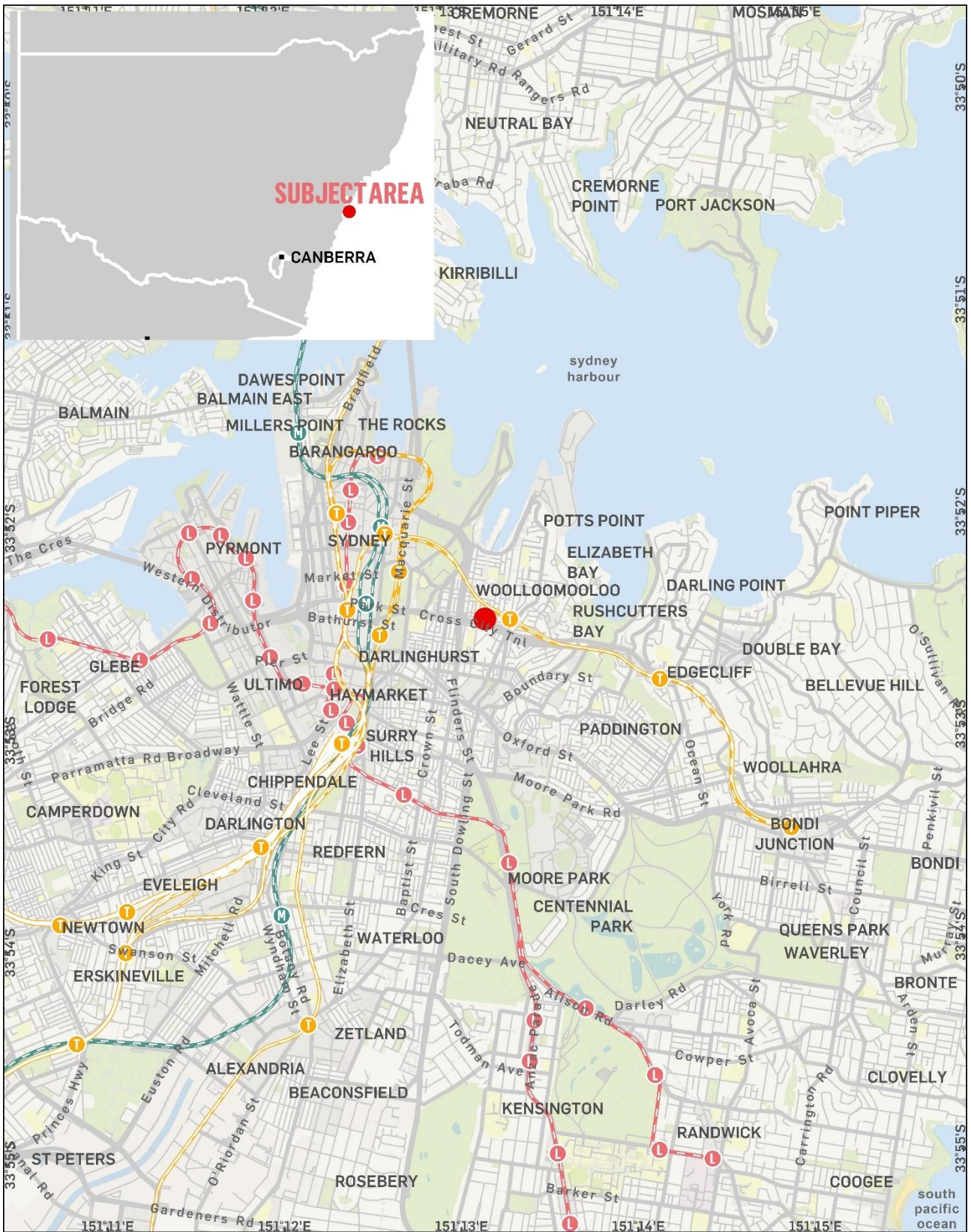
The ADD included the following:

- Searches of the Australian Heritage Database ('AHD'), Aboriginal Heritage Information Management System ('AHIMS') and State Heritage Inventory ('SHI')
- Review of previous archaeological assessments relevant to the subject area
- Landscape analysis
- Analysis of historical land use and its impact on the subject area
- Visual inspection of the subject area

1.5. LIMITATIONS

The ADD is limited to consideration of Aboriginal objects and places. Historical heritage properties and places protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and historical heritage items and relics protected under the *Heritage Act 1977* (NSW) are not considered.

The ADD is limited to the due diligence process outlined in the Due Diligence Code. The ADD did not include consultation with the Aboriginal community or consideration of intangible cultural heritage.



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Project No: P0036191
Project Manager: Aaron Olsen

● Subject Area

REGIONAL LOCATION
164-194 William Street Woollahra
Rebel Property

Figure 1 – Location of the subject area



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Project No: P0036191
 Project Manager: Aaron Olsen

Subject Area Contours

LOCATION OF THE SUBJECT AREA
 164-194 William Street Woolloomooloo
 Rebel Property

Figure 2 – Subject area

2. ABORIGINAL CULTURAL HERITAGE

The following discussion of archaeological context, environmental context and the visual inspection of the subject area provides the relevant background information necessary for applying the due diligence process to the subject area.

2.1. ARCHAEOLOGICAL CONTEXT

2.1.1. Declared Aboriginal Places

The NSW State Heritage Inventory (SHI) includes all declared Aboriginal places within NSW, in addition to historic heritage items listed on the State Heritage Register (SHR), listed Interim Heritage Orders (IHOs) and items listed on Local Environment Plans (LEPs) and State Environmental Planning Policies (SEPPs).

A search of the SHI was undertaken on 18 February 2025. The search did not identify any Aboriginal places or other heritage items within the curtilage of the subject area.

2.1.2. Registered Aboriginal Objects

The Aboriginal Heritage Information Management System (AHIMS) is a database of registered Aboriginal sites in NSW. Each registered Aboriginal site includes one or more site 'features', which may be considered an Aboriginal object under the NPW Act.

The *Guide to completing the AHIMS Site Recording Form* (OEH 2012) lists 20 different features that may be recorded on AHIMS. The most common site features registered in NSW are artefacts, modified trees, art, grinding grooves and shell deposits (see Glossary for definitions). However, the likelihood of any particular site feature being found will vary according to region and environment. Less common site features that are encountered are burials, ceremonial rings, earth mounds, fish traps, habitation structures, hearths, non-human bone and organic material, ochre quarries, stone arrangements and stone quarries (see Glossary for definitions).

Other Aboriginal site features that are recorded on AHIMS but are not necessarily 'Aboriginal objects' within the meaning of that term as it is defined in the NPW Act (i.e. are not a 'deposit, object or material evidence... relating to the Aboriginal habitation of the area') are potential archaeological deposits (PADs), Aboriginal ceremony and dreaming sites, Aboriginal resource and gathering sites, conflict sites and waterholes (see Glossary for definitions). These features are only considered to be 'Aboriginal objects' for the purpose of the NPW Act if accompanied by at least one of the other site types defined above.

The AHIMS database also provides information on the context of registered Aboriginal sites. Sites that are recorded as 'closed' context are those that include a cave or rock overhang, while all other sites are recorded as 'open' context.

It should be noted that the AHIMS register does not represent a comprehensive list of all Aboriginal objects or places as it is limited to sites that have been previously identified and registered. Registration is typically the result of previous archaeological investigation, so the number of registered Aboriginal sites in area is dependent on the amount of such research previously undertaken.

A search of the Aboriginal Heritage Information Management System ('AHIMS') was carried out on 24 February 2025 (AHIMS Client Service IDs: 978092 and 978094) for an area of approximately 6 km x 6 km centred on the subject area. The search was undertaken to determine if:

- There are any registered Aboriginal sites registered within the curtilage of the subject area.
- There are any registered Aboriginal sites near the subject area that might extend into it.
- There is any association of Aboriginal sites certain landscape features within the broader region that may be instructive for determining the likelihood of Aboriginal sites within the subject area.

The Basic and Extensive AHIMS search results are included in Appendix B. The results of the search are discussed below.

2.1.2.1. Identified Sites

A total of 89 Aboriginal sites are registered within the AHIMS search area. Of these, eight are identified in the search results as 'not a site' and a further three are 'restricted', reducing the total number of identified Aboriginal

objects that could be analysed to 78. The locations of the 78 identified Aboriginal objects are shown in Figure 3.

The search did not identify any Aboriginal objects or Aboriginal places within the curtilage of the subject area. The nearest confirmed Aboriginal object (AHIMS ID# 45-6-2580) is an artefact site located approximately 300 m from the subject area boundaries (Figure 4), so is unlikely to extend into the subject area.

2.1.2.2. Site Features and Contexts

A summary of the site features spread across the registered Aboriginal sites within the search area is provided in Table 3. Among the 78 registered Aboriginal sites in the search area, a total of 101 site features were identified of 8 different types: Aboriginal ceremony & dreaming, Aboriginal resource & gathering, art, artefact, burial, grinding groove, habitation structure, potential archaeological deposit (PAD) and shell.

Registered sites tend to be located near the shoreline of Port Jackson and the various waterways that feed into it, as well as on or near ridgelines, especially that running through the Sydney CBD (Figure 3). This is consistent with the general predictive model outlined in the Due Diligence Code, which consider natural waterways (including creeks or first order water catchments) and ridgelines to be indicative of likely past Aboriginal land use.

Of the confirmed Aboriginal sites (i.e. excluding PADs), artefact sites are the most common, representing 40% of all sites (n=31) and accounting for 31% of all site features. The high representation of artefact sites is consistent with the important role of stone tools in the everyday lives of Aboriginal people.

Shell sites (13% of site features; n=13) and art sites (10% of site features; n=10) are also relatively common in the search area. These sites are concentrated around the shoreline of Port Jackson, where shellfish are readily available, and exposures of Hawkesbury sandstone provide a substrate for engraved and pigment art.

Table 3 – Summary of registered Aboriginal sites in search area

| Site Features | Number | % of Sites | % of Features |
|---------------------------------|--------|------------|---------------|
| PAD | 37 | 47% | 37% |
| Artefact | 31 | 40% | 31% |
| Shell | 13 | 17% | 13% |
| Art | 10 | 13% | 10% |
| Burial | 3 | 4% | 3% |
| Aboriginal Ceremony & Dreaming | 2 | 3% | 2% |
| Aboriginal Resource & Gathering | 2 | 3% | 2% |
| Grinding Groove | 2 | 3% | 2% |
| Habitation Structure | 1 | 1% | 1% |

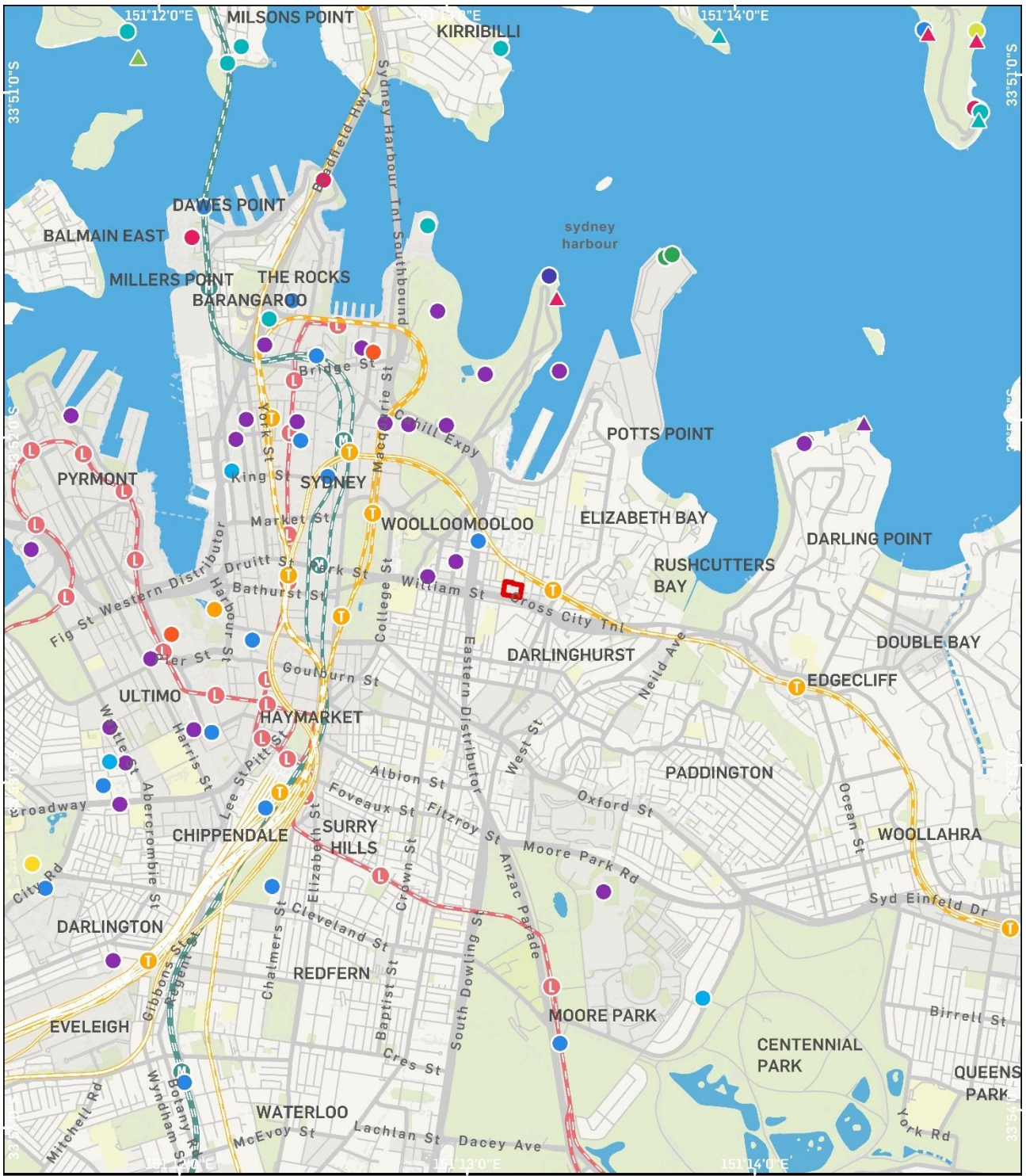
The contexts of the registered Aboriginal sites within the AHIMS search area are summarised in Table 4 below. Open context sites are the most common, representing 83% (n=65) of all registered sites in the search area. Closed sites in the search area are concentrated around the shoreline of Port Jackson, where exposures of Hawkesbury sandstone are more common.

Table 4 – Summary of registered site contexts within the search area

| Context | Number | % Sites |
|----------------|---------------|----------------|
| Open | 65 | 83% |
| Closed | 13 | 17% |

2.1.3. Previous Archaeological Investigations

Previous Aboriginal archaeological investigations undertaken within the subject area may provide information about known Aboriginal sites that have not previously registered on the AHIMS database. However, no archaeological reports of direct relevance to the present subject area have been identified.



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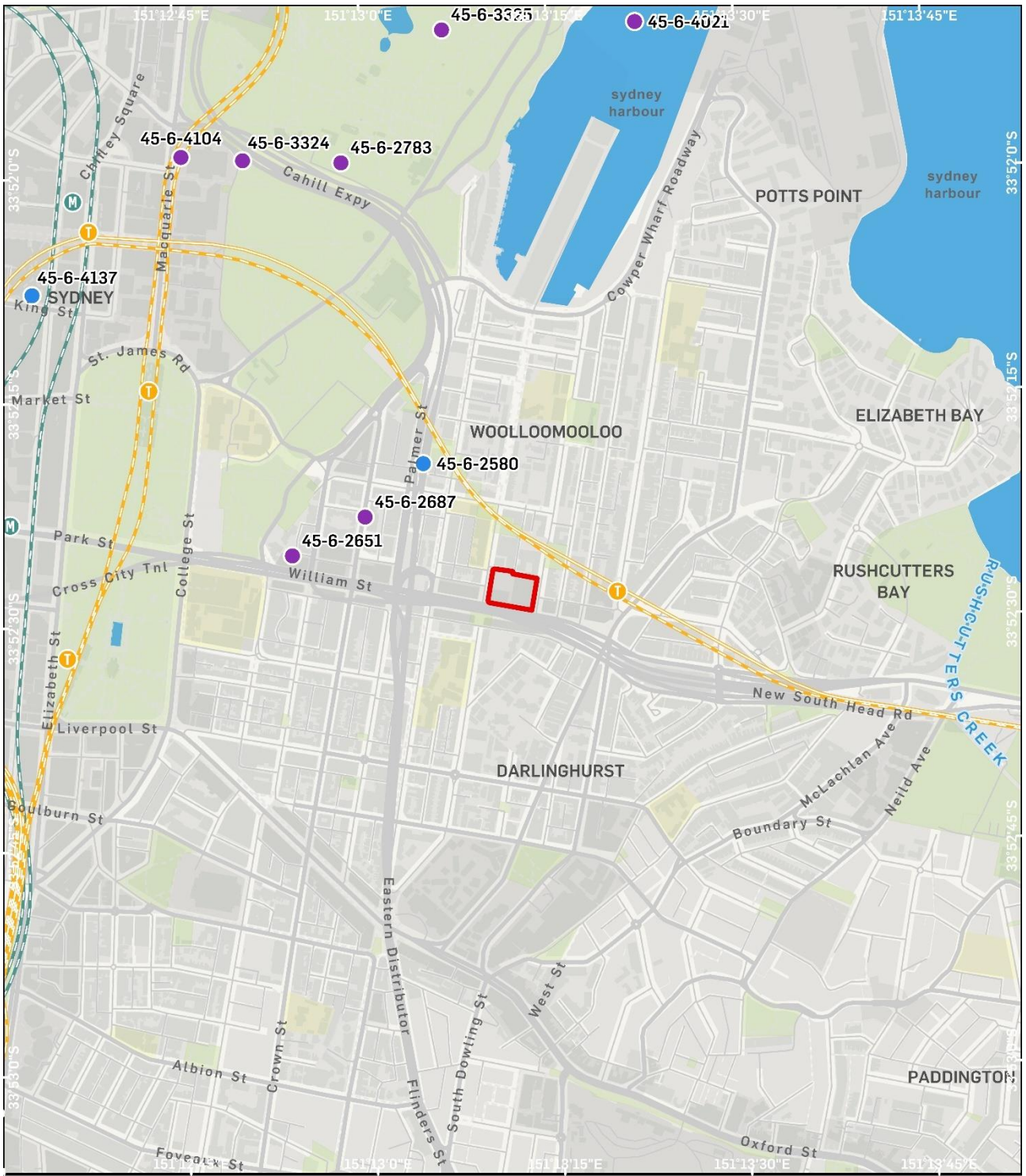
Project No: P0036190

Project Manager: Aaron Olsen

- | | | | |
|--------------|-------------|------------------------------|--------------------------------------------------|
| Subject Area | Open site | Artefact | Habitation Structure, Shell |
| Contours | Closed site | Artefact, PAD | Aboriginal Resource & Gathering |
| Ephemeral | Art | Artefact, Shell | Aboriginal Resource & Gathering, Shell |
| Hydrology | PAD | Art, Grinding Groove | Aboriginal Ceremony & Dreaming, Artefact, Burial |
| | Shell | Art, Artefact, Burial, Shell | |

AHIMS SITES IN EXTENSIVE SEARCH AREA
 164-194 William Street Woollahroo
 Rebel Property

Figure 3 – Location of registered Aboriginal sites in AHIMS search area



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Project No: P0036190
Project Manager: Aaron Olsen

AHIMS SITES IN PROXIMITY
164-194 William Street Woolloomooloo
Rebel Property

- Subject Area
- Ephemeral
- Open site
- Artefact
- Contours
- Hydrology
- PAD

Figure 4 – Location of registered Aboriginal sites in proximity to subject area

2.2. ENVIRONMENTAL CONTEXT

2.2.1. Landscape Features

Aboriginal objects may be associated with certain landscape features that played a part in the everyday lives and traditional cultural activities of Aboriginal people. The Due Diligence Code specifies the following landscape features are indicative of likely past Aboriginal land use:

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

The above landscape features are defined in the Glossary of this report. Only the terms 'waters' and 'dune' are explicitly defined in the Due Diligence Code.

Hydrology: The closest natural waterway to the subject area is a stream located approximately 90 m north of the subject area (Figure 5). The stream has an approximately northwest-southeast alignment and flows from the higher ground of what is now Potts Point into Woolloomooloo Bay. The subject area is therefore within 200m of water.

Topography: The subject area is located on the lower side slopes of a ridge that runs in a generally northerly direction from Darlinghurst through Potts Point (Figure 6). It is not located on a ridge top, ridge line or headland, within 200 m below or above a cliff face or within 20 m of or in a cave, rock shelter, or a cave mouth.

Soils and Geology: The NSW Soil and Land Information System (SALIS) indicates that the subject area is located entirely within the Hawkesbury (ha) soil landscape (Figure 7). On side slopes, the Hawkesbury soil landscape is characterised by an A-horizon comprising 10-30 cm of colluvial loose, coarse quartz sand sitting directly on bedrock. Colluvial soils are deposited by rainwash, sheetwash or the action of gravity. The subject area is not located in a dune system, which is a sand ridge or sand hill formed by the wind.

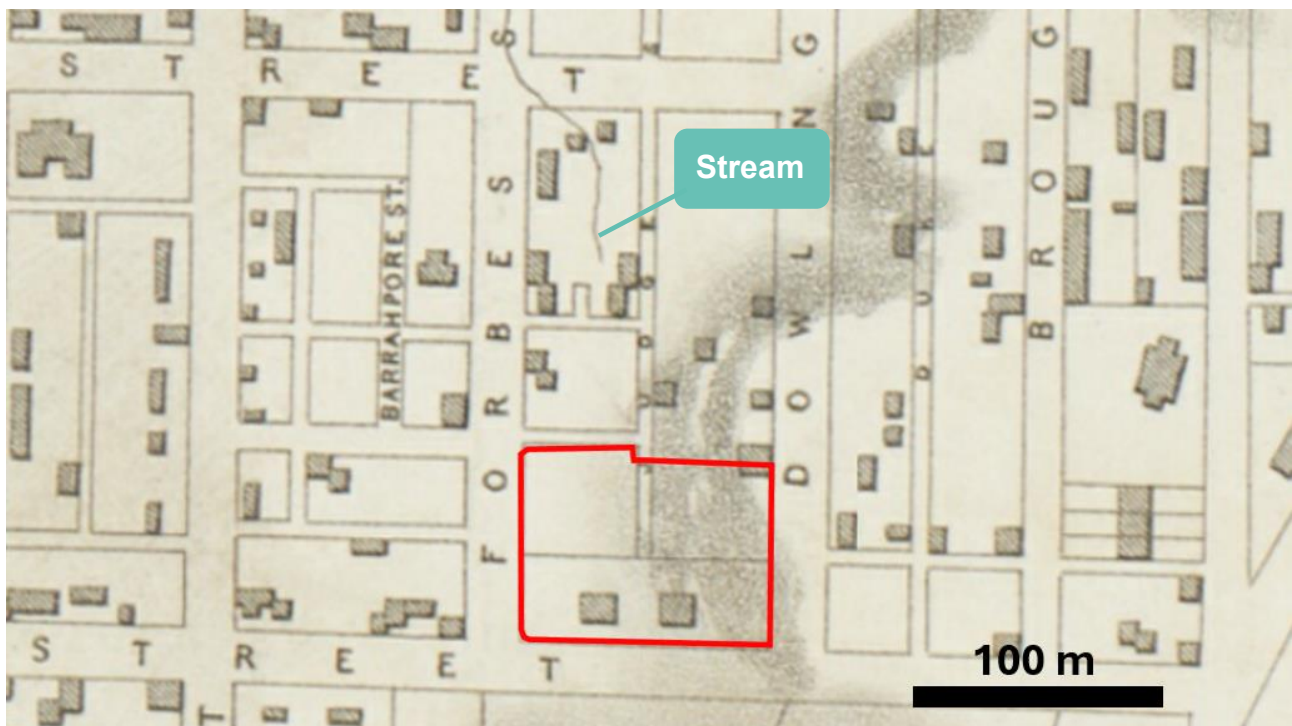
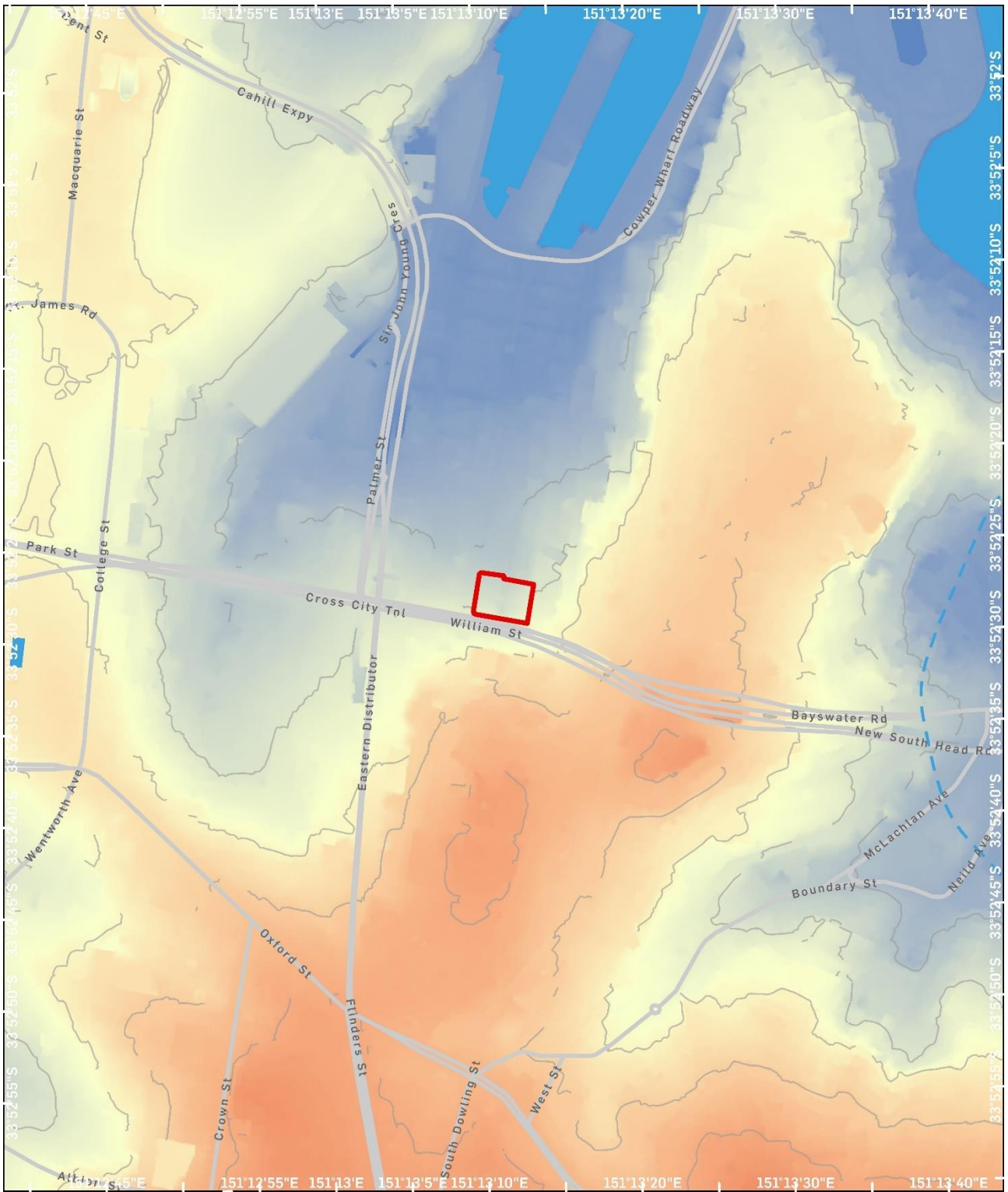


Figure 5 – Detail of 'Trigonometrical survey of Port Jackson', 1853, showing location of stream to the north of the subject area (outlined in red)

Source: State Library of NSW, Call No. Z/M4 811.15/1853/1



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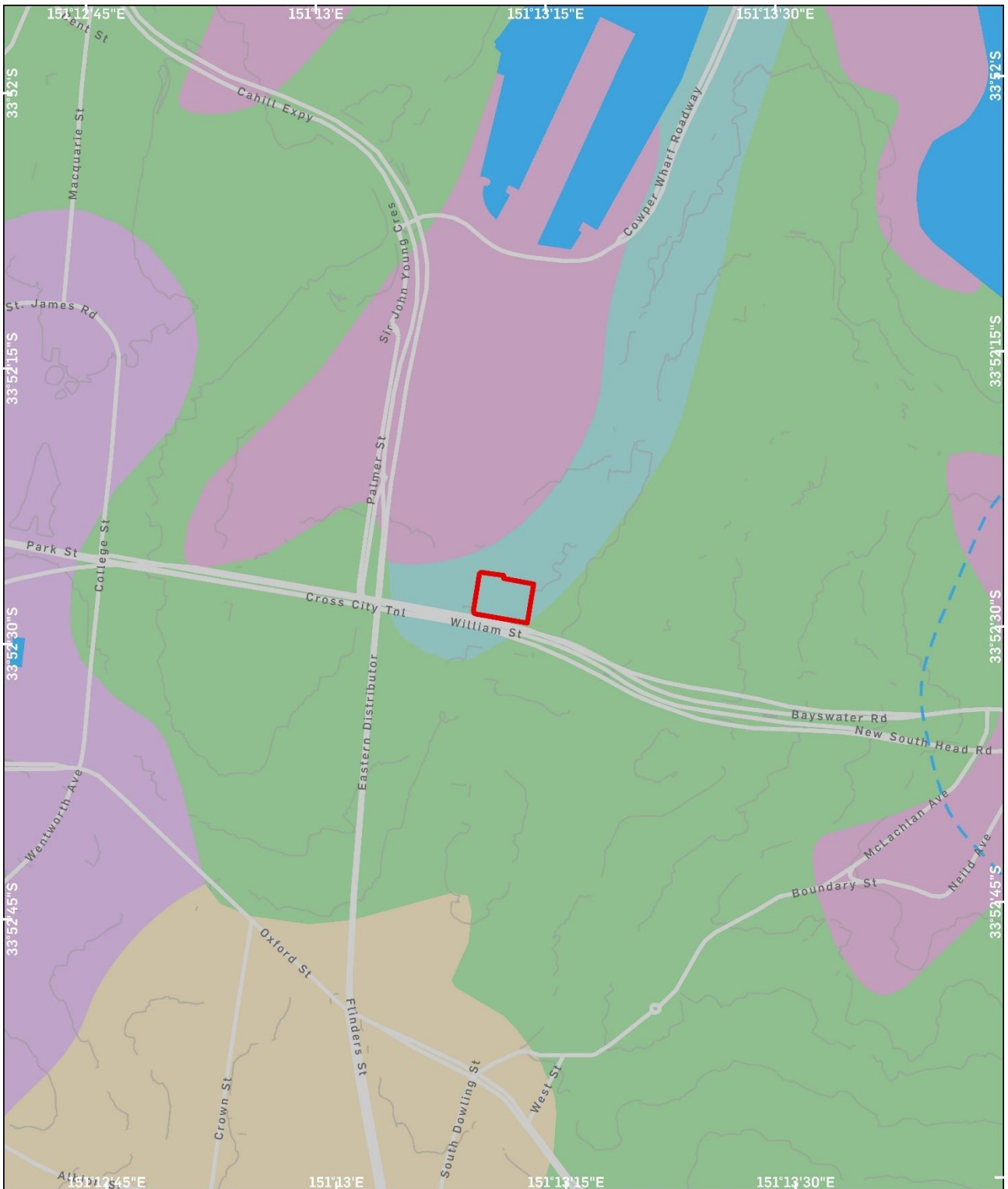
500 M

Project No: P0036191
Project Manager: Aaron Olsen

- Subject Area
 - Hydrology
 - Hydrology 200m Buffer
 - Contours
- Elevation (m)**
- High
Low

TOPOGRAPHY
164-194 William Street Woolloomooloo
Rebel Property

Figure 6 – Topography



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SOIL LANDSCAPES AND HYDROLOGY

164-194 William Street Woolloomooloo
Rebel Property

Project No: P0036191

Project Manager: Aaron Olsen

Subject Area

Hydrology

Hydrology 200m Buffer

— Contours

BLACKTOWN (Residual)

DISTURBED TERRAIN (Disturbed Terrain)

GYMEA (Erosional)

HAWKESBURY (Colluvial)

LUCAS HEIGHTS (Residual)

Figure 7 – Soil landscapes and hydrology

2.2.2. Historical Ground Disturbance

Disturbance to the landscape after Aboriginal use reduces the likelihood for Aboriginal objects being retained, either through destruction of the Aboriginal objects or their removal.

According to the Due Diligence Code, land is disturbed if it has been the subject of a human activity that has changed the surface of the land, being changes that remain clear and observable. The Due Diligence Code provides the following examples of activities that may have disturbed land:

- Ploughing
- Construction of rural infrastructure (such as dams and fences)
- Construction of roads, trails and tracks (including fire trails and tracks and walking tracks)
- Clearing vegetation
- Construction of buildings and the erection of other structures
- Construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure)
- Construction of earthworks

Development of the subject area dates to at least the early 19th century, following the construction of William Street in the 1830s. A map of Sydney from 1845 shows a cottage had been built on the corner of William and Dowling Streets by that time (Figure 8). It is likely that a large part of the subject area was cleared of its original vegetation at this time to accommodate both the cottage and its associated garden.

By the late 19th century, the original cottage had been extended and another cottage (Hobart House) built to its east fronting William Street (Figure 9). A Wesleyan church had been built on corner of Forbes and William Streets, with a row of terraces to the rear fronting Forbes Street (Figure 9). A row of three multi-storey commercial and residential buildings, which remain extant, had been constructed on the corner of William and Dowling Streets. Associated outbuildings were located to the rear along Dowling Street.

An aerial photograph of the subject area from 1943 shows that both 19th century cottages on William Street had been demolished by this time (Figure 10). Hobart House had been replaced by a row of terraces and Thompson's cottage had been replaced by an inter-war apartment building, which remains extant. A warehouse, which also remains extant, had been built to the rear of the apartment building, fronting Dowling Street.

By 1971, the former Wesleyan church and adjacent cottage on William Street had been demolished and replaced with the existing multistorey building on the corner of William and Forbes Streets (Figure 11). The row of terraces along Forbes Street to the rear of the church had also been demolished and replaced with hardstand for at-grade carparking. The remainder of the subject area remained unchanged. A comparison of Figure 11 with modern aerial image (Figure 2) indicates that no further significant changes have occurred to the subject area in the last half century.

It is clear that the entire subject area has been subjected to human activity that have caused changes to the land's surface which remain clear and observable. has changed the land's surface, being changes that remain clear and observable, including vegetation clearance, construction and demolition of buildings and the installation of underground services. The skeletal soils of the Hawkesbury soil landscape would have been heavily disturbed, truncated and/or removed entirely during development of the subject area over the course of the 19th and 20th centuries.



Figure 8 – Detail of FW Shields' plan of Sydney, 1845, showing location of the subject area (outlined in red)
 Source: City of Sydney Archives, A-00880420

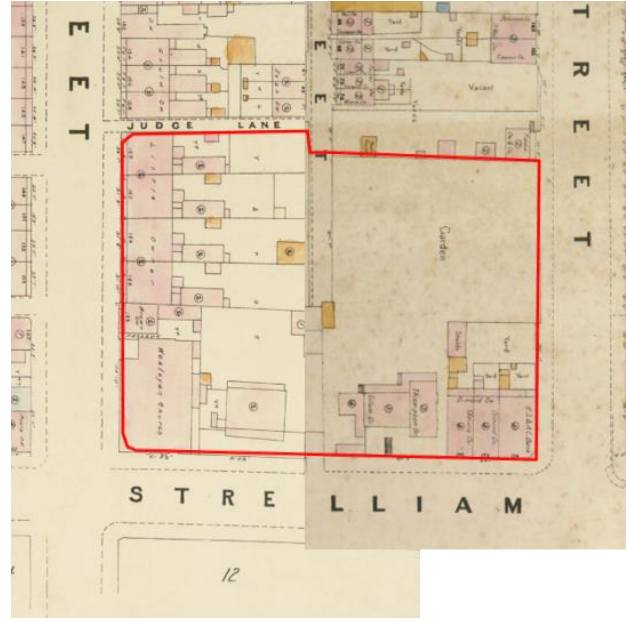


Figure 9 – Detail of Rygate and West plan of Sydney, 1888, showing location of the subject area (outlined in red)
 Source: City of Sydney Archives, A-00880465



Figure 10 – Aerial photograph of the subject area (outlined in red) from 1943
 Source: NSW Government, Historical Imagery Viewer



Figure 11 – Aerial photograph of the subject area (outlined in red) from 1971
 Source: NSW Government, Historical Imagery Viewer

2.3. VISUAL INSPECTION

A visual inspection of the subject area was undertaken to further investigate the environmental context of the subject area and to determine if any Aboriginal objects were present as surface expressions. The visual inspection of the subject area was undertaken by Aaron Olsen (Urbis Senior Consultant, Archaeology) on 1 May 2025.

The visual inspection was undertaken in rainy conditions. Ground Surface Visibility (GSV) was estimated to be 0% due to the presence of structures and hardstand across the entire subject area.

No Aboriginal objects were identified during the visual inspection.

Observations made during the visual assessment were consistent with the desktop assessment of ground disturbance. The portions of the subject area fronting William Street and Dowling Street are presently occupied by buildings (Figure 12, Figure 13 and Figure 14), while the remaining portion fronting Forbes Street is covered entirely by hardstand (Figure 15). Level changes and evidence of underground services were also observed in the eastern part of the hardstand area (Figure 16 and Figure 17). Basement levels were also observed below the buildings along William Street (Figure 18 and Figure 19). No exposures or soil or rock were observed anywhere within the subject area. It is clear from the site inspection that the entire subject area has been subjected to human activity that has changed the land's surface, being changes that remain clear and observable.



Figure 12 – View north of extant building at corner of Forbes Street and William Street, in south-western corner of subject area



Figure 13 – View west of extant building at corner of Dowling Street and William Street, in south-eastern corner of subject area



Figure 14 – View south of extant building fronting Dowling Street in north-eastern corner of subject area



Figure 15 – View south-east of hardstand in north-western corner of subject area, bounded by Forbes Street and Judge Lane



Figure 16 – Level change in eastern portion of hardstand area



Figure 17 – Sewer manhole cover in south-eastern portion of hardstand area



Figure 18 – Part of basement below building on corner of Forbes Street and William Street



Figure 19 – Part of basement below building on corner of Darling Street and William Street

2.4. SUMMARY

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

- There are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area.
- No other sources of information have been identified that indicate Aboriginal objects are likely to be retained within the subject area.
- The subject area is located within 200 m of former natural waterway which is considered indicative of likely past Aboriginal land use under the Due Diligence Code.
- The entire subject area has been subjected to ground disturbing activities, including vegetation clearance, construction and demolition of buildings and the installation of underground services, that have changed the land's surface and which remains clear and observable.

3. DUE DILIGENCE ASSESSMENT

The due diligence process outlined in the Section 8 of the Due Diligence Code is applied to the subject area below.

Step 1 – Will the activity disturb the ground surface?

YES

The proposed works include demolition of existing structures, excavation for three basement levels and construction of three new buildings, which will cause disturbance to the ground surface.

Step 2a – Are there any relevant confirmed site records on AHIMS or any other sources of information of which a person is aware?

NO

There are no Aboriginal objects or declared Aboriginal places within the curtilage of the subject area that are registered with AHIMS. No other sources of information have been identified that indicated that Aboriginal objects are likely to be present in the subject area.

Step 2b – Are there any landscape features that are likely to indicate the presence of Aboriginal objects?

NO

The subject area is located within 200 m of former natural waterway, which is considered indicative of likely past Aboriginal land use under the Due Diligence Code (Section 2.2.1).

However, the Due Diligence Code further specifies that landscape features are of relevance only if the subject area has not been subjected to ground disturbance. According to the Due Diligence Code, land is disturbed if it has been the subject of a human activity that has changed the land's surface, being changes that remain clear and observable. Examples of disturbance include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

The entire subject area has been subjected to activities that have that have caused changes to the land's surface which remain clear and observable (Section 2.2.2). These activities include vegetation clearance, construction and demolition of buildings and the installation of underground services. There are therefore no landscape features that are considered likely to indicate the presence of Aboriginal objects under the Due Diligence Code.

Step 3 – Can you avoid harm to the object or disturbance of the landscape feature?

N/A

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed (or, implicitly, does not include any relevant landscape features) and does not contain known Aboriginal objects. As there are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area and there are no landscape features that are likely to indicate the presence of Aboriginal objects, Step 3 of the Due Diligence process does not apply for assessment of the present subject area.

Step 4 – Does the Desktop Assessment and Visual Inspection Confirm that there are Aboriginal Objects or that they are Likely?

N/A

The Due Diligence Code specifies that this step only applies if the proposed activity is on land that is not disturbed (or, implicitly, does not include any relevant landscape features) and does not contain known Aboriginal objects. As there are no known Aboriginal objects or Aboriginal places within the curtilage of the subject area and there are no landscape features that are likely to indicate the presence of Aboriginal objects, Step 4 of the Due Diligence process does not apply for assessment of the present subject area.

Step 5 – Outcome of Assessment

In accordance with the due diligence process described in the Due Diligence Code the above assessment has determined that no further investigation is required for the subject area. Urbis recommends that the development proceed with caution, subject to unexpected archaeological finds and human remains procedures being implemented (see Section 4 below).

4. CONCLUSIONS & RECOMMENDATIONS

The ADD was undertaken to determine if 'there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site' and to provide 'an initial assessment of the potential impacts' of the proposed development if Aboriginal cultural heritage is identified.

The assessment determined that:

- 1) There are no registered Aboriginal objects or Aboriginal places within the curtilage of the subject area.
- 2) No other sources of information have been identified that indicate Aboriginal objects are likely to be retained within the subject area.
- 3) The subject area is located within 200 m of former natural waterway which is considered indicative of likely past Aboriginal land use under the Due Diligence Code.
- 4) However, the entire subject area has been subjected to ground disturbing activities, including vegetation clearance, construction and demolition of buildings and the installation of underground services, that have caused changes to the land's surface which remain clear and observable.
- 5) There are therefore no landscape features that are considered likely to indicate the presence of Aboriginal objects under the Due Diligence Code.
- 6) In accordance with the assessment process outlined in the Due Diligence Code, it is concluded that there is no known Aboriginal cultural heritage on or near the subject area, nor is it reasonably likely that Aboriginal cultural heritage occurs on or near the subject area.

Based on the above conclusions, Urbis recommends the following:

- **Recommendation 1 – Submission of Report**

A copy of this report should be submitted with the Environmental Impact Statement (EIS) in support of SSD-80211463.

- **Recommendation 2 – Aboriginal Cultural Heritage Assessment Not Required**

In accordance with the due diligence process described in the Due Diligence Code and SEARs Item 21 for SSD-80211463, no further archaeological investigation is required for the subject area, subject to the following archaeological chance finds and human remains procedures being implemented and followed.

- **Recommendation 3 – Unexpected Archaeological Finds Procedure**

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

1. All works within the vicinity of the find must immediately stop and the location cordoned off with signage installed to stop any accidental impact to the finds. The find must not be moved 'out of the way' without assessment.
2. The site supervisor or another nominated site representative must contact either the project archaeologist (if relevant) or Heritage NSW (Enviroline 131 555) to contact a suitably qualified archaeologist.
3. The nominated archaeologist must examine the find, provide a preliminary assessment of significance, record the item and decide on appropriate management measures. Such management may require further consultation with Heritage NSW, preparation of a research design and archaeological investigation/salvage methodology and registration of the find with the Aboriginal Heritage Information Management System (AHIMS).
4. Depending on the significance of the find, reassessment of the archaeological potential of the subject area may be required and further archaeological investigation undertaken.
5. Reporting may need to be prepared regarding the find and approved management strategies.
6. Works in the vicinity of the find can only recommence upon receipt of approval from Heritage NSW.

▪ **Recommendation 4 – Human Remains Procedure**

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

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

5. REFERENCES

Department of Environment Climate Change and Water ('DECCW') 2010a, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*

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

DECCW 2010c, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*

Environmental Planning and Assessment Act 1979 (NSW)

Environment Protection and Biodiversity Conservation Act 1999 (Cth)

National Parks and Wildlife Act 1974 (NSW)

National Parks and Wildlife Regulation 2019 (NSW)

Office of Environment & Heritage ('OEH') 2011a, *Applying for an Aboriginal Heritage Impact Permit: Guide for applicants*

OEH 2011b, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*

OEH 2012, *Guide to completing the AHIMS Site Recording Form*

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This report is dated 23 May 2025 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 Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of William Street Residential Pty Ltd (**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).

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APPENDIX A

DEVELOPMENT PLANS



APPENDIX B

AHIMS SEARCH RESULTS

