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Your Ref: MP 05\_0103B MOD 2

Mr Joel Herbert  
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Dear Mr Herbert

**RE: Heritage Council comments on referral for Cudgen Lakes Sand Quarry Modification 2. (MP05\_0103B MOD2)**

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I refer to your e-mail dated 17 January 2018 referring the second project modification for the Cudgen Lakes Sand Quarry to the Heritage Council of NSW for comment. No previous correspondence referring this project for comment on heritage grounds was identified in our system. There are sites currently listed on the NSW State Heritage Register relevant to the study area in the Tweed local Government Area. However, one historical archaeological site exists within the proposed expansion area and this was not identified in the supporting Environmental Assessment (EA) prepared by RW Corkery and Co Pty Ltd for this project.

The supporting EA states there are no heritage concerns for this project because the extraction area is located within the area previously assessed for the project. However, the current Modification EA includes a figure showing "Proposed Quarry Site Layout and Indicative Fill sites". One of these nominated proposed fill sites is within Part Lot 3 DP 828298. This lot and DP is identified in the Tweed Local Environmental Plan (LEP) 2014 as an archaeological site referred to as: 'Cudgen Sugar Mill Remains as Item A2. It is currently unclear what impact the proposed fill activity for this modification may have on this archaeological site because the EA has not considered this potential heritage item.

It is therefore recommended that the Department of Planning and Environment seek the following additional site-specific assessment from the Applicant to understand any required modification (movement of the proposed fill location) or mitigation from this project to this archaeological site, if impacted:

- The site of the 'Cudgen Sugar Mill Remains as Item A2 should be confirmed relative to the project area by a suitably qualified historical archaeologist and if found to extend into the area of project impact, a full historical archaeological assessment should be undertaken of this site. This Historical Archaeological Assessment shall be undertaken by a suitably qualified historical archaeologist who is experienced in industrial heritage sites and comply with Guidelines prepared by the Heritage Council of NSW including *Archaeological Assessments 1996* and *Assessing Historical Archaeological sites and Relics 2009*.

This assessment should clearly assess the significance of this site and consider the impacts of the current proposal to this significance from this project. The Assessment should provide clear advice to the management of this site, including consideration of options to avoid impact from the proposal. Where impacts may be required in whole



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or in part clear management advice should be provided regarding mitigation of the archaeological resource, where appropriate.

In the event the location of this site is confirmed to be outside the project impact area (including for movement of machines for transport of fill etc), a short report which clearly documents the location of the archaeological site and includes an appropriate site avoidance buffer for the project should be prepared.

Based on the results of the above investigation either this short report or the detailed historical archaeological assessment should be provided to the Department of Environment and Planning and referred to the Heritage Council of NSW or its delegate for review and advice on appropriate conditions of consent for management prior to final determination of this application.

If you have any questions regarding the above advice, please feel free to contact Felicity Barry, A/Senior Archaeologist, Heritage Division, Office of Environment and Heritage, at e-mail: [Felicity.Barry@environment.nsw.gov.au](mailto:Felicity.Barry@environment.nsw.gov.au) or via telephone: (02) 9995 6914.

Yours sincerely

2 February 2018

**Dr Siobhan Lavelle, OAM**  
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**As Delegate of the NSW Heritage Council**