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Dear Mr. McDonough

**Heritage NSW Review - Aboriginal Cultural Heritage - Major Projects - Environmental Impact Statement (EIS) - Dalswinton Sand and Gravel Quarry (SSD-9094) (Muswellbrook Shire)**

Thank you for your referral on 22 December 2021, inviting comments from the Heritage NSW on the above SSD proposal with respect to Aboriginal cultural heritage (ACH).

Heritage NSW has reviewed Appendix K - *Dalswinton Quarry - Dalswinton NSW, Aboriginal Cultural Heritage Assessment Report, Prepared for HDB, Prepared by RPS East Australia, 12 May 2020*, with respect to Aboriginal cultural heritage as requested.

Heritage NSW understands that HDB, on behalf of Rosebrook Sand & Gravel Pty Ltd (Dalswinton Quarry), engaged RPS to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR), as part of an Environmental Impact Statement (EIS), to support State Significant Development (SSD 9094). The project is for an extension/expansion of the quarrying operations of the Dalswinton Quarry, on behalf of Rosebrook Sand and Gravel.

Heritage NSW notes that the Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW 2328, in the Muswellbrook Local Government Area (LGA). The Proposed Activity involves the reworking previously quarry location, quarry expansion to the east, extraction of material to bedrock between 15-20 meters from the original ground level.

Heritage NSW understands that an archaeological field survey was undertaken on the 25 March 2020 by RPS Heritage Consultants and representatives of the Registered Aboriginal Parties (RAPs). The results of the survey indicate the Project Area has been subject to low disturbance through vehicle access and water erosion. Five Aboriginal objects were recorded during the survey, as well as two of the newly recorded artefacts, which were located on an identified Potential Archaeological Deposit (PAD). The four sites including the PAD will be impacted due to the proposed works. The ACHAR concludes that although the area is disturbed, there is potential for further archaeological deposits to be extant in the proposed development footprint.

With respect to the recommendations included in the ACHAR (Chapter 9, p.33), Heritage NSW notes the following. With respect to *Recommendation 3 - Aboriginal cultural heritage induction, Recommendation 4 - Unexpected finds procedure, Aboriginal object/s, and Recommendation 5: Unexpected finds procedure, human remains*, Heritage NSW supports the implementation

of those recommendations, should the proposed expansion of the Dalswinton Sand and Gravel Quarry be approved.

Heritage NSW notes that there is no Recommendation 2 provided in the ACHAR.

With respect to Recommendation 1 - Aboriginal Heritage Impact Permit (AHIP). The ACHAR recommends the following:

*A surface salvage of the three newly identified AHIMS sites (AHIMS# 37-2-6006, 37-2-6005 and 37-2-6004) is to be conducted under an approved Aboriginal Heritage Impact Permit (AHIP). A sub-surface archaeological investigation should also be undertaken to identify and salvage any potential sub-surface artefacts within the identified PAD. The proposed AHIP area located in Figure 5 in the AAAR (Appendix B).*

*Rosebrook Sand & Gravel Pty Ltd (Dalswinton Quarry) must apply to the Department of Planning, Industry and Environment (DPIE) for an AHIP under s.90 of the National Parks and Wildlife Act 1974 (NPW Act) prior to any impacts occurring in the eastern end of the existing Dalswinton Quarry. The proposed works will directly impact the AHIMS sites and the PAD.*

Heritage NSW notes that the applicant is seeking approval for the proposed expansion of the Dalswinton Sand and Gravel Quarry as a major project, that is as a State Significant Development (SSD) 9094, therefore, there is no requirement for an Aboriginal Heritage Impact Permit (AHIP) to be obtained, if the proposal is approved. The recommended actions provided in Recommendation 1, can be managed through the development of an Aboriginal Cultural Heritage Management Plan (ACHMP), post approval, in consultation with Heritage NSW and the RAPs. Should the applicant, wish to undertake the above proposed management recommendations with respect Aboriginal cultural heritage, prior to the completion of the SSD approval process, then the implementation of Recommendation 1 is applicable, and must be implemented, prior to any works commencing.

Should you require any further information with respect to the advice and guidance provided, please contact Nicole Y Davis, Manager - Assessments, Heritage NSW at [Nicole.davis@environment.nsw.gov.au](mailto:Nicole.davis@environment.nsw.gov.au)

Yours sincerely



**Nicole Y Davis**

**Manager - Assessments**

**Heritage NSW**

**Department of Premier and Cabinet**

10 January 2022