



Philip Nevill  
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Your reference: SSD 10367  
Our reference: DOC20/868248-2

Advice provided via the Major Project Portal

Dear Mr Nevill,

### **Notice of Exhibition of Cowal Gold Operations Underground Development EIS (SSD 10367)**

Thank you for requesting our comments on the Environmental Impact Statement (EIS) for the State Significant Development (SSD 10367) Cowal Gold Operations Underground Development project.

#### **Aboriginal cultural heritage regulation is now part of Heritage NSW**

Please note: on 1 July 2020 the Aboriginal cultural heritage regulation functions under the *National Parks and Wildlife Act 1974* were transferred from the Biodiversity Conservation Division in Department of Planning, Industry and Environment (DPIE) to Heritage NSW in the Department of Premier and Cabinet. All references to DPIE administering Aboriginal objects and Aboriginal places need to be updated to Heritage NSW where necessary.

#### **Heritage NSW review of the EIS**

Heritage NSW has reviewed the available supporting documentation and provides comments concerning Aboriginal cultural heritage matters below.

The proposed activity comprises underground development for an existing mining open pit operation. As such there is very little chance of Aboriginal objects being affected. This was acknowledged previously by the Biodiversity Conservation Division in correspondence informing the Secretary's Environmental Assessment Requirements (SEARs) on 10 September 2019. In consideration of this, the recommendation at the time was to undertake an assessment in line with the 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.

In the documents provided for the EIS it is noted that EMM have conducted the Aboriginal cultural heritage assessment in line with the due diligence code, inclusive of field inspection on 06 June 2020. No Aboriginal objects were located. The location of the SSD is also covered by two existing Aboriginal Heritage Impact Permits (AHIPs) – being section 90 Consent 1467 and section 87 Permit 1467.

#### **The EIS meets the SEARs**

Based on the information provided as part of the EIS, there are no known Aboriginal cultural heritage constraints. We note consultation is ongoing with Registered Aboriginal Parties as per the conditions of consent and the Indigenous Archaeology and Cultural Heritage Management Plan.

The Aboriginal cultural heritage assessment provided for the EIS meets the SEARs for this SSD to the satisfaction of Heritage NSW.

If you have any questions regarding these comments, please contact John Gilding, Archaeologist, Aboriginal Cultural Heritage Regulation – South, at Heritage NSW, on 0428 897 811, or email [john.gilding@environment.nsw.gov.au](mailto:john.gilding@environment.nsw.gov.au).

Yours sincerely



**Jackie Taylor**  
**Senior Team Leader, Aboriginal Cultural Heritage Regulation - South**  
**Heritage NSW**  
25 November 2020