

NEWCASTLE SAND

Aboriginal Cultural Heritage and Historic Heritage Management Plan

Williamtown Sand Syndicate Pty Ltd

Williamtown Sand Quarry

Cabbage Tree Road, Williamtown

14 October 2026

Aboriginal Cultural Heritage and Historic Heritage Management Plan

Cabbage Tree Road Sand Quarry

Cabbage Tree Road, Williamtown

Prepared for:
WILLIAMTOWN SAND SYNDICATE PTY LTD

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This document has been prepared by:
McCardle prepared Versions 1-4

McCARDLE CULTURAL HERITAGE

McCARDLE CULTURAL HERITAGE PTY LTD
PO Box 166, Adamstown, NSW 2289
Mobile: 0412 702 396 |
Email: mcheritage@iprimus.com.au
ABN 89 104 590 141

Integrated
Environmental Management Australia Pty Ltd
PO Box 3161, Merewether
NSW 2291 Australia
Phone: 0409 288 909
ABN: 32 622 237 870

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EXECUTIVE SUMMARY

This Aboriginal Cultural Heritage and Historic Heritage Management Plan (HMP) has been prepared for Williamtown Sand Syndicate Pty Ltd (Quarry Owner) to guide the management of onsite heritage at the sand quarry on Cabbage Tree Road, Williamtown. The plan addresses both Aboriginal Cultural and Historic Heritage in accordance with the Development Consent Conditions. The quarry is located within the Port Stephens Local Government Area (LGA) on Lot 9 DP239608, Lot 1012 DP 814078, Lot 11 DP 629503, Lot 121 DP 556403 and Lot 1 DP 224587.

McCardle Cultural Heritage Pty Ltd, following endorsement by the Secretary of NSW Department of Planning, Housing and Infrastructure (DPHI) has provided input on the management of Aboriginal Cultural Heritage.

This document is intended for both construction and operation of the quarry. This HMP applies to the Project Area as outlined in **Section 1**. This HMP also outlines the legislative context of the project in respect to heritage and the Aboriginal consultation which has been undertaken (Section 3). For the practical management of Aboriginal cultural heritage, a clear outline of roles and responsibilities is provided along with operational flow charts to be used by the Quarry Manager and contractors who may need to access, or conduct works, within the Project Area.

This HMP has been produced in consultation with the Registered Aboriginal Parties (RAPs) that have expressed an interest in the project. Aboriginal participation has been requested and implemented from the earliest stages of development of this HMP (Section 3 and Appendix 1). Additionally, prior to the finalisation of this document, RAPs were invited to provide input/comment on cultural heritage issues associated with the Project Area, and the heritage management protocols outlined in this document.

Three known Aboriginal sites (Site #38-4-1381, Site 38-4-2338 and Site 38-4-2337) are located in the Project Area.

- **Site 38-4-1381** was located on the mid slope of a dune within an exposed area and situated approximately 300m from an unnamed swamp. Motorbike and walking tracks were present across the site. MCH confirm that the site was disturbed and the artefacts had been exposed through previous rutile extraction and not in situ. The site was assessed as being of low significance due to its highly disturbed nature and was subject to community surface collection on 17 April 2024, with the relevant AHIMS/ASIRF documentation subsequently prepared and lodged.
- **Site 38-4-2338** comprises an isolated stone artefact located on a flat, slightly elevated sandy landform within an area previously disturbed by dredging and historic sand mining. The artefact is a broken silcrete flake. No archaeological deposit, hearth, bone or shell material was identified, and the site was assessed as being in poor condition with low archaeological significance.
- **Site 38-4-2337** comprises an isolated stone artefact located on a flat, slightly elevated sandy landform affected by erosion and previous dredging and historic sand mining. The artefact is a complete tuff flake. No archaeological deposit, hearth, bone or shell

material was identified, and the site was assessed as being in poor condition with low archaeological significance.

Newcastle Sand Pty Ltd has regard to Aboriginal cultural heritage throughout the design of the Modification 4 Western Extension on Lot 9 DP239608 and sought to avoid and minimise harm to known Aboriginal heritage sites as far as practicable. AHIMS site 38-4-1381 was salvaged by community surface collection on 17 April 2024, with 115 stone artefacts recovered in conjunction with RAP representatives and relevant AHIMS/ASIRF documentation subsequently lodged.

AHIMS sites 38-4-2338 and 38-4-2337, identified during the Modification 4 assessment, are considered to have low archaeological potential and no potential for subsurface deposits given the extent of previous disturbance. Both sites will be directly impacted by the Western Extension and, as agreed with the RAPs, will be subject to community surface collection prior to disturbance, in accordance with **Section 6.9** and the approved heritage management requirements.

Section 4 outlines the roles and responsibilities for the implementation of this HMP.

Section 6 outlines the heritage management protocols which must be implemented and it is a requirement of this HMP that the heritage management protocols are followed.

Unexpected Finds Procedures (**Section 7** and **Appendix 3**) have been developed to provide guidance should Aboriginal objects/material be identified, or if human skeletal remains are uncovered during construction. These protocols must be followed if unexpected Aboriginal objects/material or skeletal remains are uncovered during works.

GLOSSARY

Aboriginal Cultural Heritage Values: traditional values of Aboriginal people, handed down in spiritual beliefs, stories and community practices and may include local plant and animal species, places that are important and ways of showing respect for other people.

Aboriginal Place: are locations that have been recognised by the Minister for Climate Change and the Environment (and gazetted under the National Parks and Wildlife Act 1974) as having special cultural significance to the Aboriginal community. An Aboriginal Place may or may not include archaeological materials.

Harm: is defined as an act that may destroy, deface or damage an Aboriginal object or place. In relation to an object, this means the movement or removal of an object from the land in which it has been situated

Spiritual Significance: the importance of a place in the landscape that is valued by Aboriginal people because it is part of their spiritual culture. Examples include places associated with totem species or places that are the subject of traditional cultural stories.

Traditional Aboriginal Owners: Aboriginal people who are listed in the Register of Aboriginal owners pursuant to Division 3 of the Aboriginal Land Register Act (1983). The Registrar must give priority to registering Aboriginal people for lands listed in Schedule 14 of the National Parks and Wildlife Act 1974 or land subject to a claim under 36A of the Aboriginal Land Rights Act 1983.

Traditional Knowledge: Information about the roles, responsibilities and practices set out in the cultural beliefs of the Aboriginal community. Only certain individuals have traditional knowledge and different aspects of traditional knowledge may be known by different people, e.g. information about men's initiation sites and practices, women's sites, special pathways, proper responsibilities of people fishing or gathering food for the community, ways of sharing and looking after others, etc.

ACRONYMS

ACHMP Aboriginal Cultural Heritage Management Plan

AHIMS Aboriginal Heritage Information Management System. Data base of recorded sites across NSW managed by Heritage NSW

HMP Heritage Management Plan, in this document covering Aboriginal Cultural Heritage and Historic Heritage

AHIP Aboriginal Heritage Impact Permit

ASIRF Aboriginal Site Impact Recording Form

RAP Registered Aboriginal Party

DPHI Department of Planning, Housing and Infrastructure

1. INTRODUCTION

1.1 BACKGROUND

Newcastle Sand currently operates a sand quarry on five lots of land located at 398 Cabbage Tree Road, Williamtown, approximately 30 km from the Newcastle central business district. Newcastle Sand is a wholly owned subsidiary of Williamtown Sand Syndicate Pty Ltd (WSS). The Project will extract up to 530,000 tonnes per annum of sand products until 31 December 2033.

Development Consent (SSD-6125) was granted by the NSW Independent Planning Commission on 9 May 2018 for construction and operation of the quarry subject to a series of conditions. Condition 32 of Schedule 3 of the Development Consent requires the preparation and implementation of an Aboriginal Heritage Management Plan (AHMP) while Condition 31 outlines management requirements for Historic Heritage items.

Potential heritage impacts associated with the quarry include damage to known or unknown heritage items during quarry construction and operation. Activities that could result in adverse impacts to heritage items include vegetation clearing and topsoil stripping and any bulk earthworks particularly excavation of quarry material.

Representatives of the proponent provided the project outline and updates and the HMP process. This document has been prepared in order to effectively manage Aboriginal cultural heritage resources within the Project Area, and the Historic Heritage elements on the site.

Engagement with RAPs has been ongoing since the commencement of construction with regular site inspections and discussion on the proposed changes to the management plan in terms of the inspection process, location of the Potential Keeping Places and proposed modification for extension of resource areas.

Construction of the quarry commenced in August 2019, the Cabbage Tree Road intersection was completed in May 2020 and the quarry became operational on 18 May 2020.

Modification 4 (Mod 4) to SSD-6125 was approved on 30 July 2026 and provides for the western extension of the Cabbage Tree Road Sand Quarry and associated minor amendments. Mod 4 introduces the Western Extension area, comprising Stages 1 to 9, and extends quarrying operations to 31 December 2033. This Aboriginal Heritage Management Plan (AHMP) has been updated to reflect the Mod 4 approval, revised Project Area and associated Aboriginal cultural heritage management requirements.

The update also incorporates the revised heritage requirements of Condition 32 of Schedule 3, including the management and surface collection requirements for identified AHIMS sites within the approved disturbance area.

1.2 PROJECT OVERVIEW

The key details of the Project are shown within **Table 1** below. An overview of the project area is shown in **Figure 1.**

Table 1: Key Aspects of the Cabbage Tree Road Sand Project.

Aspect	Key Aspects of the Project
Key elements	Sand quarry extracting up to 530,000 tonnes per annum until 31 December 2033, incorporating dry sand extraction, screening, air separation and sand washing. The Project includes the quarry access intersection with Cabbage Tree Road, internal sealed and unsealed haul roads, processing plant, wash plant, water management infrastructure, stockpile areas, weighbridge, workshop, offices and ancillary facilities. Progressive rehabilitation will be undertaken throughout the life of the quarry, restoring disturbed land to native vegetation communities in accordance with the approved Conceptual Rehabilitation Plan
Location	398 Cabbage Tree Road, Williamtown, within the Port Stephens local government area.
Property Titles	Four titles within the Parish of Stockton, County of Gloucester including: • Lot 1 DP 224587 at 398 Cabbage Tree Road, Williamtown • Lot 121 DP 556403 at 282B Cabbage Tree Road, Williamtown. • Lot 11 DP 629503 at 282A Cabbage Tree Road, Williamtown. • Lot 1012 DP 814078 at 282 Cabbage Tree Road Williamtown. • Lot 9 DP239608 at 442 Cabbage Tree Road Williamtown (Western Extension).
Area	Total Project Area of approximately 48.9 hectares (including Mod 4) from a Subject Land Area of approximately 197 hectares.
Land Owner	Port Stephens Council (Lots 100, 121, 11 and 1012) and Lot 9 DP239608, operated under lease arrangements by Williamtown Sand Syndicate Pty Ltd, with royalty of up to $17.5 million over the project life.
Proponent	Williamtown Sand Syndicate Pty Ltd, the owner of the quarry operator Newcastle Sand.
Project Life	Quarrying operations are approved until 31 December 2033. The remaining operational life of the quarry will depend on market demand and annual production rates, up to the approved maximum extraction rate of 530,000 tonnes per calendar year.
Resource and products	Approximately 3.25 Mt of sand, comprising the following products to be extracted from site by truck onto Cabbage Tree Road for transport to markets: • Raw fill sand. • Screened sand. • Sandy loam. • Concrete sand. • Glass sand (estimated at about 16% of total resource). The Project covers approximately 48.9 hectares (including access roads) with extraction to a depth of not more than 1m above the highest predicted groundwater level.
Production rate and Products	Maximum of up to 530,000 tonnes per annum, with an indicative maximum daily rate of 3,000 tonnes.
Extraction method	• Excavator and/or bulldozer to clear vegetation and strip topsoil. • Bulldozer or grader to windrow sand, or excavator to extract sand for haulage by haul truck. • Excavators extract material and load onto dump trucks. • Dump trucks to transfer sand to the processing plant. • Front-end loader to feed conveyors to convey sand to the processing plant when dump trucks are unsuitable.
Processing Methods	• Raw sand product extracted directly from face with no processing. • Sand fed into electrically powered screen. • Screened sand sold as product or fed to electrically powered, air separator, or wash plant.

Aspect	Key Aspects of the Project
	• Products stockpiled for loading directly into truck or fill bulker bags for removal from the site by truck.
Transport	• Up to 6 laden trucks per hour (12 trips per hour) during the hours of 6 am to 7 am Monday to Friday. • Up to a maximum of 10 laden trucks per hour (20 trips per hour) during hours of 7 am to 5 pm Monday to Friday (i.e. all haulage hours excluding the morning peak). • Up to a maximum of 10 laden trucks per hour (20 trips per hour) during hours of 7 am to 4 pm Saturdays. • Up to 6 vehicles of employees would be expected to arrive from approximately 5:30 am to 7 am and leave between 5 pm and 7 pm.
Support facilities and utilities	• Site office, workshop, stores, car parking. • Power supply from local network. • Water supply from local network.
Operating Hours	Construction of intersection, access and workshop and office: • 7:00am to 5:00pm Monday to Friday. • 8:00am to 1:00pm Saturday. • No works on Sunday or public holidays. Quarrying Operations: • 7:00am to 5:00pm Monday to Friday, 7:00am to 4:00pm on Saturday. • No quarrying on Sunday or a Public Holiday. Loading and dispatch of trucks: • 6:00am to 6:00pm Monday to Friday. • 7:00am to 4:00pm Saturday. • No works on Sunday or public holidays.

1.3 PURPOSE AND SCOPE

This Aboriginal Cultural Heritage and Historic Heritage Management Plan applies to the whole of the Cabbage Tree Road Sand Quarry development approved under SSD-6125, including the existing quarry areas and the Modification 4 Western Extension. This version updates the previously approved HMP to incorporate Modification 4, the Aboriginal Cultural Heritage Assessment Report prepared for the Western Extension, the revised Development Consent dated 30 July 2026, and the two additional Aboriginal archaeological sites identified during the Modification 4 assessment.

The Plan provides a single framework for the ongoing protection, monitoring, salvage, storage, reporting and management of Aboriginal cultural heritage across the development.

This HMP outlines the key management controls to be implemented during quarry construction and operations to minimise impacts to Aboriginal and historic heritage. It also details heritage contingency protocols in the event heritage items are discovered during quarry operations. It provides a clear outline of roles and responsibilities to be used by land managers and contractors who may need to access, orconduct works within the Project Area.

This document satisfies Development Consent Conditions 31 to 33 of Schedule 3. A checklist of where each condition has been addressed in this document is provided in **Table 2.**
This HMP will be implemented in conjunction with the other management plans required under the Development Consent for the duration of quarry construction and operations

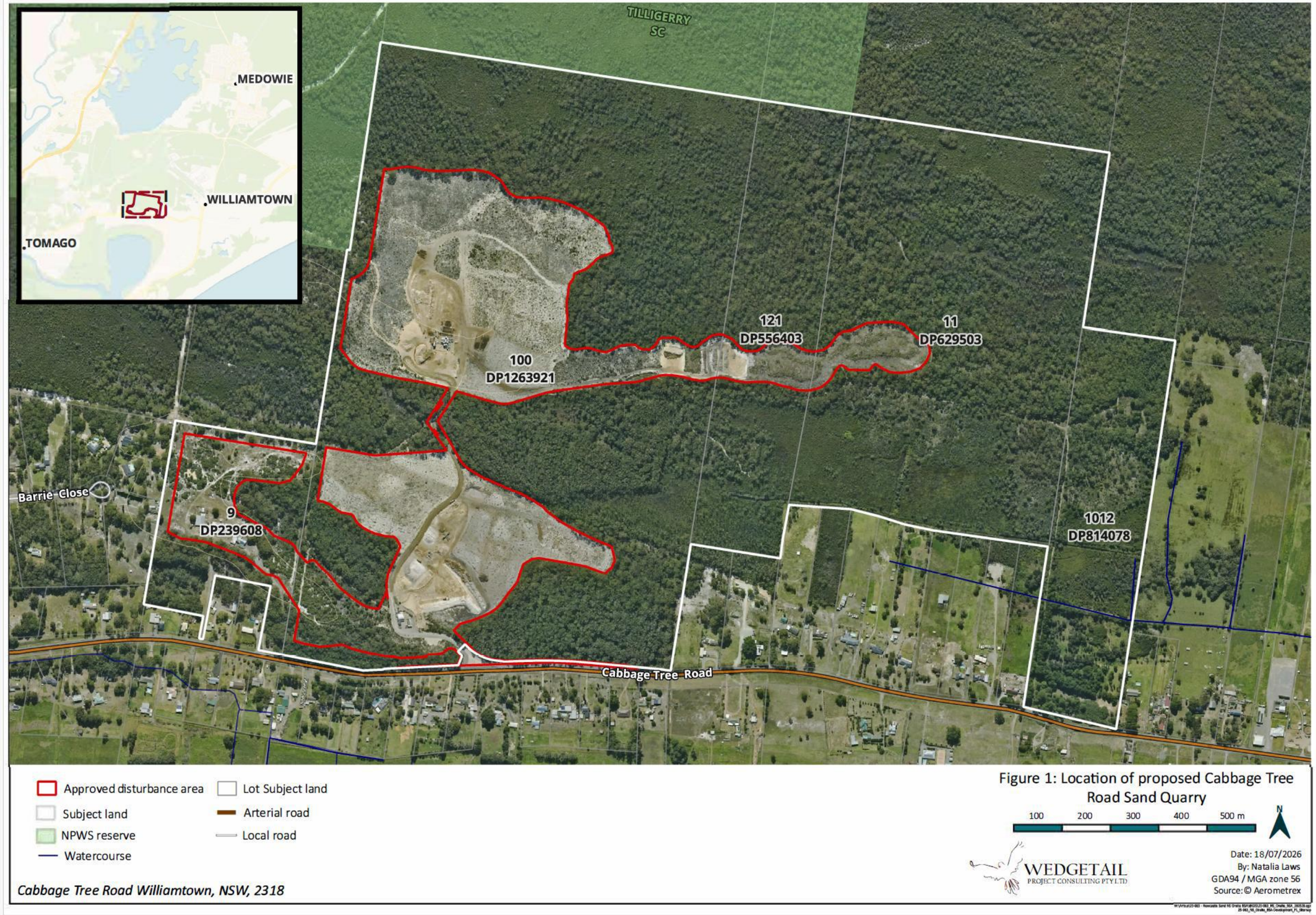


Figure 1: Locality Plan for Williamtown Sand Quarry on Cabbage Tree Road, Williamtown

2. STATUTORY REQUIREMENTS

2.1 LEGISLATION AND GUIDELINES

Legislation relevant to heritage management includes:

- National Parks and Wildlife Act 1974, as amended.
- National Parks and Wildlife Regulation 2019.
- Environmental Planning and Assessment Act 1979.
- Heritage Act 1977 (as amended 1999)

2.1.1 Environmental Planning and Assessment Act 1979

The project was granted Development Consent pursuant to Part 4, Division 4.7 of the EP&A Act as State Significant Development (SSD) as declared by the State Environmental Planning Policy (Planning Systems) 2021.

Pursuant to Section 4.41 (d) of the EP&A Act an "Aboriginal heritage impact permit under section 90 of the National Parks and Wildlife Act 1974" is not required.

The *Environmental Planning and Assessment Act 1979* is overseen by the Department of Planning, Housing and Infrastructure (DPHI) and requires the consideration of Historic and Aboriginal heritage as part of the development approval process (refer **Section 2.1.4** below).

2.1.2 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act), is the primary legislation for the protection of Aboriginal cultural heritage in New South Wales. The NPW Act protects Aboriginal heritage (places, sites and objects) within NSW and the Protection of Aboriginal heritage is outlined in s86 of the Act, as follows:

- *"A person must not harm or desecrate an object that the person knows is an Aboriginal object" s86(1)*
- *"A person must not harm an Aboriginal object" s86(2)*
- *"A person must not harm or desecrate an Aboriginal place" s86(4)*

Penalties apply for harming an Aboriginal object, site or place. The penalty for knowingly harming an Aboriginal object (s86[1]) and/or an Aboriginal place (s86[4]) is up to $550,000 for an individual and/or imprisonment for 2 years; and in the case of a corporation the penalty is up to $1.1 million. The penalty for a strict liability offence (s86[2]) is up to $110,000 for an individual and $220,000 for a corporation.

Harm under the National Parks and Wildlife Act (1974, as amended) is defined as any act that; destroys defaces or damages the object or place, 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 that:

- Harm was authorised under an Aboriginal Heritage Impact Permit (AHIP) (and the permit was properly followed), or
- The proponent exercised due diligence in respect to Aboriginal heritage.

2.1.3 National Parks and Wildlife Regulation 2019

The National Parks and Wildlife Regulation 2019 (NPW Regulation) provides a framework for undertaking activities and exercising due diligence in respect to Aboriginal heritage. The NPW Regulation (2019) recognises various due diligence codes of practice, including the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW, which is pertinent to this report, but it also outlines procedures for Aboriginal Heritage Impact Permit (AHIP) applications and Aboriginal Cultural Heritage Consultation Requirements (ACHCRs); amongst other regulatory processes.

Aboriginal heritage (places, sites and objects) in NSW is protected by the *National Parks and Wildlife Act 1974*. Managed by Heritage NSW and Registered Aboriginal Parties, Aboriginal heritage includes places, sites and objects that are of significance to Aboriginal people because of their traditions, beliefs and history.

While under the EP&A Act, an AHIP is not required, the processes outlined within Clause 60 (formerly 80C), and Clause 61 (formerly 80D) are followed through the Development Application process with the development of the Cultural Heritage Assessment Report (previously provided to registered Aboriginal parties (RAPs)) and the consequential preparation of this management plan in consultation with RAPs.

2.1.4 Heritage Act 1977

Historic heritage in NSW is protected by the *Heritage Act 1977* which is overseen by Heritage NSW with the Department of Climate Change Energy, the Environment and Water (DCCEEW). Historic heritage includes archaeological sites, buildings, structures, areas and individual objects that are significant to the state of NSW. Certain types of Aboriginal heritage sites may also be listed under the Act; however, this is not relevant to this project.

2.2 ASK FIRST: A GUIDE TO RESPECTING INDIGENOUS HERITAGE PLACES AND VALUES

Ask First: A guide to respecting Indigenous heritage places and values (2002) was commissioned by the Australian Heritage Commission to provide a practical guide for land developers, land users and managers, cultural heritage professionals and others who may impact on Indigenous cultural heritage. Ask First is intended to be complementary to the Australia International Council on monuments and Sites (ICOMOS) Burra Charter and the Australian Natural Heritage Charter. The main focus of Ask First is to emphasise that

consultation and negotiation with Aboriginal parties is the best way of addressing Aboriginal cultural heritage issues.

Ask First acknowledges that maintaining Indigenous cultural values and places is a vital part of the community's sense of place, cultural identity and well-being. Indigenous Australians' heritage creates and maintains links between their ancestors, people and the land.

Ask First states that in recognising the rights and interests of Aboriginal peoples in their heritage, all parties concerned with identifying, conserving and managing this heritage should acknowledge, accept and act on the principles that Aboriginal people:

- Are the primary source of information on the value of their heritage and how it is best conserved;
- Must have an active role in any Aboriginal heritage planning process;
- Must have input into primary decision-making in relation to Aboriginal heritage so that they can continue to fulfil their obligations towards this heritage; and
- Must control intellectual property and other information relating specifically to their heritage, as this may be an integral aspect of its heritage value.

Ask First also emphasise the benefits of consultation and negotiation in the management of Indigenous cultural heritage and the need to comply with relevant Territory and Commonwealth Aboriginal cultural heritage legislation and statutory authorities, as outlined above. These guidelines have been considered in the development of this HMP.

2.3 DEVELOPMENT CONSENT

Development Consent was granted for the Project under the *Environmental Planning and Assessment Act 1979* by the NSW Independent Planning Commission. The requirement for an AHMP arises from Condition 32 within Schedule 3 of the Development Consent. Other heritage management requirements include Conditions 31 and 33 of Schedule 3.

Table 2 provides a summary of where each requirement of the consent relating to Historic and Aboriginal Heritage are addressed in this document.

Table 2: Development Consent Conditions relating to Heritage

Condition	Description	Addressed in Section
Schedule 3 – Specific Environmental Conditions		
31	**Heritage**	Section 5.1, 6.5 and 7.1
	If footings and/or other physical evidence are discovered of a World War II radar station reputed to have been located on the site, then the Applicant must undertake, using a qualified archaeologist or heritage specialist endorsed by the Planning Secretary, an assessment of the significance of the item in conjunction with a photographic archival recording of the item and/or other evidence relevant to its use. A report documenting these findings must be prepared and submitted within six months of the identification of the find for the information of the Planning Secretary, the Heritage Council of NSW and the relevant local historical society.	
32	**Aboriginal Heritage Management Plan**	Section 1-7
	The Applicant must prepare an Aboriginal Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must: a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary;	
	b) be prepared in consultation with Heritage NSW and Registered Aboriginal Parties and be submitted to the Planning Secretary for approval prior to commencing ground disturbing activities on the site, unless the Planning Secretary agrees otherwise; and	
	(c) include a description of the measures that would be implemented to: (i) protect, monitor and manage known sites of archaeological significance;	Section 5.2, 6.7 and 6.9
	(ii) salvage and manage all identified Aboriginal sites within the quarry's disturbance area, including surface collection of AHIMS site #38-4-1381, 38-4-2338 and 38-4-2337;	Section 6.9
	(iii) monitor vegetation clearing operations to identify any previously unknown Aboriginal sites;	Section 6.7
	(iv) regularly monitor screened oversize material from the sand processing plant for Aboriginal objects or relics;	Section 6.7
	(v) manage any new Aboriginal sites, objects or relics that are discovered;	Section 6.8 and 7.2
	(vi) implement an Aboriginal cultural heritage awareness and induction program for all persons working on the site, not including drivers of sand haulage trucks;	Section 6.1
	(vii) store Aboriginal heritage items that are salvaged on the site; and	Section 6.10
	(viii) ensure ongoing consultation and involvement of the Registered Aboriginal Parties in the conservation and management of Aboriginal cultural heritage on the site.	Section 3.2 and 6.6
	The Applicant must not commence ground disturbing activities until the Aboriginal Heritage Management Plan is approved by the Planning Secretary.	Appendix 2
	The Applicant must implement the Aboriginal Heritage Management Plan as approved from time to time by the Planning Secretary.	Appendix 2
33	**Aboriginal Heritage Management Plan**	Section 6.2
	If any item or object of Aboriginal heritage significance is identified on site, the Applicant must ensure that: (a) all work in the immediate vicinity of the suspected Aboriginal item or object ceases immediately;	
	(b) a 10 m buffer area around the suspected item or object is cordoned off; and	Figure 6 and Figure 7

Condition	Description	Addressed in Section
	(c) the Department is contacted immediately. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.	Figure 6 and Figure 7
Schedule 5 – Environmental Management, Reporting and Auditing		
3	**Management Plan Requirements** The Applicant must ensure that the management plans required under this consent are prepared in accordance with any relevant guidelines, and include: (a) detailed baseline data; (b) a description of: • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; and • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures; (c) a description of the measures that to be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria; (d) a program to monitor and report on the: • impacts and environmental performance of the development; and • effectiveness of any management measures (see (c) above); (f) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible; (g) a program to investigate and implement ways to improve the environmental performance of the development over time; (h) a protocol for managing and reporting any: • incidents; • complaints; • non-compliances with statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and (i) a protocol for periodic review of the plan	Section 1-7

3. CONSULTATION

3.1 ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS (ACHCRS)

This HMP has been prepared in consultation with the Registered Aboriginal Parties (RAPs) as identified throughout the Aboriginal Cultural Heritage Consultation Requirements for proponents (ACHCRs), (DCCEEW/Heritage NSW) identified during the earlier assessment (MCH 2015) and subsequent revision to the assessment in MCH 2017. RAPs were invited to provide input/comment throughout the project on any cultural heritage issues associated with the local area, the Project Area, and the HMP outlined in this document.

The RAPs relevant to implementation of this HMP are those identified through the original project consultation and subsequently updated through the Modification 4 Aboriginal cultural heritage consultation process, as listed in **Section 3** and **Appendix 1**.

The ACHCRs include a four staged approach of Aboriginal consultation with specific timeframes for the various components throughout the process. This process was completed as part of the assessment undertaken by MCH in 2015 (details of full consultation can be found in the 2015 assessment report) and Heritage NSW confirmed that consultation should continue with those RAPs for this HMP. This plan has been developed in consultation with the RAPs in **Table 3**.

Table 3: List of Previous Registered Aboriginal Parties

Aboriginal Party	Contact
Worimi LALC	Jamie Merrick
Nur-Run-Gee Pty Ltd	Lennie Anderson
Mur-Roo-Ma Inc	Anthony Anderson

The RAPs were invited to attend a meeting at WLALC on 16 August 2018 to provide project information to ensure all parties understood the project. Project representatives provided project background, legislative context, environmental and archaeological background (previous assessments) and outlined the HMP process.

MCH representative outlined the archaeological context to date, previously identified site and discussed the HMP. A copy of the draft HMP (V2) was forwarded to all RAPs and Heritage NSW in December 2018 for their review and were asked to provide their comments within 28 days no comments were received and the HMP, with minor amendments by DPHI was approved as V3.

A further Aboriginal cultural heritage consultation process was undertaken as part of the Modification 4 Aboriginal Cultural Heritage Assessment Report (ACHAR), carried out in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) (ARAS 2025). This process established the current RAP groups for the

Modification 4 assessment (**Table 4**) and comprised registration, project scoping, participation in the archaeological survey, review of the assessment findings, and consultation regarding the proposed mitigation and management measures.

Accordingly, the RAP register for this Aboriginal Cultural Heritage Management Plan (ACHMP) has been updated to reflect the Registered Aboriginal Parties established through the Modification 4 consultation process, who will form the ongoing consultation group for its implementation.

A further Aboriginal cultural heritage consultation process was undertaken as part of the Modification 4 Aboriginal Cultural Heritage Assessment Report (ACHAR), carried out in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) (ARAS 2025). This process established the current Registered Aboriginal Party (RAP) group for the Modification 4 assessment (**Table 4**) and comprised registration, project scoping, participation in the archaeological survey, review of the assessment findings, and consultation regarding the proposed mitigation and management measures.

Accordingly, the RAP register for this ACHMP has been updated to reflect the Registered Aboriginal Parties established through the Modification 4 consultation process, who will form the ongoing consultation group for its implementation.

Table 4: Current List of Registered Aboriginal Parties

Aboriginal Party	Contact
Mur-Roo-Ma Inc.	Anthony Anderson
Nur-Run-Gee Pty Ltd	Leonard Anderson OAM
Worimi LALC	Jamie Merrick
Karuah Indigenous Company Pty Ltd	Dave Feeney
Robert Syron	Bob Syron
Candy-Lee Towers	Candy-Lee Towers
Joshua Matthews	Joshua Matthews
Brent Matthews	Brent Matthews
Woka Aborignal Corporation	Steven Johnson
Didge Ngunawal Clan(DNC)	Lillie Carroll; Paul Boyd
Widescope Indigenous Services	Steven hickey
Dr Liz McEntyre	Dr Liz McEntyre

Version (V4) has been provided to the RAPs in 2026, following communication with the RAPs on the proposed changes. The RAPS did not provide a response to the draft final version. Proposed changes to the Potential Keeping Place locations have also been communicated and agreed during onsite meetings with the RAPs. On average since the commencement of the Project, RAPs have been contacted and undertaken site inspections every 3-4 months.

Appendix 1 contains additional information regarding the update of this plan, including a consultation register, evidence of the distribution of this version of the HMP, comments and responses prepared by the suitably qualified and endorsed person Dr Penny McCardle in accordance with Condition 32(a).

3.2 PROTOCOL FOR CONTINUED ABORIGINAL CONSULTATION

Subject to any modifications initiated by the RAPs (listed above), the following protocol (replicated in Section 6.6). will be followed with respect to consultation.

- The Quarry Manager will advise the RAPs of the date of planned commencement of activities within the Project area.
- The Quarry Manager will contact the RAPs every six months to advise of the project's progress, and all consultation will be documented.
- In the event that any possible archaeological sites are identified during construction works, the Quarry Manager will notify a qualified Heritage Consultant and RAPs following the Unexpected Finds Procedure in Section 7.2.1.
- The effectiveness and value of the consultation will be periodically reviewed with the RAPs.
- In the event there is agreement that the approach to consultation needs to change, the changed procedures would be documented in the HMP.

Records of the ongoing consultation is contained in **Appendix 1.**

3.3 CONFIDENTIALITY

All individuals and organisations involved with this management plan will respect that some information shared will be confidential. This may include:

- Commercial information, or
- Sensitive Aboriginal cultural information.

Other than in accordance with a written agreement by the identified individuals/ organisations, no information will be provided to any other persons other than to:

- Enable project works, or
- As required by law.

3.4 INTELLECTUAL PROPERTY RIGHTS

Some works undertaken for this development will contain Aboriginal cultural information. Such materials will be developed between the Quarry Manager and the RAPs and shall be jointly owned so that both parties may reference the material. Any culturally sensitive material or information is not included in public documents may include sacred knowledge. The RAPs will retain copyright to their cultural information.

4. ROLES AND RESPONSIBILITIES

Roles used within this plan are defined below, responsibilities are shown in Section 6 or otherwise defined below.

4.1 KEY CONTACTS

The following contacts are available in the event of a complaint, enquiry, incident or emergency.

Table 5: Key contacts for management of Heritage

Contact	Name	Phone	Email
Quarry Manager	Eliott Laver	0402 648 079	Eliott@newcastlesand.com.au
Heritage Consultant (Aboriginal Heritage)	Dr. Penny McCardle	0412 702 396	Penny@mcheritage.com.au
Heritage Consultant (Historic Heritage)	Paul Rheinberger	0427 70 4432	maximnsw@gmail.com
Heritage NSW – Environment Line to alleged harm / incidents to Aboriginal cultural heritage:		131 555	
Environment and Heritage – Newcastle Office		02 4946 4100	
Heritage NSW		02 9873 8500	
RAPs – See Appendix 1 for list of RAPs list and contact details. Removed for public version.			

4.2 QUARRY OWNER

The Quarry Owner is WSS who operates the quarry under Newcastle Sand. The Quarry Owner is responsible for the development and assignment of a suitably qualified Quarry Manager and to provide sufficient support to the Quarry Manager to undertake the required actions defined in this plan.

4.3 QUARRY MANAGER

The Quarry Manager is the person who manages the Quarry and is responsible for the day-to-day activities on the site. The Quarry Manager reports to the Quarry Owner.

The Quarry Manager must read, understand and implement the practical application of this plan. All activities being undertaken on the quarry site are the responsibility of the Quarry Manager.

The responsibilities of the Quarry Manager are defined by **Section 6**.

4.4 ONSITE PERSONNEL

Onsite personnel constitutes all employees and contractors working on the site. It does not include the drivers of the road registered sand haulage trucks.

Onsite personnel have the following responsibilities, in addition to those outlined in Section 6:

- Undertake the Cultural Heritage Induction prior to starting any works onsite.
- Stop work and immediately notify the Quarry Manager in the event of any unexpected finds or human remains.

4.5 REGISTERED ABORIGINAL PARTIES

The person(s) or organisations, of Aboriginal descent who have registered as holders of traditional knowledge in the Project Areas part of the consultation process undertaken for this HMP. Following consultation with Heritage NSW, the RAPs who registered for the project during the 2015 archaeological assessment (MCH 2017) were to be consulted for this HMP.

The responsibilities of the RAPs, are as follows, in addition to those outlined in Section 6:

- Report to the site office prior to entering the site to ensure they are aware of any site conditions that may have changed, such as safety, and obtain the relevant update of works being undertaken that day.
- Provide advice on Aboriginal cultural heritage issues that may arise during the Project in a timely manner (within 7 days).
- Assist in the identification of cultural heritage sites.
- Participate in the cultural heritage activities in this HMP.
- Assist the Quarry Manager with the implementation of this HMP if required.
- Assist with the Cultural Heritage Induction if required.
- Assist with the recording, salvage (if appropriate), analysis and reporting of any new sites identified within the Project Area in accordance with the relevant legislation, consultation with the Heritage Consultant and this HMP.
- Provide advice and assistance to the Quarry Manager and Heritage Consultant with the review and amendment(s) and/or updating of this HMP as required.

4.6 HERITAGE CONSULTANT

The Heritage Consultant (Historic and/or Aboriginal heritage specialisation) is an individual engaged by the Quarry Manager who possess the appropriate qualifications (minimum Honours in Archaeology) and experience to undertake the heritage assessment, management activities and consultation required for the ongoing management of the provisions of this plan.

The Heritage Consultant must be approved by the Secretary, refer to **Appendix 2**, for regulatory consultation, consistent with Condition 32(a).

The Heritage Consultant has the following responsibilities, in addition to those outlined in Section 6:

- Report to the site office prior to entering the site to ensure he/she are aware of any site conditions that may have changed, such as safety, and obtain the relevant update of works being undertaken that day.
- Assist the Quarry Manager with the implementation of this HMP if required.
- Assist with the Cultural Heritage Induction if required.
- Provide heritage advice to the Quarry Manager and RAPs in accordance with the relevant legislation.
- Undertake the assessment, recording, salvage (if appropriate), analysis and reporting of any new sites identified within the Project Area in accordance with the relevant legislation, consultation with the RAPs and this HMP.
- Provide advice and assistance to the Quarry Manager and RAPs with the review and amendment(s) and/or updating of this HMP as required.
- Liaise with the RAPs as required.
- Update AHIMS as required.

5. EXISTING ENVIRONMENT

The Subject land has been the subject of various past land disturbances including:

- Clearing, fencing and grazing.
- Silica sand extraction (from the two bare sand exposed areas on the site).
- Mineral sand mining, that involved clearing, stripping and stockpiling of topsoil, burning of vegetation, extraction of mineral sands using a dredge down to as much as 2 m below the water table, replacement of sand, redistribution of topsoil and burnt vegetation.
- Construction of various roads and pipelines and filling of areas of the site.

Figure 2 illustrates the areas of known previous disturbance on the site and within the quarry footprint. Sectors 3, 3A, 3B, 4, 4A, 4B, 5, 5A, 6, 6A, 6B, 7, 7A, part of 7B, part of 8A and 8B and part of 9A and 9B (as per **Figure 1**) are considered likely to have been the subject of extensive topsoil stripping and past disturbance. Other areas, while subject to past disturbance have more potential to have intact subsurface heritage.

5.1 HISTORIC HERITAGE

A historic heritage assessment was undertaken by Maxim Archaeology and Heritage Pty Ltd in October 2015 as part of the Environmental Impact Assessment process for the Quarry. A desktop assessment determined that the site area has not been listed on the Local Environmental Plans, the State Heritage Register or Inventory, the National Heritage List, the non-statutory Register of the National Estate Database or the non-official Register of the National Trust (NSW). In addition, a site assessment found no evidence that indicated the site area supports heritage values.

Consultation with members of the community (neighbours) indicated that the foundations of a World War 2 Royal Australian Air Force radar installation may be located within the Site boundary. On-site investigations did not successfully locate the installation. If the installation remains (i.e. was not removed by past silica mining) it is unlikely to present a significant item of historical heritage value due to the removal of the rest of the structure. Notwithstanding, a protocol for the management of historic heritage items are necessary. As of the time of the V4 report there has been no findings within Sectors 1, 1A or 2 of any concrete footings thought to be related to a radar installation. One slab was located in Sector 1A (on edge of silica sand quarry clearing) that appeared to be used for past silica sand extraction with no radar footing related evidence presence.

Subsequent discussions during community meetings with neighbouring landowners suggest the observed remnants of the possible radar installation footings likely relate to the former sand mining activities (spear point settling dams). One such structure has been inspected on the edge southern edge of Sector 8 (immediately south of past silica sand clearing area) and considered to be related to past water treatment and is not radar related.

The location of the general area of the potential radar installation is shown in **Figure 3.**

5.2 KNOWN ABORIGINAL ARCHAEOLOGICAL SITES

Three known Aboriginal archaeological sites have been identified within the Project Area: AHIMS sites 38-4-1381, 38-4-2337 and 38-4-2338.

AHIMS 38-4-1381 was originally recorded within the existing quarry area and was subsequently relocated and reassessed to examine erosion and other impacts. The site was located on the mid-slope of a dune within an exposed area approximately 300 m from an unnamed swamp. Previous assessment identified substantial disturbance associated with historic rutile extraction, with artefacts exposed and no longer in situ. The site was assessed as having low archaeological significance due to the extent of previous disturbance. Community surface collection/salvage has subsequently been undertaken at this site.

Newcastle Sand has implemented Aboriginal cultural heritage monitoring and salvage measures throughout the existing quarry operations. AHIMS site 38-4-1381 was subject to community surface collection on 17 April 2024 by the Heritage Consultant in conjunction with RAP representatives. The site was mapped and artefacts recorded prior to collection, with 115 stone artefacts recovered.

AHIMS 38-4-2338 and AHIMS 38-4-2337 were identified during the Aboriginal cultural heritage assessment undertaken for Modification 4. Both sites comprise isolated stone artefacts within previously disturbed sandy landforms and were assessed as being in poor condition and of low archaeological significance. The Modification 4 heritage assessment recommended community surface collection of these sites prior to disturbance associated with the Western Extension. Following the community collection an ASRIF will be completed.

The locations of the known Aboriginal heritage sites are shown in **Figure 3** and **Figure 4**. Management requirements for these sites, including surface collection, RAP involvement, recording and management of recovered Aboriginal objects, are provided in **Section 6**.

Subsequent RAP inspections of screened material have resulted in further artefact recovery associated with quarry activities. The status of recovered material and associated AHIMS/ASIRF reporting is subject to heritage consultant reconciliation as part of the current HMP review.

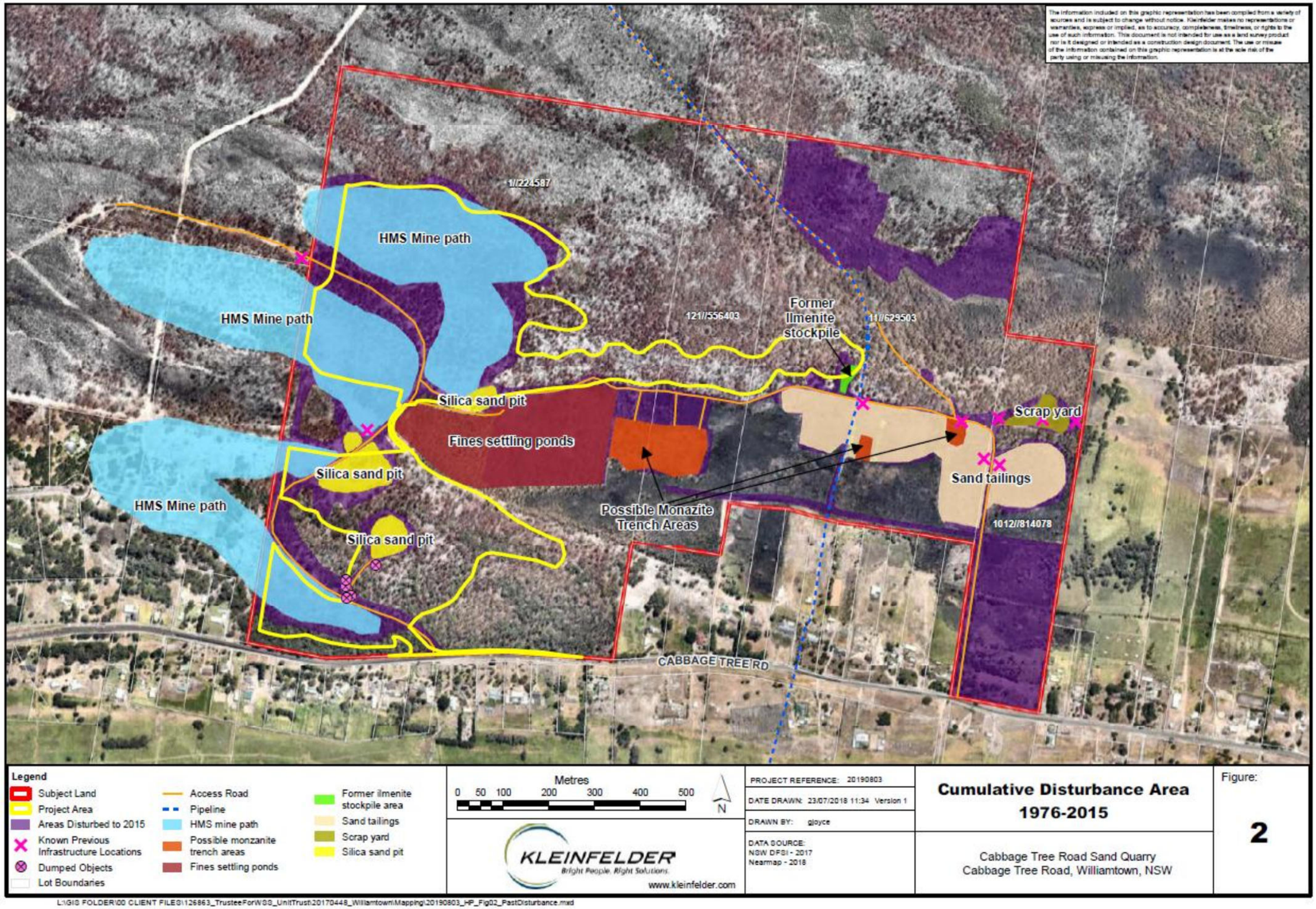


Figure 2: Past disturbance of the subject site

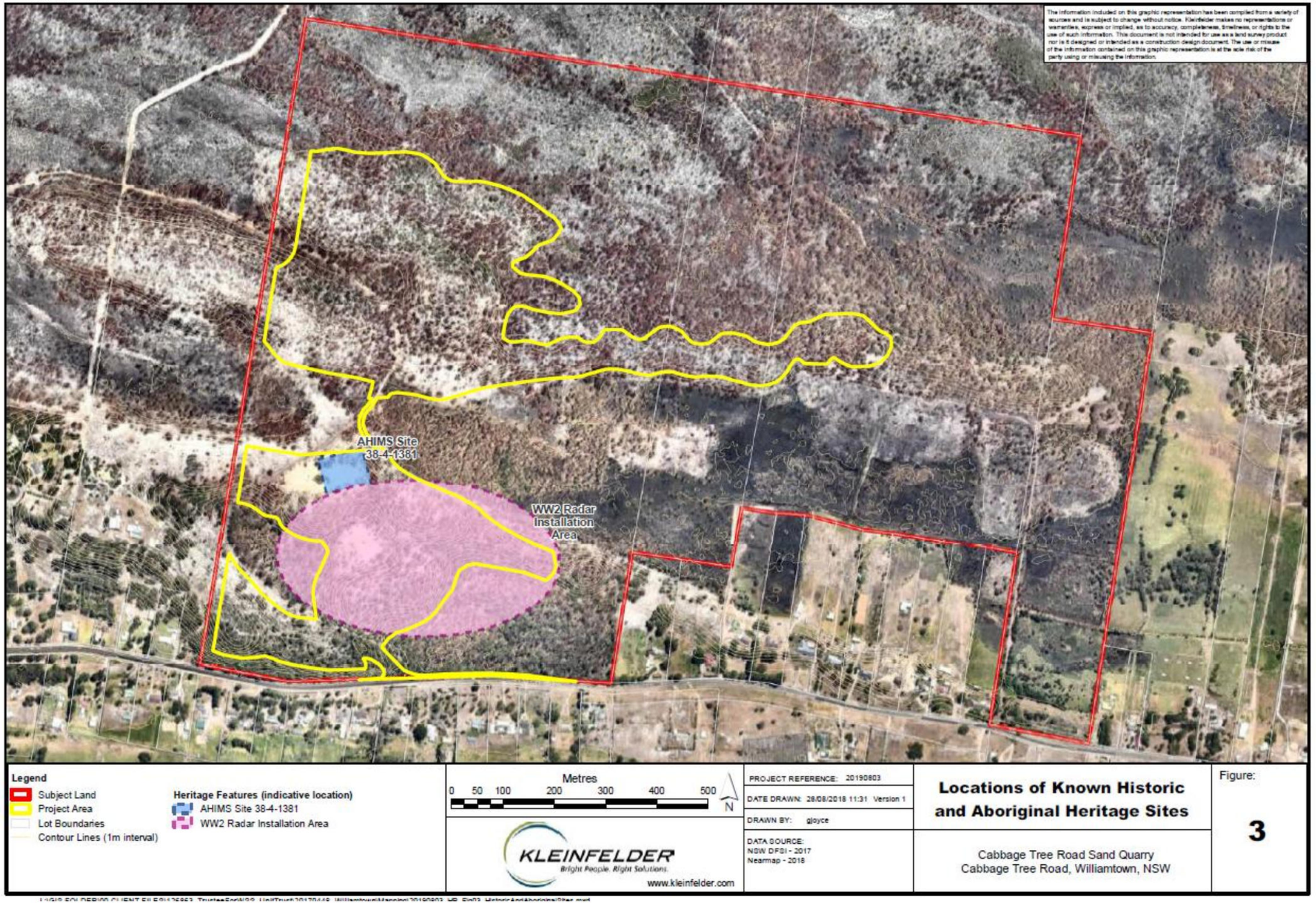


Figure 3: Location of known Historic and Aboriginal Heritage sites

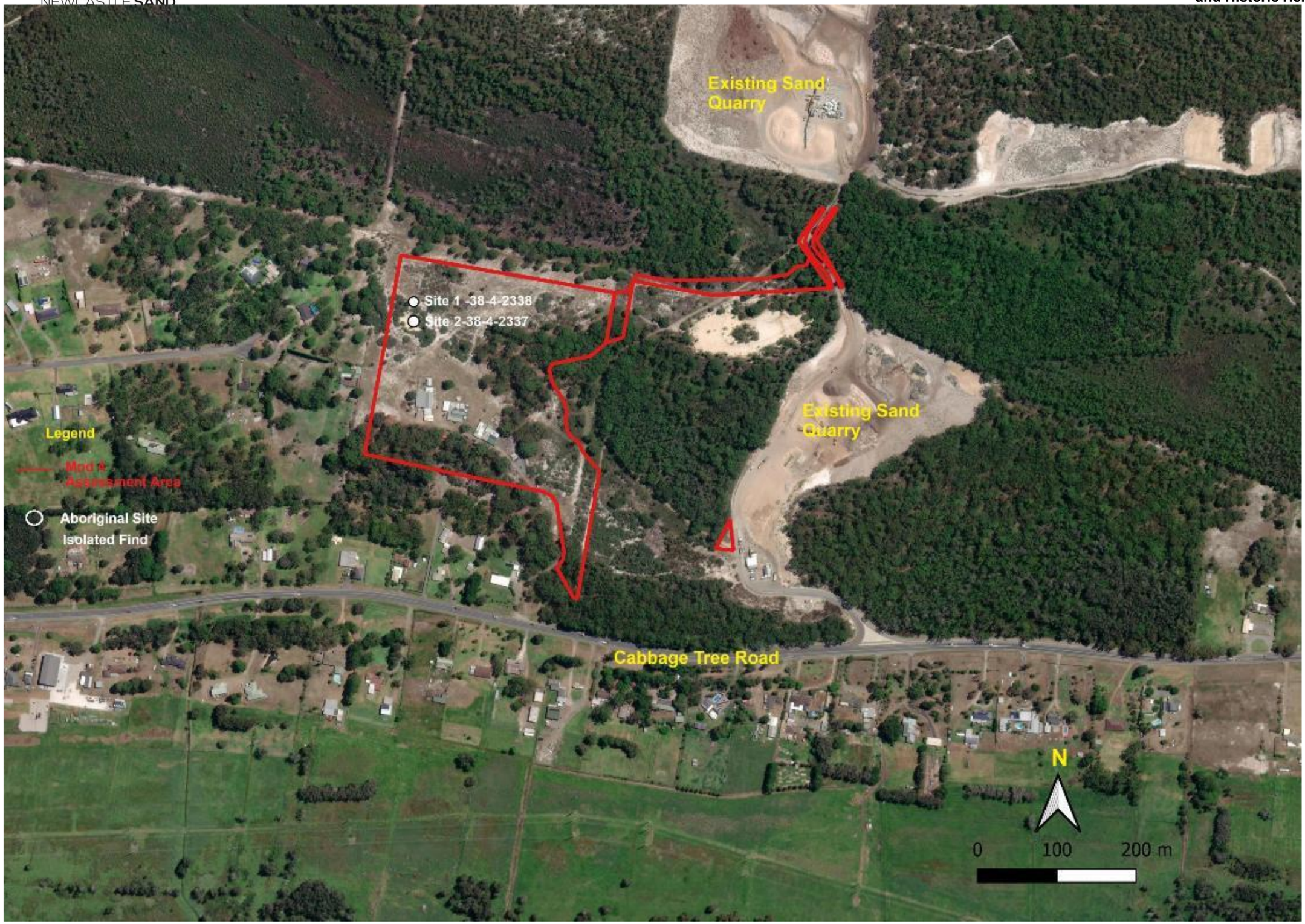


Figure 4: Mod 4 Assessment Area and Additional Sites

6. MANAGEMENT CONTROLS

Table 7, Table 8, and **Table 9** describe the relevant heritage management actions and controls to be implemented for the Project. These controls are based on achieving the Development Consent Management Conditions in **Table 2**.

Table 6: Heritage management metrics

Aspects	• Vegetation clearance. • Topsoil stripping. • Excavations and earthworks.	**Impacts**	• Damage to heritage items. • Loss of representative value and historic significance.
Objectives	• Minimise disturbance to known or unknown heritage items or places. • Salvage all sites found on the site in an approach agreed by Heritage Consultant, RAPs and the Quarry Owner. • Comply with Development Consent conditions.	**Targets**	• Zero fines or notices. • Regular communication with RAPs. • No damage to known heritage items or places.

Table 7: General Heritage Controls

Item	Action	Trigger/Timing	Responsibility	Reporting
A	Ground disturbing activities will not commence until this Heritage Management Plan has been approved by the DPHI and has included consultation with the Registered Aboriginal Parties (RAPs)	Prior to commencement of Construction	Quarry Manager	Approval of this plan by DPHI and in consultation with the RAPs, refer to Appendix 1 & 2.
6.1 INDUCTION				
A	All staff and contractors (excluding drivers of sand haulage trucks) will undergo site induction incorporating Aboriginal cultural awareness and awareness of potential Historic Heritage sites. The induction will include: • The content of this HMP. • NSW and Commonwealth legislative requirements and fines for causing harm to cultural heritage. • Statement explaining what cultural significance is. The induction will: • Be developed and delivered to staff in conjunction with the Quarry Manager initially by the Heritage Consultant and the RAPs. • Be delivered by the Quarry Manager for future site workers. • Attendees will acknowledge understanding and participation of the cultural heritage induction content by signing an attendee sheet.	Ongoing	Quarry Manager	Induction and training register Induction Awareness Signing Sheet
6.2 COMPLIANCE				
A	All complaints will be recorded in the Complaints Register and resolved in line with the project Complaints Procedure within the CEMP. • Complaints are to be directed to the Quarry Manager using the contact details in Section 4.	Ongoing	Quarry Manager	Summary in AR
B	Damage to a known heritage sites is considered a project non-compliance. As per Schedule 5 Condition 10 of SSD 6125, within 7 days of becoming aware of a non-compliance, Newcastle Sand will notify the Department of the non-compliance. The notification must be in will be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development	At all times	Quarry Manager	Summary in AR

Item	Action	Trigger/Timing	Responsibility	Reporting
	application number and name), set out the condition of the consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.			
C	Annual review of compliance with this plan will be undertaken through consideration of the following key indicators: • Consistent communication between with RAPs (i.e. minimum 6 monthly). • Survey of site conducted completed following clearing prior to quarrying of previously unmined areas. • If able to be located, WW2 radar footing archival recording completed prior to disturbance. • No damage to known site prior to Salvage. • Salvage actions completed as recommended. • ASIRF and AHIMS site cards completed and lodged with Heritage NSW at the completion of works.	Annual	Quarry Manager	Summary in AR
D	Three-yearly Independent Environmental Audits as per Schedule 5 Condition 12 of the Development Consent.	Three-yearly	Quarry Manager	Audit Report
6.3 CONTINUOUS IMPROVEMENT				
A	All heritage management controls will be reviewed and if necessary, revised to confirm their applicability on an ongoing basis throughout the life of the Project. Additionally, monthly internal compliance inspections and three yearly independent environmental audits will assess whether continual improvement processes have been implemented.	At all times	Quarry Manager	Summary in AR
B	This HMP will be reviewed in accordance with Schedule 5 Condition 4 following submission of an incident report, Annual Review, Independent Environmental Audit or modification to SSD-6125, and whenever required by the Planning Secretary. Where review identifies that revision is required, the revised HMP will be submitted in accordance with the applicable consent requirements.	Ongoing	Quarry Manager	Reviewing and if required updating this plan

Item	Action	Trigger/Timing	Responsibility	Reporting
6.4 CORRECTIVE ACTIONS				
A	Where monitoring, observations or complaints suggest the project is non-compliant, WSS will undertake the following sequence of investigations and controls: • Review the details of the non-compliance including activities at the time and the nature of the reported damage. • If due to failure of equipment failure to follow operational procedures, undertake corrective actions to prevent recurrence. • If damage is not as a result of failure, review and refine procedures.	Non-compliance	Quarry Manager	Summary in AR

Table 8: Historic Heritage Management Measures

Item	Action	Trigger/Timing	Responsibility	Reporting
6.5 HISTORIC HERITAGE				
A	If able to be located, the footings associated with the former World War II radar station will be subject to photographic archival recording of footings and assessment of its location prior to disturbance by a qualified Heritage Consultant endorsed by the Secretary. Refer to Section 7.1 for protocol.	Prior to disturbance of footings if able to be located – expected within Sector 1A or 2.	Quarry Manager	Radar Station Archival Report
B	Should unexpected heritage items be discovered during the Project and are likely to be disturbed by the Project, all works in the immediate area will cease and a qualified Heritage Consultant or heritage consultant will provide an assessment and, if necessary, then the DPHI and Heritage NSW where applicable, will be notified.	On disturbance of unexpected heritage item.	Quarry Manager	Summary in AR Reported to DPHI

Table 9: Aboriginal Heritage Management Measures

Item	Action	Trigger/Timing	Responsibility	Reporting
6.6 CONSULTATION				
A	Subject to modification initiated by the RAPs, the following protocol will be followed with respect to consultation: • Contact the RAPs (Table 4 Section 3) every six months to advise of the project's progress and all consultation will be documented and periodically included in **Appendix 1** (unless of a sensitive nature). • In the event that any possible archaeological sites are identified during construction works, the Quarry Manager will notify a qualified Heritage Consultant and RAPs following the Unexpected Finds Procedure in Section 7.2.1. • The effectiveness and value of the consultation will be periodically reviewed with the RAPs. In the event there is agreement that the approach to consultation needs to change, the changed procedures would be documented in the HMP.	• Every six months. • New Site. • Salvage of Artefacts. • Substantial amendment to this plan.	Quarry Manager	Record of consultation with RAPs

Item	Action	Trigger/Timing	Responsibility	Reporting
6.7	**MONITORING**			
A	**OPERATIONAL MONITORING (Condition 32 (c)(iii) and (iv))** Aboriginal cultural heritage monitoring will be undertaken throughout quarry operations using both the measures below. Monitoring focuses on opportunities to identify Aboriginal objects during vegetation clearing, extraction and screening activities, while maintaining ongoing involvement of the RAPs. 1. VEGETATION CLEARING Vegetation clearing monitoring will continue with the RAPs in accordance with Condition 32(c)(iii), including before and following vegetation clearing of extraction areas. Previous monitoring has identified that dense vegetation cover, sandy soils and historical disturbance can limit the opportunity to identify Aboriginal objects prior to disturbance. Accordingly, monitoring will focus on stages of works where ground visibility and the potential to identify Aboriginal objects is greatest.: • Topsoil is retained and re-spread over the rehabilitated areas and remains onsite; • Sand is screened to 3mm with screened material remaining onsite; and • The majority of the extraction area is planned for future conservation. 2. SCREENED OVERSIZE MATERIAL The following process will provide a more streamlined approach for monitoring of unidentified items of heritage value: • One week prior to proposed clearing, the Quarry Manager will advise the RAPs. RAPs will be provided with the opportunity to inspect the area where they consider an inspection appropriate. • Screened material is placed in accessible areas (e.g. rehabilitated areas or batter slopes) and available to inspect by RAPs on a 2-3 monthly basis, or at another frequency agreed through consultation by the RAPs. • Any potential sites that are observed by operators will be cordoned off and the RAPs requested to inspect. Where an Aboriginal object or site is identified, works in the immediate vicinity will cease and the Unexpected Aboriginal Objects Finds Procedure in **Figure 6** will be implemented. Where an item or site of potentially high scientific or cultural significance is identified, its significance and appropriate management measures will be determined by the Heritage Consultant in consultation with the RAPs, Newcastle Sand and relevant regulatory authorities prior to works	Quarry Manager to advise RAPs prior to clearing. RAPs to inspect screened material where possible.	Quarry Manager / RAPs	See below.

Item	Action	Trigger/Timing	Responsibility	Reporting
	recommencing.			
B	The RAPs or Heritage Consultant or appropriately qualified RAPs will be provided access to screened oversized material from the sand processing plant for inspection and salvage with screened material spread over accessible areas (e.g. rehabilitated areas or batter slopes). The following information is to be recorded by the RAPs and provided to the Quarry Manager: • Sector where the sand has been quarried that generated the artefacts (as provided by the Quarry Manager). • A tally of the artefact type and material type collected.	Two-three months or as agreed by RAPs and Quarry Manager.	Quarry Manager	Tally of results summarised in AR Aboriginal Site Impact Recording Form (ASIRF) Lodge ASIRF with AHIMS
6.8 CONTINGENCY PROTOCOL				
A	In the event new Aboriginal sites or objects are discovered (outside of above RAP site monitoring) follow protocols in **Section 7**, also refer to **Appendix 3** for the Unexpected Finds Investigation Methods.	Unexpected Aboriginal Objects or Human Remains / Unidentifiable bone.	Quarry Manager	Aboriginal Site Impact Recording Form (ASIRF) Lodge ASIRF with AHIMS Report in AR
6.9 SALVAGE				
A	No previously unidentified site uncovered during works or AHIMS site #38-4- 1381 will be impacted without site identification and recording and the appropriate salvage undertaken, followed by the completion of the required Aboriginal Site Impact Recording Form (ASIRF) by the Heritage Consultant in consultation with the RAPs. The Quarry Manager is to implement all reasonable salvage measures recommended in accordance with Heritage NSW regulations and the NSW NPW Act.	At all times	Quarry Manager All Site Personnel RAPs Heritage Consultant	As below.

Item	Action	Trigger/Timing	Responsibility	Reporting
B	**AHIMS site #38-4-1381** Salvage by Community surface collection of AHIMS site #38-4-1381. Survey of the site identified one site (AHIMS site #38-4-1381) that was determined to have been previously disturbed by past sand extraction activities. Salvage of this site has been undertaken by the Heritage Consultant in conjunction with the RAPs. The Heritage consultant will complete an ASIRF and lodge the form with an updated AHIMS to Heritage NSW. The ASIRF requires the following documentation (as may be amended by Heritage NSW): • Location. • Site information. • Site condition. • Site map. • Methodology and results of salvage activity. • Any management recommendations relating to the site, if left partially insitu. • Post investigation significance. • Site photographs.	Prior to disturbance *(now completed)*	Quarry Manager to engage Heritage Consultant and RAPs	Aboriginal Site Impact Recording Form (ASIRF) Lodge ASIRF with AHIMS Report in AR
C	**Prior to disturbance of AHIMS 38-4-2337 or AHIMS 38-4-2338** Community surface collection will be undertaken by the Heritage Consultant in consultation with and involving the RAPs. The location of each recovered Aboriginal object will be recorded by GPS, and each object will be individually bagged, labelled and catalogued. Relevant artefact attributes and collection information will be recorded in accordance with current Heritage NSW/AHIMS requirements. Following completion of the community collection, the Heritage Consultant will complete the required AHIMS/site impact documentation and provide written confirmation to Newcastle Sand that the applicable heritage requirements have been completed. No ground disturbance within the relevant site area may occur prior to this confirmation.	Prior to ground disturbance commences	Quarry Manager to engage Heritage Consultant and RAPs	Aboriginal Site Impact Recording Form (ASIRF) Lodge ASIRF with AHIMS

Item	Action	Trigger/Timing	Responsibility	Reporting

C	**Unknown Sites**
	As per the Contingency Protocol, works near newly found, previously unknown sites will be cordoned off by the Quarry Manager for consideration by the Heritage Consultant. The Heritage Consultant will inspect the site and if a confirmed Archaeological site will contact the RAPs. If the site consists of Human Remains refer to **Section 7.2.2**.
	The Heritage Consultant will prepare an AHIMS site card for each site.
	In consultation with the RAPs, the Heritage Consultant will determine and undertake the most appropriate salvage methodology. Salvage methodology (of non-skeletal remains) is expected to be generally managed as follows, subject to refinement based on the specifics of each site:
	• Previously undisturbed complex sites of moderate to very High Significance (such as shell middens, knapping floors, hearths etc) will include salvage excavations including the following:
	  ○ Excavation methodology will be designed to DCCEEW guidelines.
	  ○ Division of site into one square metre units in 100mm splits, or an appropriate depth, until a sterile layer is reached.
	  ○ Sieving through 5mm mesh.
	  ○ Characteristics of artefacts located (both surface and sub-surface material) will be individually recorded. This will include artefact type, raw material, dimensions and diagnostic features (e.g. cortex, platform, termination, edge wear, backing etc).
	• Previously undisturbed sites of lower significance (such as isolated finds) will be salvaged through surface collection including:
	  ○ Record location by GPS.
	  ○ Collection of artefacts.
	• Sites found within areas subject to previous surface mining are expected to have been significantly modified and will be salvaged through surface collection including:
	  ○ Record location by GPS.
	  ○ Collection of artefacts.
	All sites impacted by the quarry will require the preparation of an ASIRF as noted within **Section 8.1** above.
		On identification	Quarry Manager to engage Heritage Consultant and RAPs	Aboriginal Site Impact Recording Form (ASIRF)
				Lodge ASIRF with AHIMS
				Report in AR

Item	Action	Trigger/Timing	Responsibility	Reporting
6.10 STORAGE				
A	Temporary Storage Temporary storage of Aboriginal heritage items that are salvaged on the site will be undertaken as follows: • Site office in a secure locked cabinet in Quarry Managers Office; OR • At Worimi Local Aboriginal Land Council (WLALC) • Stored location to be noted on inspection paperwork.	At all times, where Quarry Operator is the custodian of artefacts.	Quarry Manager	Chain of Custody Form to be completed by RAPs and Quarry Manager at the completion of each salvage.
B	Permanent Storage The repatriation of all Aboriginal objects to a permanent keeping place within the Project Area has been identified. Two locations (**Figure 5**) have been selected as ideal, and the RAPs will decide the final location of the keeping place that will be protected in perpetuity. Adjoining lands will be protected in perpetuity by a Biodiversity Stewardship Agreement. The reburial location will be documented as a new AHIMS site recording and submitted to AHIMS for registration. The re-burial will be undertaken in accordance with Worimi cultural protocols and tradition and documented in an AHIMS site card that will include a photographic record, field notes and GPS location that will be submitted to Heritage NSW. A culturally appropriate depositional container selected by the RAPs will be used for reburial and may include traditional bark containers for wrapping Aboriginal objects.	Prior to completion of the Quarry, and prior to any transfer of artefacts from Temporary Storage.	Heritage Consultant and RAPs	*Transfer of Aboriginal Objects for Safekeeping agreement.* AHIMS Card



Figure 5: Cabbage Tree Road Quarry indicative keeping place areas (Wedgetail, 2024) - Figure redacted for confidentiality

7. CONTINGENCY PROTOCOLS

7.1 HISTORIC HERITAGE

In the event footings and/or other physical evidence are discovered of a World War II radar station the following protocol will be undertaken:

- Using a qualified Heritage Consultant or heritage specialist endorsed by the Secretary, an assessment of the significance of the item in conjunction with a photographic archival recording of the item and/or other evidence relevant to its use.
- Preparation of a report documenting these findings will be prepared and submitted within six months of the identification of the find for the information of DPHI, the Heritage Council of NSW and the relevant local historical society.

Should unexpected heritage items be discovered during quarry operations and are likely to be disturbed all works in the immediate area will cease and a heritage consultant will provide an assessment and, if necessary, the DPHI and Heritage NSW will be notified.

Pursuant to Condition 31 of the Development Consent, Paul Rheinberger of Maxim Multicon has been endorsed by The Secretary for NSW DPHI to undertake the archival recording (refer to **Appendix 2**). In the event Paul Rheinberger is unable to undertake the recording a suitable replacement will be identified to be endorsed by the Secretary.

7.2 ABORIGINAL HERITAGE

Refer to **Appendix 3** for the investigation methodology.

7.2.1 Unexpected Aboriginal Objects

If any unexpected Aboriginal item or object is identified or uncovered during any stage of the development, **Figure 6** illustrates the protocol.

- A minimum 10 metre exclusion area must be established around the suspected item or object and the Quarry Manager notified.
- Where the Heritage Consultant and RAPs determine that the find is an Aboriginal item or object of heritage significance, the Quarry Manager must immediately notify the Department in accordance with Condition 33 of SSD-6125.
- The find will be assessed by the Heritage Consultant in consultation with the RAPs, and any required recording, salvage, AHIMS reporting or other statutory requirements will be completed.
- Work within the exclusion area must not recommence until the item or object has been managed in accordance with Part 6 of the National Parks and Wildlife Act 1974 and any applicable requirements or advice of the Department or Heritage NSW.

Unexpected Aboriginal objects may include, but not limited to, isolated artefacts, artefact scatters, scarred trees and hearths (descriptions of such objects are provided in Appendix B).

Work must stop immediately in that location, the objects cordoned off with at least a 10m perimeter surrounding the object(s) with high visibility fencing/barrier and the Quarry Manager notified immediately. The Quarry Manager will then contact the Heritage Consultant, who will engage with the RAPs, who in consultation with each other, will assess the object(s) and recommend appropriate salvage methods as per **Section 6.9**.

Provided these heritage unexpected finds protocols have been followed, works in that location may proceed.

If an item or object of Aboriginal heritage significance is identified and confirmed on site, Newcastle Sand are required to contact the Department immediately.



Figure 6: Unexpected finds protocol flow chart

7.2.2 Discovery Of Human Remains

Human skeletal remains are of the highest significance and importance to Aboriginal people, and all care, respect and dignity will be extended by all parties should human remains be uncovered.

If human remains or unidentified bone are uncovered during any stage of the development and maintenance activities, the appropriate State legislation will be followed. All human remains fall under the *Coroners Act 2009* in the first instance. If they are identified as Aboriginal and younger than 100 years old, they will fall under the NSW *National Parks and Wildlife Act 1974* (as amended). **Figure 7** outlines the required protocols should human remains be uncovered.

Should any human remains or unidentifiable bone be found, work is to stop in that area immediately and an area of 10 m cordoned off surrounding the remains/bone in high visibility fencing. The Quarry Manager is to be notified immediately.

The Quarry Manager will contact the heritage consultant and local NSW Police immediately, who will then contact the NSW Forensic Services who will determine if they are:

- Human.
- Aboriginal or non-Aboriginal.
- If Aboriginal, determine antiquity (older or younger than 100 years).

If it is determined the remains are Aboriginal and older than 100 years old, the Police will notify the Quarry Manager who must contact Heritage NSW immediately and a Heritage NSW officer will confirm the identification in writing. Heritage NSW, in consultation with the RAPs and the heritage consultant will develop a human remains management strategy and the Quarry Manager is to ensure this strategy is implemented. The Quarry Manager must also document the human remains management strategy and the heritage consultant will provide a letter of clearance prior to any works recommencing at that location.

If the remains are determined to be a Police matter, Police instructions will be followed and clearance to recommence works should be sought from the Police.

Provided the human skeletal protocols have been followed and documented, and a clearance letter from the heritage consultant or Police has been obtained, construction/maintenance works may proceed in that location.

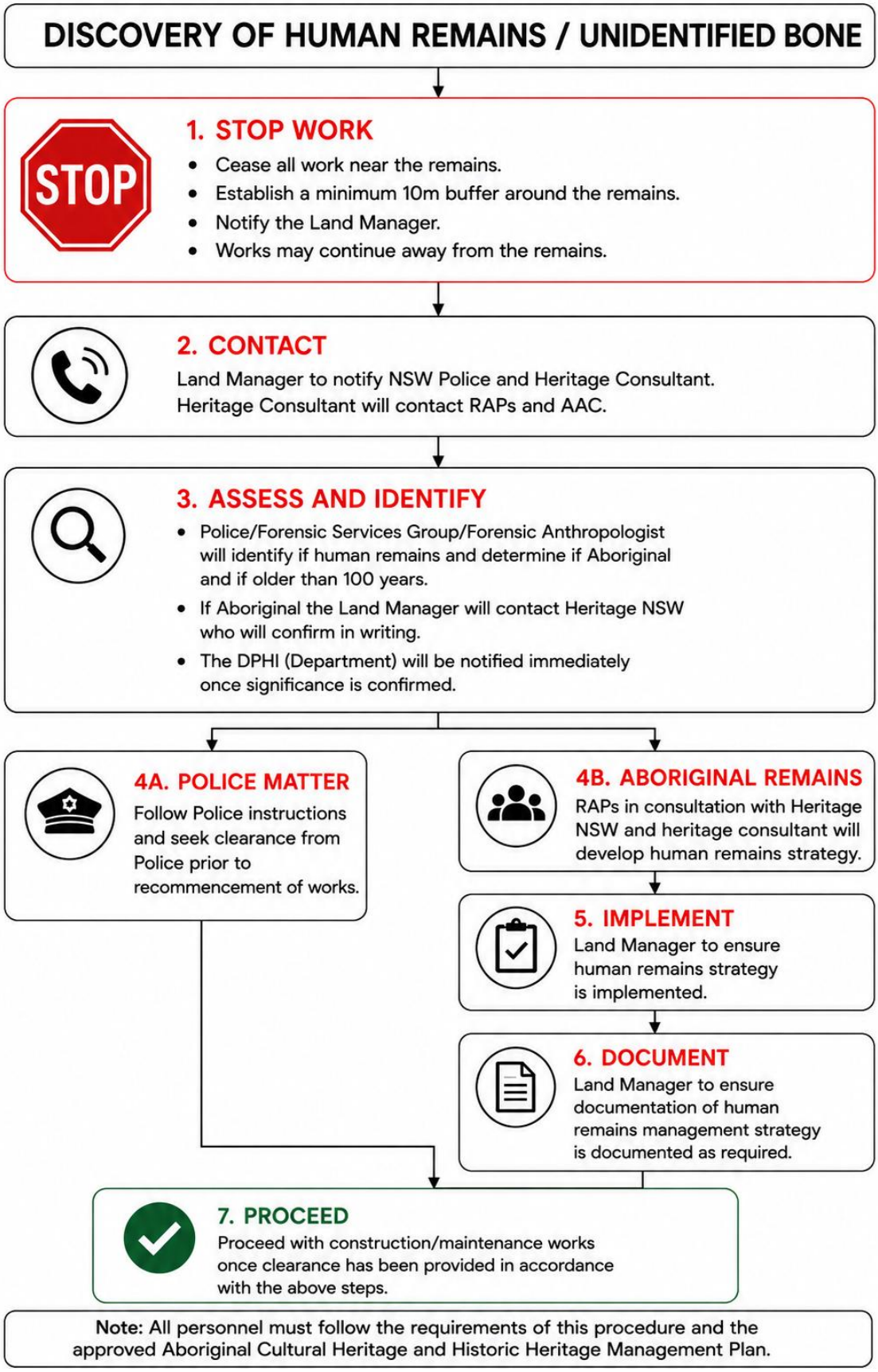


Figure 7: **Human remains protocol flow chart (Land Manager is Quarry Manager)**

7.3 DISPUTE RESOLUTION

In event of unresolved dispute between Stakeholders and Newcastle Sand, Newcastle Sand will commission a suitably qualified, experienced and independent person, whose appointment is acceptable to both parties to investigate and seek resolution between parties. In the event of dispute on the selection of a suitable person the matter will be referred to the Secretary of NSW Planning for resolution.

8. REPORTING

Table 10 provides a summary of the key reporting required in the implementation of this plan.

Table 10: Reporting Requirements

Item	Report	Trigger	Responsibility	Reporting Authority
A	Radar Station Archival Report	Prior to disturbance of WWII footings – expected within Sector 1A or 2	Quarry Manager	DPHI
B	Unexpected Historic Heritage Item Report	On disturbance of unexpected historic heritage item.	Quarry Manager	DPHI
C	Unexpected Aboriginal Item(s) or Object(s)	On identification of significant item or object of Aboriginal heritage significance at site	Heritage Consultant and RAPs	Heritage NSW and DPHI
		On disturbance of significant Aboriginal object(s)	Heritage Consultant and RAPs	Heritage NSW
D	Unexpected skeletal remains	On disturbance of human skeletal remains	If determined non Aboriginal or Aboriginal and less than 100 years old: NSW Police, NSW Coroner. If determined Ancient Aboriginal: Heritage consultant and RAPs	NSW Police and Coroner OR Heritage NSW
E	Aboriginal Site Impact Recording Form (ASIRF)	Following salvage of Aboriginal Object (including inspection of sieved materials and works) other than Skeletal Remains.	Heritage Consultant and RAPs	Heritage NSW
F	Aboriginal Heritage Information Management System (AHIMS) site card.	When a new site is identified	Heritage Consultant and RAPs	Heritage NSW
H	Aboriginal Heritage Monitoring Results	Following Aboriginal heritage monitoring event	Quarry Manager	RAPs
I	Non-Compliance Notification	Following identification of a heritage non- compliance	Quarry Manager	DPHI
J	Three-yearly Independent Environmental Audits	Following three-yearly independent audit	Quarry Manager	DPHI

Item	Report	Trigger	Responsibility	Reporting Authority
I	Annual Review AR to include: • Summary of all heritage monitoring results and management actions undertaken in the 12-month period; • Summary of any heritage non-compliances recorded in the 12- month period; • Summary of any heritage-related complaints recorded in the 12- month period; • Summary of corrective actions and improvements to reduce impacts to heritage. AR will be uploaded to Project website within two weeks of report being issued.	Annually at time agreed with DPHI	Quarry Manager	DPHI

APPENDIX 1: STAKEHOLDER CONSULTATION

Table 11: Contact details of Registered Aboriginal Parties [PHONE AND EMAIL DELETED FOR WEBSITE VERSION]

Aboriginal Party	Contact	Phone or Address	Email	Consultation	Response
Worimi LALC	[redacted]			Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Nur-Run-Gee Pty Ltd	[redacted]			Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Mur-Roo-Ma Inc	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Robert Syron	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Candy-Lee Towers	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Widescope Indigenous Services	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Didge Ngunawal Clan(DNC)	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Karuah Indigenous Company Pty Ltd	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Joshua Matthews	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Brent Matthews	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Woka Aborignal Corporation	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.
Dr Liz McEntyre	[redacted]	[redacted]	[redacted]	Version 4 of this plan has been provided on 3 September 2026	No response received after the consultation period.

[redacted]

Deara all,

RE: Newcastle Sand Mod 4 ACHMP

MCH have been engaged to finalise the Newcastle Sand Mod 4 Aboriginal Cultural Heritage Management Plan (ACHMP). This follows on from the earlier work undertaken by ARAS Pty Ltd, including the fieldwork, consultation and reporting already completed, and the management of the heritage identified through that process, which we understand has your agreement.

Please find enclosed the draft ACHMP, prepared to reflect and carry forward that agreed approach to managing the site's cultural heritage. We'd welcome the opportunity for you to review the draft and let us know if there's anything you'd like to raise or discuss further. We'd appreciate receiving any comments by close of 7th October 2026, but please don't hesitate to reach out sooner if that's easier, or if you'd simply prefer to talk it through.

All communications including phone calls, faxes, letters and emails must be included in the report's consultation component. Please ensure any items you or your group deem confidential are identified to ensure confidentiality is maintained. Failure to disclose that information is confidential may result in its inclusion in the report.

Please note that in order to adhere to time constraints, the absence of a response by the requested timeline, will be taken by the proponent as your indication that your organisation has no comments.

Kind regards,

Dr. Penny McCardle
Principal & Forensic Archaeologist
Forensic Anthropologist

Working days: Monday - Thursday, 9am - 5pm
NSW Police & Forensic Medicine: Available any time

M
McCARDLE
CULTURAL HERITAGE

PO Box 166,
Adamstown 2289 NSW
P: 0412 702 396
mcheritage.com.au

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McCARDLE
CULTURAL HERITAGE

PO Box 166
Adamstown 2289 NSW
mcheritage@iprimus.com.au
P: 0412 702 396

mcheritage.com.au

25 July 2018

Anthony Anderson
[redacted]

Dear Anthony,

RE: Williamtown Sand Extraction re-Start: Heritage Management Plan and project meeting

MCH have been engaged by Kleindfelder to re-start the cultural heritage component of the Williamtown Sand Extraction project and develop a Cultural Heritage Management Plan for the project.

The proponent, Williamtown Sane Syndicate, Kleindfelder and MCH would like to invite you to a project meeting at Worimi LALC on 16th August 2018 at 10am.

The meeting will outline and update the project, provide a summary of the indigenous archaeological assessment (MCH 2015), a summary of the Historic archaeological findings, discussion of the draft Aboriginal Cultural Heritage and Historic Management Plan (ACHHMP) and future works.

Please find enclosed a copy of the MCH 2015 assessment and the DRAFT ACHHMP for your review prior to the project meeting.

Should you have nay questions please feel free to contact me on 0412 702 396.

Yours sincerely,

for McCardle Cultural Heritage Pty Ltd

Penny McCardle
Principal Archaeologist
Forensic Anthropologist

McCARDLE
CULTURAL HERITAGE

PO Box 166
Adamstown 2289 NSW
mcheritage@iprimus.com.au
P: 0412 702 396

mcheritage.com.au

25 July 2018

Lennie Anderson

[redacted]

Dear Lennie,

RE: Williamtown Sand Extraction re-Start: Heritage Management Plan and project meeting

MCH have been engaged by Kleindfelder to re-start the cultural heritage component of the Williamtown Sand Extraction project and develop a Cultural Heritage Management Plan for the project.

The proponent, Williamtown Sane Syndicate, Kleindfelder and MCH would like to invite you to a project meeting at Worimi LALC on 16th August 2018 at 10am.

The meeting will outline and update the project, provide a summary of the indigenous archaeological assessment (MCH 2015), a summary of the Historic archaeological findings, discussion of the draft Aboriginal Cultural Heritage and Historic Management Plan (ACHHMP) and future works.

Please find enclosed a copy of the MCH 2015 assessment and the DRAFT ACHHMP for your review prior to the project meeting.

Should you have nay questions please feel free to contact me on 0412 702 396.

Yours sincerely,

for McCardle Cultural Heritage Pty Ltd

Penny McCardle
Principal Archaeologist
Forensic Anthropologist

McCARDLE
CULTURAL HERITAGE

PO Box 166
Adamstown 2289 NSW
mcheritage@iprimus.com.au
P: 0412 702 396

mcheritage.com.au

25 July 2018

Jackie Henderson

[redacted]

Dear Jackie,

RE: Williamtown Sand Extraction re-Start: Heritage Management Plan and project meeting

MCH have been engaged by Kleindfelder to re-start the cultural heritage component of the Williamtown Sand Extraction project and develop a Cultural Heritage Management Plan for the project.

The proponent, Williamtown Sand Syndicate, Kleindfelder and MCH would like to invite you to a project meeting at Worimi LALC on 16th August 2018 at 10am.

The meeting will outline and update the project, provide a summary of the indigenous archaeological assessment (MCH 2015), a summary of the Historic archaeological findings, discussion of the draft Aboriginal Cultural Heritage and Historic Management Plan (ACHHMP) and future works.

Please find enclosed a copy of the MCH 2015 assessment and the DRAFT ACHHMP for your review prior to the project meeting.

Should you have nay questions please feel free to contact me on 0412 702 396.

Yours sincerely,

for McCardle Cultural Heritage Pty Ltd

Penny McCardle
Principal Archaeologist
Forensic Anthropologist

Penny McCardle

From: [redacted]
Sent:
To:
Subject:
Attachments:

Hi Anthony,

Please see the attached letter and documents can be found at:

https://www.dropbox.com/sh/c8hssls301v0thv/AACPp_15Ksh3Sp6FERzy8IQla?dl=0

Kind regards,

Penny McCardle
Archaeologist & Forensic Anthropologist

McCARDLE
CULTURAL HERITAGE

PO Box 166,
Adamstown 2289 NSW
P: 0412 702 396
mcheritage.com.au

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Penny McCardle

From: [redacted]
Sent:
To:
Subject:
Attachments:

Hi Lennie,

Please see the attached letter and documents can be found at:

https://www.dropbox.com/sh/c8hssls301v0thv/AACPp_15Ksh3Sp6FERzy8IQla?dl=0

Kind regards,

Penny McCardle
Archaeologist & Forensic Anthropologist

M
McCARDLE
CULTURAL HERITAGE

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Penny McCardle

From: [redacted]
Sent:
To:
Subject:
Attachments:

Hi Jamie,

Please see the attached letter and documents can be found at:

https://www.dropbox.com/sh/c8hssls301v0thv/AACPp_15Ksh3Sp6FERzy8IQla?dl=0

Kind regards,

Penny McCardle
Archaeologist & Forensic Anthropologist

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Penny McCardle

From: [redacted]
Sent:
To:
Subject:

Hi Penny,

Thank You, I've read the Report and Find it Quite accurate and Culturally sound in the Recommendations. As a RAP Member it is pleasing to see our thoughts and wishes being treated with Respect.

Lennie Anderson OAM Nur-

Run-Gee Pty Ltd (Director)

------ Original Message ------
From: "Penny McCardle" <mcheritage@iprimus.com.au>
To: "'lennie.anderson011 lennie.anderson011'" <lennie.anderson011@bigpond.com>
Sent: Thursday, 26 Jul, 2018 At 2:13 PM
Subject: RE: Williamtown Sand Extraction

Kind regards,

Penny McCardle

Archaeologist & Forensic Anthropologist



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Penny McCardle

Meeting Sign In Form

Project: Williamtown Sand

Facilitator:

Place/Room: WLALC

Date:

Time: 16-8-18

McCARDLE
CULTURAL HERITAGE

Name	Company	Phone	Fax	E-mial
Penny McArdle	MCH	[redacted]		
JONATHAN BERRY	KLEINFELDER			
LENNIE ANDERSON	NUR-RUM-GEE Boards			
JAMIE MERRICK	WORIMI LALC			
ANTHONY AMBLER	MUNDOMAI INC			
Rebecca Young	Murroona Inc			

Penny McCardle

From: [redacted]
Sent:
To:
Subject:
Attachments:

HI all,

Apologies for this getting to you so late, the client just finalised this yesterday.

Please find the final HMP for the above named project.

Hope you all have a great Christmas and New Year, keep safe and see you in 2019.

Kind regards,

Penny McCardle
Archaeologist & Forensic Anthropologist

M
McCARDLE
CULTURAL HERITAGE

PO Box 166,
Adamstown 2289 NSW
P: 0412 702 396
mcheritage.com.au

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APPENDIX 2: REGULATOR CONSULTATION

Table 11: Summary of agency correspondence and issue resolution

Date	Correspondence	Response
5 June 2019	The previous preparation, submission and approval of this plan (V3) can be found in correspondence letters below, as required by the SSD. No ground disturbing activities commenced prior to the HMP being approved and implemented as per Condition 32.	See letters below on the preparation, submission and approval of the HMP (V3).
14 October 2026	This version (V4) of the HMP has been submitted to the registered RAPs groups for comment and submitted to the Planning Secretary for approval.	No comments from the RAP's received.

From: Nicole Davis
To: Jonathan Berry; Penny McCardle
Subject: Fwd: ACHMP
Date: Thursday, 6 June 2019 5:04:53 PM
Attachments: image001.png

External Email.

Email as requested.

Cheers Nicole

Sent from my iPhone

Begin forwarded message:

> **From:** Nicole Davis <Nicole.Davis@environment.nsw.gov.au>
>
> **Date: 6 June 2019 at 12:59:08 pm AEST**
> **To:** 'Penny McCardle' <mcheritage@iprimus.com.au>
> **Subject: FW: ACHMP**
>
> **From:** Steven Cox
> **Sent:** Tuesday, 6 March 2018 5:49 PM
> **To:** 'Penny McCardle' <mcheritage@iprimus.com.au>
> **Cc:** Nicole Davis <Nicole.Davis@environment.nsw.gov.au>
> **Subject:** RE: ACHMP
>
> Hi Penny,
>
> In this case, the preparation of the ACHMP should be undertaken with the previously registered RAPs – no need to seek an updated list of RAPs.
>
> Regards
> Steven
>
> **Steven Cox**
> Senior Team Leader Planning
> Hunter Central Coast Branch
> Regional Operations Division
> **Office of Environment & Heritage**
>
> Level 4/26 Honeysuckle Drive Newcastle NSW 2300
> Locked Bag 1002 Dangar NSW 2309
> **T** 02 4927 3140
> **M** 0472 800 088
>
> ---
>
> **From:** Penny McCardle [mailto:mcheritage@iprimus.com.au]
> **Sent:** Monday, 5 March 2018 4:05 PM
> **To:** Nicole Davis
> **Subject:** ACHMP

Importance: High

HI Nicole,

Our client working on the Williamtown Sand Extraction project have received the development conditions part of which is an ACHMP. We completed the archaeological works about 2 years ago. Do we have to re do consultation for the management plan or can we just consult with the previously registered RAPs?

Kind regards,

Penny McCardle
Archaeologist & Forensic Anthropologist

M
McCARDLE
CULTURAL HERITAGE

PO Box 166,
Adamstown 2289 NSW
P: 0412 702 396
mcheritage.com.au

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If you are not the intended recipient, please notify the sender and then delete it immediately.

Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the NSW Office of Environment and Heritage.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

Planning Services
Resource Assessments
Contact: Colin Phillips
Telephone: 9274 6483
Email: colin.phillips@planning.nsw.gov.au

Mr Jonathan Berry
Senior Advisor
Kleinfelder Australia Pty Ltd
95 Mitchell Road
CARDIFF NSW 2285

Dear Mr Berry

Cabbage Tree Road Sand Quarry (SSD 6125)
Approval of Heritage Management Plan

I refer to your recent submission of a revised draft management plan for the Cabbage Tree Road Sand Quarry.

The Secretary has approved the most recently submitted version of the Aboriginal Cultural Heritage and Historic Heritage Management Plan required by conditions 31, 32 and 33 of Schedule 3.

Please contact Colin Phillips on the details above if you have any questions.

Yours sincerely

Howard Reed 17.6.19
Howard Reed
Director
Resource Assessments
As nominee of the Secretary

APPENDIX 3: UNEXPECTED FINDS HERITAGE INVESTIGATION METHODOLOGIES

Verification and management of all Aboriginal objects (sites)

All potential Aboriginal sites will be verified by the Heritage Consultant and representatives from the RAPs.

The purpose of the verification process is to determine whether or not the objects in question are in fact Aboriginal objects to ensure appropriate management measures be implemented.

The verification process will include the following provisions:

1. One representative from each RAP may assess the Aboriginal object (site) for its cultural status and must provide evidence and justification for significance.
2. A Heritage Consultant may assess the scientific status of the Aboriginal object (site) and provide evidence and justification for significance.
3. An AHIMS site card and pro-forma assessment sheet will be completed for each Aboriginal object (site).
4. Management recommendations specific to each Aboriginal object (site), based on both traditional knowledge and scientific methodology, will be provided to the Quarry Manager. Should a potential site be either scientifically or culturally significant but no evidence or justification is provided, the matter will be put to the Heritage NSW for determination.
5. As the site is subject to Part 4 State Significant Development, an AHIP is not required prior to salvage, however an ASIRF must be completed for each site and the AHIMS updated accordingly.

Shell middens

Shell middens are places where debris from eating shell fish has accumulated. Middens preserve a range of past dietary remains which have the potential to inform about past dietary consumption and availability of food resources. Most shell middens analysed to date pertain to coastal environments with few pertaining to inland middens. In NSW, middens are located on headlands, beaches and dunes, around estuaries, swamps, the tidal stretches of creeks and rivers and along the banks of inland rivers, creeks and lakes. Shell middens may be found in the open or in rock shelters and often those in the open are disturbed through erosion and land use impacts and those in shelters are usually well preserved. The location of middens is influenced by a variety of factors including, but not limited to, the availability of shell fish, aspect, accessibility and the nature of the immediate area and are typically located within a reasonable distance from water on level, sheltered surfaces.

Ranging in size from small scatters to deep layered deposits that have built up over time, the size of the midden may relate to its location (e.g. riverbank middens tend to be smaller than estuarine and coastal middens). Small middens may represent short term occupation or the debris from a single meal. Major estuarine species include bivalves such as cockle, whelk, mud and rock oyster and both edible and hairy mussels. Rock platform species of gastropods include limpets, turban shell, periwinkles, nerits, tritans and cartrut shell fish and the most important beach species is the pipi.

Shell middens may also include fish, sea birds, sea mammals and land mammals. Stone artefact are also typically found within middens and indicate trade and/or transportation of raw materials. Bone and shell artefacts, such as fish hooks and barbs, evidence of cooking may be present in the form of charcoal, ash, fire stones, hearths, burnt clay and/or burnt earth. The midden usually occurs within a soil or sand layer that is darker than the surrounding sediment. Middens may also contain burials and if present are usually located under the midden.

Preservation varies with food stuffs such as berries and fruits leaving no archaeological traces, sea foods such as cartlageous fish, stingrays, octopus and fish eggs are likely to be equally invisible in the archaeological record. However, tissue such as shell and crustations and bone may be preserved. Preservation is also dependent on land use impacts and associated soil pH.

An important contribution to the study of coastal shell middens was made by Meehan (1975, 1977a, b) through ethnographic studies of coastal hunter and gatherers in northern Arnhem Land. Through a yearlong quantitative record of the total diet, Meehan provides unique insights into all aspects of shell fish gathering and the creation of shell middens with pertinent data to the interpretation of midden data. Shell middens may be distinguished from natural shell beds as follows (Attenbrow 1992; Bailey 1994; Gill 1951; Coutts 1966; Hughes and Sullivan 1974):

1. Middens contain charcoal, burnt wood, clay and/or earth, blackened shells, stone artefacts, hearth stones. These are absent from natural shell beds.
2. Middens are either unstratified or roughly stratified whereas natural shell deposits are well stratified and exhibit sedimentary features of water laid deposits.
3. Middens contain edible species and sizes whereas shell beds contain shells of varied species and sizes as well as both edible and non-edible species.
4. Middens do not contain worn shell resulting from transportation from the off shore or beach zone, whereas shell beds do.
5. Middens contain mammal bones used in food consumption, shell beds do not.

6. Middens do not contain certain forms of marine life not used by Aboriginal people (e.g. corals, tube worms) but shell beds do.

Interpretation of shell middens usually falls into three main categories;

7. Taphonomy: differential survival value of different species may be considered.
8. Environmental/ecological: changes in habitat may bring about changes in the availability of species (Coutts 1970).
9. Economic/behavioural: changes in gathering habits brought about by some purely cultural factor may be considered (Bowdler 1970, 1976).

The interpretation of shell middens is only as good as ones' analysis, which is only as good as ones' sample, all of which are typically limited during surface survey only.

- Large camp sites, where everyday activities such as habitation, maintenance of stone or wooden tools, manufacturing of such tools, management of raw materials, preparation and consumption of food and storage of tools has occurred;
- Medium/small camp sites, where activities such as a small meal was cooked and/or consumed;
- Hunting and/or gathering events;
- Other events spatially separated from a camp site, or
- Transitory movement through the landscape.

If a potential shell midden has been identified, the <u>Unexpected Finds Protocol</u> must be followed immediately.

Examples of shell middens (MCH)







Surface artefact scatters

Also described as open campsites, artefact scatters and open sites, these deposits have been defined at two or more stone artefacts within 50 or 200 metres of each other and may include archaeological remains such as stone artefacts, shell, and sometimes hearths, stone lined fire places and heat treatment pits. These sites are usually identified as surface scatters of artefacts in areas where ground surface visibility is increased due to lack of vegetation. Erosion, agricultural activities (such as ploughing) and access ways can also expose surface campsites. Artefact scatters may represent evidence of:

- Camp sites, where everyday activities such as habitation, maintenance of stone or wooden tools, manufacturing of such tools, management of raw materials, preparation and consumption of food and storage of tools has occurred;
- Hunting and/or gathering events;
- Other events spatially separated from a camp site, or
- Transitory movement through the landscape.

If a potential artefact scatter has been identified, the Unexpected Finds Protocol must be followed immediately.

Examples of artefact scatters (MCH)







Surface isolated finds

Isolated artefacts are usually identified in areas where ground surface visibility is increased due to lack of vegetation. Erosion, agricultural activities (such as ploughing) and access ways can also expose surface artefacts. Isolated finds may represent evidence of:

- Hunting and/or gathering events; or
- Transitory movement through the landscape.

If a potential isolated find has been identified, the Unexpected Finds Protocol must be followed immediately.

Examples of isolated artefacts (MCH)









Examples of artefacts in the local area

















Hearths

A hearth may also be known as an oven, earth oven, campfire or fireplace. In general, a hearth is a relatively small (<2m diameter) roughly circular piles of ash-stained, heat fractured rock and/or lumps of burnt clay (known as hearth stones) and are often associated with an ash-stained substrate and charcoal fragments found on or in open ground. Hearths are typically associated with burnt flora, faunal remains (particularly bone and shell) and other cultural material, including stone artefacts. Hearths are assumed to have been used for food cooking and/or heating and/or heat treating stone for stone tool manufacture,

These sites are usually identified as surface and/or subsurface sites in areas where ground surface visibility is increased due to lack of vegetation. Erosion, agricultural activities (such as ploughing) and access ways can also expose hearths, although this usually results in a disturbed hearth with hearth stones dispersed over a slightly larger area than their original location.

Hearths may represent evidence of;

- Camp sites, where everyday activities such as habitation, maintenance of stone or wooden tools, manufacturing of such tools, management of raw materials, preparation and consumption of food and storage of tools has occurred; and
- Hunting and/or gathering events.

If a potential hearth has been identified, the <u>Unexpected Finds Protocol</u> must be followed immediately.

Examples of hearths and a hearth stone (MCH; Heritage NSW)









Burials

Burials can occur anywhere (ground, cave, and hollow tree). Cave burials usually do not survive due to both animal and human disturbances and extant tree burials are rare due to logging and land clearance. Ground burials tend to be in soft sandy soils, but can be found in soil and clay. Burials are also commonly found in association with burial goods including stone axe heads (Howitt 1996:464-465). Generally, they are only identified through accidental exposure. Although factors such as land clearance and associated erosion reduce the likelihood of burials surviving intact, bone is durable and commonly survives in such environments, albeit in fragmentary form.

If a burial or skeletal remains are uncovered, the Skeletal Remains Protocol must be followed immediately. Once verified by the appropriate specialists and Police, the burial/skeletal remains will be recorded and assessment undertaken. If the remains are identified as ancient Aboriginal, Management recommendations will be made in consultation with the RAPs, Heritage NSW and the Heritage Consultant.