

From: [Nicole Davis](#)
To: [James McDonough](#)
Cc: [Nicole Davis](#)
Subject: Heritage NSW - Aboriginal Cultural heritage - Martins Creek Quarry Project (SSD - 6612) - RTS - Due 3 Dec 2021
Date: Tuesday, 30 November 2021 11:22:22 AM
Attachments: [image001.png](#)

Attention - james.mcdonough@dpie.nsw.gov.au

Heritage NSW (HNSW) has reviewed the Response to Submissions (RTS) for the Martins Creek Quarry Project (SSD - 6612), with respect to Aboriginal cultural heritage (ACH). HNSW understands that the Martins Creek Quarry is operated by Buttai Gravel Pty Ltd, which is part of the Daracon Group. The quarry is an existing hard rock quarry situated within the Maitland LGA - NSW. HNSW reviewed the *Martins Creek Quarry - Extension Project - Revised Project Submissions Report - Response to Agency Submissions - Prepared by Umwelt (Australia) Pty Limited - on behalf of Daracon Group - November 2021*, Section - 4.5 Heritage NSW.

Aboriginal Cultural Heritage

The Aboriginal Cultural Heritage Management Plan should be prepared in consultation with Registered Aboriginal Parties

HNSW notes that the proponent has committed to the preparation of an Aboriginal Cultural Heritage Management Plan (ACHMP) in consultation with HNSW and Registered Aboriginal Parties (RAPs) within 12 months of development consent, should the Revised Project be approved, noting that the RAPs will be consulted, and further survey completed to inform any additional mitigation measures required as part of the final design and construction process for the new access road, prior to the commencement of clearing of land.

- HNSW supports the process outlined for the preparation of an ACHMP, noting that the development of the ACHMP, must occur in consultation with HNSW and the RAPs.

The arborist report for AHIMS site #38-4-0217 should be submitted to AHIMS and the site feature updated to "not a site".

The arborist report completed for Item 38-4-0217 was submitted to the then Office of Environment and Heritage (OEH) on 14 June 2016, requesting the AHIMS records be amended. On 16 June 2016 OEH confirmed that the site card entry # 38-4-0217 has been updated to 'not a site'. Evidence of this is provided in Annex 6 of the ACHAR appended to the 2016 EIS in Appendix N.

- HNSW has no additional comments or recommendations in relation to this issue.

The project boundary assessed in the ACHAR is different to the project boundary in the Response to Submissions report. Any additional areas that have not been assessed will require assessment in accordance with the project SEARs. This may require additional archaeological investigation and consultation with the Registered Aboriginal Parties.

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Niche Environmental and Heritage (Niche) in support of the EIS (Monteath & Powys, 2016) for the Original Project, in consultation with the RAPs and Knowledge Holder groups to assess the Aboriginal cultural heritage values of the Project Area and surrounds. HNSW understands that the proponent committed to a number of key project design changes following detailed analysis of Agency and community feedback on the EIS for the Original Project and subsequent stakeholder engagement. One of the project changes is the construction and use of a new access road and bridge crossing from Dungog Road, over the North Coast rail line, to allow for all heavy vehicle movements via the new access. This area was not wholly within the additional disturbance area for the

Original Project. It is noted that the additional approximately 2ha area has been subject to previous disturbance associated with the North Coast rail line and Dungog Road. HSW notes that the ACHAR concluded that the quarry is in an area of low Aboriginal archaeological potential and the proposed expansion of the quarry is unlikely to harm any known Aboriginal objects or cultural heritage values (Niche 2016).

- HNSW concurs with this assessment and has no additional comments or recommendations in relation to this matter.

Should you require any further information, please contact me directly at

Nicole.Davis@environment.nsw.gov.au

I will upload this email to the MPP shortly.

Regards Nicole Davis

Nicole Davis | Archaeologist, Aboriginal Cultural Heritage Regulation

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Premier
& Cabinet

I acknowledge and respect the traditional custodians and ancestors of the lands I work across.

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