



Philip Nevill
Senior Environmental Assessment Officer
Resources Assessments
Department of Planning, Industry & Environment
email: philip.nevill@planning.nsw.gov.au

Your ref: SSD DA 14/98 Mod 16
Our ref: DOC20/868315-2

Advice provided via the Major Project Portal

Dear Mr Nevill,

Notice of Modification 16 - Surface changes to support the Cowal Gold Operations Underground Development (DA14/98-Mod-16)

Thank you for requesting our comments on the proposed modification of DA14/98 for the above development project.

Aboriginal cultural heritage regulation is now part of Heritage NSW

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

Heritage NSW review of the Modification report

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

We note the main change that may be relevant to Aboriginal cultural heritage is the variation in the mine infrastructure area. However, the modification report outlines that this is within the existing approved disturbance area. This was previously acknowledged by the Biodiversity Conservation Division in correspondence informing the Secretary's Environmental Assessment Requirements (SEARs) on 10 September 2019. In consideration of this, the recommendation at the time was to undertake an assessment in line with the 2010 Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.

In the documents provided for this modification, it is noted that EMM have conducted the Aboriginal cultural heritage assessment in line with the due diligence code. This assessment has identified that the modification area has been assessed previously in accordance with the 2010 Code of Practice for Archaeological Investigation of Aboriginal objects in NSW.

The Modification report meets the SEARs

Based on the information provided as part of the modification report, there are no known Aboriginal cultural heritage constraints. We note consultation is ongoing with the Registered Aboriginal Parties.

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

If you have any questions regarding the above comments, please contact John Gilding, Archaeologist, Aboriginal Cultural Heritage Regulation – South, at Heritage NSW, on 0428 897 811, or email john.gilding@environment.nsw.gov.au.

Yours sincerely



Jackie Taylor
Senior Team Leader, Aboriginal Cultural Heritage Regulation - South
Heritage NSW

25 November 2020