



# **Sydney International Speedway**

## **Environmental Impact Statement**

Technical Paper 5

Aboriginal Cultural Heritage Assessment Report

# Sydney International Speedway

DRAFT

Technical Paper 5: Aboriginal Cultural  
Heritage Assessment Report

Blacktown Local Government Area

Report to Sydney Metro

August 2020



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## EXECUTIVE SUMMARY

### Sydney International Speedway

In December 2019, the New South Wales Government announced the relocation of speedway racing to the Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports, creating a true motorplex for the NSW motorsport racing community (the project). The new Sydney International Speedway would provide the community and racing supporters a unique sporting facility that would cater for local, regional, national and international racing events while continuing to support growth of speedway racing in NSW.

Speedway racing alongside other motorsport codes is a key contributor to the NSW economy and the new speedway would support tourism in NSW. The Sydney International Speedway (the project) is a NSW Government commitment that ensures the longevity of this popular sport by providing it a new home within the Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports. The project site is located on land owned and managed by Western Sydney Parklands Trust.

Section 5.12 (4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the declaration of specified development on specified land as State significant infrastructure. A declaration is being sought for the Sydney International Speedway as State significant infrastructure under Section 5.12(4) of the EP&A Act. Schedule 4 of the State Environmental Planning Policy (State and Regional Development) 2011 will be amended to include the Sydney International Speedway.

### Purpose and scope of this report

This technical paper, Technical Paper 5: Aboriginal Cultural Heritage Assessment is one of a number of technical documents that form part of the Environmental Impact Statement. The purpose of this technical paper is to identify and assess the Aboriginal heritage impacts of the Sydney International Speedway project and includes:

- Assessment of the Aboriginal cultural heritage values of the project site and identification of any specific areas of cultural significance
- Assessment of archaeological potential for the project site
- Aboriginal stakeholder consultation
- Preparation of a methodology for the management of Aboriginal heritage sites



This technical paper has been carried out in accordance with the following guidelines:

- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales 2010<sup>1</sup>
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW<sup>2</sup>
- Aboriginal cultural heritage consultation requirements for proponents 2010<sup>3</sup>
- The Burra Charter 2013<sup>4</sup>.

## Overview of findings

This Aboriginal heritage assessment identified the following Aboriginal sites at the proposed Sydney International Speedway site:

- One registered Aboriginal site was identified within the project site, designated “IF2” (AHIMS# 45-5-2602). This site was destroyed during earthworks for the construction of the adjacent Sydney Dragway project.
- Two registered Aboriginal sites were identified within Cumberland Plain remnant woodland between the carpark C and carpark D. These Aboriginal sites were removed during works for the Sydney Dragway project. These sites are:
  - Site “EC6”, listed on the AHIMS register with as AHIMS# 45-5-2580 and 45-5-2596
  - Site “EC7”, listed on the AHIMS register with as AHIMS# 45-5-2581 and 45-5-2597
- One new area of Potential Archaeological Deposit (PAD) was identified near the project site, associated with an intact gentle slope adjacent to Eastern Creek.
- One new area of PAD was identified near the project site, within the remnant Cumberland Plain woodland between the northern and central portions of the project site.

Construction works for the project would involve bulk excavation in the location of the former AHIMS site IF2 (AHIMS# 45-5-2602), however as this site has been previously destroyed (during the construction of the Sydney Dragway), no adverse impacts to any Aboriginal sites would occur.

## Mitigation measures

The measures detailed in the mitigation measures table of this report are proposed to address potential impacts on Aboriginal heritage sites and areas of archaeological potential during construction. They were developed following consideration of:

- The requirements of the National Parks and Wildlife Regulation 2009
- Results of background research, site survey and assessment.

The mitigation measures may be reviewed following consideration of comments from registered stakeholders on this draft report (refer to Section 5).

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<sup>1</sup> Department of Environment Climate Change & Water 2010a

<sup>2</sup> Office of Environment & Heritage 2011

<sup>3</sup> Department of Environment Climate Change & Water 2010b

<sup>4</sup> Australia ICOMOS 2013.

Ref	Mitigation measure
AH1	Aboriginal stakeholder consultation would be carried out in accordance with the NSW Office of Environment and Heritage's <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> .
AH2	<p>Prior to the commencement of project construction works, exclusion areas would be established around the following identified Aboriginal sites, to prevent inadvertent impacts during construction:</p> <ul style="list-style-type: none"><li>• SIS PAD 01 (AHIMS ID pending)</li><li>• SIS PAD 02 (AHIMS ID pending)</li></ul>
AH3	A heritage induction should be carried out for all contractors. This heritage induction should include an explanation of the Sydney Metro Unexpected Finds Protocol. Should unexpected Aboriginal artefacts be identified during excavation and construction works, the Sydney Metro Unexpected Finds Protocol would be implemented.
AH4	In the event that a potential burial site or potential human skeletal material is exposed during construction, the Sydney Metro Exhumation Management Plan would be implemented.



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## 1.0 INTRODUCTION

### 1.1 Project background

The NSW Government has committed to relocating speedway racing to Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports, creating a true motorplex for the NSW motorsport racing community. The new speedway would provide the community and racing supporters a unique sporting facility that would cater for local, regional, national, and international racing events while continuing to support the growth of speedway racing in NSW.

The Western Sydney Parklands Trust, in association with the NSW Office of Sport, is leading a masterplanning process for Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports, with opportunities to share infrastructure and coordinate events across the three venues. This masterplan sets the context for the planning of the new Sydney International Speedway, which is the subject of this Technical Paper.

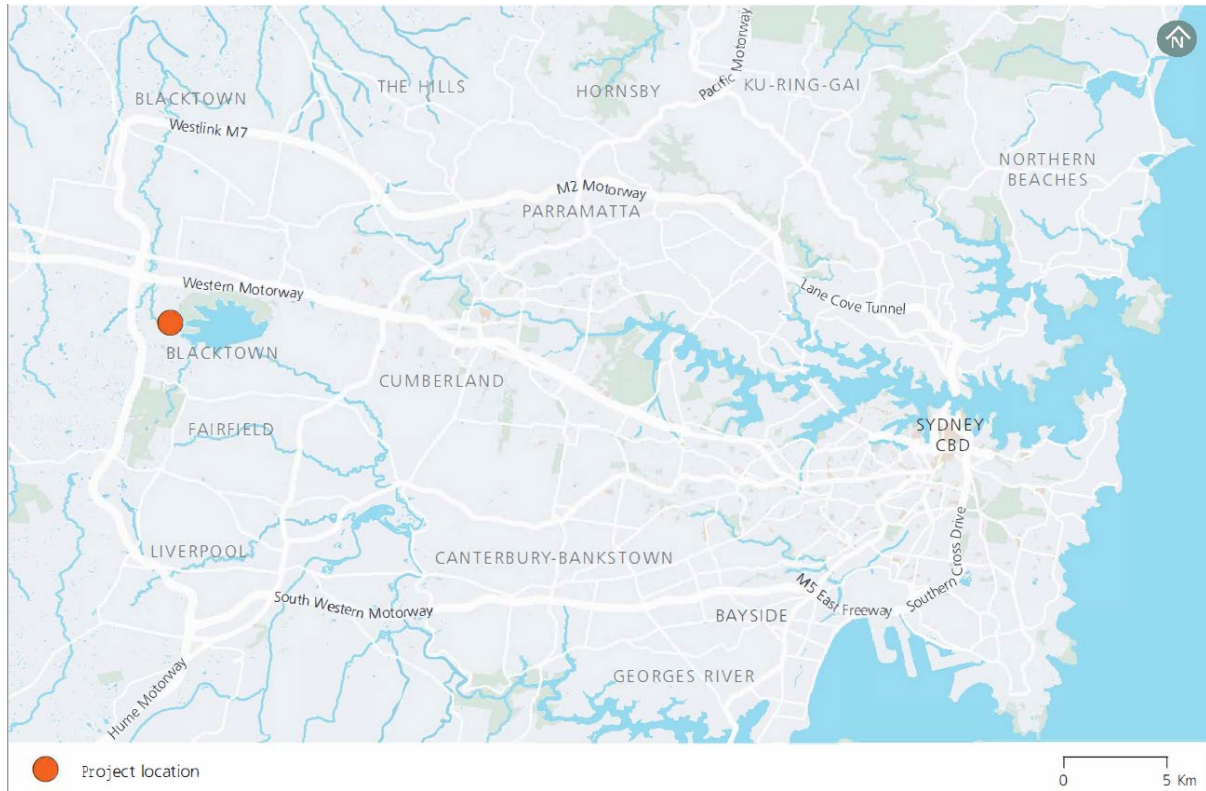
As part of delivering Sydney Metro West - the city's next big underground railway, the existing government land currently used for speedway racing is required for a future stabling and maintenance facility. The project is planned to be constructed and operational prior to the closure of the current speedway.

The project site is located on land owned and managed by Western Sydney Parklands Trust. Sydney Metro is proposing to build the project on behalf of and pursuant to arrangements with Western Sydney Parklands Trust.

Section 5.12(4) of the EP&A Act provides for the declaration of specified development on specified land as State significant infrastructure. A declaration is being sought for the Sydney International Speedway as State significant infrastructure under Section 5.12(4) of the EP&A Act. Should the project be declared as State significant infrastructure, Schedule 4 of this SEPP will be amended to include Sydney International Speedway.

### 1.2 Project location

The project would be located within Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports which sits within the Blacktown Local Government Area (LGA) in the Central River City subregion of Greater Sydney, about six kilometres southwest of the Blacktown City Centre, and 32 kilometres west of the Sydney Central Business District. The location of the project is shown on Figure 1.



**Figure 1 Location of the project**

### 1.2.1 Local context of the project

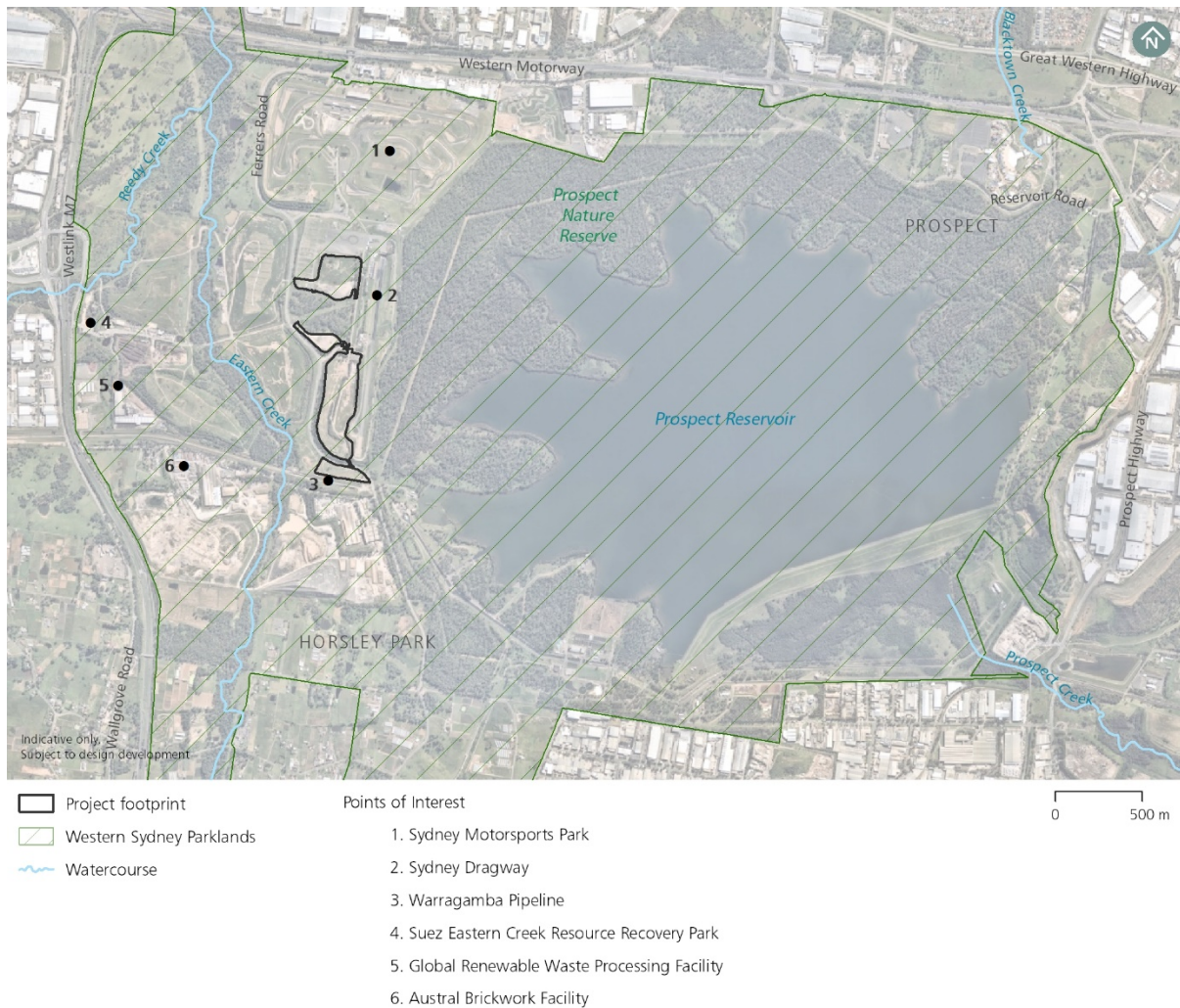
The footprint of the project site is about 21 hectares. The Western Motorway (M4 Motorway) is about 1.4 kilometres north, and the Westlink M7 is about 1.2 kilometres west of the project. Industrial and commercial developments are located to the north and west of these major roads. The Prospect Nature Reserve, which contains the Prospect Reservoir, is about 150 metres east of the project. The local context of the project is shown on Figure 2.

Sixteen precincts have been identified within the Western Sydney Parklands, each with its own character and land uses, infrastructure, issues and opportunities. The project would be situated within Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports. The project is bounded by Ferrers Road to the northwest, Ferrers Road and vegetation as part of Western Sydney Parklands in the west, the Warragamba Pipeline to the south and the Austral Bricks Horsley Park Brickworks located further south. Other motorsport operators within Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports include the Sydney Dragway immediately to the north and east and Sydney Motorsports Park (operated by the Australian Racing Drivers' Club) to the north. A full list of stakeholders is provided in Chapter 4 (Stakeholder and community engagement).

Other businesses in the vicinity include:

- The SUEZ Eastern Creek Resource Recovery Park, about 1.1 kilometres west of the project
- Global Renewables waste processing facility, about 650 metres west of the project.





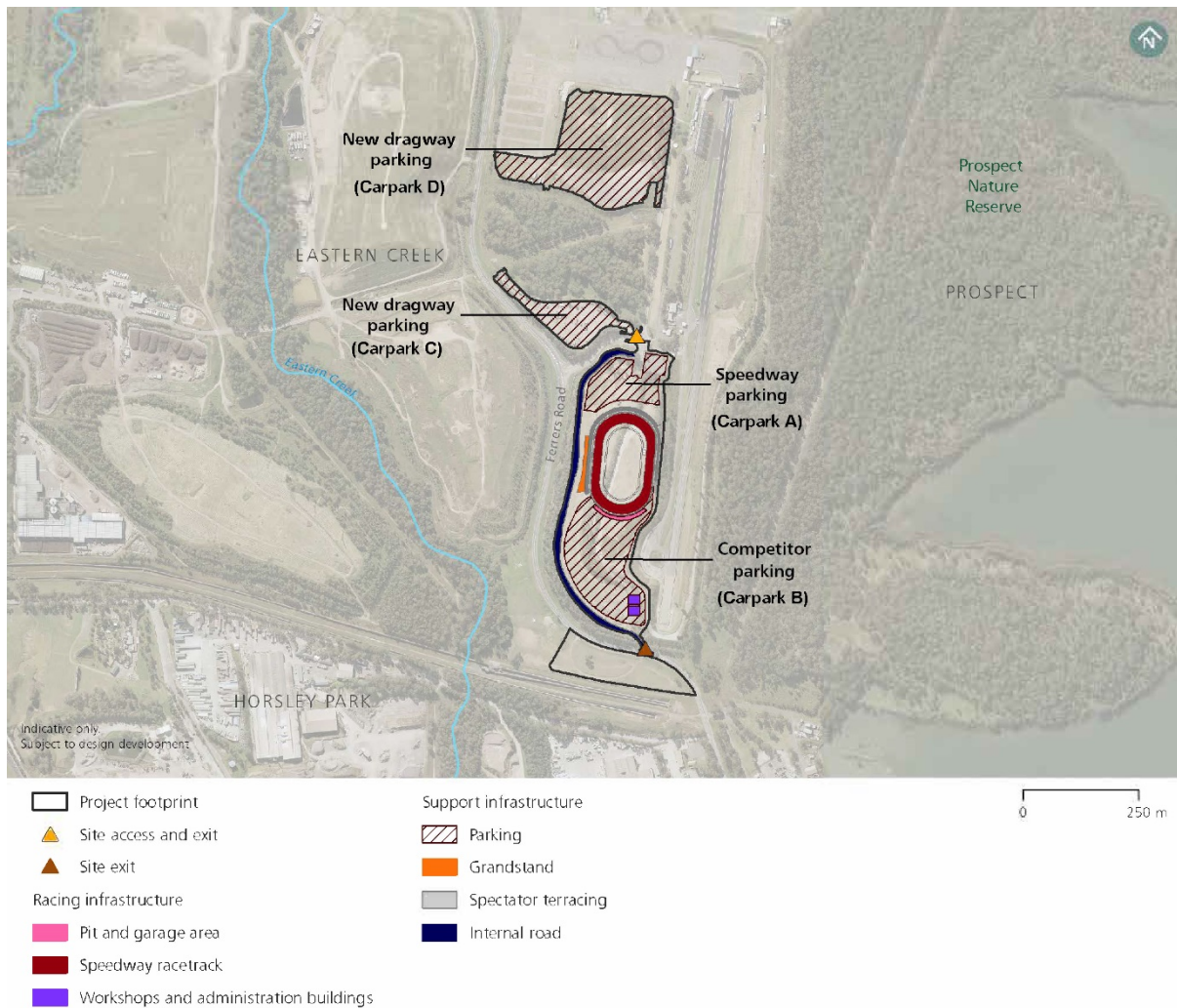
**Figure 2 Local context of the project**

### 1.3 Overview of the project

The key features of the project are provided in Chapter 4.0. Project stages would include:

- Construction, including enabling and temporary works, earthworks and land forming activities, construction of project infrastructure, environmental management measures, utilities connections, landscaping and finishing works
- Operation of the Sydney International Speedway. This would include racing infrastructure, event support infrastructure and operational support infrastructure, and ongoing maintenance activities.

The operational site layout is shown on Figure 3.



**Figure 3 Project overview**

## 1.4 Purpose and scope of the report

Artefact Heritage has been engaged to prepare an Aboriginal heritage assessment for inclusion in the Environmental Impact Statement. This technical paper considers the construction impacts on Aboriginal cultural heritage and potential archaeological resources within the project site and includes:

- Assessment of the Aboriginal cultural heritage values of the project site and identification of any specific areas of cultural significance
- Assessment of archaeological potential for the project site
- Aboriginal stakeholder consultation
- Preparation of a methodology for archaeological management including test excavation and salvage where required.

## 1.5 Secretary's Environmental Assessment Requirements

The Secretary's Environmental Assessment Requirements were issued for the project on 19 May 2020. The following requirements were issued for Aboriginal heritage investigation for the project:

**Table 1 Secretary's Environmental Assessment Requirements**

Secretary's Environmental Assessment Requirements	Where addressed
5.1 The Proponent must identify and assess any direct and/or indirect impacts (including cumulative impacts) to the heritage significance of: (a) Aboriginal places, objects and cultural heritage values, as defined under the National Parks and Wildlife Act 1974 and in accordance with the principles and methods of assessment identified in the current guidelines; (b) Aboriginal places of heritage significance, as defined in the Standard Instrument – Principal Local Environmental Plan;	Chapter 7.0 Chapter 8.0 Chapter 9.0 Chapter 10.0 Chapter 11.0
5.3 Where archaeological investigations of Aboriginal objects are proposed these must be conducted by a suitably qualified archaeologist, in accordance with section 1.6 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010).	Chapter 3.0 Chapter 12.0
5.4 Where impacts to Aboriginal objects and/or places are proposed, consultation must be undertaken with Aboriginal people in accordance with the current guidelines.	Chapter 5.0

## 1.6 Authorship

This report was prepared by Duncan Jones (Principal). Management input and review was provided by Sandra Wallace (Director).



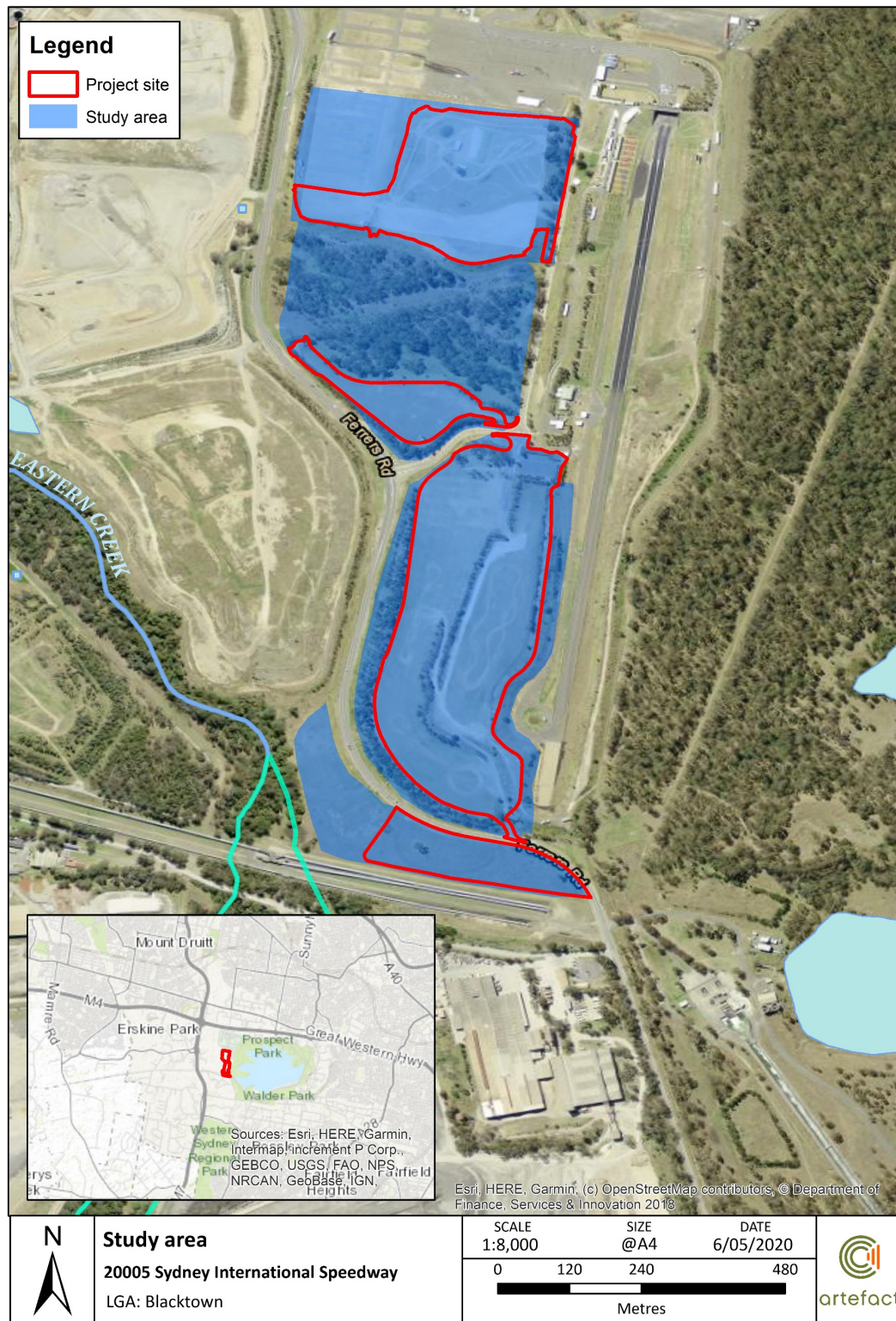


Figure 4 Location of project site

## 2.0 LEGISLATIVE CONTEXT

### 2.1 Introduction

There are several pieces of legislation that are relevant to the assessment of Aboriginal cultural heritage for the project. This chapter provides a summary of these Acts and the potential implications for the project.

### 2.2 NSW National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) provides statutory protection to all Aboriginal places and objects. An Aboriginal Place is declared by the Minister, under Section 84 of the NPW Act in recognition of its special significance with respect to Aboriginal culture. Under Section 86 of the NPW Act Aboriginal objects and Aboriginal places are protected. An Aboriginal object is defined as:

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*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.*

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The protection provided to Aboriginal objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

There are no gazetted Aboriginal places in the project site. All Aboriginal objects, whether recorded or not are protected under the NPW Act.

As the project is subject to assessment under Part 5, Division 5.2 of the EP&A Act, permits issued under the NPW Act are not required.

#### 2.2.1 National Parks and Wildlife Regulation 2019

Under the authority of the NPW Act, the National Parks and Wildlife Regulation 2019 provides regulations for Aboriginal heritage assessment and consultation with registered Aboriginal parties.

Part 5 (Division 2) of the National Parks and Wildlife Regulation 2019 sets out the requirements of a due diligence assessment process and provides requirements for more detailed assessment and consultation with registered Aboriginal parties for activities that may result in harm to Aboriginal objects. This includes:

- Clause 60 – consultation process to be carried out before application for Aboriginal heritage impact permit
- Clause 61 – application for Aboriginal heritage impact permit to be accompanied by cultural heritage assessment report.



In order to comply with Clause 60 and 61 of the National Parks and Wildlife Regulation 2019, preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) and consultation with registered Aboriginal parties must be in accordance with the following guidelines:

- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales<sup>5</sup> (Code of Practice)
- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW<sup>6</sup> (ACHAR guidelines)
- Aboriginal cultural heritage consultation requirements for proponents 2010<sup>7</sup> (Consultation Guidelines).

Assessment and consultation carried out in accordance with Part 5 of the National Parks and Wildlife Regulation 2019 and associated guidelines would result in adequate supporting documentation to support an application(s) for approval for works that may result in harm to Aboriginal objects. The current assessment has been carried out in accordance with the above guidelines in order to meet the Secretary's Environmental Assessment Requirements for the project.

### 2.3 NSW Environmental Planning and Assessment Act 1979

The EP&A Act provides planning controls and requirements for environmental assessment in the development approval process. The EP&A Act consists of three main parts of direct relevance to Aboriginal cultural heritage; Part 3 which governs the preparation of planning instruments, Part 4 which relates to development requiring consent, and Part 5 which relates to activity that does not require consent.

The project is subject to assessment and approval by the NSW Minister for Planning and Public Spaces under Part 5, Division 5.2 of the EP&A Act, which establishes an assessment and approval regime for State Significant infrastructure.

An Environmental Impact Statement supported by the current assessment has been prepared to assess the impacts of the project, in accordance with Secretary's Environmental Assessment Requirements.

Section 5.22 of the EP&A Act provides that environmental planning instruments (such as local environmental plans and SEPPs) do not, with some exceptions, apply to State significant infrastructure projects. Notwithstanding, the environmental planning instruments that are relevant to the project have been considered for consistency, as described below.

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<sup>5</sup> Department of Environment Climate Change & Water 2010a, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*

<sup>6</sup> Office of Environment & Heritage 2011, *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*

<sup>7</sup> DECCW 2010b, *Aboriginal cultural heritage consultation requirements for proponents 2010*

### 2.3.1 *Blacktown Local Environment Plan 2015*

Local Environmental Plans (LEPs) are prepared by councils in accordance with the EP&A Act to guide planning decisions for Local Government Areas (LGAs).

The aim of LEPs in relation to heritage is to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings, views and archaeological sites.

Schedule 5 of each LEP lists items of heritage significance within each LGA. If agreement is reached with the Aboriginal community, items or Aboriginal places of heritage significance are also listed within this schedule.

The project site falls within the boundaries of the City of Blacktown Local Government Area (LGA). No Aboriginal places of heritage significance were identified on the *Blacktown Local Environmental Plan 2015* (Blacktown LEP 2015) within the project site.

The project site is located on land subject to *State Environment Planning Policy (Western Sydney Parklands) 2009* (Western Sydney Parklands SEPP) (refer to Section 2.3.2). This excludes the application of the Blacktown LEP 2015 to this project.

### 2.3.2 *State Environmental Planning Policy (Western Sydney Parklands) 2009*

The project is located within the Western Sydney Parklands' Precinct 5: Eastern Creek Motor Sports, and as such the provisions of the Western Sydney Parklands SEPP have been considered for consistency (although they do not apply to this project). The Western Sydney Parklands SEPP aims to put in place planning controls that will enable the Western Sydney Parklands Trust to develop the Western Parklands into a multi use urban parkland for the region of western Sydney, including protecting and enhancing the cultural and historical heritage of the Western Parklands.

No Aboriginal places of heritage significance were identified on the Western Sydney Parklands SEPP within the study area.

## 2.4 *NSW Aboriginal Land Rights Act 1983*

The *Aboriginal Land Rights Act 1983* is administered by the NSW Department of Human Services - Aboriginal Affairs. This Act established Aboriginal Land Councils (at State and local levels). These bodies have a statutory obligation under the Act to:

- Take action to protect the culture and heritage of Aboriginal persons in the council's area, subject to any other law
- Promote awareness in the community of the culture and heritage of Aboriginal persons in the council's area.

The project site is located within the Deerubbin LALC boundaries.

## 2.5 NSW Native Title Act 1994

The *Native Title Act 1994* was introduced to work in conjunction with the Commonwealth Native Title Act. Native Title claims, registers and Indigenous Land Use Agreements are administered under the Act.

No Native Title Claims within the project site were identified on the National Native Title Tribunal *Native Title Vision* mapping service.<sup>8</sup>

## 2.6 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Environment and Heritage Legislation Amendment Act (No.1) 2003* amends the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to include 'national heritage' as a matter of national environmental significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List and the Commonwealth Heritage List.

The *Australian Heritage Council Act 2003* establishes a new heritage advisory body – the Australian Heritage Council - to the Minister for the Environment and Energy and retains the Register of the National Estate.

The *Australian Heritage Council (Consequential and Transitional Provisions) Act 2003* repeals the *Australian Heritage Commission Act 1975*, amends various Acts as a consequence of this repeal and allows the transition to the current heritage system.

Together the above three Acts provide protection for Australia's natural, Indigenous and non-Indigenous heritage. The new framework includes:

- A new National Heritage List of places of national heritage significance
- A new Commonwealth Heritage List of heritage places owned or managed by the Commonwealth
- The creation of the Australian Heritage Council, an independent expert body to advise the Minister on the listing and protection of heritage places
- Continued management of the non-statutory Register of the National Estate.

### 2.6.1 National Heritage List

The National Heritage List is a list of places with outstanding heritage value to our nation, including places overseas. So important are the heritage values of these places that they are protected under the EPBC Act. This means that a person cannot take an action that has, will have, or is likely to have, a significant impact on the national heritage values of a national heritage place without the approval of the Australian Government Minister for the Environment.

There are no items listed on the National Heritage List located within the project site for this assessment.

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<sup>8</sup> Accessed on 20 March 2020 [http://www.ntv.nntt.gov.au/IntraMaps80/default.htm?project=NTV\\_NSW](http://www.ntv.nntt.gov.au/IntraMaps80/default.htm?project=NTV_NSW)

### 2.6.2 Commonwealth Heritage List

The Commonwealth Heritage List is a list of places managed or owned by the Australian Government.

There are no items listed on the Commonwealth Heritage List located within the project site for this assessment.

## 3.0 ASSESSMENT METHODOLOGY

### 3.1 Archaeological survey

#### 3.1.1 Aboriginal site definition

An Aboriginal site is generally defined as an Aboriginal object or place. An Aboriginal object refers to any deposit, object or material evidence (not being a handicraft) relating to Aboriginal habitation of the area that comprises New South Wales<sup>9</sup>. Aboriginal objects may include stone tools, scarred trees or rock art. Some sites, or Aboriginal places can also be intangible and although they might not be visible, these places have cultural significance to Aboriginal people.

The Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales<sup>10</sup> states in regard to the definition of a site and its boundary that one or more of the following criteria must be used when recording material traces of Aboriginal land use:

- The spatial extent of the visible objects, or direct evidence of their location
- Obvious physical boundaries where present, for example mound site and middens (if visibility is good), a ceremonial ground
- Identification by the Aboriginal community on the basis of cultural information.

For the purposes of this study an Aboriginal site, or potential Aboriginal site, was defined by recording the spatial extent of visible traces or the direct evidence of their location within the project site.

#### 3.1.2 Archaeological survey methodology

##### 3.1.2.1 Site inspection

Two site inspections were carried out for this assessment. The first site inspection was conducted by Duncan Jones and Jessica Horton (Artefact) on 17 February 2020. The second site inspection was carried out by Jessica Horton and Steve Randall (Deerubbin LALC) on 7 April 2020.

##### 3.1.2.2 Aims of archaeological survey

The aims of the archaeological survey were to:

- Cover a representative sample of the project site that would potentially be impacted by the project works
- Reinspect any previously registered Aboriginal sites, including sites which are located adjacent to the project site, to confirm their presence and spatial extent and potential impact of the project
- Record any new Aboriginal sites observed during the survey
- Identify areas of PAD that may be present in areas that have had no or minimal disturbance
- Engage with Deerubbin LALC regarding the proposed works and the archaeological potential of the project site

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<sup>9</sup> DECCW 2010a: 37

<sup>10</sup> OEH 2011



- Collect information to ascertain whether further archaeological investigation is required.

#### 3.1.2.3 Survey coverage methodology

The study area consists of largely artificially modified landforms with small areas of unmodified ground in the south and west of the site. The study area was separated into survey units based on these different landforms. All survey units were walked on foot with a representative sample covered across the project site. Most of the study area was covered in grass or hardstand, although a number of significant areas of open ground exposure were present.

Several AHIMS registered sites are located in close proximity to the project site. All AHIMS site locations immediately adjacent to the project site which were accessible were visited during the site inspection in order to assess the current condition of these sites and whether they extended into the project site.

An area of preserved Cumberland Plain woodland is located within the study area but outside of the project site, between carpark C and carpark D (refer to Section 4 for additional information about the project). This area was also included in the site inspection, due to the presence of AHIMS sites within this area being close to the boundary of the project site and to ensure that potential impacts nearby would not affect these registered AHIMS sites.

The survey units across the project site for the Aboriginal heritage assessment are shown on Figure 5. A discussion of the survey units and the results of the survey are provided in Section 8.

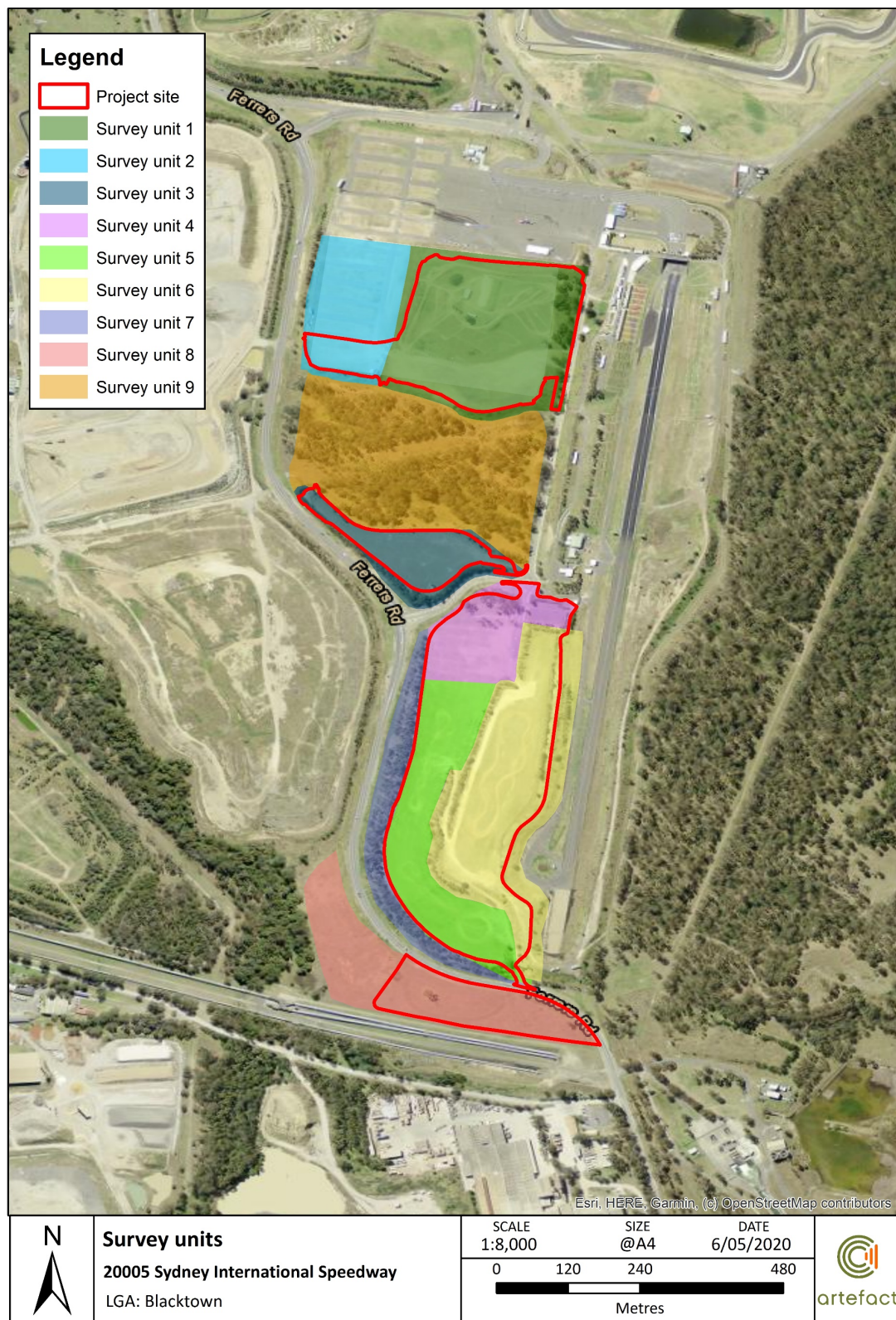


Figure 5 Site inspection survey units

#### 3.1.2.4 Recorded Aboriginal sites and areas of archaeological potential

Information on any recorded Aboriginal sites, including type and location, is included in the discussion of the survey units, as well as an assessment of archaeological potential.

The assessment of archaeological potential incorporates available information on existing and past structures that are likely to have removed archaeological deposits.

### 3.2 Significance assessment methodology

An assessment of the cultural heritage significance of an item or place is required in order to form the basis of its management. *The Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW*<sup>11</sup> provides guidelines for heritage assessment with reference to the *Burra Charter*<sup>12</sup>. The assessment is made in relation to four values or criteria (Table 2). In relation to each of the criteria, the significance of the subject area should be ranked as high, moderate or low.

Cultural heritage consists of places or objects, that are of significance to Aboriginal people. Cultural heritage values are the attributes of these places or objects that allow the assessment of levels of cultural significance.

Assessing the cultural significance of a place or object means defining why a place or object is culturally important. It is only when these reasons are defined that measures can be taken to appropriately manage possible impacts on this significance. Assessing cultural significance involves two main steps, identifying the range of values present across the project site and assessing why they are important.

Social/cultural heritage significance should be addressed by the Aboriginal people who have a connection to, or interest in, the site. As part of the consultation process the Aboriginal stakeholders were asked to provide information on the cultural significance of the project site. Information on consultation with Aboriginal stakeholders for the project is provided in Section 5.

**Table 2 Burra Charter Heritage significance criteria**

Criterion	Description
<b>Social</b>	<p>The spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them.</p> <p>Does the subject area have strong or special association with the Aboriginal community for social, cultural or spiritual reasons?</p>
<b>Historic</b>	<p>Historic value refers to the associations of a place with a historically important person, event, phase or activity in an Aboriginal community.</p> <p>Is the subject area important to the cultural or natural history of the local area and/or region and/or state?</p>

<sup>11</sup> Office of Environment and Heritage 2011

<sup>12</sup> Australia ICOMOS 2013

Criterion	Description
<b>Scientific</b>	This refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information. Information about scientific values will be gathered through any archaeological investigation carried out.
	Does the subject area have potential to yield information that will contribute to an understanding of the cultural or natural history of the local area and/or region and/or state?
<b>Aesthetic</b>	This refers to the sensory, scenic, architectural and creative aspects of the place. It is often linked with the social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use.
	Is the subject area important in demonstrating aesthetic characteristics in the local area and/or region and/or state?

In addition to the four criteria, the Department of Planning, Industry and the Environment (DPIE) requires consideration of the following<sup>13</sup>:

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

### 3.3 Impact assessment

The definition of harm to an object or place under the NPW Act includes any act or omission that 'destroys, defaces or damages the object or place or in relation to an object – moves the object from land on which it had been situated.' (s5 NPW Act).

Direct harm may occur as a result of activities which disturb the ground surface including site preparation activities, earthworks and ground excavation, and the installation of services and infrastructure. The direct impact associated with the project is discussed in Section 10.

Indirect harm for Aboriginal heritage refers to impacts that may affect sites or features located immediately beyond or within the area of the proposed works. Indirect harm may include impacts from vibration, increased visitation or increased erosion, including ancillary project activities (construction and/or operation) that are not located within the project site.

<sup>13</sup> Office of Environment and Heritage 2011: 10

Registered Aboriginal sites which are within the vicinity of the project site are comprised of artefact sites or areas of potential archaeological deposit. Any buried Aboriginal objects would not be subject to impacts as a result of vibration. There are no Aboriginal places in the vicinity of the construction sites which may be subject to indirect impacts.



## 4.0 PROJECT DESCRIPTION

### 4.1 Overview of the project

Once complete, the project would include world class racing infrastructure in the form of a clay based racetrack benchmarked to national and international best practice for both speedway vehicles and motorcycles. To facilitate the use of the speedway racetrack, the following ancillary racing infrastructure would be constructed:

- New vehicle access to the raceway area, including a gated access via an intersection off Ferrers Road
- A racing competitor's pit area in Carpark B, comprising around 150 parking bays for race vehicles and their tenders, including 20 bays for heavy vehicles transporting racing vehicles to and from the speedway and viewing platforms for pit crews
- Workshops/garages and track-side operational support areas to be used by pit crews.

High quality event support infrastructure provided to maximise the spectator experience at speedway events would comprise:

- A grandstand with the capacity to seat around 3750 spectators
- Ticketing and entryway structures
- Spectator facilities, including terraced seating for up to around 7000 spectators, public amenities, corporate boxes, provision for food and beverage operators together with merchandise outlets
- Dedicated parking provided for spectators, visitors and users of the Sydney International Speedway in Carpark A, available for use by other motorsport operators by agreement
- Dedicated parking for Sydney Dragway to replace the existing spectator parking areas which would form part of the Sydney International Speedway project site. The New Dragway Parking in Carparks C and D would be available for use by other motorsport operators by agreement

Operational support infrastructure would be provided to enable the operation of the Sydney International Speedway. Such infrastructure would include:

- Public safety including fencing and fire safety systems
- Communications including a fibre optic network (to suit internet broadcasting bandwidth and PA/AV provisions), signage and large broadcasting screens
- Services including the provision of stormwater, drainage and flooding, utilities and lighting.

The operational site layout is shown on Figure 3. Operation would also include maintenance activities required to support the project.

Construction of the project is expected to take around 13 months to complete. The following construction activities would be carried out:

- Clearing, earthworks and levelling
- Landforming works
- Establishment of carparks
- Construction of racing and event support infrastructure



- Utilities connections, landscaping and finishing works.

Further detail on the project is provided in Chapter 5 (Project description) of the Sydney International Speedway Environmental Impact Statement.

## 4.2 Overview of construction activities

Construction of the project is expected to take around 13 months to complete. Key construction activities to be carried out as part of the project include site establishment, site clearance, earthworks and site levelling, construction of racing and support infrastructure, utilities connections, landscaping and finishing works.

### 4.2.1 Bulk earthworks

Construction would involve earthworks for levelling and landforming activities across most of the project site. Currently, the project site consists of artificial terraced hills with a maximum elevation of 90 metres Above Sea Level (ASL) in the north and 77 metres ASL in the south. Project works would result in modifications to the majority of the artificial land forms within the project site and final elevation levels would be determined during detailed design. Indicative cut and fill diagrams are shown in Figure 6, Figure 7, Figure 8 and Figure 9.

Carpark D would require the most earthworks and site levelling activities. This car park is currently located on a rocky outcrop, which would need to be reduced to allow for the establishment of car parking facilities. In addition, earthworks activities would be required to establish the racetrack profile to meet the national and international racing standards. Earthworks within the carpark areas and the main operational site would generate excess cut material which would be temporarily stored as stockpiles across the project site, including the area south of Ferrers Road. Any excess material remaining at the end of construction would then be formed into a permanent landscaped mound in the area south of Ferrers Road, with the implementation of appropriate drainage, erosion and sedimentation controls to ensure no impact to areas adjacent to the landscaped mound. The landscaped mound would fill the majority of the southern area.

The project site would be cleared of vegetation and topsoil would be stripped before earthworks are carried out. Topsoil would be stored in temporary stockpiles up to four metres high across the project site before being transported to its final location.

### 4.2.2 Speedway track, buildings and infrastructure

The concept design for the racetrack and associated buildings and infrastructure are provided in Figure 10 and Figure 11. The racetrack would be located centrally within the main operational site and would be formed using about 8200 cubic metres of Sydney clay, which would be imported to the project site. This material would be imported to construct the racetrack so that it is similar in composition to the existing Sydney Speedway (location on NSW Government owned land), and to meet the national and international racing standards.

The grandstand would be constructed on a fill embankment overlooking the racetrack. The racing and event support infrastructure are anticipated to be reinforced pre-cast concrete structures with steel elements and modular prefabrications. The prefabricated elements would be constructed offsite, delivered via heavy vehicle and installed using cranes and other lifting equipment. The terraced seating would be comprised of concrete and turf.

Construction of these structures on site would likely include the following activities:

- Piling
- Earthworks (excavation of foundations and creation of embankments)
- Concrete pouring
- Brickwork/masonry
- Installation of modular prefabricated elements
- Internal fit out
- Landscaping.

Utilities connections (including a new electrical substation, new potable water connection, waste water and communications) would be required as part of the construction of the project.

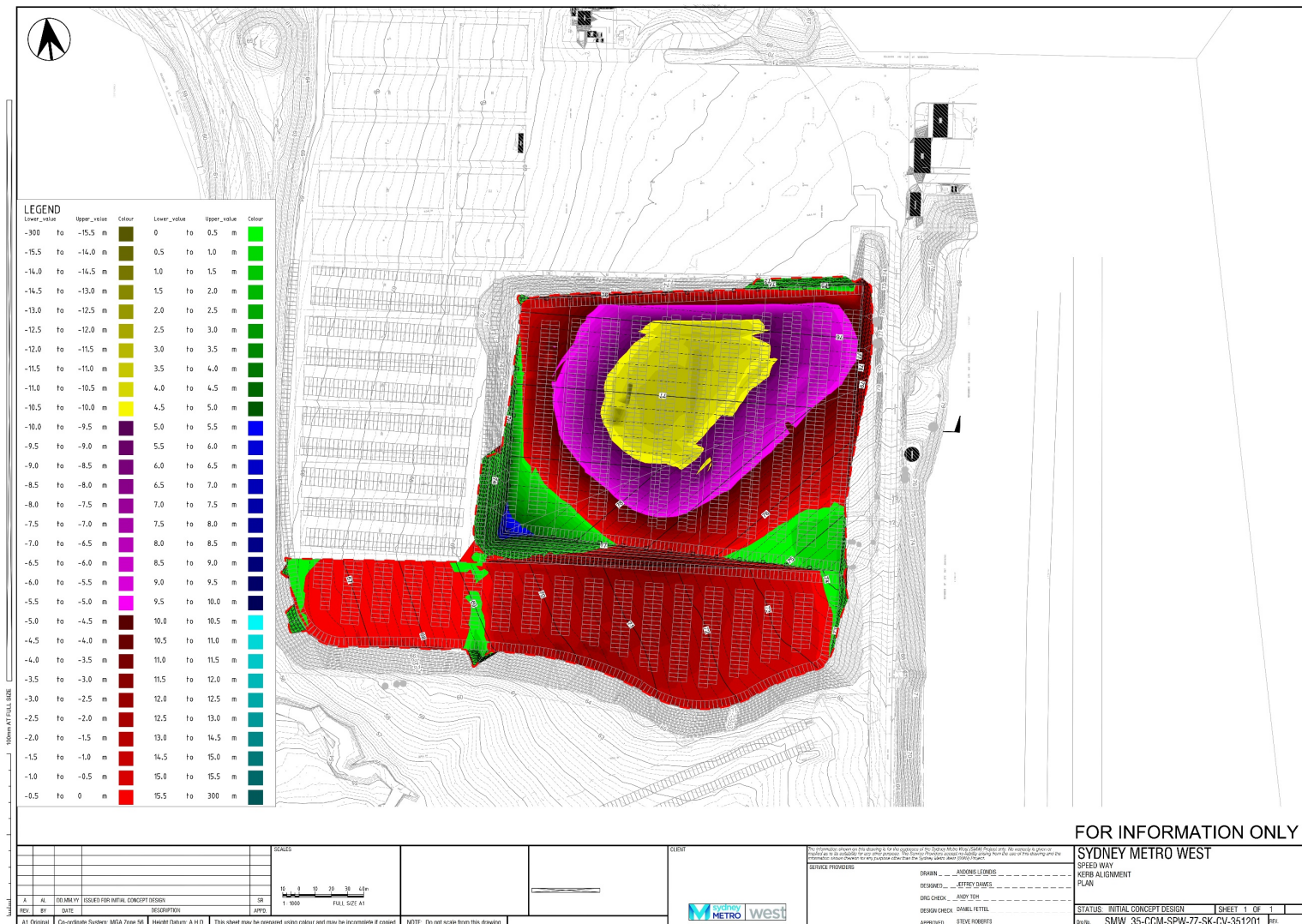


Figure 6 Indicative cut and fill diagram for northern carpark area for Speedway (15 April 2020 concept design)

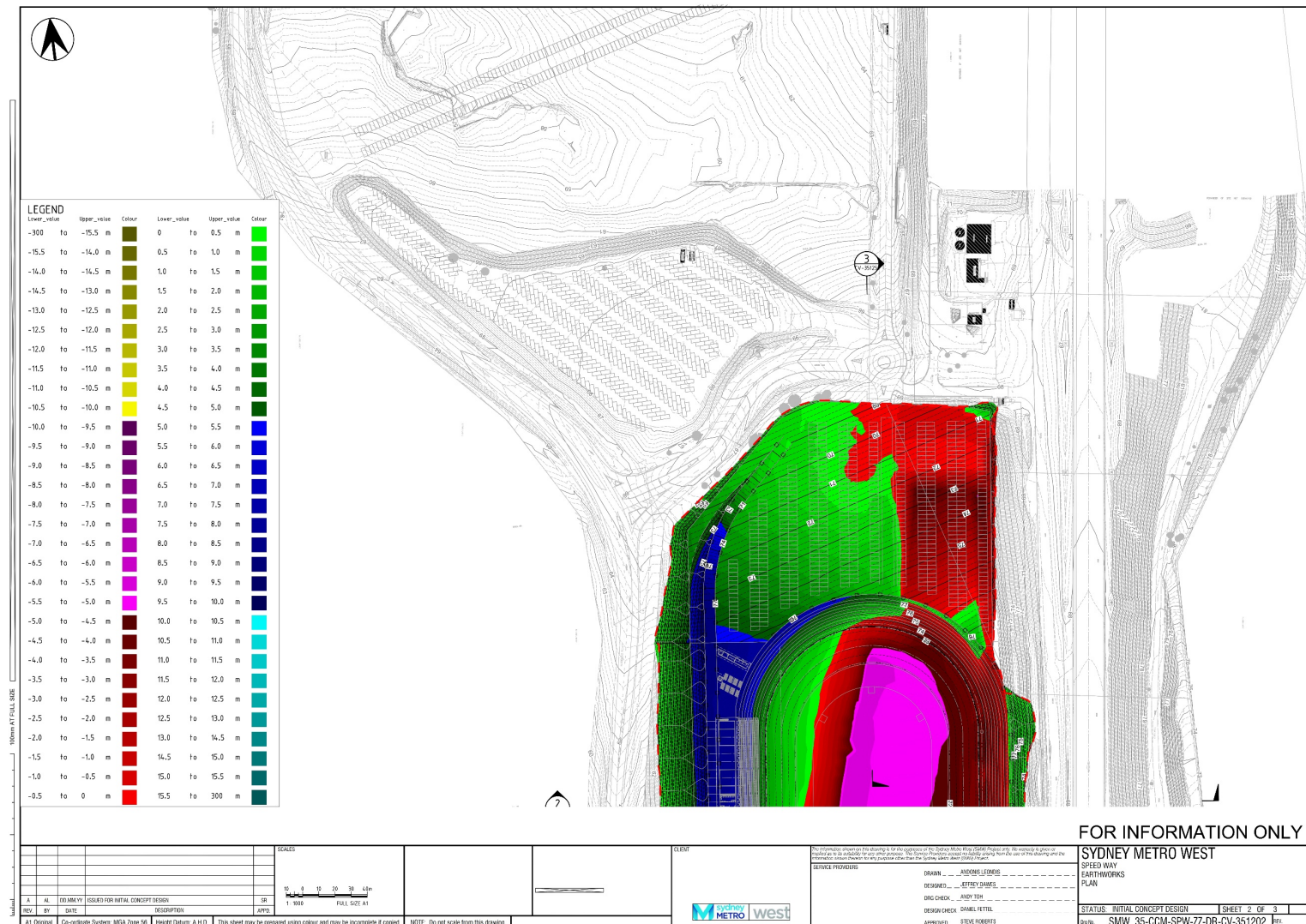


Figure 7 Indicative cut and fill diagram for Speedway complex (north) (15 April 2020 concept design)



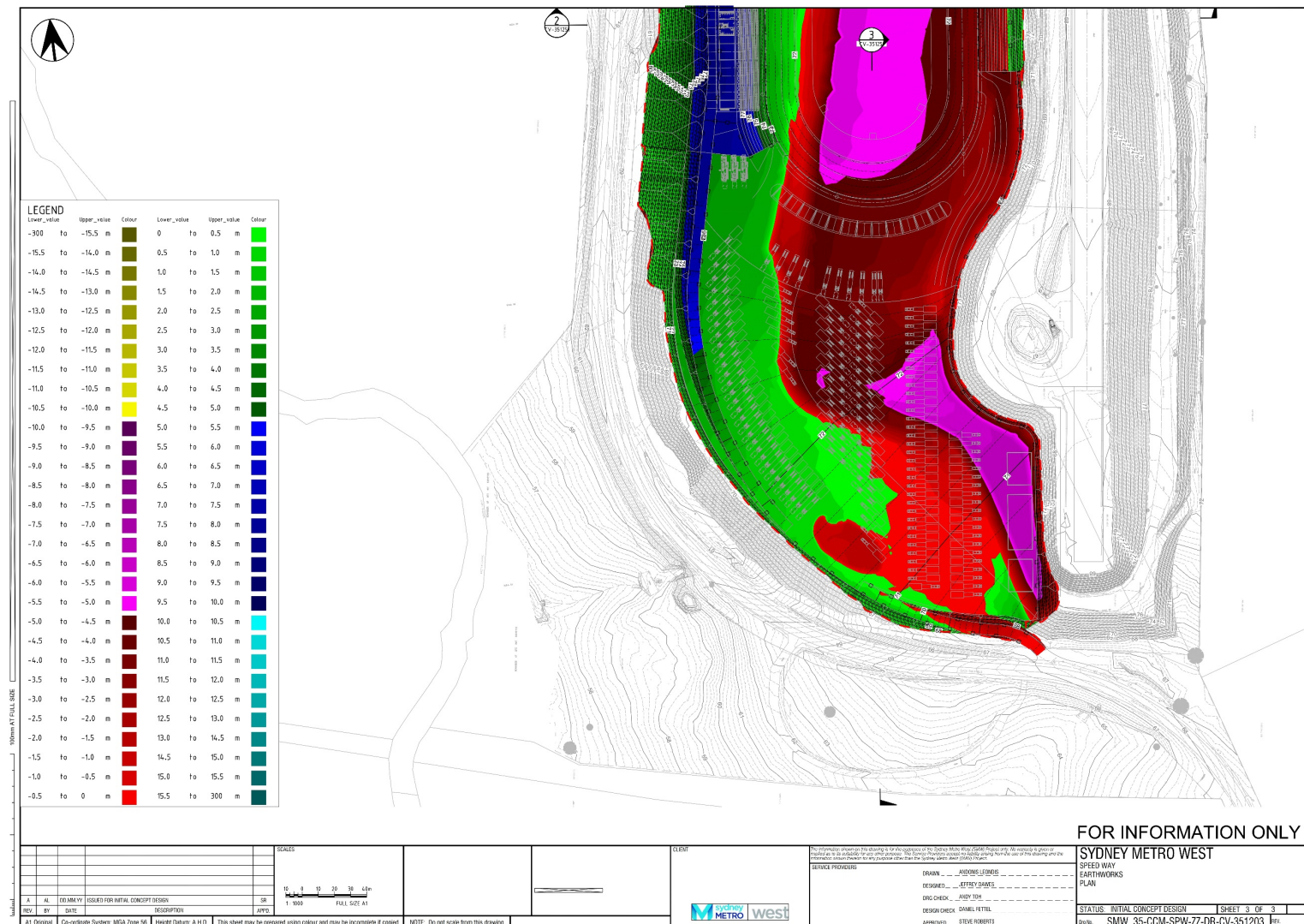


Figure 8 Indicative cut and fill diagram for Speedway complex (south) (15 April 2020 concept design)

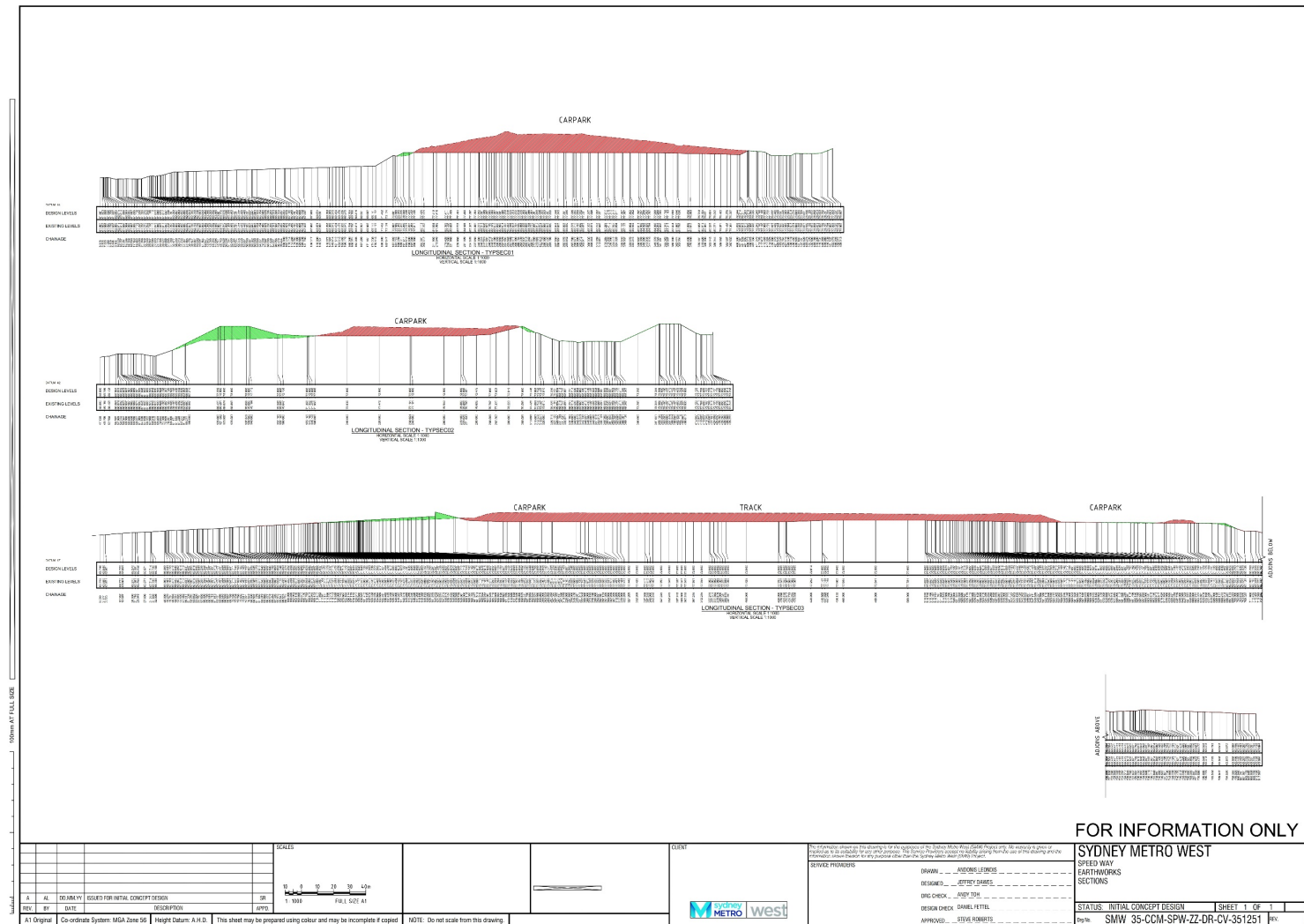


Figure 9 Indicative elevation diagram of cut and fill for project (land reduced indicated in red, land raised indicated in green) (15 April 2020 concept design)



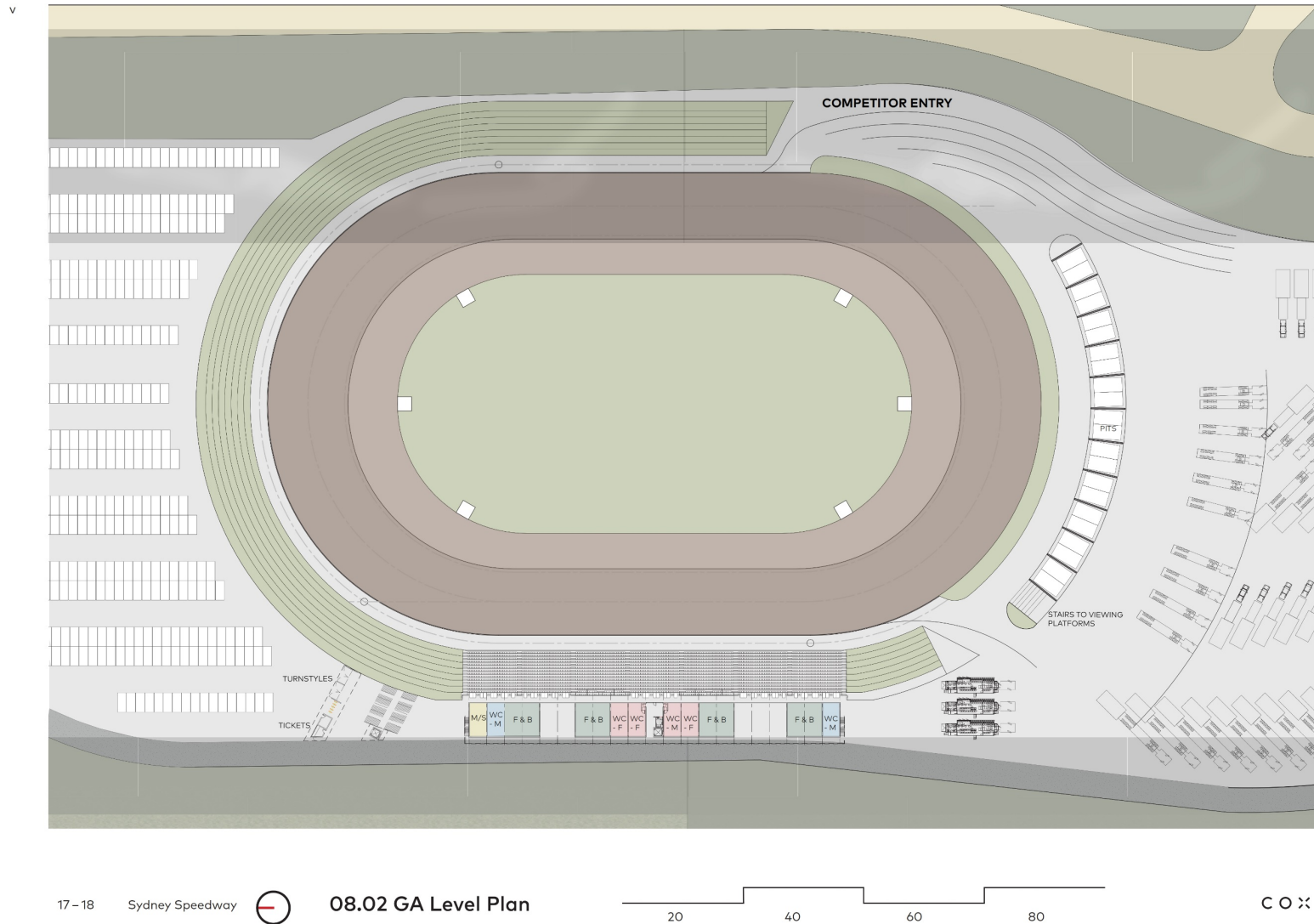


Figure 10 Indicative plan of ground level of track, grandstand and offices (Source: Cox Architects) (15 April 2020 concept design)



27 – PB Sydney Speedway

08.12 3D Perspective

C O X

**Figure 11 Visual render of Speedway facility, north-west aspect. (Source: Cox Architects) (15 April 2020 concept design)**

## 5.0 ABORIGINAL COMMUNITY PARTICIPATION

### 5.1 Aboriginal consultation

Aboriginal community consultation has been conducted in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents*.<sup>14</sup>

A consultation log has been maintained which details all correspondence with the registered Aboriginal parties for the project (Appendix A).

### 5.2 Identification of stakeholders and registrations of interest

In accordance with Stage 4.1.2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents*<sup>15</sup>, correspondence was sent to the following organisations on 6 March 2020 requesting details of Aboriginal people who may hold cultural knowledge relevant to determining the Aboriginal significance of Aboriginal objects and/or places within the project site.

- The Department of Planning, Industry and the Environment (formerly the Office of Environment and Heritage [OEH])
- The Registrar, *Aboriginal Land Rights Act 1983*
- Deerubbin Local Aboriginal Land Council
- NTSCORP
- National Native Title Tribunal
- Blacktown City Council
- Greater Sydney Local Land Services.

In accordance with Stage 4.1.3 of the Aboriginal cultural heritage consultation requirements for proponents 2010, Artefact placed an advertisement in the *Koori Mail* and the *Blacktown Advocate* on 11 March 2020 and 18 March 2020 respectively. The advertisement invited all Aboriginal persons and organisations who hold cultural knowledge relevant to determining the significance of Aboriginal objects and places in the study area to register their interest.

Also, in accordance with Stage 4.1.3, letters and/or emails were sent on 1 April 2020 to all Aboriginal persons and organisations identified through responses from the agencies contacted during Stage 4.1.2. The letters provided details on the location and nature of the project, as well as an invitation to register as an Aboriginal stakeholder. Fourteen days were allowed for registrations.

Following the completion of Stages 4.1.2 and 4.1.3, a total of 17 stakeholder groups had registered their interest in the consultation process. These groups include:

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<sup>14</sup> Department of Environment Climate Change and Water 2010b

<sup>15</sup> Department of Environment Climate Change and Water 2010b

List of registered stakeholder groups removed for public display

### 5.3 Site inspection

As discussed in Section 3.1.2.1, a site inspection of the study area was carried out by Steve Randall (Deerubbin LALC), accompanied by Jessica Horton on 7 April 2020. A summary of comments provided by Deerubbin LALC after the completion of the site inspection have been provided in Table 3.

**Table 3 Summary of Deerubbin LALC site inspection report**

Person/RAP group	Comment	Artefact response
Steven Randall/ Deerubbin LALC	<ul style="list-style-type: none"> <li>Noted the level of “destruction from levelling and landscaping” in areas within the Speedway site, and that no Aboriginal cultural material was identified.</li> <li>Two areas of PAD were identified in those areas which had not been subject to widespread landscaping work (refer to Section 9.2 for more information).</li> <li>Further test excavation was recommended for the two areas of PAD identified during the site inspection.</li> </ul>	<ul style="list-style-type: none"> <li>The assessment has noted substantial former disturbance across the project site which has reduced the potential for Aboriginal cultural material to be identified within the project site.</li> <li>The identification of the two areas of PAD has been supported in this assessment</li> <li>Two areas of PAD were identified within the study area for the project; however, following the site inspection with Deerubbin LALC, the footprint of the project was revised to avoid impacts to PAD 01. PAD 02 is located outside the project footprint. As a result, the two PAD sites identified as part of the site inspection would not be impacted by the project. As the project would not disturb areas of natural ground which have been determined to be areas of PAD, no test excavation has been proposed.</li> </ul>

## 5.4 Review of assessment methodology

A copy of the proposed ACHAR methodology was distributed to Aboriginal stakeholders on 24 April 2020, with a 28-day period for review and comment. The document included project details and a summary of the proposed ACHAR assessment methodology.

Comments received from stakeholder groups are provided in Table 4 below. Comments were received from six Aboriginal stakeholder groups. All comments supported the assessment methodology for the project.

**Table 4 Summary of Aboriginal stakeholder methodology review comments**

Person/RAP group	Comment	Artefact response
Philip Khan/Kamilaroi-Yankuntjatjara Working Group	<ul style="list-style-type: none"> <li>Noted that the Eastern Creek area is considered highly spiritual and significant to Aboriginal people. The multiple creek lines in the Eastern Creek area would have provided good food resources as well as the possibility of burial grounds being present.</li> <li>Recommended that test excavation investigation is conducted.</li> </ul>	<ul style="list-style-type: none"> <li>Comments regarding the spiritual significance of Eastern Creek would be incorporated into the ACHAR</li> <li>Two areas of PAD were identified within the study area for the project; however, these would not be impacted by the project and are outside of the project footprint. The remainder of the study area has been heavily modified with widespread landscaping and the construction of artificial terraces for the Sydney Dragway. As the project would not disturb areas of natural ground which have been determined to be areas of PAD, no test excavation has been proposed.</li> </ul>

## 5.5 Review of draft Aboriginal Heritage Assessment report

Sydney Metro will seek comment from registered Aboriginal stakeholders on this draft Aboriginal Cultural Heritage Assessment Report during the public exhibition of the Environmental Impact Statement. The outcomes of this will be documented within the final version of the Aboriginal Cultural Heritage Assessment Report.



## 6.0 ENVIRONMENTAL CONTEXT

### 6.1 Geology and soils

The project site is located within the central portion of the Cumberland Plain, a large low lying and gently undulating landform in the Sydney Basin. The formation of the basin began between 300 to 250 million years ago when river deltas gradually replaced the ocean that had extended as far west as Lithgow. The oldest, Permian layers of the Sydney Basin consist of marine, alluvial and deltaic deposits that include shales and mudstone overlain by Coal Measures.

The geology of the area is characterised by the Triassic Wianamatta group which consists of black to dark grey shale and laminate on top of medium to coarse grained quartz sandstone, with very minor shale and laminate. The underlying geology is Hawkesbury Sandstone that was laid down as river sediments and is described as medium to coarse grained quartz sandstone, which is then overlain by the finer sedimentary material caps of Wianamatta shale.<sup>16</sup>

A salient feature of the regional geological landscape includes a significant source of silcrete at Plumpton Ridge, about six kilometres northwest of the project site. Silcrete, a raw material used by Aboriginal people across Sydney Basin, was extracted from underlying Tertiary period geology called the St Marys formation. The silcrete raw material source at Plumpton Ridge was an important and extensively used quarry where extraction and tool manufacture activities took place.<sup>17</sup>

Most of the northern and eastern portions of the project site consist of artificially constructed terrain, associated with excavation and landscaping works that resulted from the construction of the Sydney Dragway. Several high artificially introduced hills and terraces rise to about 71 metres ASL, compared to the natural local elevation of the project site near Eastern Creek at about 58 metres ASL. Exposed soils on these artificial mounds and terraces show predominantly redeposited local clays and soils, with some localised areas where white and yellow non-local sands have been introduced.

The southern portion of the project site has not been heavily modified and consists of the local Blacktown residual soil landscape. This soil context has shallow to moderately deep hard setting clayey soils, with red and brown podzolic soils on crests grading to yellow podzolic soils on lower slopes and in drainage lines. These nutrient poor soils are highly erodible and hence are extremely susceptible to disturbance.

The far southwestern portion of the project site is adjacent to South Creek soil landscape where it borders on Eastern Creek. South creek soils are characterised as deep layered sediments over bedrock or relict soils. Plastic clays or structured loams occur in and immediately adjacent to drainage lines. Red and yellow podzolic soils are most common on terraces with small areas of structured grey clays, leached clay and yellow solodic soils. This area is also susceptible to flooding from Eastern Creek.

<sup>16</sup> Clark, N.R., and Jones, D.C., 1991. *Penrith 1:100,000 Geological Sheet 9030, 1<sup>st</sup> Edition*. Geological Survey of New South Wales, Sydney

<sup>17</sup> Jo McDonald CHM Pty Ltd. 2006. Archaeological Salvage Excavation of the Colebee Release Area, Schofields, NSW, Volume 1. Report prepared for Medallist Golf Holdings Pty Ltd.



## 6.2 Hydrology and vegetation

The project site is located on a gently sloping landform which borders the upper portion of Eastern Creek. Eastern Creek is a major creek which rises in Horsley Park about 4.5 kilometres to the south of the project site and joins into South Creek about 20 kilometres north of the project site before flowing into the Hawkesbury River. Eastern Creek is known to have localised flooding. Prospect Creek is located 2.3 kilometres to the southeast, which has been artificially dammed to form Prospect Reservoir. The nearest waters of the artificial Prospect Reservoir are located about 450 metres east of the project site.

Prior to the construction of the Prospect Reservoir in the 1880s, Eastern Creek was the largest body of water in the Prospect area. Due to the heavily modified topography of much of the project site, no other permanent water courses are located within this area and ephemeral drainage lines that exist today are largely artificial. Eastern Creek near the project site is in poor health, with heavily eroded creek banks and evidence of industrial and septic runoff.

The vegetation in and near the project site has been mostly impacted by agricultural clearing in the nineteenth century and industrial development in the twentieth century. The project site would have once been covered by open Cumberland Plain Woodland, which is typical of the Wianamatta Group shale geology. Tree species would have included Forest Red Gum (*Eucalyptus tereticornis*), Sydney Blue Gum (*E. saligna*) and Grey Box (*E. moluccana*). The understory would likely have consisted of grass species, including spear grass, and shrub species such as blackthorn. While much of the project site has been cleared of vegetation, one small area near the project site (associated with survey unit 9) has regrowth remnant Cumberland Plain Woodland, which demonstrates the original vegetation in the Eastern Creek area.

## 6.3 European history and land use

The historical period in New South Wales began with European land settlement in 1788 when Arthur Phillip claimed possession of the land now known as Australia, on behalf of the British Government. European exploration within Prospect began within the first year of settlement. On 26 April 1788, Governor Arthur Phillip led an expedition party west from Sydney Cove, climbing what would later be known as Prospect Hill (about four kilometres east of the project site).<sup>18</sup>

Early land grants within and near the project site were allotted to European settlers in the early 1800s. Notable grants included 300 acres made to emancipist John Jaques on 17 August 1812.<sup>19</sup> Additional grants within the project site included 50 acres to Joseph Kearns, George Smith, Pearce Collets, Thomas Howard and John Watts; and 60 acres to Richard Partridge. By 1820, much of the land within the area had been cleared, and a number of further land grants made bordering the fertile land near Eastern Creek.

Following the decline of the cereal grain industry during the 1870s, farming in the wider Prospect area shifted from crop growing to livestock rearing. Many of the earliest structures made by the first European settlers in the region had been demolished by this point and land at Prospect continued to be used for pasturage up until the construction of the Prospect Reservoir. Prospect Reservoir was constructed from 1880 to 1888 and involved the damming of Prospect Creek, to form a storage facility for inflowing waters from the Upper Canal which brought water from the Upper Nepean dams to

<sup>18</sup> OEH, 2001. 'Prospect Hill'. Access online 27 February 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5051526>

<sup>19</sup> Early Hawkesbury Records, June 1897, p. 11.

metropolitan Sydney.<sup>20</sup> The Warragamba Pipeline, directly to the south of the project site, was constructed in the 1960s to draw additional water into the reservoir to supply Sydney's water needs.

The region around the project site continued in use for grazing and agriculture until the 1960s when motorsport facilities were constructed to the north (now called Sydney Motorsports Park (operated by the Australian Racing Drivers' Club)). The development of motorsport raceways in the area resulted in widespread alterations to the land. The Sydney Dragway was constructed in the eastern portion of the project site in 2004 and involved extensive landscaping and terrace mounding for much of the northern and eastern portions of the project site.<sup>21</sup> The former road alignment of Ferrers Road was altered to its current location at this time, with the construction and upgrading of stormwater culverts near and underneath the road.

A small portion of land located between the northern and central parts of the project site was preserved as Cumberland Plain endangered woodland. While a high voltage transmission line was constructed through this area, the remainder of the landform in this location is largely original and intact. The southern portion of the project site directly adjacent to Eastern Creek has also not been heavily modified, however racing events have been conducted in this property by private motorsport clubs and this has resulted in localised areas of earth mounding and levelling.

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<sup>20</sup> OEH, 2001. 'Prospect Reservoir and surrounding area'. Accessed online 27 February 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045336>

<sup>21</sup> Sydney Dragway, 2013. 'About Our Venue'. Accessed online 2 March 2020, <http://www.sydneydragway.com.au/about-our-venue/>

## 7.0 ARCHAEOLOGICAL CONTEXT

### 7.1 Aboriginal histories of the locality

Aboriginal people have lived in the Sydney area for more than 20,000 years. The oldest securely dated site in the greater Sydney region is 17,800 years Before Present (yBP), which was recorded in a rock shelter at Shaw's Creek.<sup>22</sup> Evidence of Aboriginal occupation has been found dated to 50-60,000 yBP at Lake Mungo in NSW, so it is likely that Aboriginal people have lived in the Sydney region for even longer than indicated by the oldest recorded dates we have at present. The archaeological material record provides evidence of this long occupation, but also provides evidence of a dynamic culture that has changed through time.

The existing archaeological record is limited to certain materials and objects that were able to withstand degradation and decay. As a result, the most common type of Aboriginal objects remaining in the archaeological record are stone artefacts. Archaeological analyses of these artefacts in their contexts have provided the basis for the interpretation of change in material culture over time. Technologies used for making tools changed, along with preference of raw material. Different types of tools appeared at certain times, for example ground stone hatchets are first observed in the archaeological record around 4,000 yBP in the Sydney region.<sup>23</sup> It is argued that these changes in material culture were an indication of changes in social organisation and behaviour.

After 8,500 yBP silcrete was more dominant as a raw material, and bifacial flaking became the most common technique for tool manufacture. From about 4,000 yBP to 1,000 yBP backed artefacts appear more frequently. Tool manufacture techniques become more varied and bipolar flaking increases.<sup>24</sup> It has been argued that from 1,400 to 1,000 years before contact there is evidence of a decline in tool manufacture. This reduction may be the result of decreased tool making, an increase in the use of organic materials, changes in the way tools were made, or changes in what types of tools were preferred.<sup>25</sup> The reduction in evidence coincides with the reduction in frequency of backed blades as a percentage of the assemblage.

Prior to the appropriation of their land by Europeans, Aboriginal people lived in small bands and were part of clan groups that were associated with particular territories or places. It seems that territorial boundaries were fairly fluid, although details are not known. The language group spoken on the Cumberland Plain is known as Darug (Dharruk – alternative spelling). This term was used for the first time in 1900<sup>26</sup> as before the late 1800s language groups or dialects were not discussed in literature.<sup>27</sup> The Darug language group is thought to have extended from Appin in the south to the Hawkesbury River, west of the Georges River, Parramatta, the Lane Cove River and to Berowra Creek.<sup>28</sup> This area was home to a number of different clan groups throughout the Cumberland Plain. It is possible that the project site is within the country of the Warrawarry clan of the Darug people.

<sup>22</sup> Nanson, G.C., Young, R.W., & Stockton, E.D. 1987. Chronology and palaeoenvironment of the Cranebrook Terrace (near Sydney) containing artefacts more than 40,000 years old. *Archaeology in Oceania*, 22 (2): 72-78.

<sup>23</sup> Attenbrow, V. 2010. *Sydney's Aboriginal Past: Investigating the Archaeological and Historical Records* University of New South Wales Press Ltd, Sydney. p.102.

<sup>24</sup> Jo McDonald CHM Pty Ltd. 2006

<sup>25</sup> *Op cit.* p. 102.

<sup>26</sup> Matthews R.H. and Everitt M.M. 1900. The organisation, language and initiation ceremonies of the Aborigines of the south-east coast of N.S. Wales. *Journal and Proceedings of the Royal Society of NSW*. 34:262-81.

<sup>27</sup> *Op cit.* p. 31

<sup>28</sup> *Ibid.* p. 34.

British colonisation had a profound and devastating effect on the Aboriginal population of the Sydney region, including Darug speakers. In the early days of the colony, Aboriginal people were disenfranchised from their land as the British claimed areas for settlement and agriculture. The colonists, often at the expense of the local Aboriginal groups, also claimed resources such as pasture, timber, fishing grounds and water sources. Overall, the devastation of the Aboriginal culture did not come about through war with the British, but instead through disease and forced removal from traditional lands. It is thought that during the 1789 smallpox epidemic over half of the Aboriginal people of the Sydney region died. The disease spread west to the Darug of the Cumberland Plain and north to the Hawkesbury. It may have in fact spread much further afield, over the Blue Mountains.<sup>29</sup> This loss of life meant that some of the Aboriginal groups who lived away from the coastal settlement of Sydney may have disappeared entirely before Europeans could observe them or record their clan names.<sup>30</sup>

The British initially thought that Aboriginal people did not live inland but were confined to the coast taking advantage of the abundant marine resources available. The first major expeditions into the interior did not witness any Aboriginal people, but evidence of their existence was noted. In April 1788 Governor Philip led an expedition west to Prospect Hill. It was noted,<sup>31</sup>

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...that these parts are frequented by the natives was undeniably proved by the temporary huts which were seen in several places. Near one of these huts, the bones of kangaroo were found, and several trees where seen on fire.

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In 1789, Captain Watkin Tench led an expedition to the Nepean River. He noted that:<sup>32</sup>

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*Traces of the natives appeared at every step, sometimes in their hunting huts which consist of nothing more than a large piece of bark bent in the middle and opened at both ends, exactly resembling two cards set up to form an acute angle; sometimes in marks on trees which they had climbed; or in squirrel-traps... We also met with two old damaged canoes hauled up on the beach.*

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It was not until rural settlement began in the western Cumberland Plain, around 1791 that the colonists and Aboriginal people came face to face. Relations quickly disintegrated, and tensions over land and resources spilled over. Governor King sanctioned the shooting of Aboriginal peoples in a General Order made in 1801.<sup>33</sup> Intermittent killings on both sides continued for over 15 years, including the Appin massacre and attacks at South Creek in 1816.<sup>34</sup>

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<sup>29</sup> Butlin, N. 1983. *Our original aggression: Aboriginal populations in southeastern Australia 1810-150*, Melbourne, Cambridge University Press.

<sup>30</sup> Karskens, G. 2010. *The Colony: A History of Early Sydney*. Allen and Unwin, Sydney. p. 452.

<sup>31</sup> Stockdale, J. (compiler) 1789. *The voyage of Governor Phillip to Botany Bay, with an Account of the Establishment of the colonies of Port Jackson and Norfolk Island compiled from Authentic Papers*. John Stockdale, Piccadilly, London.

<sup>32</sup> Tench, W. 1789. *Sydney's first four years: being a reprint of A narrative of the expedition to Botany Bay and A complete account of the settlement at Port Jackson*. Reprinted in 1961. (Angus and Robertson in association with RAHS).

<sup>33</sup> Kohen, J.L., 1986. *An Archaeological Study of Aboriginal Sites within the City of Blacktown*. Report prepared for Blacktown City Council. p. 24.

<sup>34</sup> Karskens, G. 2010. p. 225.

Although tensions existed between Aboriginal people and colonialists on the Cumberland Plain, a number of Aboriginal families continued to live semi-traditional lives in the area. The project site is located in close proximity to a number of sites of importance in the early history of Aboriginal and colonial interaction. In 1805, a meeting was held near Prospect Hill, to the north-east of the project site, to discuss an end to the conflict in the local area. The meeting was arranged by Reverend Samuel Marsden, on the suggestion of local Aboriginal groups, and was mediated by a group of Aboriginal women and John Kennedy, a free settler.

The government policy of removal of Aboriginal children from their parents in order to assimilate them into white society began fairly early on in the colony's history and was epitomized by the development of the Native Institution at Parramatta in 1814. This facility was moved to the Black Town settlement in 1823 about nine kilometres to the north of the current project site. It was closed in 1829 and the land subsequently used for farming.<sup>35</sup>

Descendants of Darug language speakers continue to live in Western Sydney along with Aboriginal people from other areas of NSW. The Aboriginal groups in their comments on this study will address the contemporary cultural, social and spiritual meanings of the locality.

## 7.2 Registered Aboriginal sites

An extensive search of the Aboriginal Heritage Information System (AHIMS) database was conducted on 10 February 2020 with the aim of identifying Aboriginal sites registered within, or in the vicinity of, the project site. The search was carried out using the following parameters:

GDA 1994 MGA 56	302215 - 303156 m E 6255498 - 6256864m N
Buffer	1000 m
Number of sites	53

The AHIMS extensive search area, with the distribution of recorded sites is shown on Figure 12.

A total of 53 registered Aboriginal sites were identified in the extensive AHIMS search area. Of these, two have been listed as destroyed, deleted or not a site.

The frequency of recorded site features from the AHIMS search is summarised in Table 5. A registered Aboriginal site is made up of one or more features and these features should not be confused with registered Aboriginal site. DPIE lists 20 standard site features that can be used to describe a site registered with AHIMS. For the 53 sites in the region around the project site, almost all (n=52) were artefact sites. The one remaining site was a PAD site.

<sup>35</sup> Karskens, G. 2010. Norman, H. 2015. "Parramatta and Black Town Native Institutions", Dictionary of Sydney. Accessed online 20 March 2020: [https://dictionaryofsydney.org/entry/parramatta\\_and\\_black\\_town\\_native\\_institutions](https://dictionaryofsydney.org/entry/parramatta_and_black_town_native_institutions)



**Table 5 Frequency and percentage of site features in extensive AHIMS search**

Site Feature	Frequency	Percentage
Artefact	52	98.1%
Potential Archaeological Deposit (PAD)	1	1.9%
<b>Total</b>	<b>53</b>	<b>100</b>

One artefact site is located within the project site, while three artefact sites were located within 50 metres of the project site. These AHIMS registered sites are discussed in Section 9.1.

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**Figure 12 Distribution of AHIMS registered sites**

## 7.3 Previous archaeological investigations

### 7.3.1 Introduction

Archaeological surveys have taken place in the Eastern Creek and Prospect areas which have identified a number of surface artefact sites and areas of archaeological potential. Several of these sites have been archaeologically investigated. This section discusses the results of relevant archaeological investigations in the vicinity of the project site.

### 7.3.2 Sydney International Grand Prix Circuit, Eastern Creek, archaeological survey

David Crew<sup>36</sup> undertook an archaeological survey of the proposed Grand Prix Circuit (now the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club)) in Eastern Creek in 1989, located directly to the north of the project site. Prior to the construction of the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club), the area consisted of cleared agricultural ground on moderate relief Cumberland Plain hills.

Nine surface stone artefact scatters and ten isolated stone artefact sites were identified during the archaeological survey. Artefacts consisted of silcrete, chert and quartz flakes, cores and backed artefacts. Some identified artefact scatters were indicative of stone tool reduction activities in those locations.

Artefact sites were identified in areas with good ground visibility, and areas with potential for sub-surface artefacts were identified close to permanent water courses, in particular Eastern Creek. A program of archaeological testing, archaeological salvage and the surface collection of artefacts was proposed. No data on the completion of these activities is available. Aboriginal sites identified during the survey program have now been impacted by the construction of the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club), however their AHIMS data has not been updated to indicate that they have been destroyed.

### 7.3.3 Eastern Creek Dragway archaeological investigation

Navin Officer Heritage Consultants (2002) undertook Aboriginal archaeological investigation of the Sydney Dragway site prior to the construction of the facility by 2004.<sup>37</sup> At the time the Dragway site consisted of low rolling hills with gentle gradients and which had been previously cleared for grazing and agriculture, with a pig and poultry farm present in the footprint of the proposed development.

One area of PAD was identified (PAD DW1) within the Sydney Dragway site, located about 200 metres east of the Sydney International Speedway project site. This site was excavated using machine excavation to conduct 'grader scrapes', whereby a machine excavator bucket removes small amounts of topsoil in successive vertical 'scrapes' to expose subsurface material. Ten Aboriginal stone artefacts were identified, consisting of silcrete and mudstone flake fragments and cores, including some small retouched blades and backed blades.

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<sup>36</sup> Crew, D. 1989. *Archaeological Survey of Proposed Sydney International Grand Prix Circuit, Eastern Creek, Near Blacktown NSW*. Report prepared for NSW Department of Sport, Recreation and Racing.

<sup>37</sup> Navin Officer Heritage Consultants, 2002. *Eastern Creek Dragway: Further Archaeological Investigations*. Report prepared for NSW Department of Public Works and Services.

Navin Officer concluded that based on the size of the area investigated compared to the number of artefacts identified, the artefact deposit indicated a 'background scatter' of Aboriginal tools. A 'background scatter' was defined as the low level deposition of artefacts across a landscape which; while deposited by Aboriginal people, are too few in number and spatial density to indicate a specific occupational or stone working event on the landscape. This site was determined to be of low scientific significance.

This site was registered as "ECD1" (AHIMS # 45-5-2818) and was removed under widespread earthworks for the construction of the Sydney Dragway. The site is listed on AHIMS and has not been updated to reflect the fact that the site has been destroyed.

#### 7.3.4 Bungarribee Precinct Archaeological Salvage excavation

Archaeological survey and excavation were conducted by Artefact<sup>38</sup> in Bungarribee Park in 2014, to the north of the Great Western Highway and about three kilometres north of the current project site. The Bungarribee Parkland is located on the eastern bank of Eastern Creek in a similar landform context to the southern portion of the project site. Two salvage excavation areas were dug at Bungarribee Park as a mitigation measure for impacts to 11 identified Aboriginal sites in the park.

The Bungarribee North salvage area was situated within the South Creek soil landscape within an undulating floodplain landform near Eastern Creek. A total of 287 stone artefacts, weighing a maximum total of 148.35 grams, were recovered from 18 excavation units. The salvage excavations carried out at Bungarribee North uncovered a moderate density stone artefact assemblage which exhibits some distinctive types of stone reduction activities. The stone artefact analysis demonstrated that knapping events were carried out in this location. The formal tool types are associated with the Australian Small Tool Tradition and are typical of a Bondaian assemblage (likely dating anywhere from 8,000 BP up until the contact period). Preference of raw material use for the production of formal tools is indicated as all of the tools were composed of mudstone. No silcrete tools were identified.

The Bungarribee South salvage area was situated within the Blacktown soil landscape on raised terrain associated with a first order watercourse flowing into the Bungarribee and Eastern Creek floodplains. A total of 37 units were excavated within this area. A total of 346 stone artefacts, weighing a maximum total of 935.76 grams, were recovered from the Bungarribee South area as a result of the salvage excavations.

The salvage excavations carried out at Bungarribee South uncovered a low density stone artefact assemblage of small to medium size flakes, angular fragments and cores. One artefact was identified as having some scalar retouch with evidence of use-wear and defined as a utilised flake. The raw materials utilised at the site are common in the region. No evidence of intensive occupation of the site or the manufacture of stone tools was identified. The assemblage was interpreted as opportunistic general stone reduction and discard rather than intensive occupation or site use reflective of transient campsites related to the movement of Aboriginal people across the landscape.

The salvage excavations found that the landform contexts are associated with two different types of archaeological sites which exhibit different types of stone artefact reduction techniques or behaviours.

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<sup>38</sup> Artefact Heritage 2015. *Bungarribee Precinct Masterplan Stages 1, 2 and 3. Archaeological Salvage excavation report*. Report to Western Sydney Parklands Trust.

### 7.3.5 Archaeological survey for Aboriginal sites at the former CSIRO Animal Research Laboratory, Prospect, NSW

Jo MacDonald Cultural Heritage Management<sup>39</sup> completed an Aboriginal archaeological survey at the CSIRO lands located immediately to the east of Prospect Reservoir and about 4.5 kilometres east of the project site. Fieldwork consisted of a pedestrian survey focusing on land previously unsurveyed on the western side of tributary creek to target any area of ground surface exposure. They identified large areas of disturbance and vegetation clearance resulting from extensive pastoral use, quarrying cultivation and building activities. An area of about 59 hectares was surveyed with no new Aboriginal sites identified, however three new areas of potential archaeological deposits were identified. PAD 2 was assessed as having moderate archaeological potential as a representative sample of ridge crest/mid hillslope landform on the north eastern slopes of Prospect Hill. PAD 3 was assessed as having moderate archaeological potential with relatively undisturbed vegetation and potential for intact deposits or burials. PAD 4 was assessed as having low archaeological potential due to severe disturbance of the area.

## 7.4 Predictive model

Based on the results of the AHIMS extensive search, historical research on the European land use of the project site, and an understanding of previous archaeological investigations near the project site, the following predictive statements for identifying Aboriginal sites have been developed:

- Ground disturbing activities caused by European settlers, particularly large scale earthworks during the twentieth century, greatly reduce the likelihood of identifying Aboriginal sites within localised areas of disturbance.
- AHIMS data indicates that a number of former surface and subsurface artefact sites are located near the project site, however these sites have all been destroyed by the construction of motorsport facilities in the surrounding area.
- The project site has previously been heavily modified by large scale earthworks to create the Sydney Dragway to the east of the project site. In particular, tall terraces in the north, centre and east of the project site are entirely artificial landforms. Aboriginal sites are not anticipated in these areas.
- Surface artefact sites are identifiable in areas where ground exposures are present, and that grass and vegetation cover largely prevent identifying surface artefacts.
- Subsurface artefact sites are expected to be located in areas where modern ground disturbance is limited and where soil deposits are of reasonable depth to preserve them. These criteria are only met within the study area in the southern portion of the project site and in the preserved Cumberland Plain woodland located between the Carpark C and carpark D of the project site.
- Archaeological excavation in Western Sydney has often identified higher densities of subsurface artefacts in areas which are near primary water courses. In particular, Eastern Creek has been identified as a water body near which Aboriginal people occupied for a variety of activities, inferred by localised high densities of sub-surface artefacts in proximity to this water course.

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<sup>39</sup> Jo MacDonald CHM 2002.



- Further away from water courses, Aboriginal sites are still likely to be present, however these sites are more likely to be present on spur crests or terraces overlooking water courses.
- Isolated sub-surface artefacts can also be expected across the whole of Western Sydney in areas with limited ground disturbance, however excavation of these sites often indicates that their artefact deposition represents isolated events and not evidence of site occupation activities.

## 8.0 ARCHAEOLOGICAL SURVEY RESULTS

### 8.1 Archaeological survey coverage

During the site inspection, the study area was divided into discrete survey units, based on landform in each location, in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. One survey unit (survey unit 9) was also included in the study area for the area of the Cumberland Plain woodland located between carpark C and carpark D of the project site, as AHIMS registered sites were identified in this location.

Overall, artificial landforms in the project site had good visibility due to the use of vehicle and parking in these areas. Survey units of original landforms tended to be heavily grassed, with poor surface visibility.

A summary of the survey coverage of all survey units, according to the methodology outlined in the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, is provided in Table 6 and Table 7. The locations of the survey units are illustrated in Figure 5.

**Table 6 Effective survey coverage**

Survey unit	Landform	Survey unit area (sq. m)	Visibility (%)	Exposure (%)	Effective coverage area (sq. m)	Effective coverage (%)
<b>Survey Unit 1</b>	Artificial terrace	928	50%	30%	139.2	15.00%
<b>Survey Unit 2</b>	Artificial terrace	685	30%	20%	41.10	6.00%
<b>Survey Unit 3</b>	Artificial terrace	818	80%	20%	130.88	16.00%
<b>Survey Unit 4</b>	Gentle slope	647	60%	20%	77.64	12.00%
<b>Survey Unit 5</b>	Artificial terrace	1,333	50%	10%	66.65	5.00%
<b>Survey Unit 6</b>	Artificial terrace	1,449	50%	10%	72.45	5.00%
<b>Survey Unit 7</b>	Modified slope	1,459	20%	20%	58.36	4.00%
<b>Survey Unit 8</b>	Gentle slope	1,149	5%	5%	2.87	0.25%
<b>Survey Unit 9</b>	Plain	1,195	5%	5%	2.99	0.25%

**Table 7 Landform survey coverage**

Landform	Landform Area (sq. m)	Area effectively surveyed (sq. m)	% of landform effectively surveyed	Number of sites identified
<b>Artificial Terrace</b>	5,213	450.28	8.64%	0
<b>Modified Slope</b>	1,459	58.36	4.00%	0
<b>Gentle Slope</b>	1,796	80.51	4.48%	0
<b>Plain</b>	1,195	2.995	0.25%	0

## 8.2 Description of survey units

### 8.2.1 Survey unit 1

Survey unit 1 is located in the northeast of the study area. This survey unit consists of a level terrace in the south and an artificial hill in the north of the unit. The southern terrace is currently used for carparking for motorsport events (Figure 13) and the imported gravels, sand and road base is clearly visible (Figure 14). The southern terrace is about six metres higher in elevation than the natural ground to the south and east (Figure 15).

The northern portion of the survey unit consists of a high artificial hill (Figure 16), with four-wheel drive tracks cut into the hillside. This area is covered in thick grass with areas of exposed ground caused by vehicle transit. A demountable is present on the top of the hill (Figure 17), with stockpile areas and infilled sand present where vehicle tracks have become destabilised (Figure 18). Artificial mounds and tracks have been cut into the top of the hill. Vehicle access roads have rutted (Figure 19) and caused heavily eroded areas on the side of the slope (Figure 20).

The entirety of survey unit 1 was classified as disturbed ground as it shows evidence of being artificially created for motorsport activities.



**Figure 13 View south of open carpark in southern portion of survey unit**



**Figure 14 View west of ground surface in carpark, showing imported gravels, ironstone and bitumen.**





**Figure 15** View west of edge of carpark showing artificial edge to terrace with lower unmodified plain (survey unit 9) on right



**Figure 16** View north of carpark with artificial hill summit in background



**Figure 17** View southwest of demountable structure on summit of hill in north of survey unit.



**Figure 18** View south of imported sand to stabilise driving tracks on summit of northern part of survey unit.



**Figure 19** View north of vehicle ruts on edge of the artificial hillside.



**Figure 20** View east of heavily eroded vehicle track rising to summit of northern portion of survey unit.



### 8.2.2 Survey unit 2

Survey unit 2 is located in the northwest of the study area. This survey unit consists of a formalised overflow parking area used for the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club) and Sydney Dragway. The survey unit is located on an artificial level terrace and is covered in hardstand for roadways and parking (Figure 21), as well as open ground with a low grass cover (Figure 22). Lighting structures are present within the carpark (Figure 23), and demountable and storage areas are located in the south of the survey unit. Thin regrowth eucalypt trees are located on the western edge of the survey unit, on the edge of the artificial terraced embankment (Figure 24).



Figure 21 View northeast of bitumen access roads in carpark.



Figure 22 View east of low grass cover with ponding rainwater.



Figure 23 View south of lighting structures in carpark.



Figure 24 View south of edge of carpark with regrowth eucalypts in right of image.



### 8.2.3 Survey unit 3

Survey unit 3 is located in the centre of the study area, immediately to the south of the preserved Cumberland Plain woodland and accessed from a roundabout from Ferrers Road to the west. This survey unit consists of overflow parking for the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club). The carpark is located on an artificial terrace (Figure 25) which rises up to four metres in elevation above the surrounding natural landscape. A storage demountable is present in the carpark (Figure 26). The ground surface has very high visibility and is largely covered with imported gravels and road base (Figure 27). Where gravel is not present, the artificial terrace shows signs of ponding and erosion (Figure 28).



**Figure 25 View west of artificial level terrace used for overflow carparking.**



**Figure 26 View northwest of demountable storage unit and regrowth eucalypts on the edge of survey unit.**



**Figure 27 View west of detail of imported gravels and road base in survey unit 3 carpark.**



**Figure 28 View southwest of eroded surfaces with rain ponding and regrowth eucalypt on edge of survey unit 3.**

#### 8.2.4 Survey unit 4

Survey unit 4 is located in the centre of the study area, to the south of survey unit 3. The survey unit consists of a gentle sloped landform, with the elevation decreasing to the northwest. This area is used for overflow parking and for accessing informal racing tracks in the southern part of the study area. Wide areas of ground surface are visible in this survey unit, with skeletal clay subsoils often exposed (Figure 29). Road base and gravel has also been introduced to stabilise the surface in places (Figure 30). Regrowth eucalypt is present in small portions of the survey unit (Figure 31). The western portion of the survey unit contains a small hardstand carpark (Figure 32).

This survey unit is likely a partial remnant original landform and while evidence of earthworks in this area is present, minor cutting and levelling of the existing landform seems more likely than infilling or deep excavation.



**Figure 29** View east of exposed eroded soils on gentle slope.



**Figure 30** View northwest of imported gravels in overflow parking area with Ferrers Road in background.



**Figure 31** View northeast of regrowth eucalypt in survey unit 4.



**Figure 32** View southeast of hardstand carpark in survey unit 4.



### 8.2.5 Survey unit 5

Survey unit 5 is located in the southern portion of the study area, on an artificially terraced hill, with a second, taller artificially terraced hill located to the west (Figure 33) (survey unit 6). Survey unit 5 is used for overflow parking and is about 500 metres in length north to south. The survey unit is mostly covered in low grass (Figure 34), with exposed areas of ground present where vehicles have driven or parked (Figure 35). Rubbish has been dumped and artificial earthen mounds have been created (Figure 36) in the southern portion of the survey unit.



**Figure 33** View northwest of southern portion of survey unit 5, showing cleared ground and embankment on eastern side.



**Figure 34** View north of low grass within survey unit 5.



**Figure 35** View north of cleared roadway for informal driving events.



**Figure 36** View northwest of southern portion of survey unit 5, showing level ground and rubbish dumping.

### 8.2.6 Survey unit 6

Survey unit 6 is located on an artificial terrace of high elevation in the southern portion of the study area. The survey unit is located directly to the west of the Sydney Dragway and is about six metres higher in elevation than the adjacent racetrack (Figure 37). Exposures on the eastern embankment of the survey unit show that the slope has been stabilised using ample modern rubbish fill materials (rubber tyres, metal slag, broken sandstone, refer to Figure 38). This survey unit is used for unsealed road vehicle racing, as well as overflow parking for motorsport events, with imported sand, gravel and stone used to stabilise the surface for racing (Figure 39 and Figure 40). A construction compound site is also located in the north of the survey unit (Figure 41 and Figure 42).

One AHIMS listed site is located within this survey unit, however it was not able to be located during the site inspections. Due to the degree of ground disturbance in this area since the site was identified it was considered that the site had been destroyed by construction works for the Sydney Dragway. A discussion of this site is provided in Section 9.1.1.



**Figure 37** View southeast of edge of artificial terrace in survey unit 6 with Sydney Dragway in background.



**Figure 38** View south of modern rubbish in artificial embankment edge of survey unit 6.



**Figure 39** View west of imported gravels and sands in survey unit 6.



**Figure 40** View south of unsealed racing track in survey unit 6.





**Figure 41 View north of exposed ground near laydown area in northern portion of survey unit 6.**



**Figure 42 View north of working and storage compound in northern portion of survey unit 6.**

#### 8.2.7 Survey unit 7

Survey unit 7 consists of an outer embankment and the toe of the embankment on the western side of the study area. This survey unit includes the supporting embankment for the artificial terrace in survey unit 5. The embankment is covered in sparse regrowth eucalypt forest on the moderately steep slope (Figure 43). Subsurface bulk packing fill materials are exposed within the artificial terrace as a result of severe erosion, including large stone, gravels, large timbers and sandy non-local soils (Figure 44).

A vehicle access track is present at the toe of the embankment. While the embankment is comprised entirely of imported and modified ground, the toe of the embankment likely represents the natural ground level. Runoff channels have heavily eroded the ground in this location, and the natural Blacktown clay subsoil is exposed in several locations (Figure 45). In other places runoff has infilled exposed areas of ground with gravel colluvium that has eroded out of the artificial terrace (Figure 46).



**Figure 43 View southwest of regrowth eucalypt vegetation on edge of moderately sloped artificial embankment.**



**Figure 44 View east of erosional slip on edge of artificial embankment, showing internal fill materials.**





**Figure 45 View south of natural clay subsoil exposure on access track at base of embankment, Ferrers Road on right.**



**Figure 46 View north of accrued colluvium on access track at base of embankment.**

#### 8.2.8 Survey unit 8

Survey unit 8 is located at the southern end of the study area, situated between Ferrers Road and the easement for the Warragamba Pipeline (Figure 49). Eastern Creek directly borders the survey unit to the west. The survey unit consists of an open field about 380 metres in size east to west and 260 metres north to south (Figure 47 and Figure 48). This open field is used as an off road vehicle racing area by informal car racing clubs. A demarcated area in the eastern portion of the survey unit has been established for racing on stable ground, with gravels imported to stabilise the surface (Figure 50).

A drainage channel has been excavated through the centre of the survey unit, running east to west from a culvert underneath Ferrers Road (Figure 51) through the open field to Eastern Creek. Eastern Creek, to the west of the survey unit, is in poor condition, and there is significant erosion along the edges of the creek, with weedy vegetation throughout the area (Figure 52 and Figure 53).

The western portion of the survey unit, located outside of the project site and within the study area, is relatively flat and waterlogged and may be associated with former ephemeral tributaries or braids of Eastern Creek that have since disappeared. The western and northern portion of the survey unit consists of gently sloped ground with low relief finger spurs extending towards the creek (Figure 54). While the eastern portion of this survey unit shows generalised shallow ground disturbance and evidence of ground stabilisation for raceway tracks, the western portion of the survey unit shows a greater degree of intact ground, despite some localised areas of disturbance. Due to the relative degree of intactness and the proximity to Eastern Creek, an area of PAD (SIS PAD 01) has been identified in this survey unit near to the creek, which is described in more detail in Section 9.2.1.





**Figure 47** View east of eastern portion of survey unit 8, showing Ferrers Road in background.



**Figure 48** View north of uneven ground in eastern portion of survey unit 8 near fence line adjacent to Ferrers Road.



**Figure 49** View southwest of Warragamba Pipeline to south of survey unit 8.



**Figure 50** View west of demarcated racing area with infilled stabilising gravels in eastern portion of survey unit.



**Figure 51** View north of artificial stormwater culvert discharging runoff from below Ferrers Road into survey unit 8.



**Figure 52** View south of edge of Eastern Creek vegetation showing gentle slope towards creek line.





**Figure 53 View northwest of eucalypt and casuarina species in heavily polluted Eastern Creek, adjacent to the study area.**



**Figure 54 View southwest of gentle sloped ground adjacent to Eastern Creek, in northern portion of survey unit 8.**

#### 8.2.9 Survey unit 9

Survey unit 9 is situated outside of the project site, between carpark C and carpark D, and is about seven metres lower in elevation than the nearby survey units 1 and 3 to the north and south respectively (Figure 55). This survey unit contains a transmission line easement (Figure 56), as well as Commonwealth and State protected Cumberland Plain woodland vegetation, with sparse regrowth eucalypt species present (Figure 57). Trees have been cleared directly underneath the transmission line. The ground surface in this location is largely unmodified compared to the surrounding artificial hills. However, thick grass is present over much of this survey unit, and ground exposures are rare (Figure 58).

The extensive search identified two AHIMS registered sites within this survey unit (refer to section 7.2 and Figure 12), however they were not able to be located during the two site inspections, as they had likely been removed under an approved AHIP. These AHIMS sites are discussed in Section 9.1.2 and 9.1.3.

The majority of the ground in the survey unit was determined to be undisturbed, and due to the level ground and relative proximity of Eastern Creek, an area of PAD (SIS PAD 02) was identified within this survey unit. This area of PAD is discussed in more detail in Section 9.1.



**Figure 55 View southwest of transmission line easement and cleared ground.**



**Figure 56 View southwest of transmission line easement through survey unit 9.**



**Figure 57 View north of Cumberland Plain remnant woodland in survey unit 9.**



**Figure 58 View northeast of area of minor ground exposure in survey unit 9.**



## 9.0 SURVEY RESULTS

### 9.1 Inspection of previously registered AHIMS sites

#### 9.1.1 AHIMS site 'IF2' (AHIMS# 45-5-2602)

**Site Location** MGA 94 Zone 56 302834E 6255569N  
**Survey Unit 6**

**Site Description:** This site was listed as an artefact site located immediately to the west of the Sydney Dragway racetrack on the artificially constructed terrace within survey unit 6. No site card was available. The site area was reinspected, however despite reasonable ground visibility in the area of the site, no Aboriginal artefacts were identified.

The site location consisted of a level artificial terrace with a cleared access road. The access road was unsealed but was covered with significant quantities of road base and gravels to stabilise the track (Figure 59 and Figure 60). AHIMS information for this site indicated that a permit to harm Aboriginal objects was associated with the site. As the landform where this site was recorded as located was artificially constructed in 2004, it is considered that this artefact site has been destroyed during the construction of the Sydney Dragway.



**Figure 59 View east of site IF2 ground surface. Figure 60 View south of site IF2 ground surface.**

#### 9.1.2 AHIMS site 'EC6' (AHIMS# 45-5-2580/45-5-2596)

**Site Location:** MGA 94 Zone 56 302584 E 6256469N  
**Survey Unit 9**

**Site Description:** This site is located in the remnant Cumberland Plain woodland outside of the project site between carpark C and D, about 22 metres to the south of an artificially constructed hill where overflow parking for the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club) and Sydney Dragway is located. The available AHIMS information indicated that this was an artefact site. Site card information for this site was not available and archaeological reports associated for this site on the AHIMS database had been indexed in error and were for a different series of site. The site area was reinspected, however there was poor ground visibility and no Aboriginal artefacts were identified in this area.

The location of this AHIMS site consisted of level ground with thick grass and sparse eucalypt tree cover in the vicinity (Figure 61). The site is located immediately south of a steep (about seven metres high) embankment (Figure 62). This embankment was constructed in 2004 when parking facilities



were expanded for the Sydney Motorsports Park (operated by the Australian Racing Drivers' Club) and the Sydney Dragway. AHIMS information for this site indicated that an AHIP to harm Aboriginal objects was associated with the site. Due to the proximity of this site to the edge of the artificial embankment, it is considered likely that this site was surface collected or destroyed during construction works on the nearby carpark.



**Figure 61** View north of the grass ground at the EC6 site location.



**Figure 62** View north of artificial embankment directly to the north of the EC6 site location.

#### 9.1.3 AHIMS site 'EC7' (AHIMS# 45-5-2581/45-5-2597)

**Site Location:** MGA 94 Zone 56 302804E 6256339N

**Survey Unit 9**

**Site Description:** This site is located in the remnant Cumberland Plain woodland outside of the project site between carpark C and D, about 60 metres south of the transmission line easement and 90 metres to the west of an internal motorsport park access road. AHIMS information indicated that this was an artefact site. Site card information for this site was not available and archaeological reports associated with this site on the AHIMS database had been indexed in error and were for a different series of sites. The site area was reinspected, however even though there was good ground visibility no Aboriginal artefacts were identified.

The site location consisted of level ground with light grass and soil exposures (Figure 63) within a small clearing within the woodland used for additional Motorsport Park visitor parking (Figure 64). AHIMS information for this site indicated that a permit to harm Aboriginal objects was associated with the site. Due to the proximity of this site to parking areas it is considered possible that this site was surface collected during Motorsport Park expansion works.



**Figure 63 View of ground exposure at site location. South aspect.**



**Figure 64 View of open ground at site location, showing nearby fencing and sparse woodland. South-east aspect.**

## 9.2 Areas of archaeological potential

### 9.2.1 Sydney International Speedway PAD 01 (SIS PAD 01)

#### **Survey unit 8**

**Centroid:** MGA 94 Zone 56 302569E 6255550N

**Site length:** 250 metres (north to south)

**Site width:** 110 metres (east to west)

SIS PAD 01 is located within the western side of survey unit 8 and is associated with a gently undulating series of small spur lines and gentle slopes that overlook Eastern Creek about 20 metres to the west (Figure 65 and Figure 66). The southern portion of the PAD is lower in elevation and slightly more level ground. This area of PAD is located outside of the boundaries of the project site.

Surface visibility across SIS PAD 01 was poor due to dense grass cover. There was evidence of localised areas of ground disturbance. While portions of SIS PAD 01 have been used for off-road vehicle racing, soil deposits near to Eastern Creek are expected to be comparatively deep. The degree of relatively shallow surface ground disturbance was assessed as likely to locally displace Aboriginal objects within the site but would not be likely to remove all archaeological remains.

Steven Randall (Deerubbin LALC), also confirmed during the site inspection that the proximity to Eastern Creek and the relative intactness of the ground in this area indicated that this area was likely a PAD.

The location of this area of SIS PAD 01 is illustrated in Figure 67.

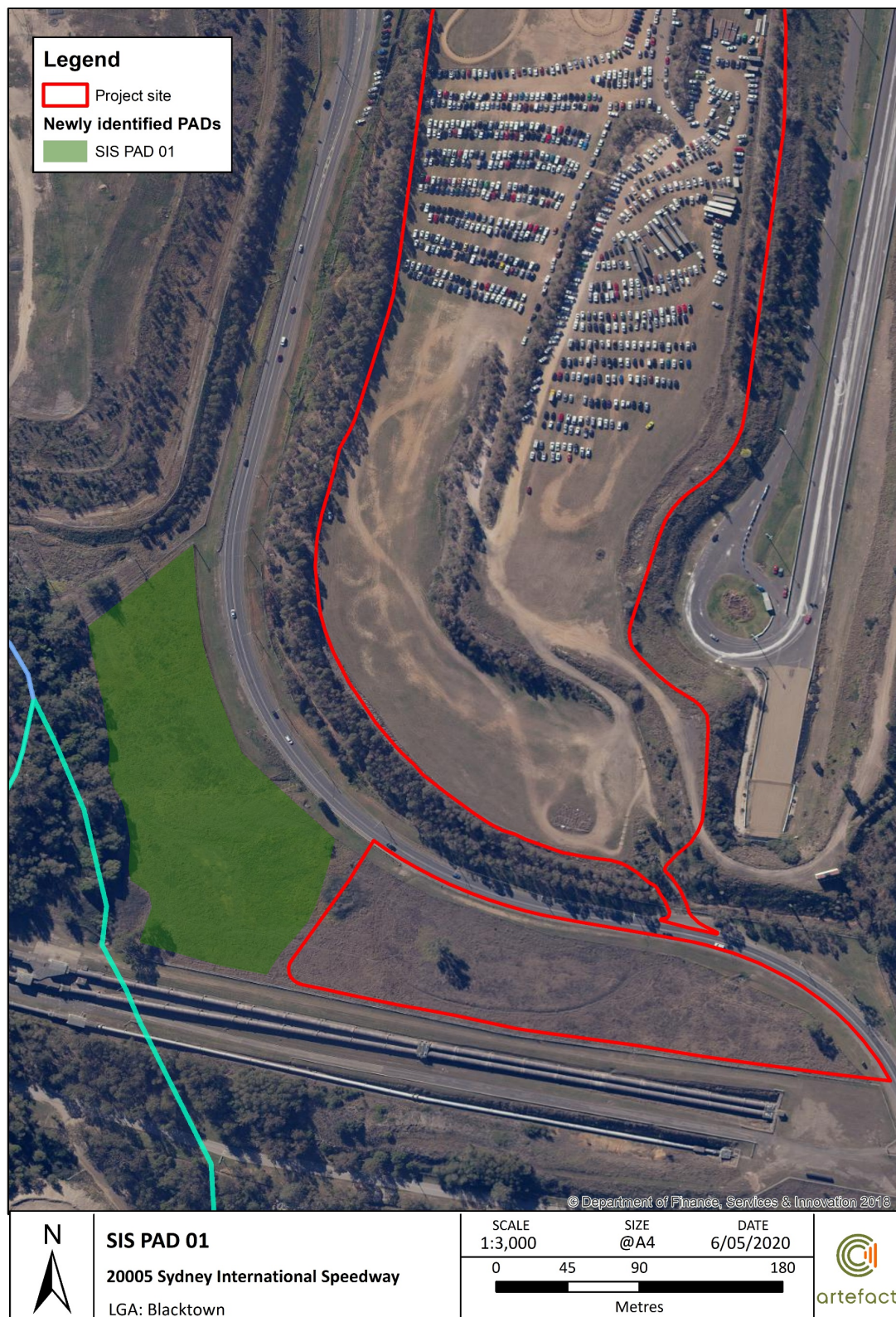


**Figure 65 View northwest of ground near Eastern Creek showing intact creek terrace.**



**Figure 66 View north of gently sloping landform adjacent to Eastern Creek.**





Document Path: D:\GIS\GIS\_Mapping\20005 Speedway\MXD\20005\_PADS\_v1\_200429.mxd

**Figure 67 Location of SIS PAD 01**



### 9.2.2 Sydney International Speedway PAD 02 (SIS PAD 02)

#### Survey Unit 9

**Centroid:** MGA 94 Zone 56 302641E 6256359 N

**Site length:** 200 metres (north to south)

**Site width:** 345 metres (east to west)

SIS PAD 02 is located within survey unit 9, which is located outside of the project site, between carpark C and D. Survey unit 9 encompasses the majority of this survey unit. This area consists of Cumberland Plain remnant woodland which has been preserved while extensive earthwork and construction activities have taken place around it. The ground is largely level, with a gentle slope on the southern side of the PAD. An ephemeral drainage channel runs southeast to northwest through the central portion of the PAD. Regrowth eucalypt is present throughout the PAD (Figure 68 and Figure 69).

A transmission line easement is located through the centre of the PAD. Ground disturbance caused by tree clearing is considered to be relatively minor and has been assessed as not significantly impacting the soil profile. Aboriginal artefacts would not have been removed from these activities.

Steven Randall (Deerubbin LALC), also confirmed during the site inspection that the proximity to a former well drained water course and the good intactness of the ground in this area indicated that this area was likely a PAD.

The location of this area of PAD is illustrated in Figure 70.



**Figure 68 View of south of cleared ground and regrowth eucalypt in SIS PAD 02.**

**Figure 69 View north of cleared ground and regrowth eucalypt in SIS PAD 02.**



Figure removed for public display

**Figure 70 Location of SIS PAD 02**

## 10.0 SIGNIFICANCE ASSESSMENT

This section presents a significance assessment for all identified Aboriginal sites within the project site. Many of the significance values of any identified area of PAD would not be known with certainty until after archaeological excavation is completed and the significance of archaeological deposits can be assessed. The significance assessment criteria are outlined in Section 3.2.

### 10.1 Social significance

#### 10.1.1 Cultural landscape

The World Heritage Convention of United Nations Educational, Scientific and Cultural Organisation (UNESCO) defines a cultural landscape as one which has 'powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be insignificant or even absent.'<sup>40</sup> The relationship between Aboriginal Australians and the land is conceived in spiritual terms rather than primarily in material terms<sup>41</sup>. Aboriginal cultural knowledge has been defined as:

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*Accumulated knowledge which encompasses spiritual relationships, relationships with the natural environment and the sustainable use of natural resources, and relationships between people, which are reflected in language, narratives, social organisation, values, beliefs and cultural laws and custom (Andrews et al 2006).*

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Aboriginal cultural knowledge was traditionally bequeathed through oral traditions from generation to generation. Within all Aboriginal communities there was a time of dislocation and upheaval associated with the arrival of colonial settlers. This widespread disruption resulted in much of the detailed knowledge and understanding of many of the elements of the cultural landscape being lost from the Aboriginal community, nonetheless many Aboriginal people maintain a strong connection to the land of their ancestors and collectively possess a wealth of knowledge passed down through the generations.

#### 10.1.2 Identified Aboriginal cultural heritage values

Aboriginal stakeholders have identified that the Eastern Creek area was considered a highly spiritually significant place, and that the confluence of creek line would have ensured that food resources would have been abundant in the area for Aboriginal people.

While the Eastern Creek area is considered culturally significant, the high degree of disturbance to the local landform which characterises the majority of the project site limits the connection and contribution of land within the project site to this broader cultural significance. Areas of less ground disturbance within the study area still demonstrate this cultural significance, although these are relatively small compared with the overall study area. Overall, the study area demonstrates moderate cultural significance.

Sydney Metro will seek comment from registered Aboriginal stakeholders with respect to the social values identified in the study area during the public exhibition of the Environmental Impact Statement. The outcomes of this will be documented within the final version of this Aboriginal Cultural Assessment Report.

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<sup>40</sup> UNESCO 1991

<sup>41</sup> Andrews et al 2006

## 10.2 Historic significance

Sydney Metro will seek comment from registered Aboriginal stakeholders with respect to the historic cultural values identified in the study area during the public exhibition of the Environmental Impact Statement. The outcomes of this will be documented within the final version of this Aboriginal Cultural Assessment Report.

## 10.3 Scientific significance

Archaeological values refer to the archaeological or scientific attributes of a landscape or area. These are characterised using archaeological criteria such as archaeological potential, rarity or the archaeological resource and disturbance.

### 10.3.1 Scientific significance of AHIMS sites in the study area

The extensive AHIMS search identified one AHIMS site within the project site, with another two AHIMS sites located between carpark C and carpark D of the project site, within the study area. These sites were not able to be located during the site inspection and the AHIMS register indicates that permits to approve harm to Aboriginal objects are associated with all three sites. It has been concluded that these sites are no longer present.

As such, the AHIMS listed artefact sites below are considered to have nil scientific significance as they have been removed.

- IF2 (AHIMS# 45-5-2602)
- EC6 (AHIMS# 45-5-2580/45-5-2596)
- EC7 (AHIMS# 45-5-2581/45-5-2597)

### 10.3.2 Scientific significance of SIS PAD 01

SIS PAD 01 was identified based on the relatively intact landform in close proximity to Eastern Creek. Low relief spur crests were present in this area which are adjacent to Eastern Creek, which previous archaeological investigations indicate are often artefact bearing. Sites near water courses can also provide information on occupation and tool making activities. While the landform is intact in this area, the ground surface shows evidence of shallow and/or localised disturbance from four-wheel drive racing activities.

While subsurface artefacts are predicted to be present in this area, localised and shallow ground disturbance has likely impacted the spatial distribution of deposited artefactual remains, which would impact the scientific integrity of the site. Overall, this area of PAD has been assessed as having moderate research potential.

As the area of PAD has not been excavated, other components of the scientific significance of this area of PAD cannot be ascertained.

### 10.3.3 Scientific significance of SIS PAD 02

This area of PAD was identified with the intact landform within the preserved Cumberland Plain woodland, which is located outside of the project site, between carpark C and carpark D. This area of PAD was determined based on the high degree of ground intactness in the area, and the nearby presence of former AHIMS sites (which were formerly located within the boundaries of this area of PAD). However, the absence of landforms of high sensitivity for Aboriginal sites (ridgelines or crests, or near permanent water bodies) indicates that while it is predicted that subsurface Aboriginal artefacts would be present in this area, it is likely these would be relatively dispersed across the landform. Overall, this area of PAD has been assessed as having moderate research potential.

As the area of PAD has not been excavated, other components of the scientific significance of this area of PAD cannot be ascertained.

### 10.3.4 Summary of scientific significance

A summary of the predicted scientific significance of Aboriginal sites and areas of PAD identified in the study area is provided in Table 8.

**Table 8 Summary of predicted scientific significance of identified Aboriginal sites**

Aboriginal site	Research potential	Scientific value	Representative value	Rarity value	Overall indicative significance assessment
IF2 (AHIMS# 45-5-2602)	Nil	Nil	Nil	Nil	Nil
EC6 (AHIMS# 45-5-2580/45-5-2596)	Nil	Nil	Nil	Nil	Nil
EC7 (AHIMS# 45-5-2581/45-5-2597)	Nil	Nil	Nil	Nil	Nil
SIS PAD 01	Moderate	Unknown (not yet excavated)	Unknown (not yet excavated)	Unknown (not yet excavated)	Unknown (not yet excavated)
SIS PAD 02	Moderate	Unknown (not yet excavated)	Unknown (not yet excavated)	Unknown (not yet excavated)	Unknown (not yet excavated)

## 10.4 Aesthetic significance

Aesthetic value refers to the 'sensory' value of a place, and can include aspects such as form, texture and colour, and can also include the smell and sound elements associated with use or experience of a site.<sup>42</sup> Aesthetic significance can be closely linked to the social value of a site.

Sydney Metro will seek comment from registered Aboriginal stakeholders with respect to the aesthetic cultural values identified in the study area during the public exhibition of the Environmental Impact Statement. The outcomes of this will be documented within the final version of this Aboriginal Cultural Heritage Assessment Report.

<sup>42</sup> Australian ICOMOS 2000)



## 10.5 Statement of significance

A final statement of significance will be documented within the final version of this Aboriginal Cultural Heritage Assessment Report, following comment from Aboriginal stakeholders during the public exhibition of the Environmental Impact Statement with regards to the historical and aesthetic cultural value(s) of the project site.

## 11.0 AVOIDING AND MINIMISING HARM

### 11.1 Impact assessment

Construction of the project would involve widespread earthworks with excavation and infilling across most of the project site. However, most of the project site consists of heavily modified artificial landforms and no new Aboriginal sites were identified in these areas.

One previously identified Aboriginal site, listed on the AHIMS database is located within the project site – IF2 (AHIMS# 45-5-2602). This AHIMS site was removed as part of the development of the Sydney Dragway. As such, no impacts to this site would occur as a result of this project.

Remaining Aboriginal sites identified in this assessment within the study area are located outside of the project site boundaries and would not be impacted by the construction or operation of the project.

While consultation has identified that the broader Eastern Creek region contains cultural and spiritual significance, the contribution of the project site to this significance has been assessed as little based on the heavily modified nature of the project site compared to the wider Eastern Creek region. Impacts to the project site are considered to result in minimal overall impact to the cultural values of Eastern Creek.

A summary of impacts to Aboriginal sites in the study area for the project are provided in Table 9 below.

**Table 9 Summary of Impacts to identified Aboriginal sites in the study area**

Site name (AHIMS ID)	Survey Unit Location	Type of harm	Degree of harm	Consequence of harm
<b>IF 1</b> (AHIMS ID 45-5-2602)	6	Direct	Total	Not a site – no loss of value
<b>EC6</b> (AHIMS ID 45-5-2580/45-5-2596)	9	None	None	No loss of value
<b>EC7</b> (AHIMS ID 45-5-2581/45-5-2597)	9	None	None	No loss of value
<b>SIS PAD 01</b> (AHIMS ID pending)	8	None	None	No loss of value
<b>SIS PAD 02</b> (AHIMS ID pending)	9	None	None	No loss of value

### 11.2 Consideration of alternatives and justification for impacts

Prior to confirmation of the location of SIS PAD 01, earlier phases of design development included the construction of overflow carparking facilities and construction laydown areas within this area. Following confirmation of its location, these facilities were reduced in size to ensure that SIS PAD 01 would not be impacted by the project and would be conserved.

### 11.3 Ecologically Sustainable Development principles

In accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales*<sup>43</sup>, the principles of ecologically sustainable development have been considered in preparation of this Aboriginal heritage assessment, including options to avoid impacts to Aboriginal cultural heritage, assessment of unavoidable impacts, identification of mitigation and management measures, and taking account of Aboriginal community views. The principles of ecologically sustainable development are detailed in the NSW *Protection of the Environment Administration Act 1991*. Principles of ecologically sustainable development relevant to the assessment of the project as it relates to Aboriginal cultural heritage are considered below.

#### 11.3.1 The integration principle

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations (the 'integration principle'). The preparation of this Aboriginal Cultural Heritage Assessment Report demonstrates regard for the integration principle by considering Aboriginal heritage values and impacts to these from the project during the planning phase of the project.

#### 11.3.2 The precautionary principle

If there are threats of serious or irreversible environmental damage, lack of full scientific confidence should not be used as a reason for postponing measures to prevent environmental degradation (the 'precautionary principle').

During the development of the project, design has changed to ensure that identified Aboriginal sites, in particular SIS PAD 01, would not be impacted by the project construction works.

#### 11.3.3 The principle of intergenerational equity

The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the 'principle of intergenerational equity').

While the wider Eastern Creek region has been identified as containing moderate cultural and spiritual values, the current project site has been assessed as having minimal contribution to the broader cultural values associated with Eastern Creek. Subsequently impacts to the project site are considered to result in minimal impacts to the overall cultural values of Eastern Creek. Further, the project would not impact identified Aboriginal sites which would be conserved for future generations.

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<sup>43</sup> Office of Environment and Heritage 2011

## 12.0 MANAGEMENT AND MITIGATION MEASURES

### 12.1 Guiding principles

The overall guiding principle for cultural heritage management is that Aboriginal heritage should be conserved. If conservation is not practical, measures should be taken to mitigate against negative impacts to Aboriginal sites. The nature of the mitigation measures recommended in this instance is primarily based on an assessment of archaeological potential and significance.

Mitigation measures vary depending on the assessment of archaeological significance of a particular Aboriginal site and are based on its research potential, rarity, representatives and educational value. In general, the significance of a site would influence the choice of preferred conservation outcomes and appropriate mitigation measures, usually on the following basis:

- **Low archaeological significance-** Conservation where possible, but usually no mitigation required if impacts are unavoidable.
- **Moderate archaeological significance-** Conservation where possible. If conservation is not practicable, excavations or similar mechanisms determined in consultation with the Aboriginal community may be necessary.
- **High archaeological significance-** Conservation as a priority. Only if all practicable alternatives have been exhausted would impacts be considered justified. Comprehensive excavations may be necessary.

### 12.2 Ongoing consultation with registered Aboriginal parties

Consultation with the registered Aboriginal parties would continue throughout the life of the project, as necessary. Ongoing consultation with registered Aboriginal parties will take place throughout all facets of the project, including during any archaeological excavation investigation program and in the event of any unexpected Aboriginal objects being identified during works.

### 12.3 Protecting Aboriginal sites

Identified Aboriginal sites and newly identified PADs which would not be impacted by the proposed works would be marked on construction plans as exclusion zones and protected with barrier fencing. These exclusion zones would be maintained during works to ensure that machine plant or personnel would not inadvertently impact these sites during works. The following sites would be protected during construction:

- SIS PAD 01 (AHIMS ID pending)
- SIS PAD 02 (AHIMS ID pending)

The construction of a temporary stockpile would occur within 100 metres of the location of SIS PAD 01. Carpark construction works would occur within 50 metres of SIS PAD 02. Potential construction related soils and surface water runoff impacts would be managed in accordance with the Construction Environmental Management Framework. The Construction Environmental Management Framework specifically requires the preparation of a Soil and Water Management Plan and progressive erosion and sediment control plans that would be updated as needed to reflect site conditions. These plans would include controls for ensuring that runoff and sediment control works



would not impact either SIS PAD 01 or SIS PAD 02. Further information regarding the Construction Environmental Management Framework is provided in Appendix C of the Sydney International Speedway Environmental Impact Statement.

## 12.4 Unexpected finds

The Construction Environmental Management Framework would also include an unexpected find procedure would be prepared as part of a heritage management plan for construction works. The unexpected finds procedure would provide a method to manage potential heritage constraints and unexpected finds during construction works. Unexpected finds would include any Aboriginal objects which may be identified during excavation and construction works for the project.

This document would include information on any requirements during construction for:

- Protecting any identified Aboriginal heritage sites in the immediate area during construction activities
- A procedure to manage reporting and investigation when unexpected finds are encountered. This includes consideration of the archaeological excavation methodology, as identification of certain unexpected finds may trigger archaeological excavation

The unexpected finds procedure would also incorporate measures and controls to be applied during construction, including but not limited to contractor training in general Aboriginal cultural heritage awareness, and any ongoing opportunities for Aboriginal community engagement.

### 12.4.1 Discovery of human remains

If suspected human skeletal remains are uncovered at any time during the proposed works, procedures outlined in the heritage management plan unexpected finds procedure would be implemented.

## 12.5 Summary of mitigation measures

A summary of mitigation measures discussed above is provided in Table 10 below.

**Table 10 Summary of Aboriginal heritage mitigation measures**

Ref	Mitigation measure
AH1	Aboriginal stakeholder consultation would be carried out in accordance with the NSW Office of Environment and Heritage's <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> .
AH2	Prior to the commencement of project construction works, exclusion areas would be established around the following identified Aboriginal sites, to prevent inadvertent impacts during construction: <ul style="list-style-type: none"><li>• SIS PAD 01 (AHIMS ID pending)</li><li>• SIS PAD 02 (AHIMS ID pending)</li></ul>
AH3	A heritage induction should be carried out for all contractors. This heritage induction should include an explanation of the Sydney Metro Unexpected Finds Protocol. Should unexpected Aboriginal artefacts be identified during excavation and construction works, the Sydney Metro Unexpected Finds Protocol would be implemented.

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**AH4**

In the event that a potential burial site or potential human skeletal material is exposed during construction, the Sydney Metro Exhumation Management Plan would be implemented.

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## 14.0 APPENDICES

### Appendix A: Consultation Log

Stakeholder consultation removed for public display



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