

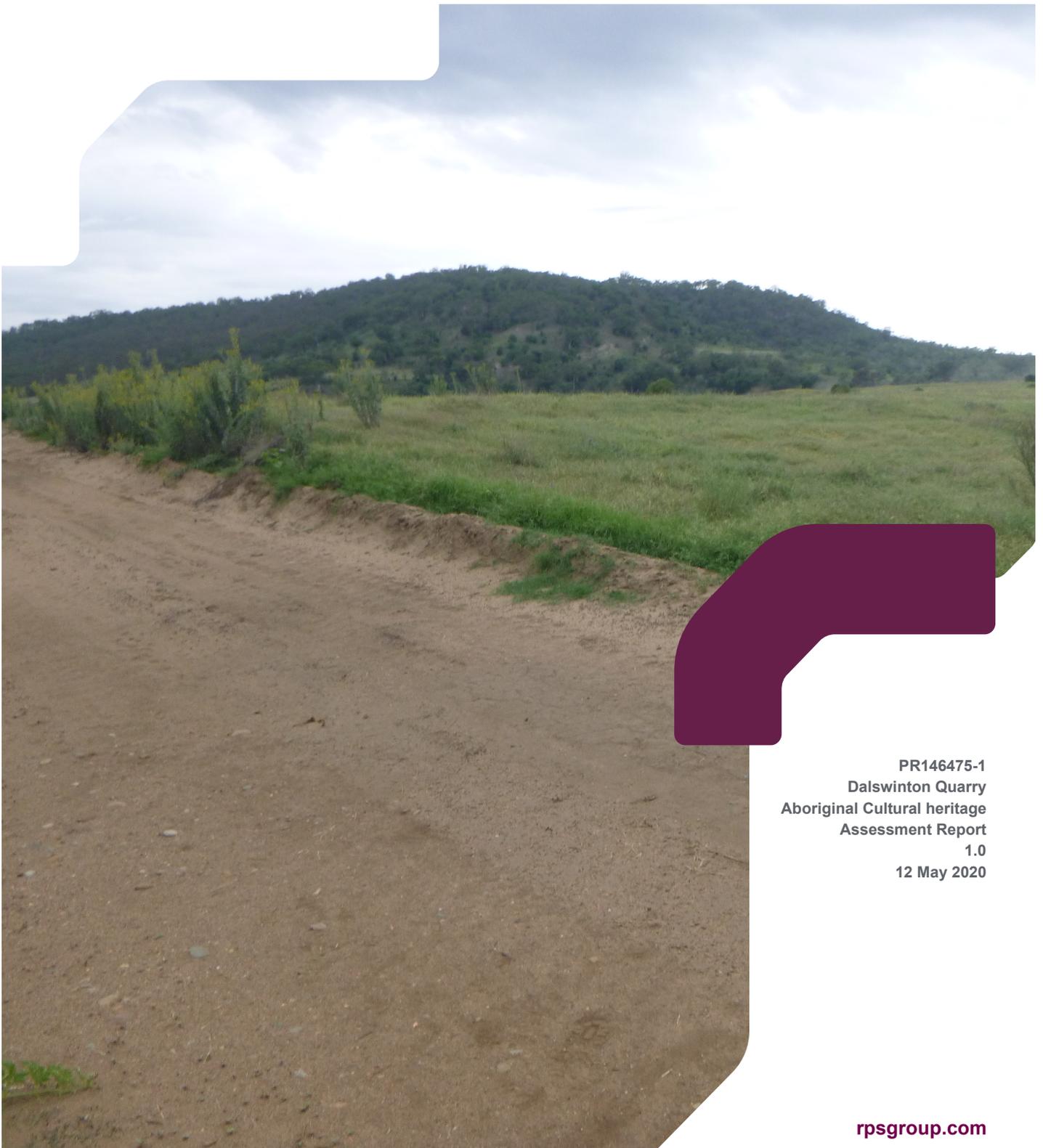
## **APPENDIX K**

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### **ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

# DALSWINTON QUARRY - DALSWINTON NSW

## Aboriginal Cultural Heritage Assessment Report



PR146475-1  
Dalswinton Quarry  
Aboriginal Cultural heritage  
Assessment Report  
1.0  
12 May 2020

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

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### Document status

| Version | Purpose of document | Authored by  | Reviewed by | Approved by     | Review date |
|---------|---------------------|--------------|-------------|-----------------|-------------|
| 1.0     | Draft               | Amanda Crick | Ben Slack   | Minouschka Lush | 05/05/2020  |

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### Approval for issue

Minouschka Lush



2020-05-12

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## EXECUTIVE SUMMARY

HDB on behalf of Rosebrook Sand & Gravel Pty Ltd (Dalswinton Quarry) has engaged RPS to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The proponent wishes to expand the operations to the eastern part of the existing quarry site, as well as to rework the previously extracted areas to recover the fine aggregates which were previously returned to pits as reject material.

This assessment is a requirement under the Secretary's Environmental Assessment Requirements (SEARs) issued for the project. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA) within the Wanaruah Traditional Country (**Figure 1**).

The purpose of the ACHAR is to document the assessment of potential impacts to Aboriginal heritage associated with the proposal and to provide recommendations to avoid or mitigate impact. A key component of the ACHAR is consultation with Aboriginal stakeholders. If necessary, the ACHAR forms part of the application for an Aboriginal Heritage Impact Permit (AHIP). An AHIP is required if the proposal will – directly or indirectly – harm an Aboriginal object, or a declared Aboriginal place.

## Consultation

Consultation in accordance with the *Aboriginal cultural heritage consultation requirements for proponent* (DECCW, 2010a) has been undertaken with the relevant Registered Aboriginal Parties (RAPs) as part of this assessment. The ACHAR documents the process of investigation, consultation and assessment undertaken.

## The Proposed Activity

The proposed activity involves the following:

- Reworking previously quarry location (Work Area 1);
- Quarry expansion to the east (Work Area 2)
- Extraction of material to bedrock between 15 – 20 metres from the original ground level.

The locations of the proposed activity are marked on **Figure 1**. The proposed Project Plans are in **Appendix C**.

## Survey

The survey was undertaken on the 25 March 2020 by RPS Heritage Consultant/Archaeologist Amanda Crick, Wanaruah LALC representative David Horton, Ungooroo Aboriginal Corporation representative Allan Paget and Culturally Aware representative Maree Waugh. 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 scattered across the landscape, associated with ground exposures. The northern end of the Project Area has gently undulating rises, with natural drainage lines travelling to the north east. This area includes two of the newly recorded artefacts and is located on an identified Potential Archaeological Deposit (PAD). The four sites including the PAD will be impacted due to the proposed works, and although the area is minorly disturbed due to water erosion the potential for further archaeological deposits in the Project Area is moderate.

## Significance assessment

RPS acknowledges that all aboriginal objects and places hold cultural significance to Aboriginal people as they form part of the wider cultural landscape. RPS acknowledges that the Project Area is culturally significant in both isolation and as part of the wider Aboriginal cultural landscape, and when viewed in isolation.

The Project Area is located in the valley at the base of Spur Hill which is north east of the Project Area; Wollombi National Park which is located to the south west and Baiame Caves to the south east and within close proximity to the Hunter River to the south. These places are connected through dreaming stories and connected sight lines to the Project Area are essential to retain connectedness. These landscapes are culturally significant through connection and due to the fact that Aboriginal People would have camped here.

Five new Aboriginal objects were recorded, during the survey there is a moderate potential for further subsurface archaeological potential in the Project Area.

## Recommendations

### Recommendation 1: Aboriginal Heritage Impact Permit (AHIP)

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.

### Recommendation 2: Aboriginal cultural heritage induction

All site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

Aboriginal cultural heritage inductions led by Wanaruah LALC is recommended and can be arranged via 02 6543 1288.

### Recommendation 3: unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix E**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).
- 4) No further action to be undertaken until DPIE provides written consent to HDB.

### Recommendation 4: unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix E**):

- 1) Immediately cease all activity at the site.
- 2) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 3) Notify the NSW Police 000.
- 4) Notify the Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).

## GLOSSARY

**Table 1: Glossary and abbreviations**

| Definitions                    |   |
|--------------------------------|---|
| Abbreviation/Term              | Meaning   |
| Aboriginal cultural heritage   | The tangible (objects) and intangible (dreaming stories, legends and places) cultural practices and traditions associated with past and present-day Aboriginal communities.   |
| ACHAR                          | Aboriginal Cultural Heritage Assessment Report  |
| ACHCR                          | Aboriginal Cultural Heritage Consultation Requirements  |
| Aboriginal object              | Defined in the NPW Act as; "Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains," |
| Aboriginal Place               | A place declared under Section 84 of the NPW Act that, in the opinion of the Minister, is or was of special significance with respect to Aboriginal culture. Aboriginal places have been gazetted by the minister.  |
| Activity                       | A project, development, or work (this term is used in its ordinary meaning and is not restricted to an activity as defined by Part 5 EP&A Act 1979).  |
| AHIMS                          | Aboriginal Heritage Information Management System   |
| AHIP                           | Aboriginal Heritage Impact Permit. permit issued by the Director-General of DPIE (or their delegate) authorising a person to harm or desecrate Aboriginal objects or places.  |
| Archaeology                    | The scientific study of material traces of human history, particularly the relics and cultural remains of past human activities.  |
| Archaeological deposit         | A layer of soil material containing archaeological objects and/or human remains.  |
| Archaeological investigation   | The process of assessing the archaeological potential of an impact area by a qualified archaeologist.   |
| Archaeological site            | An area that contains surface or sub-surface material evidence of past human activity in which material evidence (artefacts) of past activity is preserved.   |
| Archaeological test excavation |   |
| Artefact                       | An object made by human agency (e.g. stone artefacts).  |
| Code of Practice               | <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010)</i>  |
| Consultation Requirements      | <i>Aboriginal cultural heritage consultation requirements for proponents 2010.</i>  |
| CHMP                           | Cultural Heritage Management Plan   |
| Dalswinton Quarry              | Rosebrook Sand & Gravel Pty Ltd quarry at Dalswinton NSW  |
| DEC                            | New South Wales (NSW) Department of Environment and Conservation (restructured to become DECC)  |
| DECC                           | NSW Department of Environment, Conservation and Climate (restructured to become DECCW)  |
| DECCW                          | NSW Department of Environment, Climate Change and Water (restructured to become the Office of Environment and Heritage)   |
| DPIE                           | NSW Department of Planning, Industry and Environment  |
| Disturbed land                 | Defined in the NPW Act as; land that has been the subject of a human activity that has changed the land's surface being changes that remain clear and observable. Examples include: soil ploughing, construction of rural infrastructure (such as dams  |

| Definitions              |  |
|--------------------------|--|
|                          | and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks (such as previous drill sites or trenches). |
| Due diligence            | Taking reasonable and practicable steps to determine whether a person's actions will harm an Aboriginal object and, if so, what measures can be taken to avoid that harm.  |
| EIS                      | Environmental Impact Statement   |
| EP&A Act                 | <i>Environmental Planning and Assessment Act 1979 (NSW)</i>  |
| The Guide                | <i>Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW. (2011)</i>  |
| Harm                     | With regard to Aboriginal objects this has the same meaning as the NPW Act: destroy, deface or damage an object; move an object from the land on which it is situated; cause or permit an object to be harmed.   |
| Impact                   | Influence or effect exerted by a project or other activity on the natural, built and community environment.  |
| Isolated artefact / find | A single artefact found in an isolated context.  |
| LALC                     | Local Aboriginal Land Council  |
| LEP                      | Local Environment Plan   |
| LGA                      | Local Government Area  |
| Management plans         | Conservation plans which identify management strategies for all known sites recorded within a (usually approved) Project Area.   |
| Methodology              | The procedures used to undertake an archaeological investigation.  |
| Mitigation               | To address the problem of conflict between land use and site conservation.   |
| NPW Act                  | <i>National Parks and Wildlife Act 1974 (NSW)</i>  |
| NPW Regulation           | <i>National Parks and Wildlife Regulation 2009 (NSW)</i>   |
| NPWS                     | NSW National Parks and Wildlife Service  |
| OEH                      | NSW Government Office of Environment and Heritage (restructured to become DPIE)  |
| PADs                     | Potential archaeological deposit. A location considered to have a potential for subsurface archaeological material.  |
| Project Area             | The area of the proposed works   |
| RAPs                     | Registered Aboriginal parties  |
| REF                      | Review of Environmental Factors  |
| RPS                      | RPS Australia East Pty Ltd   |
| Site                     | A place where past human activity is identifiable.   |
| SSD                      | State Significant Development  |

NB. Abbreviations spelt out in the first instances, then abbreviated throughout the report

# ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT CHECKLIST

## Within this Aboriginal Cultural Heritage Assessment Report Section / Figure / Table

| Within this Aboriginal Cultural Heritage Assessment Report |   | Section / Figure / Table  |
|--|---|---|
| 1  | <b>Restricted information (Guide Section 3.1)</b>   | 1.3.1   |
| 2  | <b>Confidentiality information</b>  | 1.3.2   |
| 3  | <b>Copyright</b>  | 1.3.3   |
|  | <ul style="list-style-type: none"> <li>Signed indemnity on AHIMS Heritage Report Cover Sheet</li> </ul>   | Cover sheet   |
| 4  | <b>Description of proposed activity (Guide Section 3.2)</b>   | 1.1   |
| 5  | <b>Indicate the proposed term of the AHIP (Guide Section 3.2)</b>   | 1.4.2   |
| 6  | <b>Description of the area where the proposed activities are to be undertaken, the subject of this AHIP application including exclusion areas and maps (Guide 2.2.1, 3.1.2, 3.2)</b>  | 1.1, Figure 1   |
|  | <ul style="list-style-type: none"> <li>Property name, street address, cadastre information such as Lot and DP, local government area, parish and zone, subject of this AHIP application and any exclusion areas</li> </ul>  | 1.1   |
|  | <ul style="list-style-type: none"> <li>Described the environment/landscape relevant to the proposed activity including topography and geology</li> </ul>  | 4.2   |
|  | <ul style="list-style-type: none"> <li>Included a topographic map clearly showing the location of the land that is the subject of this AHIP application and any exclusion areas and development boundary. Map should include clear cadastre information including a Lot and DP number, the local government area, parish and zone (as applicable)</li> </ul>  | <b>Figure 5 (included in the AAAR)</b>  |
| 7  | <b>Description and identification of Aboriginal objects and AHIMS sites (Guide Sections 2, 2.2.2, 2.2.3, 3.1, 3.2, Appendix C)</b>  | 5.4   |
|  | <ul style="list-style-type: none"> <li>Map of heritage values present and the elements in the landscape associated with those values</li> </ul>   | <b>Figure 2</b>   |
|  | <ul style="list-style-type: none"> <li>Described Aboriginal people's past and/or current use of the land, relevant to the activity and the surrounding areas</li> </ul>   | 5   |
|  | <ul style="list-style-type: none"> <li>Included AHIMS site numbers</li> </ul>   | 5.4.1   |
| 8  | <b>Details of other applications for AHIPs within the area which is the subject of this AHIP application (Guide Section 3.2)</b>  | 1.4.1   |
|  | <ul style="list-style-type: none"> <li>Indicated whether any other AHIPS have been issued or refused relating to the area subject to this AHIP application</li> </ul>   | <i>The proponent is not aware of any other AHIP applications or existing AHIPS for the Project Area</i> |
|  | <ul style="list-style-type: none"> <li>Included AHIP number and status</li> </ul>   | 1.4.2   |
| 9  | <b>Details of the consultation process (Guide Sections 1.4, 2.3, 3.2)</b>   | 3   |
|  | <ul style="list-style-type: none"> <li>Provided a description of the consultation process conducted and how it meets the requirements set out in clause 80C of the National Parks and Wildlife Regulation 2009 / <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i>. Identify where compliance has not been possible and provide associated documentation such as letters and advertisements</li> </ul> | 3.1   |
|  | <ul style="list-style-type: none"> <li>Provided a list of registered Aboriginal parties</li> </ul>  | 3.2   |
|  | <ul style="list-style-type: none"> <li>Included copies of submissions received, issues raised and our responses.</li> </ul>   | Appendix A  |
| 10   | <b>Statement of significance of the cultural heritage values (Guide Sections 2.4 and 3.2)</b>   | 6.6   |

## PROPOSAL

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| 11 | <b>Description of the actual or likely harm (Guide Sections 2.5 and 3.2)</b>   | 8           |
| 12 | <b>Description of the measures to avoid harm (Guide Sections 2.6 and 3.2)</b>  | 8.1.1., 8.2 |
| 13 | <b>Description of the measures to minimise harm including (Guide Sections 2.5, 2.7, 3.2):</b>  | 8           |
|    | <ul style="list-style-type: none"><li>Justified the measures chosen to minimise harm, including an explanation of all alternatives considered and why they were or were not included in the final proposal</li></ul> | 8.2         |
|    | <ul style="list-style-type: none"><li>Shown how ecologically sustainable development principles have been considered</li></ul>   | 8.3         |
|    | <ul style="list-style-type: none"><li>Describe how cumulative harm has been considered</li></ul>   | 8.3.2       |
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# 1 INTRODUCTION

HDB has engaged RPS to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The Assessment is required under the Secretary's Environmental Assessment Requirements (SEARs) issued for the project.

The purpose of the ACHAR is to document the assessment of potential impacts to Aboriginal heritage that are associated with the proposal, and to provide recommendations to avoid or mitigate impact. A key component of the ACHAR is consultation with Aboriginal stakeholders. If necessary, the ACHAR would form part of the application for an Aboriginal Heritage Impact Permit (AHIP). An AHIP is required if the proposal will – directly or indirectly – harm an Aboriginal object, or a declared Aboriginal place.

## 1.1 Project Area

The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA) and is located within Wanaruah Traditional Country (**Figure 1**).

The Project Area is located in a plateau nestled between Wollombi National Park to the south, Spur Hill to the north east and Golden Rover National Park to the north west. The area is elevated approximately between 93-95 metres Australian Height Datum (AHD).

## 1.2 Proposed Activity

The proponents wish to expand the operations to the eastern part of the existing quarry site, as well as to rework the previously extracted areas to recover the fine aggregates which were previously returned to pits as reject material. It is proposed to have two working areas within the site. Reworking over approximately 50 ha of land within Stages 1 and 2 of the current DA will constitute Work Area 1. Approximately 39 ha of unmined land to the east of this footprint will form Work Area 2. The quarrying operation is expected to extract approximately 500,000 tonnes of material over an expected life of twenty-five years.

- Reworking previously quarry location (Work Area 1);
- Quarry expansion to the east (Work Area 2); and
- Extraction of material to bedrock between 15 – 20 metres from the original ground level.

The locations of the proposed activity is marked on **Figure 1**. The proposed Project Plans are in **Appendix C**.

## 1.3 Information and privacy

### 1.3.1 Restricted Information

No restricted information is provided in this report.

### 1.3.2 Confidentiality

No confidential information is included in this report. However, it is noted that the report contains details relating to the locations of registered Aboriginal heritage sites within and near the Project Area that may be considered confidential information by Registered Aboriginal Parties (RAPs).

### 1.3.3 Copyright

The report was prepared by RPS Australia East Pty Ltd for HDB.

- a) Copyrighting of drawings, reports, specifications calculations and other documents provided by RPS Australia East Pty Ltd in connection with the provision of the Services will remain the property of RPS Australia East Pty Ltd.
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## 1.4 Aboriginal Heritage Impact Permit (AHIP)

### 1.4.1 Details of existing AHIP applications

There are no known applications pending, refused or otherwise associated with the Project Area.

### 1.4.2 Proposed AHIP

Where required, the ACHAR will act as supporting documentation for an AHIP application. An AHIP application will be required for the Project Area.

## 1.5 Authorship and acknowledgements

This report has been prepared by RPS Heritage Consultant/Archaeologist Amanda Crick (BA Arch Hons). GIS mapping was undertaken by RPS Senior Draftsperson, Natalie Wood. This report was reviewed by RPS Senior Heritage Consultant/Archaeologist Ben Slack (BA Arch) and approved by RPS Heritage Manager, Minouschka Lush (MA, BA).

Representatives of the registered Aboriginal Parties (RAPs) were involved in the consultation processes, which form the basis of this assessment. These representatives are listed in **Table 2**.

**Table 2: Representative Aboriginal Parties**

| <b>Company Name</b>                     | <b>Representative</b>            |
|---|----------------------------------|
| Tocomwall                               | Scott Franks                     |
| DNC                                     | Paul Boyd and Lilly Carrol       |
| Ungooroo                                | Allen Paget                      |
| Wallangan Cultural Services             | Maree Waugh                      |
| Wattaka Wonnarua                        | Des Hickey                       |
| Culturally Aware                        | Tracey Skene                     |
| Gidawaa Walang (Barkuma)                | Craig Horne                      |
| Cacatua Cultural Services               | George Sampson                   |
| AGA Services                            | Ashley, Gregory and Adam Sampson |
| JTM Traffic Management                  | Norman Archibald                 |
| Lower Hunter Wonnarua Cultural Services | Tom Miller                       |
| Widescope Indigenous Services           | Steven Hickey                    |
| Valley ELM Corp                         | Irene Adler                      |
| Hunter Valley Cultural Surveying        | Luke Hickey                      |
| A1 Indigenous Service                   | Carolyn Hickey                   |
| Steve Talbott                           | Steve Talbott                    |
| Murra Bidgee Mullangari                 | Ryan Johnson                     |
| Wurrumay Consultants                    | Kerry Slater                     |
| Kawul Cultural Services                 | Vickey Slater                    |
| Wanaruah LALC                           | Suzie Worth                      |
| JLC Cultural Services                   | Jenny-Lee Chamber                |

**This report acknowledges the Traditional Owners and Elders, past, present and future, on whose land this project is located.**



## 2 LEGISLATIVE CONTEXT

The following overview of the statutory framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. The following overview of the statutory framework is relevant to this project and should not be reinterpreted or applied to other projects. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview. RPS recommends that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

### 2.1 National Parks and Wildlife Act 1974

Aboriginal cultural heritage (objects and places) in NSW are protected by the *National Parks and Wildlife Act 1974* which is overseen by the DPIE (formerly DECCW & OEH). In some cases, Aboriginal heritage may also be protected under the *Heritage Act 1977*, also overseen by DPIE (formerly the Heritage Branch of the Department of Planning). The *Environmental Planning and Assessment Act 1979*, overseen by the DPIE, and other environmental planning instruments trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

The *National Parks and Wildlife Act 1974* (NPW Act) is the principal Act providing protection for Aboriginal cultural heritage (objects and places) in NSW. It provides protection for Aboriginal cultural heritage irrespective of the level of archaeological or cultural heritage significance or land tenure. DPIE is responsible for the administration of the NPW Act. The NPW Act provides protection for Aboriginal cultural heritage in NSW. Section 86 of the NPW Act states:

- “A person must not harm or desecrate an object that the person knows is an Aboriginal object”
- “A person must not harm an Aboriginal object”
- “A person must not harm or desecrate an Aboriginal place”

Under the NPW Act, it is an offence to harm an Aboriginal object or place. Harming an Aboriginal object or place may result in a fine of up to \$550,000 for an individual and imprisonment for two years; and in the case of a corporation, a fine of up to \$1.1 million. The fine for a strict liability offence (s86 [2]) is up to \$110,000 for an individual and \$220,000 for a corporation.

Harm under the NPW Act is defined as any act that: destroys defaces or damages the object; moves the object from the land on which it has been situated; causes or permits the object to be harmed. However, it is a defence from prosecution if the proponent can demonstrate 1) that harm was authorised under Section 90 of the NPW Act, or 2) that the proponent exercised due diligence in respect to Aboriginal cultural heritage. The due diligence defence states that if a person or company has exercised due diligence, liability from prosecution under the NPW Act will be removed or mitigated if it later transpires that an Aboriginal object was harmed. If an Aboriginal object is identified during the proposed activity, all activity within that area must cease and DPIE must be notified (DECCW, 2010c, p. 13). The due diligence defence does not authorise continuing harm.

#### 2.1.1 Notification of Aboriginal object

Under Section 89A of the NPW Act, the proponent must report all Aboriginal objects and places to the Director General of the DPIE within a reasonable time, unless already recorded on the Aboriginal Heritage Information Management System (AHIMS). Fines of \$11,000 for an individual and \$22,000 for a corporation may apply for each object not reported.

## 2.1.2 Investigating and assessing Aboriginal cultural heritage

There are several procedural publications governing archaeological practice in NSW. The publications relevant to the investigation and assessment of Aboriginal cultural heritage include the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2010, p. 13), the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) (DECCW, 2010b) and the *Aboriginal cultural heritage requirements for proponents 2010* (DECCW, 2010a). The *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a) codifies a process for consultation with Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal cultural heritage. The requirements are consistent with the NPW Act and seek, *inter alia*, to conserve Aboriginal objects and places of significance to Aboriginal people. Consultation is therefore a fundamental part of the Aboriginal cultural heritage assessment process.

## 2.1.3 Aboriginal Place

Under Section 90 of the NPW Act it is an offence to 'harm' an Aboriginal object or place unless an AHIP has been issued by the Director General of the DPIE. No Aboriginal Places are located within the Project Area.

## 2.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) regulates a system of environmental planning and assessment for NSW. Land use planning requires the consideration of environmental impact, including the potential impact on Aboriginal cultural heritage. The NPW Act therefore provides protection for Aboriginal objects or places, and the EP&A Act necessitates an assessment of Aboriginal cultural heritage as part of the planning and approvals process. The proposed activity is being assessed under Section 4.12(8) of the EP&A Act as a State Significant Development (SSD-10321).

### 2.2.1 Planning Secretary's Environmental Assessment Requirements

The Planning Secretary's Environmental Assessment Requirements (SEARs) was issued for the Project Area on 27 May 2019. General requirements for the proposed works involve the preparation of an Environmental Impact Statement (EIS) in accordance with clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

Section 12 of the SEARs relates to Aboriginal heritage and the production of an Aboriginal archaeological report in accordance with relevant DPIE guidelines.

## 2.3 Muswellbrook Local Environment Plan (LEP)

The Project Area is within the Muswellbrook Council LGA. The Muswellbrook LEP 2009 aims to make local environmental planning provisions for land in the Muswellbrook LGA in accordance with the relevant standard environmental planning instrument under section 33A of the Act. The particular aims of this Plan are as follows:

- a. encourage the proper management of the natural and human-made resources of Muswellbrook by protecting, enhancing or conserving—
  - i. productive agricultural land, and
  - ii. timber, minerals, soils, water and other natural resources, and
  - iii. areas of significance for nature conservation, and
  - iv. areas of high scenic or recreational value, and
  - v. places and buildings of archaeological or heritage significance,
- b. to manage the urban areas of Muswellbrook by strengthening retail hierarchies and employment opportunities, promoting appropriate tourism development, guiding affordable urban form and providing for the protection of heritage items and precincts,
- c. to promote ecologically sustainable urban and rural development,
- d. to manage development in flood-prone areas by ensuring any obstruction, re-direction or pollution of flood waters will not have adverse consequences for the environment or increase the risk of endangering life or property,

- e. to enhance the urban amenity and habitat for flora and fauna,
- f. to protect and conserve—
  - i. soil stability by controlling development in accordance with land capability, and
  - ii. remnant native vegetation, and
  - iii. water resources, water quality and wetland areas, natural flow patterns and their catchments and buffer areas,
- g. to provide a secure future for agriculture by expanding Muswellbrook's economic base and minimising the loss or fragmentation of productive agricultural land,
- h. to allow flexibility in the planning framework so as to encourage orderly, economic and equitable development while safeguarding the community's interests and residential amenity, and to achieve the objectives of each zone mentioned in Part 2 of this Plan.

### 2.4 Aboriginal Land Rights Act 1983

The purpose of this legislation is to provide land rights for Aboriginal people within NSW and to establish Local Aboriginal Land Councils. Under Section 36 of the Act, a Local Aboriginal Land Council, on behalf of Aboriginal people, can claim certain Crown land that:

- Is able to be lawfully sold, leased, reserved or dedicated
- Is not lawfully used or occupied
- Will not, or not likely, in the opinion of the Crown Lands Minister, be needed for residential purposes
- Will not, or not likely, be needed for public purposes
- Does not comprise land under determination by a claim for native title
- Is not the subject of an approved determination under native title

Claims for land are by application to the Office of the Registrar, *Aboriginal Land Rights Act 1983*. No registered Native title claims, title determinations of Indigenous land use agreements over the Project Area.

### 2.5 Native Title Act 1993

The Commonwealth *Native Title Act 1993* establishes a structure for the protection and recognition of native title where:

- Aboriginal people have a native title interest to maintain traditional customs and laws.
- Aboriginal people have sustained connection with the land or waters in question
- The native title rights and interests are recognised by the common law of Australia.

The Native Title Act 1993 establishes processes to determine where native title exists, how activities affecting upon native title may be carried out, and to provide compensation where native title is impaired or extinguished. The Act provides Aboriginal people who hold native title rights and interests, or who have made a native title claim, the right to be consulted and in some cases, to participate in decisions about activities proposed to be undertaken on the land. There are no Native Title Claims registered or determined within the Project Area.

## 3 ABORIGINAL COMMUNITY CONSULTATION

It is acknowledged that Aboriginal people should be involved in the Aboriginal heritage planning process and are the primary source of information about the value of their heritage. This includes the best management and conservation measures for Aboriginal heritage and the way in which their cultural information (particularly sensitive information) is used. Aboriginal community consultation is regarded as an integral part of the process of investigating and assessing Aboriginal cultural heritage (OEH, 2010).

### 3.1 Aboriginal Cultural Heritage Consultation Requirements

Aboriginal community consultation has been undertaken for this assessment and has followed the Consultation Requirements (DECCW, 2010a). The Consultation Requirements outline a four stage Aboriginal consultation process and mandate specific timeframes for each stage. The four stages are summarised below. All the consultation documentation for each stage is included in **Appendix A**.

#### 3.1.1 Stage 1 – Notification of project proposal and registration of interest.

Stage 1 requires that Aboriginal people who hold cultural information are identified, notified and invited to register an expression of interest in the assessment. This identification process should draw on reasonable sources of information including: the relevant DPIE Environment Protection and Regulation Group regional office, the relevant LALC(s), the Register of Aboriginal Owners, the Native Title Tribunal, Native Title Services Corporation, local council(s) and the relevant Local Land Services, as well as placing an advertisement in a local newspaper circulating in the general location of the activity. Aboriginal organisations and/or individuals identified should be notified of the activity and invited to register an expression of interest for Aboriginal consultation.

#### 3.1.2 Stage 2 – Presentation of information about the proposed project

The aim of stage 2 is to provide registered Aboriginal parties identified during stage 1 information about the scope of the proposal and the proposed heritage assessment process.

#### 3.1.3 Stage 3 – Gathering information about cultural significance

Stage 3 provides the opportunity for registered Aboriginal stakeholders to recommend culturally appropriate research methodologies for the cultural heritage assessment. At this stage registered stakeholders are invited to provide input to determine the cultural significance of Aboriginal objects and/or places within the Project Area. In turn they are also given the opportunity to have an input into the development of any cultural heritage management options.

#### 3.1.4 Stage 4 - Review of draft cultural heritage assessment report.

The final stage of the Consultation Requirements requires all registered Aboriginal stakeholders to be provided with a copy of the draft ACHAR and given 28 days in which to review the document. This stage provides Aboriginal stakeholders with an opportunity to review the ACHAR prior to its submission with the AHIP application. Further cultural information may be gathered at this stage and all comments received are then incorporated into the final report.

### 3.2 Record of consultation

A full record of all correspondence undertaken for this assessment is included in **Appendix A**.

In accordance with Stage 1, step 4.1.2, letters requesting the details of any Aboriginal people that may hold cultural knowledge relevant to the Project Area were sent to the following agencies:

- Office of Environment and Heritage Hunter and Central Coast Office
- Wanaruah LALC
- The Registrar, *Aboriginal Land Rights Act 1983*
- The National Native Title Tribunal
- Native Title Services Corporation Limited
- Muswellbrook Shire Council
- The Hunter Local Land Services

In accordance with Stage 1, step 4.1.3, a notice was placed in the Hunter Valley News on the 5 September 2018 (**Appendix A**). Also, in accordance with Stage 1, step 4.1.3, Aboriginal people or organisations identified at step 4.1.2 were invited to register for the project. At the completion of Stage 1 of the Consultation Requirements a total of 21 Aboriginal people or organisations were registered for the project. The list of RAPs is given in **3**.

**Table 3: RAPs at the completion of Stage 1 of the ACHCRs**

| Company Name                            | Representative                   |
|---|----------------------------------|
| Tocomwall                               | Scott Franks                     |
| DNC                                     | Paul Boyd and Lilly Carrol       |
| Ungooroo                                | Allen Paget                      |
| Wallangan Cultural Services             | Maree Waugh                      |
| Wattaka Wonnarua                        | Des Hickey                       |
| Culturally Aware                        | Tracey Skene                     |
| Gidawaa Walang (Barkuma)                | Craig Horne                      |
| Cacatua Cultural Services               | George Sampson                   |
| AGA Services                            | Ashley, Gregory and Adam Sampson |
| JTM Traffic Management                  | Norman Archibald                 |
| Lower Hunter Wonnarua Cultural Services | Tom Miller                       |
| Widescope Indigenous Services           | Steven Hickey                    |
| Valley ELM Corp                         | Irene Adler                      |
| Hunter Valley Cultural Surveying        | Luke Hickey                      |
| A1 Indigenous Service                   | Carolyn Hickey                   |
| Steve Talbott                           | Steve Talbott                    |
| Murra Bidgee Mullangari                 | Ryan Johnson                     |
| Wurrumay Consultants                    | Kerry Slater                     |
| Kawul Cultural Services                 | Vickey Slater                    |
| Wanaruah LALC                           | Suzie Worth                      |
| JLC Cultural Services                   | Jenny-Lee Chamber                |

## ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

In accordance with Stage 1, step 4.1.6, the names and details of all RAPs for the project were forwarded to Wanaruah LALC and DPIE on 12 October 2018, unless RAPs had specified, they did not want their details released.

In accordance with Stage 2 and 3, RPS provided all RAPs with a copy of the methodology on 15 October 2018 and responses were due by 12 November 2018. RPS has incorporated all comments received into this ACHAR. Aboriginal stakeholders were provided with information about the proposal and the cultural heritage assessment process, including the methodology for collecting information on cultural heritage significance. The RAPs who responded to the methodology are detailed in **Table 4**.

**Table 4: Comments on methodology**

| RAP responses and dates |                         |   |
|-------------------------|-------------------------|---|
| Date                    | Organisation            | Comment   |
| 16/10/2018              | Tocomwall               | contacted to let us know they would like to discuss methodology further |
| 16/10/2018              | DNC                     | Endorse the methodology   |
| 16/10/2018              | Cacatua                 | Endorse the methodology   |
| 16/10/2018              | AGA Services            | Endorse the methodology   |
| 22/10/2018              | A1 Indigenous Service   | Endorse the methodology   |
| 29/10/2018              | Murra Bidgee Mullangari | Endorse the methodology   |

Letters were originally sent to the RAPs on the 16/10/2018, however works were placed on hold. A recommencement letter was issued to the RAPs on the 15/1/2020 to keep the RAPs informed of the job status.

The following RAPs who responded to the methodology were invited to participate in the fieldworks (**Table 5**).

**Table 5: RAPs invited to attend the fieldwork**

| Organisation     | Representative |
|------------------|----------------|
| Wanaruah LALC    | Noel Downs     |
| Ungooroo         | Allan Paget    |
| Culturally Aware | Tracey Skene   |

The following RAPs who were invited to participate the fieldworks attended the fieldworks (**Table 6**).

**Table 6: RAPs who attended the fieldwork**

| Organisation     | Representative |
|------------------|----------------|
| Wanaruah LALC    | David Horton   |
| Ungooroo         | Allan Paget    |
| Culturally Aware | Maree Waugh    |

In accordance with Stage 4, step 4.4.2, a draft copy of this ACHAR was forwarded to all RAPs on **day month** 2020. All RAPs were provided 28 days to review the document and make comments, request alterations or provide additions to this ACHAR. All comments on the cultural significance of the Project Area that were received have been included in **Section 6** of this report.

## 4 DESCRIPTION OF THE AREA

The purpose of this section is to describe the geographic location, environmental context, Aboriginal history, Aboriginal objects and/or places within and in proximity to the Project Area.

### 4.1 Location

The Project Area is located in a valley on the Hunter River flood plain at the base of Spur Hill and Wollombi National Park. Spur Hill is located to the north east of, Wollombi National Park which is located to the south west and Baiame Caves which is located to the south east of the Project Area. Located in the Hunter Valley at Dalswinton, the Project Area is elevated to approximately 93-95 meters AHD.

### 4.2 Environmental context

This section provides a summary description of the environmental context of the Project Area including topography, soils, geology, flora and fauna, hydrology and previous disturbance.

An understanding of environmental context is important for the predictive modelling and interpretation of Aboriginal sites. The local environment provided natural resources for Aboriginal people, such as stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as landforms suitable for camping and other activities. The nature of Aboriginal occupation and resource procurement is inextricably linked to the local environment and, therefore, needs to be considered as part of the cultural heritage assessment process.

The decisions that people make regarding such things as where they live, the range of resources they use, and other aspects of daily life may be influenced by the environment in which they live. The preservation and visibility of sites is also affected by environmental factors such as vegetation cover, past land-use and disturbance. A review of the relevant environmental context is undertaken to assist in the identification of Aboriginal objects and/or places within and in proximity to the Project Area (Murphy, 1993).

#### 4.2.1 Geology and soils

The Project Area is located on the flood plains of the Hunter River. The geological unit on which it sits is Quaternary alluvium, and the parent material is alluvium. The Project Area is located within the Hunter soil landscape of soils formed in alluvium, including predominately brown (cracking) clays and black earths. These are common on terraces and former stream channels and are generally hardsetting clay loams with a strong structure, imperfectly drained to moderately well-drained. Brown (cracking) clays exist as a brownish black topsoil up to around 30cm, gradually changing to a dull brown medium clay subsoil. Black earths form a topsoil of around 15cm, changing to a brownish black light medium clay subsoil. Depth to bedrock is approximately 40-100cm.

#### 4.2.2 Topography and hydrology

The Project Area lies on the floodplain to the north of the Hunter River. The slope of the Hunter River plains and terraces have a slope gradient of 0-3%, with elevations between 20-60 metres and a local relief of 101 metres. The ranges have a width of 200 to 3200 metres. The area is generally well drained with moderate to high permeability.

The resources potentially available within the Hunter River flood plain would have provided major marine resources for Aboriginal people including a vast variety of fish and shellfish species. Access to fresh water is a major determinant of where Aboriginal people would have been able to camp for any period of time. The Hunter River is a high order fresh watercourse located on the perimeter of the Project Area.

#### 4.2.3 Flora and fauna

There is no native vegetation along the Hunter River as result of clearing for agricultural purposes. Early historical records show that prior to intensive settlement the upper Hunter Valley and the Goulburn catchment were only lightly timbered, generally open grasslands. Settler John Howe reported in 1819 that little timber grew on the plains along the river. Surveyor Henry Dangar's field notes of 1824 recorded descriptions of the vegetation and soils: 'tolerable [sic] second class forest land, stiff soil, thinly timbered,

small Box and Iron Bark' (Brayshaw 1987:14). The flood plain was particularly lightly timbered and 'well clothed with grass' (Brayshaw, 1987:14). Other species of plants recorded by early surveyors and settlers include species of *Casuarina* (swamp oaks), *Acacia*, and smaller flowering plants, herbs and rushes. It was noted that the valley experienced periods of drought as well as inundation (Brayshaw 1987).

On the local fauna, it was recorded by Allan Cunningham in 1825 that kangaroos and emus were abundant in the area, as were smaller game. The Hunter River contained large numbers of fish, including perch and fat eels. Wild turkey was plentiful. Early settlers observed Aboriginal people hunting kangaroos, and also burning grasslands in order to attract flocks of kangaroos to feed on the young and tender grass that grew following the fires (Brayshaw 1987).

### 4.2.4 Land use and disturbance

The Project Area is mostly cleared and has a low level of disturbance through usage of access tracks and natural processes such as water erosion due to flooding public access, wind and water erosion (Kovac & Lawrie, 1991). The larger area has been previously cleared for commercial use (quarrying, mining, farming) residential use (residential construction), installation of infrastructure and services.

## 5 ABORIGINAL HERITAGE CONTEXT

This section provides a description of the Aboriginal heritage context of the Project Area, this includes a summary of Aboriginal history within the area.

### 5.1 Aboriginal History in the area

Aboriginal people have inhabited Australia for over 50,000 years (Dorey, 2019). The Muswellbrook Shire Council acknowledge that the Wanaruah and Kamilaroi people are the traditional custodians of the Muswellbrook Shire (MSC, 1997). The Project Area is located on Wanaruah country, the traditional Wanaruah boundaries runs from the Upper Hunter River bounded by the Awabakal to the south and north east, Nganyaywana to the north west and the Worimi to the south east. The water, land, animals and plants within the surrounding landscape contribute to identity, spirituality and connection to country (NSW Department of Primary Industries, 2012).

Access to abundant freshwater resources was a major determinate of where Aboriginal people would have been able to camp for any period of time. The Hunter River area would have been richly resourced with a vast variety of fish, bivalves, crustaceans and shellfish species.

Terrestrial food resources associated with the Hunter Region would have been harvested by Aboriginal people, the terrestrial food resources include an abundance of kangaroo, emu and smaller game and wild turkey (A. i. B. Cunningham, 1827). The terrestrial resources within the greater area would have provided a reliable source of medicine, food and materials.

### 5.2 Continued connection

Despite European contact the Wanaruah have strong continued cultural links and identity, with a strong continuation of traditional culture, through story, language and traditional practices (AM, 2019).

#### 5.2.1 Historic records of Aboriginal occupation

It is important to note that the historical documents were produced for a number of reasons and thus may contain inaccuracies and/or bias in their reporting of events or other aspects of Aboriginal culture. Nonetheless, some historical documents provide important information and insights into local Aboriginal customs and material culture at the time of non-Indigenous settlement and occupation of region.

The occupation of the Hunter region is associated with the occupation of south eastern Australia of at least 20,000 years. Attenbrow (1982) found in the upper Mangrove Creek catchment, less than 10 km south of the watershed between the Hawkesbury and Hunter Rivers, that most of the evidence for occupation of the valley dated from the last 5,000 years.

#### 5.2.2 Aboriginal implements

Cord was used for the construction of canoes, fishing lines and nets and was usually made from the bark of various trees. The bark of the cabbage tree formed the thread used to repair canoes (Threlkeld in Gunson, 1974). Ebsworth (Ebsworth, 1826:79) described how the women drew string from bark: "They twist and roll bark in a curious manner with the palm of the hand upon the leg; with this string they form nets of curious workmanship." In addition to nets, Dawson (Dawson, 1830:250) indicated that tea tree bark was used to make small baskets. Canes made from tree bark could be seen laced at the ends with kurrajong and sealed with the grass-tree gum. The fibre of the kurrajong bark was also used to make rope or twine (Wood, 1972).

Shields used in the Hunter region appear also to have been made of both wood and bark and several types of clubs have also been described in the Hunter Valley as being made of hard wood (Brayshaw, 1987:64). Also made of hard wood were boomerangs and women's yam sticks which they used in their daily forage for food. Spears for all purposes appear in the Hunter region to have been of composite manufacture, usually comprising lengths of grass tree to which were affixed with points of hard wood. Another composite tool was the hatchet, a small axe or tomahawk, used for various purposes. Grass-tree gum, with lashings of kurrajong was used for the hafting of stone heads and spear axes (Wood, 1972).

### 5.2.3 Food and useful plants

Kangaroo, wallabies, echidna and the bandicoot formed part of the Wanaruah diet. Possums were identified in trees by fresh claw marks on trunks. The tree was climbed by tomahawking notches big enough to receive to climb up the tree. The hunter would drive the possum to the bottom of the tree hollow with a long stick, the base of the tree was cut and the possum removed (Wood, 1972). Emus were sometimes caught with nets (Fawcett, 1898) and mutton birds, ducks and pigeons were also eaten. Honey from two varieties of native bee was eaten and was also mixed with water for a drink (Dawson, 1830:60). Bee's nests were commonly found in the bush by catching a bee, gumming a piece of bird-down to it and watching the direction of the bee's flight (Wood, 1972). The Australian Indigenous population had no pottery or cooking implements. The food was always cooked in this part of the Hunter Valley; by boiling or baking in hot ashes, or in an excavated oven lined with stones (Wood, 1972).

Gum or resin from the 'mimosa' and the grass tree was used in the manufacture of much of the Aboriginal tool kit. There is evidence that scrapers of shell were employed to sharpen spears and that oyster shells ground into shape were used for fishhooks. Awls of kangaroo bone were used to repair canoes and also in sewing together possum and kangaroo skins to make cloaks.

### 5.2.4 Clothing

The Aboriginal population of the area usually wore kangaroo or possum skins, and sometimes fur cloaks, which provided nearly everything that was worn. Summer weather and the milder days of autumn and spring required little in the way of protective clothing; winter however, saw the use of animal skins as cloaks and as blankets (Wood, 1972). The men always wore a belt of possum fur into which they stuck their tomahawks.

### 5.2.5 Campsites and shelters

Fawcett (1898:152) stated that the Wanaruah chose their campsite by its proximity to fresh water, food resource available and the vantage ground in case of attack from an enemy. Huts or 'gunyers' were constructed from bark. Cunningham (1827:17) stated that the box or stringy bark was used in the construction of huts. He details the process as: "The bark was cut from box or stringy bark trees ... [ it was ] stripped off in one unbroken piece forming when stretched out flat a sheet from six to twelve feet square". To prevent the bark from cracking when being stretched out it was heated inside and when dry these sheets of bark retained their flat shape (A. Cunningham, 1827:17).

Aboriginal shelter in the Upper Hunter Valley were usually either huts or bowers and were not covered with bark as in other parts of the Hunter region, and comprised a variety of materials such as reeds, grass, and boughs (Wood, 1972). Canoes of the Hunter river contained a much larger and better construction which were often capable of holding an increased number of people. Canoes were made from a single sheet of bark of large river gums and paddle shaped like large flat spoons.

### 5.2.6 Aboriginal history after contact

Europeans arrived in the Hunter Valley in 1797 during the discovery of coal at Newcastle. By 1801 the Valley was reserved by the Crown as both a new convict settlement and for its resources in coal and timber (Davidson & Lovell - Jones, 1993:8). By 1819 the demand for grazing land and rural settlement increased and in 1821 Henry Dangar was commissioned to undertake a survey of the Hunter area to assess its suitability for farming (DECCW, 2008). Following Dangar's work, settlement in the Hunter Valley was speedy. According to Dangar (Brayshaw 1987:10):

In this division of country, occupying upwards of 150 miles along the river, which, in 1822, possessed little more than its aboriginal inhabitants, in 1826-27, more than half a million of acres were appropriated and in a forward state of improvement... Here in 1827 were upwards of 25,000 head of horned cattle, and 80,000 fine and improved-wool sheep.

First contact between the Wanaruah and the settlers began cordially, however, it rapidly turned hostile with the Aboriginal community actively resisting colonisation and appropriation of their land and resources (Davidson & Lovell - Jones, 1993:14 - 15). The European landholders and their stockmen implemented 'widespread indiscriminate' violence against the Aboriginal people (Dunn, 2015). In 1826 Merton was besieged by about 200 Aboriginal people demanding the release of two of their men who reportedly had been wrongly arrested on a charge of murdering a European settler (Denman and District Association,

1980). This violence escalated significantly after 1826 and was fuelled by institutionalised violence of the Mounted Police (Dunn, 2015).

In 1893 the St Claire Mission was established, the mission was home to the Wanaruah, Awabakal, Worimi and Darkinjung people (OEH, 2015). In 1918 the mission was renamed Mount Olive Reserve when the Aborigines Protection Board took over and by 1928 the reserve was closed (AM, 2019).

### 5.3 Overview of Aboriginal stone artefacts

The stone artefacts are the most common Aboriginal material which is identified in archaeological contexts and surface sites. Stone artefacts derive from the process of manufacturing, maintaining or using stone tools. Such stone tools were used for a variety of purposes including woodworking, processing and piercing skins for clothing, cutting and scraping and spear tips.

#### 5.3.1 Stone tool production

Stone tools are generally manufactured by striking a siliceous piece of material (a core) with another rock (hammerstone) to produce a sharp sliver of stone (flake) (Andrefsky 2000: 9-37). Raw materials for cores are usually derived from a primary rock outcrop or a secondary cobble source. Such sources of raw material will generally be weathered on their outer surfaces, creating a 'rind' which is a different colour or texture to the inner stone material; this outer surface is known as cortex (Whittaker 1994: 17).

Stone tool production and use is a reductive process – stone mass can only be reduced, not added (Shott 2005). Each stage of stone tool manufacture will remove stone mass and stone tool use can also reduce the size of the stone tool; this process is known as a reduction sequence, and such sequences can be divided into stages which are useful for interpretation. Artefacts with high percentages of cortex are usually associated with initial reduction of the raw material, often referred to as primary production. Artefacts produced during the primary production process also tend to be larger than artefacts produced later in the reduction sequence. Secondary production usually involves the manufacture of tool blanks and artefacts may have some cortex. Tertiary production is the final stage of production and is usually characterised by artefacts with little or no cortex and may have distinctive flakes which derive from the final shaping of the tool.

#### 5.3.2 Stone raw material definitions

This refers to the type of rock/stone that an artefact was manufactured from. Definitions of common raw materials are provided below.

**Chalcedony:** a cryptocrystalline silica mineral that usually has a vitreous lustre with a variety of colours depending on the presence of various oxides (Holdaway and Stern 2004: 24).

**Chert:** a fine-grained microcrystalline siliceous sedimentary rock that has been subject to diagenesis with the individual grains' invisible to the naked eye (Attenbrow 2003:206).

**Petrified Wood:** the replacement of the organic remains of plant material by siliceous minerals forming fossilized or lithified wood.

**Quartz:** consists almost entirely of silica. It is usually glassy grey or white in colour, but trace amounts of other minerals can cause the rock to be clear, rose, purple, yellow and brown. (Attenbrow 2003:206).

**Quartzite:** an extremely hard, resistant, fine grained to medium grained rock usually comprising over 90% quartz grains. It is formed from quartz sandstone that has been subjected to metamorphic processes. (Attenbrow 2003:206).

**Sedimentary Rocks:** formed from the deposition of accumulated sediment which is then subject to compression and silicification forming lithified rocks. (Attenbrow 2003:207).

**Silcrete:** This rock is formed by the cementation of silicified grains in a matrix of either amorphous, or fine-grained silica (Holdaway and Stern 2004:24).

**Tuff:** is a pyroclastic volcanic rock which is formed by medium to fine grained material such as volcanic ash which has been subject to pressure (Attenbrow 2003:206).

### 5.3.3 Stone raw materials used in the Hunter Valley

The most common raw material types which have been located in Aboriginal sites in the Hunter Valley are silcrete, mudstone (also sometimes referred to as silicified tuff) and in some areas, tuff. Chert, quartz, quartzite, silicified sandstone, chalcedony and petrified wood, were also used in the Hunter to a lesser extent (Kuskie and Kamminga 2000).

Archaeological and geological studies in the Hunter Valley have identified various terrestrial and alluvial sources of silcrete, including at Bengalla, Saltwater Creek, Bulga, Lemington, Jerrys Plains, Singleton and terraces along the Hunter River (Koettig and Hughes 1985, Rich 1993, Koettig 1994, Brayshaw, Haglund et al. 1996). Many archaeologists pinpoint the alluvial and terrace gravels of the Hunter River as being the primary source of silcrete procured for manufacturing artefacts in the Hunter Valley (Dean-Jones and Mitchell 1993, Kuskie and Kamminga 2000). Mudstones are generally sourced from inter bedded mudstones and sandstones in creek beds and cobbles on creek banks. Volcanic tuffs occur in widespread seams throughout the Hunter Valley and are occasionally exposed in drainage lines or in cliff faces (primary sources), secondary sources of tuff may occur as river cobbles and can be a readily available source of the material (Kuskie and Kamminga 2000).

## 5.4 Archaeological context

The Project Area is located in the Hunter Valley. Archaeological evidence suggests that Aboriginal occupation of the Hunter Valley region began by at least 35,000 years (Koettig 1987). Additional chronological evidence was recovered from the Hunter Valley's northeast mountains for which the following dates were assigned 34,580±650 (Beta-17009), >20,000 (Beta-20056) and 13,020±360 years BP (Beta-17271) (Koettig 1987, as cited in Attenbrow 2006). These dates show that the region was occupied during the Pleistocene (>10,000 years ago), such sites are generally rare and therefore contain significant archaeological/scientific information, as well as, demonstrating the long occupation of Aboriginal people in the region.

The majority of Aboriginal sites in the region, however, are dated to the more recent Holocene (<10,000 years ago). This may reflect Aboriginal occupation patterns but may also be influenced by the inaccessibility of potential coastal Pleistocene sites which were inundated when sea levels rose and reached present levels approximately 6000 years ago (Mulvaney and Kamminga 1999:223). Evidence for Holocene Aboriginal occupation has been recovered from Bobadeen (7,760 cal. years BP), as well as Milbrodale (1,420 cal. years BP) and Sandy Hollow (1,310 cal. years BP) (Moore 1970:58).

### 5.4.1 Aboriginal Heritage Information Management System (AHIMS)

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) was conducted on 14 August 2018 using search coordinates of approximately three kilometres around the Project Area and a 50 metres buffer zone (AHIMS ID: 363889). Due to the gap in works being undertaken an updated AHIMS was conducted on 24 March 2020 (AHIMS ID: 493363). The following search parameters were used:

Lat: -32.471468° - -32.434446°

Long: 150.692079° - 150.741947°

**Table 7: Summary of AHIMS within the searched coordinates**

| AHIMS#    | Site Name          | Site Type                         | Status | Eastings | Northings |
|-----------|--------------------|-----------------------------------|--------|----------|-----------|
| 37-2-0287 | Rose Park 1 Denman | Artefact site: number unspecified | Valid  | 283530   | 6407100   |
| 37-2-4818 | Spur Hill 234      | Artefact site: number unspecified | Valid  | 287354   | 6408644   |
| 37-2-4819 | Spur Hill 235      | Artefact site: number unspecified | Valid  | 287753   | 6408640   |
| 37-2-4859 | Spur Hill 504      | Artefact site: number unspecified | Valid  | 285649   | 6408753   |
| 37-2-4860 | Spur Hill 505      | Artefact site: number unspecified | Valid  | 286089   | 6408237   |
| 37-2-4861 | Spur Hill 506      | Artefact site: number unspecified | Valid  | 285517   | 6408911   |
| 37-2-4823 | Spur Hill 239      | Artefact site: number unspecified | Valid  | 287324   | 6408577   |
| 37-2-4824 | Spur Hill 240      | Artefact site: number unspecified | Valid  | 286100   | 6408418   |
| 37-2-4825 | Spur Hill 241      | Artefact site: number unspecified | Valid  | 286291   | 6408423   |
| 37-2-4828 | Spur Hill 244      | Artefact site: number unspecified | Valid  | 28606    | 6408346   |
| 37-2-4829 | Spur Hill 245      | Artefact site: number unspecified | Valid  | 286630   | 6408333   |
| 37-2-4830 | Spur Hill 246      | Artefact site: number unspecified | Valid  | 28758    | 6408366   |
| 37-2-4805 | Spur Hill 220      | Artefact site: number unspecified | Valid  | 286214   | 6409078   |
| 37-2-4806 | Spur Hill 221      | Artefact site: number unspecified | Valid  | 285697   | 6409020   |
| 37-2-4807 | Spur Hill 222      | Artefact site: number unspecified | Valid  | 285793   | 640888    |
| 37-2-4808 | Spur Hill 224      | Artefact site: number unspecified | Valid  | 285945   | 640885    |
| 37-2-4809 | Spur Hill 225      | Artefact site: number unspecified | Valid  | 287033   | 6408883   |
| 37-2-4811 | Spur Hill 227      | Artefact site: number unspecified | Valid  | 287671   | 640884    |
| 37-2-4812 | Spur Hill 228      | Artefact site: number unspecified | Valid  | 28585    | 6408718   |
| 37-2-4814 | Spur Hill 230      | Artefact site: number unspecified | Valid  | 286070   | 6408671   |
| 37-2-4815 | Spur Hill 231      | Artefact site: number unspecified | Valid  | 286000   | 6408619   |
| 37-2-4816 | Spur Hill 232      | Artefact site: number unspecified | Valid  | 286798   | 6408695   |
| 37-2-4817 | Spur Hill 233      | Artefact site: number unspecified | Valid  | 287711   | 6408787   |

Source: AHIMS 14/8/2018; Search latitude and longitude (50 metre buffer zone)

**Table 8: Summary of AHIMS Objects within the searched coordinates**

| Site type                         | Frequency | Percent |
|-----------------------------------|-----------|---------|
| Artefact site: number unspecified | 23        | 100%    |

Both searches identified 23 Aboriginal sites within the extensive search area, primarily located on the slopes to the north of the Project Area (Spur Hill). There are no AHIMS sites recorded within the Project Area. The closest AHIMS site is 37-2-4860, which is located approximately 400 metres to the north of the Project Area. AHIMS sites 37-2-4828 and 37-2-4829 are located between approximately 500 to 700 metres to the north of the Project Area (**Figure 2**).

**37-2-4860**

This site is located approximately 250 metres to the north east of the Project Area. The site is recorded as an artefact scatter (3 artefacts) in an area of 8 metres by 2 metres. The artefacts recorded were a cream/brown red tuff multiplatform core with nine negative scars and two red silcrete flakes located between 1-2 metres to the east of the core. The artefacts were located on the lower slope in an exposure in a moderately disturbed landscape, surrounded by long grasses.

## 5.5 Native Title Register search

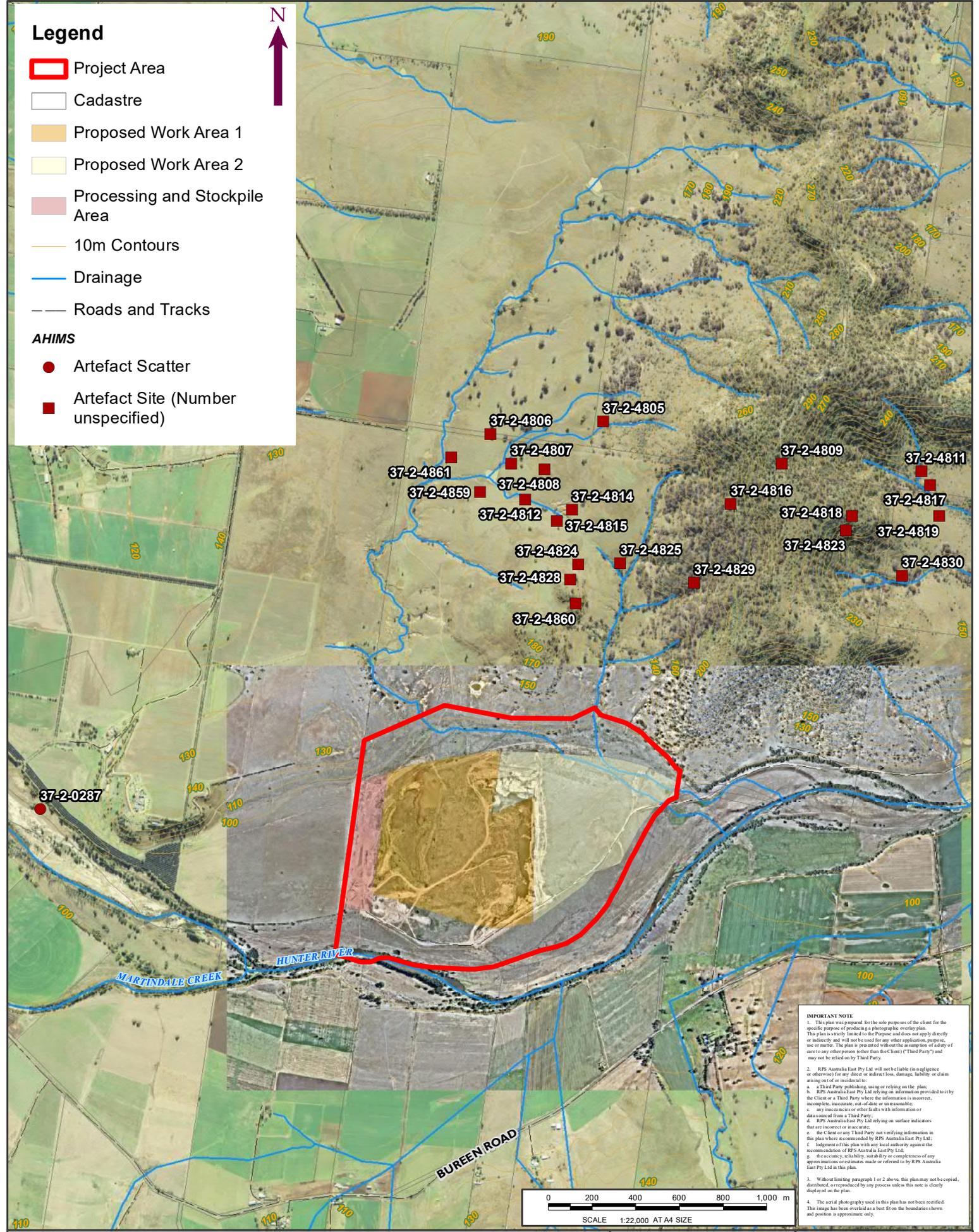
A search of the National Native Title Tribunal Native Title Register (NTR) for Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton was undertaken on 27 August 2018. The NTR identified no registered Native title claims, title determinations of Indigenous land use agreements over the Project Area. The NTR search did not identify any ILUAs in effect over the Project Area.

## 5.6 NSW Heritage Register search

A search of the NSW Heritage Register (NHR) for the Wanaruah LALC was undertaken on the 27 August 2018 to check for registered Aboriginal Places. The NHR identified four Aboriginal Places in the greater Wanaruah LALC area (**Table 8**), none of which are located within the Project Area.

**Table 9: Summary of Aboriginal Places within the Wanaruah LALC area**

| Place                                 | Gazette No | Latitude   | Longitude  |
|---------------------------------------|------------|------------|------------|
| Baiame Cave                           | 35         | -32.705428 | 150.994347 |
| Redbournberry Hill Aboriginal Place   | 3983       | -32.557911 | 151.198430 |
| St Clair Mission - Church School Site | 79         | -32.388037 | 151.221877 |
| St Clair Mission - Corroboree Ground  | 79         | -32.386224 | 151.221426 |



**FIGURE 2: PROJECT AREA WITH AHIMS**

|                                    |                           |
|------------------------------------|---------------------------|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA94              |
| JOB NO.: PR 146475                 | PROJECTION: MGA Zone 56   |
| PURPOSE: HERITAGE                  | Data Sources: RPS, Client |
| Technician: Natalie Wood           | Nearmap 21/1/2020         |
| Date: 12/05/2020                   |                           |

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## 5.7 Archaeological literature review

A review of previous studies undertaken in the area, including archaeological surveys and excavations, is used to establish a better understanding of the archaeological potential of the Project Area.

### **RPS (2012). Aboriginal Heritage Impact Assessment, Denman Recreation Area, Denman, NSW**

RPS (2012) was engaged by Muswellbrook Shire Council to conduct an Aboriginal Heritage Impact Assessment at the Denman Recreation Area. The project included modification of existing facilities as well as development of new areas for public recreation. An AHIMS search found Aboriginal sites in the local area, but not in the project area. An archaeological survey of the study area on 14/07/2010 identified one isolated find on a walking track in a highly disturbed and modified landscape (RPS, 2012).

### **McCardle Cultural Heritage Pty Ltd (2008). Indigenous Archaeological Assessment.**

McCardle Cultural Heritage Pty Ltd (2008) was commissioned by ADW Johnson to conduct an Aboriginal archaeological assessment for a proposed subdivision at Denman. The survey area was 750m west of Sandy Creek. The survey was conducted on foot and three sites were identified: one artefact scatter and two isolated finds. The artefact scatter contained one yellow mudstone broken flake and one brown mudstone flake. The isolated finds included one red mudstone proximal flake and one yellow mudstone flake. It was recommended that a Section 90 Consent to Destroy was required before the proposed development could commence (McCardle Cultural Heritage Pty Ltd 2008).

### **Myall Coast Archaeological Services (2004). Aboriginal Heritage Assessment.**

The survey was conducted at the request of Ellis Karm and Associates for the proposed extension to the water supply facility at Denman. It was determined by the Aboriginal heritage assessment that the proposed extension would have no impact on Aboriginal places or objects (Myall Coast Archaeological Services, 2004).

### **Steel, D. (1991). Archaeological Survey for Aboriginal Sites.**

Steele (1991) was engaged by Envirosiences Pty Limited to conduct an archaeological investigation for a proposed sand extraction operation on the Goulburn River at Denman. The area was located on a property described as Part Portion 11, Yarrowa Deviation Road, Parish of Bureen, County of Hunter. The study was approximately 3 kilometres south west of Denman. The pedestrian survey identified one artefact scatter. The cores identified were predominantly fashioned from indurated mudstone along with a flaked piece (Steele 1991).

### **Koettig, M. (1994). Bulga Lease Authorisation 219 Salvage Excavations, Volume 1: Overview of Results.**

Koettig (1994) was engaged by Saxonvale Coal Pty Ltd to conduct salvage excavations across three sites (B8, B46 and B58) within the Bulga Mine Lease. The lease is located between Charlton Road and Broke Road in the central lowlands of the Hunter Valley. Excavations were undertaken to determine artefacts distribution based on landform focused on erosion gullies and areas prone to water erosion.

Site B8 is located on the bank of Loders Creek on the west arm, the flats have a continuous distribution of archaeological evidence along them. The A horizon sandy silt is between 20-40cm in depth overlaying consolidated clays. Subsurface artefacts in B8 reached 111 (34%), with a total of 328 pits across this site.

Site B46 is located on Loders Creek, the flats have less sand than the B8 soils. These flats have minimal disturbance through vegetation clearing. Artefact densities much higher within 120 metres of the creek bank, with consistently dispersed artefacts located further away. Subsurface artefacts in B46 reached 173 (25%), with a total of 698 pits across the site.

Site B58 is located on Moorlands Creek within 2 kilometres of Wollombi Brook which is a permanent water source. Deep sandy soils on up to 1 metre overlaying sandstone bedrock. Subsurface artefacts in B58 reached 112 (20%), with a total of 545 pits across the site.

### **Brayshaw, H. (1983). Archaeological Survey at ‘The Glen’ on the Goulburn River**

Brayshaw (1983) conducted an archaeological survey for a proposed area of sand and gravel extraction at ‘The Glen’ on the Goulburn River, located on Rosemount Road, 7 kilometres west of Denman. The investigation was for an Environmental Impact Statement (EIS). The area was investigated on foot and identified one archaeological artefact: a pink chert flake with step fracturing on the dorsal surface near the platform. The artefact was located on the vehicle track amongst riverbed gravel (Brayshaw 1983).

## **5.8 Summary and analysis of background information**

The Project Area is part of the broader cultural landscape of the Hunter Region, which is immersed in cultural significance including cultural landscapes. Access to perennial resources and fresh water are major determinants of where Aboriginal people would have camped for any period of time. The Project Area is located on the Hunter River, which is a high order large permanent water sources, with an abundance of food resources.

The greater Hunter Region has been impacted by European land use, which historically both commercially utilised and cleared the surrounding vegetation for land use. Historically the farming and mining industry were located in the Hunter Region. The Project Area itself has been subject to minor impacts through flooding and natural erosion caused by water. The sensitive landscape (within 200 metres of water) minor impact of disturbance and previous reports suggest the Project Area has potential for further identification of Aboriginal sites and objects within the project Area and the integrity of cultural deposits, if present.

As the Project Area is located on the Hunter River, elevated areas outside of regular flooding are considered to be an archaeologically sensitive landscape.

## **5.9 Results of archaeological survey**

The results of the archaeological survey are discussed in detail in the Archaeological Assessment Report (**Appendix B**). This section presents a summary of those results.

A visual inspection, to assess the subsurface archaeological potential of the Project Area based on landform, land use, and disturbance, was conducted on 25 March 2020. Five new artefacts were recorded and a PAD (in the northern end of the Project Area) was recorded during the survey. The survey was conducted on foot (pedestrian) and targeted the locations identified in the sampling strategy. The area was surveyed in landscape units defined in two Survey Units of: SU1 (low rolling rises) and SU2 (plain).

The site inspection demonstrated that minor disturbances were evident across the site, with exposures revealing the subsoils. It is assumed that the A horizon remains intact within the identified PAD area in SU1, however it is less likely that the A horizon soil be present within SU2. The landscape within SU2 is reasonable unmodified and has potential for further subsurface archaeological deposits. SU1 has been assessed as having moderate archaeological potential and SU2 has been assessed as having low archaeological potential based on the lack of topsoil within the SU.

The proposed works will impact both the PAD and the newly recorded artefacts, further suggestions have been made in **Section 9** of this report.

## 6 CULTURAL HERITAGE VALUES AND STATEMENT OF SIGNIFICANCE

The Burra Charter provides guidance for the conservation and management of places of cultural significance or cultural heritage places and is based on the knowledge and experience of the Australian ICOMOS members. Conservation management of places of cultural significance is an integral and ongoing responsibility. The definition of cultural significance as supplied by the Burra Charter focuses on scientific, aesthetic, historic, or social values of the past, present and future generations (ICOMOS, 2013). The Burra Charter defines cultural significance as “*embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects*” (ICOMOS, 2013).

Aboriginal cultural heritage is assessed using the categories developed by the Burra Charter:

- Social and cultural value (assessed by Aboriginal people only);
- Spiritual value;
- Scientific/archaeological value;
- Aesthetic value; and
- Historical value.

This section of the report provides an assessment of these values within the Project Area. The significance criteria relate to research potential, representativeness, rarity and educational potential the significance assessment matrix is in **Table 9**.

**Table 10: Aboriginal Cultural Heritage Significance Assessment Matrix**

| Significance Assessment Matrix |   |          |        |
|--------------------------------|---|----------|--------|
| Significance                   | Potential to provide further archaeological information |          |        |
|                                | Low   | Moderate | High   |
| Low                            | Low   | Low      | Medium |
| Medium                         | Low   | Medium   | High   |
| High                           | Medium  | High     | Major  |

Significance of Aboriginal Cultural Heritage based on the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in Part 6 of the NSW NPW Act 1974.

### 6.1 Social and cultural value

Social cultural value refers to “*refers to the associations that a place has for a particular community or cultural group and the social or cultural meanings that it holds them to*” (ICOMOS, 2013).

The consultation process to date has indicated that all Aboriginal objects within the Project Area and surrounding area have social and cultural values to all Registered Aboriginal Parties. Some of these values identified to date through the consultation process are outlined below:

- All Aboriginal objects are important to Aboriginal people and have cultural value;
- Based on the landscape the Project Area was identified as a sensitive landscape as it is located within 200 metres of the Hunter River.
- Located within proximity to Baiame Cave which is a gazetted Aboriginal Place, the cave displays artwork illustrates both the social and cultural dynamics of the Wanaruah people.
- The Project Area is part of a broader cultural landscape, which is steeped in cultural significance; and

- All Aboriginal objects hold physical social and cultural value to past occupation of the area.

The social and cultural value of the Project Area is high, the social value remains but the cultural value will be impacted by the proposed works.

## 6.2 Spiritual value

Spiritual value refers to: *“the intangible values and meaning embodied in or evoked by a place which give it importance in the spiritual identity, or the traditional knowledge, art and practices of a cultural group. Spiritual value may also be reflected in the intensity of aesthetic and emotional responses or community associations and be expressed through cultural practices and related places”* (ICOMOS, 2013).

The connection to nature and Aboriginal cultural heritage are integrated and cannot be separated. The Dalswinton Quarry area is located on the traditional country of the Wanaruah people. Natural resources such as the water, land, animals, plants within the landscape are central to both Aboriginal spirituality and identity. This connection is associated with medicinal procurement, food resources, caring for country, cultural knowledge and kinship systems (NPWS, 2014).

The consultation process to date has identified the values outlined below:

- Proximity to Baiame Cave which is a gazetted Aboriginal Place with a painting of the creator.
- The site is connected to the dreaming creation story of Baiame.
- The site connects various dreaming sites.

The spiritual value of Project Area is high; however, the spiritual value will not be impacted due to the proposed works.

## 6.3 Scientific/archaeological value

**Table 11: Archaeological significance criteria**

| Summary             |   |
|---------------------|---|
| Criteria            | Description   |
| Rarity              | Is the subject are important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practiced? Is it in danger of being lost or of exceptional interest? |
| Representativeness  | How much variability (outside and /or inside the subject area) exists, what is already conserved, how much connectivity is there?   |
| Research Potential  | 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 may have teaching potential?   |

Five Aboriginal objects were identified during the field survey, two of these artefacts were located within a Potential Archaeological Deposit (PAD). Although the Project Area has been subject to water erosion through flooding there is a moderate likelihood for further subsurface deposits within the Project Area. The archaeological significance for the Project Area is moderate, the artefacts and PAD will be impacted due to the proposed works.

The archaeological significance of the Project Area has been assessed as moderate. This assessment is summarised in **Table 11**.

**Table 12: Significance assessment of the Project Area**

| Criteria              | Description  |
|-----------------------|--|
| Research potential    | <p>The site has potential to contribute to an understanding of Australia’s natural and cultural history. Key research topics such as: the archaeology of floodplains of the Hunter River, Aboriginal settlement patterns (including aggregational sites) and Aboriginal history.</p> <p>The floodplain landforms are associated with more permanent habitation and resource gathering sites. Artefact sites and Aboriginal Places are the most common site type in the Hunter Region, there are twenty three artefact sites located in the surrounding area and five new artefacts recorded with the Northern end of the Project Area being recorded as a PAD (<b>Figure 2</b>).</p> |
| Representativeness    | <p>A review of previous research undertaken within the area confirms that the predominant site types within the area are artefact sites.</p> <p>Prior to European contact, the Hunter River resources would have provided an abundance of food. The Project Area is located on the Hunter River floodplain which would have been used as a more permanent campsite.</p> <p>The Project area is nestled at the base of the Wollombi National Park and Spur Hill which would have made it the perfect area to camp to move through the ridges. As such, there would have been a high potential for campsites to have occurred at the site and within the surrounding locality.</p>     |
| Rarity                | <p>The site type is not rare for the Hunter Region, as such presents no value for rarity.</p>  |
| Educational potential | <p>The educational potential for the Project Area is moderate as the area itself has not previously been studied although it is located within the vicinity of areas of great archaeological and cultural significance.</p> <p>The likelihood of finding intact archaeological deposits is moderate despite the water erosion due to flooding. The PAD will need to be excavated to provide further information on the landscape prior to quarry commencement.</p>   |

## 6.4 Aesthetic value

Aesthetic value refers to “*the sensory, scenic, architectural and creative aspects of the place*” this is often linked with social values. These values may consider colour, texture, scale, form, sensory association with place or usage including sound and smell and the fabric or material of the landscape (OEH 2011).

The consultation process to date has identified the values outlined below:

- Site lines to significant places were identified by RAPs as the aesthetic value of the Project Area.

RAPs have been invited to comment on the aesthetic significance of the Project Area throughout the consultation process for this ACHAR, as above information in regard to the importance of sight lines was shared onsite.

Although the aesthetic value is moderate, the Project Area aesthetic will not be impacted due to the proposed works.

## 6.5 Historical value

Historic value refers to the associations Aboriginal people have with places, historically important people, events and phases. Post Contact places such as missions, reserves and massacre sites. Very little has been documented about first contact in this area.

The Project Area has a low historical value as no historical sites are located within 1 kilometre of it.

## 6.6 Connectedness

The Project Area, as shown by the AHIMS results is part of a broader landscape, rich with cultural sites including middens and artefact sites. The Hunter River floodplain and ridgeline landforms are associated with more permanent habitation and resource gathering sites. The artefact sites are located to the north of the Project Area (**Figure 2**). Four new sites have been recorded within the Project Area, two of these sites are located within a PAD.

Sight lines to Spur Hill and Wollombi National Park connect significant sites to the Project Area. It is therefore considered the Project Area is linked to other significant sites which demonstrates the sites connectedness.

## 6.7 Statement of significance

RPS acknowledges that all artefacts hold cultural significance to Aboriginal people as they form part of the wider cultural landscape. RPS acknowledges that the Project Area is culturally significant as part of the wider Aboriginal cultural landscape, and when viewed in isolation.

Five new Aboriginal objects were recorded during the survey and a PAD was identified within the Project Area (Area 2). In the area identified as PAD there is a moderate potential for further subsurface archaeological potential. The Project Area has been assessed as having moderate archaeological significance.

The Project Area is located in the valley at the base of Spur Hill which is north east of the Project Area, Wollombi National Park which is located to the south west and Baiame Caves to the south east and within close proximity to the Hunter River to the south. These places are connected through dreaming stories and connected sight lines to the Project Area are essential to retain connectedness.

The consultation process to date has identified the sites values, these include:

- Proximity to Baiame Cave which is a gazetted Aboriginal Place with a painting of the creator.
- The site is connected to the dreaming creation story of Baiame.
- The site connects various dreaming sites.
- Continued connection to sight lines.

Further details regarding the archaeological significance are provided in the Archaeological Assessment Report provided in **Appendix B**. The social and cultural value, spiritual value, scientific/archaeological value, aesthetic value, historical value and connectedness are assessed to be of moderate significance. None of these values will be impacted due to the proposed works.

## 7 IMPACT ASSESSMENT

This section provides a description of the proposed development assessed for this project. The description includes a summary of the previous impacts, proposed impacts and the potential harm of Aboriginal objects and/or places within the Project Area.

### 7.1 Previous impacts to the Project Area

The Project Area has been previously impacted through the use of access tracks and water erosion due to flooding.

### 7.2 Proposed Activity

A description of the proposed works was provided in **Section 1.1**. These works are reiterated below; the Project Area plans are in **Appendix C**.

- Re-work the previously extracted areas to recover the fine aggregates
- Reworking over approximately 50 ha of land within Stages 1 and 2 of the current DA will constitute Work Area 1.
- Approximately 39 ha of unmined land to the east of this footprint will form Work Area 2.
- Quarrying operation is expected to extract approximately 500,000 tonnes of material over an expected life of twenty-five years.
- Quarry expansion to the east.
- Extraction of material to bedrock between 15 – 20 metres from the original ground level.

### 7.3 Impact assessment

The proposed works within the Project Area will involve quarrying of subsurface, lay down of equipment and vehicular movements which will impact the surface and ground subsurface. Given the five new artefacts recorded during the survey and the identification of a PAD in the northern end of the Project Area it is likely further subsurface Aboriginal objects will be impacted during the proposed works. These five artefacts and the PAD will be impacted during the proposed works.

The impact assessment is summarised in **Table 12, 13, 14** and **Table 15** below.

**Table 13: Impact Assessment of the newly recorded artefacts**

| Sites within the Project Area           |        |          |                        |
|---|--------|----------|------------------------|
| AHIMS                                   | Harm   | Degree   | Consequence            |
| #37-2-6006 (PAD including IF 2 and IF3) | Direct | Complete | Complete loss of value |
| #37-2-6005 (IF1)                        | Direct | Complete | Complete loss of value |
| #37-2-6004 (AS1)                        | Direct | Complete | Complete loss of value |

**Table 14: Impacts to values of the PAD (#37-2-6006)**

| Summary    |  |              |                |                     |
|------------|--|--------------|----------------|---------------------|
| Value      | Manifest through   | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural   | Connection to past identified by RAPs                          | None         | None           | No loss of value    |
| Historic   | None identified within the Project Area.                       | None         | None           | No loss of value    |
| Scientific | Surface artefacts present at site                              | Direct       | Total          | Total loss of value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None         | None           | No loss of value    |

**Table 15: Impacts to values of the IF1 (37-2-6005)**

| Summary    |  |              |                |                     |
|------------|--|--------------|----------------|---------------------|
| Value      | Manifest through   | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural   | Connection to past identified by RAPs                          | None         | None           | No loss of value    |
| Historic   | None identified within the Project Area.                       | None         | None           | No loss of value    |
| Scientific | Surface artefacts present at site                              | Direct       | Total          | Total loss of value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None         | None           | No loss of value    |

**Table 16: Impacts to values of the AS1 (37-2-6004)**

| Summary    |  |              |                |                     |
|------------|--|--------------|----------------|---------------------|
| Value      | Manifest through   | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural   | Connection to past identified by RAPs                          | None         | None           | No loss of value    |
| Historic   | None identified within the Project Area.                       | None         | None           | No loss of value    |
| Scientific | Surface artefacts present at site                              | Direct       | Total          | Total loss of value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None         | None           | No loss of value    |

The Project Area is located within an identified PAD and during the survey five new artefacts were recorded, there is a moderate likelihood for further Aboriginal objects to be impacted during the proposed works.

## 8 MANAGEMENT AND MITIGATION MEASURES

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved. If conservation is not practicable, measures should be taken to mitigate against impacts to Aboriginal sites.

The nature of the mitigation measures recommended is based on the assessed significance of the site/s and is informed by the cultural significance provided by the Aboriginal community during consultation.

Mitigation measures vary depending on the assessment of archaeological, social and cultural significance of a particular site and are based on the significance criteria below. In general, the significance of a site would influence the recommended conservation outcomes and appropriate mitigation measures, on the following basis:

- Low archaeological, social and cultural significance – conservation where possible, an AHIP would be required to impact the site prior to works commencing.
- Moderate archaeological, social and cultural significance – conservation where possible. If conservation is not practicable, mechanisms determined in consultation with the Aboriginal community may be necessary under an AHIP.
- High archaeological, social and cultural significance – conservation as a priority. Only if all practicable alternatives have been exhausted would impacts under an AHIP be considered justified.

The Project Area has been assessed as having a moderate archaeological significance, with moderate potential for further subsurface artefactual deposits. The proposed works will impact the both the PAD and the five newly recorded artefacts recorded during the survey.

**Table 17: Summary of impacts, and mitigation and management measures for Dalswinton Quarry**

| Summary    |   |              |                       |  |
|------------|---|--------------|-----------------------|--|
| ID         | Site Type   | Significance | Consequence of Impact | Mitigation / Management Measures   |
| #37-2-6006 | PAD including isolated finds (PAD with IF2 and IF3) | Moderate     | Total Loss of Value   | AHIP to undertake salvage excavations, this site will be impacted during the proposed works. |
| #37-2-6005 | Isolated Find (IF1)                                 | Low          | Total Loss of Value   | AHIP to salvage the site, this site will be impacted during the proposed works.              |
| #37-2-6004 | Artefact Scatter (AS1)                              | Low          | Total Loss of Value   | AHIP to salvage the site, this site will be impacted during the proposed works.              |

### 8.1.1 Avoiding and minimising harm

The potential to impact or harm Aboriginal objects is moderate, in order to minimise impacts it is advised that an AHIP is required prior to impacting the Project Area and it is expected that community would be engaged during the proposed works (**Figure 5**).

It is recommended that cultural heritage inductions be undertaken by all personnel involved in the impact works to ensure any unexpected finds are managed.

## 8.2 Avoiding and minimising harm

The potential to impact or harm Aboriginal objects is moderate, in order to minimise impacts salvage works in consultation with the Aboriginal Community should be undertaken prior to the commencement of the proposed works.

An AHIP is required prior to impacting the Project Area and it is expected that community would be engaged in the proposed works (**Appendix C**).

It is recommended that cultural heritage inductions be undertaken by all personnel involved in the impact works to ensure any unexpected finds are managed.

## 8.3 Principals of Ecological Sustainable Development

When assessing harm, the NPW Act requires consideration of the principles of ecologically sustainable development (ESD). The principles of ESD include the precautionary principle and the principle of inter-generational equity.

### 8.3.1 Precautionary Principle

The precautionary principle states that if there is a risk of serious or irreversible harm, lack of certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation. The precautionary principle requires “careful evaluation to avoid, wherever practicable serious or irreversible damage to the environment” and “an assessment of the risk rated consequences of various options” (DECCW 2009: 26). It is important to consider the precautionary principle when:

- The proposal involves a risk of serious irreversible damage to an Aboriginal object or place, or to the value of that object or place.
- There is uncertainty about cultural or archaeological value, including in relation to the condition, rarity or representativeness of an Aboriginal object or place (DECCW 2009:26).

#### 8.3.1.1 Newly recorded Pad and artefacts

The archaeological survey identified five new artefacts and a PAD, two of the artefacts are located within the PAD the other two artefacts are located to the south of the PAD. The potential for further subsurface Aboriginal objects is moderate as it is located in a sensitive landscape.

The proposal impacts both the PAD and newly recorded artefacts. Consultation, undertaken as part of the ACHAR, has provided certainty regarding the archaeological value of the site. These sites will be directly impacted during the proposed works, it is advised that a salvage excavation and surface salvage be undertaken as part of an AHIP salvage.

### 8.3.2 Intergenerational equity

Intergenerational equity is defined as the principle that the “present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations” (DECCW 2009:29). Intergenerational equity requires an understanding of the cultural and archaeological landscape and must consider the cumulative impact of a proposal.

Intergenerational equity for the Project Area is based around keeping sight lines to song line and stories, while these sight lines will not be affected the potential to further understand the landscape in the Project Area will be gone. A salvage excavation would also contribute to intergenerational equity by providing analysis of sub-surface material and strata in close proximity to a major water course.

## 8.4 Proposed Management Policy for Aboriginal Heritage

### 8.4.1 Unexpected finds procedure

An unexpected finds procedure will provide a method to manage potential heritage constraints and unexpected finds during construction works. If suspected Aboriginal objects are identified during construction work should stop immediately and Wanaruah LALC, DPIE and an archaeologist contacted to identify and record the objects. This procedure should be made accessible to all relevant employees and contractors working within the Project Area via toolbox talks and display in break out rooms/ sites offices.

### 8.4.2 Discovery of human remains

If suspected human remains are located during any stage of the proposed works, work should stop immediately, and the NSW Police and the Coroner's Office should be notified. The DPIE, Aboriginal stakeholder groups and an archaeologist should be contacted if the remains are found to be Aboriginal.

### 8.4.3 Ongoing consultation with Aboriginal stakeholder groups

Consultation with registered Aboriginal stakeholders would continue throughout the life of the project. This would include circumstances where:

- a. There is an amendment to the Aboriginal Heritage Impact Permit, and
- b. An artefact is encountered and triggers the requirement of the 'Unexpected Finds Procedure'.

### 8.4.4 Management of Aboriginal objects

Temporary and permanent storage locations are required for the artefacts retrieved during the test excavation.

The temporary storage of the artefacts is at the RPS Office, Unit 2A, 45 Fitzroy Street Carrington NSW, in a locked cabinet. Options for permanent storage are as follows:

#### 8.4.4.1 Reburial

The Aboriginal objects recovered during salvage excavation works under the proposed AHIP could be reburied within the Project Area within an area that would not be impacted by any future development works. This would be done in consultation with the proponent and the RAPs.

The proposed reburial methodology would adhere to the Code of Practice (page 35) this would include the following steps.

- Completion of full artefact catalogue including photographic and drawn records for diagnostic artefacts
- Production of the catalogue in hardcopy and softcopy to be included with the artefacts
- All stone/shell artefacts would be individually bagged and tagged with the artefact ID, provenance and project details written on the outside of the bags as well as individual tags so that they can be referenced back to the catalogue
- All artefacts would be double bagged in good quality plastic zip-lock bags
- The artefact assemblage and catalogue would be placed in a suitable impervious and permanent container which would also be labelled as above.
- A site update card would be forwarded to the DPIE AHIMS registrar with information on the location and depth of reburial.

#### **8.4.4.2 Storage at the Wanaruah Local Aboriginal Land Council**

The Aboriginal objects recovered during salvage excavation could be stored at the Wanaruah LALC office under a Care and Control Agreement.

#### **8.4.4.3 Other Location**

Additional options nominated by the RAPs would be considered in consultation with all RAPs and the DPIE.

## 9 RECOMMENDATIONS

This ACHAR has been compiled in accordance with the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW, Part 6 of NPW Act. The following conclusions have been drawn from the available environmental, cultural and archaeological information for the Project Area as well as the results of the archaeological survey conducted for this assessment

During the archaeological site survey, five new Aboriginal Objects and a PAD were identified. No previously recorded AHIMS sites were located within the Project Area. Although minor disturbances were evident across the site it has been assessed that there is a moderate potential for further subsurface deposits in the identified PAD. With this in mind, the following recommendations have been made:

### Recommendation 1: Aboriginal Heritage Impact Permit (AHIP)

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.

### Recommendation 3: Aboriginal cultural heritage induction

All site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

Aboriginal cultural heritage inductions led by Wanaruah LALC is recommended and can be arranged via 02 6543 1288.

### Recommendation 4: unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix E**):

- 5) Immediately cease all activity at the location.
- 6) Ensure no further harm occurs, secure the area.
- 7) Notify Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).
- 8) No further action to be undertaken until DPIE provides written consent to HDB.

### Recommendation 5: unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix E**):

- 5) Immediately cease all activity at the site.
- 6) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 7) Notify the NSW Police 000.
- 8) Notify the Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).

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# Appendix A Consultation Log

## Appendix B Consultation Documents

## Appendix C

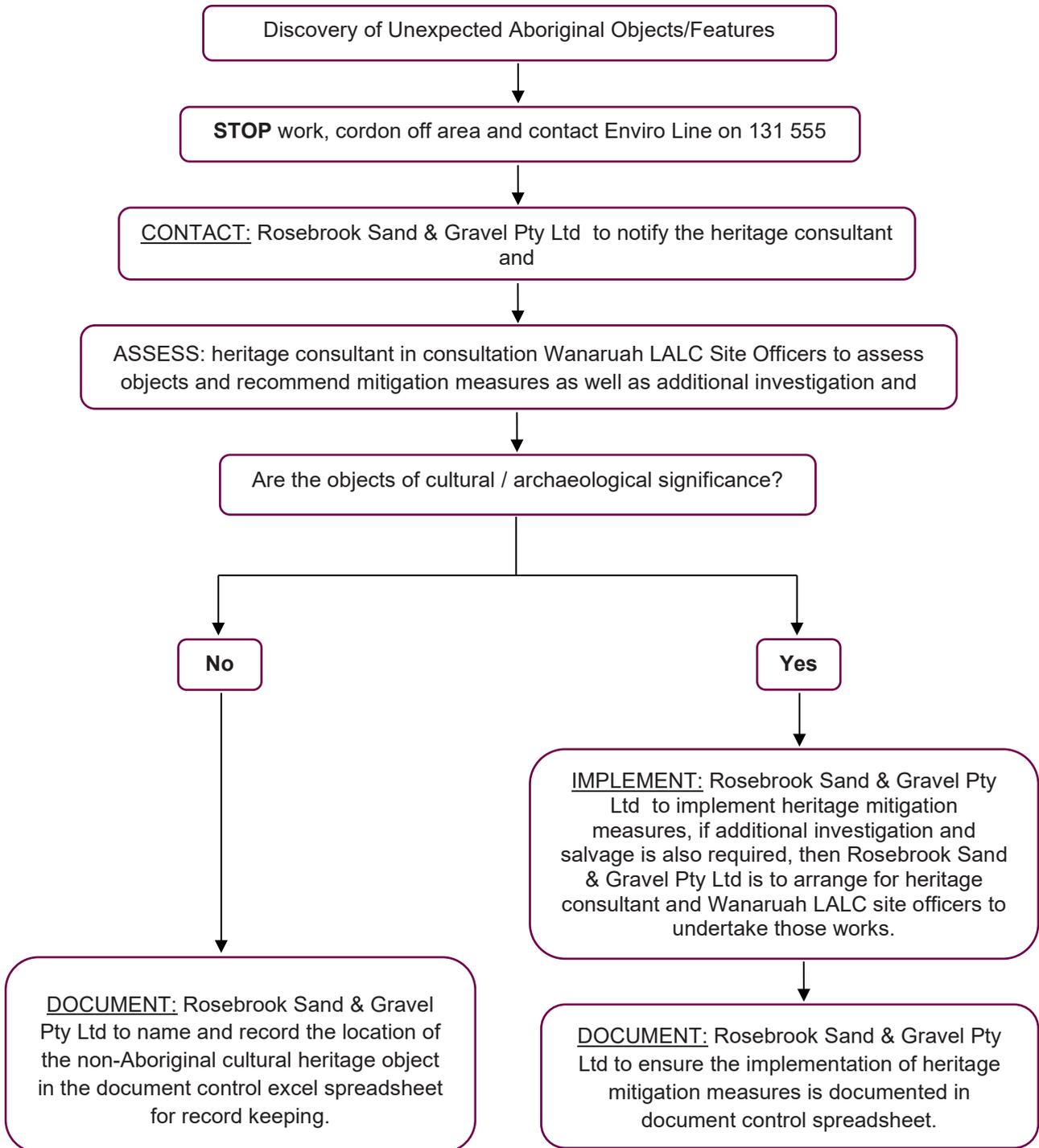
# Aboriginal Archaeological Assessment Report

## Appendix D Proposed Project Plans

## Appendix E Extensive AHIMS

## Appendix F Unexpected Finds Procedure

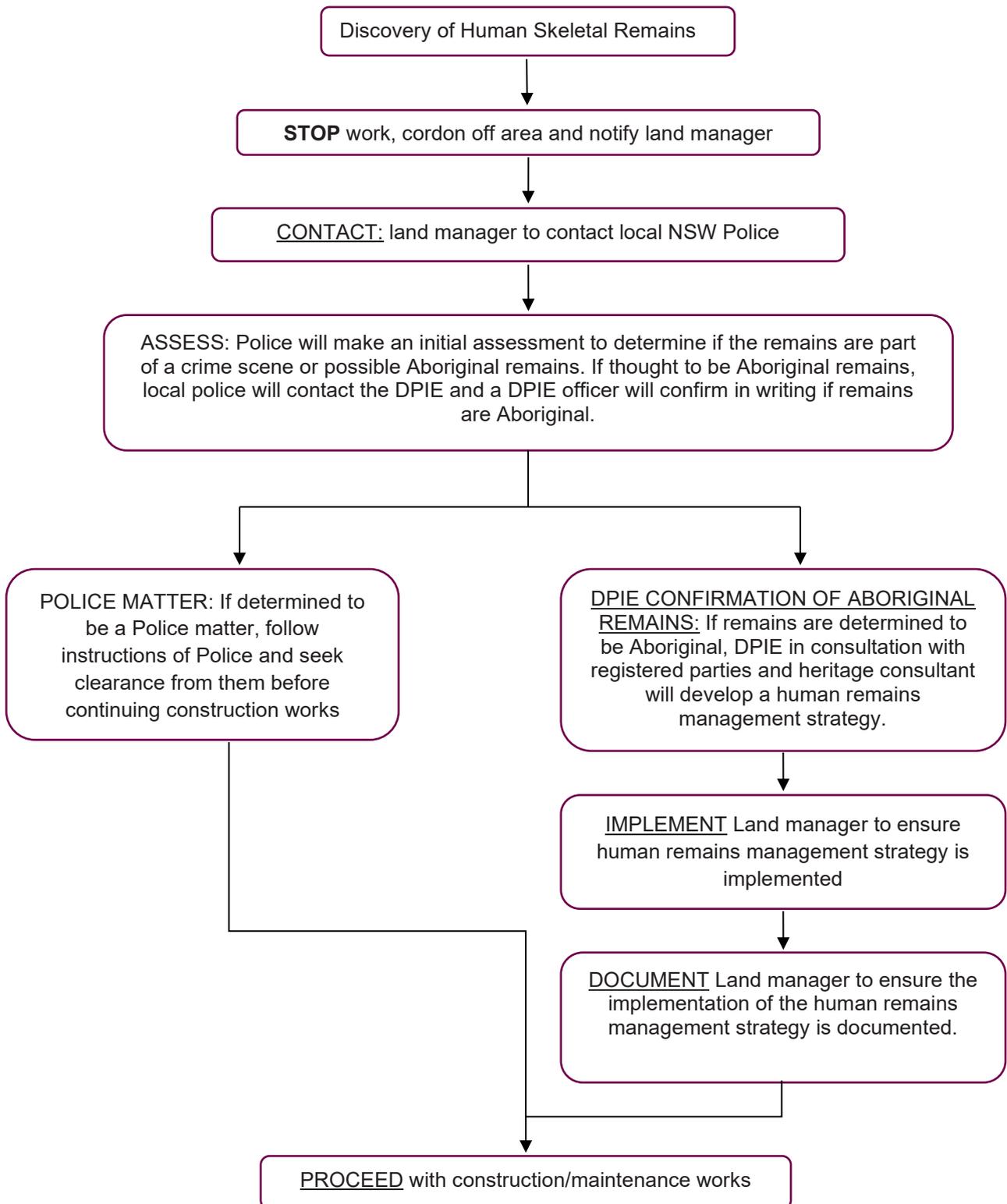
UNEXPECTED FINDS PROCEDURE FOR ABORIGINAL OBJECTS ENCOUNTERED DURING SITE WORKS



Unexpected Finds Procedure for discovery of human skeletal remains

**ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

Human skeletal remains are of the highest importance to Aboriginal peoples and all care, caution, respect and dignity will be utilised by all parties should such remains be discovered.



# DALSWINTON QUARRY – DALSWINTON NSW

## Aboriginal Archaeological Assessment Report



PR146475  
Aboriginal Archaeological  
Assessment Report  
DALSWINTON QUARRY  
DALSWINTON NSW  
V1  
12 May 2020

## ABORIGINAL ARCHAEOLOGICAL ASSESSMENT REPORT

### Document status

| Version | Purpose of document | Authored by  | Reviewed by | Approved by     | Review date |
|---------|---------------------|--------------|-------------|-----------------|-------------|
| 1.0     | Draft               | Amanda Crick | Ben Slack   | Minouschka Lush | 05/05/2020  |

### Approval for issue

Minouschka Lush



2020-05-12

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## EXECUTIVE SUMMARY

HDB on behalf of Rosebrook Sand & Gravel Pty Ltd (Dalswinton Quarry) has engaged RPS to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The proponent wishes to expand the operations to the eastern part of the existing quarry site, as well as to re-work the previously extracted areas to recover the fine aggregates which were previously returned to pits as reject material.

This assessment is a requirement under the Secretary's Environmental Assessment Requirements (SEARs) issued for the project. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA) within the Wanaruah Traditional Country (**Figure 1**).

The purpose of the archaeological assessment is to provide additional information about the archaeological or scientific significance of the Project Area to inform the Aboriginal Cultural Heritage Assessment Report (ACHAR). Its recommendations are consistent with those provided in **Section 9** of the ACHAR (**Appendix A**).

RPS has prepared this report in accordance with the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2011) (the Guide), the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice) (DECCW, 2010c) and the *Aboriginal cultural heritage consultation requirements for proponents 2010* (the Consultation Requirements) (DECCW, 2010a). This archaeological assessment includes the results of the archaeological field survey undertaken in the Project Area on 25 March 2020. Five new surface artefacts were identified during the survey, two of which are located within a newly identified Potential Archaeological Deposit (PAD). The ground surface has a low level of disturbance due to vegetation clearing, usage of the access tracks and natural processes such as water erosion through occasional flooding.

The Project Area is located at Dalswinton to the east of the existing Dalswinton Quarry, the area identified as PAD during the survey has a moderate potential for further subsurface deposits. The Project Area has been assessed as having a moderate archaeological potential within the newly identified PAD. The five artefacts and the PAD will be impacted during the proposed works, as such a salvage under an approved Aboriginal Heritage Impact Permit (AHIP) is required.

The following recommendations are made in relation to the project:

## Recommendations

### Recommendation 1: Aboriginal Heritage Impact Permit (AHIP)

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**.

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.

### Recommendation 2: Aboriginal cultural heritage induction

All site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

Aboriginal cultural heritage inductions led by Wanaruah LALC is recommended and can be arranged via 02 6543 1288.

### Recommendation 3: unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).
- 4) No further action to be undertaken until DPIE provides written consent to Rosebrook Sand & Gravel Pty Ltd.

### Recommendation 4: unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix C**):

- 1) Immediately cease all activity at the site.
- 2) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 3) Notify the NSW Police 000.
- 4) Notify the Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).

## GLOSSARY

**Table 1: Abbreviation Definitions**

| Definitions       |  |
|-------------------|--|
| Abbreviation/Term | Meaning  |
| Aboriginal Object | “any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains” (DECCW 2010:18). |
| Aboriginal Place  | “a place declared under s.84 of the NPW Act that, in the opinion of the Minister, is or was of special significance to Aboriginal culture” (DECCW 2010:18).<br>Aboriginal places have been gazetted by the minister.   |
| ACHAR             | Aboriginal Cultural Heritage Assessment Report   |
| ACHCR             | Aboriginal Cultural Heritage Consultation Requirements   |
| Activity          | A project, development, or work (this term is used in its ordinary meaning and is not restricted to an activity as defined by Part 5 EPA Act 1979).  |
| AHIMS             | Aboriginal Heritage Information Management System  |
| AHIP              | Aboriginal Heritage Impact Permit  |
| Dalswinton Quarry | Rosebrook Sand & Gravel Pty Ltd quarry at Dalswinton NSW   |
| DEC               | Department of Environment and Conservation (restructured to become DECC)   |
| DECC              | Department of Environment, Conservation and Climate (restructured to become DECCW)   |
| DECCW             | Department of Environment, Climate Change and Water (restructured to become the Office of Environment and Heritage – OEH)  |
| DPIE              | Department of Planning, Industry and Environment   |
| EPA Act           | <i>Environmental Planning and Assessment Act 1979 (NSW)</i>  |
| LALC              | Local Aboriginal Land Council  |
| LEP               | Local Environment Plan   |
| LGA               | Local Government Area  |
| NPW Act           | <i>National Parks and Wildlife Act 1974</i>  |
| NPW Regulation    | <i>National Parks &amp; Wildlife Regulation 2009</i>   |
| OEH               | Office of Environment and Heritage (restructured to become the DPIE)   |
| PADs              | Potential Archaeological Deposit   |
| RAPs              | Representative Aboriginal Parties  |
| REF               | Review of Environmental Factors  |
| RPS               | RPS Australia East Pty Ltd   |
| SU                | Survey Unit  |

NB. Abbreviations spelt out in the first instances, then abbreviated throughout the report

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# 1 INTRODUCTION

HDB on behalf of Rosebrook Sand & Gravel Pty Ltd (Dalswinton Quarry) has engaged RPS to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The Assessment is required under the Secretary's Environmental Assessment Requirements (SEARs) issued for the project.

The purpose of the archaeological assessment is to provide additional information about the archaeological or scientific significance of the Project Area to inform the ACHAR. If necessary, the ACHAR forms part of the application for an Aboriginal Heritage Impact Permit (AHIP). An AHIP is required if the proposal will – directly or indirectly – harm an Aboriginal object, or a declared Aboriginal Place (AP). No previous AHIP applications have been lodged for the Project Area.

RPS has prepared this report in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2010) (the Guide), the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code of Practice) (DECCW, 2010b) and the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the Consultation). Project Area

The Project Area is located in the valley nestled between Wollombi National Park to the south, Spur Hill to the north east and Golden Rover National Park to the north west. The area is elevated approximately between 93-95 metres Australian Height Datum (AHD).

The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA) and is located within and falls within the boundaries of the Wanaruah Local Aboriginal Land Council (LALC). (**Figure 1**).

## 1.1 Proposed Activity

The proponents wish to expand the operations to the eastern part of the existing quarry site, as well as to rework the previously extracted areas to recover the fine aggregates which were previously returned to pits as reject material. It is proposed to have two working areas within the site. Reworking over approximately 50 ha of land within Stages 1 and 2 of the current DA will constitute Work Area 1. Approximately 39 ha of unmined land to the east of this footprint will form Work Area 2. The quarrying operation is expected to extract approximately 500,000 tonnes of material over an expected life of twenty-five years.

- Reworking previously quarry location (Work Area 1);
- Quarry expansion to the east (Work Area 2); and
- Extraction of material to bedrock between 15 – 20 metres from the original ground level.

The locations of the proposed activity are marked on **Figure 1**. The proposed Project Plans are in **Appendix B**.

## 1.2 Aims of archaeological assessment

The purpose of the archaeological assessment is:

- To understand the archaeological potential of the Project Area through visual investigation of the Project Area;
- Where Aboriginal objects are identified, this assessment aims to characterise the nature and extent of the archaeological deposit and understand the relationship between the sites and the wider cultural and archaeological landscape;
- To prepare an archaeological significance assessment for all identified aspects of Aboriginal cultural heritage;

- To assess the impact of the proposal on Aboriginal cultural heritage within the Project Area and avoid, minimise or mitigate those impacts where practicable; and,
- To develop appropriate management and mitigation measures and provide recommendations to ensure best practice heritage outcomes.

### 1.3 Authorship and acknowledgements

This report was prepared by RPS Heritage Consultant/Archaeologist, Amanda Crick. GIS and mapping were provided by RPS Senior GIS, Consultant Natalie Wood. The archaeological field survey was undertaken by RPS Heritage Consultant/Archaeologist Amanda Crick and the Representative Aboriginal Parties (RAPs). The report has been reviewed by RPS Senior Heritage Consultant/Archaeologist Ben Slack, and approved by RPS Heritage Manager, Minouschka Lush.

### 1.4 Heritage project team

Qualifications and experience of the project team has been summarised below:

#### 1.4.1 Benjamin Slack

- Bachelor of Arts (Archaeology) , University of New England.
  - Five years' experience working in archaeological consulting.
  - Seven years' working as a field archaeologist.

#### 1.4.2 Amanda Crick

- Bachelor of Arts (Archaeology & Palaeoanthropology) Hons, University of New England.
  - Three years' experience working in archaeological consulting.
  - Six years' working as a field archaeologist.



## 2 LEGISLATIVE CONTEXT

The following overview of the statutory framework is provided solely for information purposes for the client, it should not be interpreted as legal advice. The following overview of the statutory framework is relevant to this project and should not be reinterpreted or applied to other projects. RPS will not be liable for any actions taken by any person, body or group as a result of this general overview. RPS recommends that specific legal advice be obtained from a qualified legal practitioner prior to any action being taken as a result of the summary below.

### 2.1 National Parks and Wildlife Act 1974

Aboriginal cultural heritage (objects and places) in NSW are protected by the *National Parks and Wildlife Act 1974* which is overseen by the DPIE (formerly DECCW & OEH). In some cases, Aboriginal heritage may also be protected under the *Heritage Act 1977*, also overseen by DPIE (formerly the Heritage Branch of the Department of Planning). The *Environmental Planning and Assessment Act 1979*, overseen by the DPIE, and other environmental planning instruments trigger the requirement for the investigation and assessment of Aboriginal cultural heritage as part of the development approval process.

The *National Parks and Wildlife Act 1974* (NPW Act) is the principal Act providing protection for Aboriginal cultural heritage (objects and places) in NSW. It provides protection for Aboriginal cultural heritage irrespective of the level of archaeological or cultural heritage significance or land tenure. DPIE is responsible for the administration of the NPW Act. The NPW Act provides protection for Aboriginal cultural heritage in NSW. Section 86 of the NPW Act states:

- “A person must not harm or desecrate an object that the person knows is an Aboriginal object”
- “A person must not harm an Aboriginal object”
- “A person must not harm or desecrate an Aboriginal place”

Under the NPW Act, it is an offence to harm an Aboriginal object or place. Harming an Aboriginal object or place may result in a fine of up to \$550,000 for an individual and imprisonment for two years; and in the case of a corporation, a fine of up to \$1.1 million. The fine for a strict liability offence (s86 [2]) is up to \$110,000 for an individual and \$220,000 for a corporation.

Harm under the NPW Act is defined as any act that: destroys defaces or damages the object; moves the object from the land on which it has been situated; causes or permits the object to be harmed. However, it is a defence from prosecution if the proponent can demonstrate 1) that harm was authorised under Section 90 of the NPW Act, or 2) that the proponent exercised due diligence in respect to Aboriginal cultural heritage. The due diligence defence states that if a person or company has exercised due diligence, liability from prosecution under the NPW Act will be removed or mitigated if it later transpires that an Aboriginal object was harmed. If an Aboriginal object is identified during the proposed activity, all activity within that area must cease and DPIE must be notified (DECCW, 2010c, p. 13). The due diligence defence does not authorise continuing harm.

#### 2.1.1 Notification of Aboriginal object

Under Section 89A of the NPW Act, the proponent must report all Aboriginal objects and places to the Director General of the DPIE within a reasonable time, unless already recorded on the Aboriginal Heritage Information Management System (AHIMS). Fines of \$11,000 for an individual and \$22,000 for a corporation may apply for each object not reported.

## 2.1.2 Investigating and assessing Aboriginal cultural heritage

There are several procedural publications governing archaeological practice in NSW. The publications relevant to the investigation and assessment of Aboriginal cultural heritage include the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH, 2010, p. 13), the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) (DECCW, 2010b) and the *Aboriginal cultural heritage requirements for proponents 2010* (DECCW, 2010a). The *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW, 2010a) codifies a process for consultation with Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal cultural heritage. The requirements are consistent with the NPW Act and seek, *inter alia*, to conserve Aboriginal objects and places of significance to Aboriginal people. Consultation is therefore a fundamental part of the Aboriginal cultural heritage assessment process.

## 2.1.3 Aboriginal Place

Under Section 90 of the NPW Act it is an offence to 'harm' an Aboriginal object or place unless an AHIP has been issued by the Director General of the DPIE. No Aboriginal Places are located within the Project Area.

## 2.2 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) regulates a system of environmental planning and assessment for NSW. Land use planning requires the consideration of environmental impact, including the potential impact on Aboriginal cultural heritage. The NPW Act therefore provides protection for Aboriginal objects or places, and the EP&A Act necessitates an assessment of Aboriginal cultural heritage as part of the planning and approvals process. The proposed activity is being assessed under Section 4.12(8) of the EP&A Act as a State Significant Development (SSD-10321).

### 2.2.1 Planning Secretary's Environmental Assessment Requirements

The Planning Secretary's Environmental Assessment Requirements (SEARs) was issued for the Project Area on 27 May 2019. General requirements for the proposed works involve the preparation of an Environmental Impact Statement (EIS) in accordance with clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

Section 12 of the SEARs relates to Aboriginal heritage and the production of an Aboriginal archaeological report in accordance with relevant DPIE guidelines.

## 2.3 Muswellbrook Local Environment Plan (LEP)

The Project Area is within the Muswellbrook Council LGA. The Muswellbrook LEP 2009 aims to make local environmental planning provisions for land in the Muswellbrook LGA in accordance with the relevant standard environmental planning instrument under section 33A of the Act. The particular aims of this Plan are as follows:

- a. encourage the proper management of the natural and human-made resources of Muswellbrook by protecting, enhancing or conserving—
  - i. productive agricultural land, and
  - ii. timber, minerals, soils, water and other natural resources, and
  - iii. areas of significance for nature conservation, and
  - iv. areas of high scenic or recreational value, and
  - v. places and buildings of archaeological or heritage significance,
- b. to manage the urban areas of Muswellbrook by strengthening retail hierarchies and employment opportunities, promoting appropriate tourism development, guiding affordable urban form and providing for the protection of heritage items and precincts,

- c. to promote ecologically sustainable urban and rural development,
- d. to manage development in flood-prone areas by ensuring any obstruction, re-direction or pollution of flood waters will not have adverse consequences for the environment or increase the risk of endangering life or property,
- e. to enhance the urban amenity and habitat for flora and fauna,
- f. to protect and conserve—
  - i. soil stability by controlling development in accordance with land capability, and
  - ii. remnant native vegetation, and
  - iii. water resources, water quality and wetland areas, natural flow patterns and their catchments and buffer areas,
- g. to provide a secure future for agriculture by expanding Muswellbrook's economic base and minimising the loss or fragmentation of productive agricultural land,
- h. to allow flexibility in the planning framework so as to encourage orderly, economic and equitable development while safeguarding the community's interests and residential amenity, and to achieve the objectives of each zone mentioned in Part 2 of this Plan.

### 2.4 Aboriginal Land Rights Act 1983

The purpose of this legislation is to provide land rights for Aboriginal people within NSW and to establish Local Aboriginal Land Councils. Under Section 36 of the Act, a Local Aboriginal Land Council, on behalf of Aboriginal people, can claim certain Crown land that:

- Is able to be lawfully sold, leased, reserved or dedicated
- Is not lawfully used or occupied
- Will not, or not likely, in the opinion of the Crown Lands Minister, be needed for residential purposes
- Will not, or not likely, be needed for public purposes
- Does not comprise land under determination by a claim for native title
- Is not the subject of an approved determination under native title

Claims for land are by application to the Office of the Registrar, *Aboriginal Land Rights Act 1983*. No registered Native title claims, title determinations of Indigenous land use agreements over the Project Area.

### 2.5 Native Title Act 1993

The Commonwealth *Native Title Act 1993* establishes a structure for the protection and recognition of native title where:

- Aboriginal people have a native title interest to maintain traditional customs and laws.
- Aboriginal people have sustained connection with the land or waters in question
- The native title rights and interests are recognised by the common law of Australia.

The Native Title Act 1993 establishes processes to determine where native title exists, how activities affecting upon native title may be carried out, and to provide compensation where native title is impaired or extinguished. The Act provides Aboriginal people who hold native title rights and interests, or who have made a native title claim, the right to be consulted and in some cases, to participate in decisions about activities proposed to be undertaken on the land. There are no Native Title Claims registered or determined within the Project Area.

### 3 ENVIRONMENTAL CONTEXT

This section provides a summary description of the environmental context of the Project Area including topography, soils, geology, flora and fauna, hydrology and previous disturbance.

An understanding of environmental context is important for the predictive modelling and interpretation of Aboriginal sites. The local environment provided natural resources for Aboriginal people, such as stone (for manufacturing stone tools), food and medicines, wood and bark (for implements such as shields, spears, canoes, bowls, shelters, amongst others), as well as landforms suitable for camping and other activities. The nature of Aboriginal occupation and resource procurement is inextricably linked to the local environment and, therefore, needs to be considered as part of the cultural heritage assessment process.

The decisions that people make regarding such things as where they live, the range of resources they use, and other aspects of daily life may be influenced by the environment in which they live. The preservation and visibility of sites is also affected by environmental factors such as vegetation cover, past land-use and disturbance. A review of the relevant environmental context is undertaken to assist in the identification of Aboriginal objects and/or places within and in proximity to the Project Area (Murphy, 1993).

#### 3.1.1 Geology and soils

The Project Area is located on the flood plains of the Hunter River. The geological unit on which it sits is Quaternary alluvium, and the parent material is alluvium. The Project Area is located within the Hunter soil landscape of soils formed in alluvium, including predominately brown (cracking) clays and black earths. These are common on terraces and former stream channels and are generally hardsetting clay loams with a strong structure, imperfectly drained to moderately well-drained. Brown (cracking) clays exist as a brownish black topsoil up to around 30cm, gradually changing to a dull brown medium clay subsoil. Black earths form a topsoil of around 15cm, changing to a brownish black light medium clay subsoil. Depth to bedrock is approximately 40-100cm.

#### 3.1.2 Topography and hydrology

The Project Area lies on the floodplain to the north of the Hunter River. The slope of the Hunter River plains and terraces have a slope gradient of 0-3%, with elevations between 20-60 metres and a local relief of 101 metres. The ranges have a width of 200 to 3200 metres. The area is generally well drained with moderate to high permeability.

The resources potentially available within the Hunter River flood plain would have provided major marine resources for Aboriginal people including a vast variety of fish and shellfish species. Access to fresh water is a major determinant of where Aboriginal people would have been able to camp for any period of time. The Hunter River is a high order fresh watercourse located on the perimeter of the Project Area.

#### 3.1.3 Flora and fauna

There is no native vegetation along the Hunter River as result of clearing for agricultural purposes. Early historical records show that prior to intensive settlement the upper Hunter Valley and the Goulburn catchment were only lightly timbered, generally open grasslands. Settler John Howe reported in 1819 that little timber grew on the plains along the river. Surveyor Henry Dangar's field notes of 1824 recorded descriptions of the vegetation and soils: 'tolerable [sic] second class forest land, stiff soil, thinly timbered, small Box and Iron Bark' (Brayshaw 1987:14). The flood plain was particularly lightly timbered and 'well clothed with grass' (Brayshaw, 1987:14). Other species of plants recorded by early surveyors and settlers include species of Casuarina (swamp oaks), Acacia, and smaller flowering plants, herbs and rushes. It was noted that the valley experienced periods of drought as well as inundation (Brayshaw 1987).

On the local fauna, it was recorded by Allan Cunningham in 1825 that kangaroos and emus were abundant in the area, as were smaller game. The Hunter River contained large numbers of fish, including perch and fat eels. Wild turkey was plentiful. Early settlers observed Aboriginal people hunting kangaroos, and also burning grasslands in order to attract flocks of kangaroos to feed on the young and tender grass that grew following the fires (Brayshaw 1987).

### 3.1.4 Land use and disturbance

The Project Area is mostly cleared and has a low level of disturbance through usage of access tracks and natural processes such as water erosion due to flooding public access, wind and water erosion (Kovac & Lawrie, 1991). The larger area has been previously cleared for commercial use (quarrying, mining, farming) residential use (residential construction), installation of infrastructure and services.

## 3.2 Summary

The Project Area is located on plains within proximity to the Hunter River which runs along the southern periphery of the Project Area. The Hunter River is a high order permanent water, the close proximity of permanent water sources and diverse flora and fauna which would have provided Aboriginal people with ample opportunities for hunting and foraging, suggest Aboriginal campsites may be present within the Project Area. The regional geological setting indicates the presence of suitable raw materials for stone tool production is low, however, raw materials for the production of stone tools would likely have been procured elsewhere.

The potential for subsurface archaeological deposit is related to ground disturbance and the erosion of the soil landscape. The soil landscapes within the Project Area demonstrate low disturbance to the surface and subsurface potential.

## 4 ARCHAEOLOGICAL CONTEXT

### 4.1 Aboriginal Heritage Management System (AHIMS)

The purpose of reviewing the relevant heritage information is to assist in identifying whether Aboriginal objects or places are present, or likely to be present within the Project Area. It also assists in defining areas of archaeological potential.

An extensive search of the Aboriginal Heritage Information Management System (AHIMS) was conducted on 14 August 2018 using search coordinates of approximately three kilometres around the Project Area and a 50 metres buffer zone (AHIMS ID: 363889). Due to the gap in works being undertaken an updated AHIMS was conducted on 24 March 2020 (AHIMS ID: 493363). The following search parameters were used:

Lat: -32.471468° - -32.434446°

Long: 150.692079° - 150.741947°

**Table 2: Summary of AHIMS within the searched coordinates**

| AHIMS#    | Site Name          | Site Type                         | Status | Eastings | Northings |
|-----------|--------------------|-----------------------------------|--------|----------|-----------|
| 37-2-0287 | Rose Park 1 Denman | Artefact site: number unspecified | Valid  | 283530   | 6407100   |
| 37-2-4818 | Spur Hill 234      | Artefact site: number unspecified | Valid  | 287354   | 6408644   |
| 37-2-4819 | Spur Hill 235      | Artefact site: number unspecified | Valid  | 287753   | 6408640   |
| 37-2-4859 | Spur Hill 504      | Artefact site: number unspecified | Valid  | 285649   | 6408753   |
| 37-2-4860 | Spur Hill 505      | Artefact site: number unspecified | Valid  | 286089   | 6408237   |
| 37-2-4861 | Spur Hill 506      | Artefact site: number unspecified | Valid  | 285517   | 6408911   |
| 37-2-4823 | Spur Hill 239      | Artefact site: number unspecified | Valid  | 287324   | 6408577   |
| 37-2-4824 | Spur Hill 240      | Artefact site: number unspecified | Valid  | 286100   | 6408418   |
| 37-2-4825 | Spur Hill 241      | Artefact site: number unspecified | Valid  | 286291   | 6408423   |
| 37-2-4828 | Spur Hill 244      | Artefact site: number unspecified | Valid  | 28606    | 6408346   |
| 37-2-4829 | Spur Hill 245      | Artefact site: number unspecified | Valid  | 286630   | 6408333   |
| 37-2-4830 | Spur Hill 246      | Artefact site: number unspecified | Valid  | 28758    | 6408366   |
| 37-2-4805 | Spur Hill 220      | Artefact site: number unspecified | Valid  | 286214   | 6409078   |
| 37-2-4806 | Spur Hill 221      | Artefact site: number unspecified | Valid  | 285697   | 6409020   |
| 37-2-4807 | Spur Hill 222      | Artefact site: number unspecified | Valid  | 285793   | 640888    |
| 37-2-4808 | Spur Hill 224      | Artefact site: number unspecified | Valid  | 285945   | 640885    |
| 37-2-4809 | Spur Hill 225      | Artefact site: number unspecified | Valid  | 287033   | 6408883   |
| 37-2-4811 | Spur Hill 227      | Artefact site: number unspecified | Valid  | 287671   | 640884    |
| 37-2-4812 | Spur Hill 228      | Artefact site: number unspecified | Valid  | 28585    | 6408718   |
| 37-2-4814 | Spur Hill 230      | Artefact site: number unspecified | Valid  | 286070   | 6408671   |
| 37-2-4815 | Spur Hill 231      | Artefact site: number unspecified | Valid  | 286000   | 6408619   |
| 37-2-4816 | Spur Hill 232      | Artefact site: number unspecified | Valid  | 286798   | 6408695   |
| 37-2-4817 | Spur Hill 233      | Artefact site: number unspecified | Valid  | 287711   | 6408787   |

Source: AHIMS 14/8/2018; Search latitude and longitude (50 metre buffer zone)

Both searches identified 23 Aboriginal sites within the extensive search area, primarily located on the slopes to the north of the Project Area (Spur Hill). There are no AHIMS sites recorded within the Project Area. The closest AHIMS site is 37-2-4860, which is located approximately 400 metres to the north of the Project Area. AHIMS sites 37-2-4828 and 37-2-4829 are located between approximately 500 to 700 metres to the north of the Project Area (**Figure 2**).

### 37-2-4860

This site is located approximately 400 metres to the north east of the Project Area. The site is recorded as an artefact scatter (3 artefacts) in an area of 8 metres by 2 metres. The artefacts recorded were a cream/brown red tuff multiplatform core with nine negative scars and two red silcrete flakes located between 1-2 metres to the east of the core. The artefacts were located on the lower slope in an exposure in a moderately disturbed landscape, surrounded by long grasses.

**Table 3: AHIMS Objects within the searched coordinates**

| Site type                         | Frequency | Percent |
|-----------------------------------|-----------|---------|
| Artefact site: number unspecified | 23        | 100%    |

All 23 of the sites are recorded as artefact sites with an unspecified number of artefacts (**Table 2**). This shows it is most likely the site types most likely to be within the Project Area are artefact sites.

## 4.2 Native Title Register Search

A search of the National Native Title Tribunal Native Title Register (NTR) for Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton was undertaken on 27 August 2018. The NTR identified no registered Native title claims, title determinations of Indigenous land use agreements over the Project Area. The NTR search did not identify any ILUAs in effect over the Project Area. An updated search was done through the National Native Title Register 24 March 2020 with the same results.

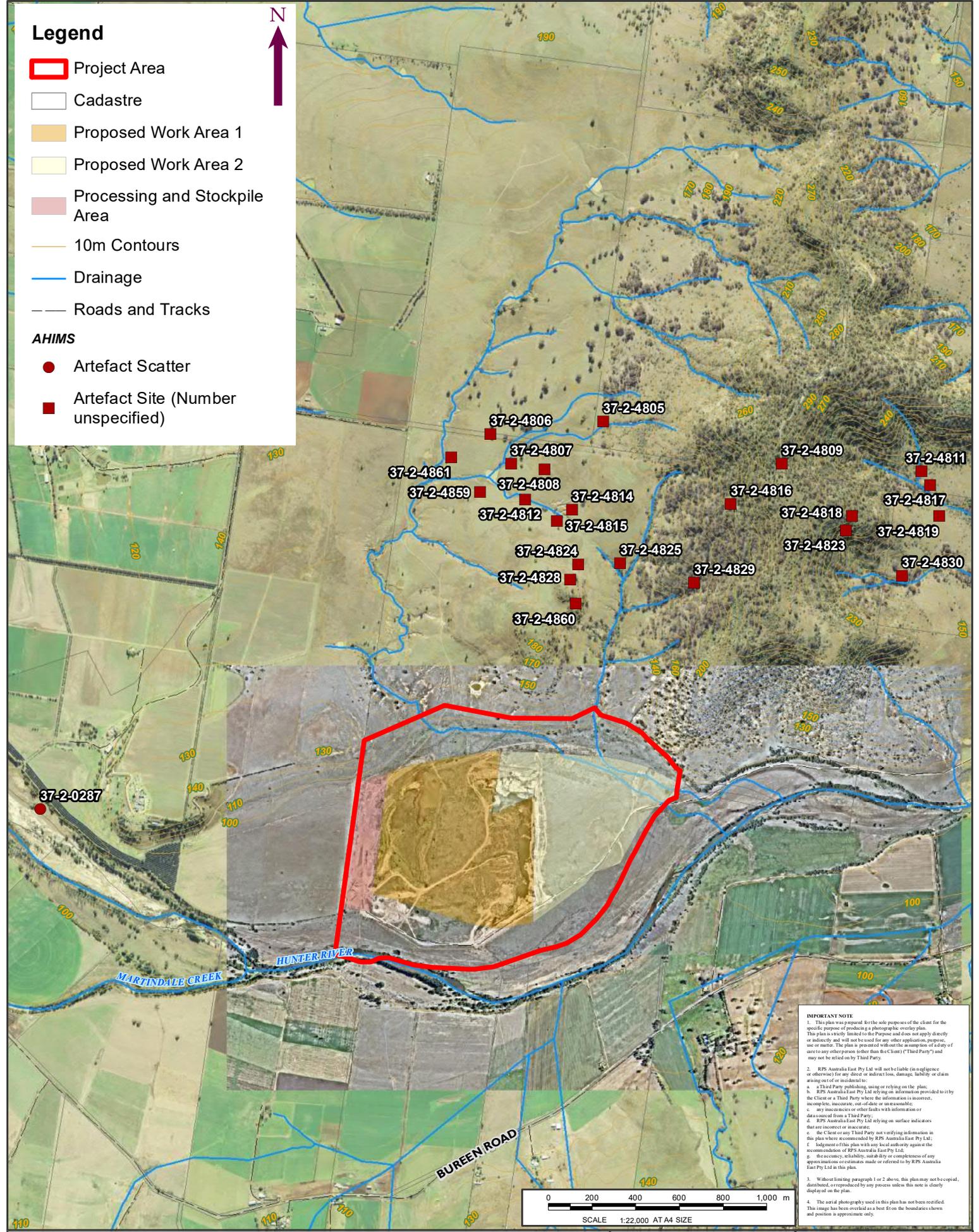
## 4.3 NSW Heritage Register Search

A search of the NSW Heritage Register (NHR) for the Wanaruah LALC was undertaken on the 27 August 2018 to check for registered Aboriginal Places. The NHR identified five Aboriginal Places in the greater Wanaruah LALC area (**Table 4**), none of which are located within the Project Area.

**Table 4: Summary of Aboriginal Places within the Wanaruah LALC area**

| Place  | Gazette No | Latitude   | Longitude  |
|--|------------|------------|------------|
| Baiame Cave  | 35         | -32.705428 | 150.994347 |
| <u>Redbournberry Hill</u><br><u>Aboriginal Place</u>   | 3983       | -32.557911 | 151.198430 |
| <u>St Clair Mission - Church</u><br><u>School Site</u> | 79         | -32.388037 | 151.221877 |
| <u>St Clair Mission -</u><br><u>Corroboree Ground</u>  | 79         | -32.386224 | 151.221426 |

Source: NHR 124/3/2020; Search Wanaruah Local Aboriginal Land Council Area



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**FIGURE 2: PROJECT AREA WITH AHIMS**

|                                    |                           |
|------------------------------------|---------------------------|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA94              |
| JOB NO.: PR 146475                 | PROJECTION: MGA Zone 56   |
| PURPOSE: HERITAGE                  | Data Sources: RPS, Client |
| Technician: Natalie Wood           | Nearmap 21/1/2020         |
| Date: 12/05/2020                   |                           |

## 4.4 Archaeological literature review

A review of previous studies undertaken in the area, including archaeological surveys and excavations, is used to establish a better understanding of the archaeological potential of the Project Area.

### **RPS (2012). Aboriginal Heritage Impact Assessment, Denman Recreation Area, Denman, NSW**

RPS (2012) was engaged by Muswellbrook Shire Council to conduct an Aboriginal Heritage Impact Assessment at the Denman Recreation Area. The project included modification of existing facilities as well as development of new areas for public recreation. An AHIMS search found Aboriginal sites in the local area, but not in the project area. An archaeological survey of the study area on 14/07/2010 identified one isolated find on a walking track in a highly disturbed and modified landscape (RPS, 2012).

### **McCardle Cultural Heritage Pty Ltd (2008). Indigenous Archaeological Assessment.**

McCardle Cultural Heritage Pty Ltd (2008) was commissioned by ADW Johnson to conduct an Aboriginal archaeological assessment for a proposed subdivision at Denman. The survey area was 750m west of Sandy Creek. The survey was conducted on foot and three sites were identified: one artefact scatter and two isolated finds. The artefact scatter contained one yellow mudstone broken flake and one brown mudstone flake. The isolated finds included one red mudstone proximal flake and one yellow mudstone flake. It was recommended that a Section 90 Consent to Destroy was required before the proposed development could commence (McCardle Cultural Heritage Pty Ltd 2008).

### **Myall Coast Archaeological Services (2004). Aboriginal Heritage Assessment.**

The survey was conducted at the request of Ellis Karm and Associates for the proposed extension to the water supply facility at Denman. It was determined by the Aboriginal Heritage Assessment that the proposed extension would have no impact on Aboriginal places or objects (Myall Coast Archaeological Services, 2004).

### **Steel, D. (1991). Archaeological Survey for Aboriginal Sites.**

Steele (1991) was engaged by Envirosiences Pty Limited to conduct an archaeological investigation for a proposed sand extraction operation on the Goulburn River at Denman. The area was located on a property described as Part Portion 11, Yarrowa Deviation Road, Parish of Bureen, County of Hunter. The study was approximately 3 kilometres south west of Denman. The pedestrian survey identified one artefact scatter. The cores identified were predominantly fashioned from indurated mudstone along with a flaked piece (Steele 1991).

### **Koettig, M. (1994). Bulga Lease Authorisation 219 Salvage Excavations, Volume 1: Overview of Results.**

Koettig (1994) was engaged by Saxonvale Coal Pty Ltd to conduct salvage excavations across three sites (B8, B46 and B58) within the Bulga Mine Lease. The lease is located between Charlton Road and Broke Road in the central lowlands of the Hunter Valley. Excavations were undertaken to determine artefacts distribution based on landform focused on erosion gullies and areas prone to water erosion.

Site B8 is located on the bank of Loders Creek on the west arm, the flats have a continuous distribution of archaeological evidence along them. The A horizon sandy silt is between 20-40cm in depth overlaying consolidated clays. Subsurface artefacts in B8 reached 111 (34%), with a total of 328 pits across this site.

Site B46 is located on Loders Creek, the flats have less sand than the B8 soils. These flats have minimal disturbance through vegetation clearing. Artefact densities much higher within 120 metres of the creek bank, with consistently dispersed artefacts located further away. Subsurface artefacts in B46 reached 173 (25%), with a total of 698 pits across the site.

Site B58 is located on Moorlands Creek within 2 kilometres of Wollombi Brook which is a permanent water source. Deep sandy soils on up to 1 metre overlaying sandstone bedrock. Subsurface artefacts in B58 reached 112 (20%), with a total of 545 pits across the site.

### **Brayshaw, H. (1983). Archaeological Survey at ‘The Glen’ on the Goulburn River**

Brayshaw (1983) conducted an archaeological survey for a proposed area of sand and gravel extraction at ‘The Glen’ on the Goulburn River, located on Rosemount Road, 7 kilometres west of Denman. The investigation was for an Environmental Impact Statement (EIS). The area was investigated on foot and identified one archaeological artefact: a pink chert flake with step fracturing on the dorsal surface near the platform. The artefact was located on the vehicle track amongst riverbed gravel (Brayshaw 1983).

## **4.5 Summary and analysis of background information**

The Project Area is part of the broader cultural landscape of the Hunter Region, which is immersed in cultural significance including cultural landscapes. Access to perennial resources and fresh water are major determinants of where Aboriginal people would have camped for any period of time. The Project Area is located on the Hunter River, which is a high order large permanent water sources, with an abundance of food resources.

The greater Hunter Region has been impacted by European land use, which historically both commercially utilised and cleared the surrounding vegetation for land use. Historically the farming and mining industry were located in the Hunter Region. The Project Area itself has been subject to minor impacts through occasional flooding. The sensitive landscape (within 200 metres of water) minor impact of disturbance and previous reports suggest the Project Area has potential for further identification of Aboriginal sites and objects within the project Area and the integrity of cultural deposits, if present.

As the Project Area is located on the Hunter River, it is considered to be an archaeologically sensitive landscape.

## **4.6 Site predictions**

Previous assessments in the vicinity of the Project Area have already identified a number of surface finds associated with specific landforms (ridgelines and area within proximity to water), which display higher potential for the presence of material evidence of past human occupation.

With reference to the local geology, archaeological context, land use, disturbance and previous investigations in the region, the following predictive statements have been prepared for the Project Area.

- There is moderate potential for surface artefacts.
- Due to low disturbance, there is a moderate potential for subsurface archaeological deposits.
- The most likely site types within the wider area are artefact sites.

## 5 ARCHAEOLOGICAL SURVEY

In accordance with the Code of Practice (DECCW, 2010b), the aims of an archaeological survey are twofold. The first aim of an archaeological survey is to record all (or a representative sample of all) material traces of Aboriginal land use visible on the ground surface or as landscape features. The second aim is to assess subsurface archaeological potential. An archaeological survey of the Project Area was conducted in accordance with the *Code of Practice*.

### 5.1 Site survey

A visual inspection of the entire Project Area was undertaken by RPS Heritage Consultant/Archaeologist Amanda Crick, Wanaruah LALC representative David Horton, Culturally Aware representative Maree Waugh and Ungooroo Allen Paget on 25 March 2020. The Project Area was surveyed in two units, survey unit 1 is located in the area with low rolling rises and survey unit 2 is located on the flats. Inspection of the Project Area identified the landscape is not modified and reasonable undisturbed. RPS assessed the subsurface archaeological potential of the Project Area based on landform, land use, and disturbance. The survey found that the project area disturbance is minor and as such the potential for further Aboriginal objects to be located at the site is moderate.

#### 5.1.1 Survey aims

The purpose of the survey is to inspect visible ground surfaces, observe exposed soil profiles or other visible features such as scarred trees, in addition to assessing whether potential archaeological deposits (PADs) are present in the Project Area. The survey also aims to record any cultural sites or Aboriginal landscapes, if identified by the Aboriginal stakeholders.

#### 5.1.2 Methods

The survey was conducted on foot (pedestrian) and targeted the locations identified in the sampling strategy. The area surveyed in landscape units for the assessment (**Figure 3**). The mapping of survey units (SU) was undertaken on the basis of GPS recorded data and with reference to aerial and topographic information. The recording of sites was undertaken using representative digital photographs and field notes which include observations of soils, ground surface exposure and visibility, vegetation cover, levels of ground surface disturbance, erosion and similar observations.

**Table 5 Effective coverage of SU**

| Unit | Landform          | Area      | Visibility (%) | Exposure (%) | Effective coverage area (m2) | Effective coverage (%) |
|------|-------------------|-----------|----------------|--------------|------------------------------|------------------------|
| SU1  | Low Rolling Rises | 73,530 m2 | 20%            | 10%          | 1,471 m2                     | 2%                     |
| SU2  | Plain             | 24,320m2  | 25%            | 15%          | 912 m2                       | 3.75%                  |

**Table 6 Effective coverage of landforms**

| Unit | Area                  | Effective coverage area (m2) | Effective coverage (%) | AHIMS sites present |
|------|-----------------------|------------------------------|------------------------|---------------------|
| SU1  | 73,530 m <sup>2</sup> | 1,471 m2                     | 2%                     | 0                   |
| SU2  | 24,320 m <sup>2</sup> | 912 m2                       | 3.75%                  | 0                   |

## 5.2 Survey results

### 5.2.1 SU 1

SU1 is located on the northern end of the Project Area, the landscape in the northern end is located on a small creek in the north and a series of small rolling rises moving towards the north east towards the ridgeline (**Plate 1**). During the survey this area was identified as a Potential Archaeological Deposit (PAD), two artefacts were recorded within this area (**Table 7, Plate 2 and 3**). These artefacts were concentrated within the exposures caused by water erosion, however given the landform, which is slightly elevated above the flats, it is evident that there is a potential for further subsurface archaeological deposits. The PAD SU is an area of 73,530 m<sup>2</sup>, the soils within this location viewed through exposures are indicative of the alluvial subsoils of the Hunter soil landscape with small alluvial gravels scattered through the exposures (**Plate 4**). However, the ground visibility (20%) in SU1 is low as the area is largely covered in grasses with less than 10% exposures throughout the SU (**Plate 5**). The ground exposures are associated with drainage lines, rises and access tracks. Topsoils are likely to remain in this SU. This coupled with the identification of the new PAD with artefacts present indicates that it is a moderate potential for there to be subsurface deposits within this SU1 area.

**Table 7: Newly recorded Artefacts located within the PAD**

| Name                   | Material                  | Description   |
|------------------------|---------------------------|---|
| PAD (AHIMS #37-2-6006) | Low rolling rises         | PAD includes IF2 and IF3                                  |
| Dalswinton Quarry IF2  | Yellow Mudstone (Plate 2) | Flake, with potential usewear on the right lateral margin |
| Dalswinton Quarry IF3  | Yellow mudstone (Plate 3) | Proximal flake, distal end broken off                     |

### 5.2.2 SU 2

SU2 is located in the southern end of the Project Area, located on the Hunter River. This survey unit appears more disturbed than SU1, disturbances have been caused by the use of access tracks and water erosion. Three artefacts were recorded within the access tracks, it is evident that these artefacts are exposed due to disturbance (**Table 8, Plate 6 and 7**). The PAD SU is an area of 24,320 m<sup>2</sup>, the access tracks are down to the subsoil surface indicating the potential for further archaeological deposits within these areas is low to nil. The soils within the exposures are indicative of the Hunter soil landscape subsoils, these exposures are present throughout the SU and have a high number of small alluvial pebbles throughout (**Plate 8**). The area is relatively flat with low ground visibility (25%) covered in grasses and weeds with only 15% ground exposures (**Plate 9**). These ground exposures are mostly associated with access tracks. It is suspected that very little topsoil remains in this area, this makes it unlikely for there to be subsurface deposits within this SU2.

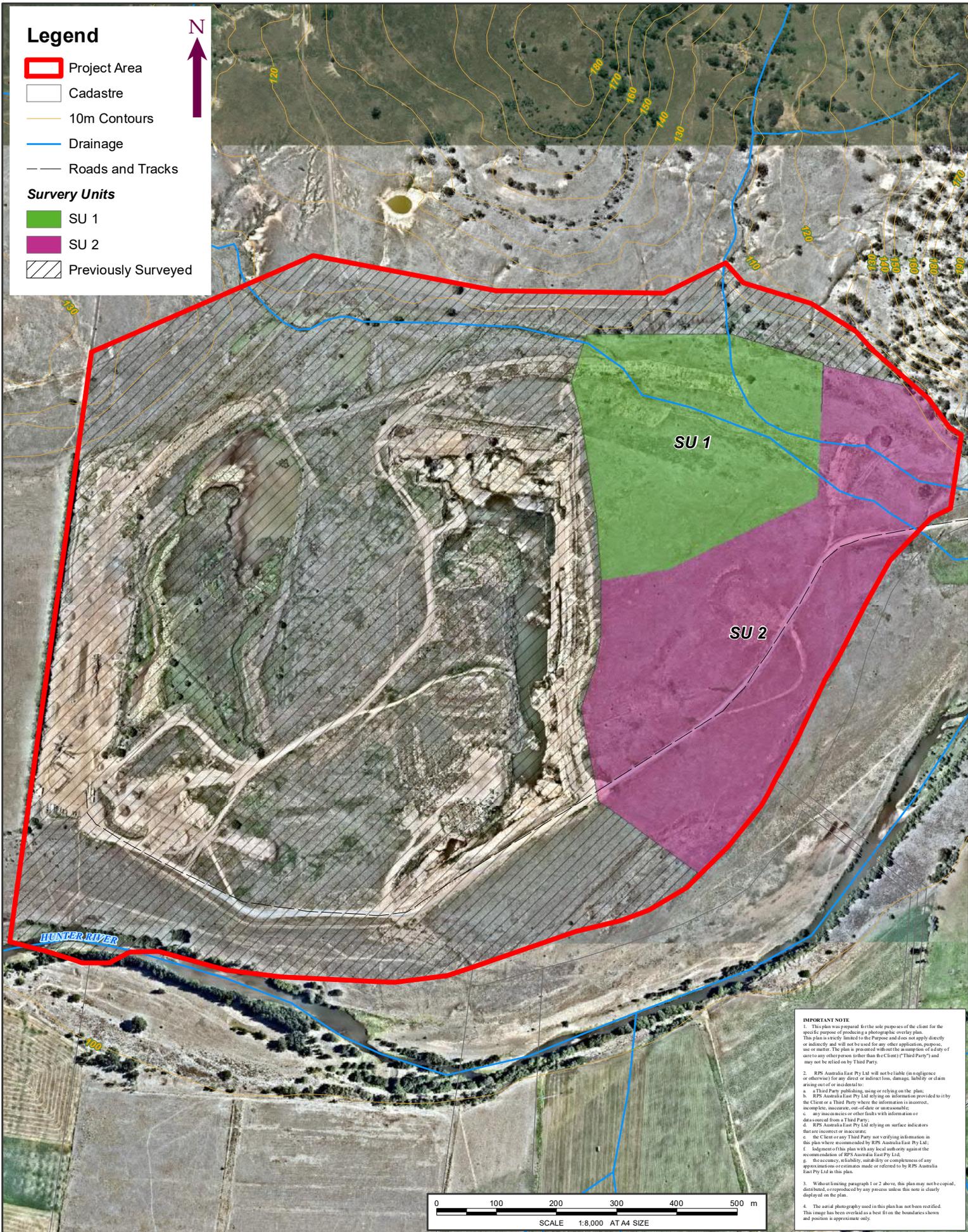
**Table 8: Newly recorded Artefacts**

| Name                               | Material                  | Description   |
|------------------------------------|---------------------------|---|
| Dalswinton Quarry IF1 (#37-2-6005) | Yellow Mudstone (Plate 2) | Flake, with potential retouch to the ventral left and right margin                              |
| Dalswinton Quarry AS1 (#37-2-6004) | Yellow mudstone (Plate 3) | 1 x Proximal Flake, 1 x distal flake with potential usewear on the right lateral ventral margin |

### 5.3 Survey observations

The site inspection demonstrated that minor disturbances were evident across the site, with exposures revealing the subsoils. It is assumed that the A horizon remains intact within the identified PAD area in SU1, however it is less likely that the A horizon soil be present within SU2 due to disturbances and a lower aspect likely becoming regularly inundated. The landscape within SU1 is mostly unmodified and has potential for further subsurface archaeological deposits. SU1 has been assessed as having moderate archaeological potential and SU2 has been assessed as having low archaeological potential based on the lack of topsoil within the SU.

The proposed works will impact the PAD and artefacts recorded during the survey; further suggestions have been made in **Section 12** of this report.



**Legend**

- Project Area
- Cadastre
- 10m Contours
- Drainage
- Roads and Tracks

**Survey Units**

- SU 1
- SU 2
- Previously Surveyed



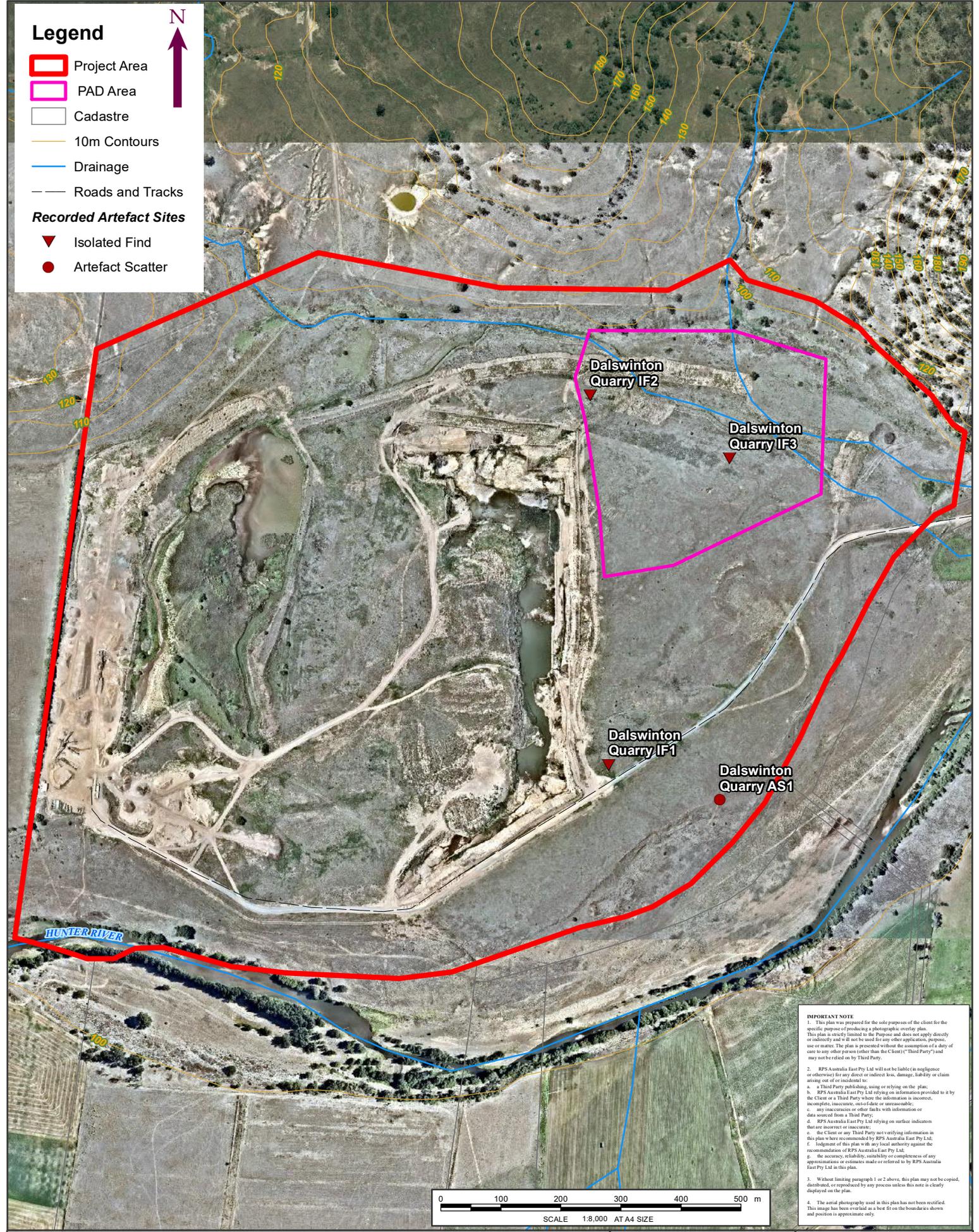
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0 100 200 300 400 500 m  
SCALE 1:8,000 AT A4 SIZE

**FIGURE 3: SURVEY AREA**

|                                    |                           |
|------------------------------------|---------------------------|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA2020            |
| JOB NO.: PR 146475                 | PROJECTION: MGA Zone 56   |
| PURPOSE: HERITAGE                  | Data Sources: RPS, Client |
| Technician: Natalie Wood           | Nearmap 21/1/2020         |
| Date: 16/04/2020                   |                           |



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**FIGURE 4: NEWLY RECORDED PAD AND ARTEFACTS**

|                                    |                           |
|------------------------------------|---------------------------|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA2020            |
| JOB NO.: PR 146475                 | PROJECTION: MGA Zone 56   |
| PURPOSE: HERITAGE                  | Data Sources: RPS, Client |
| Technician: Natalie Wood           | Nearmap 21/1/2020         |
| Date: 10/04/2020                   |                           |

## 6 PLATES



**Plate 1** Small rolling rises moving towards the north east in SU1



**Plate 2** Dalswinton Quarry IF 2 in SU1 within the identified PAD



**Plate 3** Dalswinton Quarry IF3 in SU1 within the identified PAD



**Plate 4** Exposures indicative of Hunter soil landscape subsoils in SU1



**Plate 5** Heavy long grass ground cover in SU1



**Plate 6** Dalswinton Quarry IF1 in SU2



**Plate 7** Dalswinton Quarry AS1 in SU2



**Plate 8** Exposures indicative of the Hunter soil landscape subsoils in SU2



**Plate 9** Shorter grass coverage in SU2

## 7 SIGNIFICANCE ASSESSMENT

In accordance with the Code of Practice and the Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS, 2013) (the Burra Charter), **Section 10.1** assesses the archaeological significance of the Project Area. This section considers the archaeological significance of the Project Area only. The cultural significance of the Project Area is discussed in **Section 7** of the ACHAR.

Scientific (archaeological) value 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. The scientific value of a site is assessed using criteria such as research potential, representativeness, rarity and education potential. The degree to which a site meets the criteria is assessed as low, moderate, high or very high. Each assessment criteria are briefly described below.

- **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 connectivity is there.
- **Rarity:** is the subject area important in demonstrating a distinctive way of life, custom, process, land use, function or design no long practiced. Is it in danger of being lost or of exceptional interest.
- **Education potential:** does the subject area contain teaching sites or site that might have teaching potential.

### 7.1 Significance assessment

#### Archaeological significance criteria

| Summary             |   |
|---------------------|---|
| Criteria            | Description   |
| Rarity              | Is the subject are important in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practiced? Is it in danger of being lost or of exceptional interest? |
| Representativeness  | How much variability (outside and /or inside the subject area) exists, what is already conserved, how much connectivity is there?   |
| Research Potential  | 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 may have teaching potential?   |

Five Aboriginal objects were identified during the field survey, two of these artefacts were located within a PAD. Although the Project Area has been subject to water erosion through occasional flooding there is a moderate likelihood for further subsurface deposits within the SU2. The archaeological significance for the Project Area is moderate, the artefacts and PAD will be impacted due to the proposed works.

The archaeological significance of the Project Area has been assessed as moderate. This assessment is summarised in **Table 9**.

**Table 9: Significance assessment of the newly recorded PAD and Artefacts**

| Criteria              | Description  |
|-----------------------|--|
| Research potential    | <p>The site has potential to contribute to an understanding of Australia’s natural and cultural history. Key research topics such as: the archaeology of plains of the Hunter River, Aboriginal settlement patterns (including aggregational sites) and Aboriginal history. Limited sub-surface investigations have occurred in the region.</p> <p>The plain landforms are associated with more permanent habitation and resource gathering sites. Artefact sites and Aboriginal Places are the most common site type in the Hunter Region, there are twenty three artefact sites located in the surrounding area and five new artefacts recorded with the Northern end of the Project Area being recorded as a PAD (<b>Figure 2</b>).</p> |
| Representativeness    | <p>A review of previous research undertaken within the area confirms that the predominant site types within the area are artefact sites.</p> <p>Prior to European contact, the Hunter River resources would have provided an abundance of food. The Project Area is located on the Hunter River plains which would have been used as a more permanent campsite.</p> <p>The Project area is nestled at the base of the Wollombi National Park and Spur Hill which would have made it the perfect area to camp to move through the ridges. As such, there would have been a high potential for campsites to have occurred at the site and within the surrounding locality.</p>   |
| Rarity                | <p>The site type is not rare for the Hunter Region, as such presents no value for rarity.</p>  |
| Educational potential | <p>The educational potential for the Project Area is moderate as the area itself has not previously been studied although it is located within the vicinity of areas of great archaeological and cultural significance.</p> <p>The likelihood of finding intact archaeological deposits is moderate despite the water erosion due to occasional flooding. The PAD will need to be excavated to provide further information on the landscape prior to quarry commencement.</p>  |

## 7.2 Statement of Scientific Significance

RPS acknowledges that all aboriginal objects and places hold cultural significance to Aboriginal people as they form part of the wider cultural landscape. RPS acknowledges that the Project Area is culturally significant both in isolation and as part of the wider Aboriginal cultural landscape.

The Project Area in the northern end is located on a PAD, identified with artefacts. Five new Aboriginal objects were recorded during the survey, two of which are associated with the identified PAD. The Project Area has been assessed as having moderate potential for further subsurface archaeological deposits. The archaeological potential for the Project Area has been assessed as moderate.

This section provides a description of the proposed development assessed for this project. The description includes a summary of the previous impacts, proposed impacts and the potential harm of Aboriginal objects and/or places within the Project Area.

### 7.3 Previous Impacts to the Project Area

The Project Area has been previously impacted through the use of access tracks and water erosion due to occasional flooding.

### 7.4 Proposed impacts to the Project Area

A description of the proposed works was provided in **Section 1.1**. These works are reiterated below; the project plans are in **Appendix B**.

- re-work the previously extracted areas to recover the fine aggregates
- reworking over approximately 50 ha of land within Stages 1 and 2 of the current DA will constitute Work Area 1.
- approximately 39 ha of unmined land to the east of this footprint will form Work Area 2.
- the quarrying operation is expected to extract approximately 500,000 tonnes of material over an expected life of twenty-five years.
- quarry expansion to the east.
- Extraction of material to bedrock between 15 – 20 metres from the original ground level.

### 7.5 Impact assessment

The proposed works within the Project Area will involve quarrying of subsurface, lay down of equipment and vehicular movements which will impact the surface and ground subsurface. Given the five new artefacts recorded during the survey and the identification of a PAD in the northern end of the Project Area it is likely further subsurface Aboriginal objects will be impacted during the proposed works. These five artefacts and the PAD will be impacted during the proposed works.

The impact assessment is summarised in **Table 10, 11, 12** and **Table 13** below.

**Table 10: Impact Assessment of the newly recorded artefacts**

| Sites within the Project Area |        |          |                        |
|-------------------------------|--------|----------|------------------------|
| AHIMS                         | Harm   | Degree   | Consequence            |
| #37-2-6006                    | Direct | Complete | Complete loss of value |
| #37-2-6005                    | Direct | Complete | Complete loss of value |
| #37-2-6004                    | Direct | Complete | Complete loss of value |

**Table 11: Impacts to values of the PAD (#37-2-6006)**

| Summary  |  |              |                |                     |
|----------|--|--------------|----------------|---------------------|
| Value    | Manifest through                         | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural | Connection to past identified by RAPs    | None         | None           | No loss of value    |
| Historic | None identified within the Project Area. | None         | None           | No loss of Value    |

## ABORIGINAL ARCHAEOLOGICAL ASSESSMENT REPORT

|            |  |        |       |                     |
|------------|--|--------|-------|---------------------|
| Scientific | Surface artefacts present at site                              | Direct | Total | Total loss of Value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None   | None  | No loss of value-   |

**Table 12: Impacts to values of the IF1 (37-2-6005)**

| Summary    |  |              |                |                     |
|------------|--|--------------|----------------|---------------------|
| Value      | Manifest through   | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural   | Connection to past identified by RAPs                          | None         | None           | No loss of value    |
| Historic   | None identified within the Project Area.                       | None         | None           | No loss of Value    |
| Scientific | Surface artefacts present at site                              | Direct       | Total          | Total loss of Value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None         | None           | No loss of value-   |

**Table 13: Impacts to values of the AS1 (37-2-6004)**

| Summary    |  |              |                |                     |
|------------|--|--------------|----------------|---------------------|
| Value      | Manifest through   | Type of Harm | Degree of Harm | Consequence of Harm |
| Cultural   | Connection to past identified by RAPs                          | None         | None           | No loss of value    |
| Historic   | None identified within the Project Area.                       | None         | None           | No loss of Value    |
| Scientific | Surface artefacts present at site                              | Direct       | Total          | Total loss of Value |
| Aesthetic  | Site lines to significant areas and stories identified by RAPs | None         | None           | No loss of value-   |

The Project Area is located within an identified PAD and during the survey five new artefacts were recorded, there is a moderate likelihood for further Aboriginal objects to be Impacted during the proposed works.

## 8 MANAGEMENT AND MITIGATION MEASURES

The overall guiding principle for cultural heritage management is that where possible Aboriginal sites should be conserved. If conservation is not practicable, measures should be taken to mitigate against impacts to Aboriginal sites.

The nature of the mitigation measures recommended is based on the assessed significance of the site/s and is informed by the cultural significance provided by the Aboriginal community during consultation.

Mitigation measures vary depending on the assessment of archaeological, social and cultural significance of a particular site and are based on the significance criteria below. In general, the significance of a site would influence the recommended conservation outcomes and appropriate mitigation measures, on the following basis:

- Low archaeological, social and cultural significance – conservation where possible, an AHIP would be required to impact the site prior to works commencing.
- Moderate archaeological, social and cultural significance – conservation where possible. If conservation is not practicable, mechanisms determined in consultation with the Aboriginal community may be necessary under an AHIP.
- High archaeological, social and cultural significance – conservation as a priority. Only if all practicable alternatives have been exhausted would impacts under an AHIP be considered justified.

The Project Area has been assessed as having a moderate archaeological significance, with moderate potential for further subsurface artefactual deposits. The proposed works will impact the both the PAD and the five newly recorded artefacts recorded during the survey.

**Table 14: Summary of impacts and mitigation and management measures for Dalswinton Quarry**

| Summary    |   |              |                       |  |
|------------|---|--------------|-----------------------|--|
| ID         | Site Type   | Significance | Consequence of Impact | Mitigation / Management Measures   |
| #37-2-6006 | PAD including isolated finds (PAD with IF2 and IF3) | Moderate     | Total Loss of Value   | AHIP to undertake salvage excavations, this site will be impacted during the proposed works. |
| #37-2-6005 | Isolated Find (IF1)                                 | Low          | Total Loss of Value   | AHIP to salvage the site, this site will be impacted during the proposed works.              |
| #37-2-6004 | Artefact Scatter (AS1)                              | Low          | Total Loss of Value   | AHIP to salvage the site, this site will be impacted during the proposed works.              |

### 8.1.1 Avoiding and minimising harm

The potential to impact or harm Aboriginal objects is moderate, in order to minimise impacts it is advised that an AHIP is required prior to impacting the Project Area and it is expected that community would be engaged during the proposed works (**Figure 5**).

It is recommended that cultural heritage inductions be undertaken by all personnel involved in the impact works to ensure any unexpected finds are managed.

## 8.2 Principals of Ecological Sustainable Development

When assessing harm, the NPW Act requires consideration of the principles of ecologically sustainable development (ESD). The principles of ESD include the precautionary principle and the principle of inter-generational equity.

### 8.2.1 Precautionary Principle

The precautionary principle states that if there is a risk of serious or irreversible harm, lack of certainty should not be used as a reason for postponing cost-effective measures to prevent environmental degradation. The precautionary principle requires “careful evaluation to avoid, wherever practicable serious or irreversible damage to the environment” and “an assessment of the risk rated consequences of various options” (DECCW 2009: 26). It is important to consider the precautionary principle when:

- The proposal involves a risk of serious irreversible damage to an Aboriginal object or place, or to the value of that object or place.
- There is uncertainty about cultural or archaeological value, including in relation to the condition, rarity or representativeness of an Aboriginal object or place (DECCW 2009:26).

#### 8.2.1.1 Newly recorded Pad and artefacts

The archaeological survey identified five new artefacts and a PAD, two of the artefacts are located within the PAD the other two artefacts are located to the south of the PAD. The potential for further subsurface Aboriginal objects is moderate as it is located in a sensitive landscape.

The proposal impacts both the PAD and newly recorded artefacts. Consultation, undertaken as part of the ACHAR, has provided certainty regarding the archaeological value of the site. These sites will be directly impacted during the proposed works, it is advised that a salvage excavation and surface salvage be undertaken as part of an AHIP salvage.

### 8.2.2 Intergenerational equity

Intergenerational equity is defined as the principle that the “present generation should ensure the health, diversity and productivity of the environment for the benefit of future generations” (DECCW 2009:29). Intergenerational equity requires an understanding of the cultural and archaeological landscape and must consider the cumulative impact of a proposal.

Intergenerational equity for the Project Area is based around keeping sight lines to song line and stories, while these sight lines will not be affected the potential to further understand the landscape in the Project Area will be gone. It is essential a salvage excavation be undertaken to better understand the area.

## 8.3 Proposed management policy for Aboriginal heritage

### 8.3.1 Unexpected finds procedure

An unexpected finds procedure will provide a method to manage potential heritage constraints and unexpected finds during construction works. If suspected Aboriginal objects are identified during construction work should stop immediately and Wanaruah LALC, DPIE and an archaeologist contacted to identify and record the objects. This procedure should be made accessible to all relevant employees and contractors working within the Project Area via toolbox talks and display in break out rooms/ sites offices.

### 8.3.2 Discovery of human remains

If suspected human remains are located during any stage of the proposed works, work should stop immediately, and the NSW Police and the Coroner’s Office should be notified. The DPIE, Aboriginal stakeholder groups and an archaeologist should be contacted if the remains are found to be Aboriginal.

### 8.3.3 Ongoing consultation with Aboriginal stakeholder groups

Consultation with registered Aboriginal stakeholders would continue throughout the life of the project. This would include circumstances where:

- a. There is an amendment to the Aboriginal Heritage Impact Permit, and
- b. An artefact is encountered and triggers the requirement of the 'Unexpected Finds Procedure'.

### 8.3.4 Management of Aboriginal objects

Temporary and permanent storage locations are required for the artefacts retrieved during the test excavation.

The temporary storage of the artefacts is at the RPS Office, Unit 2A, 45 Fitzroy Street Carrington NSW, in a locked cabinet. Options for permanent storage are as follows:

#### 8.3.4.1 Reburial

The Aboriginal objects recovered during salvage excavation works under the proposed AHIP could be reburied within the Project Area within an area that would not be impacted by any future development works. This would be done in consultation with the proponent and the RAPs.

The proposed reburial methodology would adhere to the Code of Practice (page 35) this would include the following steps.

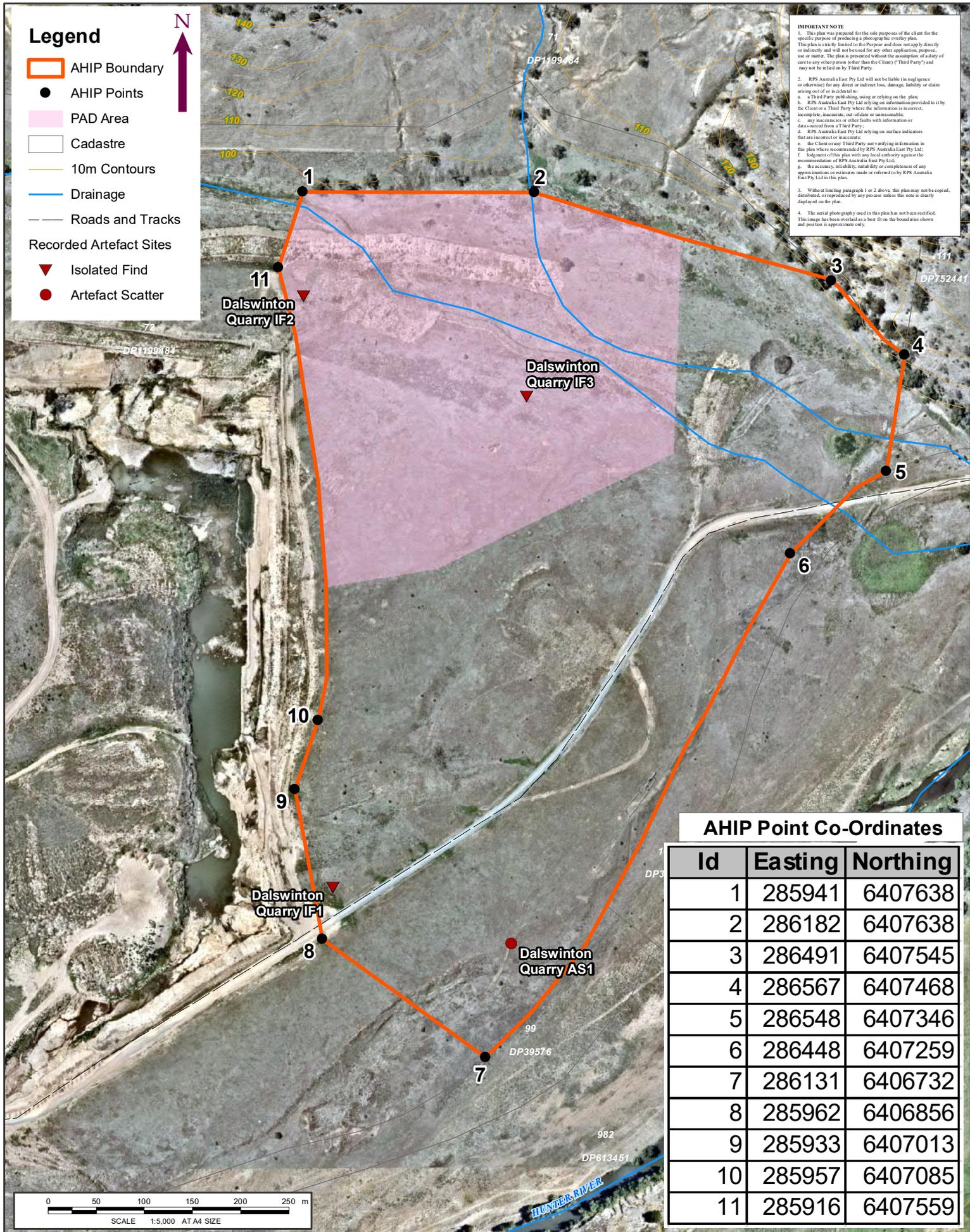
- Completion of full artefact catalogue including photographic and drawn records for diagnostic artefacts
- Production of the catalogue in hardcopy and softcopy to be included with the artefacts
- All stone/shell artefacts would be individually bagged and tagged with the artefact ID, provenance and project details written on the outside of the bags as well as individual tags so that they can be referenced back to the catalogue
- All artefacts would be double bagged in good quality plastic zip-lock bags
- The artefact assemblage and catalogue would be placed in a suitable impervious and permanent container which would also be labelled as above.
- A site update card would be forwarded to the DPIE AHIMS registrar with information on the location and depth of reburial.

#### 8.3.4.2 Storage at the Wanaruah Local Aboriginal Land Council

The Aboriginal objects recovered during salvage excavation could be stored at the Wanaruah LALC office under a Care and Control Agreement.

#### 8.3.4.3 Other location

Additional options nominated by the RAPs would be considered in consultation with all RAPs and the DPIE.



**IMPORTANT NOTE**

- This plan was prepared for the sole purposes of the client for the specific purpose of producing a photographic overlay plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person other than the Client ("Third Party") and may not be relied on by Third Party.
- RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or in connection with:
  - a Third Party publishing, using or relying on the plan;
  - RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
  - any inaccuracies or other faults with information or data sourced from a Third Party;
  - RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
  - the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
  - judgment of this plan with any local authority against the recommendations of RPS Australia East Pty Ltd;
  - the accuracy, reliability, suitability or completeness of any appraisals, estimates or other data made or referred to by RPS Australia East Pty Ltd in this plan.
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- The aerial photography used in this plan has not been rectified. This image has been overlaid as a best fit on the boundaries shown and position is approximate only.

**AHIP Point Co-Ordinates**

| Id | Easting | Northing |
|----|---------|----------|
| 1  | 285941  | 6407638  |
| 2  | 286182  | 6407638  |
| 3  | 286491  | 6407545  |
| 4  | 286567  | 6407468  |
| 5  | 286548  | 6407346  |
| 6  | 286448  | 6407259  |
| 7  | 286131  | 6406732  |
| 8  | 285962  | 6406856  |
| 9  | 285933  | 6407013  |
| 10 | 285957  | 6407085  |
| 11 | 285916  | 6407559  |

**FIGURE 5: AHIP AREA**

|                                    |   |
|------------------------------------|---|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA94<br>PROJECTION: MGA Zone 56 |
| JOB NO.: PR 146475                 | Data Sources: RPS, Client               |
| PURPOSE: HERITAGE                  | Nearmap 21/1/2020                       |
| Technician: Natalie Wood           | Date: 16/04/2020                        |

## 9 PROPOSED RESEARCH DESIGN AND AHIP SALVAGE EXCAVATION METHODOLOGY

### 9.1 Research design

Past archaeological research (refer to **Section 7** of this document) shows that there is potential for Aboriginal sites to occur throughout the local area, particularly landform associated with plains and ridgelines. Previous land use history shows that the impacts to the Project Area are minimal, there is potential for both surface and sub-surface evidence of Aboriginal occupation to be located within the Project Area. Stone artefacts are the most likely subsurface evidence of Aboriginal occupation.

With reference to the local geology, archaeological context, land use, disturbance and previous investigations in the region, the following predictive statements have been prepared for the Project Area.

- There is moderate potential for further artefact sites.
- There is moderate potential for both surface and subsurface archaeological deposits.
- The most likely site types within the wider area are artefact sites.

The Project Area is part of the broader cultural landscape of the Hunter region, which is immersed in cultural significance. The Hunter region has historically been modified and impacted by commercial and residential land use which includes vegetation clearing for development. As the Project Area is located on the Hunter River and new sites were recorded during the survey, it is considered to be an archaeologically sensitive landscape.

The soil stratigraphy appears to be intact within the northern end of the Project Area and as such there is potential to find intact architectural material.

#### 9.1.1 Research questions

Based on the above information, the following research questions will be addressed:

- Are Aboriginal archaeological or cultural materials present?
- Are archaeological or cultural materials present within particular sections of the Project Area?
- What level of disturbance is present within the Project Area?
- Is it possible to assign a temporal framework (both relative and absolute) to the excavated material?
- Are representative or rare archaeological and/or cultural materials present?
- Are there local or regionally significant archaeological and/or cultural material present within the deposit?
- What artefact densities are represented within the Project Area?
- What is the extent of the site?
- What artefact types are present?
- How does this site compare to other sites in the surrounding area?
- Are other features such as hearths present within the Project Area?
- What raw materials are present within the stone artefact assemblage?

## 9.2 Targeted AHIP salvage methodology

RPS proposes the salvage of aboriginal objects under an AHIP (**Figure 5**). The aim of the salvage is to undertake surface salvage as well as a salvage excavation to recover aboriginal objects within Project Area (**Figure 4**).

The five new Aboriginal objects recorded during the survey (two of which are located within the identified PAD) are to be recovered. Salvage excavations will be targeted within the PAD area.

An AHIP will be required prior to any impacts occurring at the Dalswinton Quarry (**Figure 4 and 5**).

### PAD (#37-2-6006)

This pad was identified during the survey, two yellow mudstone artefacts (Dalswinton Quarry IF2 and Dalswinton Quarry IF3) were recorded within the PAD during the survey. This area was identified as a PAD as it lies on higher ground between several drainage lines with the Hunter River to the South. Further archaeological investigation in the form of subsurface archaeological salvage (salvage excavation) and surface salvage under AHIP is recommended.

### Dalswinton Quarry IF1 (#37-2-6005) and Dalswinton Quarry AS1 (#37-2-6004)

These artefacts were identified during the survey, three yellow mudstone artefacts (Dalswinton Quarry IF1 and Dalswinton Quarry AS1). This area was identified as having low further archaeological potential as it is mostly devoid of topsoils. A surface salvage will be required of these artefacts under AHIP is recommended.

#### 9.2.1 Aims

The aim of the salvage excavation is to locate and salvage further potential archaeological deposits within the Project Area prior to commencement of works. The specific aims of the surface salvage and salvage excavation include:

- Salvage any Aboriginal objects (including shell, stone artefacts).
- Adequately identify the extent of the archaeological potential within SU1.
- Assess the scientific significance of the newly recorded sites and the potential archaeological sensitivity following the assessment and interpretation of excavation results.

#### 9.2.2 Salvage excavation methodology

In accordance with Recommendation 1 of the ACHAR, excavation methods have been prepared specifically for the registered PAD #37-2-6006.

The following methodology will be used for salvage excavations within the identified PAD:

Pits will be hand excavated and will be 1m x 1m in dimension and excavated in quadrants. The first pit will be excavated in 5cm spits, based on evidence of this excavation unit, 10cm spits may be implemented. If distinct features are identified, then pits may be excavated stratigraphically. All material excavated will be sieved using a 5mm aperture sieve. The excavation of individual pits will cease once clay has been reached or after six consecutive sterile spits have been excavated. For safety reasons pits will not be excavated beyond a metre in depth.

The pits will be strategically placed across the rises, mid rises and lower rises to provide more information regarding the further potential of archaeological deposits across the PAD area. Pits will be placed between 30-50 metres apart.

Salvage Excavations may also be stopped if suspected human remains have been encountered.

The following methods will also be employed:

- Hand excavation using shovels, trowels and other manual tools.
- Photographs with scale will be used to document stratigraphy and/or soil profile at each pit, stratigraphic drawings will be used to document soil changes.
- Excavation pits will each be back-filled as soon as practicable following completion of excavation; or
- Excavations will cease when: suspected human remains are encountered.

### 9.2.3 Recording and storage of the archaeological material

Any Aboriginal objects that are salvaged during the targeted salvage excavation will be reburied as soon as practicable or stored in a secure temporary storage location pending any agreement reached as to the long-term management of the salvaged Aboriginal objects in consultation with the RAPs and the proponent.

Procedures will be put in place so that Aboriginal objects salvaged are not harmed.

- Aboriginal objects that have been salvaged will be fully catalogue, including photographic and drawn records for diagnostic stone artefacts, will be produced and will include.
- The catalogue will be in printed form and an electronic database in the form of a table containing all records.
- All artefacts will be categorised, tagged and bagged in appropriate and identifiable units (e.g. excavation or collection units) that can be referenced back to the catalogue.
- Any stone artefacts will be stored in good quality, plastic zip-lock bags.
- The bags will be externally labelled using permanent marker, and an 'independent' label will be placed inside each bag.
- The collection will be placed in a suitable impervious and permanent container and labelled appropriately.

A full record of the final location of the collection will include:

- Grid co-ordinates of the pits and sites will be provided as set out in Requirement 8, of Code of Practice for Archaeological Investigation of Aboriginal Objects (2010), NSW
- A site plan or mud map referring to permanent features
- Depth of burial, if buried
- Full photographic record of the disposition.
- The record will be submitted to AHIMS for all salvaged sites. A valid Aboriginal site card will be submitted if artefacts are reburied onsite

### 9.2.4 Artefact recording

Shell and artefacts will be recorded in:

- Artefact type;
- Attributes as relevant;
- Artefact quantities will be recorded;
- length, width, thickness and weight of artefacts;
- use wear and retouch; and
- raw material.

Additional recording and analysis will be undertaken as required.

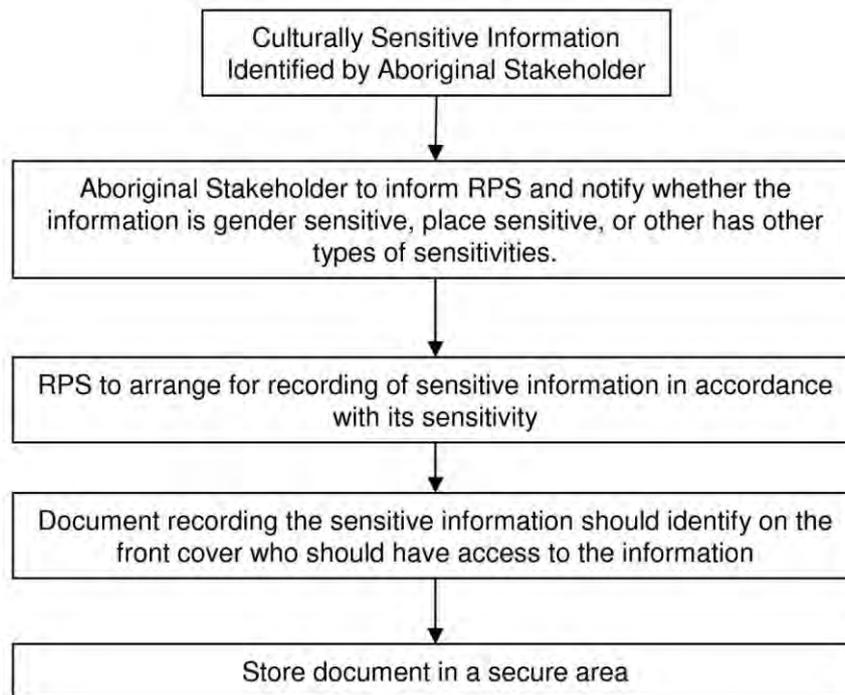
### 9.2.5 Photographic recording

Diagnostic artefacts and archaeological material will be photographed using graded metric scales. Photographic recording of the excavation fieldwork and soils profiles will also be undertaken.

### 9.2.6 Temporary storage of archaeological material

Archaeological material will be stored temporarily at the RPS offices at Unit 2A, 45 Fitzroy Street Carrington, until analysis of the shell and artefacts has concluded. Consultation with the proponent and the Representative Aboriginal Parties will be undertaken to discuss whether the artefacts will be re-buried back on country or stored at an agreed keeping place. In accordance with requirement 26 under the Code of Practices (2010), further consultation will be required for long term storage management.

**Figure 6 – Culturally Sensitive Information Protocol**



## 10 CONCLUSIONS AND RECOMMENDATIONS

This archaeological technical report has been compiled in accordance with the Code of Practice, the Guide and in consideration of the NPW Act. The following conclusions have been drawn from the available environmental and archaeological information for the Project Area as well as the results of the archaeological survey conducted for this assessment.

During the archaeological site survey, five new Aboriginal objects were recorded during the survey and a PAD which includes two of the five artefacts. It has been assessed that there is a moderate potential for further subsurface deposits in the Project Area. The proposed works are being undertaken to the east of the existing quarry and the PAD and artefacts will be impacted during the proposed works. With this in mind the following recommendations have been made:

### Recommendation 1: Aboriginal Heritage Impact Permit (AHIP)

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**.

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.

### Recommendation 2: Aboriginal cultural heritage induction

All site workers and personnel involved in site impact works associated with the Project Area should be inducted and briefed the possible identification of Aboriginal objects during construction and their responsibilities according to the provisions of *National Parks and Wildlife Act 1974* and the *Heritage Act 1977*.

Aboriginal cultural heritage inductions led by Wanaruah LALC is recommended and can be arranged via 02 6543 1288.

### Recommendation 3: unexpected finds procedure, Aboriginal object/s

If suspected Aboriginal objects are identified during construction the following procedures must be followed (**Appendix C**):

- 1) Immediately cease all activity at the location.
- 2) Ensure no further harm occurs, secure the area.
- 3) Notify Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).
- 4) No further action to be undertaken until DPIE provides written consent to Rosebrook Sand & Gravel Pty Ltd.

#### 10.1.1 Recommendation 4: unexpected finds procedure, human remains

All human remains in, on or under the land must not be harmed. If suspected human remains are located during any stage of the proposed works (**Appendix C**):

- 1) Immediately cease all activity at the site.
- 2) Ensure no further harm occurs, secure the area to avoid further harm to the remains.
- 3) Notify the NSW Police 000.
- 4) Notify the Environment Protection Authority's Enviro Line on 131 555, Wanaruah LALC on 02 6543 1288 and an archaeologist (RPS +61 2 4940 4200).

## 11 REFERENCES

- Australia ICOMOS. (2013). The Burra Charter, The Australia ICOMOS Charter for Places of Cultural Significance. In.
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 Part 6 National Parks and Wildlife Act, (2010a).
- Brayshaw, H. (1983). Archaeological Survey at 'The Glen' on the Goulburn River
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, (2010b).
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- Kovac, M., & Lawrie, J. (1991). *Soil Landscapes of the Singleton 1:250 000 Sheet*. Sydney: Soil Conservation of NSW.
- McCardle Cultural Heritage Pty Ltd (2008). Indigenous Archaeological Assessment. **M**
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- Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW, (2010).
- OEH. (2011). *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*. Retrieved from
- RPS (2012). Aboriginal Heritage Impact Assessment, Denman Recreation Area, Denman, NSW
- Steel, D. (1991). Archaeological Survey for Aboriginal Sites.

# Appendix A

## Aboriginal Cultural Heritage Assessment Report

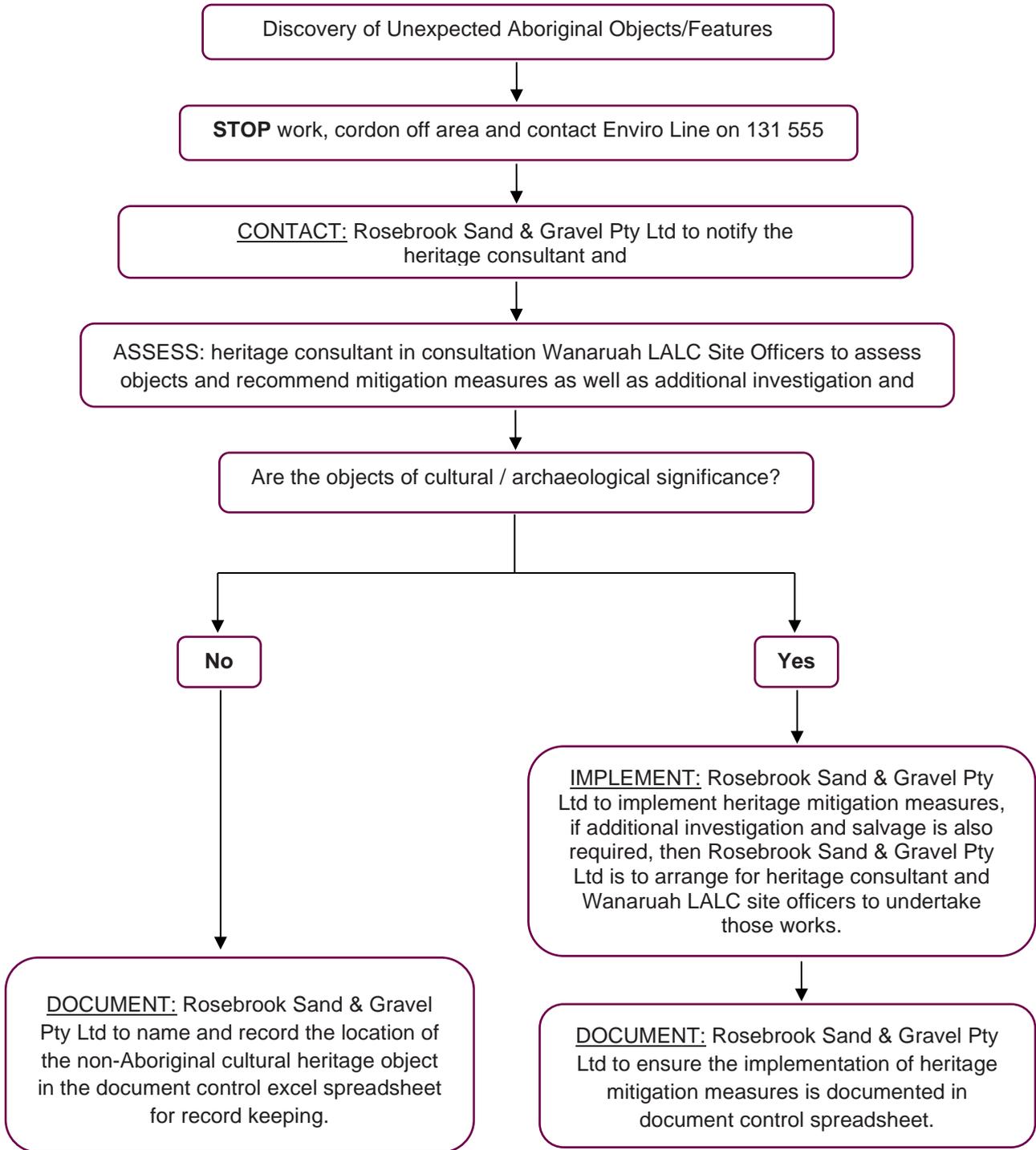
## Appendix B

### Proposed Project Plans

## Appendix C

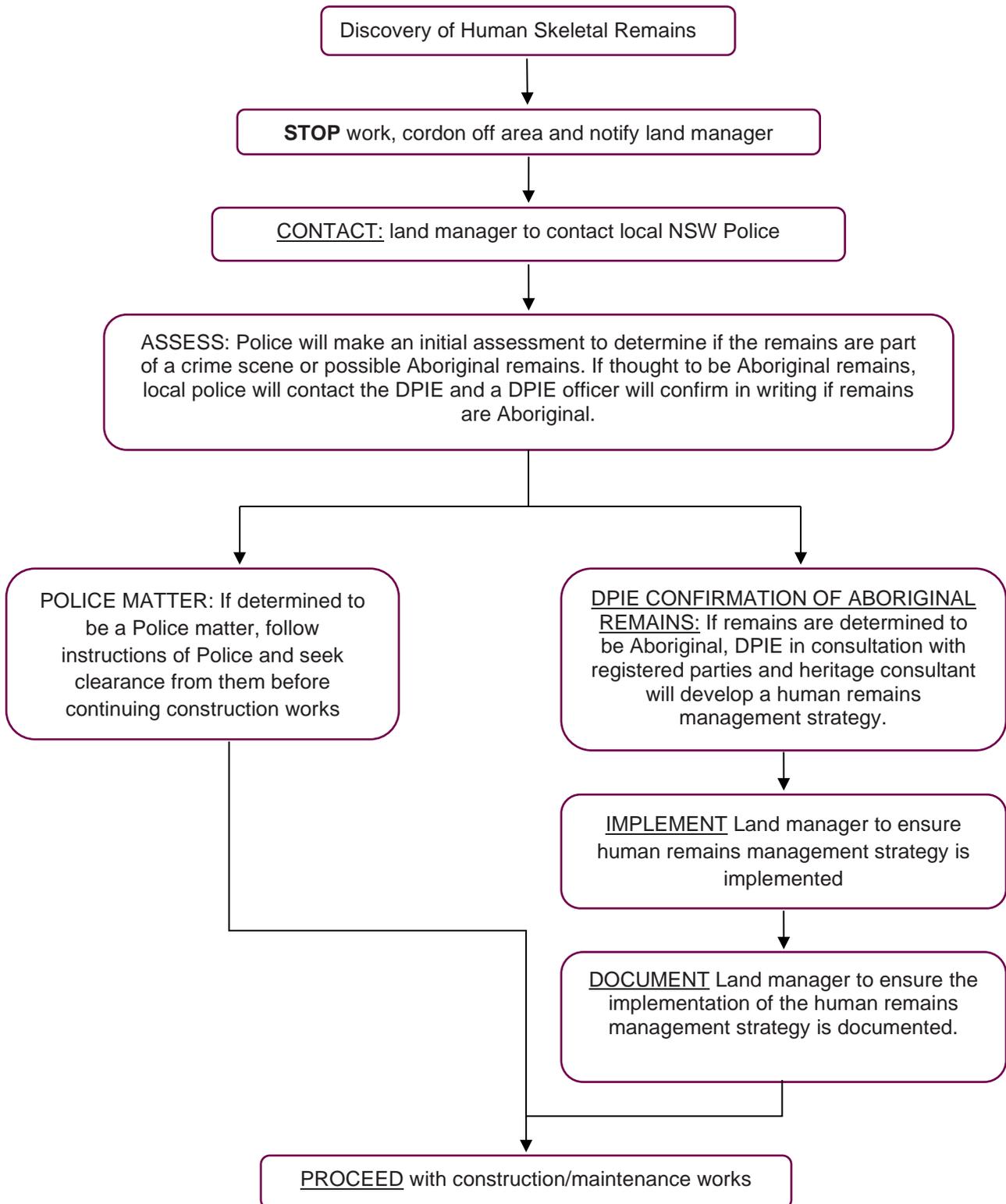
# Unexpected Finds Procedure

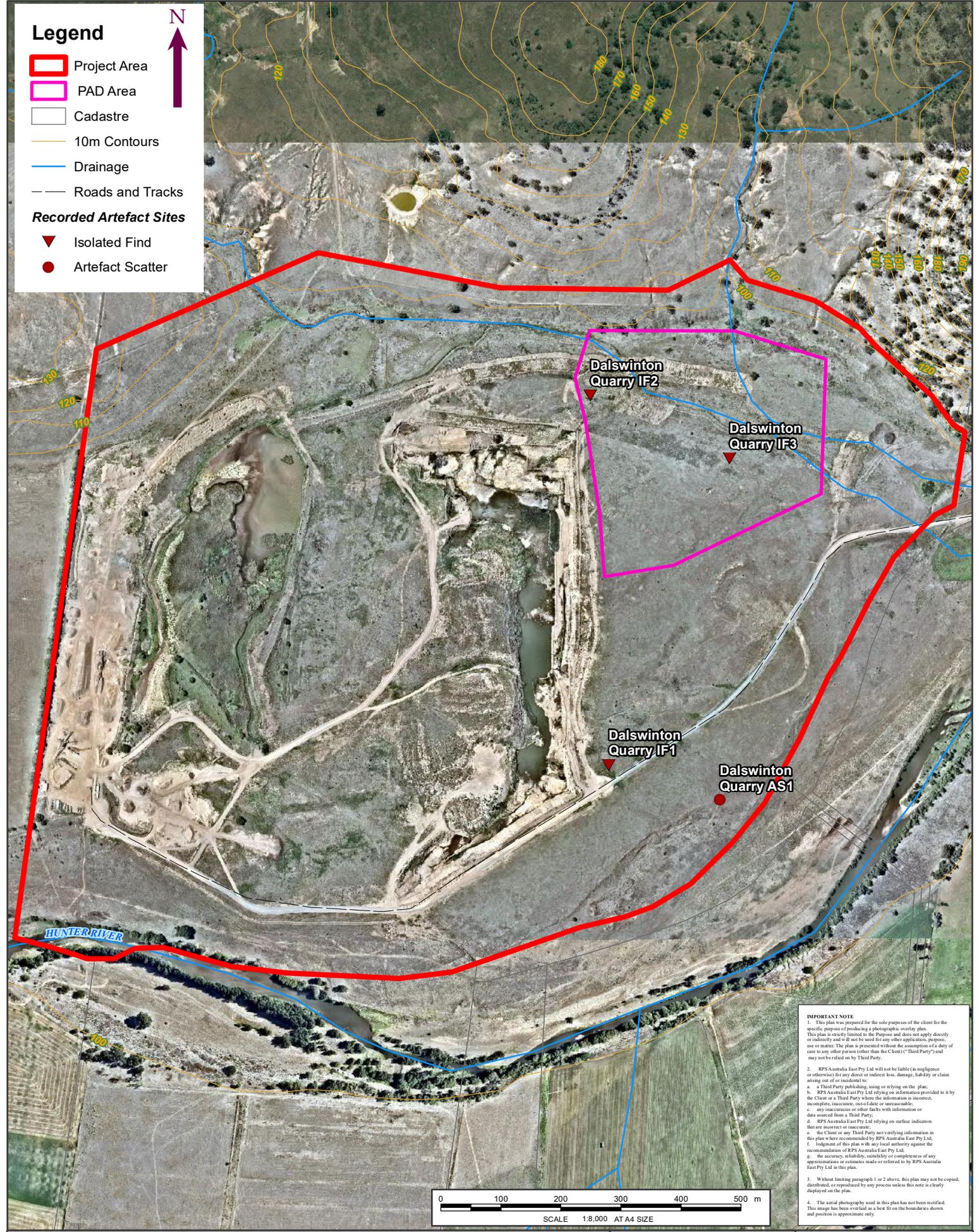
# UNEXPECTED FINDS PROCEDURE FOR ABORIGINAL OBJECTS ENCOUNTERED DURING SITE WORKS



## UNEXPECTED FINDS PROCEDURE FOR DISCOVERY OF HUMAN SKELETAL REMAINS

Human skeletal remains are of the highest importance to Aboriginal peoples and all care, caution, respect and dignity will be utilised by all parties should such remains be discovered.





**FIGURE 4: NEWLY RECORDED PAD AND ARTEFACTS**

|                                    |   |
|------------------------------------|---|
| LOCATION: DALSWINTON QUARRY DENMAN | DATUM: GDA2020<br>PROJECTION: MGA Zone 56         |
| JOB NO.: PR 146475                 | Data Sources:<br>RPS, Client<br>Nearmap 21/1/2020 |
| PURPOSE: HERITAGE                  |   |
| Technician: Natalie Wood           | Date: 10/04/2020                                  |

## 146475 Dalswinton - Consultation Log

### Pre-Consultation Letters sent to Agencies

| Date   | Agency   | Comms | Sent by           | Response                                   |
|--|--|-------|-------------------|--|
| 27/8/2018<br>Pre-notification Agency request for Aboriginal Party Listings, allowing 14 days to respond as per correspondence with DPIE regarding their timeframes | Department of Planning Industry and Environment (DPIE)                 | email | Nicola Hirschhorn | 25/9/2018 list of representatives provided |
|  | Wonnaruah Local Aboriginal Land Council (LALC)                         | email | Nicola Hirschhorn | 25/9/2018 list of representatives provided |
|  | The Native Title Tribunal  | email | Nicola Hirschhorn |  |
|  | Native Title Services Corporation                                      | email | Nicola Hirschhorn |  |
|  | Registrar of Aboriginal Owners NSW<br>Department of Aboriginal Affairs | email | Nicola Hirschhorn |  |
|  | Muswellbrook Council   | email | Nicola Hirschhorn |  |
|  | Hunter Local Land Services   | email | Nicola Hirschhorn |  |

### Newspaper Advertisement

| Date                                | Newspaper          | Comms     | Sent by           | Response |
|-------------------------------------|--------------------|-----------|-------------------|----------|
| 5/9/2018<br>Newspaper Advertisement | Hunter Valley News | newspaper | Nicola Hirschhorn |          |

### Consultation letters sent to the Representative Aboriginal Parties (RAPs)

| Date   | RAPs                             | Comms             | Sent by           | Response                  |
|--|----------------------------------|-------------------|-------------------|---------------------------|
| 25/9/2018<br>Consultation letters sent to the RAPs to register interest, giving 2 weeks to respond | Myland                           | Email/post        | Nicola Hirschhorn |                           |
|  | Barry French                     | Email/post        | Nicola Hirschhorn |                           |
|  | J&A Leonardi                     | Email/post        | Nicola Hirschhorn |                           |
|  | Trevor Robinson                  | Email/post        | Nicola Hirschhorn |                           |
|  | Steven Saunders                  | Email/post        | Nicola Hirschhorn |                           |
|  | Michelle Saunders                | Email/post        | Nicola Hirschhorn |                           |
|  | Esther Tighe                     | Email/post        | Nicola Hirschhorn |                           |
|  | DRM                              | Email/post        | Nicola Hirschhorn |                           |
|  | Wonnaruah Nation Aboriginal Corp | Email/post        | Nicola Hirschhorn | letter returned to sender |
|  | Wonnarua Culture Heritage        | Email/post        | Nicola Hirschhorn |                           |
|  | Wanaruah Custodians              | Email/post        | Nicola Hirschhorn |                           |
| Valley Culture   | Email/post                       | Nicola Hirschhorn |                   |                           |

## 146475 Dalswinton - Consultation Log

|                                 |            |                   |                              |
|---------------------------------|------------|-------------------|------------------------------|
| UHHC                            | Email/post | Nicola Hirschhorn |                              |
| T&G Culture                     | Email/post | Nicola Hirschhorn |                              |
| St Clair Singleton              | Email/post | Nicola Hirschhorn | letter returned to sender    |
| Scott Smith                     | Email/post | Nicola Hirschhorn |                              |
| Roger Noel Matthews Consultancy | Email/post | Nicola Hirschhorn | letter returned to sender    |
| Muswellbrook Cultural Cons      | Email/post | Nicola Hirschhorn |                              |
| Mooki Plains                    | Email/post | Nicola Hirschhorn |                              |
| Mingga Cons                     | Email/post | Nicola Hirschhorn |                              |
| Jeff Matthews                   | Email/post | Nicola Hirschhorn |                              |
| HV Natural & Cultural Resources | Email/post | Nicola Hirschhorn |                              |
| HV Cultural Cons                | Email/post | Nicola Hirschhorn |                              |
| Paulette Ryan                   | Email/post | Nicola Hirschhorn |                              |
| Giwirr Cons                     | Email/post | Nicola Hirschhorn |                              |
| Desley Talbott Cons             | Email/post | Nicola Hirschhorn |                              |
| Carrowonga Cons                 | Email/post | Nicola Hirschhorn |                              |
| Bullen Bullen                   | Email/post | Nicola Hirschhorn |                              |
| Aboriginal Native Title Cons    | Email/post | Nicola Hirschhorn |                              |
| Wanaruah LALC                   | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Yinarr                          | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Lower Wonn Tribal Cons          | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Lower Hunter Wonn Council       | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Wonn Traditional Custodians     | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Alison Sampson                  | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Waabi                           | email/post | Nicola Hirschhorn | email incorrect bounced back |
| HV Cultural Surveying           | email/post | Nicola Hirschhorn | email incorrect bounced back |
| Black Creek                     | email/post | Nicola Hirschhorn | email incorrect bounced back |

## RAP Consultation letter responses

| Date      | RAPs                    | Comms | Received by       | Response            |
|-----------|-------------------------|-------|-------------------|---------------------|
| 25/9/2018 | Tocomwall, Scott Franks | email | Nicola Hirschhorn | Registered Interest |

## 146475 Dalswinton - Consultation Log

|  |   |              |                   |                     |
|--|---|--------------|-------------------|---------------------|
|  | DNC, Lilly Carroll                                  | email        | Nicola Hirschhorn | Registered Interest |
|  | Ungooroo, Allen Paget                               | email        | Nicola Hirschhorn | Registered Interest |
|  | Wallangan Cultural Services, Maree Waugh            | email        | Nicola Hirschhorn | Registered Interest |
|  | Wattaka, Des Hickey                                 | email        | Nicola Hirschhorn | Registered Interest |
|  | Culturally Aware, Tracey Skene                      | email        | Nicola Hirschhorn | Registered Interest |
|  | Gidawaa Walang (Barkuma), Craig Horn                | email        | Nicola Hirschhorn | Registered Interest |
| 26/9/2018  | Cacatua, George Sampson                             | email        | Nicola Hirschhorn | Registered Interest |
|  | AGA Services, Ashley, Gregory & Adam Sampson        | email        | Nicola Hirschhorn | Registered Interest |
|  | JTM Traffic Management, Norman Archibald            | email        | Nicola Hirschhorn | Registered Interest |
|  | Lower Hunter Wonnarua Cultural Services, Tom Miller | email        | Nicola Hirschhorn | Registered Interest |
|  | Widescope, Steven Hickey                            | email        | Nicola Hirschhorn | Registered Interest |
|  | Valley ELM Corp, Irene Ardler                       | email        | Nicola Hirschhorn | Registered Interest |
| 28/9/2018  | Hunter Valley Cultural Surveying, Luke Hickey       | email        | Nicola Hirschhorn | Registered Interest |
| 1/10/2018  | A1 Indigenous Services, Carolyn Hickey              | email        | Nicola Hirschhorn | Registered Interest |
| 3/10/2018  | Steve Talbott                                       | email        | Nicola Hirschhorn | Registered Interest |
|  | Murra Bidgee Mullangari, Ryan Johnson               | email        | Nicola Hirschhorn | Registered Interest |
| 8/10/2018  | Wurrumay Consultants, Kerry Slater                  | email        | Nicola Hirschhorn | Registered Interest |
|  | Kawul Cultural Services, Kerry Slater               | email        | Nicola Hirschhorn | Registered Interest |
| 9/10/2018  | Wanaruh LALC, Suzie Worth                           | email        | Nicola Hirschhorn | Registered Interest |
| 11/10/2018   | JLC Cultural Services, Jenny-Lee Chamber            | email        | Nicola Hirschhorn | Registered Interest |
| <b>Advisement of the registered RAPs to OEH and the Wonnaruah LALC</b> |   |              |                   |                     |
| <b>Date</b>  | <b>RAPs</b>   | <b>Comms</b> | <b>Sent by</b>    | <b>Response</b>     |
| 12/10/2018   | OEH   | email        | Nicola Hirschhorn |                     |

## 146475 Dalswinton - Consultation Log

|  |   |       |                   |
|--|---|-------|-------------------|
|  | Wanaruah LALC                                       | email | Nicola Hirschhorn |
| <b>Job recommencement Letter</b>         |   |       |                   |
| 30/4/2019                                | Tocomwall, Scott Franks                             | Email | Nicola Hirschhorn |
| job on hold, recommencement letters sent | DNC, Lilly Carroll                                  | Email | Nicola Hirschhorn |
|  | Ungooroo, Allen Paget                               | Email | Nicola Hirschhorn |
|  | Wallangan Cultural Services, Maree Waugh            | Email | Nicola Hirschhorn |
|  | Wattaka, Des Hickey                                 | Email | Nicola Hirschhorn |
|  | Culturally Aware, Tracey Skene                      | Email | Nicola Hirschhorn |
|  | Gidawaa Walang (Barkuma), Craig Horn                | Email | Nicola Hirschhorn |
|  | Cacatua, George Sampson                             | Email | Nicola Hirschhorn |
|  | AGA Services, Ashley, Gregory & Adam Sampson        | Email | Nicola Hirschhorn |
|  | JTM Traffic Management, Norman Archibald            | Email | Nicola Hirschhorn |
|  | Lower Hunter Wonnarua Cultural Services, Tom Miller | Email | Nicola Hirschhorn |
|  | Widescope, Steven Hickey                            | Email | Nicola Hirschhorn |
|  | Valley ELM Corp, Irene Ardler                       | Email | Nicola Hirschhorn |
|  | Hunter Valley Cultural Surveying, Luke Hickey       | Email | Nicola Hirschhorn |
|  | A1 Indigenous Services, Carolyn Hickey              | Email | Nicola Hirschhorn |
|  | Steve Talbott                                       | Email | Nicola Hirschhorn |
|  | Murra Bidgee Mullangari, Ryan Johnson               | Email | Nicola Hirschhorn |
|  | Wurrumay Consultants, Kerry Slater                  | Email | Nicola Hirschhorn |
|  | Kawul Cultural Services, Kerry Slater               | Email | Nicola Hirschhorn |
|  | Wanaruh LALC, Suzie Worth                           | Email | Nicola Hirschhorn |
|  | JLC Cultural Services, Jenny-Lee Chamber            | Email | Nicola Hirschhorn |

## 146475 Dalswinton - Consultation Log

### Methodology Consultation

| Date  | RAPs  | Comms             | Sent by                         | Response                               |
|---|---|-------------------|---------------------------------|--|
| 15/10/2019-12/11/2019   | Tocomwall, Scott Franks                             | email             | Nicola Hirschhorn               | 15/10/2019 thanked RPS for the update. |
| Methodology sent to the RAPs that registered interest for comment, allowing 28 days to review | DNC, Lilly Carroll                                  | email             | Nicola Hirschhorn               | 15/10/2019 supports methodology        |
|   | Ungooroo, Allen Paget                               | email             | Nicola Hirschhorn               |  |
|   | Wallangan Cultural Services, Maree Waugh            | email             | Nicola Hirschhorn               |  |
|   | Wattaka, Des Hickey                                 | email             | Nicola Hirschhorn               |  |
|   | Culturally Aware, Tracey Skene                      | email             | Nicola Hirschhorn               |  |
|   | Gidawaa Walang (Barkuma), Craig Horn                | email             | Nicola Hirschhorn               |  |
|   | Cacatua, George Sampson                             | email             | Nicola Hirschhorn               |  |
|   | AGA Services, Ashley, Gregory & Adam Sampson        | email             | Nicola Hirschhorn               | 16/10/2019 supports methodology        |
|   | JTM Traffic Management, Norman Archibald            | email             | Nicola Hirschhorn               |  |
|   | Lower Hunter Wonnarua Cultural Services, Tom Miller | email             | Nicola Hirschhorn               |  |
|   | Widescope, Steven Hickey                            | email             | Nicola Hirschhorn               |  |
|   | Valley ELM Corp, Irene Ardler                       | email             | Nicola Hirschhorn               |  |
|   | Hunter Valley Cultural Surveying, Luke Hickey       | email             | Nicola Hirschhorn               |  |
|   | A1 Indigenous Services, Carolyn Hickey              | email             | Nicola Hirschhorn               | 22/10/2019 supports methodology        |
|   | Steve Talbott                                       | email             | Nicola Hirschhorn               |  |
|   | Murra Bidgee Mullangari, Ryan Johnson               | email             | Nicola Hirschhorn               | 29/10/2019 supports methodology        |
|   | Wurrumay Consultants, Kerry Slater                  | email             | Nicola Hirschhorn               |  |
| Kawul Cultural Services, Kerry Slater   | email   | Nicola Hirschhorn |                                 |  |
| Wanaruh LALC, Suzie Worth   | email   | Nicola Hirschhorn | 12/11/2019 supports methodology |  |
| JLC Cultural Services, Jenny-Lee Chamber  | email   | Nicola Hirschhorn |                                 |  |

## 146475 Dalswinton - Consultation Log

### Job recommencement Letter

|  |   |                   |                   |
|--|---|-------------------|-------------------|
| 15/1/2020<br>job on hold, recommencement<br>letters sent | Tocomwall, Scott Franks                             | email             | Nicola Hirschhorn |
|  | DNC, Lilly Carroll                                  | email             | Nicola Hirschhorn |
|  | Ungooroo, Allen Paget                               | email             | Nicola Hirschhorn |
|  | Wallangan Cultural Services, Maree Waugh            | email             | Nicola Hirschhorn |
|  | Wattaka, Des Hickey                                 | email             | Nicola Hirschhorn |
|  | Culturally Aware, Tracey Skene                      | email             | Nicola Hirschhorn |
|  | Gidawaa Walang (Barkuma), Craig Horn                | email             | Nicola Hirschhorn |
|  | Cacatua, George Sampson                             | email             | Nicola Hirschhorn |
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|  | JTM Traffic Management, Norman Archibald            | email             | Nicola Hirschhorn |
|  | Lower Hunter Wonnarua Cultural Services, Tom Miller | email             | Nicola Hirschhorn |
|  | Widescope, Steven Hickey                            | email             | Nicola Hirschhorn |
|  | Valley ELM Corp, Irene Ardler                       | email             | Nicola Hirschhorn |
|  | Hunter Valley Cultural Surveying, Luke Hickey       | email             | Nicola Hirschhorn |
|  | A1 Indigenous Services, Carolyn Hickey              | email             | Nicola Hirschhorn |
|  | Steve Talbott                                       | email             | Nicola Hirschhorn |
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|  | Wanaruh LALC, Suzie Worth                           | email             | Nicola Hirschhorn |
| JLC Cultural Services, Jenny-Lee Chamber                 | email   | Nicola Hirschhorn |                   |

**Invitation to site**

| <b>RAPs</b>                 | <b>RAPs</b>                    | <b>Comms</b> | <b>Sent by</b> | <b>Response</b>                |
|-----------------------------|--------------------------------|--------------|----------------|--------------------------------|
| 19/3/2020<br>Invite to site | Wanaruah LALC, Suzie Worth     | email/phone  | Amanda Crick   | 19/3/2020 sending sites office |
|                             | Culturally Aware, Tracey Skene | email/phone  | Amanda Crick   | 19/3/2020 sending sites office |
|                             | Ungooroo, Allen Paget          | email/phone  | Amanda Crick   | 20/3/2020 sending sites office |

**Draft Report sent to RAPs**

|   |  |       |              |
|---|--|-------|--------------|
| 15/5/2020<br>Draft Report sent to the RAPs<br>for review, allowing 28 days to<br>review | Tocomwall, Scott Franks                                | Email | Amanda Crick |
|   | DNC, Lilly Carroll                                     | Email | Amanda Crick |
|   | Ungooroo, Allen Paget                                  | Email | Amanda Crick |
|   | Wallangan Cultural Services, Maree<br>Waugh            | Email | Amanda Crick |
|   | Wattaka, Des Hickey                                    | Email | Amanda Crick |
|   | Culturally Aware, Tracey Skene                         | Email | Amanda Crick |
|   | Gidawaa Walang (Barkuma), Craig<br>Horn                | Email | Amanda Crick |
|   | Cacatua, George Sampson                                | Email | Amanda Crick |
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|   | JTM Traffic Management, Norman<br>Archibald            | Email | Amanda Crick |
|   | Lower Hunter Wonnarua Cultural<br>Services, Tom Miller | Email | Amanda Crick |
|   | Widescope, Steven Hickey                               | Email | Amanda Crick |
|   | Valley ELM Corp, Irene Ardlar                          | Email | Amanda Crick |
|   | Hunter Valley Cultural Surveying, Luke<br>Hickey       | Email | Amanda Crick |
|   | A1 Indigenous Services, Carolyn<br>Hickey              | Email | Amanda Crick |
|   | Steve Talbott  | Email | Amanda Crick |
|   | Murra Bidgee Mullangari, Ryan<br>Johnson               | Email | Amanda Crick |
|   | Wurrumay Consultants, Kerry Slater                     | Email | Amanda Crick |

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|  |       |              |
|--|-------|--------------|
| Kawul Cultural Services, Kerry Slater    | Email | Amanda Crick |
| Wanaruh LALC, Suzie Worth                | Email | Amanda Crick |
| JLC Cultural Services, Jenny-Lee Chamber | Email | Amanda Crick |

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**Public Notices**

**MANGOOLA OPEN CUT**  
GLENCORE

**Public Notice**  
**Road Closures Due to Blasting Activities - Wybong Road**

Mangoola Coal Operations wish to advise that Wybong Road closures due to blasting activities may take place between:

**Monday 10th September and Friday 14th September 2018**

The road will be closed between west of the mine entrance road for up to 3kms west along Wybong Road. The road closure will occur between 10am and 2pm and be closed for 15 minutes but most likely between ~12:00pm and ~12:30pm. These times are subject to change depending on environmental conditions. Roadside signs will display the date and approximate time of each closure.

For further information, please contact our Blasting and Community Response Hotline:  
**1800 014 339**

**Wanaruah Local Aboriginal Land Council**  
**NOTICE OF GENERAL MEETING**

Notice is hereby given of the General Meeting of the Wanaruah LALC:

**DATE: Thursday 20th September 2018**  
**TIME: 6pm**  
**PLACE: Muswellbrook Senior Citizens Centre, Market Lane Muswellbrook**

**AGENDA:**

1. Receipt of the 2017/2018 FY Audited financial Statements, Annual Report, and Audit management letter.
2. SAHF Housing proposal  
At this meeting, the members of Wanaruah Local Aboriginal Land Council will decide whether or not to approve the following dealing with land vested in the Land Council.  
**LAND** Queen Street Muswellbrook Lot 266 DP 1065478 (the Land)  
34 Waremba Street Scone Lot 17 DP 701318  
17-19 Maitland Street Muswellbrook Lot 11 DP 552780  
**Manner in which land is proposed to be dealt with** Transfer of the Land to the New South Wales Aboriginal Land Council
3. **PROPOSED AMENDMENT TO COMMUNITY, LAND AND BUSINESS PLAN**  
Members will also decide whether or not to approve an amendment to Wanaruah Local Aboriginal Land Council's community, land and business plan which relates to the proposed land dealing.  
Members are invited to contact the Land Council about the proposed land dealing and the proposed amendment.  
Aboriginal owner on the Register of Aboriginal Owner in Wanaruah Local Aboriginal Land Council's area are also invited to contact the Land Council regarding the proposed amendment.
4. The conduct of any other business placed on the agenda before the commencement of the meeting.

**AUTHORISED BY: Noel Downs; CHIEF EXECUTIVE OFFICER**

**Public Notices**

**Registration of Interest for Aboriginal cultural knowledge holders Dalswinton, NSW, 2328**

On behalf of Rosebrook Sand and Gravel Pty Ltd, RPS is requesting registration of interest from Aboriginal Stakeholders for Aboriginal Heritage Investigation in the Dalswinton area.

The purpose of this community consultation with Aboriginal people is to assist the proposed applicant complete an Aboriginal Cultural Heritage and Archaeological Assessment as required in their Environmental Impact Statement.

As per the OEH guideline: Aboriginal Cultural Heritage Consultation Requirements for Proponents responses are to be received within 2 weeks. Written applications should be forwarded to:

RPS Heritage  
RPS Australia East Pty Ltd  
PO Box 428  
Hamilton NSW 2303  
Tel: 02 4940 4200  
Nicola.hirschhorn@rpsgroup.com.au  
Further information will be provided upon registration.

**Traffic Changes Muswellbrook**

Changed Traffic Conditions from  
**6:30am Tuesday 18th September 2018 to 8:30pm Thursday 20th September 2018**  
at the Railway Bridge under pass on the New England Highway in Muswellbrook.

Diversions will be in place for south bound traffic.  
For further information contact Ph 02 9042 2425

**Positions Vacant**

**Sledmere Stud**  
**Leading Thoroughbred Stud**  
**Long term growth opportunities**  
**Scone location**

At Sledmere Stud, the 'Proud Family Tradition' is defined by decades of success and an irrefutable association with raising the highest quality horses.

Through dedication and extensive industry expertise, Sledmere Stud is a leader in raising and selling world renowned horses that have success both on and off the race track.

Sledmere Stud are seeking experienced applications for the following roles;

- Assistant Yearling Manager
- Yearling Handlers
- Stud Grooms
- Vet Nurse
- Season Truck Driver for walkouts

To be successful in any of these roles, you will need to enjoy a broad and diverse range of responsibilities in a highly productive team environment.

These roles will have a strong focus on:

- Excellent animal husbandry;
- Professional & friendly manner;
- Proficient leading skills for the 2019 Yearling sales;
- Experience with horses;
- Building strong working relationships within a team environment.

There are long term opportunities available within Sledmere for the right candidates, so if you have experience and proven success in any of these roles, please email your resume and supporting letter of interest to  
**belinda@sledmerestud.com.au**

Only people with the right to work in Australia can apply.  
**Applications close 30th September 2018.**

**Positions Vacant**

**Urgently Required Retail Manager**

Full time long term "RETAIL MANAGER" position available for a very busy retail store and service station in Muswellbrook. Desired candidates must possess relevant qualifications and experience. Shortlisted candidates will be called for personal interview.

Apply by sending your resume to:  
**dinesh\_sydney@hotmail.com**

Shortlisted candidates will be called for personal interview with practical knowledge test

**Positions Vacant**

**Various Roles - Scone and Muswellbrook**

Australian Rail Track Corporation (ARTC) plays a critical role in the transport supply chain and in the overall economic development of Australia. We manage and operate over 8500kms of track in New South Wales, Victoria, South Australia, Western Australia and Queensland, making us one of Australia's largest rail network owners.

ARTC recognises that a talented and diverse workforce is fundamental to building a commercially strong and customer focused organisation. With your expertise and contribution, we can create a cooperative team that draws strength from our diversity and produces innovative solutions. On that basis we encourage you to apply for this position if you believe you can add value to our diverse workforce.

ARTC invites applications for the following positions located in Scone and Muswellbrook, New South Wales.

- Infrastructure Maintainer -Scone & Muswellbrook
- Electricians & Signal Electricians -Muswellbrook
- Signal Installer/Certifier -Muswellbrook

For further information and to apply for this position, go to: <http://careers.artc.com.au> and select current vacancies.



**Positions Vacant**

**PERMANENT/CASUAL**

(with view to permanent full time) employee required to work in Firearms section of a local hunting/shooting store. **MUST HAVE** a current firearms licence and excellent knowledge of firearms, rifle scopes and accessories.

Retail experience an advantage however training will be provided. Please send a cover letter and resume to:  
**admin@elksenterprises.com.au**  
**by Wednesday 12th September 2018.**



**Store Manager & Casual Sales Assistants**

We are excited to be opening a new store in Muswellbrook

1. **Store Manager** – prior retail experience in management a must, must be an excellent team leader, have a fun and outgoing personality and an absolute can do attitude.
2. **Casual Sales Assistants** – previous retail experience preferred, a warm disposition, friendly and well spoken is required. A flair for furniture and homewares would also be an advantage – 2 positions The ability to load and unload delivery vehicles will be required.

Applicants interested in either position should send a CV to:  
**anthony@pacificfurniture.com.au**

**POWER THE HAPPY FOR SICK KIDS**

Donate now [starlight.org.au](http://starlight.org.au)



**Positions Vacant**

**MANAGER BUSINESS SERVICES**  
Permanent Full Time, Scone  
\$1725.20 - \$2024.60 per 35 hour week  
**Closing date:** 4:00pm, 17 September 2018

**PROJECT MANAGER**  
Full Time - Temporary (up to 2 years), Scone  
\$1725.20 - \$1932.20 per 35 hour week  
**Closing date:** 4:00pm, 17 September 2018

**MANAGER PLANNING, BUILDING & REGULATORY SERVICES**  
Permanent Full Time, Scone  
\$1725.20 - \$1932.20 per 35 hour week  
**Closing date:** 4:00pm, 17 September 2018

**MANAGER WORKS DELIVERY**  
Permanent Full Time, Scone  
\$2079.80 - \$2329.40 per 35 hour week  
**Closing date:** 4:00pm, 10 September 2018

All applications must be submitted and the key selection criteria addressed online by the closing date through Council's website - [upperhunter.nsw.gov.au](http://upperhunter.nsw.gov.au)



**P: 02 6540 1100**  
**E: [council@upperhunter.nsw.gov.au](mailto:council@upperhunter.nsw.gov.au)**  
**UPPERHUNTER.NSW.GOV.AU**

**Positions Vacant**

# Program Officer

**Ochre Opportunity Hub - Upper Hunter**

Are you passionate about Aboriginal Education and Careers?  
Want to work with High Schools and Students to ensure our kids have the best chance in and out of school?  
If you answered yes, we want to hear from you

This role will be primarily working with High Schools, students and stakeholders to work on individualised support for students in all things education + careers

For information or to request an application package contact  
**Leroy Wilkinson 0450 393 145 or Leanne Ellis 0417 037 481**





AW3600031



27 August 2018

Attn: Registrar of Aboriginal Owners  
NSW Department of Aboriginal Affairs  
PO Box 112  
Glebe NSW 2037

**Our ref:** 140150  
**Via:** Mail

Dear Sir/Madam

### **Dalswinton Quarry: Registration of Aboriginal Interest Groups**

RPS Australia East Pty Ltd (RPS) will be conducting an Aboriginal Cultural Heritage and Archaeological Assessment Report as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA).

This letter is to notify that HDB Planning are seeking to consult with Aboriginal persons or groups who may hold cultural knowledge, or who have right of interest in Aboriginal objects, places and/or Aboriginal cultural heritage in the area shown on the attached figure.

Should you know of any Aboriginal persons or groups who may wish to be consulted in relation to the project described above, please contact Nicola Hirschhorn or Alex Byrne on the details below. Specifically, we require a list of known Aboriginal stakeholders and communities that you consider that may be concerned with the location provided on the attached figure.

RPS advises that the details of any Aboriginal person or group who registers an interest in accordance with this notice will be forwarded to the Office and Environment and Heritage and the Wanaruah Local Aboriginal Land Council, unless they specify at registration that they do not want their details released (DECCW 2010:11)

### **Contact details**

| Method | Detail   |
|--------|--|
| Phone  | (02) 4940 4200   |
| Email  | <a href="mailto:Nicola.hirschhorn@rpsgroup.com.au">Nicola.hirschhorn@rpsgroup.com.au</a><br><a href="mailto:Alex.byrne@rpsgroup.com.au">Alex.byrne@rpsgroup.com.au</a> |
| Post   | PO Box 428 Hamilton NSW 2303   |



Yours sincerely  
**RPS**

A handwritten signature in black ink that reads 'A Byrne' in a cursive, slightly slanted script.

Alex Byrne  
Senior Cultural Heritage Consultant



27 August 2018

Hunter Local Land Services  
Private Bag 2010  
Paterson NSW 2421

**Our ref:** 140150  
**Via:** Mail

Dear Sir/Madam

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Yours sincerely  
**RPS**

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Alex Byrne  
Senior Cultural Heritage Consultant



27 August 2018

Muswellbrook Shire Council  
PO Box 122  
Muswellbrook NSW 2333

**Our ref:** 140150  
**Via:** Email

Dear Sir/Madam

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Yours sincerely  
**RPS**

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Alex Byrne  
Senior Cultural Heritage Consultant



27 August 2018

Attn: The Director  
National Native Title Tribunal  
GPO Box 9973  
Sydney NSW 2001

**Our ref:** 140150  
**Via:** Mail

Dear Sir/Madam

### **Dalswinton Quarry: Registration of Aboriginal Interest Groups**

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Yours sincerely  
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Alex Byrne  
Senior Cultural Heritage Consultant



**Newcastle Office**  
Unit 2A, 45 Fitzroy Street, Carrington NSW 2294  
PO Box 120, Carrington NSW 2294  
T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

27 August 2018

Native Title Services Corporation Limited  
PO Box 2105  
Strawberry Hills NSW 2012

**Our ref:** 140150  
**Via:** Mail

Dear Sir/Madam

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| Post   | PO Box 428 Hamilton NSW 2303   |



Yours sincerely  
**RPS**

A handwritten signature in black ink that reads 'A Byrne' in a cursive, slightly slanted script.

Alex Byrne  
Senior Cultural Heritage Consultant



27 August 2018

Office of Environment and Heritage, Hunter Central Coast Region  
Locked Bag 1002  
Dangar NSW 2309

**Our ref:** 140150  
**Via:** Email

Dear Sir/Madam

### **Dalswinton Quarry: Registration of Aboriginal Interest Groups**

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Yours sincerely  
**RPS**

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Alex Byrne  
Senior Cultural Heritage Consultant



27 August 2018

Attn: CEO  
Wanaruah Local Aboriginal Land Council  
PO Box 127  
Muswellbrook NSW 2333

**Our ref:** 140150  
**Via:** Mail

Dear Sir/Madam

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RPS Australia East Pty Ltd (RPS) will be conducting an Aboriginal Cultural Heritage and Archaeological Assessment Report as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA).

This letter is to notify that HDB Planning are seeking to consult with Aboriginal persons or groups who may hold cultural knowledge, or who have right of interest in Aboriginal objects, places and/or Aboriginal cultural heritage in the area shown on the attached figure.

Should you know of any Aboriginal persons or groups who may wish to be consulted in relation to the project described above, please contact Nicola Hirschhorn or Alex Byrne on the details below. Specifically, we require a list of known Aboriginal stakeholders and communities that you consider that may be concerned with the location provided on the attached figure.

RPS advises that the details of any Aboriginal person or group who registers an interest in accordance with this notice will be forwarded to the Office and Environment and Heritage and the Wanaruah Local Aboriginal Land Council, unless they specify at registration that they do not want their details released (DECCW 2010:11)

### **Contact details**

| Method | Detail   |
|--------|--|
| Phone  | (02) 4940 4200   |
| Email  | <a href="mailto:Nicola.hirschhorn@rpsgroup.com.au">Nicola.hirschhorn@rpsgroup.com.au</a><br><a href="mailto:Alex.byrne@rpsgroup.com.au">Alex.byrne@rpsgroup.com.au</a> |
| Post   | PO Box 428 Hamilton NSW 2303   |



Yours sincerely  
RPS

A handwritten signature in black ink that reads 'A Byrne'.

Alex Byrne  
Senior Cultural Heritage Consultant



# Request for search of Tribunal register information

## **What is a request for search of Tribunal register information?**

The Native Title Registrar maintains three registers: the Register of Native Title Claims, the National Native Title Register and the Register of Indigenous Land Use Agreements<sup>1</sup>. The Tribunal also maintains a schedule of native title applications which includes claims which have not been registered. Persons or organisations can request a search of the register and schedule information to find out whether an area of land or water is covered by a native title determination, application or indigenous land use agreement (ILUA). A search against the Registers and schedule (or an ‘overlap analysis’) is a search to ascertain whether there is a native title determination, claim or land use agreement over a specified area. Further information about searches can be found on the Tribunal’s [website](#).

## **When will the Tribunal search the Registers?**

The Tribunal and the Registrar have a number of powers and functions under the *Native Title Act 1993*, including providing assistance to people in matters related to a proceeding (e.g. a native title determination application or other relevant application). Assistance may also be provided that is ancillary to the performance of functions or exercise of powers of the Tribunal and Registrar. This may take the form of searches of register and schedule information to assist a person who may not be a party to a native title proceeding but who is required, under the *Native Title Act* or other relevant state-based legislation, to identify native title interests (e.g. an applicant for a minerals tenement or a developer complying with cultural heritage legislation). There is no charge for these register searches.

## **How long will the search take?**

It may take up to three working days to provide you with register extracts and attachments if you provide an application number. It may take up to five working days to conduct a search against the Registers and databases. The Tribunal will contact you if a result cannot be provided within this timeframe.

## **Search results**

Search results will normally be sent via email. However, if results are too large to email, they will be sent via mail unless alternative arrangements are made.

---

<sup>1</sup> **Note:** the Register of Indigenous Land Use Agreements can be viewed or searched through the NNTT website. Click [here](#).

|   |   |
|---|---|
| Your details  | Name: Nicola Hirschhorn   |
|   | Position: Graduate Heritage Consultant  |
|   | Company/organisation: RPS   |
|   | Postal address: PO Box 428, Hamilton 2303   |
|   | Your reference: 140150  |
|   | Email address: <a href="mailto:Nicola.hirschhorn@rpsgroup.com.au">Nicola.hirschhorn@rpsgroup.com.au</a>   |
|   | Telephone No.: 4940 4200  |
|   | Fax No.:  |
| Date of request: 27/08/2018   |   |
| Reason for search request   | <input type="checkbox"/> <b>I am a party to a native title proceeding</b> – please specify Federal Court/Tribunal file number/application name:<br><br><input checked="" type="checkbox"/> I need to identify existing native title interests to comply with the NTA or other State/Territory legislation – please provide details:<br>Aboriginal Cultural Heritage Assessment Report   |
| <b>Details of the area to be searched</b><br><br>Please complete the relevant description fields (fields marked with an asterisk must be completed) <b>or</b> provide a clear map of the area including landmarks | <b>Mining Tenure:</b><br>*State/Territory:<br><br>*Mining/ exploration details: Tenement number(s) (i.e. EL No or MCN No) or block/sub block description:<br><br>Other Land Tenure:<br>*State/Territory: NSW<br>Land parcels: <i>Lot number(s)</i> : Lot 72 DP1199484<br>*Tenure type ( <i>e.g. agricultural lease</i> ):<br>Property name: Dalswinton Quarry, 511 Dalswinton Rd, Dalswinton NSW<br>Pastoral Lease number or name:<br>*Local Government Area(s): Muswellbrook LGA<br><br>County:<br>Parish:<br>Town:<br>Section:<br>Hundred:<br>Northern Territory Portion: |
|   | <b>Other details:</b> (additional information may be attached): Location Plan attached  |

**Note:** Search requests cannot be processed if insufficient detail is supplied.

**Note:** Map coordinates that form part of the attachments to a search result will not be sent with results unless specifically requested. Maps and any other formal attachments will be sent.

# Submitting your search request

Search requests can be sent to your local registry by mail, email or fax.

## Tribunal contact details

### **Brisbane Office**

Level 30, Hitachi Building  
239 George Street  
Brisbane Qld 4000

GPO Box 9973

Brisbane Qld 4001

Telephone: (07) 3307 5000

Freecall: 1800 640 501

Fax: (07) 3307 5050

Email: [qldenquiries@nntt.gov.au](mailto:qldenquiries@nntt.gov.au)

### **Melbourne Office**

*\* The Melbourne Office serves clients in Victoria, Tasmania and Northern Territory.*

Level 6, Commonwealth Law Courts Building

305 Williams Street

Melbourne VIC 3000

GPO Box 9973

Melbourne VIC 3001

Telephone: (03) 9920 3000

Freecall: 1800 640 501

Fax (03) 9606 0680

Email: [vicandtasenquiries@nntt.gov.au](mailto:vicandtasenquiries@nntt.gov.au)

### **Sydney Office**

*\* The Sydney Office serves clients in New South Wales, the Australian Capital Territory and South Australia.*

Level 16, Law Courts Building

Queens Square

Sydney NSW 2000

GPO Box 9973

Sydney NSW 2001

Telephone: (02) 9227 4000

Freecall: 1800 640 501

Facsimile: (02) 9227 4030

Email: [nswenquiries@nntt.gov.au](mailto:nswenquiries@nntt.gov.au)

### **Cairns Office**

Level 14, Cairns Corporate Tower

15 Lake Street

Cairns Qld 4870

GPO Box 9973

Cairns Qld 4870

Telephone: (07) 4046 9000

Freecall: 1800 640 501

Fax: (07) 4046 9050

Email: [qldenquiries@nntt.gov.au](mailto:qldenquiries@nntt.gov.au)

### **Perth Office**

Level 5, Commonwealth Law Courts Building

1 Victoria Ave

Perth WA 6000

GPO Box 9973

Perth WA 6848

Telephone: (08) 9425 1000

Freecall: 1800 640 501

Fax: (08) 9425 1199

Email: [waenquiries@nntt.gov.au](mailto:waenquiries@nntt.gov.au)

### **South Australia and Northern Territory**

*\* Please direct all South Australian and Northern Territory enquiries to the contact details below:*

Telephone: (02) 9227 4000 (South Australia enquiries only)

Telephone: (03) 9920 3000 (Northern Territory enquiries only)

Freecall: 1800 640 501

Email: [sa\\_and\\_ntenquiries@nntt.gov.au](mailto:sa_and_ntenquiries@nntt.gov.au)



DOC18/618126-1  
140150

Ms Nicola Hirschhorn  
RPS  
Nicola.Hirschhorn@rpsgroup.com.au

Dear Nicola

**Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton - Aboriginal Stakeholder List**

In response to your request under Section 4.1.2(a) of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), please find attached a list of known Aboriginal parties that have self-nominated for Muswellbrook Shire Council Local Government Area (LGA). Please note the following information with respect to Aboriginal consultation for your project.

**Aboriginal stakeholder lists maintained by OEH are comprised of self-nominated individuals and organisations**

Please note that the attached list is comprised only of self-nominated individuals and Aboriginal organisations who could have an interest in your project. The list is not vetted by OEH. As the list comprises only of self-nominated individuals and Aboriginal organisations, it is not necessarily an exhaustive list of all Aboriginal parties who may hold an interest in the project. Further consultation in accordance with step 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) is required to identify Aboriginal people who may hold either cultural or historical knowledge relevant to determining the significance of Aboriginal objects or places within your proposed project area.

**Aboriginal stakeholder lists may cover multiple Local Aboriginal Land Council boundaries**

Please note that the attached list may contain two or more Local Aboriginal Land Councils (LALCs) that occur in the LGA. Please review the boundary of your specific project area and ensure you consult with all LALC(s) that overlap with your project area. OEH does not require you to contact any LALCs on the attached list that you determine are wholly located outside your project area.

**Ensure you document the consultation process**

Please ensure all consultation undertaken in accordance with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) is documented within an Aboriginal Cultural Heritage Assessment Report (ACHAR). This must include copies of all correspondence sent to or received from all Registered Aboriginal Parties (RAPs) throughout the entire consultation process. Omission of these records in the final ACHAR may cause delays in the assessment of an Aboriginal Heritage Impact Permit (AHIP) application or a major project Aboriginal cultural heritage assessment, and could require parts of the consultation process to be repeated if the evidence provided to OEH

does not demonstrate that the consultation process has been conducted in accordance with our consultation requirements.

### Demonstrate that reasonable consultation attempts have been made

Please ensure you provide evidence to demonstrate that reasonable attempts have been made to contact the relevant parties identified through step 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010). If this evidence is not provided, OEH may deem that the consultation process has not complied with the consultation requirements. Similarly, the proponent is required to record all feedback received from RAPs, along with the proponent's response to the feedback. Where concerns or contentious issues are raised by RAPs during the consultation process, OEH expects that reasonable attempts are made to address and resolve these matters, however OEH acknowledges that in some cases, this may not be achievable. In the case where conflict cannot be resolved, it is the responsibility of the proponent to record these differences and provide the necessary information in their ACHAR with their AHIP application or major project ACHAR.

### Consultation should not be confused with employment

As outlined in Section 3.4 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), the consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and an application. OEH does not have any role with respect to commercial engagement. Where RAPs are engaged commercially to provide field services as part of an assessment process, that is a matter for the proponent to manage as they see fit. However, if a proponent is proposing to undertake consultation processes or elicit cultural information from RAPs during the course of conducting a field survey, OEH considers this to form part of the consultation process, and expects that all RAPs would be afforded the opportunity to be involved in the process.

### Contacting our office

To ensure we can respond to enquiries promptly, please direct future correspondence to our central mailbox: [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au).

Should you require any further information, please do not hesitate to contact us.

Yours sincerely



**LAURA DAFTER**  
**Archaeologist**  
**Hunter Central Coast Branch**  
**Conservation and Regional Delivery Division**

6 September 2018



## Attachment A

### Hunter Central Coast Branch - Aboriginal Stakeholder Register for Muswellbrook Shire Council LGA

Please note that this list is valid at the time of sending only, and should not be used for subsequent projects.

| Organisation                               | First name             | Surname  | Address 1 | City | State | Post | Landline | Mobile | Email |  |
|--|------------------------|----------|-----------|------|-------|------|----------|--------|-------|--|
| Aboriginal Native Title Elders Consultants | John and Margaret      | Matthews |           |      |       |      |          |        |       |  |
| AGA Services                               | Ashley, Gregory & Adam | Sampson  |           |      |       |      |          |        |       |  |
| Aliera French Trading                      | Aliera                 | French   |           |      |       |      |          |        |       |  |
| Bathurst Local Aboriginal Land Council     | CEO                    |          |           |      |       |      |          |        |       |  |
| Cacatua Culture Consultants                | Donna & George         | Sampson  |           |      |       |      |          |        |       |  |
| Crimson-Rosie                              | Jeffery                | Matthews |           |      |       |      |          |        |       |  |
| Culturally Aware                           | Tracey                 | Skene    |           |      |       |      |          |        |       |  |
| DFTV Enterprises                           | Derrick                | Vale Snr |           |      |       |      |          |        |       |  |

| Organisation                                       | First name | Surname               | Address 1 | City | State | Post code | Landline | Mobile | Email |  |
|--|------------|-----------------------|-----------|------|-------|-----------|----------|--------|-------|--|
| Deslee Talbott Consultants                         | Deslee     | Matthews              |           |      |       |           |          |        |       |  |
| Didge Ngunawal Clan                                | Paul Boyd  | & Lilly Carroll       |           |      |       |           |          |        |       |  |
| Divine Diggers Aboriginal Cultural Consultants     | Deidre     | Perkins               |           |      |       |           |          |        |       |  |
| Gidawaa Walang & Barkuma Neighbourhood Centre Inc. | Ann Hickey | Debbie Dacey-Sullivan |           |      |       |           |          |        |       |  |
| Hunter Traditional Owner                           | Paulette   | Ryan                  |           |      |       |           |          |        |       |  |
| Hunter Valley Aboriginal Corporation               | Rhonda     | Griffiths             |           |      |       |           |          |        |       |  |
| Hunters & Collectors                               | Tania      | Matthews              |           |      |       |           |          |        |       |  |
| Indigenous Learning                                | Craig      | Archibald             |           |      |       |           |          |        |       |  |
| Jarban & Mugrebea                                  | Les        | Atkinson              |           |      |       |           |          |        |       |  |
| Jumbunna Traffic Management Group Pty Ltd          | Norm       | Archibald             |           |      |       |           |          |        |       |  |
| Kawul Cultural Services                            | Vicky      | Slater                |           |      |       |           |          |        |       |  |
| Kawul Pty Ltd trading as Wonn1 Sites               | Arthur     | Fletcher              |           |      |       |           |          |        |       |  |

| Organisation                                   | First name                           | Surname                   | Address 1 | City | State | Post | Landline | Mobile | Email |
|--|--------------------------------------|---------------------------|-----------|------|-------|------|----------|--------|-------|
| Lower Hunter Aboriginal Incorporated           | David                                | Ahoy                      |           |      |       |      |          |        |       |
| Lower Hunter Wonnarua Cultural Services        | Lea-Anne Ball and Uncle Tommy Miller |                           |           |      |       |      |          |        |       |
| Lower Wonnaruah Tribal Consultancy Pty Ltd     | Barry                                | Anderson                  |           |      |       |      |          |        |       |
| Murra Bidgee Mullangari Aboriginal Corporation | Ryan Johnson                         | & Darleen Johnson-Carroll |           |      |       |      |          |        |       |
| Myland Cultural & Heritage Group               | Warren                               | Schillings                |           |      |       |      |          |        |       |
| Roger Matthews Consultancy                     | Roger                                | Matthews                  |           |      |       |      |          |        |       |
| Ungooroo Aboriginal Corporation                | Alan                                 | Paget                     |           |      |       |      |          |        |       |
| Upper Hunter Wonnarua Council Inc              | Rhonda & Georgina                    | Perry                     |           |      |       |      |          |        |       |
| Wallagan Cultural Services                     | Maree                                | Waugh                     |           |      |       |      |          |        |       |
| Wanaruah Local Aboriginal Land Council         | CEO                                  |                           |           |      |       |      |          |        |       |

| Organisation  | First name | Surname             | Address 1 | City | State | Post | Landline | Mobile | Email |
|---|------------|---------------------|-----------|------|-------|------|----------|--------|-------|
| Wattaka<br>Wonnarua CC<br>Service   | Des        | Hickey              |           |      |       |      |          |        |       |
| Widescope<br>Indigenous<br>Group  | Steven     | Hickey              |           |      |       |      |          |        |       |
| Wonnarua<br>Culture<br>Heritage   | Gordon     | Griffiths           |           |      |       |      |          |        |       |
| Wonnarua<br>Elders Council  | Richard    | Edwards             |           |      |       |      |          |        |       |
| Wonnarua<br>Nation<br>Aboriginal<br>Corporation   | Laurie     | Perry               |           |      |       |      |          |        |       |
| Yarrowalk (A<br>division of<br>Tocomwall Pty<br>Ltd),<br>Tocomwall Pty<br>Ltd on behalf<br>of Scott Franks<br>and Anor on<br>behalf of the<br>Plains Clans of<br>the Wonnarua<br>People<br>NSD1680/2013 | Scott      | Franks              |           |      |       |      |          |        |       |
| Yinarr Cultural<br>Services   | Kathleen   | Steward<br>Kinchela |           |      |       |      |          |        |       |
|   | Steve      | Talbott             |           |      |       |      |          |        |       |

| Organisation | First name | Surname | Address 1  | City | State | Post | Landline | Mobile | Email |
|--------------|------------|---------|------------|------|-------|------|----------|--------|-------|
|              | Kevin      | Duncan  | [REDACTED] |      |       |      |          |        |       |

| <b>Organisation</b>                                 | <b>Contact</b>                 |
|---|--------------------------------|
| Aboriginal Native Title Elders Consultants          | Margaret Matthews              |
| Aliera French Trading                               | Aliera French                  |
| Black Creek Aboriginal Corporation                  | Tracey White                   |
| Bullen Bullen                                       | Loyd Mathews                   |
| Cacatua Culture Consultants                         | Donna & George Sampson         |
| Carrowonga Consultants                              | Cheryl Moodie & Justin Mathews |
| Culturally Aware                                    | Tracey Skene                   |
| D F T V Enterprises                                 | Derrick Vale Sr                |
| Deslee Talbott Consultants                          | Deslee Matthews                |
| Gidawaa Walang & Barkuma Neighbourhood Centre       | Debbie Dacey-Sullivan          |
| Giwiirr Consultants                                 | Michele Stair                  |
| Hunter Traditional Owner                            | Paulette Ryan                  |
| Hunter Valley Aboriginal Corporation                | Rhonda Griffith                |
| Hunter Valley Cultural Consultants                  | Christine Matthews             |
| Hunter Valley Cultural Surveying                    | Luke Hickey                    |
| Hunter Valley Environment Land & Mining Services    | Des Hickey                     |
| Hunter Valley Natural & Cultural Resources          | David French                   |
| Indigenous Outcomes                                 | Robert Smith                   |
| Jarban + Mugrebea                                   | Les Atkinson                   |
| Kawul Cultural Services                             | Jeff Matthews                  |
| Kayaway   | Vicky Slater                   |
| Lower Hunter Wonnarua Council Inc                   | Mark Hickey                    |
| Lower Wonnaruah Tribal Consultancy Pty Ltd          | Lea-Anne Ball Uncle            |
| Mingga Consultants                                  | Tommy Miller                   |
| Mooki Plains Management                             | Barry Anderson                 |
| Mooki Plains Management                             | Clifford Matthews              |
| Muswellbrook Cultural Consultants                   | Stephen Matthews               |
| Ngarramang-Kuri Aboriginal Culture & Heritage Group | Les Field                      |
| Roger Noel Matthews Consultancy                     | Brian Horton                   |
| St Clair Singleton Aboriginal Corporation           | Abie Wright                    |
| T & G Culture Consultants                           | Roger Noel                     |
| Ungooroo Cultural & Community Services              | Scott Smith                    |
| Ungooroo Aboriginal Corporation                     | Cultural Heritage Officer      |
| Upper Hunter Heritage Consultants                   | Rhonda Ward                    |
| Upper Hunter Wonnarua Council Inc                   | Alan Paget & Sarah Hall        |
| Valley Culture,                                     | Melissa & Darrel               |
| Wanaruah Custodians                                 | Matthews                       |
| Wanaruah Local Aboriginal Land Council              | Rhonda Perry & Georgina        |
| Wattaka Wonnarua C.C. Service                       | Larry Van Vliet                |
|   | Barbara Foot                   |
|   | Des Hickey                     |

Widescope Indigenous Group Pty Ltd  
Wonn 1 Contracting  
Wonnarua Culture Heritage  
Wonnarua Nation Aboriginal Corporation  
Wonnaruah Elders Council  
Tocomwall  
Yinarr Cultural Services

Devine diggers Aboriginal Cultural Consultants  
DRM Cultural Management  
Esther Tighe  
Griffiths Group  
Lower Hunter Aboriginal Incorporated

Mindaribba Local Aboriginal Land Council  
Murrawan Cultural Consultants Pty Ltd  
Moreeites  
Myland Cultural & Heritage Group

Waabi Gabinya Cultural Consultancy  
Wallagan Cultural Services  
Warrigal Cultural Services  
Smith Dhagaans Cultural group

Thawan Heritage Consultant

Wurrumay Consultants  
J & A Leonardi

Wonnarua Traditional Custodian

JLC Cultural Services

Giwiirr Consultants

Amanda Hickey  
Arthur Fletcher  
Gordon Griffiths  
Laurie Perry  
Uncle Tommy Miller  
Scott Franks  
Kathleen Steward

Alison Sampson  
Deidre Perkins  
Helen Faulkner

Priscilla Priestley  
Les Ahoy  
Michelle Saunders

Robert Smith  
Susan Cutmore  
Warren Schillings  
Ron Smith  
Roslyn Sampson  
Rebecca Lester  
Elizabeth Howard  
Maree Waugh  
Aaron Slater  
Tim Smith  
Steven Saunders  
Jennifer Hampton  
Trevor Robinson  
Kerrie Slater

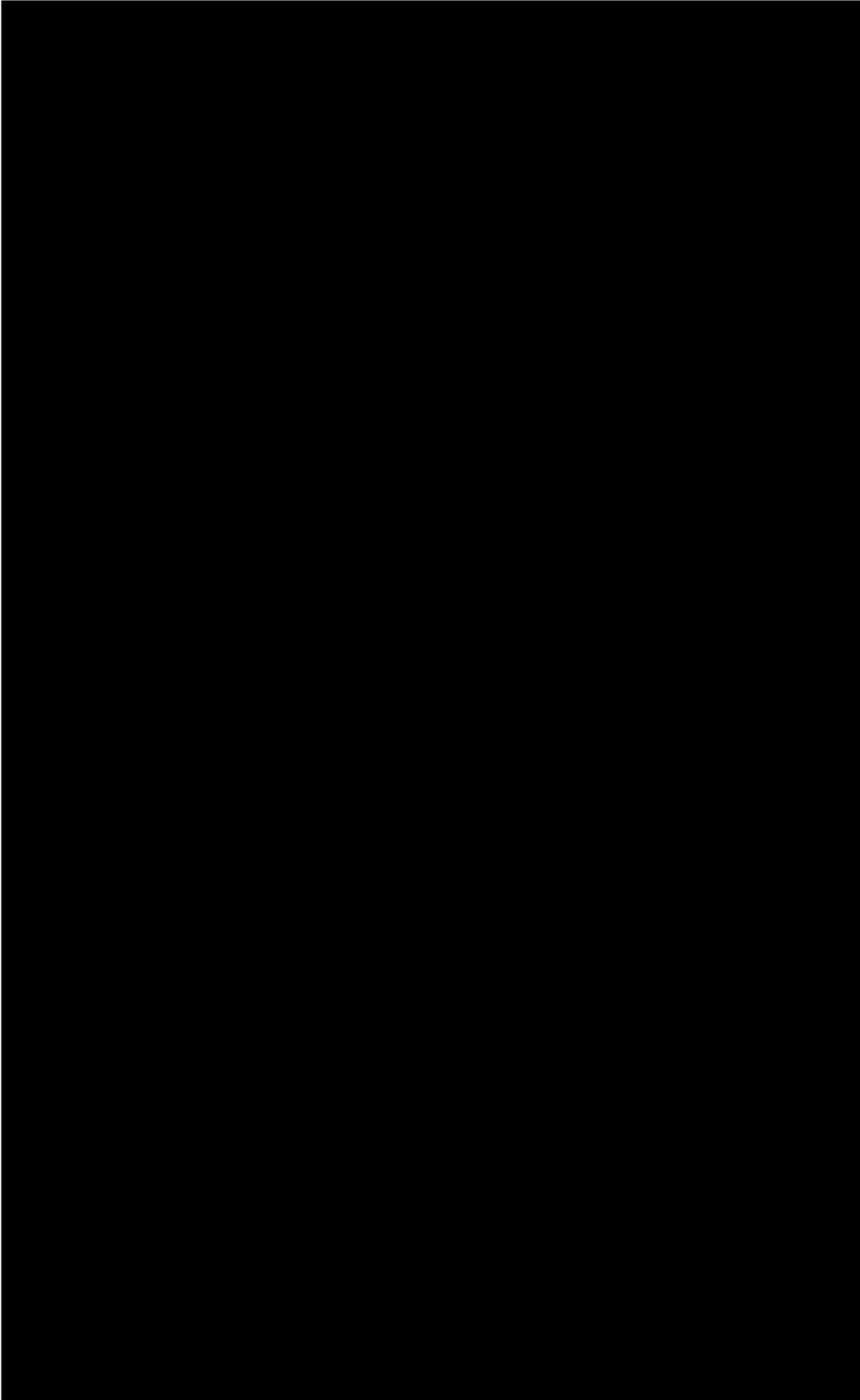
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Des Hickey  
Barry French  
Mandy Howard  
Jenny-Lee Chambers  
Warren Taggart  
Rodney Matthews  
Glen Morris  
David Horton

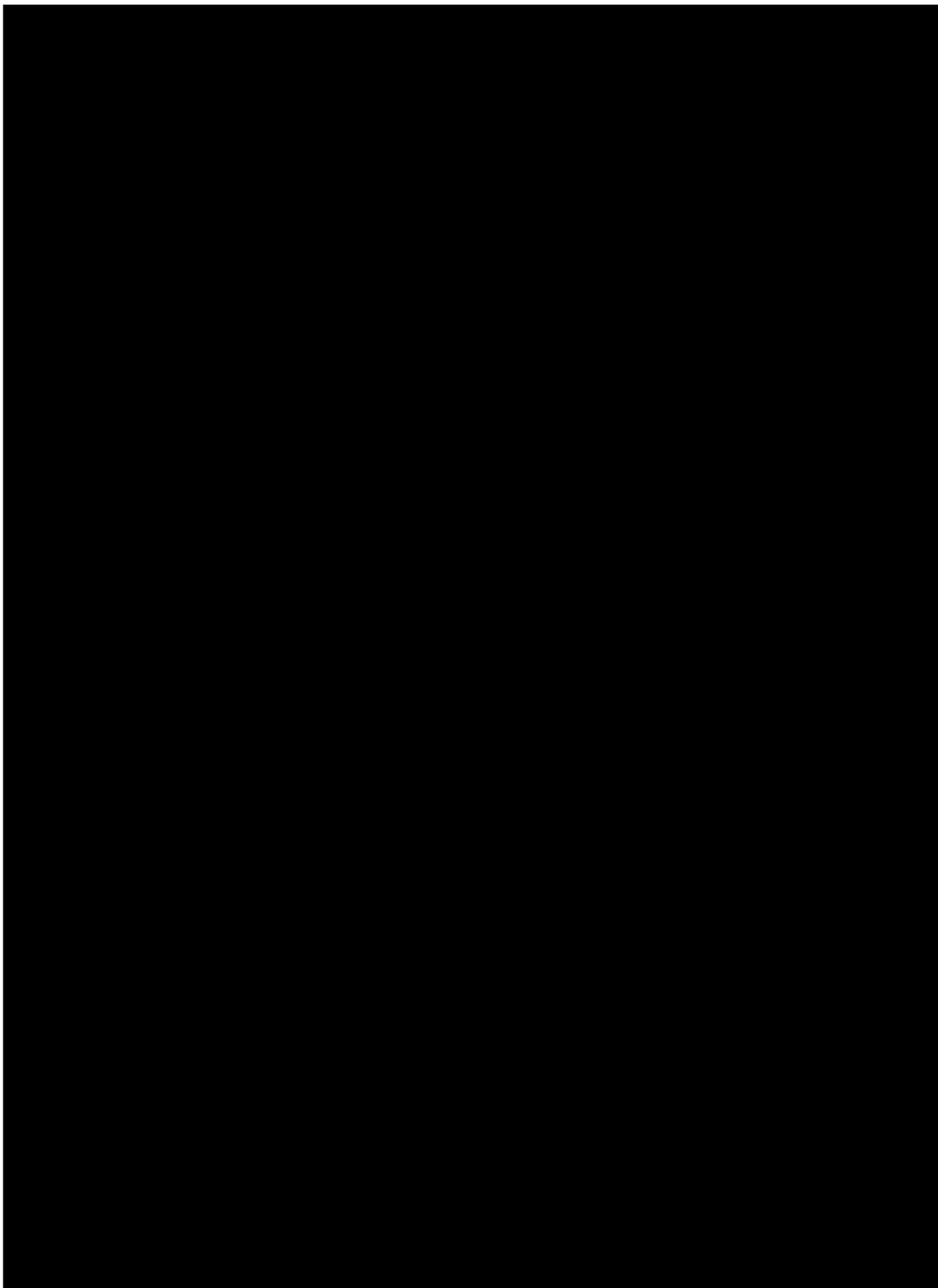
**Address 1**

**City**

**Phone**

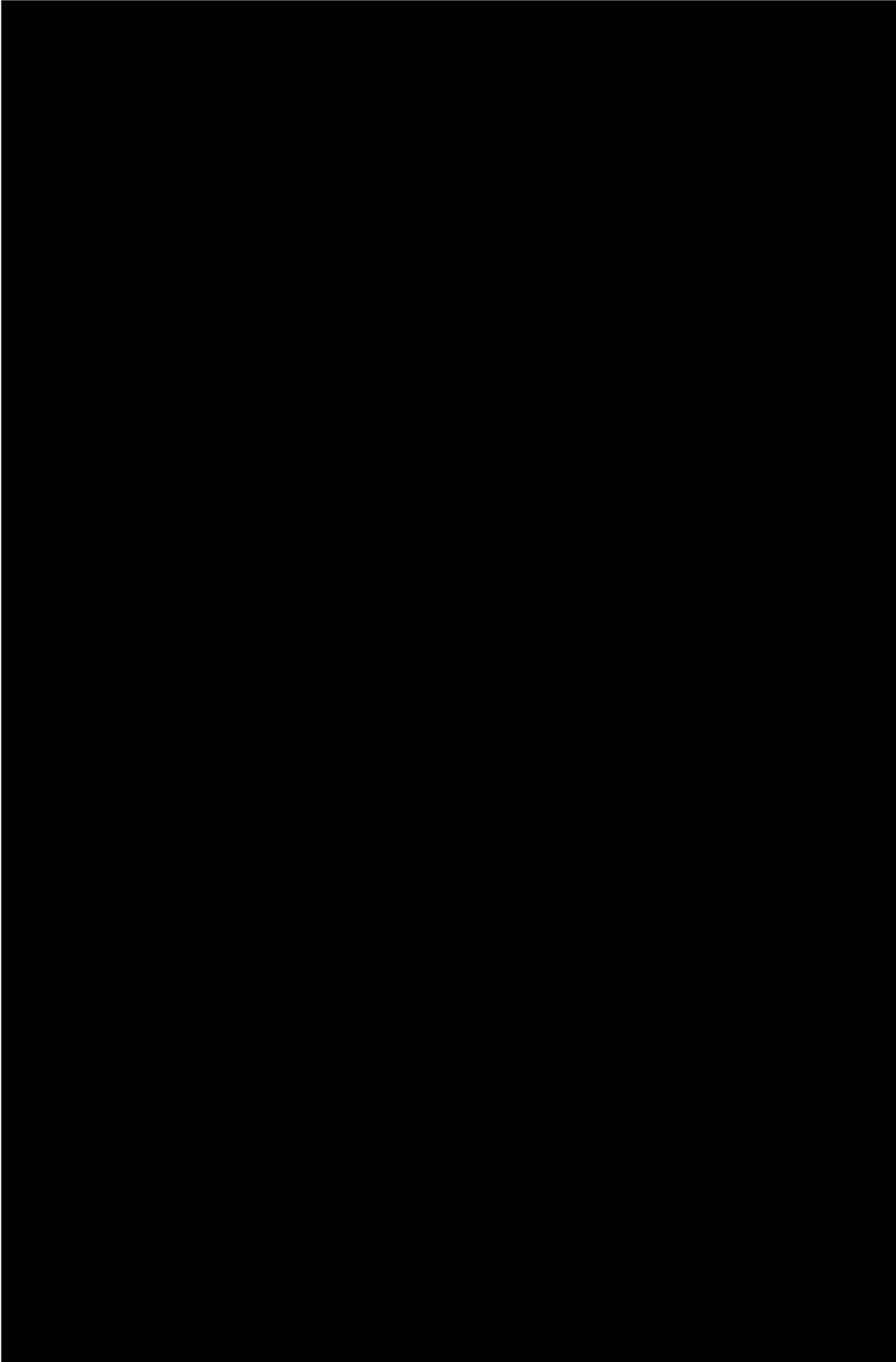
**Mobile**

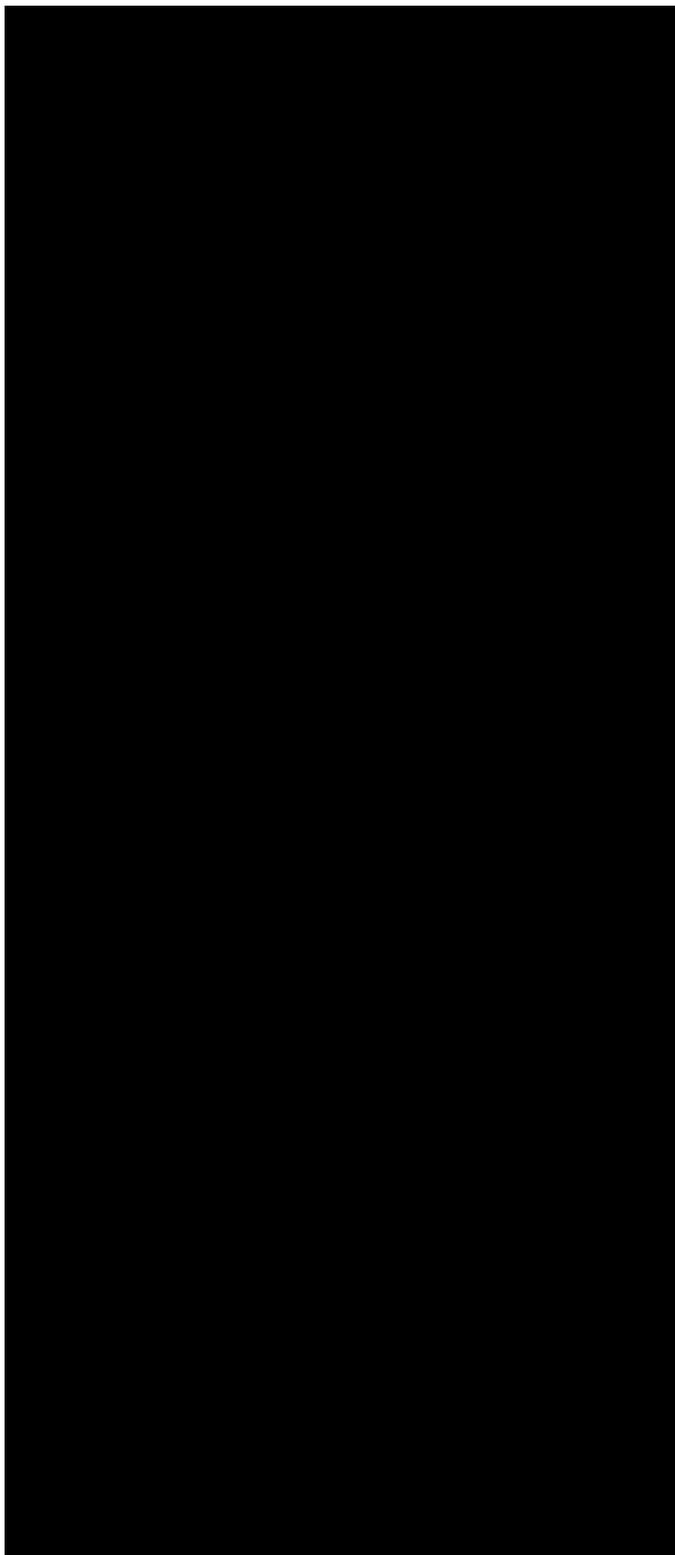




Email

Alternative Address





18 September 2018

Alex Byrne  
RPS  
P.O Box 428  
HAMILTON NSW 2303

Dear Alex

**Re: Request - Search for Registered Aboriginal Owners**

I refer to your letter dated 27 August 2018 regarding an Aboriginal Cultural Heritage Assessment to support a Development Application for the extension/expansion of quarrying operations for the Dalswinton Quarry located at 511 Dalswinton Road, Dalswinton NSW.

I have searched the Register of Aboriginal Owners and the project area described does not have Registered Aboriginal Owners pursuant to Division 3 of the *Aboriginal Land Rights Act 1983*.

I suggest that you contact Wanaruah Local Aboriginal Land Council on 02 6543 1288 regarding the project. They may also be able to assist you in identifying other Aboriginal stakeholders that wish to participate.

Yours sincerely



**Jodie Rikiti**  
**Administration Officer**  
Office of the Registrar, ALRA



# Overlap Analysis Report

## Disclaimer

This information product has been created to assist in understanding the spatial characteristics and relationships of this native title matter and is intended as a guide only. Spatial data used has been sourced from the relevant custodians in the Tribunal, and is referenced to the GDA94 datum.

While the National Native Title Tribunal (NNTT) and the Native Title Registrar (Registrar) have exercised due care in ensuring the accuracy of the information provided, it is provided for general information only and on the understanding that the Registrar nor the Commonwealth of Australia is providing professional advice. Appropriate professional advice relevant to your circumstances should be sought rather than relying on the information provided. In addition, you must exercise care and carefully evaluate the information provided for accuracy, currency, completeness and relevance for the purpose for which it is to be used.

The information provided is often supplied by, or based on, data and information from external sources, therefore the NNTT and Registrar cannot guarantee that the information is accurate or up-to-date.

The NNTT and Registrar expressly disclaim any liability arising from the use of this information.

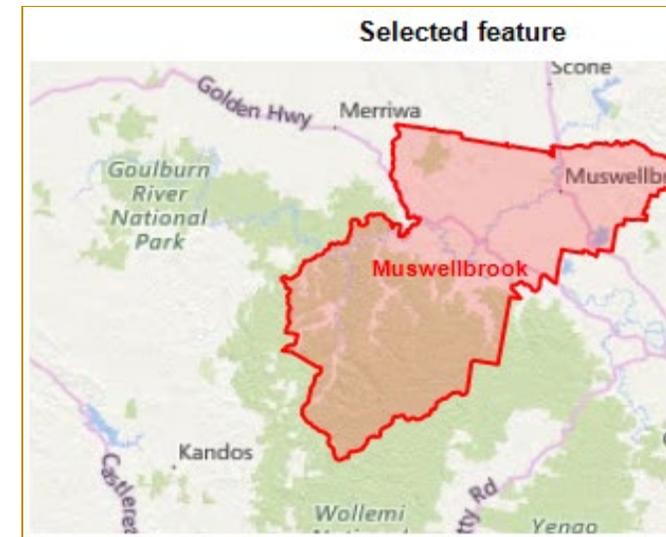
This information should not be relied upon in relation to any matters associated with cultural heritage.

## Please note:

- Calculated areas may not be the same as the legal area of a parcel.
- Where shown, NNTT Tenure Class for a non freehold parcel refers to a tenure grouping derived for the purposes of the Tribunal, and does not necessarily represent the jurisdictional tenure type.
- Overlap results are returned only for the currently active jurisdiction.

## Selected feature

|                      |                            |
|----------------------|----------------------------|
| Name                 | Muswellbrook               |
| Full name            | Muswellbrook Shire Council |
| As at                | 6/08/2018                  |
| Calculated area SqKm | 3,404.8771                 |



## Overlap details

### Schedule of Native Title Determination Applications

| Overlap Tribunal ID | Name                                   | FC No        | Date Lodged | RT Status                 | Area sq<br>km(calculated) |
|---------------------|--|--------------|-------------|---------------------------|---------------------------|
| NC2011/006          | Gomeri People                          | NSD2308/2011 | 20/12/2011  | Accepted for registration | 111,313.4885              |
| NC2013/006          | Scott Franks and Anor on behalf of the | NSD1680/2013 | 19/08/2013  | Accepted for registration | 9,494.2446                |
| NC2017/001          | Warrabinga-Wiradjuri #7                | NSD857/2017  | 29/05/2017  | Accepted for registration | 13,681.4811               |

### Register of Native Title Claims

| Overlap Tribunal ID | Name                                   | FC No        | Date Lodged | RT Status    | Combined | Area sq<br>km(calculated) |
|---------------------|--|--------------|-------------|--------------|----------|---------------------------|
| NC2011/006          | Gomeri People                          | NSD2308/2011 | 20/12/2011  | Accepted for | N        | 111,313.4885              |
| NC2013/006          | Scott Franks and Anor on behalf of the | NSD1680/2013 | 19/08/2013  | Accepted for | N        | 9,494.2446                |
| NC2017/001          | Warrabinga-Wiradjuri #7                | NSD857/2017  | 29/05/2017  | Accepted for | N        | 14,139.1927               |

### Native Title Determinations

No overlap found

### Native Title Determination Outcomes

No overlap found

### Indigenous Land Use Agreements

No overlap found

### RATSIB areas

| Name            | Organisation    | RATSIB Status | Area sq<br>km(calculated) |
|-----------------|-----------------|---------------|---------------------------|
| New South Wales | NTSCORP Limited | NTSP          | 1,723,577.6107            |

each jurisdiction, and/or the

neither the NNTT, the  
our own judgment and



| <b>Overlap Area<br/>sq km (calculated)</b> |
|--|
| 800.3035                                   |
| 2,335.7231                                 |
| 937.9481                                   |

| <b>Overlap Area<br/>sq km (calculated)</b> |
|--|
| 800.3035                                   |
| 2,335.7231                                 |
| 937.9481                                   |

|                           |
|---------------------------|
| <b>Overlap Area</b>       |
| <b>sq km (calculated)</b> |
| 3,404.8771                |



**Newcastle Office**  
Unit 2A, 45 Fitzroy Street, Carrington NSW 2294  
PO Box 120, Carrington NSW 2294  
T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

24 September 2018

**Our ref:** 140150  
**Via:** Email

### **Dalswinton Aboriginal Cultural Heritage Assessment Report: Expression of Interest**

RPS Australia East Pty Ltd (RPS) has been engaged by Rosebrook Sand and Gravel c/o HDB to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) as part of an Environmental Impact Statement (EIS) supporting a Development Application (DA) for a State Significant Development (SSD 9094). The project is for an extension/expansion of the quarrying operations of the Dalswinton Quarry. The Assessment is required under the Secretary's Environmental Assessment Requirements (SEARs) issued for the project. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA) (see Figure 1).

In accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (ACHCRs) (DECCW 2010), Rosebrook Sand and Gravel is required to consult with relevant Aboriginal stakeholders. The purpose of consultation is to assist the proponent in the preparation on an ACHAR.

Aboriginal persons or groups who hold cultural knowledge relevant to determining the significance of Aboriginal object(s) and or place(s) in the Project Area, are invited to register an interest to participate in Aboriginal consultation for this project. We have already been in contact with Office of Environment and Heritage (OEH), Muswellbrook Council, Wanaruah Local Aboriginal Land Council, the Registrar of Aboriginal Owners, National Native Title Services Corporation, National Native Title Tribunal and Hunter Local Land Services as per the ACHCRs.

To register interest in this project, please respond in writing on or before 10 October 2018. Please forward your details to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Fax: (02) 4961 6794  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

In accordance with the ACHCRs, if you register an interest in this project, your details will be forwarded to OEH and the Local Aboriginal Land Council, unless you inform us that you do not want your details released.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the RPS Cultural Heritage Team.

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant



Hi Nicola

A1 would like to register for consultation and an field work for this project.

Thank you

Carolyn Hickey

---

**Sent:** Sunday, 30 September 2018 5:13 PM

**Subject:** FW: PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Sent from [Mail](#) for Windows 10

---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, September 25, 2018 10:16:32 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Good morning!

On behalf of Rosebrook Sand and Gravel P/L, RPS is requesting registration of interest from Aboriginal stakeholders for Aboriginal Heritage Investigation in the Dalswinton area.

Please see attached invitation letter and map of the project area.

To register your interest please contact me by 10 October 2018.

Kind regards, Nicola

---



**Nicola Hirschhorn**  
**Graduate Cultural Heritage Consultant**  
**Australia Asia Pacific**

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PO Box 120, Carrington, NSW, 2294

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**W:** [rpsgroup.com.au](http://rpsgroup.com.au)

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---

Nicola,

Your Ref: 140150

We would like to express our interest in being involved in Aboriginal Cultural Heritage Assessment with regards to Rosebrook Sand and Gravel.

AGA Services is an Aboriginal owned partnership business that aims to assist proponents in undertaking cultural heritage work according to all processes and approved conditions, while ensuring compliance to work specific practices.

Our Organisation is fully insured and registered with OEH. We have undertaken work on all types of sites. Please do not hesitate to contact us if you require more information.

Yours truly

*A Sampson*

Ashley Sampson  
Sampson

*G Sampson*

Gregory Sampson

*A Sampson*

Adam

Please sent all emails c/- this email. thank you



---

Good afternoon Culturally Aware would like to put their Expression of Interest in for Dalswinton Aboriginal Heritage Assessment that RPS has been engaged to do.

## Tracey Skene

On 25 Sep 2018 10:16 am, "Nicola Hirschhorn" <[Nicola.Hirschhorn@rpsgroup.com.au](mailto:Nicola.Hirschhorn@rpsgroup.com.au)> wrote:

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Kind regards, Nicola



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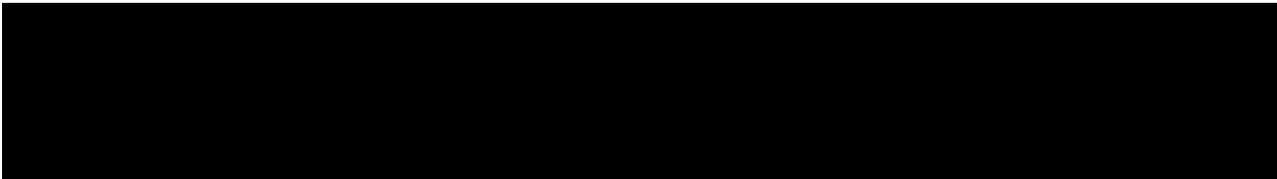
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Nicola,

Ref: 140150

Cacatua would like to express our interest in being involved in Aboriginal Cultural Heritage Assessment with regards to Rosebrook Sand and Gravel.

Cacatua is an Aboriginal owned business created to assist proponents and Archaeologists to undertake cultural heritage archaeological assessment according to all processes and approved conditions. Our aim is to provide quality Aboriginal cultural heritage works, while ensuring compliance to work specific practices.

Our Organisation is fully insured and registered with OEH. The staffs of Cacatua have undertaken work on all types of sites.

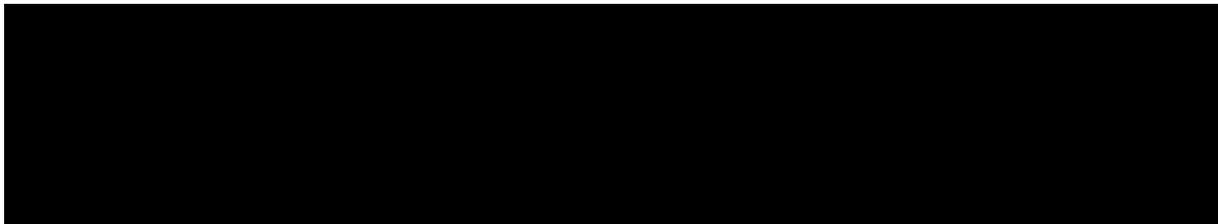
Please do not hesitate to contact us if you require more information.

Yours truly



George Sampson

Manager



Hi Nicola,

DNC would like to register an interest into PR140150 Dalswinton project

Kind regards  
Paul Boyd & Lilly Carroll  
Directors DNC

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, September 25, 2018, 10:16 am, Nicola Hirschhorn  
<Nicola.Hirschhorn@rpsgroup.com.au> wrote:

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Kind regards, Nicola



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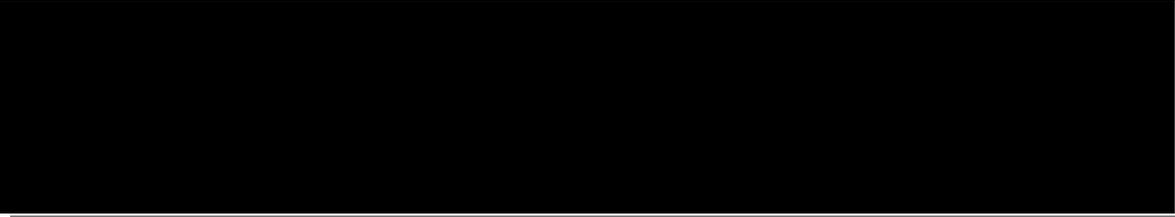
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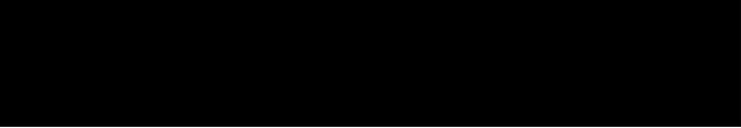
---

Hi Nicola,

Please find attached EOI for ACHAR Consultation at Dalswinton.  
Thankyou

Regards,  
Craig.

### **Gidawaa Walang Cultural Heritage Consultancy**



---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, 25 September 2018 10:16:32 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

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Kind regards, Nicola



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Hi Nicola,

I would like to register JLC Cultural Services interest to consult on the Dalswinton project.

Kind Regards,

Jenny-Lee Chambers.

On Tue, 25 Sep 2018, 10:16 AM Nicola Hirschhorn  
<[Nicola.Hirschhorn@rpsgroup.com.au](mailto:Nicola.Hirschhorn@rpsgroup.com.au)> wrote:

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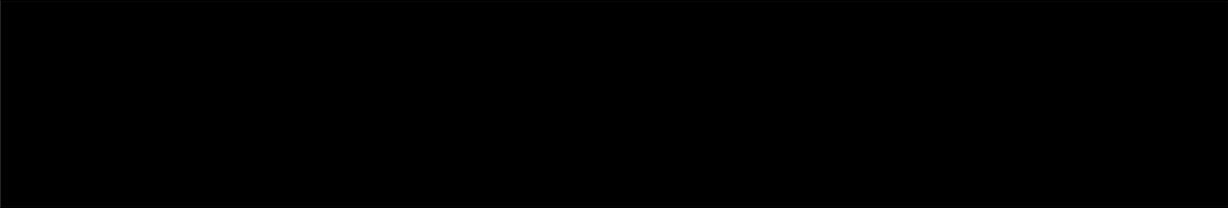
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Hi Nicola

My name is Norman Archibald and I am requesting registration of interest for the project concerning the Rosebrook Sand and Gravel P/L within the Dalswinton area.  
look forward to hearing from you.

Cultural Unity  
Norman Archibald  


---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, 25 September 2018 10:16 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

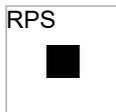
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Kind regards, Nicola



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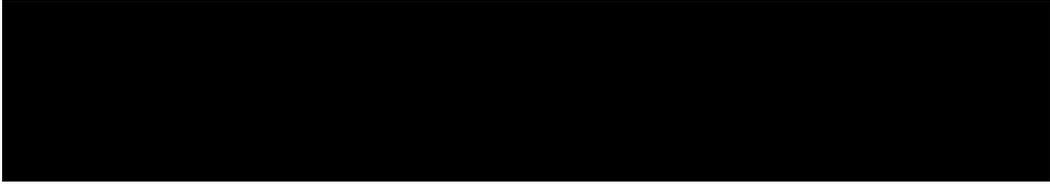
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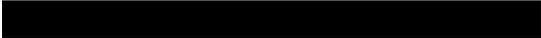
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---

Hi Nicola

Can you add Kawul Cultural Services for EOI for the project also.



All correspondents address to Rod Hickey.

Regards

Kerry Slater .behalf of Vicky Slater

---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, 25 September 2018 10:16:32 AM

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**Graduate Cultural Heritage Consultant**

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---

Nicola we the LOWER HUNTER WONNARUA CULTURAL SERVICES would want to register our expression of interest in this project. We know the area would want to be include in all aspects of this project if you need anymore information I can be contacted on mobile 0402 636 521 or by my e-mail.

Cheers  
Tom Miller  
WONNARUA ELDER

----- Original Message -----

**From:**  
"Nicola Hirschhorn" <Nicola.Hirschhorn@rpsgroup.com.au>



**Sent:**  
Tue, 25 Sep 2018 00:16:32 +0000  
**Subject:**  
PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

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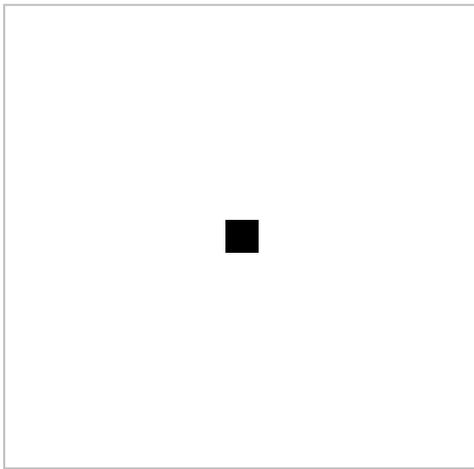
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Dear Nicola,

Please register our organisation for the above project, we have the cultural knowledge in identifying aboriginal objects and/or places in the proposed project area, please feel free to contact me if you require further details.

Thanks

Ryan Johnson | **Murra Bidgee Mullangari**



Aboriginal Corporation Cultural Heritage



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---

**From:** Nicola Hirschhorn [mailto:Nicola.Hirschhorn@rpsgroup.com.au]

**Sent:** Tuesday, 25 September 2018 10:17 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

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Kind regards, Nicola



**Nicola Hirschhorn**  
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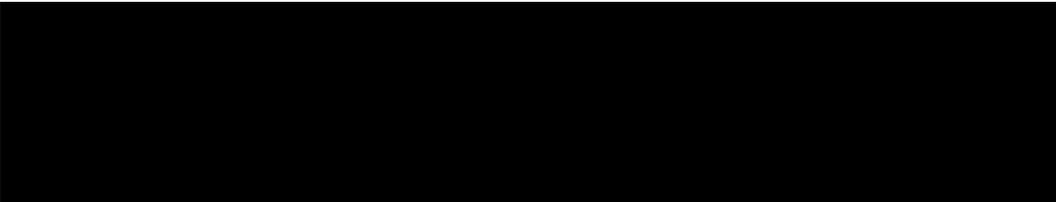
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---

Hi Nicola

I would like to register my expression of interest for the above project

regards

Steve Talbott

---

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**Sent:** Tuesday, 25 September 2018 10:16 AM

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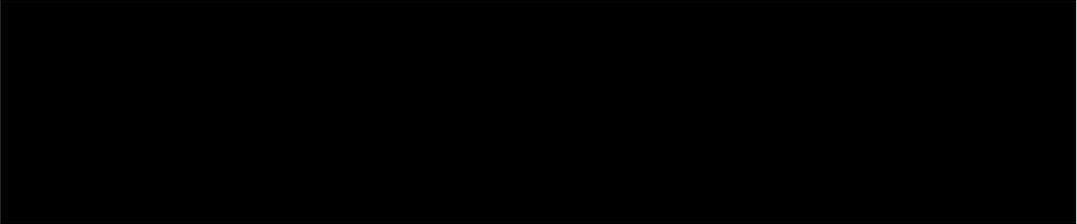
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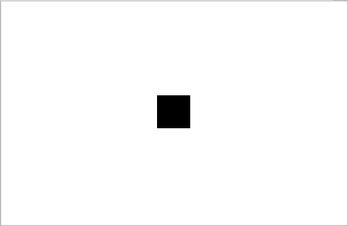
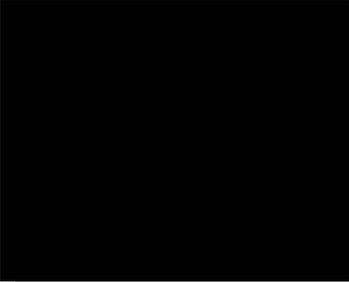
Nicola,

Tocomwall Pty Limited is registering our interest on behalf of the Registered Native title party PCWP.

Regards  
Scott Franks

Native Title & Environmental Services Consultant

Tocomwall Pty Ltd



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---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Date:** Tuesday, 25 September 2018 at 10:16 am

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Good morning!

On behalf of Rosebrook Sand and Gravel P/L, RPS is requesting registration of interest from Aboriginal stakeholders for Aboriginal Heritage Investigation in the Dalswinton area.

Please see attached invitation letter and map of the project area.

To register your interest please contact me by 10 October 2018.

Kind regards, Nicola



**Nicola Hirschhorn**  
**Graduate Cultural Heritage Consultant**  
**Australia Asia Pacific**

Unit 2A, 45 Fitzroy Street, Carrington, NSW, Australia, 2294  
PO Box 120, Carrington, NSW, 2294

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**T:** +61 2 4940 4200

**F:** +61 2 4940 4299

**E:** [Nicola.Hirschhorn@rpsgroup.com.au](mailto:Nicola.Hirschhorn@rpsgroup.com.au)

**W:** [rpsgroup.com.au](http://rpsgroup.com.au)

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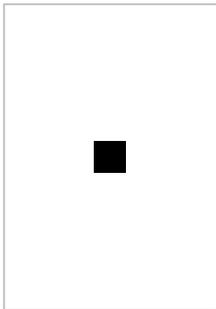
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---

Good Morning,

I am emailing you on behalf of Ungooroo Aboriginal Corporation and our Representative Mr Allen Paget to register our interest in the sought in ACHAR consultation.



*Kind Regards*

**Melanie Schulz** | MEDICAL ADMINISTRATION OFFICER



*Ungooroo Aboriginal Corporation acknowledges Aboriginal and Torres Strait Islander people as the Traditional Owners. We would like to acknowledge the Traditional Owners of our area, the Wanaruah People.*

*We pay our respect to the elders past, present and future for they hold the memories, traditions, culture and hope of Indigenous peoples in Australia.*

---

**From:** Nicola Hirschhorn [mailto:Nicola.Hirschhorn@rpsgroup.com.au]

**Sent:** Tuesday, 25 September 2018 10:17 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Good morning!

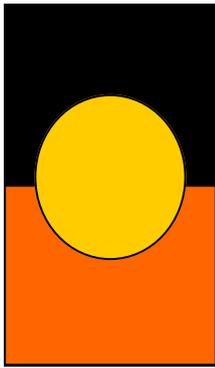
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To register your interest please contact me by 10 October 2018.

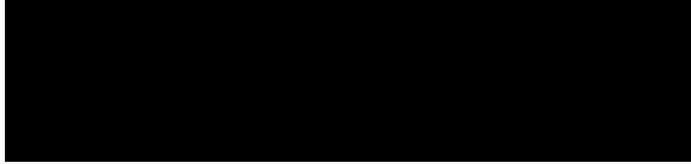
Kind regards, Nicola

---



**Valley ELM Corp**

**Aboriginal Corporation**



**Date: 25th September 2018**

**To: RPS**

**Re: Dalswinton Aboriginal Cultural Heritage Assessment Report: Expression of Interest.**

**Attn: Nicola Hirschhorn**

**Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)**

**Dear Nicola**

**Please register our corporation interest to be consulted and involvement in this project our corporation are knowledge holders of Aboriginal cultural & Heritage within the project area**

**We wish that our information go to OEH RPS and proponent only**

**Please let me know if you need further information.**

**Regards**

**Irene Ardler**

**Secretary for Valley ELM Corp**



**Nicola Hirschhorn**  
**Graduate Cultural Heritage Consultant**  
**Australia Asia Pacific**

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**Wattaka Wonnarua Cultural Consultancy Servicers**

**Date: 25th September 2018**

**To: RPS**

**Email: Nicola.hirschhorn@rpsgroup.com.au**

**Ph: 02 4961 6794**

**Re: Dalswinton Aboriginal Cultural Heritage Assessment Report: Expression of Interest.**

**Attn: Nicola Hirschhorn**

**Dear Nicola**

**Thank you for your email my group wish to register our interest for consultation and involvement in the above said project, we hold cultural knowledge relevant to determining the cultural significance of The project area.**

**Please call or email if you require any further information.**

**Regards**

**Des Hickey  
Manager**



---

Hi Nicola,

I would like to register my Interest in the project.

Thank you  
Maree Waugh  
Wallangan Cultural Services

Get [Outlook for Android](#)

---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, September 25, 2018 10:16:32 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Good morning!

On behalf of Rosebrook Sand and Gravel P/L, RPS is requesting registration of interest from Aboriginal stakeholders for Aboriginal Heritage Investigation in the Dalswinton area.

Please see attached invitation letter and map of the project area.

To register your interest please contact me by 10 October 2018.

Kind regards, Nicola



**Nicola Hirschhorn**

**Graduate Cultural Heritage Consultant**

**Australia Asia Pacific**

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PO Box 120, Carrington, NSW, 2294

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**E:** [Nicola.Hirschhorn@rpsgroup.com.au](mailto:Nicola.Hirschhorn@rpsgroup.com.au)

**W:** [rpsgroup.com.au](http://rpsgroup.com.au)



10 October 2018

Ms N Hirschhorn  
RPS  
PO Box 120  
CARRINGTON NSW 2294  
Sent by email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Dear Nicola

**RE: DALSWINTON ABORIGINAL CULTURAL HERITAGE  
ASSESSMENT REPORT: EXPRESSION OF INTEREST**

*This letter from the Wanaruah LALC does not express the views of any other Aboriginal stakeholder group or groups (whether their representatives are members of the LALC or not) who have chosen to speak in their own right. The comments provided are considered appropriate under Clause No. 42(4) (a) and (b) of the Aboriginal Land Rights Act (1983) (and its amendments) in relation to the role of the LALC in the protection and the promotion of awareness in the community of culture and heritage for Aboriginal people within its boundary.*

Thank you for your letter dated 24 September 2018 detailing requirements for the above project and asking if the Wanaruah LALC is interested in being consulted and participating in the fieldwork.

Consultation with the Land Council is vital for the provision of information to members of the community and to provide opportunities for our experienced sites fieldworkers to participate in the fieldwork. Although the Wanaruah LALC cannot speak on specific cultural significance or particular family oral stories of the Denman area, we are aware and experienced with the cultural sensitivity of the Goulburn River floodplain. We therefore, support the views and recommendations put forward by the traditional stakeholders in the protection and conservation of the landscape and sites.

Attached are our certificates of insurance currency as required.

We look forward to participating with your organization on this project. Should you wish to discuss this matter, please do not hesitate to contact Noel Downs, Chief Executive Officer [REDACTED]

Kind regards



Suzie Worth  
Indigenous Archaeologist for the  
Wanaruah Local Aboriginal Land Council

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---

Dear Nicola

Wurrumay Consultants would like to register an interest for the project.  
Experienced site officer with over 20yrs experience in aboriginal Archaeology.  
We have a ancestral Connection to Country.  
Current insurances.  
kind Regards  
Kerry Slater

---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>

**Sent:** Tuesday, 25 September 2018 10:16:32 AM

**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

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To register your interest please contact me by 10 October 2018.

Kind regards, Nicola



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**Australia Asia Pacific**

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---

Hi Nicola,

Please register my interest in Aboriginal Consultation

I hold cultural Knowledge relevant to determining the significance of Aboriginal objects and places in the project area

Thanks  
Steven Hickey

---

**From:** Nicola Hirschhorn <Nicola.Hirschhorn@rpsgroup.com.au>  
**Sent:** Tuesday, September 25, 2018 10:16:32 AM  
**Subject:** PR140150 Dalswinton - Registrations of Interest sought in ACHAR consultation

Good morning!

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**Hunter Valley Cultural Surveying**



**HVCS**

**Date: 25th September 2018**

**To: RPS**

**Email: Nicola.hirschhorn@rpsgroup.com.au**

**Attn: Nicola Hirschhorn**

**Re: Dalswinton Aboriginal Cultural Heritage Assessment Report  
Expression of Interest.**

**Dear Nicola**

**Please register my group interest in this project I am a knowledge  
holder of Aboriginal cultural & heritage within the project areas.**

**Regards**

**Luke Hickey  
Manager**



12 October 2018

Office of Environment and Heritage  
Hunter Central Coast Region  
rog.hcc@environment.nsw.gov.au

**Our ref:** 140150  
**Via:** Email

Dear Sir/Madam

### **Dalswinton Aboriginal Cultural Heritage Report: RAP Advisement Letter**

As outlined in our letter dated 27 August 2018, RPS Australia East Pty Ltd (RPS) will be conducting an Aboriginal Cultural Heritage and Archaeological Assessment Report as part of an Environmental Impact Statement (EIS) to support a Development Application (DA) for a 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, c/- HDB Planning. The Project Area comprises Lot 72 DP1199484, 511 Dalswinton Road, Dalswinton, NSW in the Muswellbrook Local Government Area (LGA).

In accordance with Stage 1 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010), the following groups are Registered Aboriginal Parties (RAPs) for the project:

### **END OF STAGE 1 – Registered Aboriginal Parties**

| <b>Group</b>                                 | <b>Contact</b>                   | <b>Date received</b> | <b>Comment</b> |
|--|----------------------------------|----------------------|----------------|
| A1 Indigenous Services                       | Carolyn Hickey                   | 1/10/2018            |                |
| AGA Services                                 | Ashley, Gregory and Adam Sampson | 26/09/2018           |                |
| Cacatua                                      | George Sampson                   | 26/09/2018           |                |
| Culturally Aware                             | Tracey Skene                     | 25/09/2018           |                |
| Didge Ngunawal Clan                          | Paul Boyd & Lilly Carroll        | 25/09/2018           |                |
| Gidawaa Walang Cultural Heritage Consultancy | Craig Horne                      | 25/09/2018           |                |
| Hunter Valley Cultural Surveying             | Luke Hickey                      | 28/09/2018           |                |
| JLC Cultural Services                        | Jenny-Lee Chambers               | 10/10/2018           |                |
| JTM Traffic Management                       | Norman Archibald                 | 26/09/2018           |                |

|  |                           |            |                            |
|--|---------------------------|------------|----------------------------|
| Kawul Cultural Services                        | Vicky Slater              | 8/10/2018  |                            |
| Lower Hunter Wonnarua Cultural Services        | Tom Miller                | 26/09/2018 |                            |
| Murra Bidgee Mullangari                        | Ryan Johnson              | 3/10/2018  |                            |
| Steve Talbott                                  | Steve Talbott             | 3/10/2018  |                            |
| Tocomwall                                      | Scott Franks              | 25/09/2018 |                            |
| Ungooroo Aboriginal Corporation                | Allen Paget               | 25/09/2018 |                            |
| Valley ELM Corp                                | Irene Ardler              | 25/09/2018 | requested info to OEH only |
| Wallangan Cultural Services                    | Maree Waugh               | 25/09/2018 |                            |
| Wattaka Wonnarua Cultural Consultancy Services | Des Hickey                | 25/09/2018 |                            |
| Widescope                                      | Steven Hickey             | 25/09/2018 |                            |
| Wanaruah LALC                                  | Noel Downs or Suzie Worth | 9/10/2018  |                            |
| Wurrumay Consultants                           | Kerry Slater              | 8/10/2018  |                            |

Also attached is a copy of the newspaper advertisement from the Hunter Valley News, Wednesday 5 September.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact me by telephone.

Yours sincerely

**RPS**

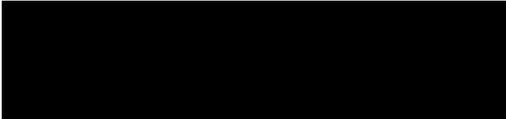
Nicola Hirschhorn

Graduate Heritage Consultant



12 October 2018

Attn: CEO



**Our ref:** 140150  
**Via:** Email

Dear Noel,

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| Didge Ngunawal Clan                          | Paul Boyd & Lilly Carroll        | 25/09/2018           |
| Gidawaa Walang Cultural Heritage Consultancy | Craig Horne                      | 25/09/2018           |
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| Steve Talbott                                  | Steve Talbott             | 3/10/2018  |
| Tocomwall                                      | Scott Franks              | 25/09/2018 |
| Ungooroo Aboriginal Corporation                | Allen Paget               | 25/09/2018 |
| Wallangan Cultural Services                    | Maree Waugh               | 25/09/2018 |
| Wattaka Wonnarua Cultural Consultancy Services | Des Hickey                | 25/09/2018 |
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| Wanaruah LALC                                  | Noel Downs or Suzie Worth | 9/10/2018  |
| Wurrumay Consultants                           | Kerry Slater              | 8/10/2018  |

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Yours sincerely

**RPS**

Nicola Hirschhorn

Graduate Heritage Consultant

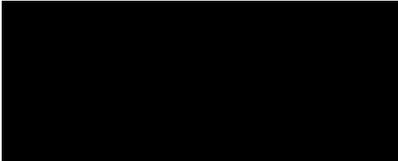


**Newcastle Office**  
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PO Box 120, Carrington NSW 2294  
T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Wallangan Cultural Services



**Our ref:** 140150  
**Via:** Email

Dear Maree Waugh,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

## 1.1 Project Information

RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

## 1.2 Archaeological Survey

Fieldwork will be conducted in accordance with the requirements set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ([DECCW 2010](#)).

### 1.2.1.1 Survey Aims

The purpose of the survey is to inspect visible ground surfaces, observe exposed soil profiles or other visible features such as scarred trees, in addition to assessing whether potential archaeological deposits are present in the Project Area. The survey also aims to record any cultural sites or Aboriginal landscapes, if identified by the Aboriginal stakeholders.

### 1.2.1.2 Sampling Strategy

The purpose of a sampling strategy is to provide a framework for conducting archaeological surveys in a manner which can be quantified and thus can be compared to other survey reports in the local landscape and for regional comparison ([Burke and Smith 2004](#)). The sampling strategy used for this assessment will target all landforms which may be impacted by the proposed development and where possible, targeted landforms which had been identified as having archaeological potential on the basis of background research. The Project Area includes landforms such as creek lines and small water bodies, plains associated with the Hunter River, vegetated and existing disturbed areas, and thus are included in the survey sampling strategy. Where possible these landforms will be subject to a pedestrian survey. In addition, the following landforms

are identified as having potential for Aboriginal sites: creek banks, ground surface exposures and within vegetated areas, and will also be targeted during the survey.

### 1.2.1.3 Field Methods

The survey will be conducted on foot (pedestrian) and target the landforms identified in the sampling strategy above. The area surveyed will be recorded in survey units.

Each survey unit will be mapped and recorded in accordance with landforms outlined in the Sample Strategy, Project Area boundaries, disturbance area boundaries, changes in survey conditions (such as visibility or ground surface exposure) and/or other relevant considerations. The mapping of survey units will be undertaken on the basis of GPS recorded data and with reference to aerial and topographic information. The recording of survey units will be undertaken using representative digital photographs and field notes which include observations of soils, ground surface exposure and visibility, vegetation cover, levels of ground surface disturbance, erosion and similar observations. The field notes will provide a basis for the reporting of survey coverage and calculating survey effectiveness as presented in the survey results section. It is required that any Aboriginal sites identified are recorded and submitted to the AHIMS database. Such recording involves the documentation of the material traces of past Aboriginal land use, including the spatial extent of sites and any other obvious physical boundaries. Aboriginal cultural sites identified by Aboriginal stakeholders may not always involve material traces and boundaries of such sites, if identified, will be mapped on the basis of information provided by the stakeholders. The position of such sites need to be recorded by GPS receivers and mapped accordingly

## 1.3 *Identification and Assessment of Cultural Significance*

Opportunities for the provision of cultural information in relation to the project will be provided as part of the consultation process including during the archaeological survey. Cultural information provided by Registered Aboriginal Parties will be recorded and discussed in the report, unless the information is too sensitive to be made public. If sensitive cultural information is received, the protocol below will be adopted, or another protocol adopted as agreed by the Registered Aboriginal Parties.



• Sensitive cultural information shared with RPS Cultural Heritage team.



• RAP to inform RPS Cultural Heritage team that information is sensitive and disclose if information is gender sensitive, place sensitive or has other sensitivities.



• Sensitive information is recorded in accordance with its sensitivities.



• Label document in which the information has been recorded as confidential and indicate who should have access to the information.



• Store the document in a secure area.



## 1.4 Feedback Form for the Dalswinton Quarry, Dalswinton NSW

I have been sent information regarding the proposed project and the approach to the Aboriginal cultural heritage assessment including the archaeological survey and protocols for the management of sensitive cultural information, for the proposed expansion of Dalswinton Quarry. I seek to endorse the proposed approach and methods, unless otherwise stated below, or with the following amendments:

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Name.....

Registered Aboriginal Party.....

Signature.....

Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

## 1.5 References

Burke, H. and C. Smith (2004). The Archaeologist's Field Handbook. Crows Nest, Allen and Unwin.

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Didae Naunawal Clan



**Our ref:** 1. 140150  
**Via:** 2. Email

Dear Paul Boyd & Lilly Carroll,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

## 1.1 Project Information

RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

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Fieldwork will be conducted in accordance with the requirements set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ([DECCW 2010](#)).

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### 1.2.1.2 Sampling Strategy

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

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T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

A1 Indigenous Services



**Our ref:** 140150  
**Via:** Email

Dear Carolyn Hickey,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

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T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

AGA Services



**Our ref:** 140150  
**Via:** Email

Dear Ashley, Gregory & Adam Sampson,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

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RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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T +61 2 4940 4200

RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Culturally Aware



**Our ref:** 140150  
**Via:** Email

Dear Tracey Skene,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

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RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....

Registered Aboriginal Party.....

Signature.....

Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Cacatua Cultural Services



**Our ref:** 140150  
**Via:** Email

Dear Donna & George Sampson,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

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We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

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• Label document in which the information has been recorded as confidential and indicate who should have access to the information.



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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

## 1.5 References

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Gidawaa Walang (Barkuma)



**Our ref:** 140150  
**Via:** Email

Dear Craig Horne,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Hunter Valley Cultural Surveying



**Our ref:** 140150  
**Via:** Email

Dear Luke Hickey,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

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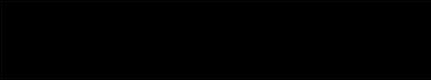
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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

JLC Cultural Services  


**Our ref:** 140150  
**Via:** Email

Dear Jenny-Lee Chambers,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

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Graduate Heritage Consultant

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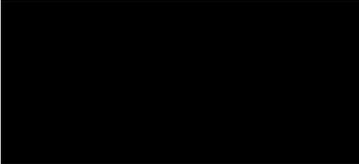


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RPS Australia East Pty Ltd  
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15 October 2018

JTM Traffic Management



**Our ref:** 140150  
**Via:** Email

Dear Norm Archibald,

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• RAP to inform RPS Cultural Heritage team that information is sensitive and disclose if information is gender sensitive, place sensitive or has other sensitivities.



• Sensitive information is recorded in accordance with its sensitivities.



• Label document in which the information has been recorded as confidential and indicate who should have access to the information.



• Store the document in a secure area.



## 1.4 Feedback Form for the Dalswinton Quarry, Dalswinton NSW

I have been sent information regarding the proposed project and the approach to the Aboriginal cultural heritage assessment including the archaeological survey and protocols for the management of sensitive cultural information, for the proposed expansion of Dalswinton Quarry. I seek to endorse the proposed approach and methods, unless otherwise stated below, or with the following amendments:

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Name.....

Registered Aboriginal Party.....

Signature.....

Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

## 1.5 References

Burke, H. and C. Smith (2004). The Archaeologist's Field Handbook. Crows Nest, Allen and Unwin.

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Kawul Cultural Services

**Our ref:** 140150  
**Via:** Email

Dear Vicky,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

## 1.1 Project Information

RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

## 1.2 Archaeological Survey

Fieldwork will be conducted in accordance with the requirements set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ([DECCW 2010](#)).

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The purpose of the survey is to inspect visible ground surfaces, observe exposed soil profiles or other visible features such as scarred trees, in addition to assessing whether potential archaeological deposits are present in the Project Area. The survey also aims to record any cultural sites or Aboriginal landscapes, if identified by the Aboriginal stakeholders.

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Lower Hunter Wonnarua Cultural Services



**Our ref:** 140150  
**Via:** Email

Dear David Ahoy,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

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Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....  
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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Murra Bidjee Mullanqari



**Our ref:** 140150  
**Via:** Email

Dear Ryan Johnson,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....  
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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Stephen Talbott

**Our ref:** 140150  
**Via:** Email

Dear Stephen Talbott,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Graduate Heritage Consultant

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## 1.5 References

Burke, H. and C. Smith (2004). The Archaeologist's Field Handbook. Crows Nest, Allen and Unwin.

DECCW (2010). Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales. Part 6 National Parks and Wildlife Act 1974. G. S., Department of Environment, Climate Change and Water.



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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

12 October 2018

Tocomwall



**Our ref:** 140150  
**Via:** Email

Dear Scott Franks,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

## 1.1 Project Information

RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

## 1.2 Archaeological Survey

Fieldwork will be conducted in accordance with the requirements set out in the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* ([DECCW 2010](#)).

### 1.2.1.1 Survey Aims

The purpose of the survey is to inspect visible ground surfaces, observe exposed soil profiles or other visible features such as scarred trees, in addition to assessing whether potential archaeological deposits are present in the Project Area. The survey also aims to record any cultural sites or Aboriginal landscapes, if identified by the Aboriginal stakeholders.

### 1.2.1.2 Sampling Strategy

The purpose of a sampling strategy is to provide a framework for conducting archaeological surveys in a manner which can be quantified and thus can be compared to other survey reports in the local landscape and for regional comparison ([Burke and Smith 2004](#)). The sampling strategy used for this assessment will target all landforms which may be impacted by the proposed development and where possible, targeted landforms which had been identified as having archaeological potential on the basis of background research. The Project Area includes landforms such as creek lines and small water bodies, plains associated with the Hunter River, vegetated and existing disturbed areas, and thus are included in the survey sampling strategy. Where possible these landforms will be subject to a pedestrian survey. In addition, the following landforms

are identified as having potential for Aboriginal sites: creek banks, ground surface exposures and within vegetated areas, and will also be targeted during the survey.

### 1.2.1.3 Field Methods

The survey will be conducted on foot (pedestrian) and target the landforms identified in the sampling strategy above. The area surveyed will be recorded in survey units.

Each survey unit will be mapped and recorded in accordance with landforms outlined in the Sample Strategy, Project Area boundaries, disturbance area boundaries, changes in survey conditions (such as visibility or ground surface exposure) and/or other relevant considerations. The mapping of survey units will be undertaken on the basis of GPS recorded data and with reference to aerial and topographic information. The recording of survey units will be undertaken using representative digital photographs and field notes which include observations of soils, ground surface exposure and visibility, vegetation cover, levels of ground surface disturbance, erosion and similar observations. The field notes will provide a basis for the reporting of survey coverage and calculating survey effectiveness as presented in the survey results section. It is required that any Aboriginal sites identified are recorded and submitted to the AHIMS database. Such recording involves the documentation of the material traces of past Aboriginal land use, including the spatial extent of sites and any other obvious physical boundaries. Aboriginal cultural sites identified by Aboriginal stakeholders may not always involve material traces and boundaries of such sites, if identified, will be mapped on the basis of information provided by the stakeholders. The position of such sites need to be recorded by GPS receivers and mapped accordingly

## 1.3 *Identification and Assessment of Cultural Significance*

Opportunities for the provision of cultural information in relation to the project will be provided as part of the consultation process including during the archaeological survey. Cultural information provided by Registered Aboriginal Parties will be recorded and discussed in the report, unless the information is too sensitive to be made public. If sensitive cultural information is received, the protocol below will be adopted, or another protocol adopted as agreed by the Registered Aboriginal Parties.

- Sensitive cultural information shared with RPS Cultural Heritage team.

- RAP to inform RPS Cultural Heritage team that information is sensitive and disclose if information is gender sensitive, place sensitive or has other sensitivities.

- Sensitive information is recorded in accordance with its sensitivities.

- Label document in which the information has been recorded as confidential and indicate who should have access to the information.

- Store the document in a secure area.



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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Ungooroo Aboriginal Corporation



**Our ref:** 140150  
**Via:** Email

Dear Allen Paget,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

## 1.1 Project Information

RPS Australia East Pty Ltd has been engaged by HDB Planning on behalf of Rosebrook Sand and Gravel to prepare an Aboriginal cultural heritage assessment and conduct consultation under the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* in relation to an application for the expansion of quarrying operations at Lot 72 DP1199484, Dalswinton Road, Dalswinton NSW.

A previous assessment was prepared for the quarry in 1994 by Resource Planning which identified no Aboriginal objects within the extraction area at that time, though five artefact scatters containing 84 artefacts were identified in the western portion of the property at the time. The report recommended that the haul road alignment be moved in order to avoid these sites.

An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

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The purpose of a sampling strategy is to provide a framework for conducting archaeological surveys in a manner which can be quantified and thus can be compared to other survey reports in the local landscape and for regional comparison ([Burke and Smith 2004](#)). The sampling strategy used for this assessment will target all landforms which may be impacted by the proposed development and where possible, targeted landforms which had been identified as having archaeological potential on the basis of background research. The Project Area includes landforms such as creek lines and small water bodies, plains associated with the Hunter River, vegetated and existing disturbed areas, and thus are included in the survey sampling strategy. Where possible these landforms will be subject to a pedestrian survey. In addition, the following landforms

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• Sensitive cultural information shared with RPS Cultural Heritage team.



• RAP to inform RPS Cultural Heritage team that information is sensitive and disclose if information is gender sensitive, place sensitive or has other sensitivities.



• Sensitive information is recorded in accordance with its sensitivities.



• Label document in which the information has been recorded as confidential and indicate who should have access to the information.



• Store the document in a secure area.



### 1.4 Feedback Form for the Dalswinton Quarry, Dalswinton NSW

I have been sent information regarding the proposed project and the approach to the Aboriginal cultural heritage assessment including the archaeological survey and protocols for the management of sensitive cultural information, for the proposed expansion of Dalswinton Quarry. I seek to endorse the proposed approach and methods, unless otherwise stated below, or with the following amendments:

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

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Burke, H. and C. Smith (2004). The Archaeologist's Field Handbook. Crows Nest, Allen and Unwin.

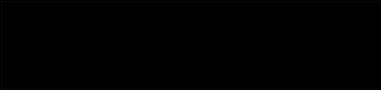
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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Valley ELM Corp  


**Our ref:** 140150  
**Via:** Email

Dear Irene Ardler,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

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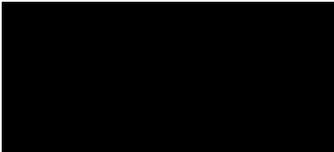


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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Wattaka Wonnarua



**Our ref:** 140150  
**Via:** Email

Dear Des Hickey,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

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Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Widescope Indigenous Services



**Our ref:** 140150  
**Via:** Email

Dear Steven Hickey,

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Yours sincerely

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Nicola Hirschhorn  
Graduate Heritage Consultant

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An AHIMS search has been undertaken which indicates that there are no registered sites within the Project Area. This suggests that site cards for the sites identified by Resource Planning were not submitted to AHIMS.

As part of the Aboriginal cultural heritage assessment, RPS intends to conduct an archaeological survey of the impact area of the proposed quarry extension to determine whether there are Aboriginal objects present within the impact zone. RPS will also submit site cards for the sites identified by Resource Planning in 1994.

## 1.2 Archaeological Survey

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### 1.2.1.1 Survey Aims

The purpose of the survey is to inspect visible ground surfaces, observe exposed soil profiles or other visible features such as scarred trees, in addition to assessing whether potential archaeological deposits are present in the Project Area. The survey also aims to record any cultural sites or Aboriginal landscapes, if identified by the Aboriginal stakeholders.

### 1.2.1.2 Sampling Strategy

The purpose of a sampling strategy is to provide a framework for conducting archaeological surveys in a manner which can be quantified and thus can be compared to other survey reports in the local landscape and for regional comparison ([Burke and Smith 2004](#)). The sampling strategy used for this assessment will target all landforms which may be impacted by the proposed development and where possible, targeted landforms which had been identified as having archaeological potential on the basis of background research. The Project Area includes landforms such as creek lines and small water bodies, plains associated with the Hunter River, vegetated and existing disturbed areas, and thus are included in the survey sampling strategy. Where possible these landforms will be subject to a pedestrian survey. In addition, the following landforms

are identified as having potential for Aboriginal sites: creek banks, ground surface exposures and within vegetated areas, and will also be targeted during the survey.

### 1.2.1.3 Field Methods

The survey will be conducted on foot (pedestrian) and target the landforms identified in the sampling strategy above. The area surveyed will be recorded in survey units.

Each survey unit will be mapped and recorded in accordance with landforms outlined in the Sample Strategy, Project Area boundaries, disturbance area boundaries, changes in survey conditions (such as visibility or ground surface exposure) and/or other relevant considerations. The mapping of survey units will be undertaken on the basis of GPS recorded data and with reference to aerial and topographic information. The recording of survey units will be undertaken using representative digital photographs and field notes which include observations of soils, ground surface exposure and visibility, vegetation cover, levels of ground surface disturbance, erosion and similar observations. The field notes will provide a basis for the reporting of survey coverage and calculating survey effectiveness as presented in the survey results section. It is required that any Aboriginal sites identified are recorded and submitted to the AHIMS database. Such recording involves the documentation of the material traces of past Aboriginal land use, including the spatial extent of sites and any other obvious physical boundaries. Aboriginal cultural sites identified by Aboriginal stakeholders may not always involve material traces and boundaries of such sites, if identified, will be mapped on the basis of information provided by the stakeholders. The position of such sites need to be recorded by GPS receivers and mapped accordingly

## 1.3 *Identification and Assessment of Cultural Significance*

Opportunities for the provision of cultural information in relation to the project will be provided as part of the consultation process including during the archaeological survey. Cultural information provided by Registered Aboriginal Parties will be recorded and discussed in the report, unless the information is too sensitive to be made public. If sensitive cultural information is received, the protocol below will be adopted, or another protocol adopted as agreed by the Registered Aboriginal Parties.

- Sensitive cultural information shared with RPS Cultural Heritage team.

- RAP to inform RPS Cultural Heritage team that information is sensitive and disclose if information is gender sensitive, place sensitive or has other sensitivities.

- Sensitive information is recorded in accordance with its sensitivities.

- Label document in which the information has been recorded as confidential and indicate who should have access to the information.

- Store the document in a secure area.



## 1.4 Feedback Form for the Dalswinton Quarry, Dalswinton NSW

I have been sent information regarding the proposed project and the approach to the Aboriginal cultural heritage assessment including the archaeological survey and protocols for the management of sensitive cultural information, for the proposed expansion of Dalswinton Quarry. I seek to endorse the proposed approach and methods, unless otherwise stated below, or with the following amendments:

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Name.....

Registered Aboriginal Party.....

Signature.....

Date.....

Please send this document signed within 28 days back to **Nicola Hirschhorn** via:

- **Post:** PO Box 120, Carrington NSW 2294
- **Email:** Nicola.hirschhorn@rpsgroup.com.au

## 1.5 References

Burke, H. and C. Smith (2004). The Archaeologist's Field Handbook. Crows Nest, Allen and Unwin.

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Wanaruah LALC



**Our ref:** 140150  
**Via:** Email

Dear Noel Downs & Suzie Worth,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

Thank you for your registration of interest in this project. Please see the attached information about the proposed project and the approach to the archaeological survey and preparation of Aboriginal Cultural Heritage Assessment Report including cultural significance.

We are seeking your input into the approach to the assessment and proposed survey in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010*. There is a feedback form attached, which you may choose to use in your response.

Please provide all feedback to RPS by Monday 12 November 2018 by email or mail, addressing all feedback to:

Nicola Hirschhorn  
RPS, PO Box 120, Carrington NSW 2294  
Phone: (02) 4940 4200  
Email: [Nicola.hirschhorn@rpsgroup.com.au](mailto:Nicola.hirschhorn@rpsgroup.com.au)

Yours sincerely

**RPS**

Nicola Hirschhorn  
Graduate Heritage Consultant

# Dalswinton Aboriginal Cultural Heritage Assessment

The following information has been provided in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

Information has been provided on the proposed project (as required at Stage 2 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*) and the Aboriginal cultural heritage assessment, including information relating to proposed for archaeological survey under the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (the Code) and information relating to the assessment of cultural significance (as required at Stage 3 of the *Aboriginal cultural heritage consultation requirements for proponents 2010*).

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RPS Australia East Pty Ltd  
A member of the RPS Group Plc

15 October 2018

Wurrumay Consultants  


**Our ref:** 140150  
**Via:** Email

Dear Kerry Slater,

**Lot 72 DP1199484, Dalswinton NSW Aboriginal Cultural Heritage Assessment: Methodology**

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Name.....  
Registered Aboriginal Party.....  
Signature.....  
Date.....

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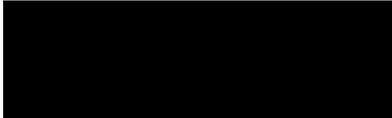
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**Our ref: PR140150**

Unit 2A, 45 Fitzroy Street  
Carrington NSW 2294  
T +61 2 4940 4200

Date: 30 April 2019

Carolyn Hickey



Dear Carolyn,

**Dalswinton Quarry: Aboriginal Cultural Heritage Assessment Report**

This letter is to provide an update on the status of the Dalswinton Quarry project for which you were provided a proposed methodology in October 2018.

The project will be recommencing at this stage and additional information regarding the proposal, including any proposed changes to the original project area or activity will be provided to you within the next several weeks.

If you have any questions please do not hesitate to contact us on (02) 4940 4200.

Yours sincerely,  
for RPS Australia East Pty Ltd

A handwritten signature in black ink that reads "A Byrne".

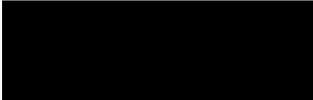
**Alex Byrne**  
Senior Heritage Consultant  
alex.byrne@rpsgroup.com.au  
+612 4940 4223

**Our ref: PR140150**

Unit 2A, 45 Fitzroy Street  
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Date: 30 April 2019

Ashley, Gregory and Adam Sampson



Dear Ashley, Gregory and Adam,

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for RPS Australia East Pty Ltd

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**Our ref: PR140150**

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Date: 30 April 2019

Allen Paget



Dear Allen,

**Dalswinton Quarry: Aboriginal Cultural Heritage Assessment Report**

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Date: 30 April 2019

Tracey Skene



Dear Tracey,

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Date: 30 April 2019

Donna and George Sampson  
Cacatua Cultural Services



Dear Donna and George,

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Date: 30 April 2019

Craig Horne  
Gidawaa Walang



Dear Craig,

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Date: 30 April 2019

Maree Waugh  
Wallandean Cultural Services



Dear Maree,

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Date: 30 April 2019

Des Hickey  
Wattaka Wonnarua



Dear Des,

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Date: 30 April 2019

Paul Boyd & Lilly Carroll  
Didge Ngunawal Clan



Dear Paul and Lilly,

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Date: 30 April 2019

Irene Ardler  
Valley ELM Corp

Dear Irene,

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Date: 30 April 2019

Jenny-Lee Chambers  
JLC Cultural Services

Dear Jenny-Lee,

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Kerry Slater  
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Yours sincerely,  
for RPS Australia East Pty Ltd



**Alex Byrne**  
Senior Heritage Consultant  
alex.byrne@rpsgroup.com.au  
+612 4940 4223

**Our ref: PR140150**

Unit 2A, 45 Fitzroy Street  
Carrington NSW 2294  
T +61 2 4940 4200

Date: 30 April 2019

Luke Hickey  
Hunter Valley Cultural Surveying



Dear Luke,

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David Ahoy

Cultural Services



Dear David,

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Norm Archibald  
JTM Traffic Management



Dear Norm,

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Ryan Johnson  
Murra Bidjée Mullangari



Dear Ryan,

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Date: 30 April 2019

Scott Franks



Dear Scott,

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Steven Hickey  
Widescope Indigenous Services



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Stephen Talbott  


Dear Stephen,

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Vicky Slater  
Kawul Cultural Consultants

Dear Vicky,

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Date: 30 April 2019

Noel Downs & Suzie Worth  
Wanaruah LALC



Dear Noel and Suzie,

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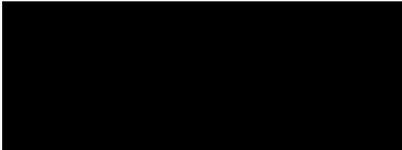
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Tocomwall  
Scott Franks



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Didge Ngunawal Clan  
Paul Boyd & Lilly Carroll



Dear Paul Boyd,

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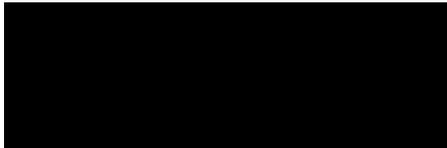
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Ungooroo Aboriginal Corporation  
Allen Paget



Dear Allen,

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Wallangan Cultural Services  
Maree Waugh



Dear Maree,

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Wattaka Wonnarua  
Des Hickey



Dear Des,

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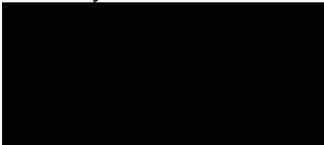
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Culturally Aware  
Tracey Skene



Dear Tracey,

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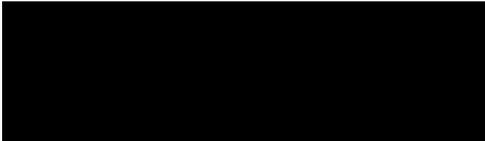
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Gidawaa Walang (Barkuma)  
Craig Horne



Dear Craig,

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Cacatua Cultural Services  
Donna & George Sampson



Dear Donna & George,

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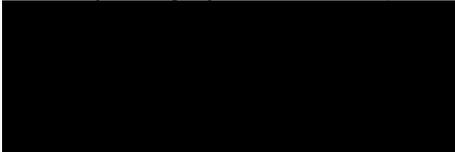
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AGA Services  
Ashley, Gregory & Adam Sampson



Dear Ashley, Gregory & Adam,

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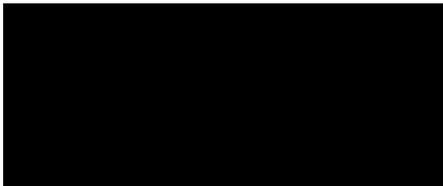
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JTM Traffic Management  
Norm Archibald



Dear Norm,

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Lower Hunter Wonnarua Cultural Services  
David Ahoy



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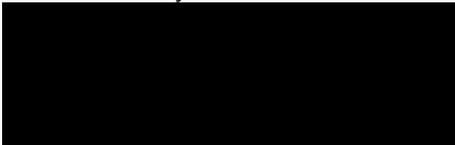
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Widescope Indigenous Services  
Steven Hickey



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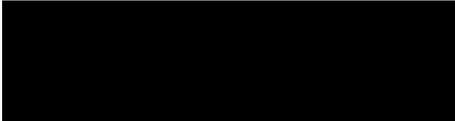
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Valley ELM Corp



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Hunter Valley Cultural Surveying  
Luke Hickey



Dear Luke,

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A1 Indigenous Services  
Carolyn Hickey



Dear Carolyn,

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Steve Talbott  
Stephen Talbott



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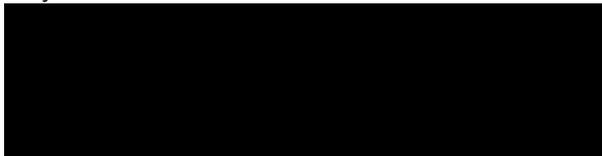
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Murra Bidgee Mullangari  
Ryan Johnson



Dear Ryan,

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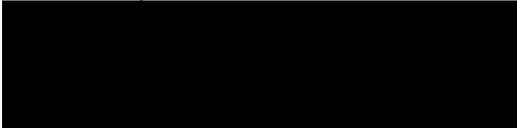
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Wurrumay Consultants



Dear Kerry,

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Kawul Cultural Services



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T +61 2 4940 4200

Date: 15 January 2020

Wanaruah LALC  
Noel Downs & Suzie Worth



Dear Noel Downs,

**Dalswinton Quarry: Aboriginal Cultural Heritage Assessment Report**

This letter is to provide an update on the status of the Dalswinton Quarry project for which you were provided a proposed methodology in October 2018. The methodology has not changed.

The project will be recommencing at this stage and additional information regarding the proposal, including any proposed changes to the original project area or activity will be provided to you within the next several weeks.

If you have any questions, please do not hesitate to contact us on (02) 4940 4200.

Yours sincerely,  
for RPS Australia East Pty Ltd

A handwritten signature in black ink, appearing to read 'Ben Slack'.

**Ben Slack**  
Senior Heritage Consultant  
benjamin.slack@rpsgroup.com.au  
+612 4940 4200

**Our ref: PR140150**

Unit 2A, 45 Fitzroy Street  
Carrington NSW 2294  
T +61 2 4940 4200

Date: 15 January 2020

JLC Cultural Services



Dear Jenny-Lee,

**Dalswinton Quarry: Aboriginal Cultural Heritage Assessment Report**

This letter is to provide an update on the status of the Dalswinton Quarry project for which you were provided a proposed methodology in October 2018. The methodology has not changed.

The project will be recommencing at this stage and additional information regarding the proposal, including any proposed changes to the original project area or activity will be provided to you within the next several weeks.

If you have any questions, please do not hesitate to contact us on (02) 4940 4200.

Yours sincerely,  
for RPS Australia East Pty Ltd

A handwritten signature in black ink, appearing to read 'Ben Slack'.

**Ben Slack**  
Senior Heritage Consultant  
benjamin.slack@rpsgroup.com.au  
+612 4940 4200

**Our ref: 140150**

Unit 2A, 45 Fitzroy Street  
Carrington NSW 2294  
T +61 2 4940 4200

Date: 19 March 2020

Ungooroo Aboriginal Corporation

Allen Paget



Dear Allen,

RE: Invitation to attend Field Survey for the proposed Dalswinton quarry eastern expansion

RPS would like to thank you for your assistance in providing sites officer/s for the survey to be conducted at 511 Dalswinton Road, Dalswinton NSW on the 25 March 2020. The skill and knowledge possessed by the Ungooroo Aboriginal Corporation sites officer is much valued and appreciated.

The Sites Officers will be required on the 25 March 2020 at 8am, this time has been selected to ensure we can undertake the mine induction prior to commencing the survey.

The address of the site 511 Dalswinton Road (**Figure 1**), and the meeting point will be at the Dalswinton site office located in the south western portion of the quarry.

The invoicing for the project should be quoted as:- Dalswinton quarry ACHAR survey, Dalswinton should be forwarded to:

ATTN: Julie McKimm

Rosebrook Sand & Gravel

c/- HDB Town Planning & Design

PO box 40

Maitland NSW 2320

[admin@hdb.com.au](mailto:admin@hdb.com.au)

Our ref: 144833 Invitation to site

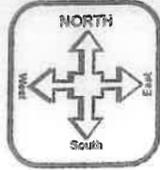


Figure 1 Fieldwork Survey location

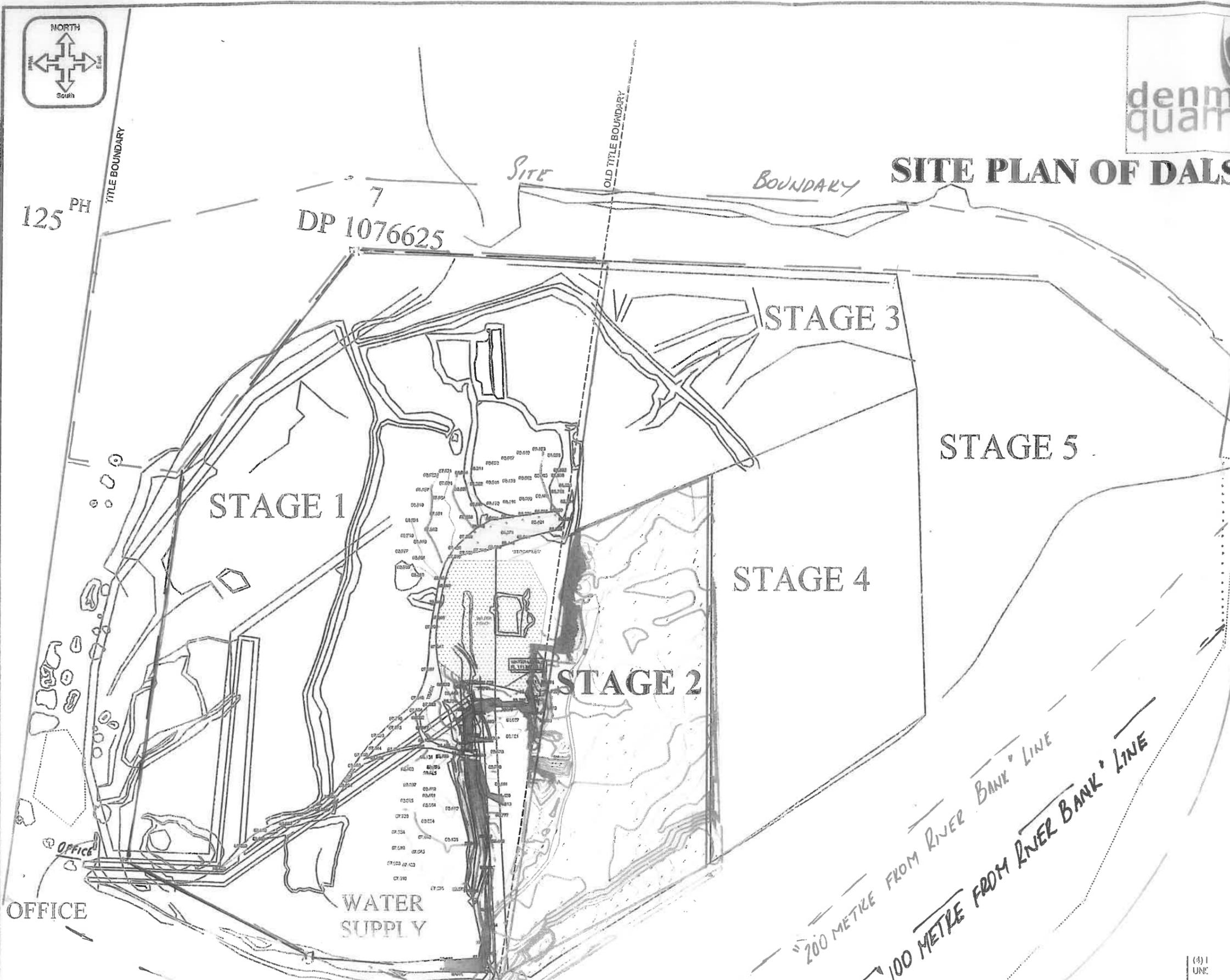
If you have any further enquiries regarding the above, please do not hesitate to contact me on the below mentioned email or numbers.

Yours sincerely,  
for RPS AAP Consulting Pty Ltd

**Amanda Crick**  
Heritage Consultant  
amanda.crick@rpsgroup.com.au  
Direct Line: +61 2 4940 4211  
Mobile: +61 448 897 307



# SITE PLAN OF DALSWINTON QUARRY



ROSEBROOK SAND & GRAVEL PTY LTD  
DALSWINTON QUARRY  
SCHEDULE OF QUANTITIES  
FEB, 2013

| STAGE No                           | AREA Hectares | DEPTH M   | VOLUME M <sup>3</sup> |
|------------------------------------|---------------|-----------|-----------------------|
| 1                                  | 46            | 9         | 4,150,000             |
| 2                                  | 11.5          | 9         | 1,030,000             |
| 3                                  | 10.5          | 20        | 2,050,000             |
| 4                                  | 12.5          | 20        | 2,500,000             |
| 5                                  | 12.5          | 20        | 2,500,000             |
| <b>TOTAL</b>                       | <b>93</b>     |           | <b>12,230,000</b>     |
| <b>AREA</b>                        |               |           |                       |
| <b>ZOOMLINE</b>                    | <b>13.5</b>   | <b>20</b> | <b>2,750,000</b>      |
| <b>POSSIBLE TOTAL</b>              | <b>106.5</b>  |           | <b>14,980,000</b>     |
| <b>AREA TO NORTH SITE BOUNDARY</b> | <b>16.5</b>   | <b>20</b> | <b>3,320,000</b>      |
| <b>REVISED TOTAL</b>               | <b>123</b>    |           | <b>18,300,000</b>     |

\* ADDITIONAL AREA ADDED 26.06.2013

| REV | DESCRIPTION | DATE | BY | CHECKED |
|-----|-------------|------|----|---------|
|     |             |      |    |         |

**BOARDMAN PEASLEY** Pty Ltd.  
Registered Land Surveyors &  
Civil Engineering  
www.boardmanpeasley.net.au

**DENMAN QUARRIES**  
PLAN OF DALSWINTON QUARRY AS AT OCTOBER 2008

GRAPHIC FILE: S4399 AL1 011103  
SURVEY FILE: S4399 071011 3 SMYS-4  
SURVEY JPG: SMY 3.JG  
DRAWN: JG

DATUM: RESA/HD  
DATUM SOURCE: RTM GPS (AUTOMATIC),  
DATE: 5TH NOVEMBER 2009

CHECKED: RP

Sheet No 2 of 2 Sheets  
Job No: S4399  
Drawn: JG  
SCALE: 1:5000 (A3)  
Revision No: 1A



| SiteID    | SiteName           | Datum            | Zone                                       | Easting | Northing | Context   | Site Status | SiteFeatures | SiteTypes      | Reports       |
|-----------|--------------------|------------------|--|---------|----------|-----------|-------------|--------------|----------------|---------------|
| 37-2-0287 | Rose Park 1 Denman | AGD              | 56   | 283530  | 6407100  | Open site | Valid       | Artefact : - | Open Camp Site | 751,1203,1204 |
|           | <b>Contact</b>     | <b>Recorders</b> | Margrit Koettig,Phil Hughes,Mr.Allan Lance |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4818 | Spur Hill 234      | GDA              | 56   | 287354  | 6408644  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4819 | Spur Hill 235      | GDA              | 56   | 287753  | 6408640  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4859 | Spur Hill 504      | GDA              | 56   | 285649  | 6408753  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4860 | Spur Hill 505      | GDA              | 56   | 286089  | 6408237  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4861 | Spur Hill 506      | GDA              | 56   | 285517  | 6408911  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4823 | Spur Hill 239      | GDA              | 56   | 287324  | 6408577  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4824 | Spur Hill 240      | GDA              | 56   | 286100  | 6408418  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4825 | Spur Hill 241      | GDA              | 56   | 286291  | 6408423  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4828 | Spur Hill 244      | GDA              | 56   | 286063  | 6408346  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4829 | Spur Hill 245      | GDA              | 56   | 286630  | 6408333  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4830 | Spur Hill 246      | GDA              | 56   | 287582  | 6408366  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4805 | Spur Hill 220      | GDA              | 56   | 286214  | 6409078  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | South East Archaeology                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4806 | Spur Hill 221      | GDA              | 56   | 285697  | 6409020  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4807 | Spur Hill 222      | GDA              | 56   | 285793  | 6408884  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4808 | Spur Hill 224      | GDA              | 56   | 285945  | 6408859  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Ms.Birgitta Stephenson                     |         |          |           |             |              | <b>Permits</b> |               |
| 37-2-4809 | Spur Hill 225      | GDA              | 56   | 287033  | 6408883  | Open site | Valid       | Artefact : - |                |               |
|           | <b>Contact</b>     | <b>Recorders</b> | Mr.Peter Kuskie                            |         |          |           |             |              | <b>Permits</b> |               |

Report generated by AHIMS Web Service on 24/03/2020 for Rps Australia East Pty Ltd Carrington Team Administrator for the following area at Lat, Long From : -32.4714, 150.692 - Lat, Long To : -32.4344, 150.7419 with a Buffer of 50 meters. Additional Info : ACHAR. Number of Aboriginal sites and Aboriginal objects found is 23

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

| SiteID    | SiteName       | Datum | Zone | Easting | Northing | Context   | Site Status | SiteFeatures | SiteTypes | Reports        |
|-----------|----------------|-------|------|---------|----------|-----------|-------------|--------------|-----------|----------------|
| 37-2-4811 | Spur Hill 227  | GDA   | 56   | 287671  | 6408846  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |
| 37-2-4812 | Spur Hill 228  | GDA   | 56   | 285857  | 6408718  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |
| 37-2-4814 | Spur Hill 230  | GDA   | 56   | 286070  | 6408671  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |
| 37-2-4815 | Spur Hill 231  | GDA   | 56   | 286000  | 6408619  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |
| 37-2-4816 | Spur Hill 232  | GDA   | 56   | 286798  | 6408695  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |
| 37-2-4817 | Spur Hill 233  | GDA   | 56   | 287711  | 6408787  | Open site | Valid       | Artefact : - |           |                |
|           | <b>Contact</b> |       |      |         |          |           |             |              |           | <b>Permits</b> |

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