

Redfern Station Upgrade – New Southern Concourse

Technical report 6 - Aboriginal heritage



Artist's impression of the proposed Redfern Station Upgrade - New Southern Concourse. Indicative only, subject to detailed design.

Redfern Station Upgrade - New Southern Concourse

Technical Report - Aboriginal heritage

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Abbreviations

Term	Meaning
ACHMP	Aboriginal Cultural Heritage Management Plan
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ATSIHP Act	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cwlth)</i>
CHL	Commonwealth Heritage List
DECCW	Department of Environment, Climate Change and Water
DPC	Department of Premier and Cabinet
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979 (NSW)
EP&A Regulation	Environmental Planning and Assessment Regulation 2000 (NSW)
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)
Heritage Act	Heritage Act 1977 (NSW)
LEP	Local Environmental Plan
LGA	Local Government Area
NHL	National Heritage List
NNTR	National Native Title Register
NNTT	National Native Title Tribunal
NSW	New South Wales
NPW Act	<i>National Parks and Wildlife Act 1974</i>
OEH	NSW Office of the Environment and Heritage (now Department of Premier and Cabinet)
PAD	Potential Archaeological Deposit
RNE	Register of the National Estate
RNTC	Register of Native Title Claims
SEARs	Secretary's environmental assessment requirements
SHI	State Heritage Inventory
SHR	State Heritage Register
SSI	State Significant Infrastructure
TAP	Transport Access Program
TfNSW	Transport for NSW

Executive Summary

Transport for NSW (TfNSW) is the lead agency for the integrated delivery of public transport services across all modes of transport in NSW and is responsible for the delivery of projects within the Transport Access Program (TAP). TAP is a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across NSW.

TfNSW is seeking approval to construct and operate an upgrade of Redfern Station (Redfern Station Upgrade – New Southern Concourse) ('the Project') as a component of the TAP. The Project involves the construction of a new pedestrian concourse to the south of the existing Lawson Street concourse providing both lift and stair access to Platforms 1-10. The new pedestrian concourse would provide a new connection across the railway corridor, extending between Little Eveleigh Street and Marian Street in the suburbs of Redfern and Eveleigh and include associated interchange upgrades.

This technical report provides an assessment of the potential impacts of the Project on known and potential Aboriginal heritage resources.

Information regarding the known and potential Aboriginal heritage resource of the area that could be impacted by the Project (the Project area) was obtained from:

- a review of the landscape context of the Project area and surrounds
- a review of existing Aboriginal Heritage Information Management System (AHIMS) data for land within the Project area, obtained from Heritage, Department of Premier & Cabinet on 14 October 2019 (AHIMS search #456278)
- a search of the National Native Title Register and Register of Native Title Claims administered by the National Native Title Tribunal for land within and surrounding the Project area
- a review of the findings of past Aboriginal archaeological investigations within the local area
- a visual inspection of the Project area.

The key findings of this Aboriginal heritage impact assessment are as follows:

- no new Aboriginal archaeological sites were identified within the Project area during the visual inspection
- review of existing AHIMS data indicates that a single recorded Aboriginal site lies within the Project area
- Aboriginal archaeological sensitivity of the majority of the Project area was generally assessed as negligible within the inspected areas.

On the basis of the above findings, the following recommendations are made:

1. A single Aboriginal site, 'Wynyard St Midden' (AHIMS ID #45-6-2597) is currently recorded as lying within the Gibbons Street Reserve. The current assessment has determined that this site is likely invalid. Further investigation and consultation with Metropolitan Local Aboriginal Land Council (MLALC) would be required to amend the status of the site on the AHIMS register.
2. No additional known Aboriginal sites or areas of Aboriginal archaeological sensitivity are located within the Project area. These works may proceed without any further archaeological or Aboriginal heritage assessment, approvals or associated constraint.
3. Contractors and TfNSW personnel should be made aware of the nature and location of previously identified areas of Potential Archaeological Deposits located immediately adjacent to the Project area and avoid impact to these areas. Contractors and TfNSW personnel should also be made aware of TfNSW's legal responsibilities under the *National Parks and Wildlife Act 1974* and the *Heritage Act 1977* and the need to avoid impacts to sites.

4. In the unlikely event that a place or object (as defined by the *National Parks and Wildlife Act 1974* is identified during the Project, the procedure outlined in TfNSW's *Unexpected Heritage Finds Guideline* (Transport for NSW, 2016) should be followed. Works should immediately cease at the location and the find should be immediately reported to appropriate TfNSW personnel, and the regulator in accordance with legislation. No work should commence in the vicinity of the find until any required approvals have been given by the regulator.

1.0 Introduction

1.1 Project overview

Transport for NSW (TfNSW) is the lead agency for the integrated delivery of public transport services across all modes of transport in NSW and is responsible for the delivery of projects within the Transport Access Program (TAP). TAP is an NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across NSW.

TfNSW is seeking approval to construct and operate an upgrade of Redfern Station (Redfern Station Upgrade – New Southern Concourse) ('the Project') as a component of the TAP. The Project involves the construction of a new pedestrian concourse to the south of the existing Lawson Street concourse providing both lift and stair access to Platforms 1-10. The new pedestrian concourse would provide a new connection across the railway corridor, extending between Little Eveleigh Street and Marian Street in the suburbs of Redfern and Eveleigh and include associated interchange upgrades.

The key features of the Project include:

- a six metre wide concourse between Little Eveleigh Street and Marian Street
- new stair and lift access from the new concourse to Platforms 1 to 10
- an upgraded station entrance at Marian Street including station services and customer amenities
- a new station entrance at Little Eveleigh Street including station services and customer amenities
- formalisation of a shared zone on Little Eveleigh Street, including:
 - safety improvements to vehicle, cyclist and pedestrian interactions
 - improvements to streetscape such as landscaping, lighting, drainage and pavements
 - relocation of approximately 20 parking spaces (including 18 resident/ restricted parking spaces, one accessible parking space and one car share scheme parking space)
 - utility adjustments
- upgrade of Marian Street/Cornwallis Street/Rosehill Street area, including:
 - extension of existing shared zone including part of Rosehill Street
 - safety improvements to vehicle, cyclist and pedestrian interactions including footpath widening
 - improvements to streetscape such as lighting, drainage, landscaping and pavements as well as utility adjustments
 - changes to street parking arrangements including removal of approximately 16 parking spaces (including relocation of one car share scheme parking space)
- operation of the Project.

Other components of the Project include:

- relocation of the shuttle bus zone from Little Eveleigh Street to Lawson Street
- kiss and ride on Lawson Street, and associated footpath upgrade
- kiss and ride on Gibbons Street, and associated footpath upgrade
- footpath widening on Ivy Street
- relocation of a building on Platform 1 to accommodate the concourse
- repurposing, relocations and alterations to platform building features and other platform features, including privacy walls, doors, screens and roofing, platform seats and electrical equipment

- addition of platform canopies
- platform resurfacing on all platforms and associated drainage alterations
- installation of station operational components and infrastructure including:
 - wayfinding and signage
 - tactile ground surface indicators (TGSI)
 - rubbish bins
 - CCTV
 - passenger information system (e.g. passenger information display, public address and hearing loops)
 - emergency equipment (e.g. for fire and life safety)
- service relocations and upgrades including:
 - relocation of overhead wiring structures
 - installation of a new rail signal between Platforms 1 and 2.

The Project's context and location is provided in Figure 1, and the Project area and an overview of the key features are shown in Figure 2.

For further details on the Project, please refer to **Chapter 5** of this Environmental Impact Statement (EIS).

The Project is subject to assessment and approval by the Minister for Planning under Division 5.2 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). This technical report provides an assessment of the potential impacts of the Project on known and potential Aboriginal heritage resources and addresses the requirements of the Secretary of the Department of Planning, Industry and Environment (DPIE) (the 'Secretary's environmental assessment requirements' or SEARs, dated 20 December 2019) (refer Section 1.3).

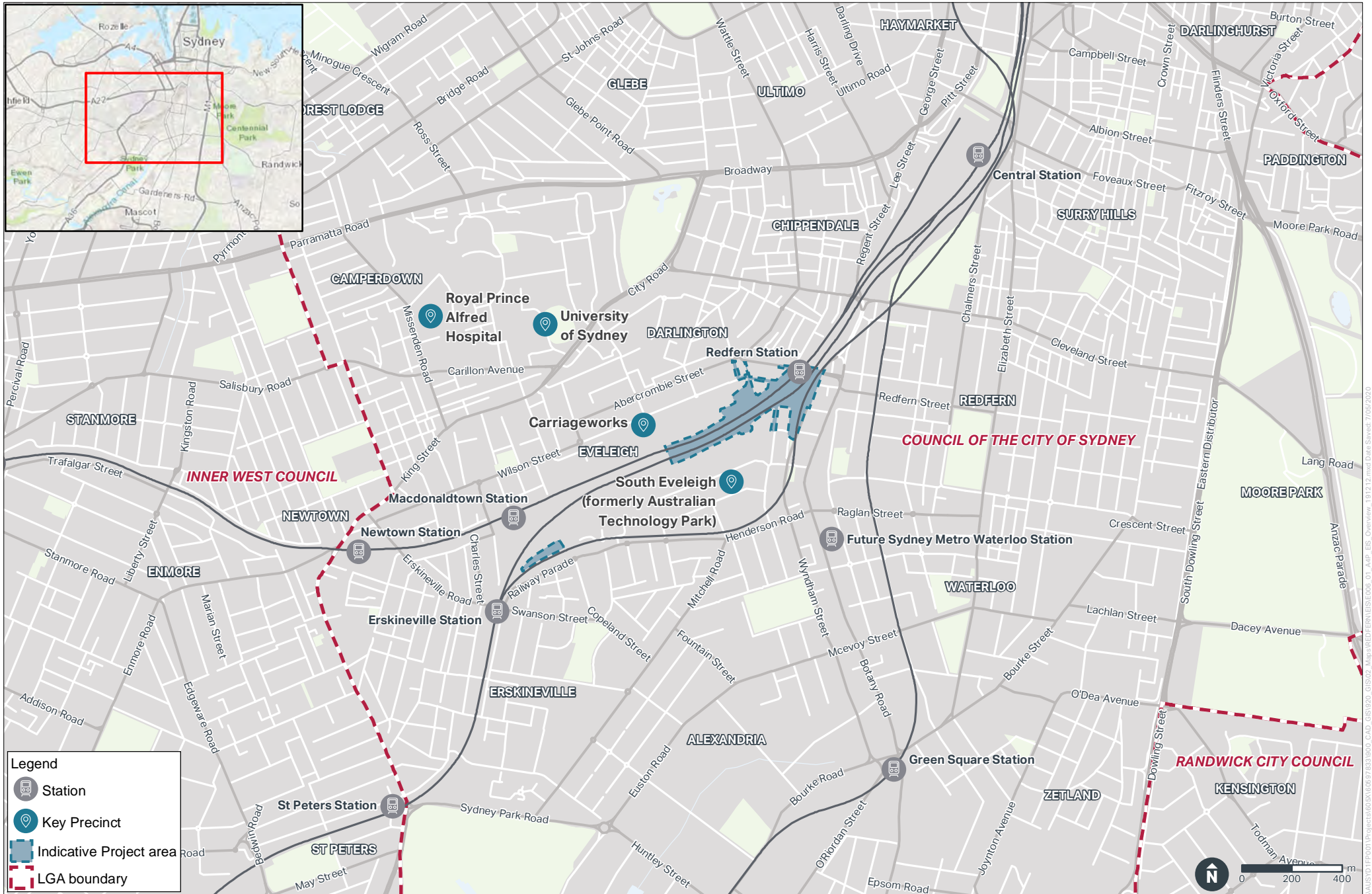


FIGURE 1: PROJECT OVERVIEW AND LOCATION

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Imagery © Mapbox, 2019.

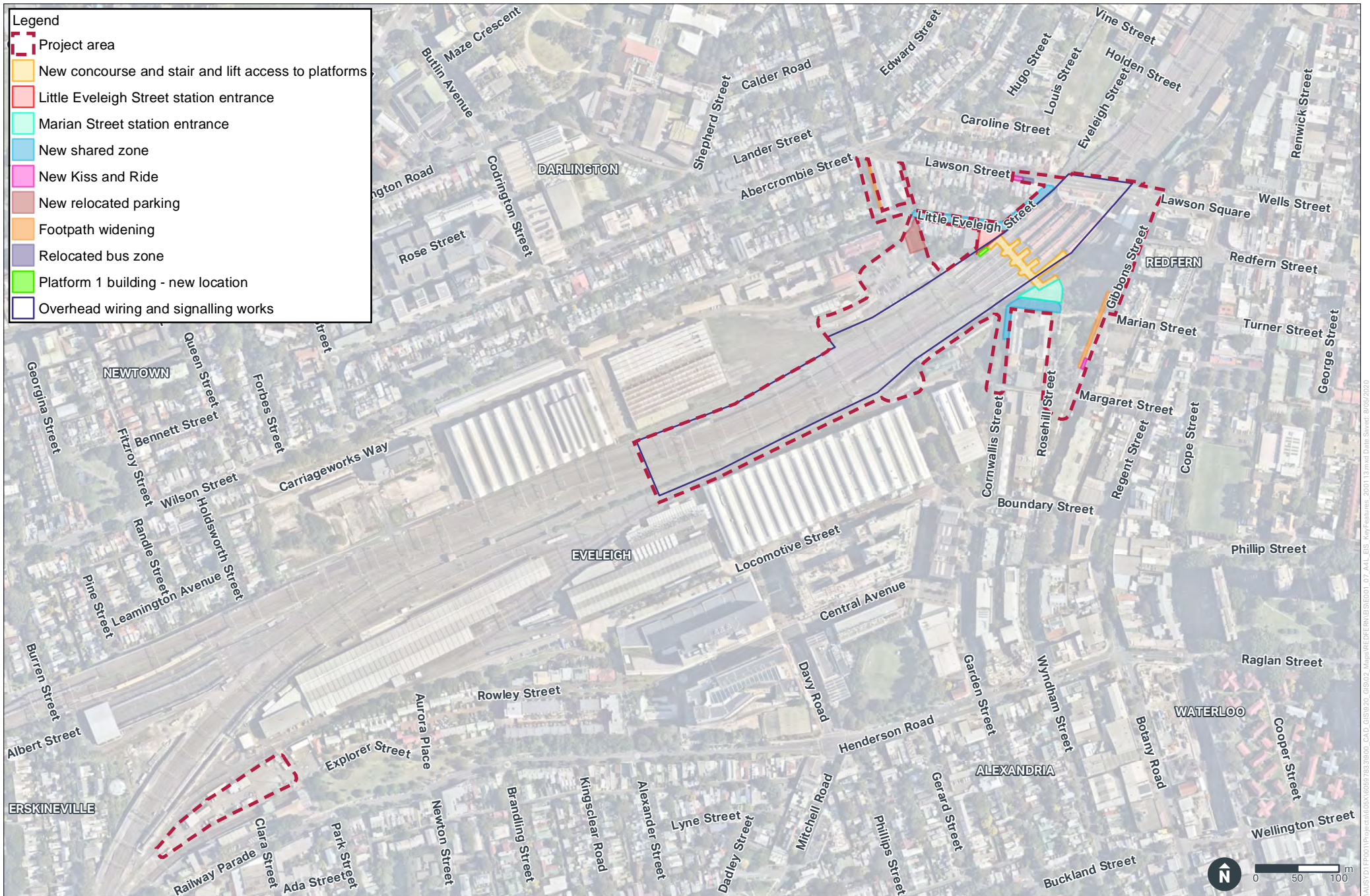


FIGURE 2: PROJECT AREA AND OVERVIEW OF KEY FEATURES

Indicative and subject to detailed design.

1.2 Purpose and scope of this technical report

This technical report is one of a number of technical reports that form part of the EIS. The purpose of this technical report is to identify potential impacts of the Project and to outline mitigation measures relating to Aboriginal cultural heritage during construction and operation of the Project. This report addresses the relevant SEARs as described in Section 1.3.

This report documents the results of AECOM's assessment and has been compiled with reference to the NSW Office of Environment and Heritage's (OEH) (now Heritage NSW, Department of Premier and Cabinet) *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW, 2010c).

1.3 Secretary's environmental assessment requirements

The SEARs relating to the Project, and where these requirements are addressed in this technical paper, are outlined in Table 1.

Table 1 Secretary's environmental assessment requirements

Secretary's environmental assessment requirements	Where addressed
<p>The Proponent must identify and assess any direct and/or indirect impacts (including cumulative impacts) to the heritage significance of:</p> <ol style="list-style-type: none"> Aboriginal places and objects, as defined under the <i>National Parks and Wildlife Act 1974</i> and in accordance with the principles and methods of assessment identified in the current guidelines; Aboriginal places of heritage significance, as defined in the Standard Instrument – Principal Local Environmental Plan; environmental heritage, as defined under the <i>Heritage Act 1977</i>; items listed on State, National and World Heritage lists. 	Section 4 and Section 5
Where impacts to Aboriginal objects and/or places are proposed, consultation must be undertaken with Aboriginal people in accordance with the current guidelines.	No impacts to Aboriginal objects and/or places are expected (refer Section 5.0).

1.4 Project Team

Luke Wolfe (Senior Heritage Specialist, AECOM) is the primary author of this report. Dr Darran Jordan (Principal Archaeologist / Heritage Specialist, AECOM) provided technical peer review of the report.

1.5 Project area

The Project area for this assessment, shown on Figure 1, falls within the Sydney suburbs of Redfern, Erskineville and Darlingtown and focusses around Redfern Station. Redfern Station is located approximately 1.3 kilometres from Central Station and is bounded by Lawson Street to the north, Little Eveleigh Street to the west, Gibbons Street to the east and Marian Street to the south. The Project area is surrounded by residential properties to the northeast, commercial land uses to the southwest and northeast, and mixed use (commercial and residential) to the south and east.

2.0 Assessment methodology

2.1 Study area

The study area for this Aboriginal heritage assessment comprises an approximate four kilometre buffer around the Project area, as shown in Figure 1. This buffer was applied to provide regional environmental and archaeological context.

2.2 Approach and methodology

The methodology adopted for this assessment was developed in accordance with the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW, 2010c). Key components of the assessment methodology included:

- a review of the landscape context of the Project area and surrounds
- a review of existing Aboriginal Heritage Information Management System (AHIMS) data for land within the Project area, obtained from Heritage NSW, Department of Premier and Cabinet (DPC) (formerly OEH) on 14 October 2019 (AHIMS search #456278)
- a search of the National Native Title Register (NNTR) and Register of Native Title Claims (RNTC) administered by the National Native Title Tribunal (NNTT) for land within and surrounding the Project area
- a review of the findings of past Aboriginal archaeological investigations within the local area
- a visual inspection of the Project area by AECOM Senior Heritage Specialist Luke Wolfe.

2.3 Report limitations

The purpose of this report is to identify and assess Aboriginal heritage and archaeological potential which might be impacted by the Project. Predictions have been made within this report about the probability of subsurface archaeological materials occurring within the Project area, based on surface indications and environmental contexts. However, it is possible that materials may occur in areas without surface indications and in any environmental context. Should subsurface archaeological materials be uncovered during construction, these would be addressed in accordance with TfNSW's *Unexpected Heritage Finds Guideline* (Transport for NSW, 2016). This report is based on the concept design for the Project. It is noted that during detailed design, elements of the Project may change or be refined.

The Redfern area holds great significance for the Aboriginal peoples and other communities who identify with its political symbolism and recent history. A program of community consultation, including Aboriginal stakeholders for the Redfern area, was undertaken, as part of the initial stages for the Project. The details and outcomes of the consultation process are provided in **Chapter 6** and **Chapter 11** of this EIS. This consultation would continue throughout the detailed design and delivery of the Project as detailed in **Chapter 6** of this EIS. The assessment of the potential Aboriginal cultural and social impacts of the Project are provided in **Chapter 11** and in the **Technical report 2 – Social** of this EIS.

A summary of the statutory requirements regarding Aboriginal heritage is provided in Section 3.0. The summary is provided based on the experience of the authors with the heritage system in Australia and does not purport to be legal advice. It should be noted that legislation, regulations and guidelines change over time and users of the report should satisfy themselves that the statutory requirements have not changed since the report was written.

3.0 Statutory context

A number of planning and legislative documents govern how Aboriginal objects and places are managed in NSW. The following section provides an overview of the requirements of each as they apply to the Project. The relevant legislation relating to the protection of Aboriginal sites, places and objects in NSW that have been considered during the preparation of this report include:

- Commonwealth legislation including the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (the ATSIHP Act)
- NSW state-based legislation including the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *National Parks and Wildlife Act 1974* (NPW Act)
- the *Sydney Local Environmental Plan 2012*, as the Project area lies within the City of Sydney Local Government Area (LGA)).

3.1.1 Commonwealth legislation

Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act defines 'environment' as both natural and cultural environments and therefore includes Aboriginal and non-Aboriginal historic cultural heritage items. Under the EPBC Act, protected heritage items are listed on the National Heritage List (items of significance to the nation) or the Commonwealth Heritage List (items belonging to the Commonwealth or its agencies). These two lists replaced the Register of the National Estate which has been suspended and therefore is no longer a statutory list; however, it remains as an archive.

No relevant listings were identified within the Project area for these registers.

Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The ATSIHP Act provides for the preservation and protection of places, areas and objects of particular significance to Indigenous Australians. The stated purpose of the ATSIHP Act is the 'preservation and protection from injury or desecration of areas and objects in Australia and in Australian waters, being areas and objects that are of particular significance to Aboriginal peoples in accordance with Aboriginal tradition'.

The ATSIHP Act can prevail over state and territory laws in situations where a state or territory has approved an activity, but the Commonwealth Minister prevents the activity from occurring by making a declaration to protect an area or object. However, the Minister can only make such a decision after receiving a legally valid application under the ATSIHP Act and, in the case of long term protection, after considering a report on the matter. Before making a declaration to protect an area or object in a state or territory, the Commonwealth Minister must consult the appropriate Minister of that state or territory.

No declarations relevant to the Project area have been made under the ATSIHP Act.

3.1.2 State legislation

Environmental Planning and Assessment Act 1979

The EP&A Act administered by the DPIE, requires that consideration be given to environmental impacts as part of the land use planning process in NSW. In NSW, environmental impacts are interpreted as including impacts to Aboriginal and non-Aboriginal (i.e. historic) cultural heritage.

TfNSW is seeking approval for the Project under Division 5.2 of the EP&A Act. The Project has been declared to be State Significant Infrastructure (SSI). Pursuant to Division 5.2, Subdivision 4, section 5.23(1)(d) of the EP&A Act, approval under Part 4 of the NSW *National Parks and Wildlife Act 1974* (NPW Act), or an Aboriginal Heritage Impact Permit (AHIP) are not required for approved SSI projects. Impacts to Aboriginal heritage values associated with approved SSI projects are typically managed under *Aboriginal Cultural Heritage Management Plans* (ACHMPs). ACHMPs are statutorily binding once approved by DPC. The requirement to undertake Aboriginal heritage assessments is determined in the preparation of the SEARs as specified under Division 5.2, Subdivision 2, section 5.16 of the EP&A Act.

National Parks and Wildlife Act 1974

The NPW Act is the primary legislation for the protection of Aboriginal cultural heritage in NSW. The NPW Act gives the Director General of DPC responsibility for the proper care, preservation and protection of 'Aboriginal objects' and 'Aboriginal places', defined under the Act as follows:

- an Aboriginal object is any deposit, object or material evidence (that is not a handicraft made for sale) relating to Aboriginal habitation of NSW, before or during the occupation of that area by persons of non-Aboriginal extraction (and includes Aboriginal remains)
- an Aboriginal place is a place declared so by the Minister administering the NPW Act because the place is or was of special significance to Aboriginal culture. It may or may not contain Aboriginal objects.

Part 6 of the NPW Act provides specific protection for Aboriginal objects and places by making it an offence to harm them and includes a 'strict liability offence' for such harm. A 'strict liability offence' does not require someone to know that it is an Aboriginal object or place they are causing harm to in order to be prosecuted. Defences against the 'strict liability offence' in the NPW Act include the carrying out of certain 'Low Impact Activities', prescribed in clause 80B of the National Parks and Wildlife Regulation 2009 (NPW Regulation) as well as the demonstration of due diligence.

An Aboriginal Heritage Impact Permit (AHIP) issued under section 90 of the NPW Act is generally required if impacts to Aboriginal objects and/or places cannot be avoided. An AHIP is a defence to a prosecution for harming Aboriginal objects and places if the harm was authorised by the AHIP and the conditions of that AHIP were not contravened. However, pursuant to Division 5.2, Subdivision 4, section 5.23(1)(d) of the EP&A Act, AHIPs are not required for approved SSI projects. Impacts to Aboriginal heritage values associated with approved SSI projects are typically managed under ACHMPs, which are statutorily binding once approved by the DPC.

3.1.3 Local government

The Project area lies within the City of Sydney LGA and the Redfern-Waterloo Authority Sites (State Environmental Planning Policy (State Significant Precincts) 2005). As the Project is being undertaken as a SSI project the heritage provisions of the City of Sydney LEP and SEPP do not strictly apply. However as part of identifying known Aboriginal heritage items within the Project area, Schedule 5 of the City of Sydney LEP and heritage maps associated with the Redfern-Waterloo Authority Sites precinct were searched for previously listed Aboriginal heritage items.

No listings for any Aboriginal place, object or site are currently included on either the City of Sydney LEP or the State Environmental Planning Policy (State Significant Precincts) 2005 for Redfern-Waterloo Authority Sites.

4.0 Existing environment

This section:

- outlines the archaeological and environmental context
- provides the results of database searches and
- outlines other relevant heritage investigations in the area.

4.1 Archaeological and environmental context

4.1.1 Environmental elements

Environmental elements such as topography, hydrology, geology, soils, flora and fauna would have been key influences on past Aboriginal occupation and land use, as well as archaeological site patterning and distribution, site survival over time, and the likelihood of detecting any extant archaeological sites. Any attempt to predict or interpret the character and distribution of Aboriginal sites in a given landscape must consider these environmental elements, along with historic and current land use practices, to enable predictions to be made concerning the likely presence or absence of sites in a given area and, where appropriate, their archaeological integrity. Key observations from a review of the landscape context of the Project area are presented in Table 2.

Table 2 Review of landscape context of the Project area

Environmental variable	Key observations
Topography	The topography of the Project area and its surrounds is made up of gentle to moderate slopes at varying levels, generally associated with the lower rail level and surrounding upper street levels to the west, north and east. This topography has been heavily modified from what it would originally have been, due to earthworks associated with the development and use of the area for rail and residential land-uses. The Project area is partially within the Blacktown soil landscape, which is characterised by gently undulating rises on the Wianamatta Group Shale with broad rounded crests and ridges (up to 30 metres), gently inclined slopes (generally less than five percent) and localised areas of poor drainage. It is likely that prior to disturbance, this description would have represented the Project area.
Hydrology	<p>The Project area is located within the Sydney Coast-Georges Catchment. Historical mapping identifies that Black Wattle Swamp Creek (and the associated Black Wattle Swamp) would have been one of the more proximal permanent watercourses in the area at the time of European colonisation. The creek headwaters lay in the area occupied today by Prince Alfred Park, before draining towards Blackwattle Bay in a large swamp following the line of where Blackfriars Street in Chippendale is today. A tributary of Black Wattle Swamp Creek originated beyond Erskineville Railway Station, near the corner of Ashmore Street and Binning Lane in Erskineville. The northern boundary of the Eveleigh Railway Workshops is understood to have followed the creek.</p> <p>Existing archaeological survey data for the Greater Sydney region indicates a strong trend for the presence of open artefact sites along watercourses, specifically, on creek banks and 'flats' (i.e., flood/drainage plains), terraces and bordering lower slopes (Kohen, 1986). Although this distribution pattern can be attributed in part to geomorphic dynamics and archaeological sampling bias, with extensive fluvial erosion activity along watercourses resulting in higher levels of surface visibility and, by extension, concentrated survey effort, an occupational emphasis on watercourses is supported by the results of numerous subsurface investigations (e.g. AECOM 2013b, 2015; AMBS 2000; Craib et al. 1999; GML 2012, 2016; Jo McDonald CHM 2001, 2003, 2005a, 2006a, 2006b, 2007, 2009a, 2009b). Collectively, these investigations have demonstrated that assemblage size and complexity tend to vary significantly in relation to stream order and</p>

Environmental variable	Key observations
	landform, with larger, more complex assemblages concentrated on elevated, low gradient landform elements adjacent to higher order watercourses (i.e. greater than or equal to third order watercourses). Outside of these contexts, surface and subsurface artefact distributions have typically been found to be sparse and discontinuous and are often referred to as 'background scatter'.
Geology	Reference to the 1:100,000 Geological Map Sheet for NSW Penrith (9130) indicates that the Project area is underlain by Ashfield Shale. This member of the Wianamatta Group is described as shale, carbonaceous claystone, claystone, laminite, fine to medium grained lithic sandstone, rare coal and tuff. Stone suitable for flaked and/or edge-ground stone artefact manufacture do not occur naturally within or surrounding the Project area, with the most proximal known source approximately 40 kilometres northwest. Silcrete occurs most abundantly in the northern portion of the Cumberland Plain, with key cited sources in this area including the Tertiary St Marys (Ts) and Rickabys Creek Gravel (Tr) formations, as well as Pleistocene and Holocene gravel deposits along the present-day and abandoned channels of the Hawkesbury-Nepean River. There are no known sources of raw materials suitable for tool manufacture within the Project area.
Soils	<p>Soils within the Project area have been mapped by Bannerman and Hazelton (1990) as predominantly belonging to the Blacktown Soil Landscape. The Blacktown Soil Landscape is characterised as containing hard setting, mottled texture contrast soils, with red and brown podzolic soils on crests grading to yellow podzolic soils on lower slopes and in drainage lines. Dominant 'A' horizon soils comprise friable and hard setting loams. Bannerman and Hazelton (1990) also indicates the presence of Disturbed terrain (xx) soil landscapes near the Project area. The Disturbed terrain soil landscape is characterised by level to hummocky terrain extensively disturbed by human activity including complete disturbance, removal or burial of soil.</p> <p>Areas of Tuggerah (tg) soil landscape have also been identified immediately east of the Project area (Bannerman and Hazelton, 1990). The Tuggerah soil landscape is characterised by sandy dune systems associated with the water bodies within the Botany area. Due to urbanisation and land reclamation in the Nineteenth Century, much of this landscape is no longer visible but can be retained below fill material, as indicated by subsurface geotechnical investigations. Archaeological literature suggests that Aboriginal peoples occupying the area utilised the water bodies near the Project area and peripheral elevated landforms (sand dunes) for a variety of activities. Aboriginal sites have been identified within analogous landscapes in the local area.</p>
Flora and fauna	Native vegetation within the Project area has been extensively modified as a result of widespread urbanisation, resulting in a virtually complete clearance of any former native vegetation communities. According to Benson (1981), at the time of European arrival and occupation in Sydney in 1788, the presumed vegetation communities of the Project area would have comprised Sandstone Heaths, woodlands and forests. While Benson suggests that there would have been significant variation in floristics and structure, two broad sub-units are recognised: moist forest type, generally associated with sheltered hillside and moist gullies, and dry woodland, generally associated with dry plateaus and ridges (Benson, 1981).

Environmental variable	Key observations
Past disturbance	Land use across the Project area is generally dominated by rail infrastructure, roads, residential and commercial development. The archaeological implications of the land uses discussed in this section include the potential disturbance or destruction of Aboriginal sites in areas of significant rail, residential and commercial development. Historical aerial photographs and mapping for the Project area provide a framework for assessing the nature and extent of post-European occupation land use activities and ground disturbance across it. Reference to 1949 aerial photographs of the Project area indicate a dominance of rail and residential activity both within and surrounding the Project area.

4.1.2 AHIMS database

The AHIMS database is administered by the DPC in accordance with Section 89A of the *NPW Act*. It contains information about Aboriginal places, which have been declared by the Minister to have special significance with respect to Aboriginal culture. Previously recorded Aboriginal objects and declared Aboriginal places are known as 'Aboriginal sites'.

A search of the AHIMS database was undertaken on 14 October 2019 (AHIMS search #456278). A four kilometre buffer was applied to the Project area (i.e. the study area) which returned 25 site entries. Of these, two sites were recorded as 'not a site' in their respective AHIMS site cards (AHIMS ID #45-6-3152 and #45-6-3552), resulting in 23 valid site entries (refer to Figure 3).

As indicated in Table 3, areas of Potential Archaeological Deposit (PAD) were the most common site type represented, accounting for 48% (n = 11) of known sites. Open artefact sites (comprising one or more artefacts) were also common, accounting for 40% (n = 9) of the results. Other, less common site types included one Aboriginal ceremony and Dreaming site, one resource and gathering site and one midden site, comprising shell material and artefacts (refer to Figure 3).

Table 3 AHIMS data for Aboriginal sites within the Project area

Site Type	Count (n)	Percentage of Total
PAD	11	48%
Open Artefact Site	9	40%
Aboriginal Ceremony and Dreaming	1	4%
Resource and Gathering	1	4%
Midden	1	4%
Total	23	100%

A single Aboriginal site was reported within the Project area. Review of the AHIMS site card for existing Aboriginal site 'Wynyard St Midden' (AHIMS ID #45-6-2597), recorded in 1997, describes the site as a midden observed within a park '100m south of Redfern Station...on west side of street'. Initial review of AHIMS spatial data indicates that the site is located on Cope Street, Redfern, approximately 140 metres east of the Project area. AECOM's review however, noted that the site is erroneously described as lying on 'Wynyard Street', interpreted as Wyndham Street (Gibbons Street). While the mapping included in the site card provides insufficient detail to accurately ascertain the site's location, reference to contemporary mapping and interpolation of data suggests that the park in which shell material was observed, is likely to be the Gibbons Street Reserve. AECOM's review of historical aerial photography and mapping for the area noted that the footprint of the contemporary Gibbons Street Reserve was bulk excavated in the 1960s during the construction of an access portal associated with the Eastern Suburbs Railway (refer Figure 4). Excavation associated with construction of the Eastern Suburbs Railway is also shown in Figure 5. It follows that no natural ground surfaces would have remained after the construction activities in this area. Noting the small quantities of shell material reported, it is likely that any shell material observed was included within fill material that had been used to reinstate the Gibbons Street Reserve and is therefore not of cultural origin. Typically, shell material that is cultural (i.e. derived from a midden) would be bleached and/or burnt, contain charcoal

and other secondary evidence (i.e. artefacts or bone fragments), none of which were described in the site card.

TfNSW contacted the Metropolitan Local Aboriginal Land Council (MLALC) regarding the listed Aboriginal site but no response was received.



FIGURE 3: ABORIGINAL SITES (NOTE THAT THE APPROXIMATE POSITION OF ABORIGINAL SITE #45-6-2597



Figure 4 Location of the Gibbons Street Reserve during construction of the Eastern Suburbs Railway. Approximate mapped boundary of midden extent indicated in orange. Blue line denotes approximate outline of Gibbons Street Reserve. Image source: Land and Property Information 2019



Figure 5 Historic photo showing excavation associated with the Eastern Suburbs Railway (Source: Unknown)

4.1.3 Other listings

The World Heritage list is a database administered by the United Nations Educational, Scientific and Cultural Organization (UNESCO). It lists sites which have special cultural or physical significance. Likewise, the National Heritage List is Australia's list of natural, historic and Indigenous places of outstanding significance to the nation.

A search of the both databases was undertaken on 14 October 2019 for the Project area. No natural, historic or Indigenous places are currently listed on either database.

A search of the NNTR and RNTC administered by the NNTT was undertaken for the relevant LGA (City of Sydney), inclusive of land within and surrounding the Project area. No current Native Title listings or claims were identified.

4.1.4 Previous Aboriginal heritage investigations

Existing AHIMS data indicates that a significant number of Aboriginal archaeological investigations have been carried out in the Greater Sydney region (inclusive of the Project area) over the past 40 years. The majority of these have occurred within the Cumberland Plain, located in the western portion of the Greater Sydney region. Key observations drawn from a review of the local and regional cultural heritage and archaeological context of the Project area are as follows:

- no targeted historical or archaeological research has been undertaken for Aboriginal occupation of the Project area. Notwithstanding, the Redfern area holds great significance for the Aboriginal people and other communities who identify with its political symbolism and recent history
- archaeological and heritage assessment undertaken for the North Eveleigh Railway Carriage Workshops by Archaeological & Heritage Management Solutions Pty Ltd (2008) identified two areas of Aboriginal archaeological potential along Wilson Street, one of which bounds the Project area. Visual assessment undertaken by Archaeological & Heritage Management Solutions Pty Ltd (2008:37) identified that garden beds surrounding the Chief Mechanical Engineer's office had not been historically subject to bulk excavation during the railway period or later occupation of the area, suggesting that soils with potential to contain Aboriginal objects could potentially survive there. It was recommended that an Aboriginal heritage impact assessment for the small area of land adjacent to Wilson Street be undertaken should any project impacts be anticipated in the area. The current assessment identified that these garden beds lie outside the boundary of the Project area and would not be impacted (refer Figure 6). No other analogous undisturbed areas or areas of Aboriginal archaeological sensitivity were observed within the Project area
- available radiometric dates indicate that Aboriginal people have occupied the greater Sydney area for at least 36,000 years
- areas of PAD are the most common site types within the region. Artefact scatters and isolated artefacts, collectively referred to as open artefact sites, are the second most common site type in the area. Recorded stone artefact assemblages consist principally of flake and non-flake debitage (i.e. flakes (complete and broken), flake shatter fragments and flaked pieces), with cores, retouched tools and groundstone implements comparatively poorly represented
- Aboriginal site distribution within the Greater Sydney region has been linked to a variety of environmental factors, with proximity to water, stream order, landform and geology variously highlighted as key determinants
- most surface sites will occur on landform elements within 200 metres of watercourses, with larger, more complex artefact assemblages associated with higher order streams
- existing AHIMS data for the area surrounding the Project area suggest that areas of PAD and open artefact sites (i.e. artefact scatters and isolated artefacts) are the dominant site types for this area
- local stone artefact assemblages attest to an emphasis on the procurement and reduction of silcrete. Other, less commonly exploited raw materials include chert, tuff, quartz, quartzite, petrified wood and igneous materials.

4.1.5 Visual inspection

A visual inspection of the Project area was undertaken by AECOM Senior Heritage Specialist Luke Wolfe on 7 October 2019. The primary aim of the inspection was to identify and record any existing surface evidence of past Aboriginal occupation within the Project area. The following key observations were made during the visual inspection (refer Figure 7 – 12):

- ground surface visibility was variable, owing to the landscape conditions within the Project area. Generally, ground surface visibility was poor, attributed to localised ground disturbance and areas of hardstand
- ground integrity was generally assessed as low, owing to the instances of bulk earthworks and construction activities (rail) within the Project area
- stone suitable for the manufacture of tools was not observed within the Project area (also refer Section 3.4)
- no new Aboriginal sites were identified within the Project area during the visual inspection. Existing Aboriginal site 'Wynyard St Midden' (AHIMS ID #45-6-2597) was reinspected to identify the nature and current condition of the site. No surface evidence of Aboriginal occupation, as described on the site card, was noted during the inspection. The area appeared landscaped and was generally grass-covered with poor ground surface exposure
- Aboriginal archaeological sensitivity of the majority of the Project area was generally assessed as negligible within the inspected areas.



FIGURE 6: AREAS OF ABORIGINAL ARCHAEOLOGICAL SENSITIVITY



Figure 7 Wilson Street carpark entrance, adjacent to Chief Engineers Building (visible right of image) (Image source: AECOM, 2019).



Figure 8 Wilson Street carpark entrance, looking south (Image source: AECOM, 2019).



Figure 9 Wilson Street carpark entrance, rear of residential buildings, looking east (Image source: AECOM, 2019).



Figure 10 Eveleigh Railyard area, view to gravel stockpiles, looking north (Image source: AECOM, 2019).



Figure 11 Alternative view of Eveleigh Railyard area, gravel stockpiles on left of image. Redfern Station beyond, right of image. Looking north (Image source: AECOM, 2019).



Figure 12 View to train line and Redfern Station beyond, right of image (Image source: AECOM, 2019).

5.0 Impact assessment

5.1 Overview

The key findings of this Aboriginal heritage impact assessment include:

- the review of existing AHIMS data indicates that a single Aboriginal site, 'Wynyard St Midden' (AHIMS ID #45-6-2597) is currently recorded as lying within the Gibbons Street Reserve. AECOM's assessment of this site concludes that it is unlikely to be a valid site (refer Section 4.1.2)
- no new Aboriginal archaeological sites were identified within the Project area during the visual inspection
- Aboriginal archaeological sensitivity of the majority of the Project area was generally assessed as negligible within the inspected areas.

These findings have informed the construction and operation assessment below in Section 5.2 and Section 5.3.

5.2 Construction

A single Aboriginal site is located within the Project area. While the current assessment considers the validity of this site to be questionable (refer Section 4.1.2), further investigation and consultation with MLALC would be required to amend the status of the site on the AHIMS register. No additional Aboriginal sites or areas of Aboriginal archaeological sensitivity are located within the Project area, there would be no impacts to Aboriginal sites during construction. Prior to the commencement of works, all construction personnel would undergo an Aboriginal heritage induction which identifies the general nature of Aboriginal sites and objects, including the location of known Aboriginal sites within and near the Project area, personnel responsibilities, safeguards to be implemented to protect and avoid impacts to Aboriginal sites and the procedure for unexpected finds. Mitigation measures have been identified in Section 6 in the unlikely event of an unexpected find.

5.3 Operation

As no valid Aboriginal sites or areas of sensitivity are located within the Project area, there would be no impacts to Aboriginal sites during operational activities.

6.0 Mitigation and management measures

6.1 Overview

This chapter describes the environmental management approach for the Project for Aboriginal heritage during construction and operation. Further details on the environmental management approach for the Project are provided in Chapter 24 of the EIS (Environmental management approach and framework).

A Construction Environmental Management Framework (CEMF) (Appendix D of the EIS) describes the approach to environmental management, monitoring and reporting during construction. Specifically, it lists the requirements to be addressed by the construction contractor in developing the CEMP, sub-plans, and other supporting documentation for each specific environmental aspect.

A Heritage Management Plan would be developed for the Project as identified by Section 6.3 (heritage management) of the CEMF.

The chapter includes a compilation of the performance outcomes as well as mitigation measures, including those that would be included in these plans.

6.2 Performance outcomes

Impacts to known and unknown Aboriginal sites or objects from the construction and operation of the Project is considered unlikely. Nevertheless, performance outcomes have been developed for the Project, as follows:

- no impacts to Aboriginal sites, objects or places during construction
- if an unexpected find is encountered during construction, relevant procedures under TfNSW's Unexpected Finds Guideline (Transport for NSW, 2019) are followed.

6.3 Mitigation measures

A list of mitigation measures which would be implemented as a minimum are provided in Table 4 Mitigation measures

ID	Mitigation measure	Applicable location (s)
Construction		
Ab1	Consultation with MLALC and DPC would be undertaken in relation to the status of the Wynyard St Midden' (AHIMS ID #45-6-2597) to amend the status of the site on the AHIMS register.	Recorded site of AHIMS site ID #45-6-2597

ID	Mitigation measure	Applicable location (s)
Construction		
Ab2	<p>A Heritage Management Sub-Plan for construction of the Project would include the following mitigation measures:</p> <ul style="list-style-type: none"> all relevant contractors and TfNSW personnel should be made aware of the nature and location of the previously identified areas of Potential Archaeological Deposits (PADs) located immediately adjacent to the Project area and avoid impact to these areas. Contractors and TfNSW personnel should also be made aware of TfNSW's legal responsibilities under the NPW Act and the <i>Heritage Act 1977</i> and the need to avoid impacts to sites (including heritage interpretation and relevant information in the site induction) in the unlikely event that a site or objects (as defined by the NPW Act) are identified during the Project, the procedure outlined in TfNSW's Unexpected Heritage Finds Guideline (Transport for NSW, 2019) should be followed. Works should immediately cease at the location and the find should be immediately reported to appropriate TfNSW personnel, and the regulator in accordance with legislation. No work should commence in the vicinity of the find until any required approvals have been issued by the regulator. 	Project area

Table 4 Mitigation measures

ID	Mitigation measure	Applicable location (s)
Construction		
Ab1	Consultation with MLALC and DPC would be undertaken in relation to the status of the Wynyard St Midden' (AHIMS ID #45-6-2597) to amend the status of the site on the AHIMS register.	Recorded site of AHIMS site ID #45-6-2597
Ab2	<p>A Heritage Management Sub-Plan for construction of the Project would include the following mitigation measures:</p> <ul style="list-style-type: none"> • all relevant contractors and TfNSW personnel should be made aware of the nature and location of the previously identified areas of Potential Archaeological Deposits (PADs) located immediately adjacent to the Project area and avoid impact to these areas. Contractors and TfNSW personnel should also be made aware of TfNSW's legal responsibilities under the NPW Act and the <i>Heritage Act 1977</i> and the need to avoid impacts to sites (including heritage interpretation and relevant information in the site induction) • in the unlikely event that a site or objects (as defined by the NPW Act) are identified during the Project, the procedure outlined in TfNSW's Unexpected Heritage Finds Guideline (Transport for NSW, 2019) should be followed. Works should immediately cease at the location and the find should be immediately reported to appropriate TfNSW personnel, and the regulator in accordance with legislation. No work should commence in the vicinity of the find until any required approvals have been issued by the regulator. 	Project area

7.0 Conclusion

Following background research, register searches, a visual inspection and in recognition of the previously disturbed nature of the Project area, it is concluded that no known Aboriginal sites or objects would be subject to direct or indirect impacts as a result of the Project. A single Aboriginal site, 'Wynyard St Midden' (AHIMS ID #45-6-2597) is currently recorded as lying within the Gibbons Street Reserve. The current assessment has determined that this site is likely invalid. Further investigation and consultation with MLALC will be required to amend the status of the site on the AHIMS register.

Further recommendations have been provided which refer to the management of unexpected finds.

It is not anticipated that any operational activities would result in ongoing or additional impacts.

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Appendix A – AHIMS Search

AECOM Australia Pty Ltd - Sydney

Date: 14 October 2019

Level 21 420 George Street
SYDNEY New South Wales 2000

Attention: Luke Wolfe

Email: luke.wolfe@aecom.com

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -33.9056, 151.1758 - Lat, Long To : -33.8735, 151.2267 with a Buffer of 50 meters. Additional Info : reporting, conducted by Luke Wolfe on 14 October 2019.

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 the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

25	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 \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage 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.