



Wongawilli Colliery Modification Report

PA 09_0161 MOD 2 - North West Mains Development
Volume 15- Appendix N (Part 2)

Prepared for Wollongong Coal Limited
December 2020





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Volume Directory

Volume 1	Main Report (Part 1)	
Volume 2	Main Report (Part 2)	
Volume 3	Appendix A	DPIE correspondence regarding MOD 2
	Appendix B	Legal advice
	Appendix C	Updated project description
	Appendix D	Updated mitigation measures table
	Appendix E	Noise and vibration impact assessment
Volume 4	Appendix F	Air quality and greenhouse gas assessment
Volume 5	Appendix G	Traffic impact assessment
	Appendix H	Surface water impact assessment
Volume 6	Appendix I	Groundwater impact assessment (Part 1)
Volume 7	Appendix I	Groundwater impact assessment (Part 2)
Volume 8	Appendix I	Groundwater impact assessment (Part 3)
Volume 9	Appendix I	Groundwater impact assessment (Part 4)
	Appendix J	Groundwater peer review report
Volume 10	Appendix K	Subsidence impact assessment
Volume 11	Appendix L	Biodiversity development assessment report
Volume 12	Appendix M	Historical heritage assessment and statement of heritage impact (Part 1)
Volume 13	Appendix M	Historical heritage assessment and statement of heritage impact (Part 2)
Volume 14	Appendix N	Archaeological assessment (Part 1)
Volume 15	Appendix N	Archaeological assessment (Part 2)
Volume 16	Appendix O	Social impact assessment
	Appendix P	Economic impact assessment



Appendix N - Part 2

Archaeological assessment





Wongawilli Colliery
North West Mains Modification:
Aboriginal Cultural Heritage Assessment

FINAL REPORT

Prepared for Wollongong Coal Ltd

9 November 2020

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Contents

Glossary.....	iv
Summary	v
1 Introduction	1
1.1 Project background	1
1.2 Study area.....	1
1.3 Proposed development.....	1
1.4 Planning approvals	3
1.5 Restricted and confidential information.....	4
1.6 Aboriginal cultural heritage	4
1.6.1 General description	4
1.6.2 Tangible Aboriginal cultural heritage.....	5
1.6.3 Intangible Aboriginal cultural heritage	5
1.6.4 Statutory.....	5
1.6.5 Values.....	5
2 Study area context.....	10
2.1 Topography and hydrology	10
2.2 Soil landscapes	11
2.3 Climate and rainfall	14
2.4 Landscape resources	14
2.5 European land use history.....	15
3 Aboriginal cultural heritage context	16
3.1 Ethnohistory.....	16
3.2 Aboriginal heritage located in the study area	16
3.3 Interpretation of past Aboriginal land use	17
4 Aboriginal community consultation.....	19
4.1 Stage 1: Notification of project proposal and registration of interest	19
4.1.1 Identification of relevant Aboriginal stakeholders.....	19
4.1.2 Public notice	20
4.1.3 Registration of Aboriginal parties	20
4.2 Stage 2: Presentation of information about the proposed project.....	21
4.3 Stage 3: Gathering information about cultural significance.....	21
4.3.1 Archaeological assessment methodology information pack.....	21
4.3.2 Information gathered during fieldwork	22
4.4 Stage 4: Review of draft ACHA report.....	22
5 Aboriginal cultural significance assessment.....	23
5.1 Introduction to the assessment process.....	23
5.2 Cultural (social significance) values.....	24

5.3	Historic values.....	25
5.4	Archaeological (scientific significance) values.....	25
5.5	Aesthetic values.....	25
5.6	Statement of significance.....	25
5.6.1	Statement of significance for the Wongawilli Pit Top.....	25
5.6.2	Statement of significance for the Additional Driveage	25
6	Development limitations and mitigation measures.....	27
6.1	Management and mitigation measures	27
7	Recommendations	28
	References.....	29
	Appendices	31
Appendix 1	Consultation log	32
Appendix 2	Stage 1: Notification of project proposal and registration of interest	39
Appendix 3	Stage 2: Presentation of information about the proposed project.....	40
Appendix 4	Stage 3: Gathering information about cultural significance	41
Appendix 5	Stage 4: Review of draft cultural heritage assessment report	42
Appendix 6	Archaeological report.....	43

Tables

Table 1	List of registered Aboriginal parties and group contact.....	V
Table 2	Warragamba soil landscape material (Hazelton & Tille 1990, p.61)	11
Table 3	Bundeena soil landscape material (Hazelton & Tille 1990, pp. 31).....	12
Table 4	Hawkesbury soil landscape material (Hazelton & Tille 1990, pp. 45)	12
Table 5	Lucas Heights soil landscape material (Hazelton & Tille 1990, pp. 24).....	13
Table 6	Illawarra Escarpment soil landscape material (Hazelton & Tille 1990, pp. 58,60)	13
Table 7	List of registered Aboriginal parties	21
Table 8	Significance assessment criteria	26

Figures

Figure 1	Location of the study area	6
Figure 2	Study area detail	7
Figure 3	Proposed development.....	8
Figure 4	AHIMS sites in the vicinity of the study area	18

Glossary

ACHA	Aboriginal Cultural Heritage Assessment
AR	Archaeological Report
AHIMS	Aboriginal Heritage Information Management System
CBD	Central business district
Consultation requirements	<i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> (DECCW 2010a)
DA	Determining Authority
DECCW	Department of Environment, Climate Change and Water (now Heritage NSW)
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Heritage NSW	Heritage NSW, Department of Premier and Cabinet (DPC)
ICOMOS	International Council on Monuments and Sites
LALC	Local Aboriginal Land Council
LEP	Local Environmental Plan
LGA	Local Government Area
NNTT	National Native Title Tribunal
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	National Parks and Wildlife Service
NSW	New South Wales
NTSCORP	Native Title Services Corporation
NWMD	NW Mains development
PAD	Potential Archaeological Deposit
RAPs	Registered Aboriginal Parties
Study area	See Figure 2
the Code	<i>Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW 2010)
WCL	Wollongong Coal Ltd
WWC	Wongawilli Colliery

Summary

Biosis Pty Ltd was commissioned by Wollongong Coal Ltd (WCL) to undertake an Aboriginal Cultural Heritage Assessment (ACHA) of the proposed North West Mains (NW Mains) works at the Wongawilli Colliery (WWC) in the Southern Coalfields, NSW (the study area). This Archaeological Report (AR) documents the findings of the archaeological investigations conducted as part of the ACHA. As required under Section 2.3 of The *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a) (the Code), the AR provides evidence about the material traces of Aboriginal land use to support the conclusions and management recommendations in the ACHA.

WWC is an underground coal mine located approximately 14 kilometres south-west of Wollongong. Project approval was initially granted to Gujarat NRE Coking Coal Limited (the previous owners of WWC) on 2 November 2011, for mining operations within the WWC mining lease area until 31 December 2015. The project approval was granted a modification in 2015, which permitted mining operations to continue until 31 December 2020. WCL proposes a second modification to the existing project approval for extension of mining activities for a further five years.

To date, approximately 500 metres of the NWMD has been developed prior to the Colliery going into care and maintenance in July 2019. Furthermore, the modification largely seeks approval to extend the length of NWMD by approximately 2.9 kilometres to access the existing Wongawilli Ventilation Shaft 1 and construction of a new section of coal conveyor system, approximately 60 metres in length, at the Wongawilli Upper top pit. The NWMD would continue to be extracted via first workings mining method using two continuous miners. WCL committed in 2019 to no longer undertake mining via longwall extraction methods. As such no longwall mining is proposed as part of this modification application.

The study area is located approximately 9.5 kilometres west of Dapto and approximately 18 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment. The study area is surrounded in all directions by the Illawarra escarpment and Upper Nepean Catchment area and straddles Lake Avon.

Consultation

The Aboriginal community was consulted regarding the heritage management of the project throughout its lifespan. Consultation has been undertaken as per the process outlined in the DECCW document, *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010b) (consultation requirements). The appropriate government bodies were notified and advertisements placed in the *Illawarra Mercury Newspaper* (16 June 2020), which resulted in the following Aboriginal organisations registering their interest (Table 1):

Table 1 List of registered Aboriginal parties and group contact

No.	Organisation	Contact person
1	James Davis	James Davis
2	Barraby Cultural Services	Lee Field
3	Yerramurra	Blaan Davies
4	Freeman & Marx	Clive Freeman
5	Gumaraa	Jodie Edwards and Lisa Bazzano
6	Illawarra Local Aboriginal Land Council	Paul Knight

No.	Organisation	Contact person
7	Tungai Tonghi	Troy Tungai
8	Warra Bingi Nunda Gurri	Nathanial Kennedy
9	Woronora Plateau Gundungara Elders Council	Kayla Williamson
10	Yurrandaali Cultural Services	Bo Field
11	Gary Caines	Gary Caines
12	Leanne Tungai	Leanne Tungai

A search conducted by the Office of the Registrar, *Aboriginal Land Rights Act 1983* (NSW) listed no Aboriginal Owners with land within the study area. A search conducted by the NNTT listed no Registered Native Title Claims, Unregistered Claimant Applications or Registered Indigenous Land Use Agreements within the study area. There was one unregistered Claimant Application within the study area, South Coast Peoples (NC2017/008).

Upon registration, the Aboriginal parties were invited to provide their knowledge on the study area and on the proposal provided in methodology documents. The responses identify the study area as an area of high significance. Responses from the Registered Aboriginal Parties (RAPs) are included in Appendix 3.

Site officers from elected RAPs participated in the field investigation and provided comment on the study area with regard to the proposal. All RAPs commented about the high cultural significance of the entire catchment area during the archaeological survey.

The outcome of the consultation process was that the RAPs considered the study area to have a high level of cultural significance. The following information was provided by RAPs in regards to the cultural values of the study area:

- The study area is part of a wider cultural landscape that included both tangible and intangible values. In particular it was noted that the art sites were an important cultural resource to the Aboriginal community.
- RAPs who participated in the archaeological survey commented about the high cultural significance of the entire catchment area.

The results of the consultation process are included in this document.

The recommendations that resulted from the consultation process are provided below.

Results

The ACHA assessment undertook background research for the proposed study area. Key considerations arising from the background research include:

- Rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys are most likely to contain significant sandstone overhangs that may have been used as shelters.
- The very high cliff lines present around the Avon River within the areas where two geological formations overlap, very rarely contain overhangs.
- Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas.

- On open plateaus, adjacent to swamps or creeks where open sandstone platforms occur, grinding groove sites are most likely to be present.

There are 87 Aboriginal cultural heritage sites registered with the Aboriginal Heritage Information Management System (AHIMS) register, within the vicinity of the study area. There are no Aboriginal cultural heritage sites located within the study area. Biosis undertook background research and a field investigation, which identified no Aboriginal heritage sites or areas of archaeological sensitivity within the study area.

Management recommendations

Prior to any development impacts occurring within the study area, the following is recommended:

Recommendation 1: No further archaeological assessment is required

No further archaeological work is required in the study area due to the entire study area being assessed as having low archaeological potential.

Recommendation 2: Discovery of unanticipated Aboriginal objects

All Aboriginal objects and Places are protected under the *National Parks and Wildlife Act 1974* (NPW Act). It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Heritage NSW, Department of Premier and Cabinet (Heritage NSW). Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the Heritage NSW and Aboriginal stakeholders.

Recommendation 3: Discovery of Aboriginal ancestral remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains.
2. Notify the NSW Police and Heritage NSW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.
3. Not recommence work at that location unless authorised in writing by Heritage NSW.

Recommendation 4: Continued consultation with the registered Aboriginal stakeholders

As per the consultation requirements, it is recommended that the proponent provides a copy of this final report to the Aboriginal stakeholders. The proponent should continue to inform these groups about the management of Aboriginal cultural heritage sites within the study area throughout the life of the project.

1 Introduction

1.1 Project background

Biosis Pty Ltd was commissioned by WCL to undertake an ACHA of the proposed NW Mains works at the WWC in the Southern Coalfields, NSW (the study area) (Figure 1).

This report details the investigation, consultation and assessment of Aboriginal cultural heritage undertaken for the study area. The Archaeological Report (AR) in Appendix 6 details the findings of the archaeological investigations conducted as part of the ACHA. As required under Section 2.3 of the Code, the AR provides evidence about the material traces of Aboriginal land use to support the conclusions and management recommendations in the ACHA.

1.2 Study area

The study area is located approximately 9.5 kilometres west of Dapto and approximately 18 kilometres south-west of the Wollongong CBD (**Error! Reference source not found.**), on the eastern edge of the Illawarra Escarpment. The study area is within the:

- Wollongong Local Government Area (LGA).
- Parish of Kembla.
- County of Camden.

The study area is surrounded in all directions by the Illawarra escarpment and Upper Nepean Catchment area. It also sits partly atop Lake Avon.

For this assessment, the study area is defined as the combined footprint of both the works at the Wongawilli Pit Top, and the Additional Driveage. Although no direct impacts resulting from subsidence are anticipated to occur (SCT Operations 2020), the Additional Driveage has been included in the study area due to the potential for indirect impacts to the surface as a result of the proposed underground mining.

1.3 Proposed development

The footprint of the NW Mains development (NWMD) has been divided into two sections; the Wongawilli Pit Top, and the Additional Driveage (Figure 3). An overview of the proposed modification is outlined in the table below.

Element	The Colliery (currently approved project)	MOD2
Operating hours	24 hours per day, seven days per week. Unloading from coal handling / train loading infrastructure occurring during normal operational hours: <ul style="list-style-type: none"> • 7am to 6pm Monday to Friday. • 8am to 4 pm Saturday. • no time on Sundays and public holidays. 	Conveyance of coal from the Wongawilli upper pit top to the lower pit top to be restricted to normal operational hours.
Coal seams	Bulli and Wongawilli Coal Seams	No change

Element	The Colliery (currently approved project)	MOD2
Extraction rate	2 million tonnes per annum	No change
Approval period ending	31 December 2020	31 December 2025
Mine life	9 years consisting of 4 years (original consent), plus 5 years (MOD1).	Coal extraction until 31 December 2025, representing an extension of the approved mine life by 5 years.
Mining method	Longwall and first workings mining methods.	First working mining methods only.
Underground workings	Four 5.5 m wide by 3.6 m high roadways Access from existing portals.	Minor alignment changes to the western end of the approved NWMD. Additional first workings proposed to enable access to the existing Wongawilli Shaft 1.
Mine infrastructure, coal stockpiles and product transport	Wongawilli lower and upper pit top facilities and coal handling / load out infrastructure to rail.	No change to rail transport requirements. No change to Wongawilli pit top administration and workshop facilities. Additional access to the NWMD via existing Portals W9 and W10. Relocation of crusher, sizer, and screen to underground. Improvements to the coal conveyance network including the construction of a new section of coal conveyor, approximately 60 m in length and coal storage bin. Extension of the Wongawilli lower pit top noise wall.
Rail transport requirements	No transport of coal by road. Train movements restrictions: <ul style="list-style-type: none"> • 8 train movements (calendar year average) a day • 10 train movements (max. weekly rolling average) a day • 3 train movements a night during normal operations • 4 train movements a night during advertised campaigns, with a maximum of 10 such campaigns per year 	Maximum of 4 train movements a day. No train movements at night.
Waste management	Waste rock to be stored underground in two of the four Western Driveage roadways. Waste rock which does come to the surface to be utilised for ballast or fill underground or used on the surface for landscaping and rehabilitation.	Waste rock to be stored underground within existing and NWMD workings. Maintain approval for waste rock to be utilised on the surface for landscaping and rehabilitation purposes.
Mine ventilation	Mine portals and vent shafts including: <ul style="list-style-type: none"> • Two portals for personnel and materials. • One portal for coal extraction. 	Revised NWMD will reduce future ventilation shaft requirements via relying on the existing Wongawilli 1 ventilation

Element	The Colliery (currently approved project)	MOD2
	<ul style="list-style-type: none"> Two portals into the NWMD. Wongawilli Shaft 1, Nebo Shaft 3 and 4. <p>Existing Nebo area portals (Wonga Belts and Wonga Track) and ventilation shafts (Vent Shaft 3 and 4) are proposed to be closed off and rehabilitated so will no longer be in use.</p>	<p>shaft.</p> <p>Four portals into the NWMD.</p>
Workforce	Approved for up to 300 FTEs and contract personnel.	Employment of up to 150 FTEs.

Wongawilli Pit Top

The Wongawilli Pit Top is located at the top of a private road north west of Jersey Farm Road, Wongawilli. It is bounded on the west by the Illawarra Escarpment State Conservation Area. Access to the driveage will be via two existing portal entries on the uppermost bench of the pit top, with one being used for the transport of people and materials, and one being used to convey coal from the mine. Wollongong Coal propose to largely utilise existing pit top surface infrastructure at the Wongawilli lower and upper pit top areas. The exception being the construction of a new section of coal conveyor system, approximately 60 m in length, and coal storage bin at the Wongawilli upperpit top and relocation of the coal preparation infrastructure including the crusher, sizer and screen which is to be located underground.

Additional Driveage

The proposed additional driveage will consist of four underground roadways to be developed using first workings mining methods. This will involve the development of four 5.5 metre wide headings, drifts or roadways, and interconnecting cut-throughs with continuous miners. These will provide access to the coal resource, colliery ventilation and corridors for personnel and material movement within the seam and coal conveyor network. Works have commenced on the driveage, with approximately 500 metres developed within the Bulli Coal Seam. The modification largely seeks to extend the length of NWMD by approximately 2.9 kilometres to access the existing Wongawilli Ventilation Shaft 1 and construction of a new section of coal conveyor system, approximately 60 metres in length, at the Wongawilli Upper top pit.

As the driveage is being developed using the first workings mining method, no impacts are expected to the ground surface. The first workings method involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using remote controlled coal cutting. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide stability to the void in the long term and support the roof strata above the seam. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres.

Natural or seasonal variations in surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). A geotechnical report provided by SCT Operations Pty Ltd (2020), confirmed this, with the geotechnical assessment concluding that there is no potential for any perceptible surface subsidence impacts as a result of the proposed additional Driveage.

1.4 Planning approvals

The proposed development will be assessed against Part 4 of the EP&A Act. Other relevant legislation and planning instruments that will inform this assessment include:

- Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- NPW Act.
- NSW *National Parks and Wildlife Amendment Act 2010*.
- Wollongong Local Environmental Plan 2009 (LEP).

1.5 Restricted and confidential information

Appendix 1 in the AR contains AHIMS information which is confidential and not to be made public. This is clearly marked on the title page for the Attachment.

1.6 Aboriginal cultural heritage

1.6.1 General description

According to Allen and O'Connell (2003), Aboriginal people have inhabited the Australian continent for the last 50,000 years. New evidence out of the Northern Territory has pushed this date back with the Malakanunja II rock shelter dated at around 65,000 years BP (before present) (Clarkson et al. 2017).

In NSW, according to Bowler et al. (2003), Aboriginal people have occupied the land for over 42,000 years. However, preliminary evidence presented by Biosis (2016) from a subsurface testing program in south-western NSW suggests Aboriginal people may have occupied the semi-arid zone of the region for 50,000 years.

Previous archaeological work in the catchment areas of the Illawarra and Lower Sydney Basin regions began in the early 1960s, with the identification of a large shelter containing Aboriginal art and deposit by Fred McCarthy in 1961. This shelter site became known as 'Whale Cave' and has been discussed as part of academic investigations into regional variations of rock art and the prehistory of the Illawarra (Officer 1984, Sefton 1998, McDonald 1994). Very little archaeological excavation work has been undertaken in this region outside of coastal and estuarine areas. Those shelters that have been excavated within the inland plateau environment have yielded dates of 2220 ± 70 BP, with evidence of the earliest occupation at Mill Creek 11 (Koettig 1985). Dating of the deposits at Mill Creek 11 and 14 in 1990 yielded similar dates. Biosis excavated Brennans Creek 2 and Brennans Creek 6 at West Cliff Colliery near Appin and recovered organic material in the deposits that yielded dates of 1791 ± 40 BP (BC2) and 838 ± 51 BP (BC6).

Without being part of the Aboriginal culture and the productions of this culture, it is not possible for non-Aboriginal people to fully understand the meaning of site, objects and places to Aboriginal people – only to move closer towards understanding this meaning with the help of the Aboriginal community. Similarly, definitions of Aboriginal culture and cultural heritage without this involvement constitute outsider interpretations.

With this preface Aboriginal cultural heritage broadly refers to things that relate to Aboriginal culture and hold cultural meaning and significance to Aboriginal people (DECCW 2010b, p.3). There is an understanding in Aboriginal culture that everything is interconnected. In essence Aboriginal cultural heritage can be viewed as potentially encompassing any part of the physical and/or mental landscape, that is, 'Country' (DECCW 2010b, p.iii).

Aboriginal people's interpretation of cultural value is based on their 'traditions, observance, lore, customs, beliefs and history' (DECCW 2010b, p.3). The things associated with Aboriginal cultural heritage are continually and actively being defined by Aboriginal people (DECCW 2010b, p.3). These things can be associated with traditional, historical or contemporary Aboriginal culture (DECCW 2010b, p.3).

1.6.2 Tangible Aboriginal cultural heritage

Three categories of tangible Aboriginal cultural heritage may be defined:

- Things that have been observably modified by Aboriginal people.
- Things that may have been modified by Aboriginal people but no discernible traces of that activity remain.
- Things never physically modified by Aboriginal people (but associated with Dreamtime Ancestors who shaped those things).

1.6.3 Intangible Aboriginal cultural heritage

Examples of intangible Aboriginal cultural heritage would include memories of stories and 'ways of doing', which would include language and ceremonies (DECCW 2010b, p.3).

1.6.4 Statutory

Currently Aboriginal cultural heritage, as statutorily defined by the NPW Act, consists of objects and places which are protected under Part 6 of the Act.

Aboriginal objects are defined as:

any deposit, object or material evidence...relating to the Aboriginal habitation of the area that comprises NSW, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains

Aboriginal places are defined as a place that is or was of special Aboriginal cultural significance. Places are declared under section 84 of the NPW Act.

1.6.5 Values

Aboriginal cultural heritage is valued by Aboriginal people as it is used to define their identity as both individuals and as part of a group (DECCW 2010b, p.iii). More specifically it is used:

- To provide a:
 - 'Connection and sense of belonging to Country' (DECCW 2010b, p.iii).
 - Link between the present and the past (DECCW 2010b, p.iii).
- As a learning tool to teach Aboriginal culture to younger Aboriginal generations and the general public (DECCW 2010b, p.3).
- As further evidence of Aboriginal occupation prior to European settlement for people who do not understand the magnitude to which Aboriginal people occupied the continent (DECCW 2010b, p.3).

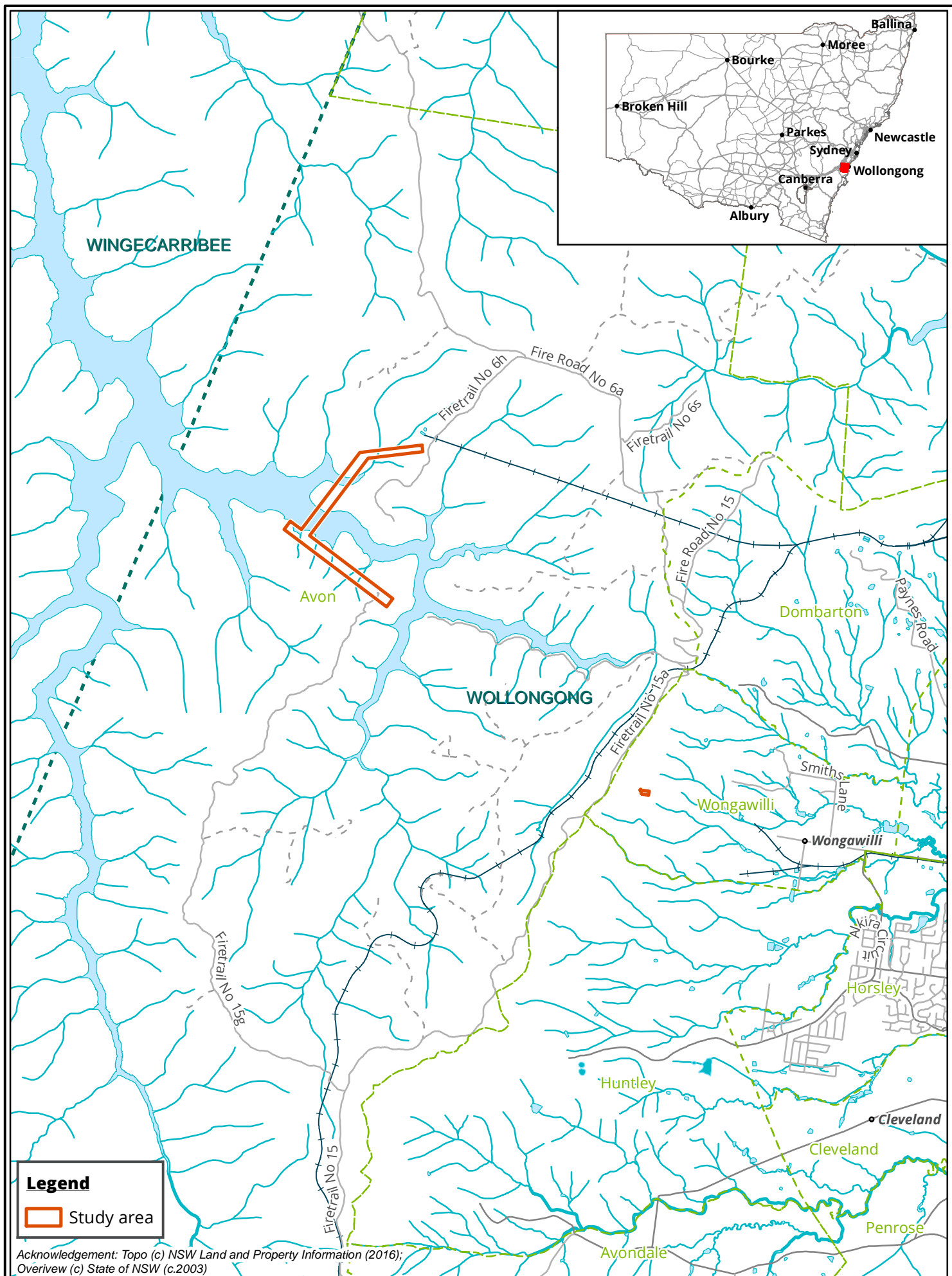
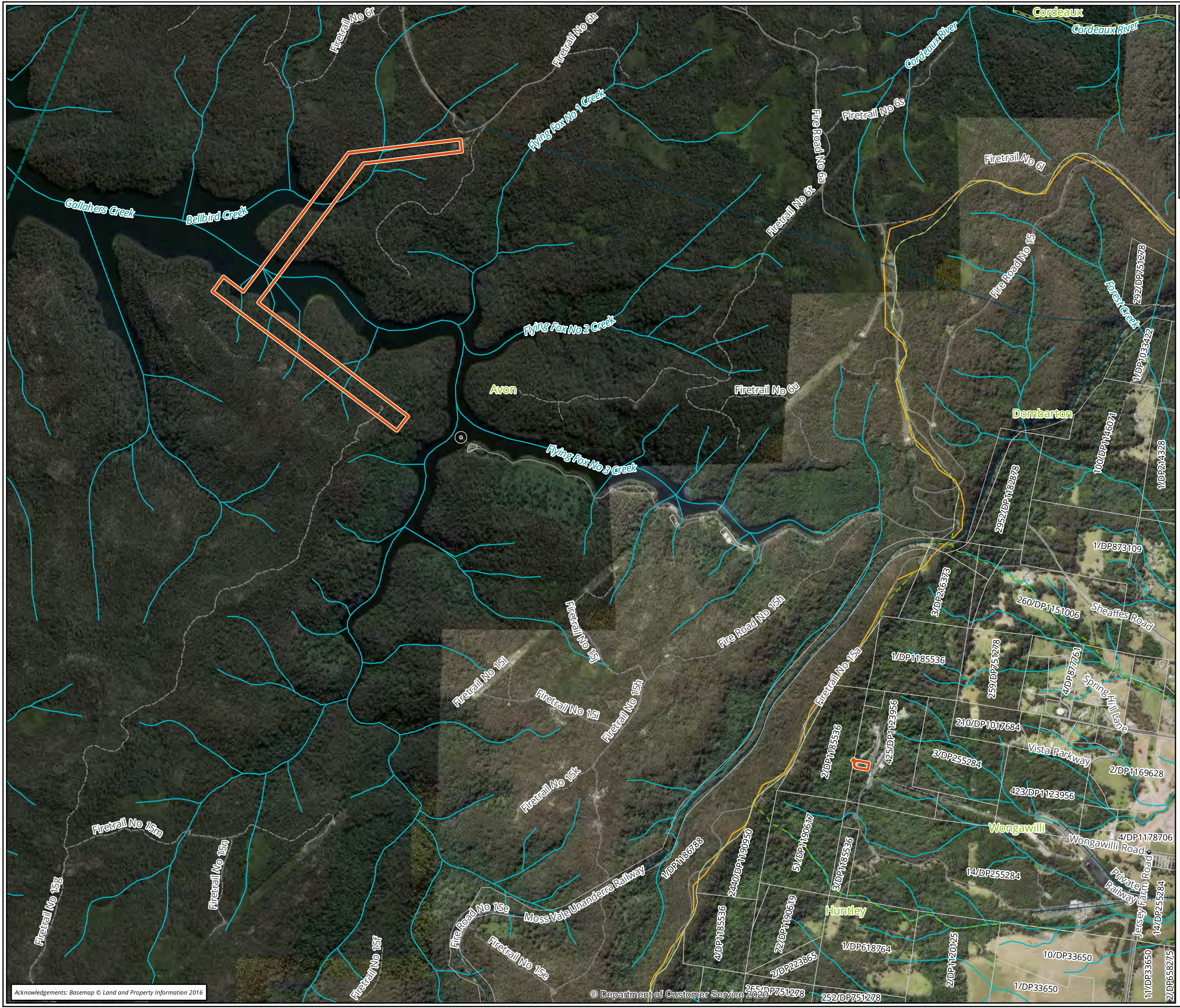


Figure 1 Location of the study area



- Legend**
- Study area
 - Lot


Figure 2 Study area detail

0200400600800

Metres

Scale: 1:20,000 @ A3

Coordinate System: GDA 1994 MGA Zone 56

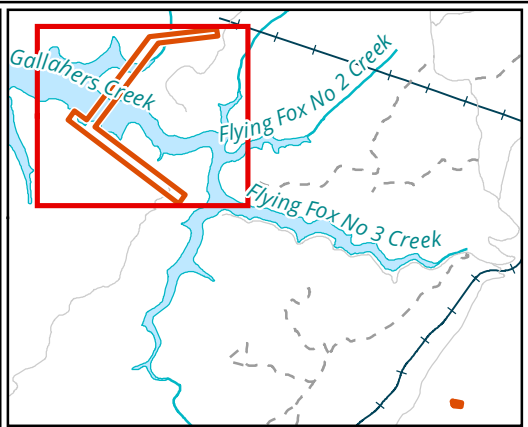


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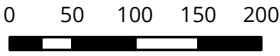
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- Legend**
- Study area
 - Development**
 - Approved
 - Proposed

Figure 3 Proposed works

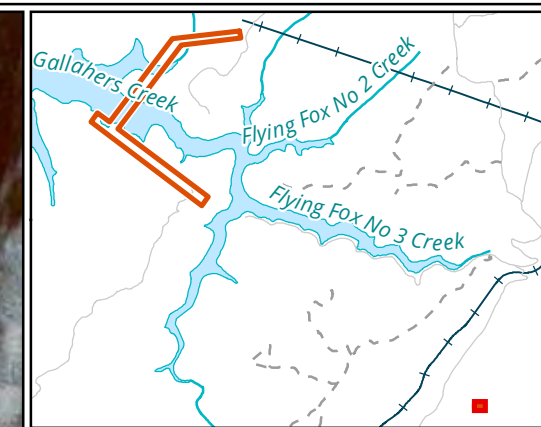
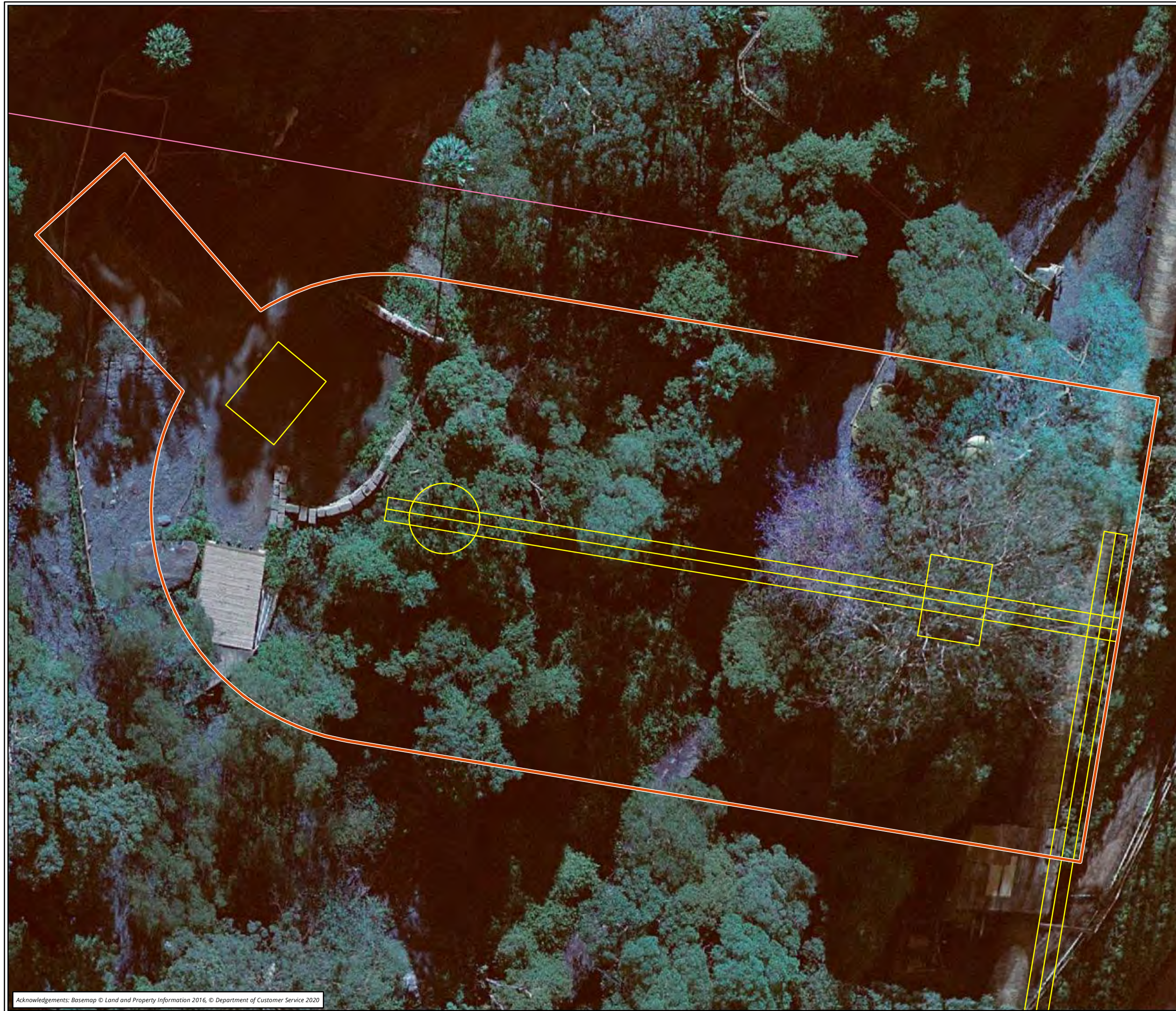
Additional driveage




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Date: 10 September 2020,
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Location: P:\33200s\33219\Mapping\33219_F3_ProposedWorks.mxd



Legend

 Study area

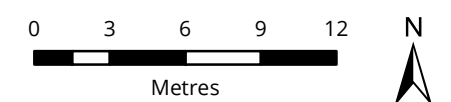
Development

 Approved

 Proposed

Figure 3 Proposed works

Wongawilli Pit Top



Scale: 1:300 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Matter: 33219,
Date: 10 September 2020,
Checked by: SJK, Drawn by: AEDM, Last edited by: amurray
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2 Study area context

This section discusses the study area in regards to its landscape, environmental and Aboriginal cultural heritage context. This section should be read in conjunction with the Archaeological Report attached in Appendix 6. The background research has been undertaken in accordance with the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a) (the Code).

2.1 Topography and hydrology

The study area contains complex geology with two principal geological formations present: Hawkesbury Sandstone and Narrabeen Group. Hawkesbury Sandstone consists of medium to coarse-grained quartz sandstone with minor shale and laminate lenses that is Mid Triassic in age (245-241 mya) (Hazelton & Tille 1990, p.45). The Narrabeen Group underlies the Hawkesbury Sandstone and is exposed only at the base of the coastal cliff lines. It consists of fine-grained lithic sandstone occasionally interbedded with thin shale lenses (Hazelton & Tille 1990, p.61) and is Early Triassic in age (251-245 mya). Both of these formations are underlain by the Illawarra Coal Measures of Late Permian in age (263-253 mya), which consists of shale sandstone, conglomerates, tuff, chert and coal.

The study area is located within the southern Woronora Plateau, an area typically characterised as 'level to rolling pattern of plains, rises and low hills standing above a cliff, scarp or escarpment that extends around a large part of its perimeter' (Speight 2009, p.69). It comprises deeply incised creek valleys resulting in steep, high sandstone cliffs and high ridgelines. Typical landform elements associated with plateau landforms are described by Speight (2009) are present within the study area include: cliff, hillcrest, hillslope and drainage depressions. Cliffs are very wide, steep to precipitous slopes that are eroded usually by gravity, water-aided mass movement or sheet wash. Rock flats are flat or bare consolidated rock eroded by sheet wash. Hillcrests and hillslopes are very gently to gently inclined slopes eroded mainly by sheet wash, creep or water-aided mass movement. Drainage depressions are level to gently inclined depressions rising to moderately inclined side slopes.

Stream order is recognised as a factor which assist the development of predictive modelling in Aboriginal archaeology. These predictive models have a tendency to favour high order streams as the locations of campsites and therefore archaeological remains. Larger water sources would have been more likely to provide a stable source of water and by extension other resources which would have been used by Aboriginal groups. The stream order system used for this assessment was originally developed by Strahler (1952). It functions by adding two streams of equal order at their confluence to form a higher order stream. As stream order increases, so does the likelihood that the stream would be a perennial source of water.

A number of water ways are located in and within close proximity to the study area, which include Gallahers Creek, Bellbird Creek, Flying Fox No. 1 Creek, Flying Fox No. 2 Creek and Flying Fox No. 3 Creek. Following the construction of Avon Dam, the water level is approximately 50 metres higher and the valley floor has been inundated, which has likely affected and modified these creek lines. Stream channels within the study area are typically erosional, closely spaced and drain into Avon River and Gallaher's Creek. They flow in narrow steep sided gullies which deepen and widen towards the confluence. Upland swamps or basins filled with waterlogged soils are not generally well developed at the heads of these minor creeks, with the exception of swamps present within the Bundeena Soil Landscape.

2.2 Soil landscapes

Soil landscapes have distinct morphological and topological characteristics that result in specific archaeological potential. Because they are defined by a combination of soils, topography, vegetation and weathering conditions, soil landscapes are essentially terrain units that provide a useful way to summarise archaeological potential and exposure.

Five soil landscapes are present within the study area: Warragamba, Bundeena, Hawkesbury, Illawarra Escarpment, and Lucas Heights. In general, soils in these areas are shallow, loose and sandy. There are three colluvial soil landscapes (Warragamba, Hawkesbury and Illawarra Escarpment) and two residual soil landscapes (Bundeena and Lucas Heights) in the study area. Colluvial soil landscapes are dominated by areas where mass movement is the principal agent of accumulation. Cliffs, scarps and steep slopes are examples of colluvial soil landscapes. Residual soil landscapes are characterised by areas where soils are derived from long-term, *in situ* weathering of parent materials. Examples of these types of soil landscapes are flats, plains and plateaus with poorly defined drainage lines (Hazelton & Tille 1990).

The Warragamba soil landscape covers the majority of the study area and is dominated by moderate to very steep slopes of 20-50% and a local relief of 50 to 150 metres. It has narrow convex crests and ridges and steep colluvial side slopes on Narrabeen Sandstone. Archaeological potential of the Warragamba soil landscape is deemed to be low due to very steep slopes that are not conducive to human occupation. In addition, at the junction of the Hawkesbury Sandstone and Narrabeen Group formations, overlying Hawkesbury sandstone generally forms large cliff lines that rarely have overhang development. In cases where overhangs are present due to rock fall, they mostly have steep and wet floors without deposit. Soil material descriptions can be found in Table 2.

Table 2 Warragamba soil landscape material (Hazelton & Tille 1990, p.61)

Soil landscape	Description
Warragamba 1 (wg1) – Dark brown loamy sand	Loose to friable single-grained loamy sand. Colour ranges from brown (10YR 2/2 to 5YR 3/1) to yellowish brown (10YR 5/6). The pH is extremely acid (pH 3.5). This material includes rock fragments (likely sandstone). Roots are abundant and charcoal is occasional present. This material occurs as topsoil.
Warragamba 2 (wg2) – Very dark reddish brown clayey sand	Loose clayey sand which is apedal single-grained. Colour ranges from very dark reddish brown (5YR 2/3) to yellowish brown (10YR 5/6). The pH is extremely acid (3.5). Stone fragments and roots are common and charcoal is sometimes present. This material occurs as subsoil.
Warragamba 3 (wg3) – Pedal clay	Clay loam to medium clay with texture increasing with depth. Colour is variable, most commonly dull brown (7.5YR 5/4), yellowish brown (10YR 5/6), orange (7.5YR 6/8) and reddish brown (5YR 4/6). Occasional yellow and red mottles are present. The pH level is 3.5-4. Rock fragments are present but roots and charcoal are absent. This material occurs as subsoil.

The Bundeena soil landscape has very low undulating rises on exposed Hawkesbury sandstone plateau. This soil landscape is present within the south-eastern part of the study area. It has very broad ridges and crests, flat to moderate slopes and local relief is up to 80 metres. A large area of the land surface of this landscape has rock outcrop and small swamps, while seepage areas are common. Sandy shallow soils occur in areas where they can accumulate. This landscape is deemed to be archaeologically rich with the sandstone outcrop and swamps indicating a high potential for grinding groove sites and pictogram art sites. Soil material descriptions can be found in Table 3.

Table 3 Bundeena soil landscape material (Hazelton & Tille 1990, pp. 31)

Soil landscape	Description
Bundeena 1 (bu1) – Loose, stony dull yellowish brown sandy loam	Stony, coarse loamy sand to sandy loam. Colour varies from yellowish brown (2.5YR 3/2) to dull yellowish brown (10YR 5/3). The pH is moderately acid (5.5). Sub-angular sandstone fragments are common, but roots are few. This material occurs as topsoil.
Bundeena 2 (bu2) – Earthy, yellowish brown, light sandy clay loam	Yellowish brown apedal massive sandy clay loam. Colour ranges from dull yellowish brown (10YR 5.3) to light grey (10YR 8/2). The pH is strongly acid (4.0) to moderately acid (5.5). Iron-coated gravel inclusions are common but roots are few. This material occurs as subsoil.
Bundeena 3 (bu3) – Friable yellowish brown clayey sand	Friable yellowish brown clayey sand. Colour is yellowish brown (2.5Y 5/3). The pH is moderately acid (5.0). Sandstone fragments and roots are usually absent.

The Hawkesbury soil landscape is characterised by rugged sandstone escarpment and ridges with moderate to steep slopes and narrow, incised valleys of the Woronora Plateau. This soil landscape is present within the north-west and central part of the study area. Sandstone rock outcrops are very common and occur as boulders, benches and large blocks, often forming scarps up to 10 metres high. The soils in this landscape are shallow, discontinuous and generally sandy. The Hawkesbury soil landscape is the most archaeologically sensitive landscape in the study area, as the blocks and weathered scarps provide overhangs with a suitable environment for rock art and in most cases the accumulation of cultural deposits. However, deposits with a potential for deep stratified occupational deposits are very limited. In addition, sandstone platforms close to water sources provide the potential for grinding grooves sites. Previous archaeological work within the region have demonstrated an abundance of rock art and grinding grooves associated with this landscape. Soil material descriptions can be found in Table 4.

Table 4 Hawkesbury soil landscape material (Hazelton & Tille 1990, pp. 45)

Soil landscape	Description
Hawkesbury 1 (ha1) – Loose, coarse quartz sand	Sand to sandy loam with porous sandy fabric. Colour ranges from brownish black (10YR 2/2) where organic matter is present, otherwise material colour is dull yellowish brown (10YR 4/3). The pH is moderately acid (5.5). Weathered sandstone fragments are present, and root and charcoal inclusions are common. This material occurs as topsoil.
Hawkesbury 2 (ha2) – Yellowish brown sandy clay loam	Clayey sand to sandy clay loam. This material's colour includes dull yellow orange (10YR 6/4), yellowish brown (10YR 5/6) and bright yellowish brown (10YR 6/6). The pH is moderately acid (4.5-5.5). Gravel, stones and ironstone-plated sandstone fragments are common. Roots and charcoal are rare. This material occurs as subsoil, usually in association with bedrock.
Hawkesbury 3 (ha3) – Pale, strongly pedal light clay	Fine sandy clay loam to medium clay. Colour ranges from bright yellowish brown (10YR 6/6) to bright brown (5YR 5/6). Colours are often pale but vary with drainage characteristics. Orange and grey mottles are often present, as are stratified ironstone gravels. Roots and charcoal are either rare or absent. This material occurs as subsoil derived from shale lenses within the Hawkesbury sandstone.

The Lucas Heights soil landscape can be described as having gently undulating crests, ridges and plateau surfaces, with local relief between 10 to 50 metres and slopes of less than 10%. This soil type is confined to the

ridge tops and gentle slopes within the northern part of the study area. The soils are generally yellowed to lateritic podsollic; however, this landscape is known for outcrops and limited deep soil bases. Limitations include stoniness, hard-setting surfaces and low soil fertility. Although this soil landscape consists of generally shallower soils, it is still considered to be of some Aboriginal archaeological potential. These site types are more likely to comprise isolated stone artefact occurrences situated on travel routes rather than campsites. Soil material descriptions can be found in Table 5.

Table 5 Lucas Heights soil landscape material (Hazelton & Tille 1990, pp. 24)

Soil landscape	Description
Lucas Heights 1 (lh1) – Loose, greyish brown fine sandy loam	Loose sandy to sandy loam. Colour varies from greyish brown (7.5YR 5/2) to yellowish brown (10YR 5/6). The pH varies from 4.5 to 6.5. Common inclusions are iron-coated, platy fine sandstone fragments and charcoal fragments. Roots are also common. This material occurs as subsoil.
Lucas Heights 2 (lh2) – Bleached, stony, hardsetting sandy clay loam	Bleached, stony, sandy clay loam. Colour ranges from yellowish orange (10YR 8/6) to dull orange (6.4YR 4/3) and yellowish brown (10YR 7/6). Pale yellow are brown mottles are present, usually associated with bioturbation. The pH ranges from 4.0 to 6.0. Sandstone fragments and rounded iron nodules are common. Charcoal traces are present but roots are absent. This material occurs as topsoil.
Lucas Heights 3 (lh3) – Earthy, yellowish brown sandy clay loam	Yellowish brown sandy clay loam. Colour ranges from yellowish brown (2.5YR 5/6, 10YR 5.4) to dull yellow orange (10YR 7/2). Orange mottles occur with depth. The pH ranges from 4.5 to 6.0. Sandstone fragments are common, but charcoal and root inclusions are rare. This material occurs as subsoil.
Lucas Heights 4 (lh4) – Pedal yellowish brown clay loam	Yellowish brown sandy clay to heavy clay. Colour varies from dull yellowish orange (10YR 6/4) to dark reddish brown (5.0YR 3/6) to bright yellowish brown (10YR 7/6). Yellow, red and orange mottles are occasionally present. The pH ranges between 4.0 and 5.0. Bands of sandstone fragments are common but charcoal and roots are rarely present.

The Illawarra Escarpment soil landscape is present within a small part of the study area where the Wongawilli Colliery is located. It is characterised by the upper slopes and benches of the Illawarra Escarpment with steep to very steep slopes, gradients of between 20% and 50% and a local relief of 100 to 300 metres. This soil landscape includes the cliffs of the escarpment. Large landslips are a very common feature and, below the escarpment, bedrock outcrop is absent. Archaeological potential of the Illawarra Escarpment soil landscape is deemed to be low due to very steep slopes and rock fall hazards, which are not conducive to human occupation. Soil material descriptions can be found in Table 6.

Table 6 Illawarra Escarpment soil landscape material (Hazelton & Tille 1990, pp. 58,60)

Soil landscape	Description
Illawarra Escarpment 1 (ie1) – Loose dark brown sand	Loose sandy to weakly pedal loam. Colour varies from dark brown (10YR 3/3) to brownish black (7.5YR 3/1) to brownish grey (7.5YR 4/1). The pH ranges from 5.5 to 6.5. Sandstone fragments (2-200 millimetres in size) are very common. Roots are common. This material occurs as topsoil.
Illawarra Escarpment 2 (ie2) – Moderately pedal sandy clay loam	Moderately pedal sandy clay loam to fine sandy clay loam. Colour varies from dark reddish brown (2.5YR 3/6) to reddish brown (5YR 4/6) to dark brown (7.5YR 4/6). This material is often mottled with red, white or orange. The pH varies from 4.5 to 7.0. Sandstone fragments and boulders are abundant. This material occurs as subsoil.

Soil landscape	Description
Illawarra Escarpment 3 (ie3) – Moderately pedal sandy clay	Moderately pedal sandy clay to heavy clay. Colour varies from dark reddish brown (2.5YR 3/6) to reddish brown (5YR 4/6) to dark brown (7.5YR 4/6). As ie2, this material is often mottled with orange, white or red. The pH is 4.5 to 7.0. Sandstone fragments and boulders are abundant.

2.3 Climate and rainfall

Client data was provided by the Albion Park weather station (station number 068241) located approximately 9.7 kilometres from the study area. On average, the mean maximum temperature is highest in January at 27.1 degrees and lowest in July at 17.8 degrees. Likewise, the mean minimum temperature is highest in February in 17.2 and lowest in July at 6.3 degrees. The average rainfall was highest in February at 145.5 millilitres. And lowest in September at 42.7 millilitres.

2.4 Landscape resources

The high rainfall and elevation of the study area encourage mesophilic vegetation on richer soils with cool temperate rainforest elements such as, Sassafras (*Doryphora sassafras*), Coachwood (*Ceratopetalum apetalum*), Cabbage-tree Palm (*Livistona australis*), Native Tamarind (*Diploglottis australis*), Cheese Tree (*Glochidion ferdinandi*), Lilly Pilly (*Acmena smithii*), Illawarra Flame Tree (*Brachychiton acerifolius*), with Water Gum (*Tristaniopsis laurina*) and Soft Tree-ferns (*Dicksonia antarctica*) and Rough Tree-ferns (*Cyathea australis*) in the gullies. Sydney Peppermint (*Eucalyptus piperita*), Turpentine (*Syncarpia glomulifera*), Grey Gum (*Eucalyptus punctata*), Smooth-barked Apple (*Angophora costata*) and Christmas Bush (*Ceratopetalum gummiferum*) dominate more exposed ridgelines (Mitchell 2002).

Many of the plants found within the study area were important to both Aboriginal people and European settlers inhabiting the area and could be used for numerous purposes. Food, tools, shelter and ceremonial items were derived from floral resources, with the locations of many campsites predicated on the seasonal availability of resources. Fibres were twisted into string, which was used for many purposes, including the weaving of nets, baskets and fishing lines. String was also used for personal adornment. Bark was used in the provision of shelter; a large sheet of bark being propped against a stick to form a gunyah (Attenbrow 2002).

The vegetation across the plateau would have supported a diverse range of fauna. These would have included koalas, quolls, rock wallabies, bandicoots as well as birds such as cockatoos, falcons and owls. Along the waterways there would have been frogs, platypus and within the waters there would have been numerous fish species, such as perch, eels and galaxias. These faunal species would have provided a range of resources for Aboriginal people. Terrestrial and avian resources were not only used for food, but also provided a significant contribution to the social and ceremonial aspects of Aboriginal life through their use as ritual implements or even simply through fashioning as personal adornments.

As well as being important food sources, animal products were also used for tool making and fashioning a myriad of utilitarian and ceremonial items. For example, tail sinews are known to have been used to make fastening cord, while 'bone points', which would have functioned as awls or piercers. Animals such as Brush-tailed Possums were highly prized for their fur, with possum skin cloaks worn fastened over one shoulder and under the other. Kangaroo teeth were incorporated into decorative items, such as head bands (Attenbrow 2002).

The geological landscapes would have provided various sources of stone material for Aboriginal people, from which a range of stone tools could be manufactured. Raw materials types would have included quartz and quartzite, silcrete, and harder stone such as basalt which could be located to the west. Locally, quartz would

have been the main stone raw material type suitable for tool manufacture that would occur in the vicinity of the study area in any abundance. This would be in the form of pebbles derived from the Hawkesbury sandstone. Where outcrops or cobble beds occur, other potential raw materials for stone artefact making would have included tuff, mudstone, silcrete, chert, quartzite and basalt. Many of these materials occur well beyond the study area. Deposits of clays and ochres suitable for art, particularly stencil art are locally available in the vicinity of the study area and its adjacent land systems.

2.5 European land use history

The first recorded contact between Aboriginal and European peoples occurred in 1770, when Captain Cook sailed down the east coast of Australia in the Endeavour and observed cook fires and Aboriginal people carrying canoes along the coast (Organ 1990). The next recorded contact occurred in 1796, when Flinders and Bass travelled along the coast in the Tom Thumb. Organ (1993) also notes an expedition from Jervis Bay by George William Evans, in which the expedition met several groups of Aboriginal people on the way through the Wollongong area in 1812.

The first settlement in the Illawarra region was established by Charles Throsby Smith (C.T. Smith), who cut a cattle track from Glenfield to just behind South Beach, Wollongong, where he constructed a stockman's hut and cattle yard in 1815 (Osbourne 2000). Joe Wild was Throsby's stockman, and was also made constable of the district of Five Islands in 1815 (McDonald 1966). The following year, Surveyor-General John Oxley was sent to the Illawarra region to make a general survey of the area and to connect it to the known parts of the colony, as well as identify specific lands for prospective grantees (Osbourne 2000).

The early European history of the escarpment is dominated by the acquisition of natural resources. Cedar getters were said to be exploiting the cedar trees in the escarpment by 1805. So extensive was this exploitation that this supply was all but exhausted by the 1820s. The first coal mine constructed at mount Keira in 1849 and this industry spurred urban and industrial development during the 1880s (NPWS 2003, p.9).

Little further development took place within the study area after large portions of the escarpment were declared a state catchment area in 1880. The area was subsequently a conservation area and development was prohibited. A large state infrastructure project took place on the major lakes and rivers in the catchment, including on the Avon River, known as the upper Nepean Scheme (Water NSW 2015). This scheme sought to increase the state's water supply during the 1920s. Work on Avon Dam began in 1921 and finished in 1927 (Water NSW 2015). The resulting Lake has flooded surrounding tributaries and landforms. It has also raised the water level. Possibly destroying or moving Aboriginal objects from their original locations.

Following the arrival of European settlers into the Illawarra the movement of Aboriginal people began to become increasingly restricted. European expansion was swift and soon there had been considerable loss of land to agriculture. This led to violence and conflict between Europeans and Aboriginal people as both groups sought to compete for the same resources. At the same time diseases such as small pox were having a devastating effect on the Aboriginal population. Death, starvation and disease were some of the disrupting factors that led to a reorganization of the social practices of Aboriginal communities after European contact. The formation of new social groups and alliances were made as Aboriginal people sought to retain some semblance of their previous lifestyle.

3 Aboriginal cultural heritage context

3.1 Ethnohistory

It is generally accepted that Aboriginal peoples have inhabited Australia for at least 65,000 years and possessed a distinctive stone tool assemblage (Clarkson et al. 2017). Despite a proliferation of known Aboriginal sites there is considerable ongoing debate about the nature, territory and range of pre-contact Aboriginal language groups in the Illawarra region. These debates have arisen largely due to the lack of ethnographic and linguistic information recorded at the time of European contact. By the time colonial diarists, missionaries and proto-anthropologists began making detailed records of Aboriginal people in the late 19th Century. The following information relating to Aboriginal people on the Illawarra is based on such early detailed records.

The Illawarra region is the traditional land of the Wodi Wodi, a group of people who spoke a variant of the Dharawal language (Wesson 2009). To the north of the Wodi Wodi, the Darug are identified, to the west are the Gundangurra, and in the south the Thoorga (Dhauga) are identified (Tindale 1974). The areas inhabited by each of the groups are considered to be indicative only and would have changed through time and may have been dependent on certain circumstances (i.e. availability and distribution of resources). Interactions between different types of social groupings would have varied with seasons and resource availability. Traditional stories tell of the arrival of the Wodi Wodi to Lake Illawarra, bringing with them the Dharawal or cabbage tree palm from which their language is named (Wesson 2009, p.5). Analysis of middens in the region has provided dates of occupation dating back 6000 to 7000 years on the coast and at Lake Illawarra, and it is accepted that Aboriginal occupation of the south coast dates to around 20,000 years ago (AMBS 2006).

The Illawarra escarpment, named Merrigong, has great symbolic and historical importance for local Aboriginal people and has a number of named mountains. These include Wonga (Wongawilly), meaning native pigeon, Djera (Keira), meaning wild turkey, and Kembla derives from either Jum-bulla, meaning wild game abundant or plenty of game, or from Djembla, meaning wallaby (Wesson & New South Wales Government Office of Environment and Heritage 2005). Aboriginal creation stories express the deep cultural and physical connections between the people and their environment. High places are generally culturally important and were an important area for ceremonial practices and a rich source of food, medicine and other resources (NSW National Parks and Wildlife Service 2018).

The first recorded contact between Aboriginal and European peoples occurred in 1770, when Captain Cook sailed down the east coast of Australia in the Endeavour and observed cook fires and Aboriginal people carrying canoes along the coast (Organ 1990). The next recorded contact occurred in 1796, when Flinders and Bass travelled along the coast in the Tom Thumb. Organ (1993) also notes an expedition from Jervis Bay by George William Evans, in which the expedition met several groups of Aboriginal people on the way through the Wollongong area in 1812.

3.2 Aboriginal heritage located in the study area

The archaeological assessment of the study area identified that there are no Aboriginal sites located within the study area.

3.3 Interpretation of past Aboriginal land use

The study area is located within the southern Woronora Plateau, an area with a landform pattern typically characterised as 'level to rolling pattern of plains, rises and low hills standing above a cliff, scarp or escarpment that extends around a large part of its perimeter' (Speight 2009, p.69). Typical landform elements that are associated with plateau landform pattern as defined by Speight (2009) are present within the study area: cliff, hillcrest, hillslope and drainage depressions.

Several water ways are located close to the study area, including Gallahers Creek, Bellbird Creek, Flying Fox No. 1 Creek, Flying Fox No. 2 Creek and Flying Fox No. 3 Creek. Stream channels within the study area are typically erosional, closely spaced and drain into Avon River and Gallaher's Creek.

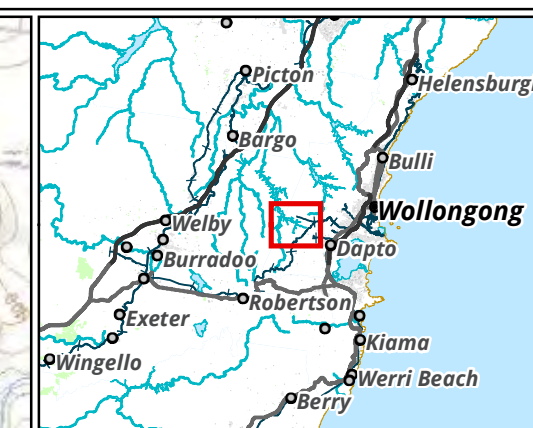
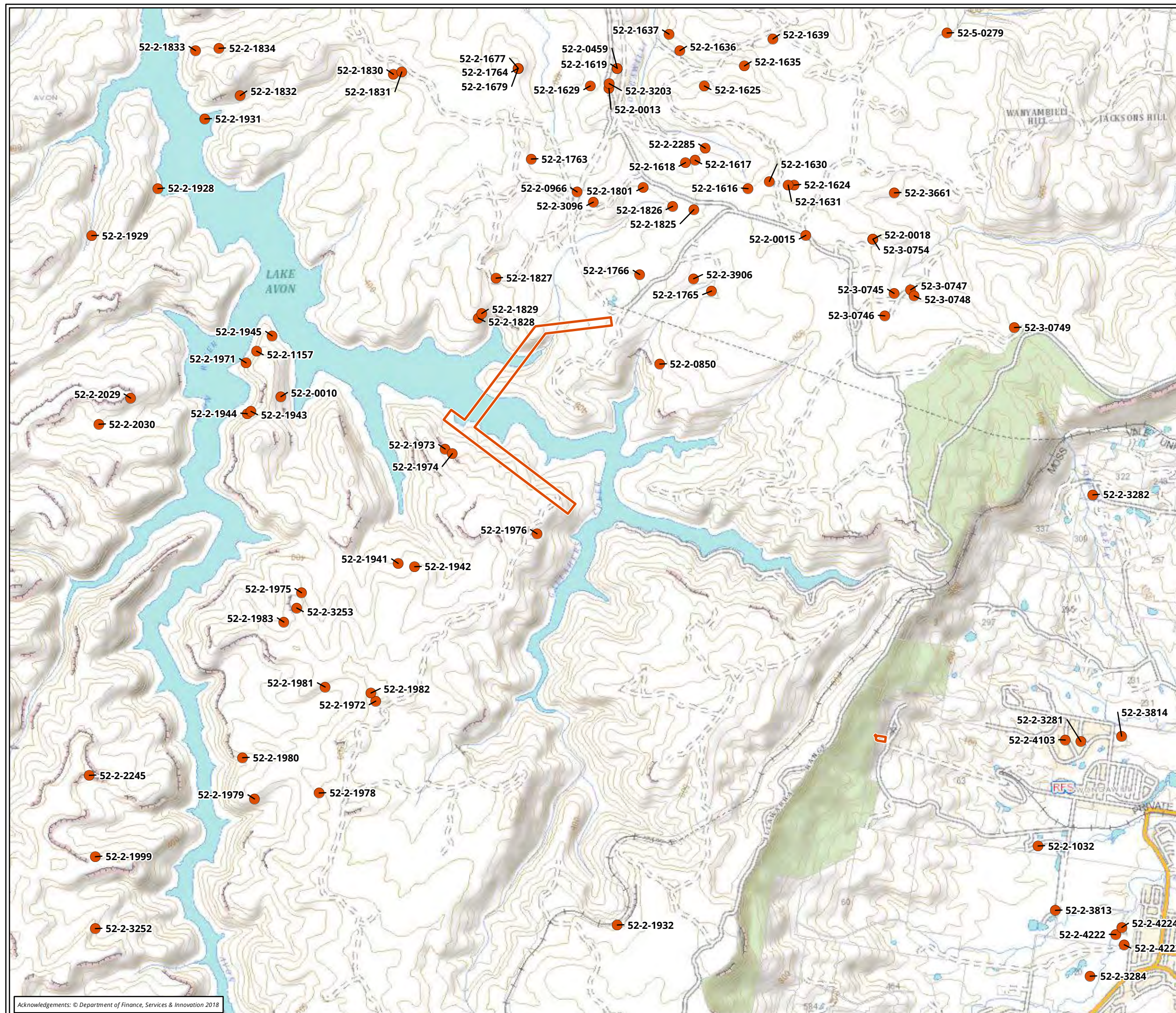
The study area is located within five soil landscapes: Warragamba, Bundeena, Hawkesbury, Illawarra Escarpment, and Lucas Heights. In general, a mixture of colluvial and residual landscapes is beneficial to preserving archaeological material, in particular on level landforms without much gravitational movement. Deposits within shelters may also be preserved especially where residual landscapes are present because soil and associated archaeological material is unlikely to be moved once buried in-situ.

Minimal usage has occurred within the study area. After preliminary use for logging and initial mining activities it was quickly declared a conservation and catchment area in 1880. Little development has taken place within the study area during this time besides the construction of access and fire tracks. The construction of Avon Dam in 1927 may have disturbed some sites within the region and study area as the water level rose.

The study area is located within the southern Woronora Plateau, an area with a landform pattern typically characterised as 'level to rolling pattern of plains, rises and low hills standing above a cliff, scarp or escarpment that extends around a large part of its perimeter' (Speight 2009, p.69). Typical landform elements that are associated with plateau landform pattern as defined by Speight (2009) are present within the study area: cliff, hillcrest, hillslope and drainage depressions.

Several water ways are located close to the study area, including Gallahers Creek, Bellbird Creek, Flying Fox No. 1 Creek, Flying Fox No. 2 Creek and Flying Fox No. 3 Creek. Stream channels within the study area are typically erosional, closely spaced and drain into Avon River and Gallaher's Creek.

Regional and local archaeological studies have shown extensive use of the Woronora Plateau and Illawarra escarpment. A variety of archaeological evidence such as stone artefacts, grinding grooves, modified trees rock shelters with art and deposit as well as stone arrangements show complex social systems and use of the region. Local analysis has suggested a rock art sequence formally developed by Dibden (2011) which stipulates three phases. The potential rock of in the study area would likely be phase two or three.



Legend

- Study area
- AHIMS record

Figure 4 AHIMS sites in the vicinity of the study area

0 250 500 750 1,000
Metres

Scale: 1:30,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Matter: 33219,
Date: 13 July 2020,
Checked by: SJK, Drawn by: AEDM, Last edited by: amurray
Location: P:\33200s\33219\Mapping\33219_F7_AHIMS.mxd

4 Aboriginal community consultation

Consultation with the Aboriginal community has been undertaken in compliance with the consultation requirements as detailed below. A consultation log of all communications with RAPs is provided in Appendix 1.

4.1 Stage 1: Notification of project proposal and registration of interest

4.1.1 Identification of relevant Aboriginal stakeholders

In accordance with the consultation guidelines, Biosis notified the following bodies regarding the proposal:

- Wollongong City Council.
- Heritage NSW.
- NSW Native Title Services Corporation Limited (NTSCORP Limited).
- Office of the Registrar, Aboriginal Land Rights Act 1983 of Aboriginal Owners.
- National Native Title Tribunal (NNTT).
- South East Local Land Services.
- Illawarra Local Aboriginal Land Council (ILALC).

A list of known Aboriginal stakeholders in the Illawarra was provided by Heritage NSW (a copy of this responses is provided in Appendix 2 and include:

- | | |
|---|--|
| • Badu (Murrin Clan/Peoples) | • Kulila Site Consultants & Koori Site Management) |
| • Barraby Cultural Services | • La Perouse Botany Bay Corporation |
| • Bellambi Indigenous Corporation
Gandangarra Traditional Owners | • Minnamunnung |
| • Biamanga (Murrin Clan/Peoples) | • Munyunga (Murrin Clan/Peoples) |
| • Bilinga (Murrin Clan/Peoples) | • Mura Indigenous Corporation (icn:8991) |
| • Gary Caines | • Murramarang (Murrin Clan/Peoples) |
| • Darryl Caines | • Murra Bidgee Mullangari Aboriginal Corporation |
| • Coomaditchie United Aboriginal Corporation | • Murrumbul (Murrin Clan/Peoples) |
| • Cullendulla (Murrin Clan/Peoples) | • NIAC |
| • Darug Land Observations | • Nundagurri (Murrin Clan/Peoples) |
| • James Davis | • Pemulwuy (Murrin Clan/Peoples) |
| • Dharug (Murrin Clan/Peoples) | • Norma Simms |

- Duncan Falk Consultancy
- Eora Heritage Group
- Ken Foster
- Clive Freeman
- Gadhu Dreaming
- Raymond Garbutt
- Goobah Development Pty Ltd (Murrin Clan/Peoples)
- Gumaraa
- Gundungurra Tribal Technical Services
- Gunyuu (Murrin Clan/Peoples)
- Guunamaa Dreaming Sites and Surveying
- Illawarra Aboriginal Corporation
- Illawarra Local Aboriginal Land Council
- Jerringong (Murrin Clan/Peoples)
- Karrial (Murrin Clan/Peoples)
- Korewal Elouera Jerrungurah Tribal Elders Council
- South Coast NSW Aboriginal Elders
- South West Rocks Corporation
- Three Ducks Dreaming Surveying and Consulting
- Thoorga Nura
- Tungai Tonghi
- Leanne Tungai
- The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)
- Walbunja (Murrin Clan/Peoples)
- Walgalu (Murrin Clan/Peoples)
- Warra Bingi Nunda Gurri
- Wingikara (Murrin Clan/Peoples)
- The Wodi Wodi Elders Corporation
- Woronora Plateau Gundungara Elders Council
- Wullung (Murrin Clan/Peoples)
- Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation
- Yurrandaali Cultural Services

A search conducted by the Office of the Registrar, *Aboriginal Land Rights Act 1983* (NSW) listed no Aboriginal Owners with land within the study area. A search conducted by the NNTT listed no Registered Native Title Claims, Unregistered Claimant Applications or Registered Indigenous Land Use Agreements within the study area. There was one unregistered Claimant Application within the study area, South Coast Peoples (NC2017/008).

4.1.2 Public notice

In accordance with the consultation guidelines, a public notification was placed in the following newspaper:

- *Illawarra Mercury* (16 June 2020).

The advertisement invited Aboriginal people who hold cultural knowledge to register their interest in a process of community consultation to provide assistance in determining the significance of Aboriginal object(s) and/or places in the vicinity of the study area. A copy of the public notice is provided in Appendix 2.

4.1.3 Registration of Aboriginal parties

Aboriginal groups identified in Section 4.1.1 were sent a letter inviting them to register their interest in a process of community consultation to provide assistance in determining the significance of Aboriginal object(s) and/or places in the vicinity of the study area. In response to the letters and public notice, a total of

12 groups registered their interest in the project. Responses to registration from Aboriginal parties are provided in Appendix 3. A full list of Aboriginal parties who registered for consultation is provided below:

Table 7 List of registered Aboriginal parties

No.	Organisation	Contact person
1	James Davis	James Davis
2	Barraby Cultural Services	Lee Field
3	Yerramurra	Blaan Davies
4	Freeman & Marx	Clive Freeman
5	Gumaraa	Jodie Edwards and Lisa Bazzano
6	Illawarra Local Aboriginal Land Council	Paul Knight
7	Tungai Tonghi	Troy Tungai
8	Warra Bingi Nunda Gurri	Nathanial Kennedy
9	Woronora Plateau Gundungara Elders Council	Kayla Williamson
10	Yurrandaali Cultural Services	Bo Field
11	Gary Caines	Gary Caines
12	Leanne Tungai	Leanne Tungai

4.2 Stage 2: Presentation of information about the proposed project

On 17 July 2020, Biosis provided RAPs with details about the proposed development works (project information pack). A copy of the project information pack is provided in Appendix 3.

4.3 Stage 3: Gathering information about cultural significance

4.3.1 Archaeological assessment methodology information pack

On 17 July 2020, Biosis provided each RAP with a copy of the project methodology pack outlining the proposed ACHA process and methodology for this project. RAPs were given 28 days to review and prepare feedback on the proposed methodology. A copy of the project methodology pack is provided in Appendix 4.

Gumaraa, Blaan Davies, Leanne Tungai, Barraby Cultural Services and Freeman & Marx all agreed and supported the methodology. However, the Illawarra LALC provided in principal support and stated that there were shortfalls with methodology in terms of the requirements of other cultural heritage management instruments. They noted that no remedial activities and compensation to the Aboriginal and wider community were considered in the methodology and that it did not address tangible and intangible cultural heritage. The Illawarra LALC support methods of recording this information.

They also had concerns about the impacts to cultural heritage:

It is our assertion that the impact of the Wollongong Coal Limited operations, will directly impact tangible items in the region including rock shelters, art and axe grinding sites although we recognise that the method of operation will not create as much damage as longwall mining. Our concern does however relate to the potential for collapse of the board and pillar long after the mine has ceased operation.

An additional impact of this damage, is that it comprehensively damages the intangible aspects of our culture which includes the connection between sites and potentially the water flows that determined the locations of sites of occupation and therefore rock shelters and art. Therefore, the potential impact extends beyond the project area and impacts will occur to significant stories or songlines that form part of the identity of Aboriginal people from this land.

Desecration of these areas are akin to forced removal. It is The Government and in this case Mining interests, reinforcing the dislocation of Aboriginal people from their heritage, it is making a forced statement that our identity, values and humanity do not matter when it comes to the jobs and mining interests.

As an Aboriginal community we find that the process of assessment of our sites and their value being reflected in relation to their scientific classification as being completely inappropriate and offensive. This position fails the human test. Aboriginal people are not scientific experiments. Our heritage belongs to us. Our dislocation from land, country, stories belongs to everyone and we need to take responsibility as a community for this. To place the tangible connection to Lands and Country in the realm of scientific understanding is another slap in the face and a devaluing of our human rights and our identity. It is time for Governments and Industry to understand and accept this, and not give it lip service and skirt the legislation that has been enacted to return the dignity and identity to Aboriginal communities. We find it offensive that this methodology is not only undertaken through a western paradigm of science, and interpreted through this lens, but also provides a token understanding of what real connection and belonging to Country is about.

The Illawarra Local Aboriginal Land Council would also like to emphasise that, our culture is a living culture and our heritage surrounds us every day. Science is not what we live for or aim to contribute too. We strongly believe that the wider community as well as archaeologists and anthropologists need to appreciate and resolve to support the recognition of Aboriginal cultural heritage as part of a living and continually evolving society and place an emphasis on highlighting and celebrating this heritage rather than recording whether it has scientific value.

We therefore recommend that you consider your methodology for what it is, the simple recording of potential destruction and desecration of our heritage and not as to whether it has high, medium or low scientific value. All heritage has high importance to our community and we point out that this importance relates to the tangible and the intangible aspects, values, identity and connection between places, "The Cultural Landscape", which is not scientific but a value belonging to Aboriginal people as humans. To deny this, is to again place Aboriginal people back in the category of flora and fauna that can be exploited by privilege.

Multiple attempts to contact the Illawarra LALC were made; however, no return calls or emails were forthcoming. The Illawarra LALC's full response is provided in Appendix 4.

4.3.2 Information gathered during fieldwork

James Davis, Wodi Wodi Traditional Owner, and Paul Cummins and Kayla Williamson from Woronora Plateau Gundangara Elders Council all commented about the high cultural significance of the entire catchment area during the archaeological survey.

4.4 Stage 4: Review of draft ACHA report

Following completion of the draft ACHA report, it was provided to RAPs on 24 September 2020 for review and comment. RAPs were given 28 days to provide comments and four responses were received as detailed below. Comments on the draft report are provided in Appendix 5.

Comments were received from Gumaraa and Tungai Tongi who stated that they agreed with the recommendations and had no issues with proposed development (Appendix 3). Freeman and Marx acknowledged receipt of the draft ACHA report but didn't provide specific comments. Yerramurra raised concerns about the ethnohistory section of the draft ACHA report and those comments have been addressed and Section 3.1 amended. Yerramurra also provided comments on the Illawarra LALC's response to the methodology.

5 Aboriginal cultural significance assessment

The two main values addressed when assessing the significance of Aboriginal sites are cultural values to the Aboriginal community and archaeological (scientific) values. This report will assess the cultural values of Aboriginal sites in the study area. Details of the scientific significance assessment of Aboriginal sites in the study area are provided in Appendix 6.

5.1 Introduction to the assessment process

Heritage assessment criteria in NSW fall broadly within the significance values outlined in the Australia International Council on Monuments and Sites (ICOMOS) *Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (Australia ICOMOS 2013) (the Burra Charter). This approach to heritage has been adopted by cultural heritage managers and government agencies as the set of guidelines for best practice heritage management in Australia. These values are provided as background and include:

- **Historical significance** (evolution and association) refers to historic values and encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all of the terms set out in this section. A place may have historic value because it has influenced, or has been influenced by, a historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives *in situ*, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.
- **Aesthetic significance** (Scenic/architectural qualities, creative accomplishment) refers to the sensory, scenic, architectural and creative aspects of the place. It is often closely linked with social values and may include consideration of form, scale, colour, texture, and material of the fabric or landscape, and the smell and sounds associated with the place and its use.
- **Social significance** (contemporary community esteem) refers to the spiritual, traditional, historical or contemporary associations and attachment that the place or area has for the present-day community. Places of social significance have associations with contemporary community identity. These places can have associations with tragic or warmly remembered experiences, periods or events. Communities can experience a sense of loss should a place of social significance be damaged or destroyed. These aspects of heritage significance can only be determined through consultative processes with local communities.
- **Scientific significance** (Archaeological, industrial, educational, research potential and scientific significance values) refers to the importance of a landscape, area, place or object because of its archaeological and/or other technical aspects. Assessment of scientific value is often based on the likely research potential of the area, place or object and will consider the importance of the data involved, its rarity, quality or representativeness, and the degree to which it may contribute further substantial information.

The cultural and archaeological significance of Aboriginal and historic sites and places is assessed on the basis of the significance values outlined above. As well as the Burra Charter significance values guidelines, various government agencies have developed formal criteria and guidelines that have application when assessing the significance of heritage places within NSW. Of primary interest are guidelines prepared by the Australian

Government, Heritage NSW and the Heritage Branch, and the NSW Department of Planning, Industry and Environment. The relevant sections of these guidelines are presented below.

These guidelines state that an area may contain evidence and associations which demonstrate one or any combination of the Burra Charter significance values outlined above in reference to Aboriginal heritage. Reference to each of the values should be made when evaluating archaeological and cultural significance for Aboriginal sites and places.

In addition to the previously outlined heritage values, the Heritage NSW *Guidelines to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011) also specify the importance of considering cultural landscapes when determining and assessing Aboriginal heritage values. The principle behind a cultural landscape is that 'the significance of individual features is derived from their inter-relatedness within the cultural landscape'. This means that sites or places cannot be 'assessed in isolation' but must be considered as parts of the wider cultural landscape. Hence the site or place will possibly have values derived from its association with other sites and places. By investigating the associations between sites, places, and (for example) natural resources in the cultural landscape the stories behind the features can be told. The context of the cultural landscape can unlock 'better understanding of the cultural meaning and importance' of sites and places.

Although other values may be considered – such as educational or tourism values – the two principal values that are likely to be addressed in consideration of Aboriginal sites and places are the cultural/social significance to Aboriginal people and their archaeological or scientific significance to archaeologists and the Aboriginal community. The determinations of archaeological and cultural significance for sites and places should then be expressed as statements of significance that preface a concise discussion of the contributing factors to Aboriginal cultural heritage significance.

5.2 Cultural (social significance) values

Cultural or social significance refers to the spiritual, traditional, historical and/or contemporary associations and values attached to a place or objects by Aboriginal people. Aboriginal cultural heritage is broadly valued by Aboriginal people as it is used to define their identity as both individuals and as part of a group (DECCW 2010b, p.iii). More specifically it provides:

- A 'connection and sense of belonging to Country' (DECCW 2010b, p.iii).
- A link between the present and the past (DECCW 2010b, p.3).
- A learning tool to teach Aboriginal culture to younger Aboriginal generations and the general public (DECCW 2010 p.3).
- Further evidence of Aboriginal occupation prior to European settlement for people who do not understand the magnitude to which Aboriginal people occupied the continent (DECCW 2010b, p.3).

It is acknowledged that Aboriginal people are the primary determiners of the cultural significance of Aboriginal cultural heritage. During consultation the following information was provided by RAPs in regards to the cultural values of the study area:

- The study area is part of a wider cultural landscape that included both tangible and intangible values. In particular it was noted that the art sites were an important cultural resource to the Aboriginal community
- RAPs who participated in the archaeological survey commented about the high cultural significance of the entire catchment area.

5.3 Historic values

Historic significance refers to associations a place or object may have with a historically important person, event, phase or activity to the Aboriginal and other communities. The study area is not known to have any historic associations.

5.4 Archaeological (scientific significance) values

An archaeological scientific assessment was undertaken for the study area and is presented in detail as part of the attached Archaeological Report (Appendix 6).

5.5 Aesthetic values

The study area is relatively undisturbed and is a typical example of the Woronora Plateau in its natural context. The landscape of the study area is closely linked with Aboriginal cultural values and provides a context for Aboriginal sites that gives a strong sense of place. The Illawarra Aboriginal community strongly identifies with the landscape of the study area.

5.6 Statement of significance

The significance of sites was assessed in accordance with the following criteria:

- Requirements of the Code.
- The Burra Charter.
- *Guide to Investigating and Reporting on Aboriginal Heritage*.

The combined use of these guidelines is widely considered to represent the best practice for assessments of Aboriginal cultural heritage. The identification and assessment of cultural heritage values includes the four values of the Burra Charter: social, historical, scientific and aesthetic values. The resultant statement of significance has been constructed for the study area based on the significance ranking criteria assessed in Table 8.

5.6.1 Statement of significance for the Wongawilli Pit Top

The Wongawilli Pit Top is located within the Illawarra Escarpment soil landscape, which is characterised by steep to very steep slopes and large landslips. Archaeological potential of the Illawarra Escarpment soil landscape is deemed to be low due to very steep slopes and rock fall hazards, which are not conducive to human occupation. Furthermore, the significant ground disturbances associated with the Wongawilli Pit Top would have displaced surface cultural material and disturbed deeper buried archaeological deposits, if present. The Wongawilli Pit Top part of the study area has low historical and moderate aesthetic value and the scientific significance has been assessed as low. However, it has high cultural value.

5.6.2 Statement of significance for the Additional Driveage

The Additional Driveage area displayed minimal disturbances associated with burrowing and scratching in soil by animals, exposure from slumping or erosion, and the construction of access tracks. However, the Wongawilli vent shaft displayed significant ground disturbances that would have displaced surface cultural material and disturbed deeper buried archaeological deposits, as previously assessed. The most suitable sandstone overhangs for Aboriginal occupation occur within the scarps and gorges of the Hawkesbury Sandstone usually associated with permanent water sources; however, this geological formation only occurs

within a small part of the Additional Driveage area. Any sandstone overhangs that were present within the study area were located at the junction of the Hawkesbury Sandstone and Narrabeen Group formations, overlying Hawkesbury sandstone. This junction forms large cliff lines with limited overhang development and where they were present, they had steep and wet floors without deposit. Archaeological potential of the study area is therefore deemed low due to either shallow or limited soil development or very steep slopes that are not conducive to human occupation. The Additional Driveage part of the study area has low historical value and the scientific significance has been assessed as low. However, it has high aesthetic and cultural value.

Table 8 Significance assessment criteria

Site name	Criteria	Ranking
Wongawilli Pit Top	Cultural – discussions with the local Aboriginal communities reflect that the site is high in value.	High
	Historical – the site is not connected to any historical event or personage.	Low
	Scientific – the site possesses limited archaeological values.	Low
	Aesthetic – the site has sustained significant disturbances associated with the construction of the pit top and vent shaft.	Moderate
Additional Driveage	Cultural – discussions with the local Aboriginal communities reflect that the site is high in value.	High
	Historical – the site is not connected to any historical event or personage.	Low
	Scientific – the site possesses limited archaeological values.	Low
	Aesthetic – the study area is relatively undisturbed and is a typical example of the Woronora Plateau in its natural context.	High

The significance of sites was assessed in accordance with the following criteria:

- Requirements of the Code.
- The Burra Charter.
- *Guide to Investigating and Reporting on Aboriginal Heritage.*

The combined use of these guidelines is widely considered to represent the best practice for assessments of Aboriginal cultural heritage. The identification and assessment of cultural heritage values includes the four values of the Burra Charter: social, historical, scientific and aesthetic values. The resultant statement of significance has been constructed for the study area based on the significance ranking criteria assessed in Table 8.

6 Development limitations and mitigation measures

Within the study area, there are no recorded Aboriginal sites that may be subject to harm. As previously outlined, WCL proposes a second modification to the existing project approval for extension of mining activities at WWC for a further 5 years. The modification largely seeks approval to extend the length of NWMD by approximately 2.9 kilometres to access the existing Wongawilli Ventilation Shaft 1 and construction of a new section of coal conveyor system, approximately 60 metres in length, at the Wongawilli Upper top pit.

6.1 Management and mitigation measures

Ideally, heritage management involves conservation of sites through the preservation and conservation of fabric and context within a framework of 'doing as much as necessary, as little as possible' (Australia ICOMOS 2013). In cases where conservation is not practical, several options for management are available. For sites, management often involves the salvage of features or artefacts, retrieval of information through excavation or collection (especially where impact cannot be avoided) and interpretation.

Avoidance of impact to archaeological and cultural heritage sites through the design of the development is the primary mitigation and management strategy, and should be implemented where practicable. The proposed works include the first workings mining methods and no impacts are expected to the ground surface. The first workings method involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using remote controlled coal cutting. These form a series of self-supporting roadways, leaving behind a grid of pillars.

Biosis has undertaken background research and a survey of the study area as part of the ACHA to identify and characterise any potential Aboriginal heritage constraints within the study area. No Aboriginal sites or areas of potential archaeological deposit were identified within the study area during the survey. As a result, the study area has been assessed with low archaeological potential to contain Aboriginal sites. No further archaeological investigation is recommended in the study area and it is recommended that the unexpected finds protocols set out in recommendations 2 and 3 are followed in order to mitigate potential impacts to unexpected Aboriginal sites if present.

7 Recommendations

The recommendations below respond specifically to the wishes of the RAPs. Recommendations regarding the archaeological value of the site, and the subsequent management of Aboriginal cultural heritage is provided in the archaeological report (Appendix 6).

Recommendation 1: No further archaeological assessment is required

No further archaeological work is required in the study area due to the entire study area being assessed as having low archaeological potential.

Recommendation 2: Discovery of unanticipated Aboriginal objects

All Aboriginal objects and Places are protected under the *National Parks and Wildlife Act 1974* (NPW Act). It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the Heritage NSW, Department of Premier and Cabinet (Heritage NSW). Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the Heritage NSW and Aboriginal stakeholders.

Recommendation 3: Discovery of Aboriginal ancestral remains

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains.
2. Notify the NSW Police and Heritage NSW's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location.
3. Not recommence work at that location unless authorised in writing by Heritage NSW.

Recommendation 4: Continued consultation with the registered Aboriginal stakeholders

As per the consultation requirements, it is recommended that the proponent provides a copy of this final report to the Aboriginal stakeholders. The proponent should continue to inform these groups about the management of Aboriginal cultural heritage sites within the study area throughout the life of the project.

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Appendices

Appendix 1 Consultation log

Stage 1 – Notification of project proposal and registration of interest

Step 1: Identification of Aboriginal people/parties with an interest in the proposed study area.

Organisation contacted	Date and type of contact	Date and type of response	Response details
Wollongong City Council (WCC)	11/6/2020 – email	15/6/2020 – email	Requested contact with Heritage NSW
Heritage NSW	11/6/2020 – email	23/6/2020 – email	Provided list of Aboriginal stakeholders
NSW Native Title Services Corporation Limited (NTSCORP Limited)	11/6/2020 – email	–	–
Office of the Registrar, Aboriginal Land Rights Act 1983 of Aboriginal Owners	11/6/2020 – email	–	–
National Native Title Tribunal (NNTT)	11/6/2020 – email	15/6/2020 – email	Stated that there are no Indigenous Land Use Agreements, Scheduled or Registered Native Title Claims or Determined Claims. There was one unregistered Claimant Application within the study area, South Coast Peoples (NC2017/008).
South East Local Land Services	11/6/2020 – email	–	–
Illawarra Local Aboriginal Land Council (ILALC)	11/6/2020 – email	10/8/2020 – phone	Registered an interest

Step 2: Public advertisement

The public notice was published in the *Illawarra Mercury* on 16 June 2020. A copy of the advertisement is provided in Appendix 2.

Step 3: Registration of interest

The registration period ran from the 24 June to 5 July 2020. Leeway was given to Aboriginal parties/groups who provided responses shortly after the close of this period and they have been registered as Aboriginal parties for consultation. The Illawarra LALC registered late but were included in the consultation.

Organisation contacted	Date and type of contact	Date and type of response	Response details
Badu (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Barraby Cultural Services	24/6/2020 – email	23/6/2020 – email	Registered an interest

Organisation contacted	Date and type of contact	Date and type of response	Response details
Bellambi Indigenous Corporation Gandangarra Traditional Owners	24/6/2020 – email	–	–
Biamanga (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Bilinga (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Gary Caines	24/6/2020 – email	7/7/2020 – phone	Registered an interest
Darryl Caines	24/6/2020 – email	–	–
Coomaditchie United Aboriginal Corporation	24/6/2020 – email	–	–
Cullendulla (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Anna O'Hara	24/6/2020 – email	–	–
James Davis	24/6/2020 – email	21/6/2020 – email	Registered an interest
Dharug (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Duncan Falk Consultancy	24/6/2020 – email	–	–
Eora Heritage Group	24/6/2020 – email	–	–
Ken Foster	24/6/2020 – email	–	–
Freeman & Marx	24/6/2020 – email	9/7/2020 – email	Registered an interest
Gadhu Dreaming	24/6/2020 – email	–	–
Raymond Garbutt	24/6/2020 – email	–	–
Goobah Development Pty Ltd (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Gumaraa	24/6/2020 – email	9/7/2020 – email	Registered an interest
Gundungurra Tribal Technical Services	24/6/2020 – email	–	–
Gunyu (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Guunamaa Dreaming Sites and Surveying	24/6/2020 – email	–	–
Illawarra Aboriginal Corporation	24/6/2020 – email	–	–
Illawarra Local Aboriginal Land Council	24/6/2020 – email	10/8/2020 – phone	Registered an interest

Organisation contacted	Date and type of contact	Date and type of response	Response details
Jerringong (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Jesse Carroll Johnson	24/6/2020 – email	–	–
Karrial (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Korewal Elouera Jerrungurah Tribal Elders Council	24/6/2020 – email	–	–
Kulila Site Consultants & Koori Site Management	24/6/2020 – email	–	–
La Perouse Botany Bay Corporation	24/6/2020 – email	–	–
Minnamunnung	24/6/2020 – email	–	–
Munyunga (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Mura Indigenous Corporation (icn:8991)	24/6/2020 – email	–	–
Murramarang (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Murra Bidgee Mullangari Aboriginal Corporation	24/6/2020 – email	–	–
Murrumbul (Murrin Clan/Peoples)	24/6/2020 – email	–	–
NIAC	24/6/2020 – email	–	–
Nundagurri (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Pemulwuy (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Norma Simms	24/6/2020 – email	–	–
South Coast NSW Aboriginal Elders	24/6/2020 – email	–	–
South West Rocks Corporation	24/6/2020 – email	–	–
Three Ducks Dreaming Surveying and Consulting	24/6/2020 – email	–	–
Thoorga Nura	24/6/2020 – email	–	–
Tungai Tonghi	24/6/2020 – email	9/7/2020 – email	Registered an interest

Organisation contacted	Date and type of contact	Date and type of response	Response details
Leanna Tungai	24/6/2020 – email	9/7/2020 – email	Registered an interest
The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)	24/6/2020 – email	–	–
Walbunja (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Walgalu (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Warra Bingi Nunda Gurri	24/6/2020 – email	9/7/2020 – email	Registered an interest
Wingikara (Murrin Clan/Peoples)	24/6/2020 – email	–	–
The Wodi Wodi Elders Corporation	24/6/2020 – email	–	–
Woronora Plateau Gundungara Elders Council	24/6/2020 – email	24/6/2020 – email	Registered an interest
Wullung (Murrin Clan/Peoples)	24/6/2020 – email	–	–
Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	24/6/2020 – email	24/6/2020 – email	Registered an interest
Yurrandaali Cultural Services	24/6/2020 – email	23/6/2020 – email	Registered an interest

Stage 2 – Presentation of information about the proposed project

Step 1: Provision of project information pack

A copy of the information pack is provided in Appendix 3 and a copy of the covering email is provided following. The Illawarra LALC registered late but were provide with their statutory 28 days review period.

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	James Davis	17/7/2020 – email	–	–
2	Barraby Cultural Services	17/7/2020 – email	–	–
3	Yerramurra	17/7/2020 – email	–	–
4	Freeman & Marx	17/7/2020 – email	–	–
5	Gumaraa	17/7/2020 – email	–	–

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
6	Illawarra Local Aboriginal Land Council	18/8/2020 – email	–	–
7	Tungai Tonghi	17/7/2020 – email	–	–
8	Warra Bingi Nunda Gurri	17/7/2020 – email	–	–
9	Woronora Plateau Gundungara Elders Council	17/7/2020 – email	–	–
10	Yurrandaali Cultural Services	17/7/2020 – email	–	–
11	Gary Caines	17/7/2020 – email	–	–
12	Leanne Tungai	17/7/2020 – email	–	–

Stage 3 – Gathering information about cultural significance

Step 1: Provision of project methodology pack and consultation meeting

A copy of the methodology pack is provided in Appendix 4 and a copy of the covering email is provided following. The Illawarra LALC registered late but were provide with their statutory 28 days review period.

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	James Davis	17/7/2020 – email	–	–
2	Barraby Cultural Services	17/7/2020 – email	17/7/2020 – email	Supports the methodology
3	Yerramurra	17/7/2020 – email	18/7/2020 – email	Supports the methodology
4	Freeman & Marx	17/7/2020 – email	29/7/2020 – email	Supports the methodology
5	Gumaraa	17/7/2020 – email	17/7/2020 – email	Supports the methodology
6	Illawarra Local Aboriginal Land Council	18/8/2020 – email	13/8/2020 – email	Provided in principal support and stated that there were shortfalls with methodology. Please see their full response in Appendix 4.
7	Tungai Tonghi	17/7/2020 – email	–	–
8	Warra Bingi Nunda Gurri	17/7/2020 – email	–	–
9	Woronora Plateau Gundungara Elders Council	17/7/2020 – email	–	–
10	Yurrandaali Cultural Services	17/7/2020 – email	–	–
11	Gary Caines	17/7/2020 – email	–	–
12	Leanne Tungai	17/7/2020 – email	18/7/2020 – email	Supports the methodology

Step 2: Field survey

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	James Davis	27/8/2020 – phone	28/8/2020 – email	Attending field survey after completing all inductions.
5	Gumaraa	27/8/2020 – phone	–	–
6	Illawarra Local Aboriginal Land Council	27/8/2020 – phone	28/8/2020 – email	Steve Henry was unable to attend the field survey
7	Tungai Tonghi	27/8/2020 – phone	29/8/2020 – email	Did not attend field survey due to incomplete inductions.
8	Warra Bingi Nunda Gurri	27/8/2020 – phone	27/8/2020 – phone	Unable to provide a RAP.
9	Woronora Plateau Gundungara Elders Council	27/8/2020 – phone	28/8/2020 – email	Attending field survey after completing all inductions.
12	Leanne Tungai	27/8/2020 – phone	29/8/2020 – email	Did not attend field survey due to incomplete inductions.

Stage 4 – Review of draft report

Step 1: Provision of draft report for review

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
1	James Davis	24/9/2020 – email	–	–
2	Barraby Cultural Services	24/9/2020 – email	–	–
3	Yerramurra	24/9/2020 – email	24/9/2020 – email	Yerramurra raised concerns about the ethnohistory section of the draft ACHA report and those comments have been addressed and Section 3.1 amended. Yerramurra also provided comments on the Illawarra LALC's response to the methodology.
4	Freeman & Marx	24/9/2020 – email	29/7/2020 – email	Acknowledged receipt of draft ACHA report
5	Gumaraa	24/9/2020 – email	17/7/2020 – email	Supports the draft ACHA report
6	Illawarra Local Aboriginal Land Council	24/9/2020 – email	–	–
7	Tungai Tonghi	24/9/2020 – email	24/9/2020 – email	Supports the draft ACHA report
8	Warra Bingi Nunda Gurri	24/9/2020 – email	–	–
9	Woronora Plateau Gundungara Elders Council	24/9/2020 – email	–	–

No.	Organisation contacted	Date and type of contact	Date and type of response	Response details
10	Yurrandaali Cultural Services	24/9/2020 – email	–	–
11	Gary Caines	24/9/2020 – email	–	–
12	Leanne Tungai	24/9/2020 – email	–	–

Appendix 2 Stage 1: Notification of project proposal and registration of interest



11 June 2020

South East Local Land Services
Level 1, 84 Crown Street
Wollongong East NSW 2520

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) on behalf of Wollongong Coal Ltd for Wongawilli Colliery North West (NW) Mains Modification (the project) in New South Wales (NSW). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Consultation with the Aboriginal community for this assessment will be undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010) (consultation requirements).

The purpose of the Aboriginal community consultation is to provide sufficient information for the assessment of Aboriginal cultural heritage values and to assist the Secretary of the DPIE in the consideration and determination of the application. The project will be undertaken in accordance with the *National Parks and Wildlife Act 1974*.

As per section 4.1 of the consultation requirements, Biosis is seeking to identify Aboriginal people who may have an interest in the study area and hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the Illawarra Catchment Reserve. If you could please provide contact details for any such Aboriginal people or organisations by it would be greatly appreciated.

In accordance with section 4.1.3 (a) of the consultation requirements, please note that the relevant client contact for this project is:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

All correspondence regarding provision of names and contact details of Aboriginal people who may hold cultural knowledge relevant to the study area should be provided in writing by **26 June 2020** to:

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

If you have any queries regarding the project please don't hesitate to contact me on the details above.

Yours sincerely

A handwritten signature in black ink, appearing to read "Skeats", is displayed within a light gray rectangular box.

Samantha Keats
Consultant Archaeologist



11 June 2020

National Native Title Tribunal
GPO Box 9973
Sydney NSW 2001

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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Yours sincerely

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Samantha Keats
Consultant Archaeologist



11 June 2020

Native Title Services Corporation
PO Box 2105
Strawberry Hills NSW 2012

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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Yours sincerely

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Samantha Keats
Consultant Archaeologist



11 June 2020

Office of the Registrar Aboriginal Land Rights Act 1983
PO Box 5068
Parramatta NSW 2124

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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Yours sincerely

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Samantha Keats
Consultant Archaeologist



11 June 2020

Office of Environment and Heritage
PO Box 513
Wollongong NSW 2520

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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Samantha Keats
Consultant Archaeologist



11 June 2020

Wollongong Local Council
Locked Bag 8821
Wollongong DC NSW 2500

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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Samantha Keats
Consultant Archaeologist



11 June 2020

Illawarra Local Aboriginal Land Council
3 Ellen Street
Wollongong NSW 2500

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification: Aboriginal Cultural Heritage Assessment, Notification to Agencies
Our Ref: Matter 33219

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The purpose of the Aboriginal community consultation is to provide sufficient information for the assessment of Aboriginal cultural heritage values and to assist the Secretary of the DPIE in the consideration and determination of the application. The project will be undertaken in accordance with the *National Parks and Wildlife Act 1974*.

As per section 4.1 of the consultation requirements, Biosis wish to invite Illawarra Local Aboriginal Land Council to register an interest in the project. Biosis is also seeking to identify Aboriginal people who may have an interest in the study area and hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the Illawarra Catchment Reserve. If you could please provide contact details for any such Aboriginal people or organisations it would be greatly appreciated.

In accordance with section 4.1.3 (a) of the consultation requirements, please note that the relevant client contact for this project is:

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Samantha Keats
Consultant Archaeologist

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Email: classifieds@illawarramercury.com.au



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throughout Australia
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enquiries: acmadonline@austcommunitymedia.com.au
Emoji now available 😊

Deaths & Funerals

In loving memory of **Joyce Margrate Gormly (Burn)**

Late of Bulgo

Passed peacefully surrounded by family.
Cherished wife of the late Kevin Gormly and loving
Mother, Mother-in-law to Mary & Jon, Rhonda &
Alan, Linda & Graham (Dec), Grandmother, Great
Grandmother and Great Great Grandmother to their
respective families, treasured Sister, Sister-In-Law
and Aunt.

Loved her family and her fishing shack.

Known as 'Nanna Joyce' to all.

Family and friends to be notified of funeral
arrangements.

"God Bless"

STOYLES **Thomas Alfred**

Late of Toowoomba
Formerly of Corralim
and North Avoca.

Passed away peacefully
on the 7th of June
2020, aged 91.

Much loved husband of
Betty.

A private funeral will
be held on Tuesday
16th of June.



HONOUR LOVED ONES AND SHARE THEIR STORY

All notices (Death, Funeral and in Memoriam) placed in print also appear
online with an accompanying Guest Book to enable family and friends from
any location to share their own messages and memories with you.

To visit our Tributes page,
go to our website,
click on the Classifieds Tab and
select "Tributes"

Connect with
Classifieds



Deaths & Funerals

WILKIE **Charlotte Cowie Mackie**

Passed away on June 10th, 2020. Of
Kanahooka, formerly of Berkeley. Loving Wife of
the late John. A much loved Mother,
Grandmother and Great Grandmother. 'Sarley'
missed by all of her family and friends.

Aged 91 Years

A service for Charlotte will be held on **Thursday
June 18th, 2020 at 12pm**. If you would like to
attend, please contact Hansen & Cole Funerals.
Alternatively, you may view the service via the
following link:

www.oneroomstreaming.com/login
Event ID: **HansencoleKG** Login: **HCKUKK**



In Memoriam

In loving memory of
**Margaret Mary
Gale.**
21st April 1924 to
15th June 2019.

Death leaves a
heartache that no one
can heal.

In Loving memory,
Cheryl & Phil

In Memoriam

**WALDOCK NEIL
ROBERT**
20 years have passed.
Remembered, not
forgotten.
Dad, Artie

Public Notices

Biosis is undertaking an Aboriginal Cultural Heritage Assessment for
Wongawilli Colliery North West (NW) Mains Modification (the project) in
New South Wales (NSW) within the Wollongong Local Government Area
on behalf of Wollongong Coal Ltd:

**Ron Bush, Wollongong Coal Ltd,
Group Environment and Approvals Manager**
rbush@wcl.net.au

The assessment will support a modification application to be prepared by
Wollongong Coal Limited for approval by the Department of Planning,
Industry and Environment under the Environmental Planning and
Assessment Act 1979 (EP&A Act).

In accordance with the Aboriginal Cultural Heritage Consultation
Requirements for Proponents 2010 (DECCW 2010), Biosis invites
Aboriginal people who hold cultural knowledge in determining the
significance of Aboriginal object(s) and/or places in the vicinity of the
above area to register their interest in a process of community
consultation.

The purpose of Aboriginal community consultation is to provide sufficient
information for the assessment of Aboriginal cultural heritage values and
to assist the Secretary of the Department of Planning, Industry and
Environment in their consideration and determination of the application.

For more information or to register in writing, please contact
Samantha Keats

skeats@biosis.com.au

30 Wentworth Street, Port Kembla NSW
Tel: 0439 376 720.

Please note that the name of each group that registers for consultation on
this project will be provided to NSW Environment, Energy and Science
and the Local Aboriginal Land Council unless the group specifies that
they do not want their details released.

REGISTRATIONS MUST BE RECEIVED BEFORE 1st JULY 2020

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\$A1 abandoned and
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utes, 4x4, forklifts,
trucks, etc. 100% free
removal, 7 days, fast
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classified ad
anytime 24/7

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Adult Services



BRIANNA 20 y/o
Model-like slender DD
Busty good fun
0487400964.

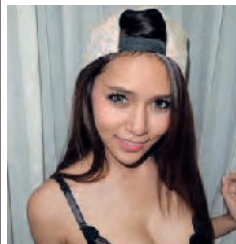
CHANEL wollongong
area. Exotic, DD/E Sz6.
24 y/o xoxoxo
0422 640 881

Hot Lady New in Town
Full service
Girlfriend Experience
0404491129



NAOMI DD Busty slim
figure perky fun
0488350724.

Naughty Girl - 1 Day Left
Full energy. Amazing.
A True Pocket Rocket
0405040448



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Customer details:

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Account No: 34216567
Invoice No: 3919215
Phone: 0242011062
Dates: 16/06/2020 to 16/06/2020
Classification: 628 (Public Notices)
First Words: BIOSIS IS UNDER
Size: 10 cms x 3 cols
Inserts: 1
Authorised by: MATTHEW TETLAW
P/O Number:
Package:
Sales Rep: Summa Vlasveld - Illawarra

Insertion details:

Publication	Run date
Illawarra Mercury	16/06/2020

inc Digital uplift charge	\$9.09
Total (ex GST):	\$829.58
Creditcard surcharge	\$7.47
plus GST:	\$83.71
Total Charges: (inc GST):	\$920.75

Payment details: _____ (RC)

Payment received with thanks.

15/06/2020 14:30:13 \$920.75 555005...733 receipt: 7262528167 Honour with identification (08)



23 June 2020

Samantha Keats
Consultant Archaeologist
Biosis

By email: skeats@biosis.com.au

Dear Sam

**REQUEST FOR INFORMATION ABOUT POTENTIAL ABORIGINAL STAKEHOLDERS AS
REQUIRED UNDER ABORIGINAL CULTURAL HERITAGE CONSULTATION REQUIREMENTS
FOR PROPONENTS 2010**

RE: Wongawilli Colliery North West Mains Modification

Thank you for your request of 11 June 2020 for stakeholder information regarding the Aboriginal cultural heritage assessment process for the above project.

Attached is a list of known Aboriginal parties for the Wollongong Local Government Area. The Department of Planning, Industry and Environment (DPIE) believes these groups and individuals are likely to have an interest in the project.

The consultation process involves getting the views of, and information from, Aboriginal people and reporting on these. It is not to be confused with other field assessment processes involved in preparing a proposal and a permit application. Consultation does not include the employment of Aboriginal people to assist in field assessment and/or site monitoring. Aboriginal people may provide services to proponents through a contractual arrangement, however, this is separate from consultation. The proponent is not obliged to employ those Aboriginal people registered for consultation. Consultation as per the requirements will continue irrespective of potential or actual employment opportunities for Aboriginal people.

This list is not necessarily an exhaustive list of all interested Aboriginal parties and does not remove the requirement of a proponent or consultant to advertise in local print media and contact other groups in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (April 2010).

The contact details in the attached list are provided solely for the purpose of contacting people about this project. The contact details must remain private and must not be reproduced in publicly available reports or other documents.

Under Section 4.1.6 of the Consultation Requirements you must also provide a copy of the names of each Aboriginal person who registered an interest to the relevant DPIE regional office and Local Aboriginal Land Council (LALC) within 28 days of the closing date for registering an interest.

Please note that the contact details in the list provided by DPIE may be out of date as the list relies on Aboriginal parties advising DPIE when their details need changing. If you are aware of any incorrect contact details on the list please contact DPIE. AHIP applicants should make a note of any group they are unable to contact as part of their consultation record.

If you wish to discuss any of the above matters further please contact Rose O'Sullivan on 4224 4177.

Yours sincerely



Chris Page
Senior Team Leader Planning (Illawarra)
South East Branch
Conservation and Regional Delivery Division
Office of Environment and Heritage

Enclosures:

Attachment 1: Wollongong LGA



Attachment 1: Wollongong LGA

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
Badu (Murrin Clan/Peoples)	Karia Lea Bond	11 Jeffery Place, Moruya, NSW 2537	Mob: 0476381207; email: baduchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Barraby Cultural Services	Lee Field	6 Macgibbon Parade, Old Erowal Bay NSW 2540	Email: barrabyculturalservices@gmail.com Mobile: 0423 906 606	
Bellambi Indigenous Corporation Gandangara Traditional Owners	Ms Kim Moran		Email: kimmoran@hotmail.com Mobile: 0475 863 627	Kim Moran has requested that her contact details are not forwarded to the Local Aboriginal Land Council.
Biamanga (Murrin Clan/Peoples)	Seli Storer		Email: biamangachts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Bilinga (Murrin Clan/Peoples)	Simalene Carriage		Email: bilingachts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Individual	Darryl Caines	11/17-19 Grove Circuit Lake Illawarra 2528	Mobile Phone: 0413 822 804 Email: darrylcaines8@gmail.com	
Individual	Gary Caines	28 Gowan Brae Avenue, Mt Ousley, NSW 2519	Ph:(02) 4227 2690; Email: grc04@live.com.au and garycaines87@gmail.com	
Coomaditchie United Aboriginal Corporation	Lorraine Brown	PO Box 160, Warrawong NSW 2502	Ph: 02 4274 7477 Email: coomaditchie@gmail.com	
Cullendulla (Murrin Clan/Peoples)	Corey Smith		Email: cullendullachts@gmail.com	This group states that their boundaries (Murrin Peoples)

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
				extend from the Hawkesbury River to the Snowy River
Darug Land Observations	Anna O'Hara	PO Box 2006 Bendelong NSW 2539	Email: daruglandobservations@gmail.com	
Individual	James Davis	2 Poplar Ave, Unanderra NSW 2526	Mob: 0423 715 395; Email: jvdcorp@hotmail.com	
Dharug (Murrin Clan/Peoples)	Andrew Bond		Email: dharugchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Duncan Falk Consultancy	Duncan Falk	34 Robinia Drive Bowral NSW 2576	Email: DuncanFalk@hotmail.com Mobile Phone: 0406 610 644	
Eora Heritage Group	Joanne Butler		Email: eora_group20@hotmail.com Mobile Phone: 0432 643 661 Telephone: 02 4213 9511	
Individual	Ken Foster	68 Australia St Matraville	Mob: 0411 818 091	
Individual	Clive Freeman	6 Dhugan Close Wreck Bay Aboriginal Community JBT 2540	Email: clive.freeman@y7mail.com Telephone: 44421117 Mobile Phone: 0437 721 481	
Gadhu Dreaming	Gordon Campbell		Email: gordy2540@hotmail.com	
Individual	Raymond Garbutt	21/5 Myuna Way Mangerton NSW 2500	Mobile Phone: 0402 024 773	
Goobah Development PTY LTD (Murrin Clan/Peoples)	Basil Smith	66 Grantham Road Batehaven NSW 2536	Mob: 0405995725; email: bunjilsmith@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Gumaraa	Jodie Edwards and Lisa Bazzano		Mobile Phone: 0487 406 782 Email: oldmanwisdomgumaraa@gmail.com	
Gundungurra Tribal Technical Services	David Bell	67 Dickens Road, AMBERVALE NSW 2560	Mob: 0450 124 891 Email: gundungurratectribsevinces@gmail.com	
Gundungurra Tribal Technical Services	Pimmy Johnson Bell	67 Dickens Road, AMBERVALE NSW 2560	Mob: 0425 066 100 Email: gundungurratectribsevinces@gmail.com	

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
Gundungurra Tribal Technical Services	Peter Foster	4 Tuppal Way, AIRDS NSW 2560	Mob: 0432 590 289 Email: gundungurratectribsevice@gmail.com	
Gundungurra Tribal Technical Services	Teangi Mereki Foster	1/6 Central Avenue, OAK FLATS NSW 2529	Mob: 0420 978 969 Email: gundungurratectribsevice@gmail.com	
Gundungurra Tribal Technical Services	Larry Hoskins	2/3 Colville Place, ROSEMEADOW NSW 2560	Mob: 0478 009 879 Email: gundungurratectribsevice@gmail.com	
Gundungurra Tribal Technical Services	Christopher Payne	9/15-22 Burns Road, LEUMEAH NSW 2560	Mob: 0466 975 437 Email: gundungurratectribsevice@gmail.com	
Gundungurra Tribal Technical Services	Sam Wickman		Email: gundungurratectribsevice@gmail.com	
Gunyu (Murrin Clan/Peoples)	Kylie Ann Bell		Email: gunyuuchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Guunamaa Dreamin Sites and Surveying	Richard Campbell	2 Minda Crescent Oak Flats NSW 2529	Email: richardcampbell123@outlook.com; Mobile phone 0432 645 912	
Illawarra Aboriginal Corporation	Rhonda Cruse	22 Kenny Street, Wollongong, NSW 2500	Ph: 02 4228 1585	
Illawarra Local Aboriginal Land Council	Paul Knight	3 Ellen Street, Wollongong, NSW 2500	Ph: (02) 4226 3338 Email: ceo@ilalc.org.au	
Jerringong (Murrin Clan/Peoples)	Jodi Anne Stewart	2/10 Burnett Avenue Gerringong NSW 2534	Mob: 0422 800 184; Email: jerringong@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Karrial (Murrin Clan/Peoples)	Karrial Johnson		Email: karrialchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
Korewal Elouera Jerrungurah Tribal Elders Council	Uncle Rueben Brown	86 Hertford Street, Berkeley NSW 2506	Ph: (02) 4271 3069	
Kullila Site Consultants and Koori Site Management	Paul Charles	14 Werang Road, Primbee, NSW 2502	Mobile Phone: 0423 795 389	
La Perouse Botany Bay Corporation	Yvonne Simms	10 Murrong Place, La Perouse NSW 2036	Mob: 0466 094 491 Fax: (02) 9311 3440	
Minnamunnung	Aaron Broad	1 Waratah Avenue ALBION PARK RAIL NSW 2527	Email: minnamunnung@gmail.com Mobile Phone: 0402 526 888 (do not publish)	
Munyunga (Murrin Clan/Peoples)	Kaya Dawn Bell		Email: munyungachts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Mura Indigenous Corporation (icn:8991)	Phillip Carroll	11 Nargal St Flinders NSW 2529	Mobile Phone: 0448 824 188; Email: mura.indigenous.com@bigpond.com	
Murramarang (Murrin Clan/Peoples)	Roxanne Smith		Email: murramarangchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Murra Bidgee Mullangari Aboriginal Corporation	Ryan Johnson and Darleen Johnson		Email: murrabidgeemullangari@yahoo.com.au Mobile (Ryan): 0475 565 517 Mobile (Darlene): 0490 051 102	
Murrumbul (Murrin Clan/Peoples)	Mark Henry		Email: murrumbul@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
NIAC		PO Box 595 Moss Vale NSW 2577	Ph: 4883 6639	
Nundagurri (Murrin Clan/Peoples)	Newton Carriage		Email: nundagurri@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Pemulwuy (Murrin Clan/Peoples)	Pemulwuy Johnson		Email: pemulwuyd@gmail.com	This group states that their boundaries (Murrin Peoples)

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
				extend from the Hawkesbury River to the Snowy River
Individual	Norma Simms	10 Murrong Place, La Perouse NSW 2036	Mob: 0466 094 491	
South Coast NSW Aboriginal Elders	Owen Carriage		Email: owen.fpfs@gmail.com Mobile Phone: 0400 917 653	
South West Rocks Corporation	Edward Moran (Director)	4 Crystal Place South West Rocks NSW 2431	Mobile Phone: 0499 281 456	
Three Ducks Dreaming Surveying and Consulting	Leonard Wright	40 Tuggerah Circuit FLINDERS 2529	Ph: 0422 382 950 Email: lbjwright1977@hotmail.com	
Thoorga Nura	John Carriage	50B Hilltop Crescent, Surfbeach, NSW 2536	Email: thoorganura@gmail.com Mobile Phone: 0401 641 299	
Tungai Tonghi	Troy Tungai	10 Paterson Place Barrack Heights 2528	Email: troytungai72@outlook.com Mobile Phone: 0423 350 430	
Individual	Leanne Tungai		Email: leannecaroltungai@gmail.com Mobile Phone: 0478157604	
The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)		PO Box 595 Moss Vale NSW 2577	Ph: 02 4283 3009	
Walbunja (Murrin Clan/Peoples)	Hika Te Kowhai	15 Renee Crescent Moruya Heads NSW 2537	Mob: 0402 730 612 Email: Walbunja@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Walgalu (Murrin Clan/Peoples)	Ronald Stewart		Email: walgaluchts@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Warra Bingi Nunda Gurri	Nathanial Kennedy		Mobile Phone: 0406 924 258 Email: warrabingi@gmail.com	
Wingikara (Murrin Clan/Peoples)	Hayley Bell		Email: wingikarachts@gmail.com	

Organisation/ Name	Contact Person	Address	Phone number; email	Notes
The Wodi Wodi Elders Corporation	Rosina Davis (Joyce Donavon, Sandra Donavon)	7 O'Donnell Drive Figtree NSW 2525 (also 484 Northcliffe Drive, Berkeley, NSW 2506)	Ph: 4244 3340 (also 4271 8088)	
Woronora Plateau Gundungara Elders Council	Paul Cummins and Kayla Williamson	11 Garnet Grove Flinders 2529	Mob: (PC) 0418 971 660, (KW) 0414 438 744 Email: kayla_87_@hotmail.com	
Wullung (Murrin Clan/Peoples)	Lee-Roy James Boota	54 Blackwood Street Gerrington NSW 2534	Mob: 0403 703 942; Email: wullunglb@gmail.com	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation	Blaan Davies		Email: blaan.davies@my.jcu.edu.au Mobile Phone: 0413 208 344	This group states that their boundaries (Murrin Peoples) extend from the Hawkesbury River to the Snowy River
Yurrandaali Cultural Services	Bo Field	3 Sheeran street, Old Erowal Bay NSW 2540	Email: yurrandaali_cs@outlook.com; Mobile: 0457 546 643	

From: [Matthew Tetlaw](#)
To: [Samantha Keats](#)
Subject: FW: SR20/541 - 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies - SR20/541
Date: Monday, 15 June 2020 1:17:24 PM
Attachments: [image001.png](#)

From: Geospatial Search Requests
Sent: Monday, 15 June 2020 12:56 PM
To: Matthew Tetlaw
Subject: RE: SR20/541 - 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies - SR20/541

UNCLASSIFIED

Native title search – NSW Parcel - lot 14 DP 1233164

Your ref: 33219 - **Our ref:** SR20/541

Dear Matthew Tetlaw,

Thank you for your search request received on 11 June 2020 in relation to the above area, please find your results below.

Search Results

The results provided are based on the information you supplied and are derived from a search of the following Tribunal databases:

- Schedule of Native Title Determination Applications
- Register of Native Title Claims
- Native Title Determinations
- Register of Indigenous Land Use Agreements
- Notified Indigenous Land Use Agreements

For more information about the Tribunal's registers or to search the registers yourself and obtain copies of relevant register extracts, please visit our [website](#).

Parcel ID	Feature Area SqKm	NNTT file number	Name	Category	Overlap Area SqKm	Percent Selected Feature
14//D1233164	445.2908	NC2017/003	South Coast People	Applications (Schedule)	445.2729	100.00%
14//D1233164	445.2908	NC2017/003	South Coast People	Applications (RNTC)	445.2729	100.00%

Please note: There may be a delay between a native title determination application being lodged in the Federal Court and its transfer to the Tribunal. As a result, some native title determination applications recently filed with the Federal Court may not appear on the Tribunal's databases.

The search results are based on analysis against external boundaries of applications only. Native title applications commonly contain exclusions clauses which remove areas from within the external boundary. To determine whether the areas described are in fact subject to claim, you need to refer to the "Area covered by claim" section of the relevant Register Extract or Schedule Extract and any maps attached.

Search results and the existence of native title

Please note that the enclosed information from the Register of Native Title Claims and/or the Schedule of Applications is **not** confirmation of the existence of native title in this area. This cannot be confirmed until the Federal Court makes a determination that native title does or does not exist in relation to the area. Such determinations are registered on the National Native Title Register.

The Tribunal accepts no liability for reliance placed on enclosed information

The enclosed information has been provided in good faith. Use of this information is at your sole risk. The National Native Title Tribunal makes no representation, either express or implied, as to the accuracy or suitability of the information enclosed for any particular purpose and accepts no liability for use of the information or reliance placed on it.

If you have any further queries, please do not hesitate to contact us on the free call number 1800 640 501.

Regards,

Geospatial Searches

National Native Title Tribunal | Perth

Email: GeospatialSearch@nntt.gov.au | www.nntt.gov.au

From: Matthew Tetlaw <MTetlaw@biosis.com.au>
Sent: Thursday, 11 June 2020 2:09 PM
To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Subject: SR20/541 - RE: 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Hi Geospatial,
Please find attached our search form,
Kind regards,
Matthew

From: Enquiries <Enquiries@nntt.gov.au>
Sent: Thursday, 11 June 2020 12:26 PM
To: Matthew Tetlaw <MTetlaw@biosis.com.au>
Subject: RE: 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies

UNCLASSIFIED

Good Afternoon Matthew,

Thank you for your enquiry regarding Register Searches. To enable us to complete the search appropriately and adequately, please forward your request, along with a Geospatial Search Form, to the following email address: GeospatialSearch@NNTT.gov.au

A Geospatial Search Form must accompany your request. Search request forms are available for download from our website at: http://www.nntt.gov.au/assistance/Geospatial/Pages/Geospatial_Searches.aspx

Further information on searching our Registers is available at: <http://www.nntt.gov.au/assistance/Pages/Searches-and-providing-Register-information.aspx>

Please note:

Freehold Land - The National Native Title Tribunal does not hold data sets for freehold tenure. For further information on freehold land and native title claims, please visit our website at: <http://www.nntt.gov.au/native-title-claims/Pages/Native-title-claims-and-freehold-land.aspx>

Cultural Heritage - The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. In NSW, the National Native Title Tribunal has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas.

Kind Regards

Madeline

Enquiries

Public enquiry hours are 8.30am to 4.30pm

National Native Title Tribunal

Email enquiries@nntt.gov.au

Freecall 1800 640 501 | www.nntt.gov.au

From: Matthew Tetlaw <MTetlaw@biosis.com.au>

Sent: Thursday, 11 June 2020 10:50 AM

To: Enquiries <Enquiries@nntt.gov.au>

Subject: Re: 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies

Caution: This is an external email. DO NOT click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madame,

Wollongong Coal Ltd is currently developing a modification application for the Wongawilli Colliery North West Mains modification. In support of this, Biosis has been asked to complete an Aboriginal cultural heritage assessment of the project area to determine any Aboriginal heritage present within the area.

Per the requirements of the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010), Biosis is seeking any contact details of Aboriginal people who may hold cultural knowledge over the area.

If you are able, please provide these details by 26/06/2020.

Kind regards,

Matthew Tetlaw
Matthew Tetlaw
Research Assistant - Heritage
M: 0419 861 655
D: (02) 4201 1062
E: mtetlaw@biosis.com.au
Biosis Logo



Leaders in Ecology and Heritage Consulting

Biosis acknowledges the Aboriginal and Torres Strait Islander people as Traditional Custodians of the country on which we live and work. We pay our respects to the Traditional Custodians and Elders past, present and future, and honour their connection to the land and ongoing contribution to society.

The information transmitted including attachments is intended only for the person or entity to which it is addressed and may contain copyright material, or information that is confidential or is exempt from disclosure by law. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is strictly prohibited. If you received this in error, please contact the sender and delete the material from your computer. The views expressed in this email are those of the sender except where the sender expressly and with authority states them to be the views of Biosis Pty Ltd. Biosis Pty Ltd does not represent that this email is free of errors, viruses or interference. When using email to communicate with Biosis Pty Ltd, access to that information by Biosis Pty Ltd personnel is strictly limited and controlled.

From: [Joel Thompson](#)
To: [Matthew Tetlaw](#); [Samantha Keats](#)
Cc: [Carly Boag](#)
Subject: RE: 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies - Wongawilli Colliery - Wollongong Coal Pty Ltd
Date: Monday, 15 June 2020 9:59:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.png](#)

Matthew/Samantha,

Council would recommend that you liaise with the people identified on DPIE's list of Aboriginal community groups to be consulted as this is more extensive and up to date than Council's list. It would be appreciated if you can keep us informed on project milestones and provide any draft and final reporting for our review and comment.

In regard to this project, we note that the Wongawilli Colliery is a local Heritage item and that there may be additional heritage considerations related to the project. We would be happy to discuss the nature of the project and potential heritage impacts with you or your client if desired.

Regards,



Joel Thompson
Coordinator Heritage
Post Locked Bag 8821 Wollongong DC NSW 2500
Phone +61 2 4227 7524
Email jthompson@wollongong.nsw.gov.au • www.wollongong.nsw.gov.au
Our Values



From: Matthew Tetlaw

Sent: Thursday, 11 June 2020 10:50 AM

To: Records

Subject: Re: 33219 NW Mains ACHA Consultation Stage 1 Notification to Agencies

Dear Sir or Madame,

Wollongong Coal Ltd is currently developing a modification application for the Wongawilli Colliery North West Mains modification.

In support of this, Biosis has been asked to complete an Aboriginal cultural heritage assessment of the project area to determine any Aboriginal heritage present within the area.

Per the requirements of the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010), Biosis is seeking any contact details of Aboriginal people who may hold cultural knowledge over the area.

If you are able, please provide these details by 26/06/2020.

Kind regards,

Matthew Tetlaw

Matthew Tetlaw

Research Assistant - Heritage

M: 0419 861 655

D: (02) 4201 1062

E: mtetlaw@biosis.com.au

Biosis Logo



Leaders in Ecology and Heritage Consulting

Biosis acknowledges the Aboriginal and Torres Strait Islander people as Traditional Custodians of the country on which we live and work. We pay our respects to the Traditional Custodians and Elders past, present and future, and honour their connection to the land and ongoing contribution to society.

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24 June 2020

Badu (Murrin Clan/Peoples)
Karia Lea Bond
11 Jeffery Place,
Moruya, NSW 2537

Dear Karia,

**RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for
Aboriginal Community Consultation**

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Consultation with the Aboriginal community for this assessment will be undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010) (consultation requirements).

The purpose of the Aboriginal community consultation is to provide sufficient information for the assessment of Aboriginal cultural heritage values and to assist the Secretary of the DPIE in the consideration and determination of the application. The project will be undertaken in accordance with the *National Parks and Wildlife Act 1974*.

Biosis on behalf of Wollongong Coal Ltd therefore wish to invite Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s)/and or Places in the vicinity of the study area, to register their interest in the project outlined above.

If you wish to register your interest please provide your contact details in writing via post or email by
5pm 8 July 2020 to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

Please note that as per 4.1.5 of the consultation requirements, the contact details of all registered Aboriginal parties for this project will be forwarded through to EES and Illawarra Local Aboriginal Land Council (LALC). If you do not want your details forwarded on to the EES and LALC please notify Biosis at the time of your registration.

If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

A handwritten signature in dark ink, appearing to read "ML", is placed over a faint, rectangular stamp.

Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Barraby Cultural Services
Lee Field
6 Macgibbon Parade,
Old Errol Bay NSW 2540

Dear Lee,

**RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for
Aboriginal Community Consultation**

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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If you wish to register your interest please provide your contact details in writing via post or email by
5pm 8 July 2020 to:

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Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

Please note that as per 4.1.5 of the consultation requirements, the contact details of all registered Aboriginal parties for this project will be forwarded through to EES and Illawarra Local Aboriginal Land Council (LALC). If you do not want your details forwarded on to the EES and LALC please notify Biosis at the time of your registration.

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Bellambi Indigenous Corporation Gandangarra Traditional Owners
Kim Moran

Dear Kim,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Bilinga (Murrin Clan/Peoples)
Simalene Carriage

Dear Simalene,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gary Caines
28 Gowan Brae Avenue
Mt Ousley NSW 2519

Dear Gary,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Darryl Caines
11/17-19 Grove Circuit
Lake Illawarra 2528

Dear Darryl,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Coomaditchie United Aboriginal Corporation
Lorraine Brown
PO Box 160
Warrawong NSW 2502

Dear Lorraine,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Cullendulla (Murrin Clan/Peoples)
Corey Smith

Dear Corey,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Darug Land Observations
Anna O'Hara
PO Box 2006
Bendelong NSW 2539

Dear Anna,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

James Davis
2 Poplar Avenue
Unanderra NSW 2526

Dear James,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Dharug (Murrin Clan/Peoples)
Andrew Bond

Dear Andrew,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Duncan Falk Consultancy
Duncan Falk
34 Robinia Drive
Bowral NSW 2576

Dear Duncan ,

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Eora Heritage Group
Joanne Butler

Dear Joanne,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
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24 June 2020

Ken Foster
68 Australia Street
Matraville NSW 2036

Dear Ken ,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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If you wish to register your interest please provide your contact details in writing via post or email by **5pm 8 July 2020 to:**

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Clive Freeman
6 Dhugan Close Wreck Bay
Aboriginal Community JBT 2540

Dear Clive,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gadhu Dreaming
Gordon Campbell

Dear Gordon,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Raymond Garbutt
21/5 Myuna Way
Mangerton NSW 2500

Dear Raymond,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Goobah Development Pty Ltd (Murrin Clan/Peoples)
Basil Smith
66 Grantham Road
Batehaven NSW 2536

Dear Basil,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gumaraa
Jodie Edwards and Lisa Bazzano

Dear Jodie Edwards,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
David Bell
67 Dickens Road
Ambervale NSW 2560

Dear David,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Pimmy Johnson Bell
67 Dickens Road
Ambervale NSW 2560

Dear Pimmy,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Peter Foster
4 Tuppal Way
Airds NSW 2560

Dear Peter,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Teangi Mereki Foster
1/6 Central Avenue
Oak Flats NSW 2529

Dear Teangi,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Larry Hoskins
2/3 Colville Place
Rosemeadow NSW 2560

Dear Larry,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Christopher Payne
9/15-22 Burns Road
Leaumeah NSW 2560

Dear Christopher,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

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Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gundungurra Tribal Technical Services
Sam Wickman

Dear Sam,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Gunyuu (Murrin Clan/Peoples)
Kylie Ann Bell

Dear Kylie Ann,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Guunamaa Dreaming Sites and Surveying
Richard Campbell
2 Minda Crescent
Oakflats NSW 2529

Dear Richard,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Illawarra Aboriginal Corporation
Rhonda Cruse
22 Kenny Street
Wollongong NSW 2500

Dear Rhonda,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Illawarra Local Aboriginal Land Council
Paul Knight
3 Ellen Street
Wollongong NSW 2500

Dear Paul,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Jerringong (Murrin Clan/Peoples)
Jodi Anne Stewart
2/10 Burnett Ave
Gerringong NSW 2534

Dear Jodi Anne,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Karrial (Murrin Clan/Peoples)
Karrial Johnson

Dear Karrial,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Korewal Elouera Jerrungurah Tribal Elders Council
Uncle Rueben Brown
86 Hertford Street
Berkeley NSW 2506

Dear Uncle Rueben,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Kulila Site Consultants & Koori Site Management
Paul Charles
14 Werang Road
Brimbee NSW 2502

Dear Paul,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

La Perouse Botany Bay Corporation
Yvonne Simms
10 Murrong Place
La Perouse NSW 2036

Dear Yvonne,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Minnamunnung
Aaron Broad
1 Waratah Avenue
Albion Park Rail NSW 2527

Dear Aaron,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Munyunga (Murrin Clan/Peoples)
Kaya Dawn Bell

Dear Kaya Dawn,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

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Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Mura Indigenous Corporation (icn:8991)
Phillip Carroll
11 Nargal St Flinders
NSW 2529

Dear Phillip,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
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ACN 006 175 097
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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Murramarang (Murrin Clan/Peoples)
Roxanne Smith

Dear Roxanne,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Murra Bidgee Mullangari Aboriginal Corporation
Ryan Johnson and Darleen Johnson

Dear Ryan Johnson,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Murrumbul (Murrin Clan/Peoples)
Mark Henry

Dear Mark,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

NIAC
PO Box 595
Moss Vale NSW 2577

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Nundagurri (Murrin Clan/Peoples)
Newton Carriage

Dear Newton,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Pemulwuy (Murrin Clan/Peoples)
Pemulwuy Johnson

Dear Pemulwuy,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Norma Simms
10 Murrong Place
La Perouse NSW 2036

Dear Norma,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

South Coast NSW Aboriginal Elders
Owen Carriage

Dear Owen,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

South West Rocks Corporation
Edward Moran
4 Crystal Place
South West Rocks NSW 2431

Dear Edward,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Three Ducks Dreaming Surveying and Consulting
Leonard Wright
40 Tuggerah Circuit
Flinders NSW 2529

Dear Leonard ,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Thoorga Nura
John Carriage
50B Hilltop Crescent,
Surfbeach, NSW 2536

Dear John Carriage,

**RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for
Aboriginal Community Consultation**

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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If you wish to register your interest please provide your contact details in writing via post or email by
5pm 8 July 2020 to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Tungai Tonghi
Troy Tungai
10 Paterson Place
Barrack Heights 2528

Dear Troy,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Leanne Tungai

Dear Leanne,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

The Wadi Wadi Coomaditchie Aboriginal Corporation (correspondence via NIAC)
PO Box 595
Moss Vale NSW 2577

Dear Sir or Madam,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Yours sincerely

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Walbunja (Murrin Clan/Peoples)
Hika Te Kowhai
15 Renee Crescent
Moruya Heads NSW 2537

Dear Hika Te Kowhai,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Walgalu (Murrin Clan/Peoples)
Ronald Stewart

Dear Ronald,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Warra Bingi Nunda Gurri
Nathanial Kennedy

Dear Nathanial Kennedy,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Wingikara (Murrin Clan/Peoples)
Hayley Bell

Dear Hayley Bell,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

The Wodi Wodi Elders Corporation
Rosina Davis (Joyce Donavon, Sandra Donavon)
7 O'Donnell Drive
Figtree NSW 2525

Dear Rosina Davis (Joyce Donavon, Sandra Donavon),

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Woronora Plateau Gundungara Elders Council
Paul Cummins and Kayla Williamson
11 Garnet Grove
Flinders 2529

Dear Paul Cummins,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Wullung (Murrin Clan/Peoples)
Lee-Roy James Boota
54 Blackwood Street
Gerringong NSW 2534

Dear Lee-Roy James Boota,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

South Coast Peoples
William Campbell

Dear William ,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

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Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Consultation with the Aboriginal community for this assessment will be undertaken in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010) (consultation requirements).

The purpose of the Aboriginal community consultation is to provide sufficient information for the assessment of Aboriginal cultural heritage values and to assist the Secretary of the DPIE in the consideration and determination of the application. The project will be undertaken in accordance with the *National Parks and Wildlife Act 1974*.

Biosis on behalf of Wollongong Coal Ltd therefore wish to invite Aboriginal people who hold cultural knowledge relevant to determining the significance of Aboriginal object(s)/and or Places in the vicinity of the study area, to register their interest in the project outlined above.

If you wish to register your interest please provide your contact details in writing via post or email by **5pm 8 July 2020 to:**

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

In accordance with section 4.1.3 (a) of the consultation requirements, the proponent details for this project are as follows:

Wollongong Coal Ltd
Ron Bush
Group Environment and Approvals Manager
Tel: 0404 972 746
Email: rbush@wcl.net.au

Please note that as per 4.1.5 of the consultation requirements, the contact details of all registered Aboriginal parties for this project will be forwarded through to EES and Illawarra Local Aboriginal Land Council (LALC). If you do not want your details forwarded on to the EES and LALC please notify Biosis at the time of your registration.

If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

A handwritten signature in dark ink, appearing to read "ML", is placed over a faint, rectangular stamp.

Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Yerramurra (Murrin Clan/Peoples) and Taste of Tradition Native Aboriginal Corporation
Blaan Davies

Dear Blaan Davies,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

A handwritten signature in dark ink, appearing to read "ML", is placed over a faint, rectangular stamp.

Madeleine Lucas
Research Assistant
mlucas@biosis.com.au



24 June 2020

Yurrandaali Cultural Services
Bo Field 3 Sheeran street,
Old Errol Bay NSW 2540

Dear Bo Field,

RE: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation

Our Ref: Matter 33219

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Ltd to inform the Wongawilli Colliery North West (NW) Mains Modification in New South Wales (NSW) (the project). The assessment will support the modification application to be prepared by Wollongong Coal Limited for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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If you wish to register your interest please provide your contact details in writing via post or email by **5pm 8 July 2020 to:**

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

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If you have any queries regarding the project please don't hesitate to contact Samantha Keats on the details above.

Yours sincerely

A handwritten signature in dark ink, appearing to read "ML", is placed over a faint, rectangular stamp.

Madeleine Lucas
Research Assistant
mlucas@biosis.com.au

From: [Lee Field](#)
To: [Samantha Keats](#)
Subject: ACHA for Wongawilli Colliery North West Mains Modification
Date: Tuesday, 23 June 2020 3:55:02 PM

Dear Sam,

I on behalf of Barraby Cultural Services would like to register as an Aboriginal Stakeholder in this project.

Please see our company details to complete registration.

Company: Barraby Cultural Services

Contact: Lee Field

Address: 6 Macgibbon parade, Old Erowal Bay NSW 2540

Phone: 0431 314 892

Email: barrabyculturalservices@gmail.com

If you need any more information, please contact me on the details provided.

Many Thanks,

Lee Field

From: [Blaan Davies](#)
To: [Samantha Keats](#)
Subject: Wongawilli Colliery North West Mains Modification – Invitation to Register for Aboriginal Community Consultation
Date: Wednesday, 24 June 2020 9:18:17 PM

Hi Samantha,

As a registered stakeholder with OEH, i would like to register my interest within the above mention consultation.

please do not hesitate to contact me on either 0411942116 or email
blaan.davies@my.jcu.edu.au

kindest regards,

Blaan Davies

From: [Madeleine Lucas](#)
To: [Samantha Keats](#)
Subject: Fwd: 33219 - NW Mains - Stage 1 Consultation
Date: Thursday, 9 July 2020 9:46:10 AM
Attachments: [imagea6c001.PNG](#)

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Clive Freeman
Date: 24/6/20 6:26 pm (GMT+10:00)
To: Madeleine Lucas
Subject: Re: 33219 - NW Mains - Stage 1 Consultation

Hi team,

We at Freeman&marx Pty Ltd would like to register an interest in the project. We have 4 knowledge holders 2 male and 2 female.

Kind regards

Clive Freeman
Managing Director
Freeman&marx Pty Ltd

Sent from my iPhone

On 24 Jun 2020, at 2:26 pm, Madeleine Lucas wrote:

Good afternoon,

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment for Wollongong Coal Ltd to inform the Wongawilli Colliery North West Mains Modification in New South Wales. Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Please see the attached document for further information.

If you wish to register your interest please provide your contact details in writing via post or email by 5pm 8 July 2020.

Kind regards,
Madeleine Lucas
Research Assistant - Heritage

M: 0437 705 064

D: (02) 4911 4043

E: mlucas@biosis.com.au

Leaders in Ecology and Heritage Consulting

Biosis acknowledges the Aboriginal and Torres Strait Islander people as Traditional Custodians of the country on which we live and work. We pay our

respects to the Traditional Custodians and Elders past, present and future, and honour their connection to the land and ongoing contribution to society.

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Madeleine Lucas

Research Assistant - Heritage

M: 0437 705 064

D: (02) 4911 4043

E: mlucas@biosis.com.au

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From: [Madeleine Lucas](#)
To: [Samantha Keats](#)
Subject: Fwd: 33219 - NW Mains - Stage 1 Consultation
Date: Thursday, 9 July 2020 9:45:21 AM
Attachments: [imageac3145.PNG](#)

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Richard campbell
Date: 24/6/20 2:42 pm (GMT+10:00)
To: Madeleine Lucas
Subject: Re: 33219 - NW Mains - Stage 1 Consultation

Hi Sam we would like to register for this project.
We also have read the consultation an looks good.

Kindest regards

On Wed, 24 Jun. 2020, 2:26 pm Madeleine Lucas, <MLucas@biosis.com.au> wrote:
Good afternoon,

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment for Wollongong Coal Ltd to inform the Wongawilli Colliery North West Mains Modification in New South Wales. Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Please see the attached document for further information.
If you wish to register your interest please provide your contact details in writing via post or email by 5pm 8 July 2020.

Kind regards,

Madeleine Lucas

Research Assistant - Heritage

M: 0437 705 064

D: (02) 4911 4043

E: mlucas@biosis.com.au

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From: [James Davis](#)
To: [Samantha Keats](#)
Subject: ACHA for Wongawilli Colliery North, West
Date: Sunday, 21 June 2020 3:49:58 PM

Hi Sam,

Hope you and your Family are keeping well in the current crisis we are all in.

For the record, could you please Register myself for the upcoming ACHA for Wongawilli Colliery.

Hope to hear from you soon.

Thanks

James Davis
Wodi Wodi Traditional Owner



From: [Madeleine Lucas](#)
To: [Samantha Keats](#)
Subject: Fwd: 33219 - NW Mains - Stage 1 Consultation
Date: Thursday, 9 July 2020 9:45:40 AM

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Leanne Tungai
Date: 24/6/20 3:31 pm (GMT+10:00)
To: Madeleine Lucas
Subject: Re: 33219 - NW Mains - Stage 1 Consultation

Thank you for the information.

Please register my group Leanne Tungai
For work on this project thank you.
0478157604

On Wed, 24 Jun 2020 at 2:26 pm, Madeleine Lucas <MLucas@biosis.com.au> wrote:

Good afternoon,

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment for Wollongong Coal Ltd to inform the Wongawilli Colliery North West Mains Modification in New South Wales. Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Please see the attached document for further information.

If you wish to register your interest please provide your contact details in writing via post or email by 5pm 8 July 2020.

Kind regards,

Madeleine Lucas

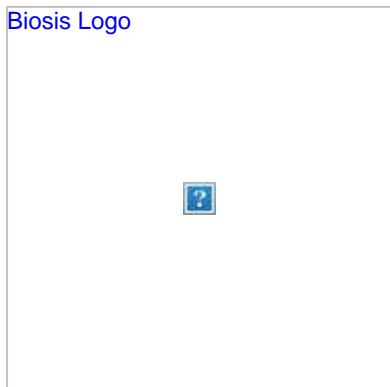
Research Assistant - Heritage

M: 0437 705 064

D: (02) 4911 4043

E: mlucas@biosis.com.au

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From: [Madeleine Lucas](#)
To: [Samantha Keats](#)
Subject: Fwd: 33219 - NW Mains - Stage 1 Consultation
Date: Thursday, 9 July 2020 9:45:10 AM

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Troy Tungai
Date: 24/6/20 2:36 pm (GMT+10:00)
To: Madeleine Lucas
Subject: Re: 33219 - NW Mains - Stage 1 Consultation

Hi Madeleine

Thanks for your email. I would like to put my expression of interest for this upcoming project as I would like to be involved in this project as I have a lot of cultural knowledge of this area.

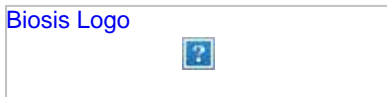
Thanks troytungai72
Sent from [Outlook](#)

From: Madeleine Lucas
Sent: Wednesday, 24 June 2020 2:26 PM
To: 'troytungai72@outlook.com'
Subject: 33219 - NW Mains - Stage 1 Consultation
Good afternoon,

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment for Wollongong Coal Ltd to inform the Wongawilli Colliery North West Mains Modification in New South Wales. Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Please see the attached document for further information.
If you wish to register your interest please provide your contact details in writing via post or email by 5pm 8 July 2020.

Kind regards,
Madeleine Lucas
Research Assistant - Heritage
M: 0437 705 064
D: (02) 4911 4043
E: mlucas@biosis.com.au

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From: [Madeleine Lucas](#)
To: [Samantha Keats](#)
Subject: Fwd: 33219 - NW Mains - Stage 1 Consultation
Date: Thursday, 9 July 2020 9:45:31 AM
Attachments: [image05ded1.PNG](#)

Sent from my SAMSUNG Galaxy S7 on the Telstra Mobile Network

----- Original message -----

From: Nathaniel Kennedy
Date: 24/6/20 3:12 pm (GMT+10:00)
To: Madeleine Lucas
Subject: Re: 33219 - NW Mains - Stage 1 Consultation

Hi Madeleine,

I'd like to register Warra Bingi Nunda Gurri for this project. My details are as follows;

Nathaniel Kennedy
Ph: 0406924258
Email: warrabinji@gmail.com

Please include me in any further consultation.

Regards,

On Wed, 24 Jun 2020, 2:26 pm Madeleine Lucas, <MLucas@biosis.com.au> wrote:

Good afternoon,

Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment for Wollongong Coal Ltd to inform the Wongawilli Colliery North West Mains Modification in New South Wales. Biosis is assisting Wollongong Coal Ltd with consultation with the Aboriginal community to inform the ACHA. Please see the attached document for further information.

If you wish to register your interest please provide your contact details in writing via post or email by 5pm 8 July 2020.

Kind regards,

Madeleine Lucas

Research Assistant - Heritage

M: 0437 705 064

D: (02) 4911 4043

E: mlucas@biosis.com.au

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From: [Kayla Williamson](#)
To: [Samantha Keats](#)
Subject: Wongawilli Colliery
Date: Wednesday, 24 June 2020 8:28:42 AM

Hi Sam

Hope you are well.

Woronora Plateau Gundangara Elders Council would like to register for consultation for Wongawilli Colliery North West project.

Please send all correspondence to:

11 Garnett Grove
FLINDERS NSW 2529

Or

Kayla_87_@hotmail.com

Regards
Kayla Williamson
0414438744

From: [Bo Field](#)
To: [Samantha Keats](#)
Subject: ACHA for Wongawilli Colliery North West Mains Modification
Date: Tuesday, 23 June 2020 3:56:39 PM

Dear Sam,

I on behalf of Yurrandaali Pty Ltd would like to register as an Aboriginal Stakeholder in this project. Please see our company details to complete registration.

Company: Yurrandaali Pty Ltd
Contact: Bo Field
Address: 6 Macgibbon parade, Old Erowal Bay NSW 2540
Phone: 04303 048 263
Email: Yurrandaali_cs@hotmail.com

If you need any more information, please contact me on the details provided.

Many Thanks,
Bo Field

Appendix 3 Stage 2: Presentation of information about the proposed project



15 July 2020

Illawarra Local Aboriginal Land Council
Paul Knight
3 Ellen Street,
Wollongong NSW 2500

Dear Paul,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

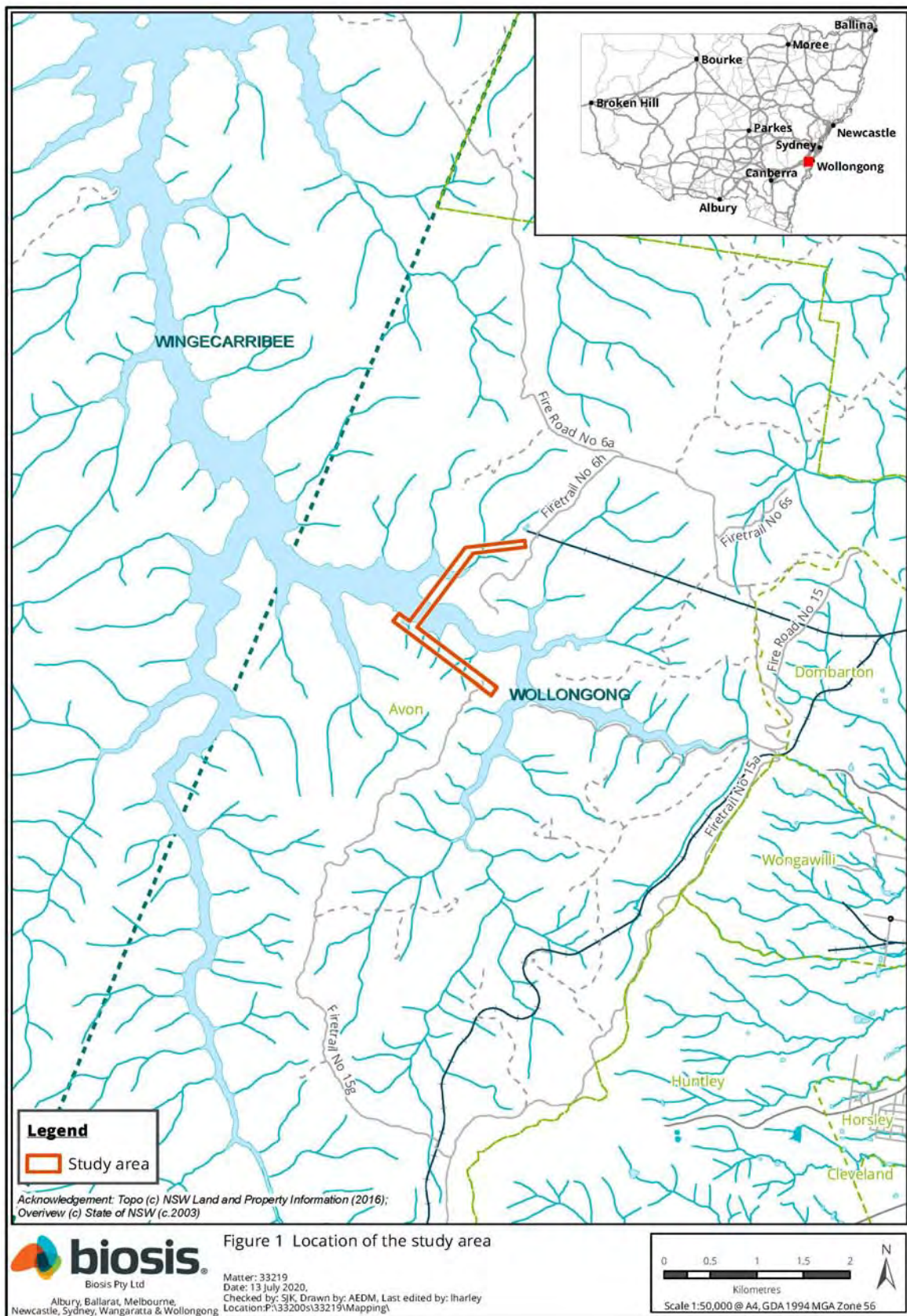
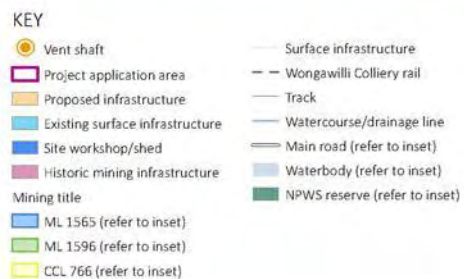
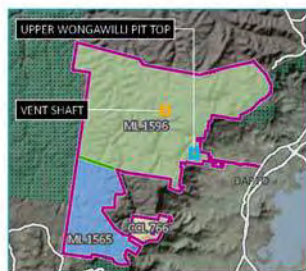
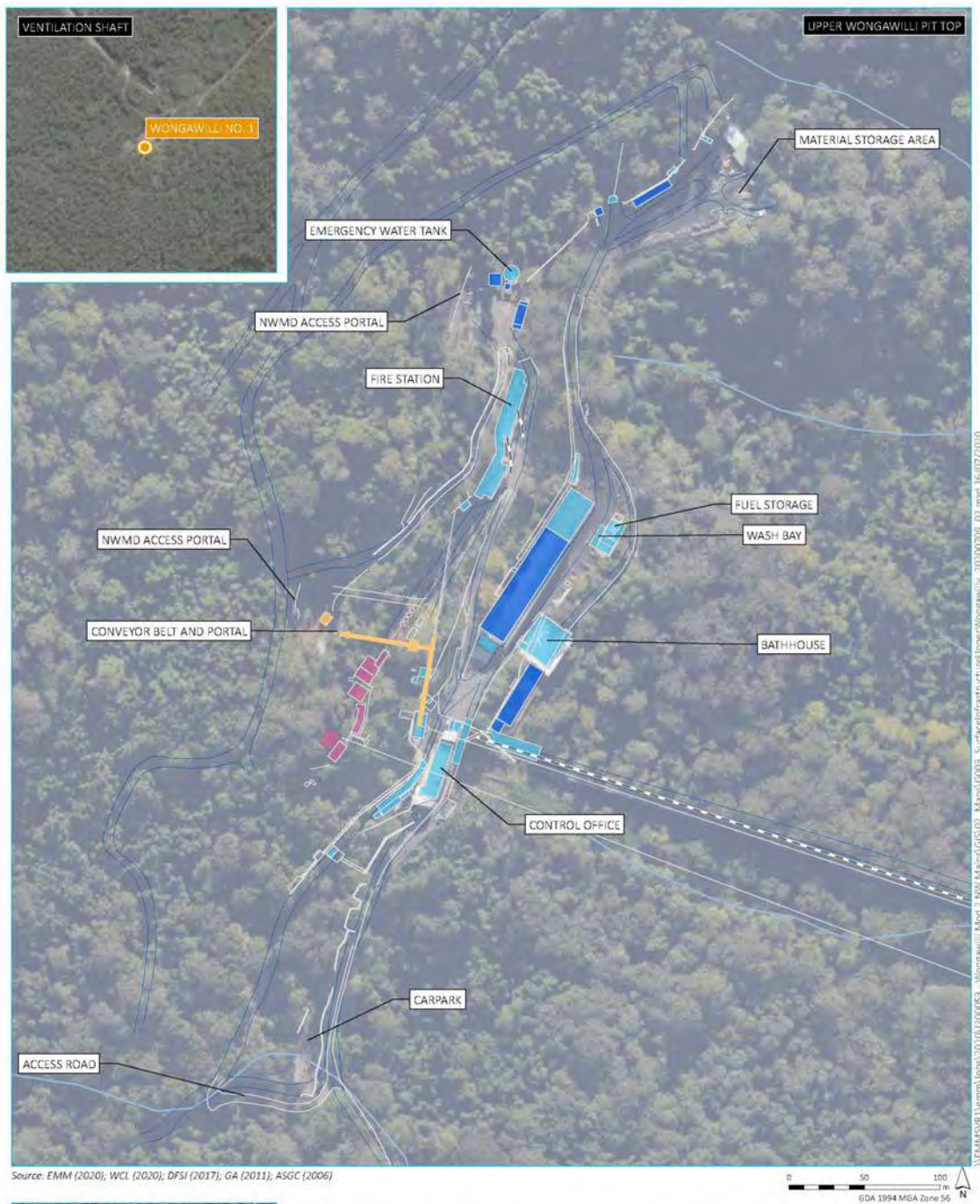
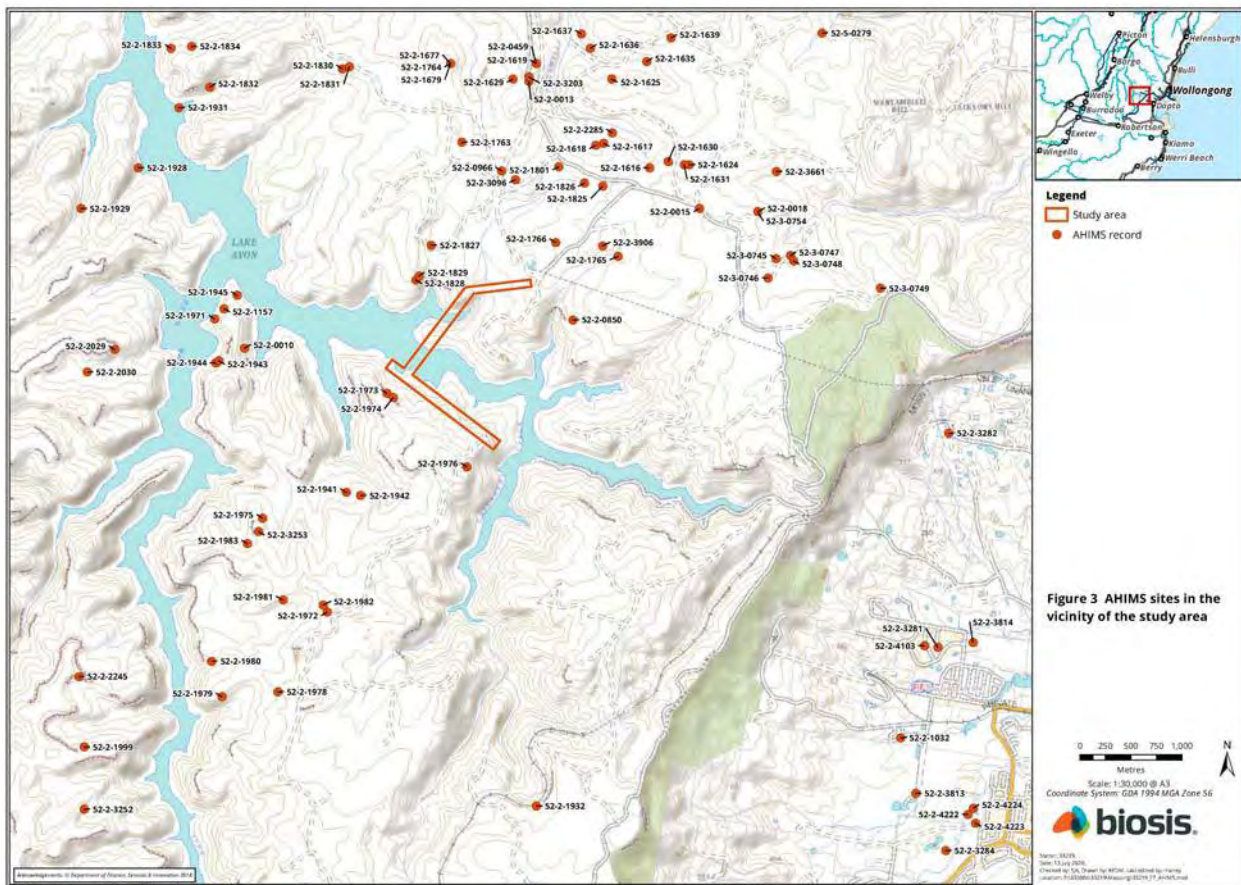


Figure 3 Surface infrastructure at Wongawilli pit top



Surface infrastructure -
Upper Wongawilli pit top

Figure 4 AHIMS sites in the vicinity of the study area



Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
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 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
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 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

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Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

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DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment and Climate Change, Sydney NSW.

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment and Climate Change, Sydney NSW.

OEH 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, Office of Environment and Heritage.

Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Gary Caines
28 Gowan Brae Avenue
Mt Ousley NSW 2519

Dear Gary,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

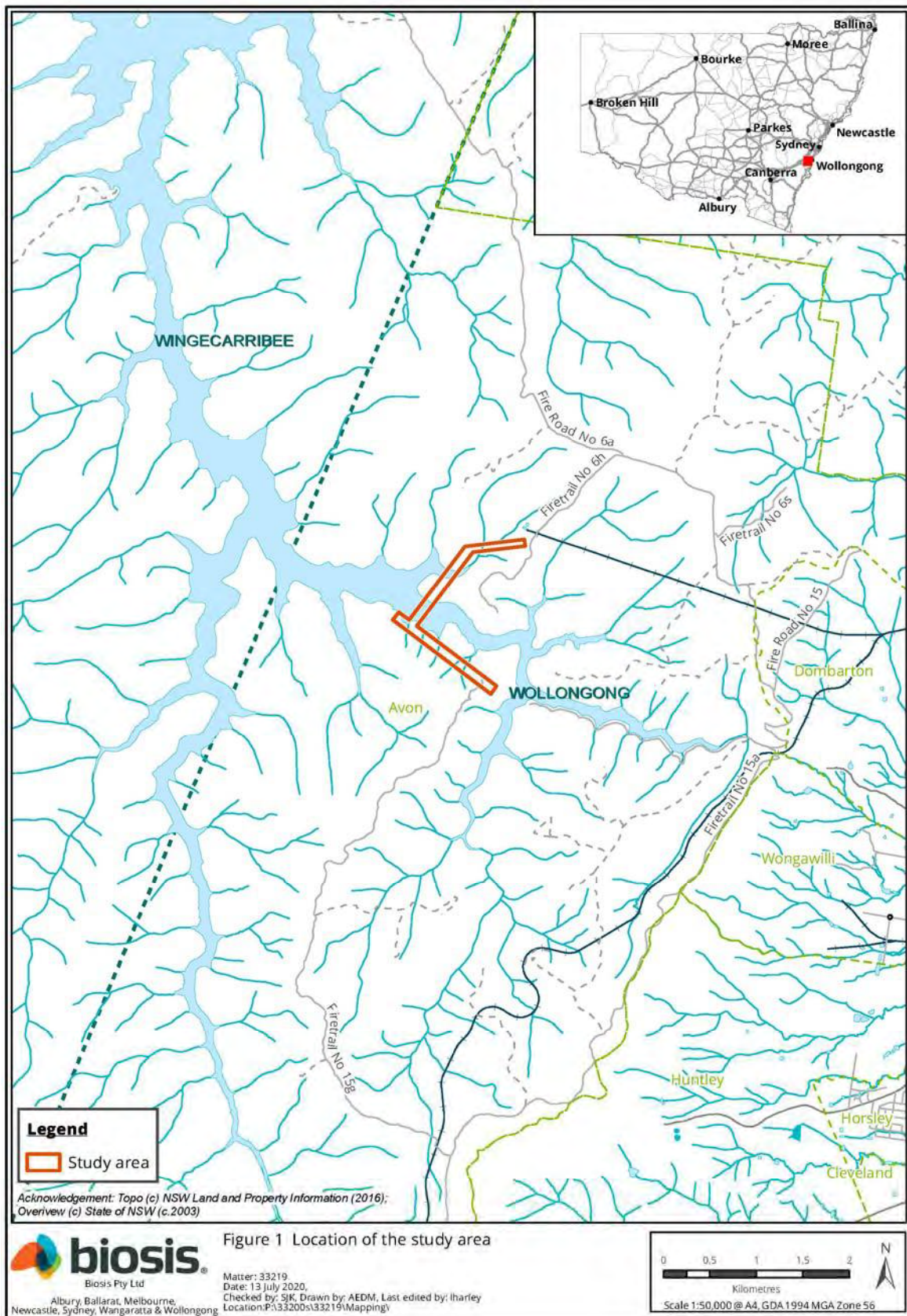


Figure 2 Study area detail

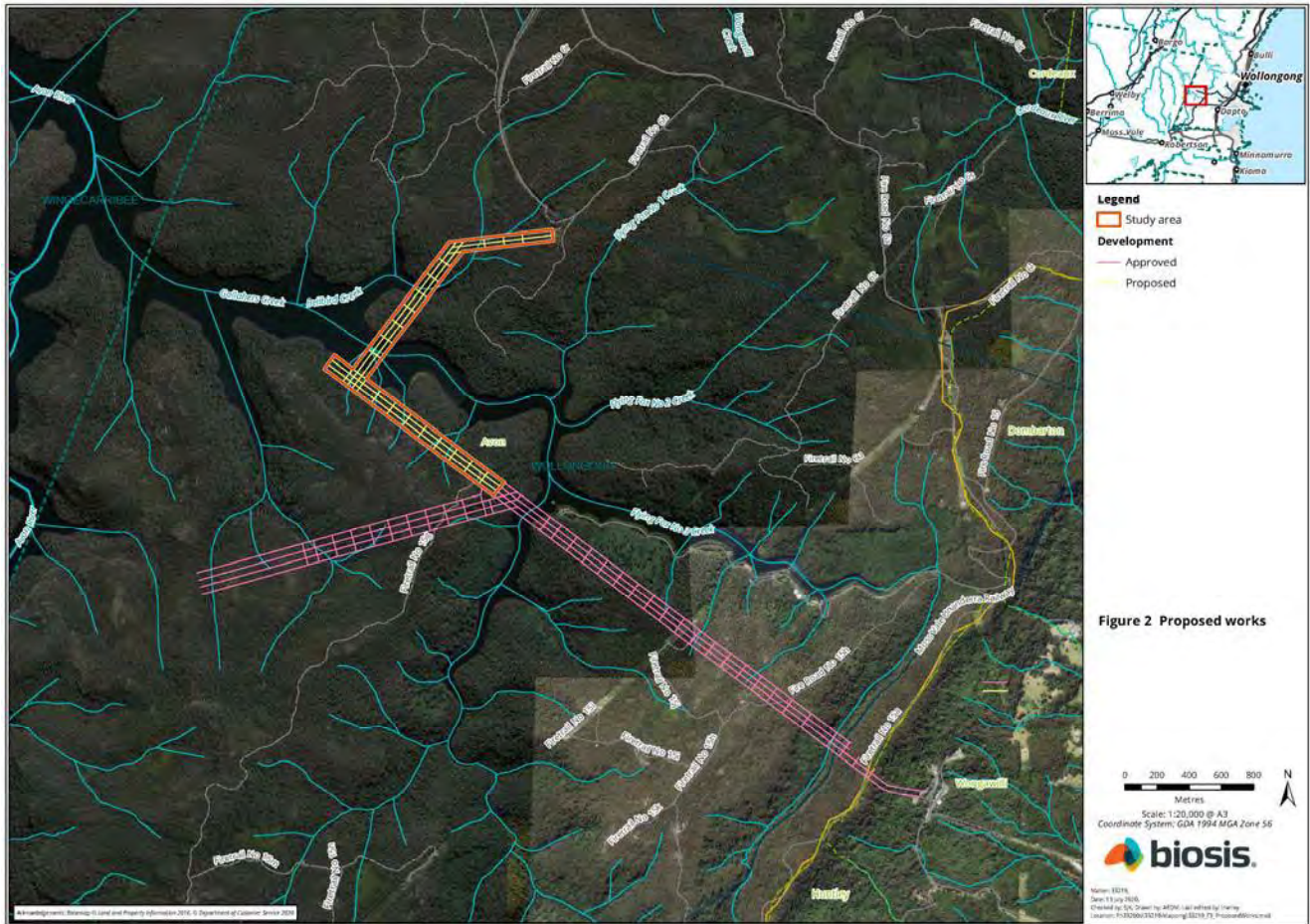
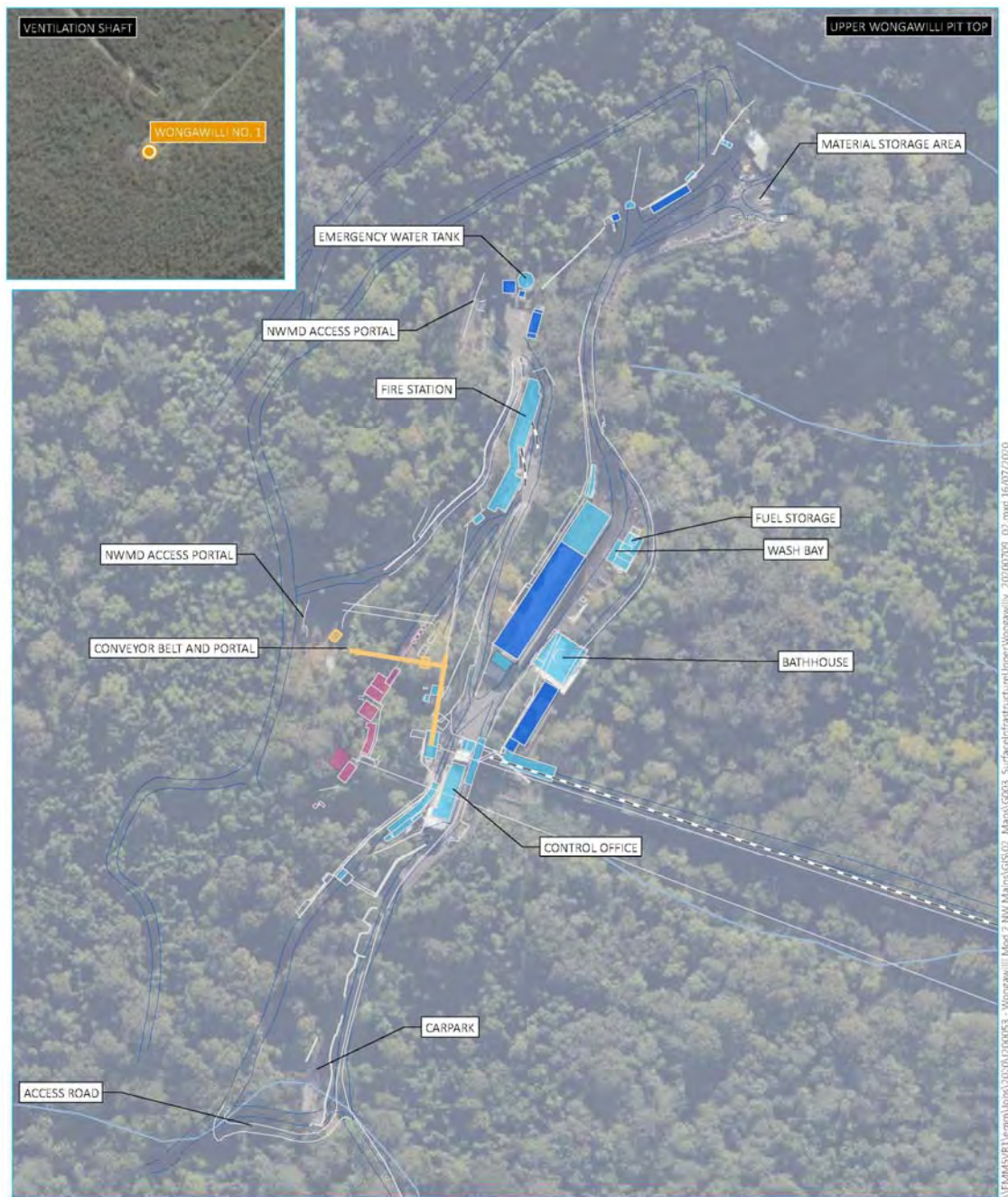
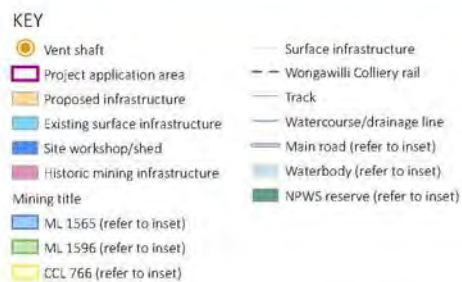
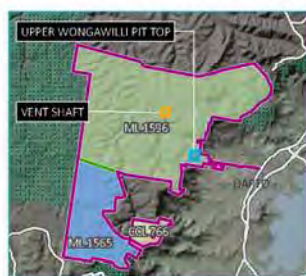


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
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Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.



15 July 2020

James Davis
2 Poplar Avenue
Unanderra NSW 2526

Dear James,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification
Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

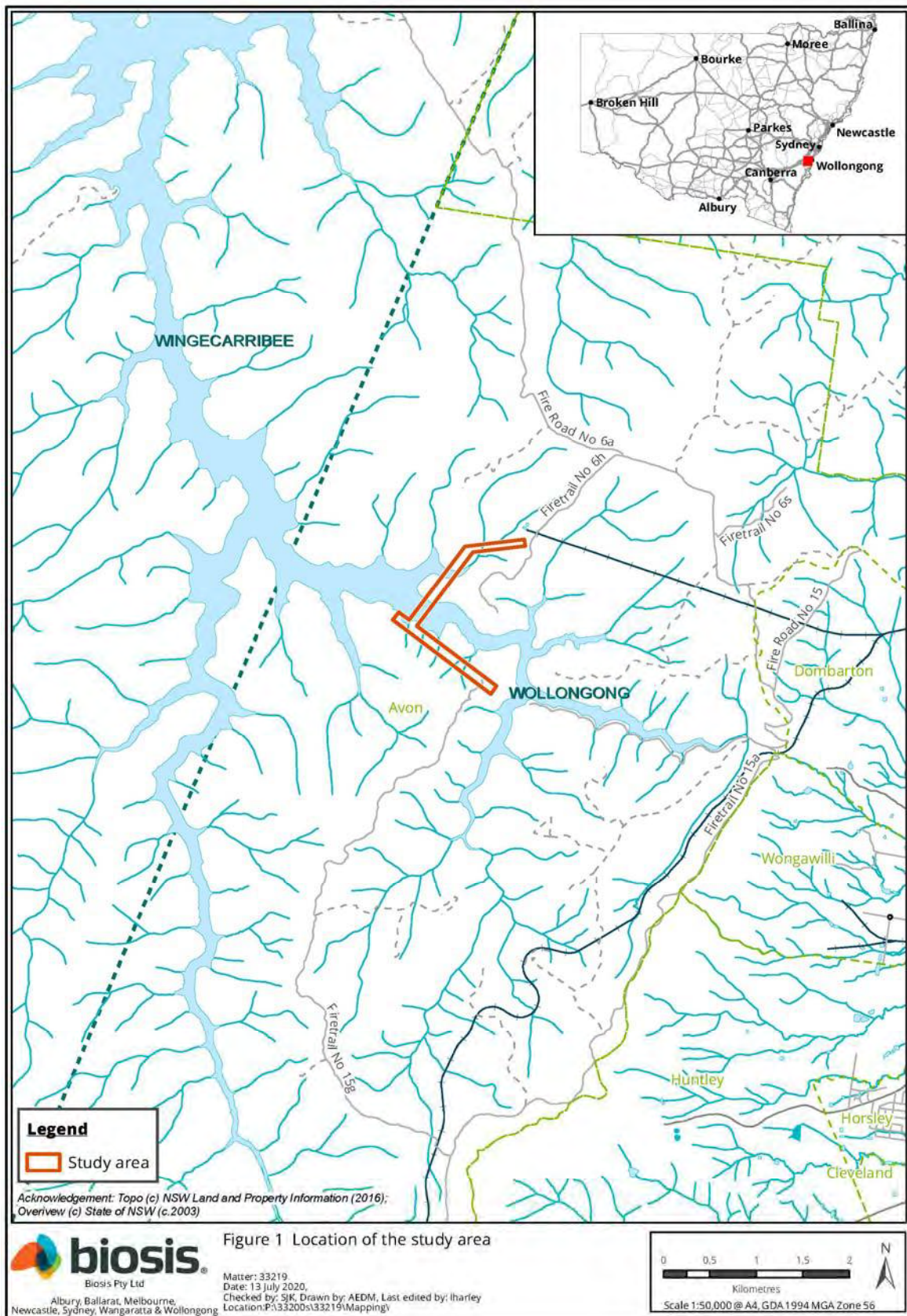


Figure 2 Study area detail

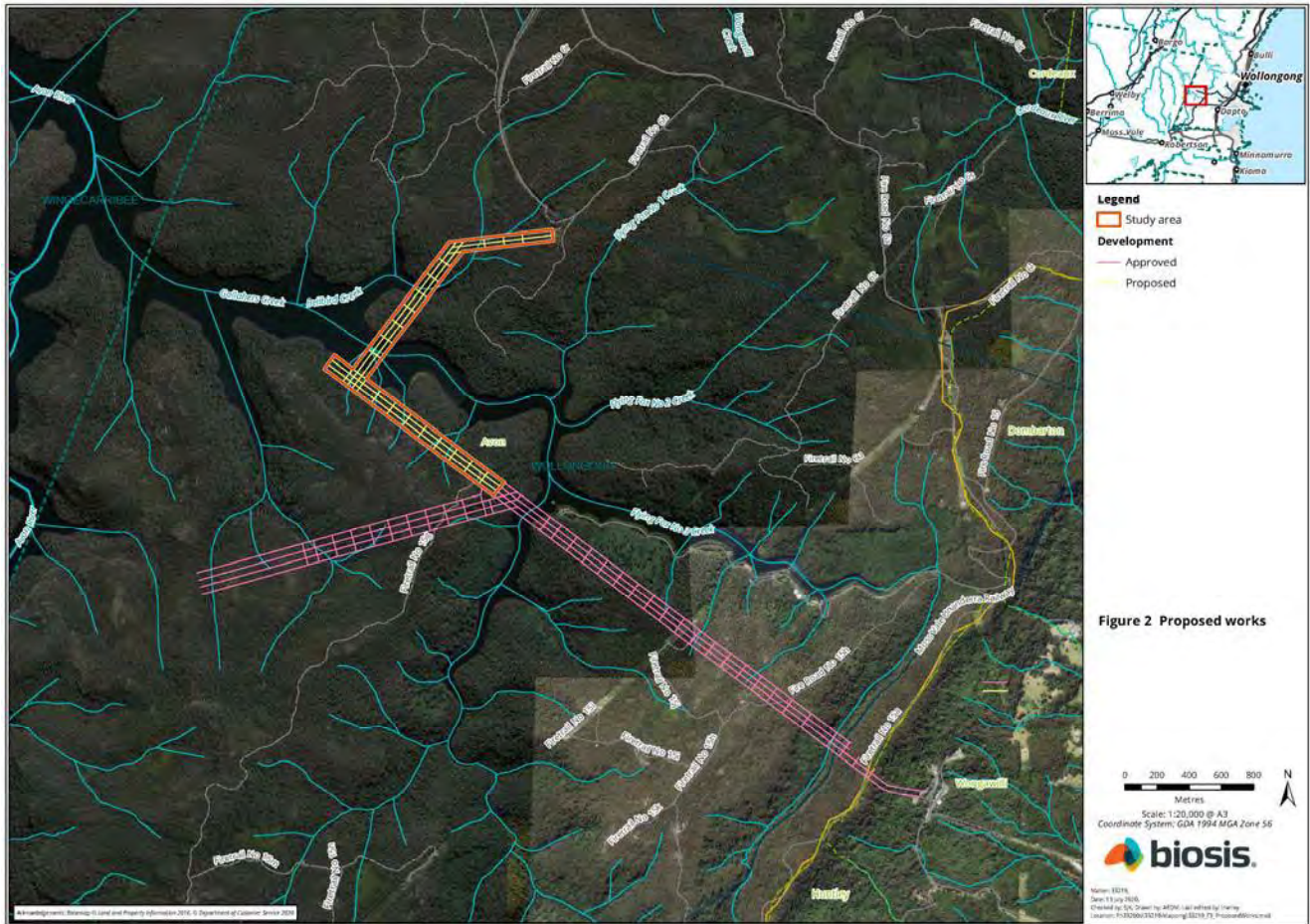
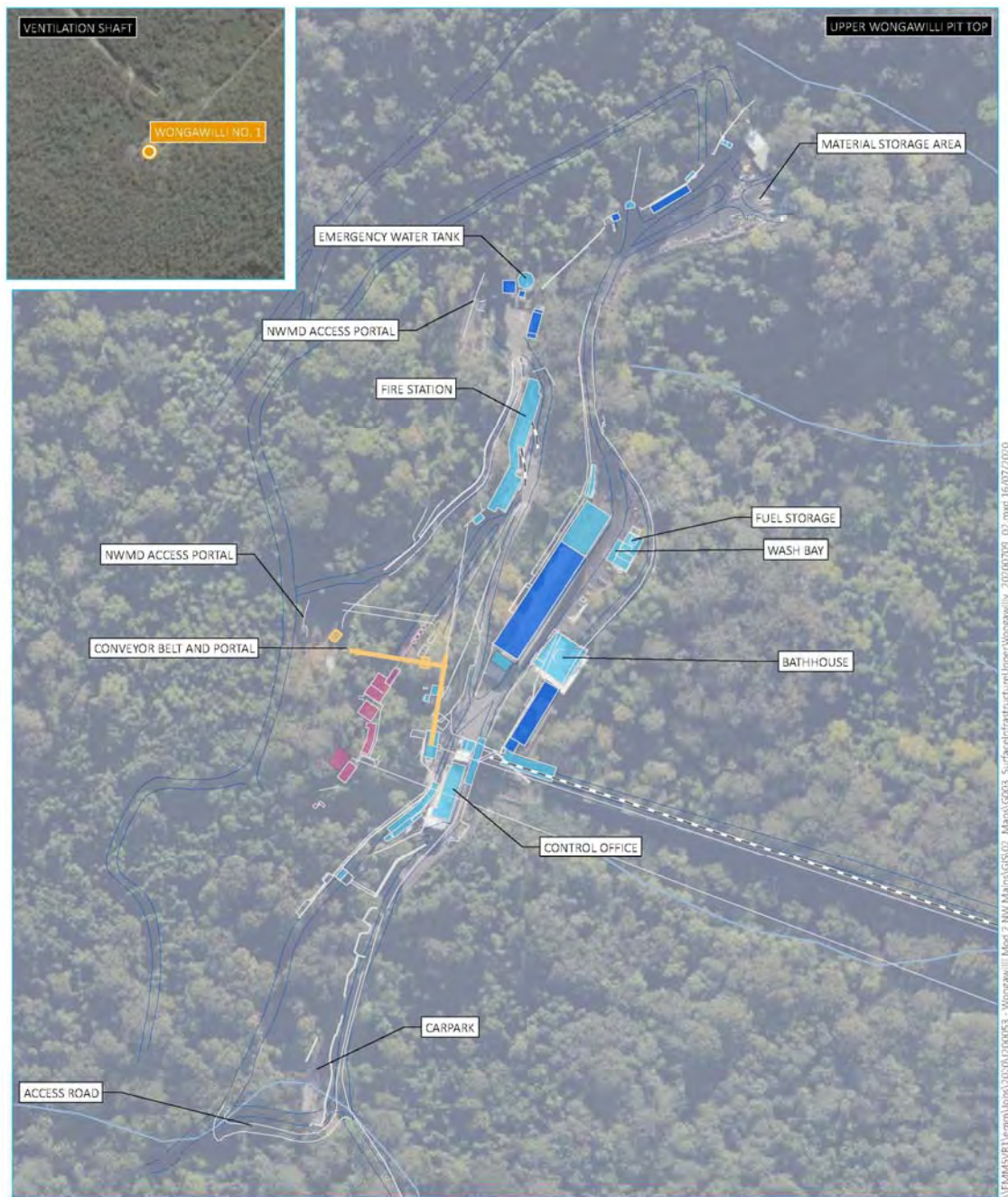
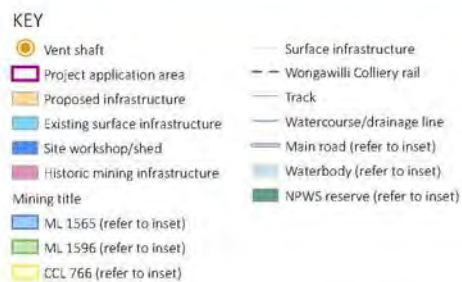
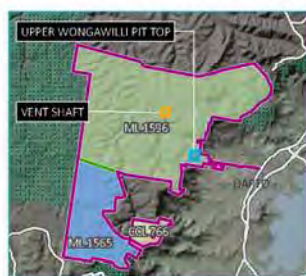


Figure 3 Surface infrastructure at Wongawilli pit top

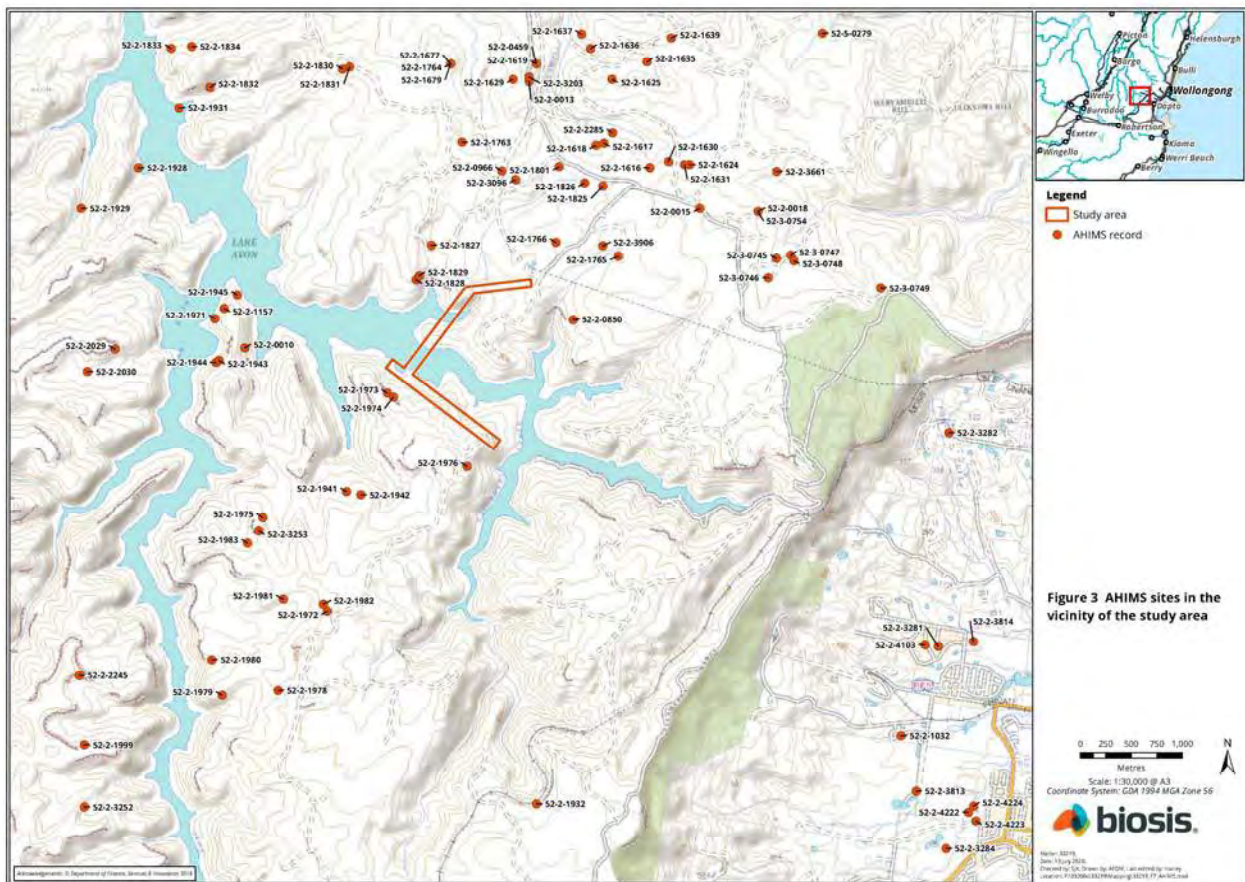


Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Figure 4 AHIMS sites in the vicinity of the study area



Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
- For each test pit that is excavated, the following documentation will be taken:
 - Unique test pit identification number.
 - GPS coordinate of each test pit.
 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
 - Stratigraphy.
 - Archaeological features (if present).
 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

Any cultural material identified during test excavations will be temporarily stored in the Biosis, Wollongong office for analysis (30 Wentworth Street Port Kembla NSW 2505).

Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

AMBS 2006, *Volume 1: Aboriginal Heritage Management Plan: West Dapto Release Area*, An unpublished report to Wollongong City Council.

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15 July 2020

Woronora Plateau Gundungara Elders Council
Paul Cummins and Kayla Williamson
11 Garnet Grove
Flinders 2529

Dear Paul Cummins,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

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Samantha Keats
Consultant Archaeologist

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The proposed schedule and time allocations for the consultation stages are summarised below.

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Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

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Figure 1 Location of the study area

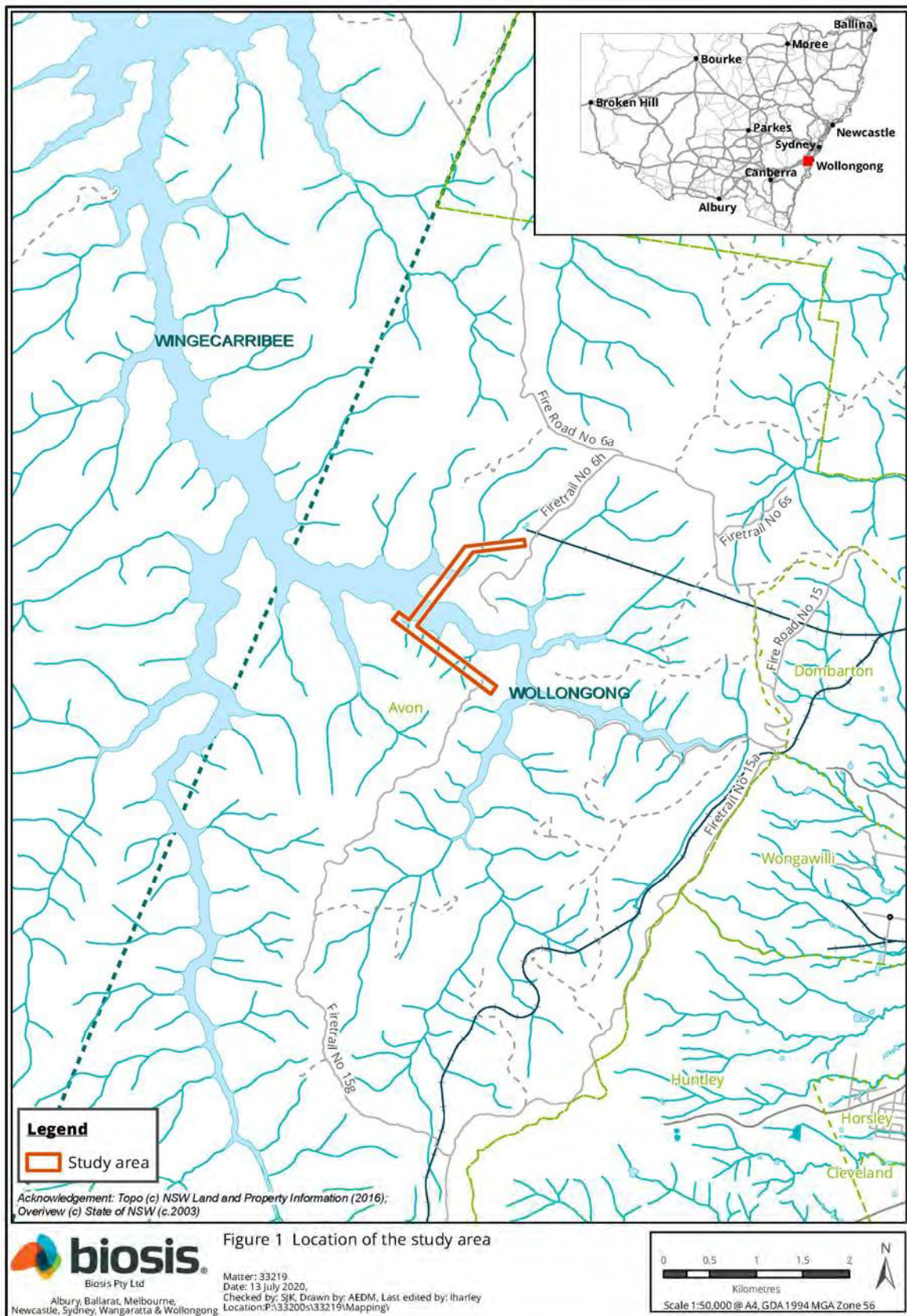


Figure 2 Study area detail

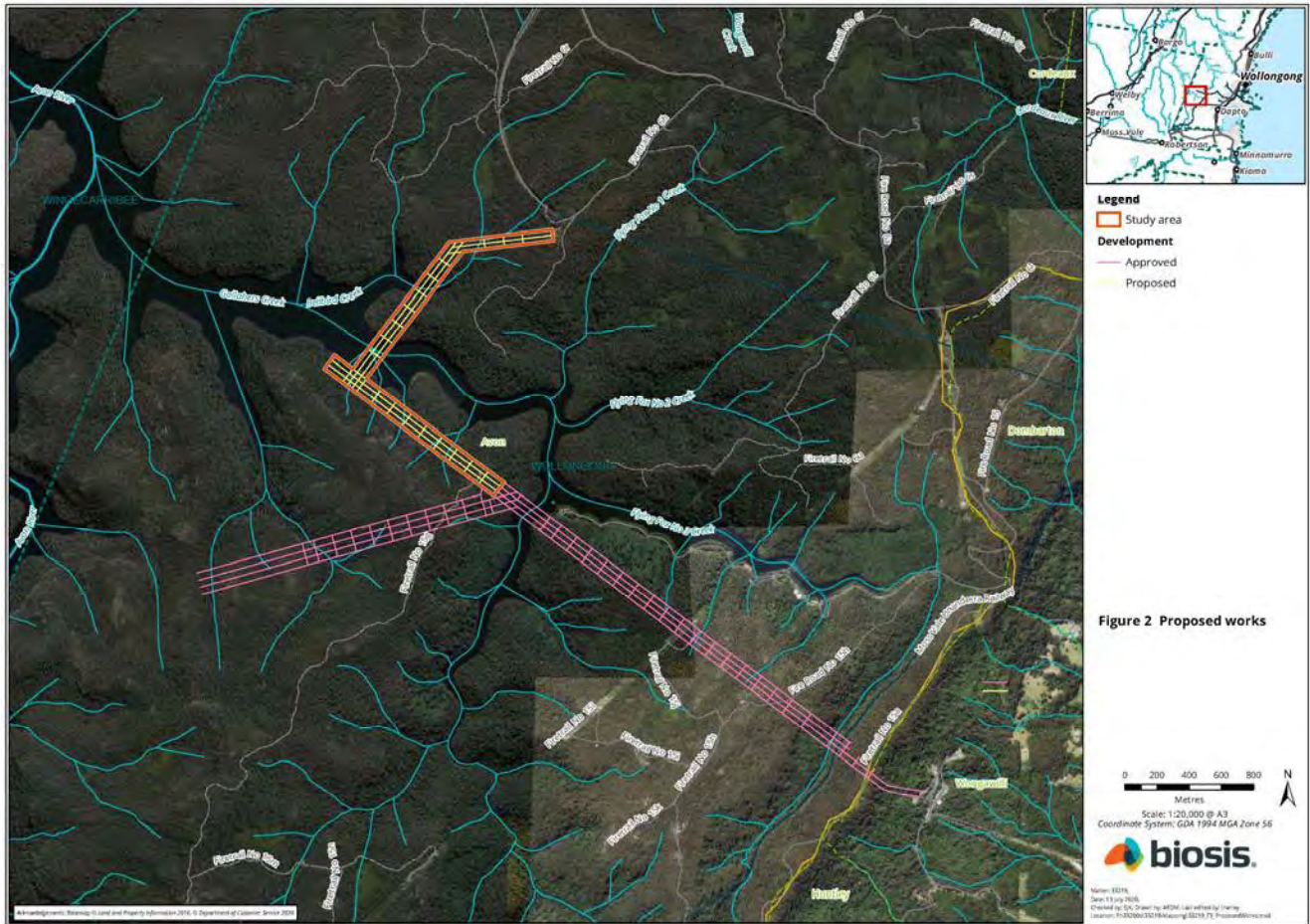
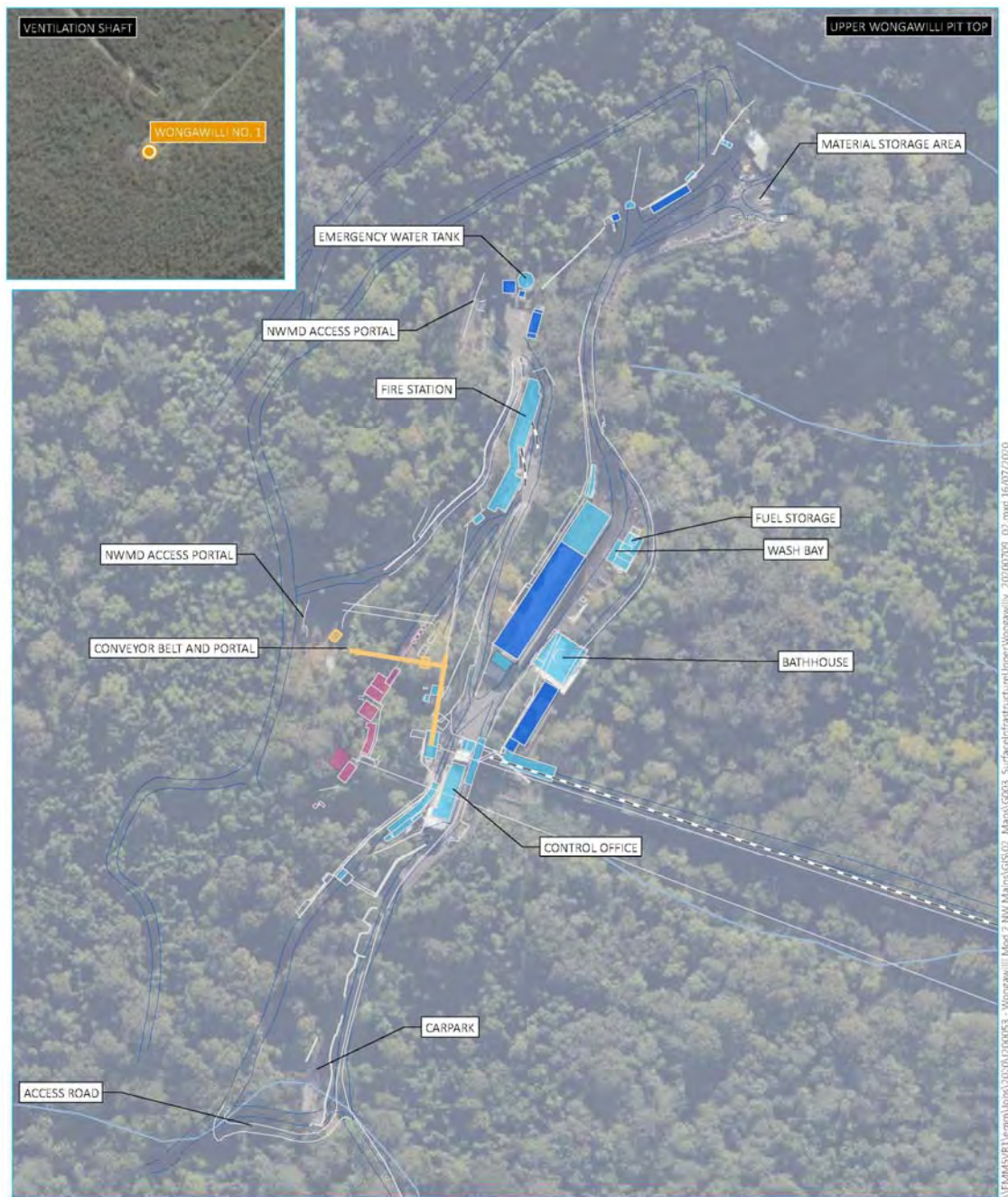
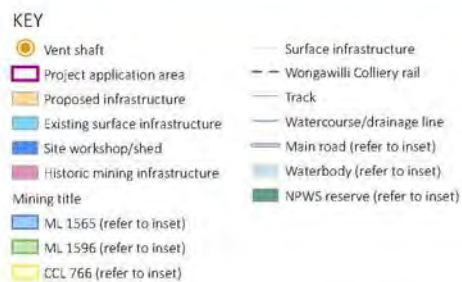
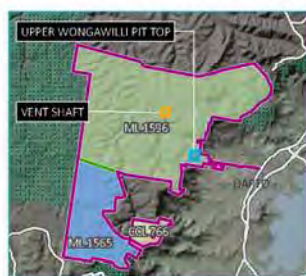


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

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This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

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- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

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Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

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 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
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**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

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- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

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Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Warra Bingi Nunda Gurri
Nathanial Kennedy

Dear Nathanial Kennedy,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,



Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

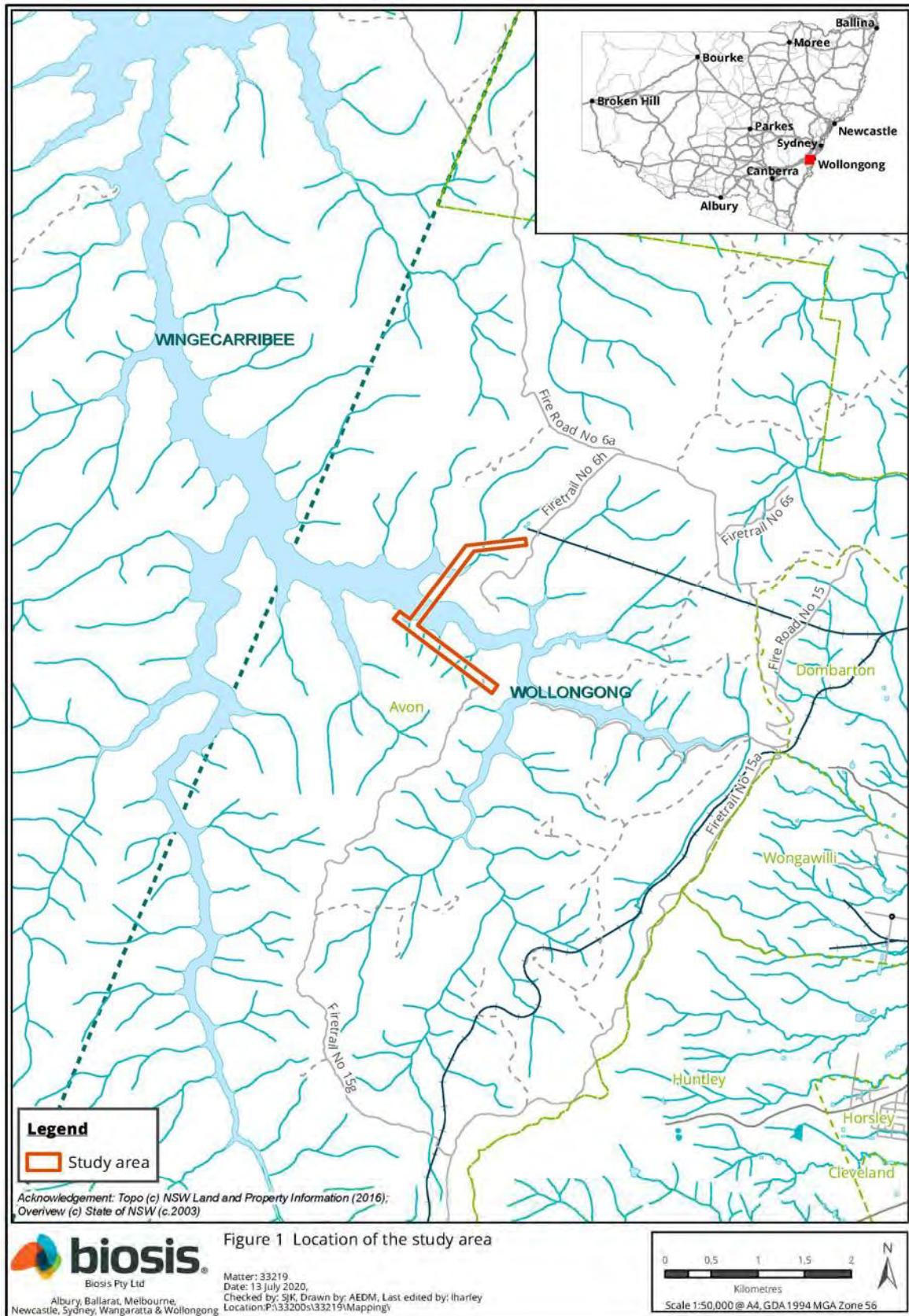


Figure 2 Study area detail

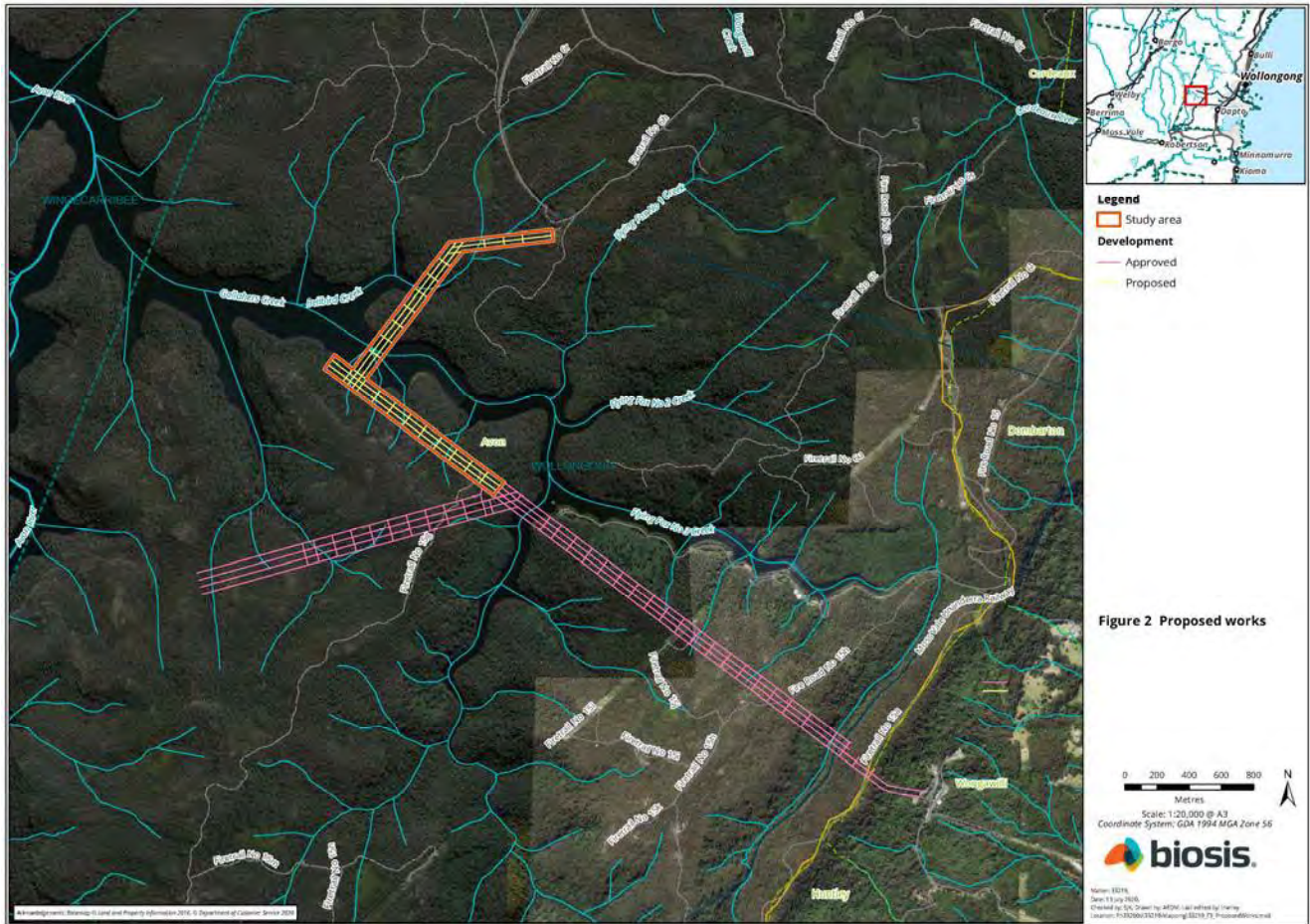
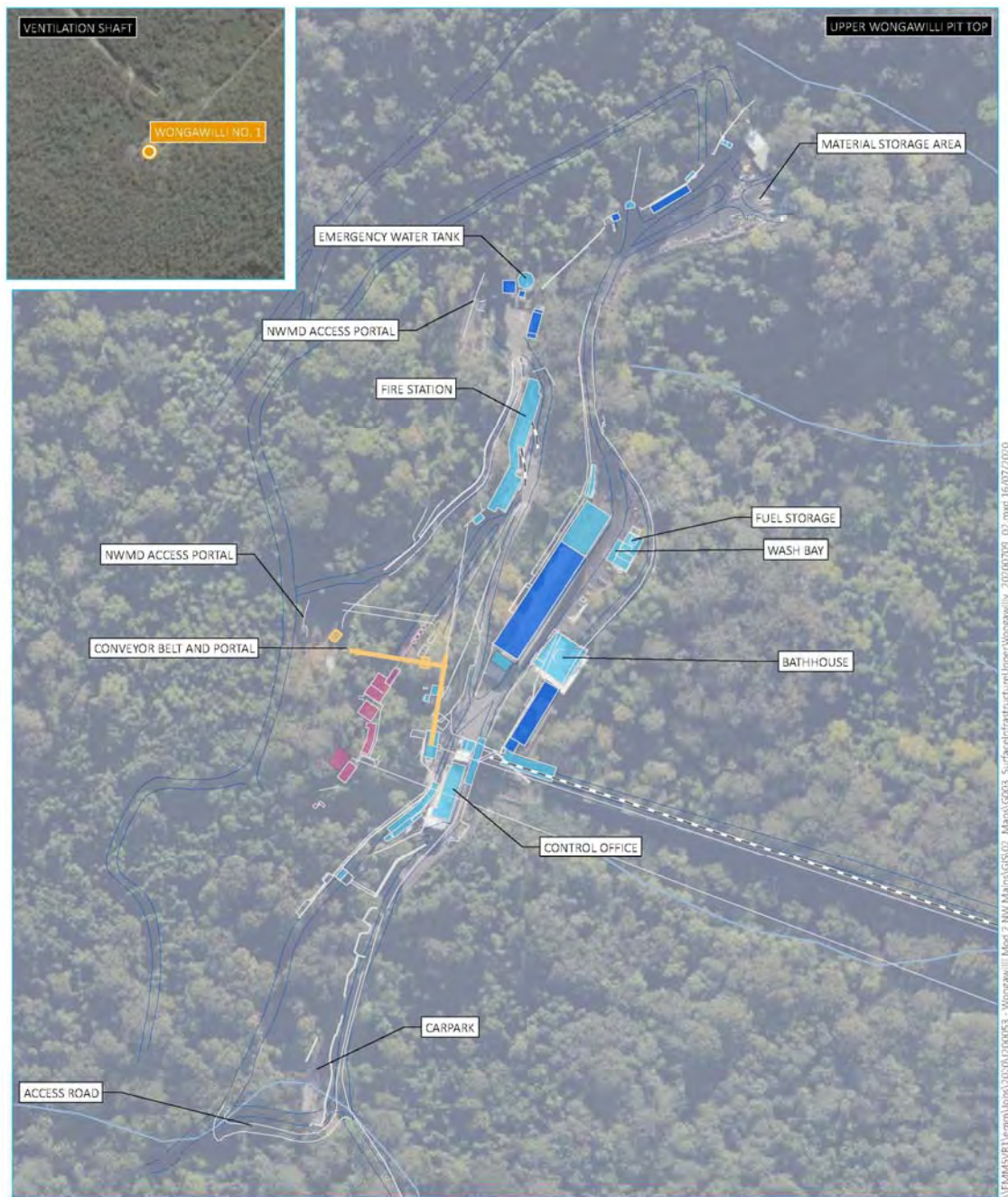
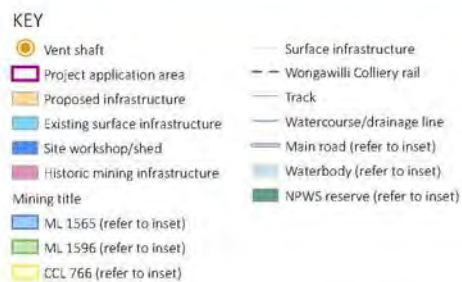
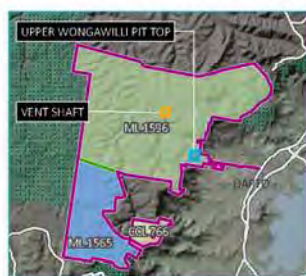


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

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15 July 2020

Tungai Tonghi
Troy Tungai
10 Paterson Place
Barrack Heights 2528

Dear Troy,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

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Biosis Pty Ltd
30 Wentworth Street, Port Kembla
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skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

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The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

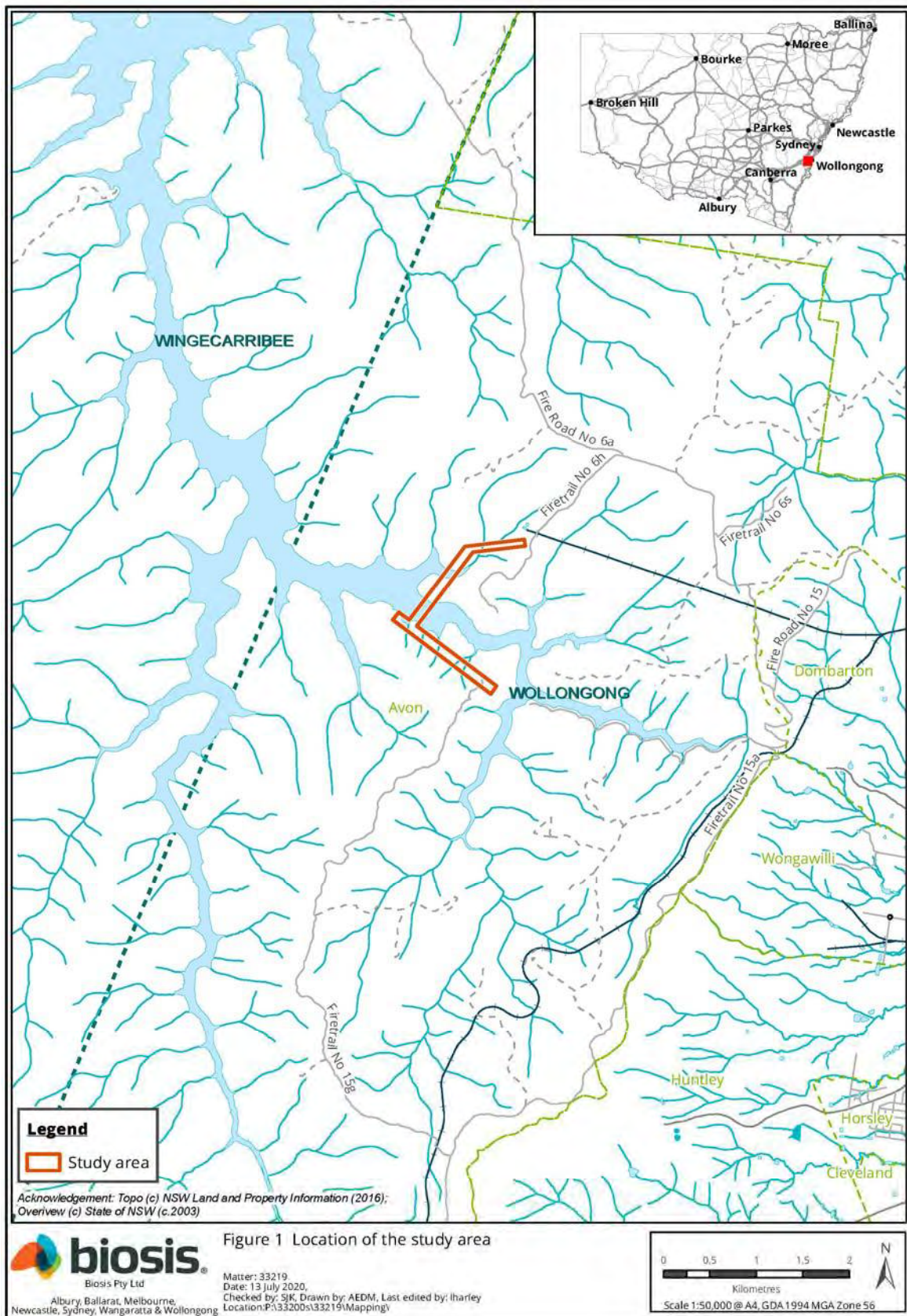


Figure 2 Study area detail

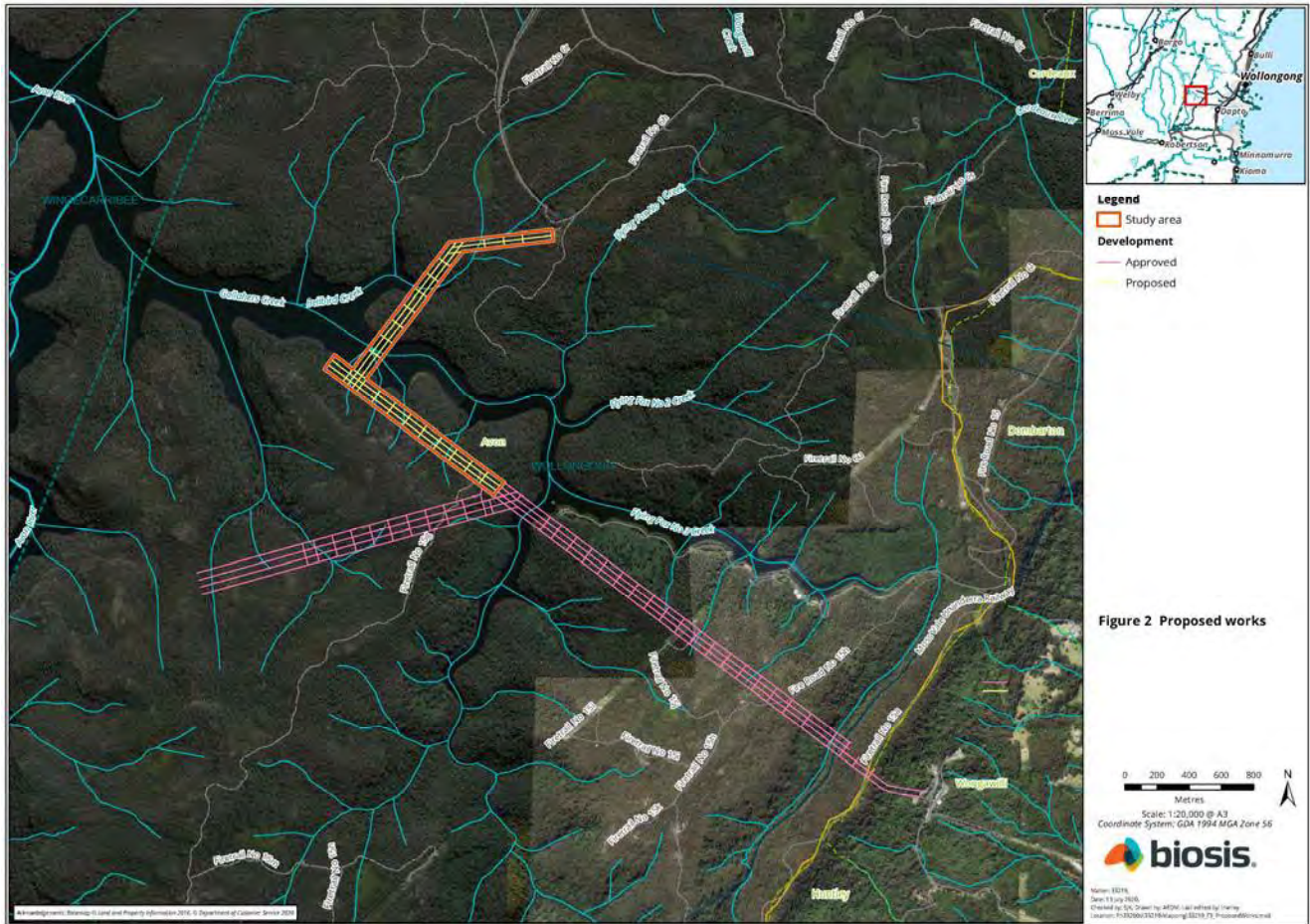
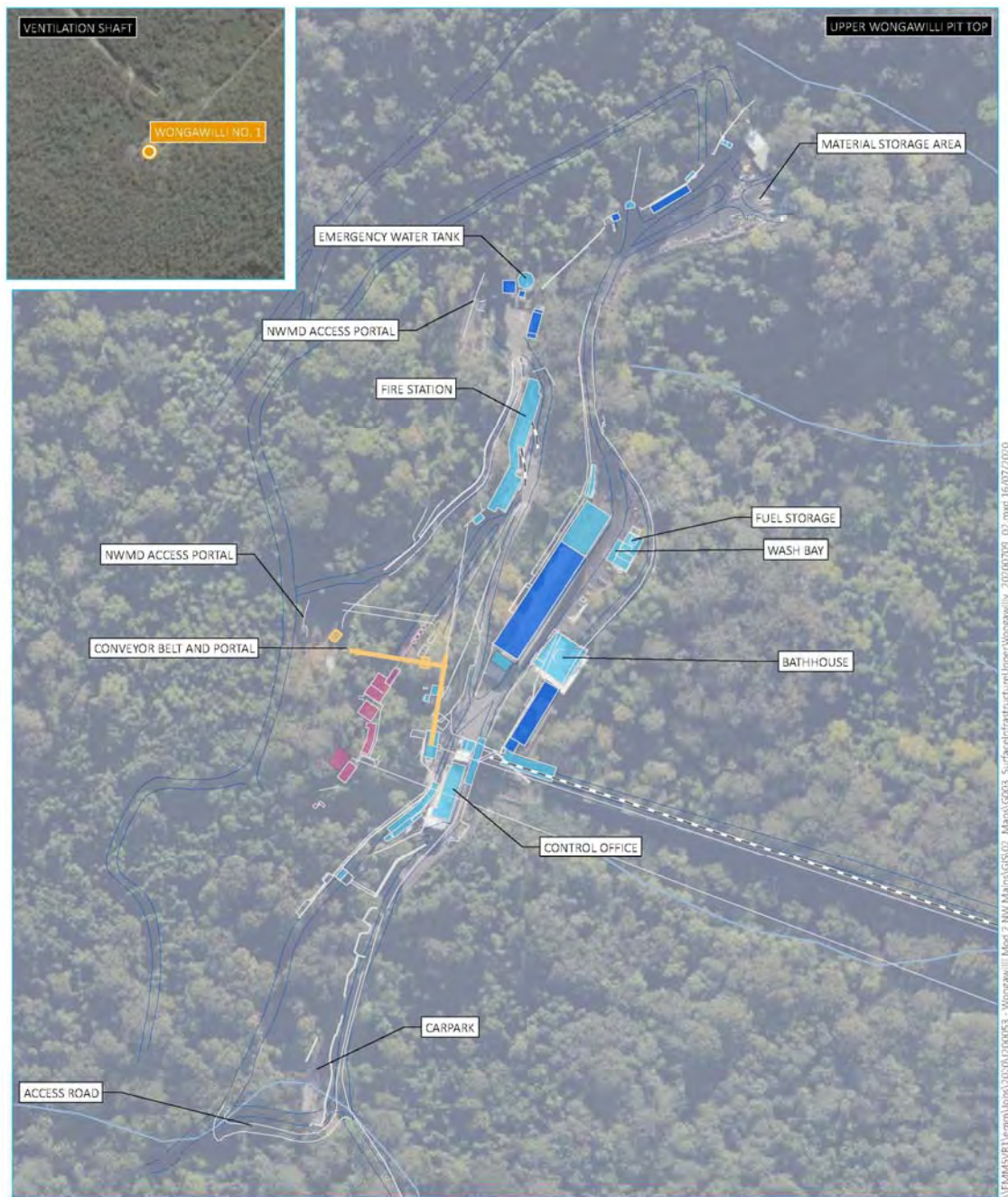
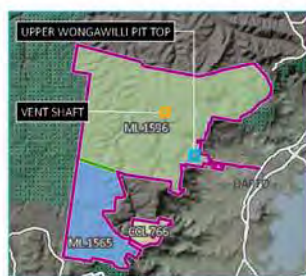


Figure 3 Surface infrastructure at Wongawilli pit top



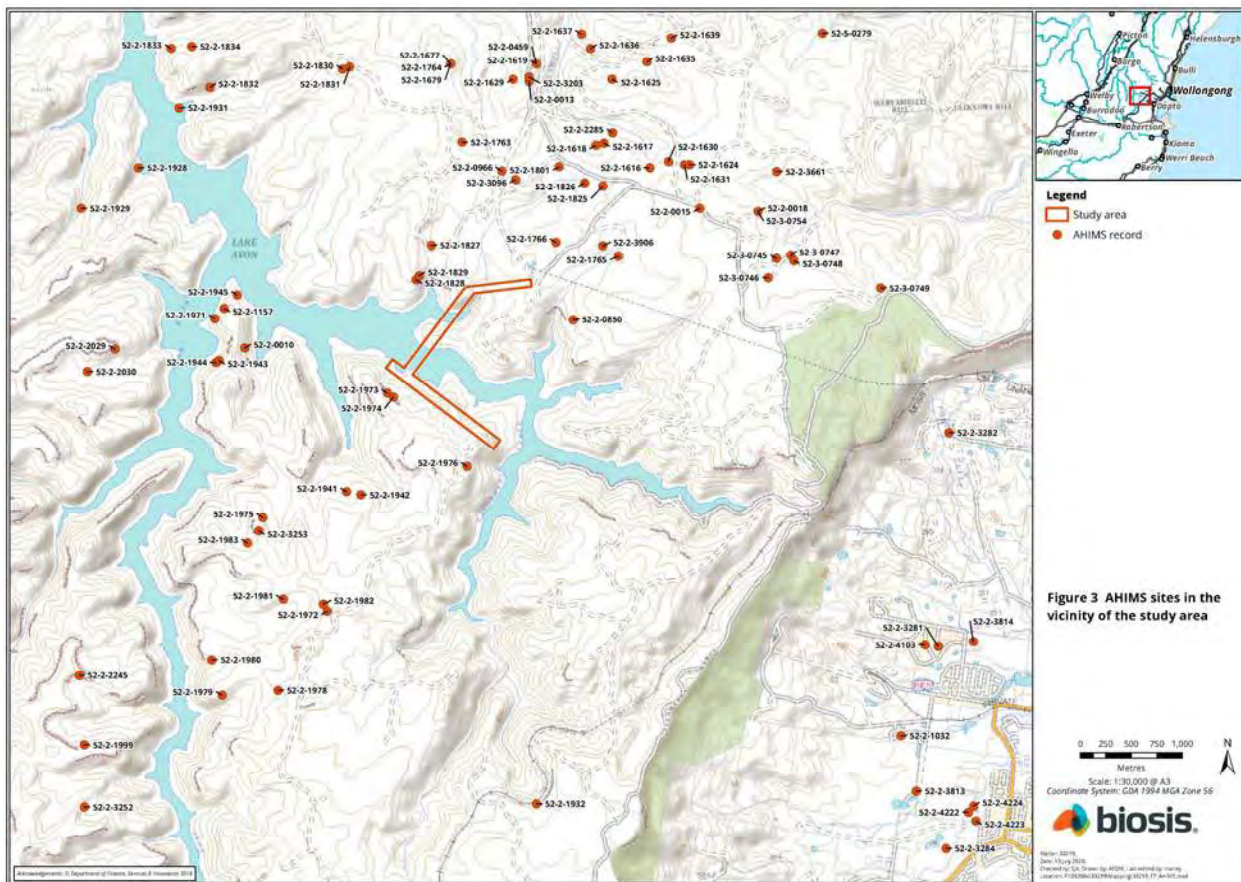
Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



KEY	
	Vent shaft
	Project application area
	Proposed infrastructure
	Existing surface infrastructure
	Site workshop/shed
	Historic mining infrastructure
Mining title	
	ML 1565 (refer to inset)
	ML 1596 (refer to inset)
	CCL 766 (refer to inset)
	Surface infrastructure
	Wongawilli Colliery rail
	Track
	Watercourse/drainage line
	Main road (refer to inset)
	Waterbody (refer to inset)
	NPWS reserve (refer to inset)

Surface infrastructure -
Upper Wongawilli pit top

Figure 4 AHIMS sites in the vicinity of the study area



Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
- For each test pit that is excavated, the following documentation will be taken:
 - Unique test pit identification number.
 - GPS coordinate of each test pit.
 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
 - Stratigraphy.
 - Archaeological features (if present).
 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

Any cultural material identified during test excavations will be temporarily stored in the Biosis, Wollongong office for analysis (30 Wentworth Street Port Kembla NSW 2505).

Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

AMBS 2006, *Volume 1: Aboriginal Heritage Management Plan: West Dapto Release Area*, An unpublished report to Wollongong City Council.

Artefact Heritage 2018, *Rezoning and subdivision of 109 Darkes Road, Kembla Grange*, Report to NewQuest Property Pty Ltd.

Biosis Pty Ltd 2015, *Lot 1, DP 825516, Farmborough Heights NSW. Aboriginal Cultural Heritage Assessment for Proposed Rezoning*, Report to Plannex Environmental Planning.

DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment and Climate Change, Sydney NSW.

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment and Climate Change, Sydney NSW.

OEH 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, Office of Environment and Heritage.

Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Leanne Tungai

Dear Leanne,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,



Samantha Keats

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

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The proposed schedule and time allocations for the consultation stages are summarised below.

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Figure 1 Location of the study area

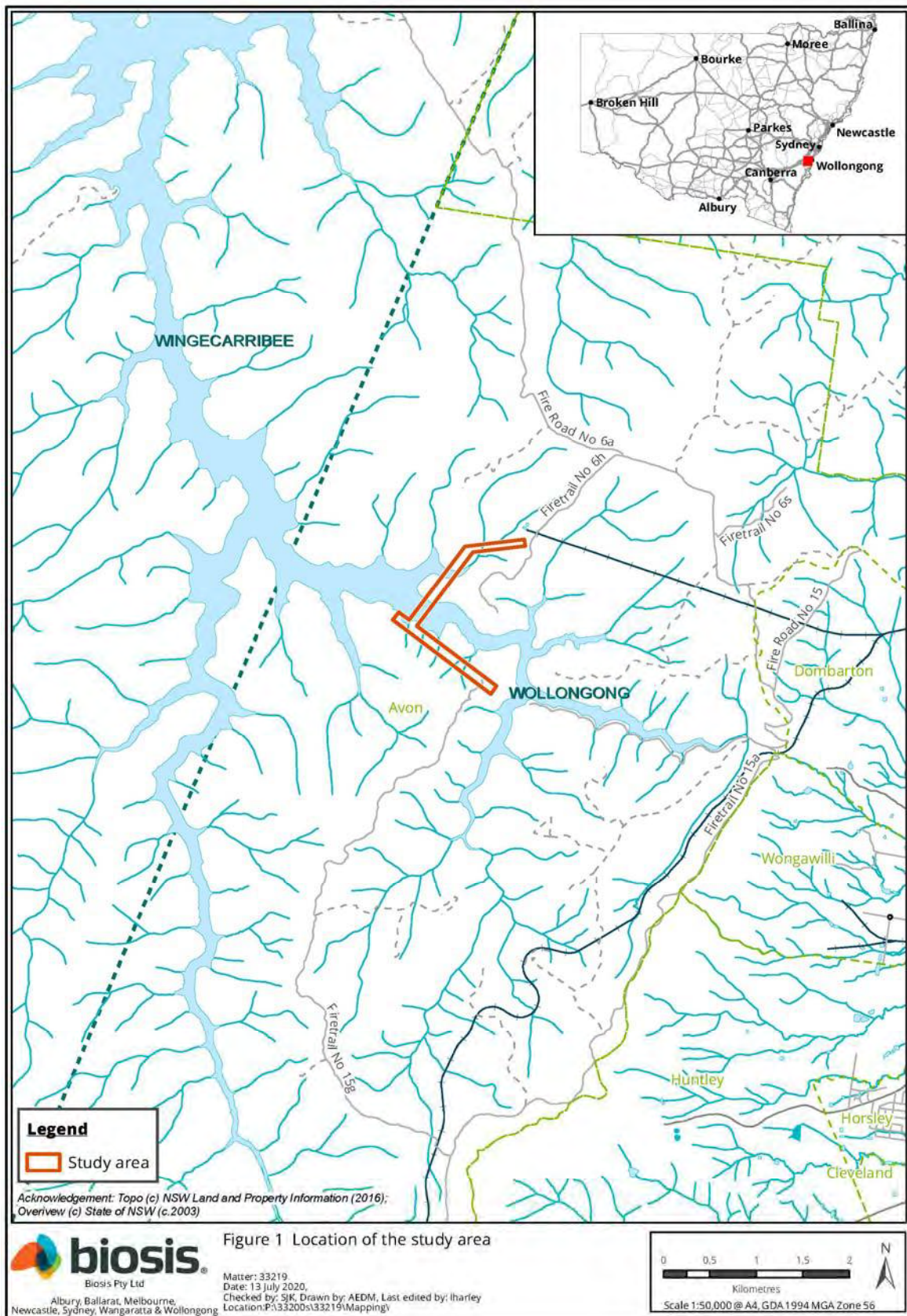


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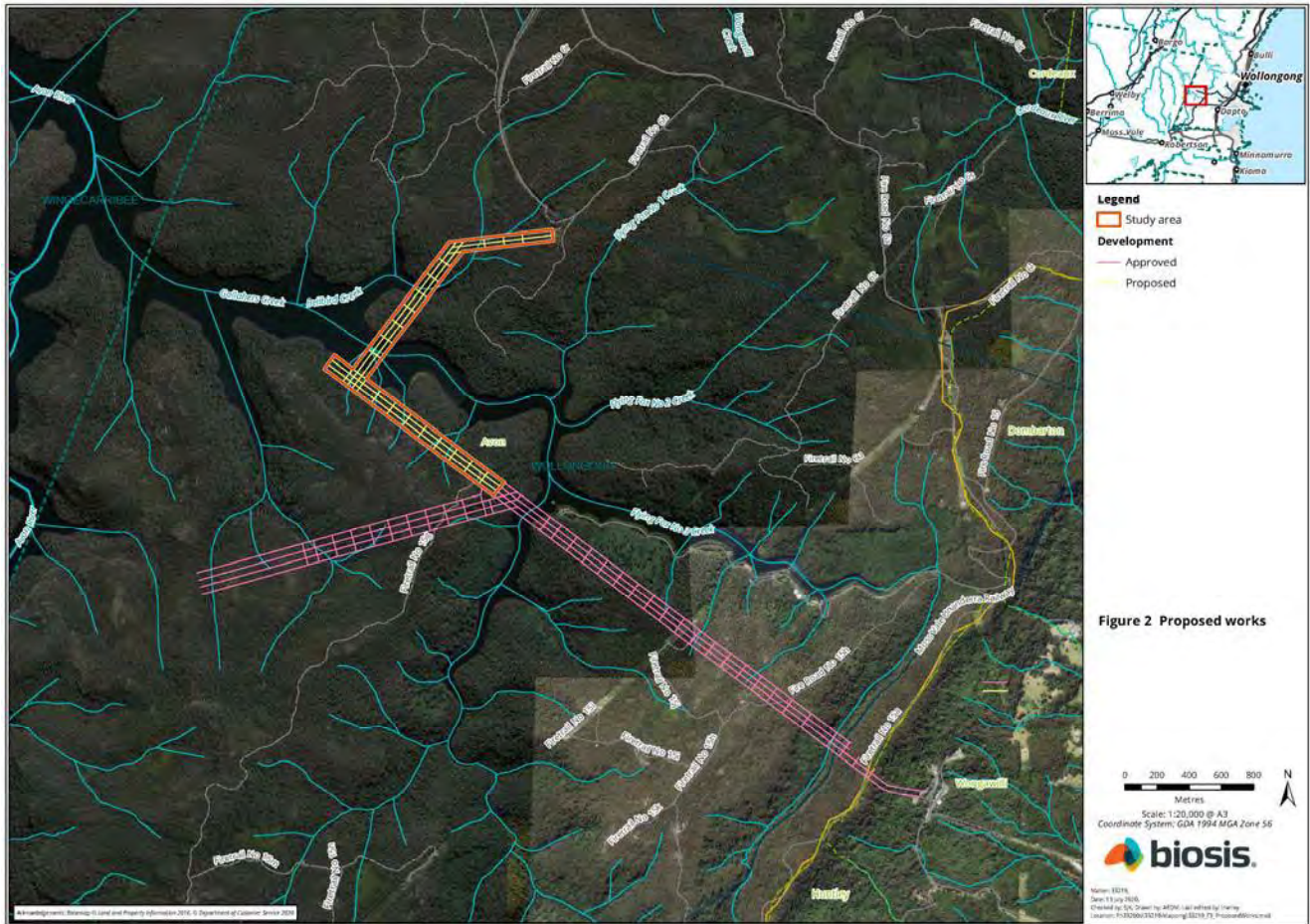
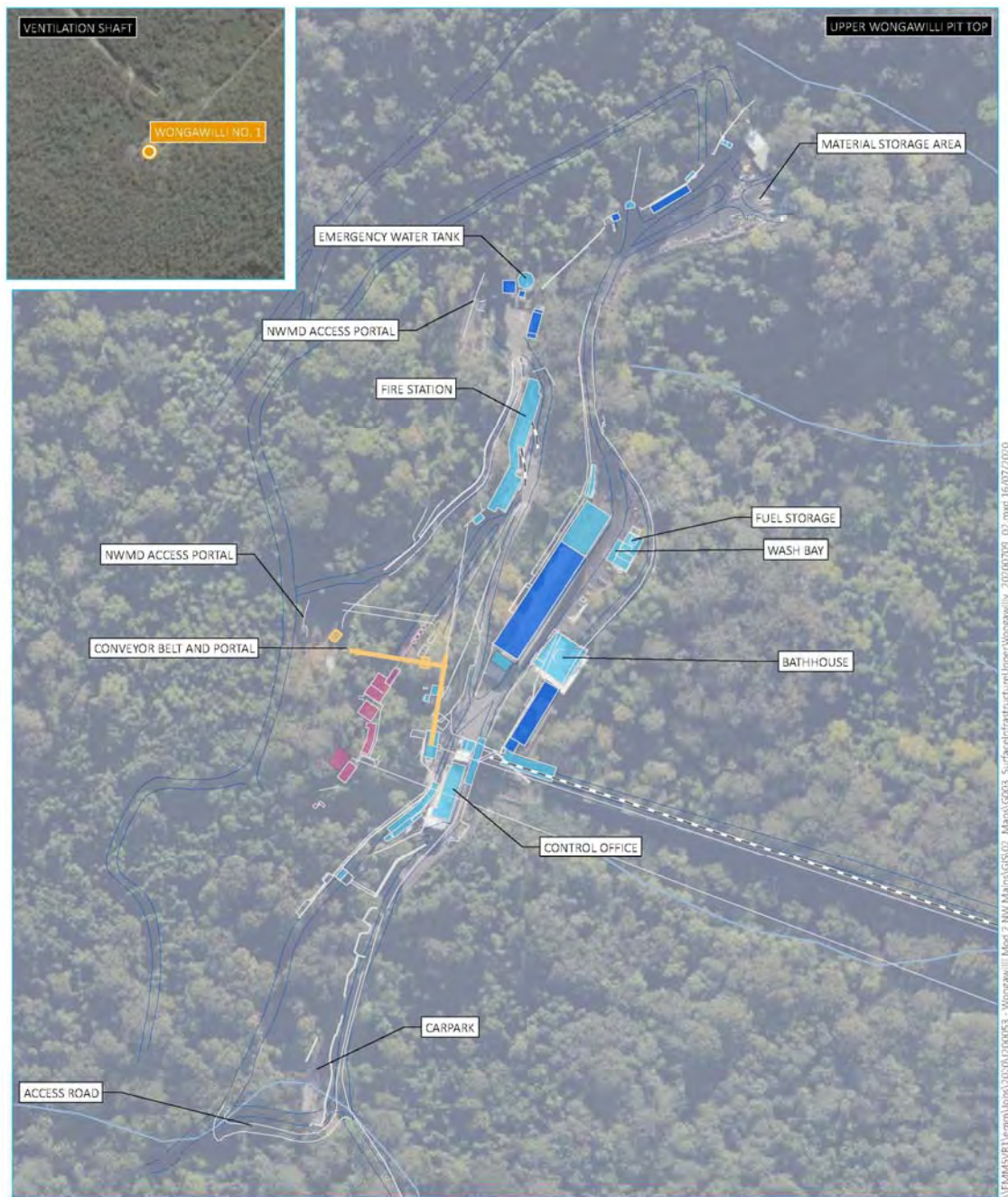
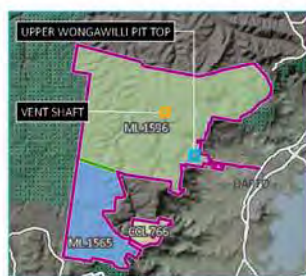


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



- KEY**
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 - Project application area
 - Proposed infrastructure
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 - Site workshop/shed
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Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

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- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

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- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
- For each test pit that is excavated, the following documentation will be taken:
 - Unique test pit identification number.
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 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
 - Stratigraphy.
 - Archaeological features (if present).
 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

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Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

AMBS 2006, *Volume 1: Aboriginal Heritage Management Plan: West Dapto Release Area*, An unpublished report to Wollongong City Council.

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Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Freeman & Marx
Clive Freeman
6 Dhugan Close Wreck Bay
Aboriginal Community JBT 2540

Dear Clive,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

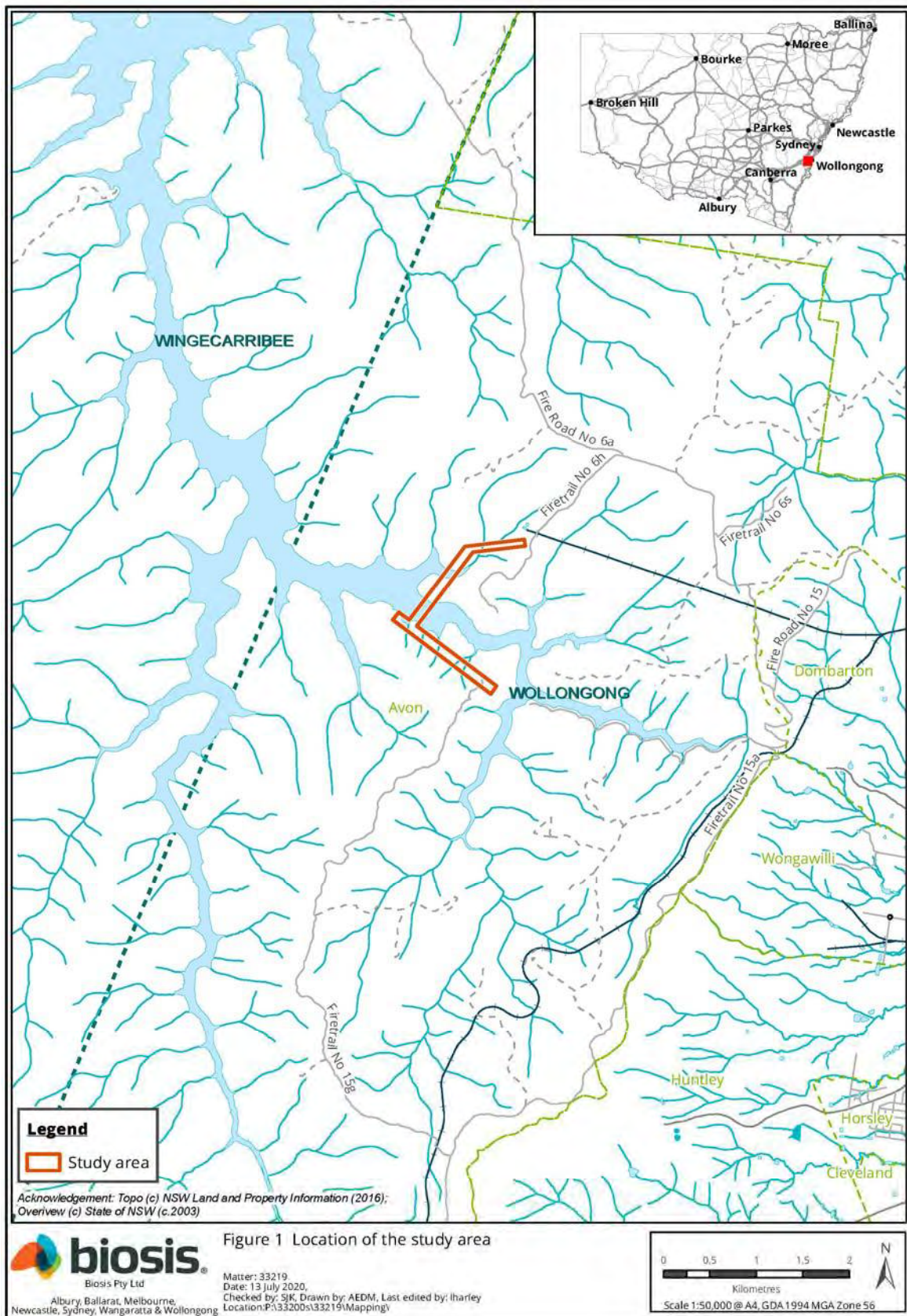


Figure 2 Study area detail

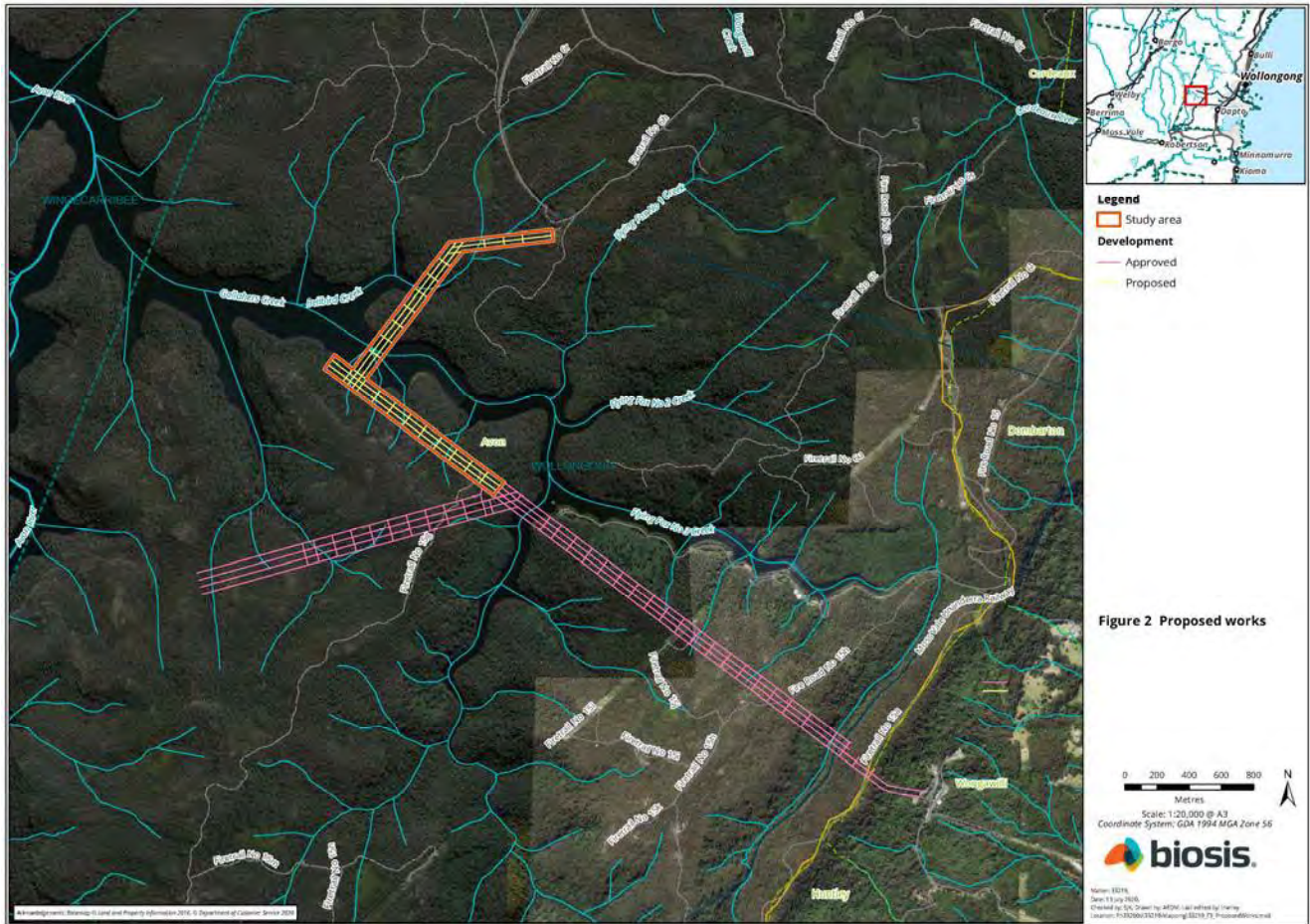
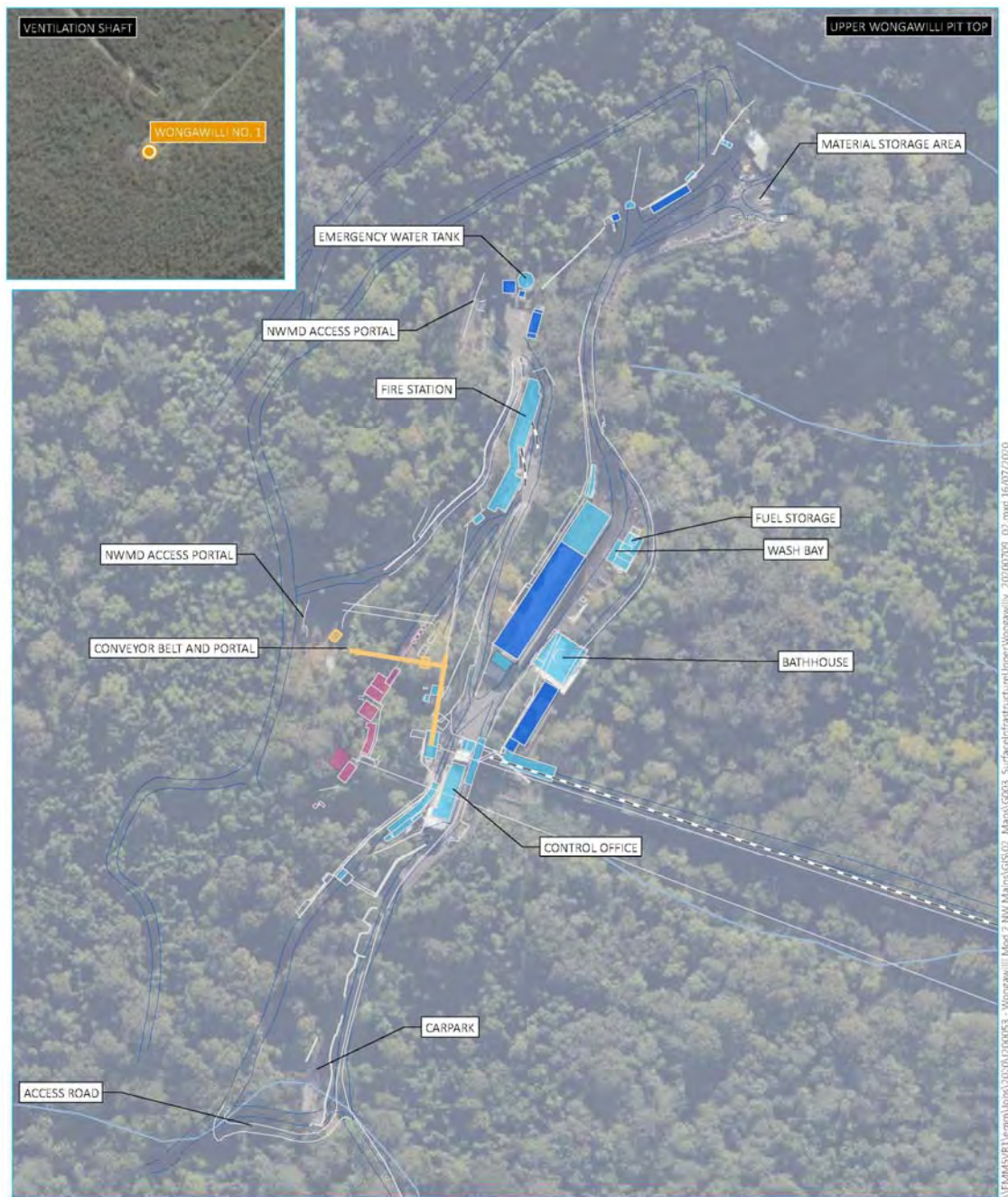
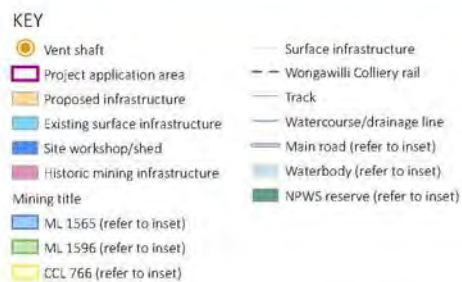
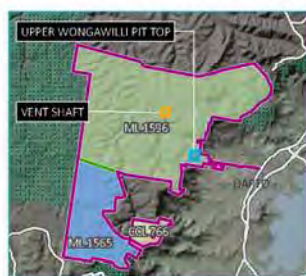


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
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15 July 2020

Barraby Cultural Services
Lee Field
6 Macgibbon Parade,
Old Errol Bay NSW 2540

Dear Lee,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

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Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

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Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

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Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
Aboriginal stakeholder registration period	24/6/2020 to 8/7/2020	Registration period expired on 8 July 2020.
Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

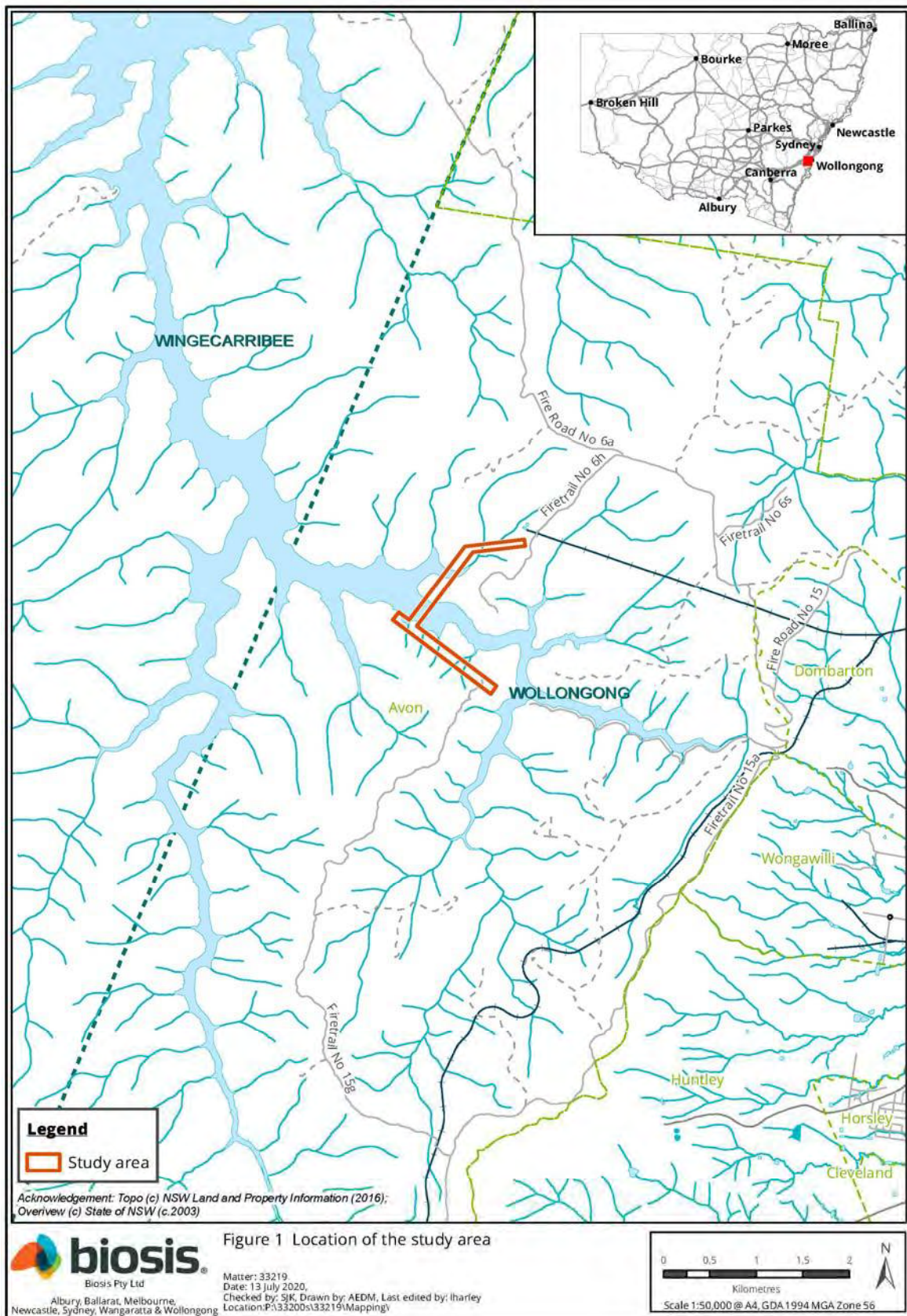


Figure 2 Study area detail

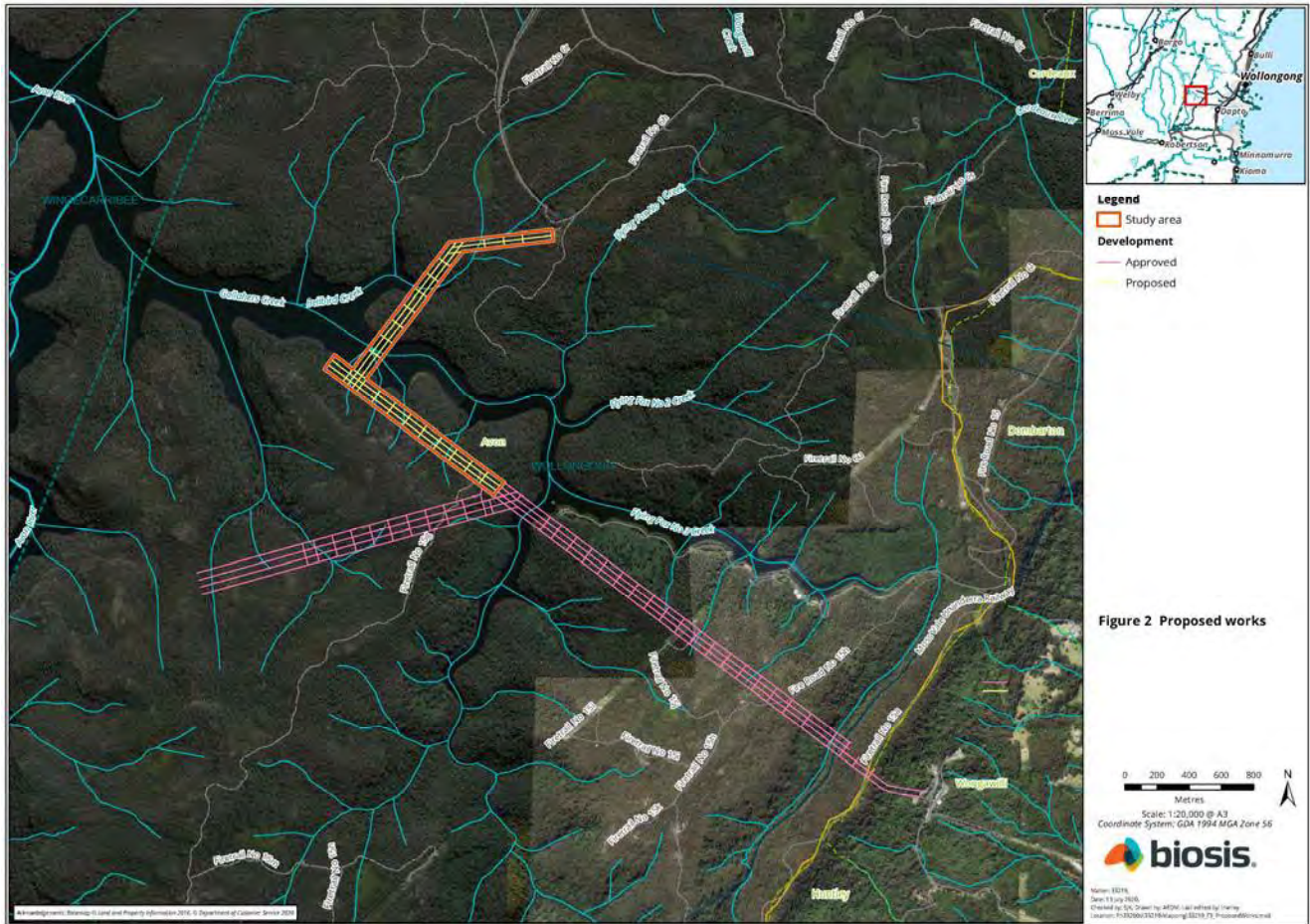
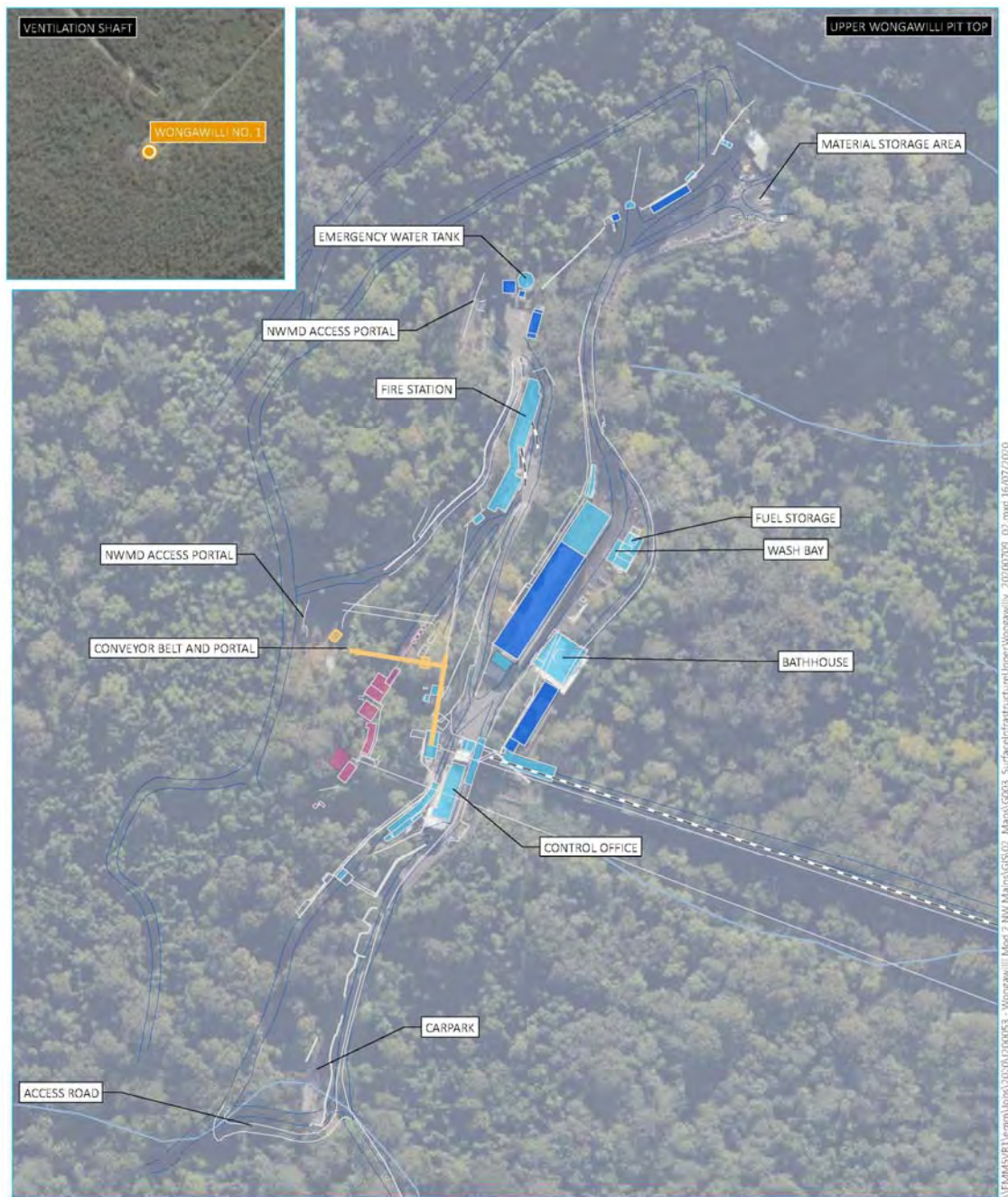
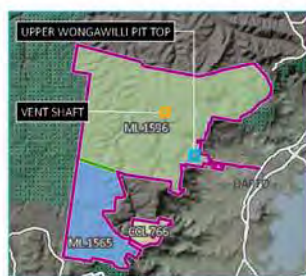


Figure 3 Surface infrastructure at Wongawilli pit top



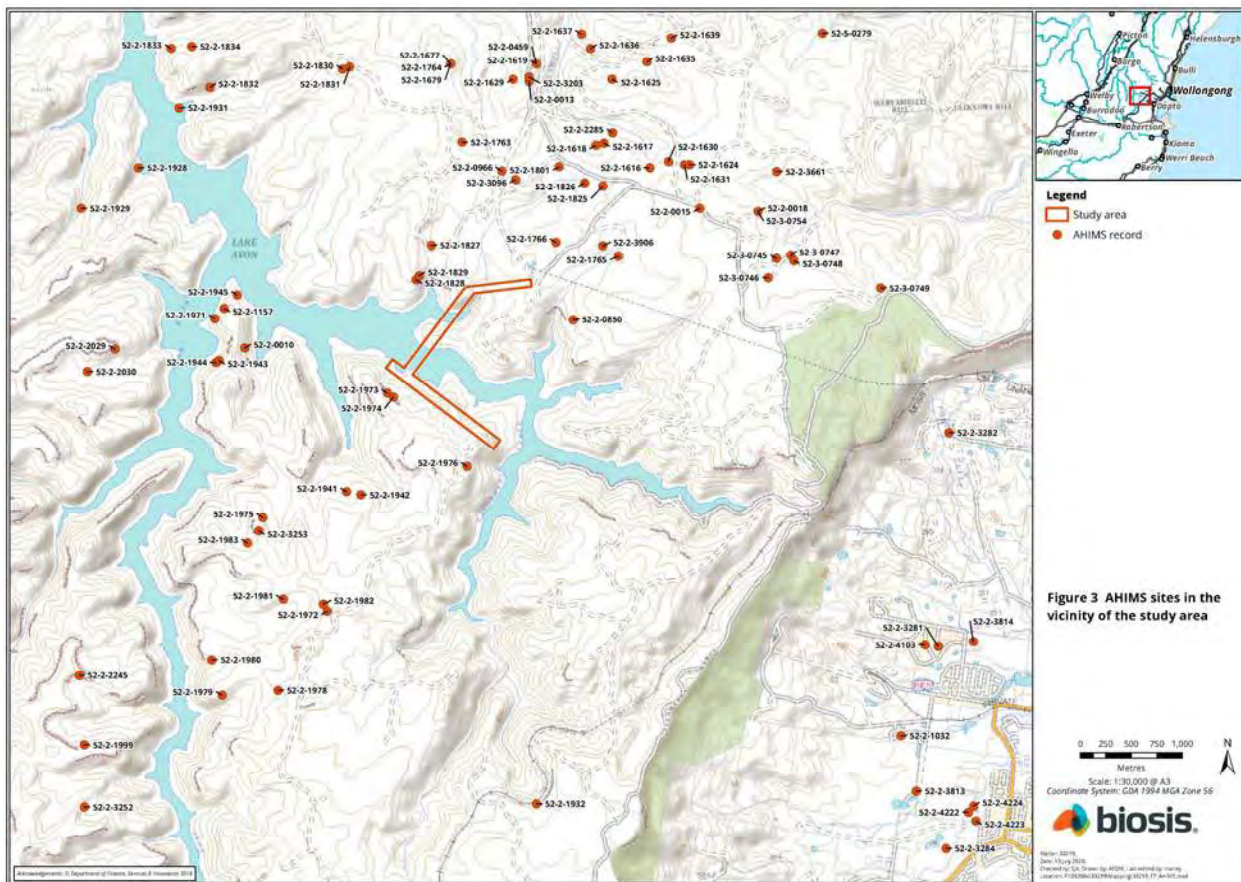
Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



- KEY**
- Vent shaft
 - Project application area
 - Proposed infrastructure
 - Existing surface infrastructure
 - Site workshop/shed
 - Historic mining infrastructure
 - Mining title**
 - ML 1565 (refer to inset)
 - ML 1596 (refer to inset)
 - CCL 766 (refer to inset)
 - Surface infrastructure
 - Wongawilli Colliery rail
 - Track
 - Watercourse/drainage line
 - Main road (refer to inset)
 - Waterbody (refer to inset)
 - NPWS reserve (refer to inset)

Surface infrastructure -
Upper Wongawilli pit top

Figure 4 AHIMS sites in the vicinity of the study area



Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
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 - Unique test pit identification number.
 - GPS coordinate of each test pit.
 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
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 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

Any cultural material identified during test excavations will be temporarily stored in the Biosis, Wollongong office for analysis (30 Wentworth Street Port Kembla NSW 2505).

Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

AMBS 2006, *Volume 1: Aboriginal Heritage Management Plan: West Dapto Release Area*, An unpublished report to Wollongong City Council.

Artefact Heritage 2018, *Rezoning and subdivision of 109 Darkes Road, Kembla Grange*, Report to NewQuest Property Pty Ltd.

Biosis Pty Ltd 2015, *Lot 1, DP 825516, Farmborough Heights NSW. Aboriginal Cultural Heritage Assessment for Proposed Rezoning*, Report to Plannex Environmental Planning.

DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment and Climate Change, Sydney NSW.

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment and Climate Change, Sydney NSW.

OEH 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, Office of Environment and Heritage.

Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Blaan Davies

Dear Sir or Madam,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,



Samantha Keats

Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
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Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

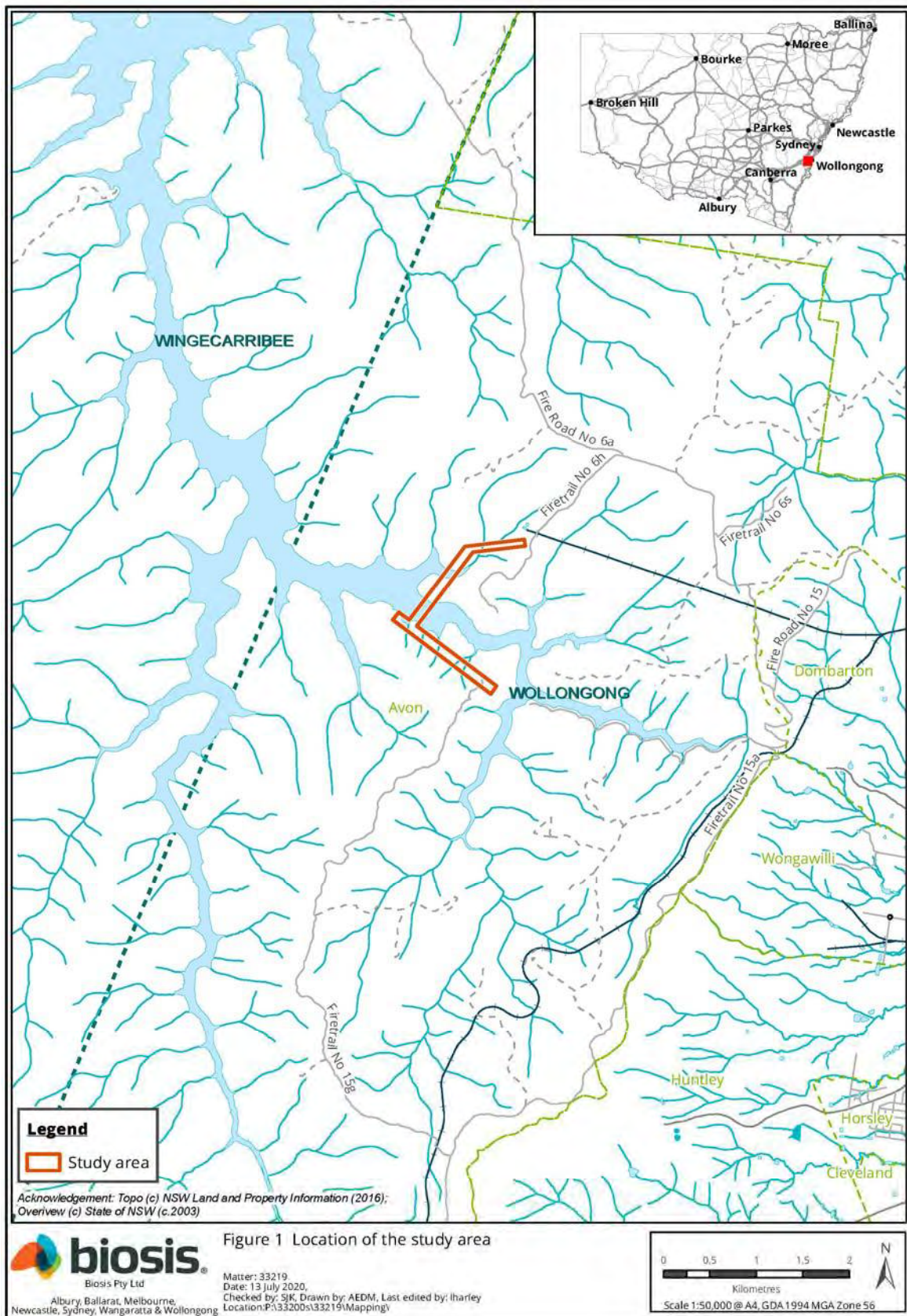


Figure 2 Study area detail

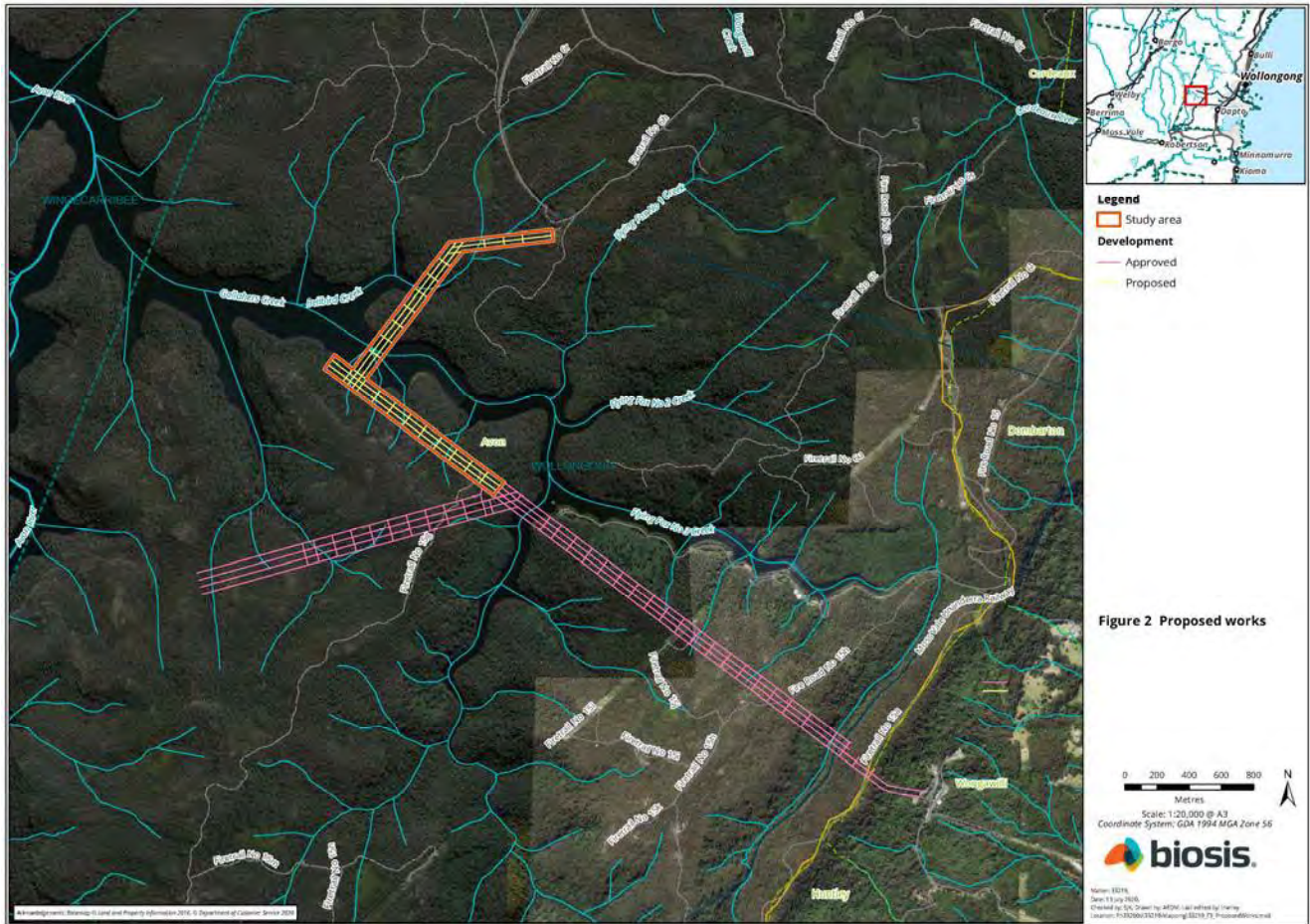
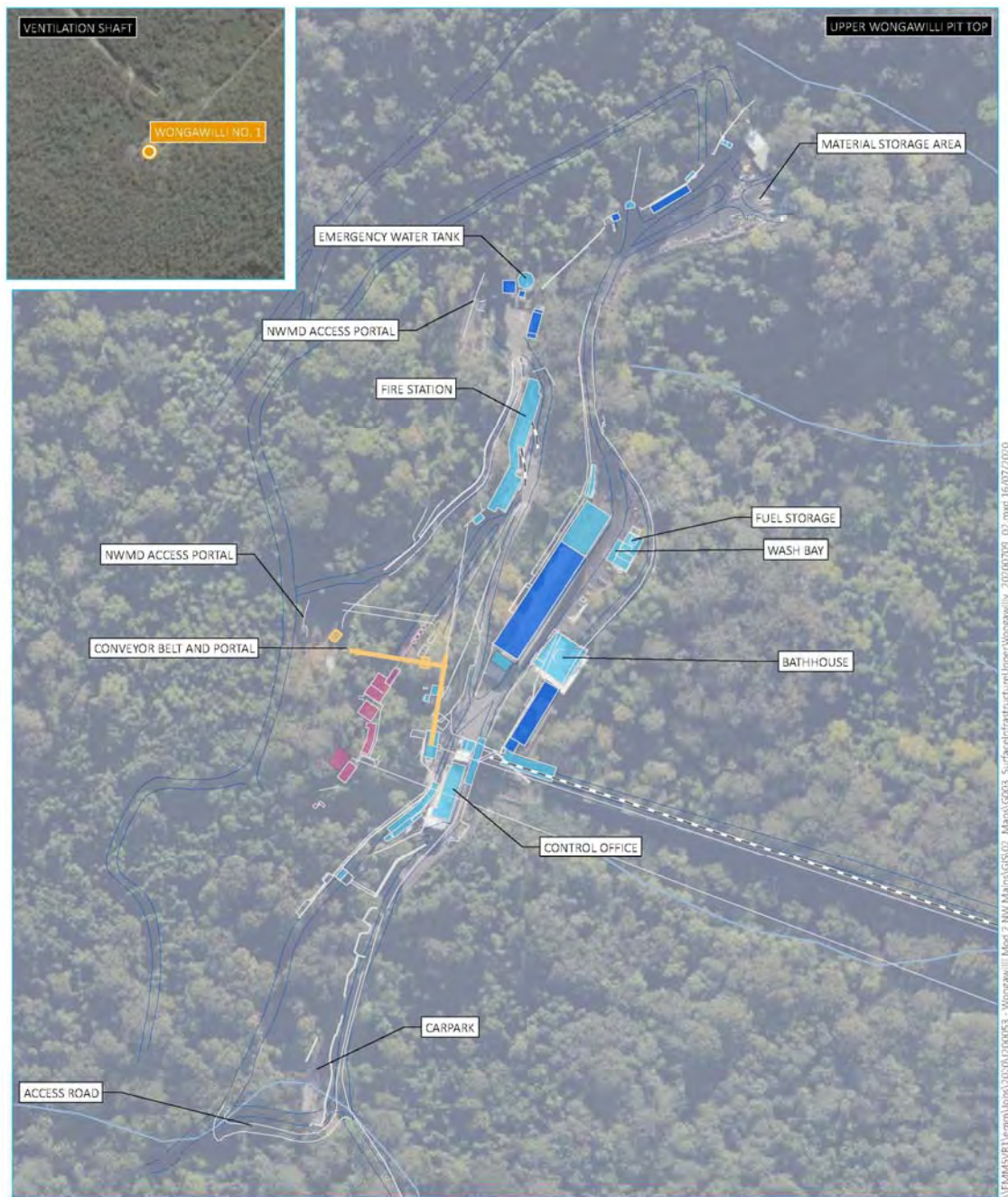
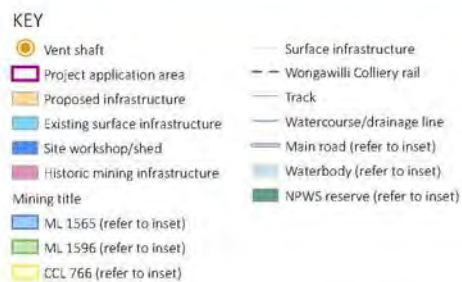
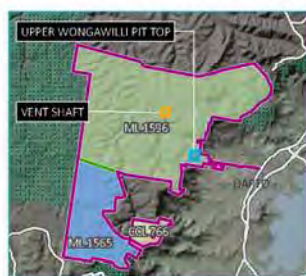


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

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- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
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If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

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Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
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- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

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Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

15 July 2020

Gumaraa
Jodie Edwards and Lisa Bazzano

Dear Jodie Edwards,

RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North West Mains Modification

Our Ref: Matter 33219

Thank you for registering your interest in the Wongawilli Colliery North West (NW) Mains Modification Project. Biosis Pty Ltd (Biosis) is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for Wollongong Coal Limited (WCL) to inform the project and support the modification application to be prepared by WCL for approval by the Department of Planning, Industry and Environment (DPIE) under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values.

The following project information and assessment methodology has been provided in accordance with section 4.2 and section 4.3 of the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010a) (consultation requirements). The aim of this letter is to provide you with information about the project and the proposed ACHA process, and to seek your feedback to inform the ACHA.

It would be appreciated if you would provide feedback on the project information and methodology presented in this letter to Biosis by **5pm 14 August 2020** either by email, phone or return mail.

Please address feedback to:

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

Please do not hesitate to contact me if you require additional information or have any queries about the methodology or information provided.

Yours sincerely,



Biosis Pty Ltd
Wollongong Resource Group

30 Wentworth Street,
Port Kembla, NSW 2505

Phone: 02 4201 1090
Fax: 03 9646 9242

ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

biosis.com.au

Samantha Keats
Consultant Archaeologist

Stage 2 – Project information

The aim of the stage 2 document is to provide registered Aboriginal parties (RAPs) with information about the scope of the project, and the proposed cultural heritage assessment process, and to seek their feedback on the project.

The project

Wongawilli Colliery operate under Project Approval (PA) 09_0161, which allows mining until 31 December 2020. This existing development consent allows the development of a series of first workings mains headings (the NW Mains). Development of the NW Mains previously commenced, with approximately 500 m developed within the Bulli Coal Seam prior to the mine going into care and maintenance in 2019. Wollongong coal plan to re-commence operations to compete the NW Mains development; however, to do so require an extension of time to the consent, given it lapses at the end of this year.

WCL is therefore seeking approval to modify PA 09-0161 for an extension of the mine life by 5 years, to enable completion of the NW Mains. In addition to the mains headings already approved, WCL is proposing to install some additional first workings mains heading (the subject of the ACHA) to access existing ventilation infrastructure.

The NW Mains development involves developing four, 5.5 metre wide underground roadways to connect the Wongawilli pit top to the north-western portion of the mining area leased by WCL. Additionally, WCL proposes to use existing infrastructure at the Wongawilli pit top.

The underground roadways will be developed using the bord and pillar first workings methodology. This involves parallel tunnels known as 'headings' being driven into the coal seam from the mine entrance using continuous miners or road headers. These form a series of self-supporting roadways, leaving behind a grid of pillars. The pillars are designed to provide long term stability to the void and support the roof strata above the seam. Typically with this methodology, if no subsidence is permitted then all of the pillars will be left in place. Subsidence of the ground surface above bord and pillar first workings results from the compression of the coal pillars and the strata above and below the seam from the weight of the overburden. Where the pillars have been designed to be stable, the vertical subsidence is typically less than 20 millimetres. Natural or seasonal variations in the surface levels due to wetting and drying of soils are approximately 20 millimetres, and thus subsidence less than this can be considered no more than the variations occurring from natural processes, and should have negligible impacts on both natural and man-made surface infrastructure (CoA 2014, MSEC 2007, Hume Coal 2017). Negligible impacts are therefore anticipated as a result of the NW Mains development.

The ACHA will be prepared in accordance with *the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011). It includes an Archaeological Report (AR) prepared in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales* (DECCW 2010b) (the Code) and consultation with Aboriginal community in accordance with the consultation requirements. The ACHA will inform WCL of any potential for the project to impact on or expose Aboriginal objects or sites. Biosis will provide recommendations based on the outcomes of the ACHA.

Study area

The study area is located approximately 5 kilometres west of Dapto and approximately 15 kilometres south-west of the Wollongong CBD, on the eastern edge of the Illawarra Escarpment (Figure 1). The study area encompasses approximately 29 hectares of land (Figure 2 and Figure 3).

Background

A search of the Aboriginal Heritage Information Management System (AHIMS) database (Client Service ID: 511747) identified 87 Aboriginal archaeological sites within a two by two kilometre search area, centred on the study area. None of these registered sites are located within the study area (Figure 4).

The review of recent Aboriginal heritage assessments conducted for the area have found that the type and distribution of Aboriginal sites is strongly correlated with landform features. The study area consists of rugged sandstone escarpment and cliffs with moderate to steep slopes and narrow, deeply incised valleys. These areas are most likely to contain significant sandstone overhangs that may have been used as shelters. The very high cliff lines present around the Avon River within the areas where two geological formations overlap very rarely contain overhangs. These areas will have a limited number of shelter sites that will be determined by suitable sandstone overhangs. Stone arrangements have been previously recorded on sandstone outcrops on crests and ridgetops and it is possible that more stone arrangements may be located in these areas. Grinding groove sites are most likely to be present on open plateaus, adjacent to swamps or creeks where open sandstone platforms occur. Due to its ruggedness and later protection as a water catchment area, the study area has not been cleared of vegetation and there is a possibility that scarred trees and open stone artefact sites may also occur.

Project schedule

The proposed schedule and time allocations for the consultation stages are summarised below.

Action	Timeframe	Potential constraints and limitations
Commencement of Aboriginal community consultation – advertising of project and notification to stakeholders	Completed	Project advertised in the <i>Illawarra Mercury</i> on 16 June 2020. Notices sent to identified Aboriginal parties 24 June 2020.
Notices sent to identified Aboriginal parties	24/6/2020	N/A
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Field investigation	TBC	TBC
Archaeological test excavations (if required)	TBC	TBC
Information gathering	Continuous	N/A
Review of draft report	TBC	28 days review time allowed under the consultation guidelines.
Final report	TBC	TBC

Responsibilities and roles

As part of the consultation process, RAPs are expected to respond to requests for cultural information and comment on draft reporting, as appropriate, in accordance with their role specified in section 5 of the consultation requirements. Biosis and the proponent, in accordance with their role under section 5 of the consultation requirements, will consult with the Aboriginal community by supplying suitable project information and providing the opportunity for Aboriginal stakeholders to provide input into the heritage management process.

Each section of the ACHA methodology will be undertaken in consultation with the RAPs for the project. Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Figure 1 Location of the study area

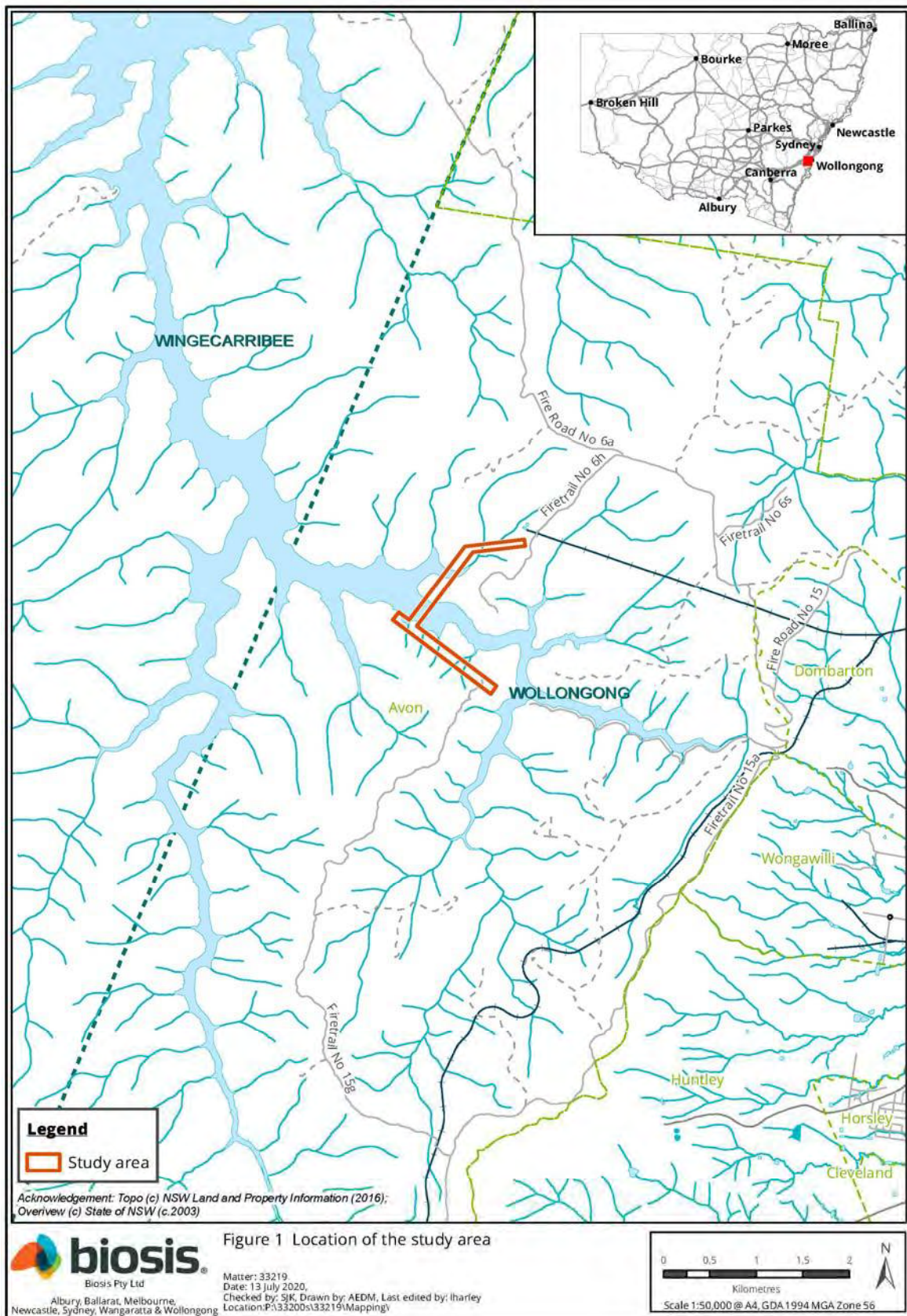


Figure 2 Study area detail

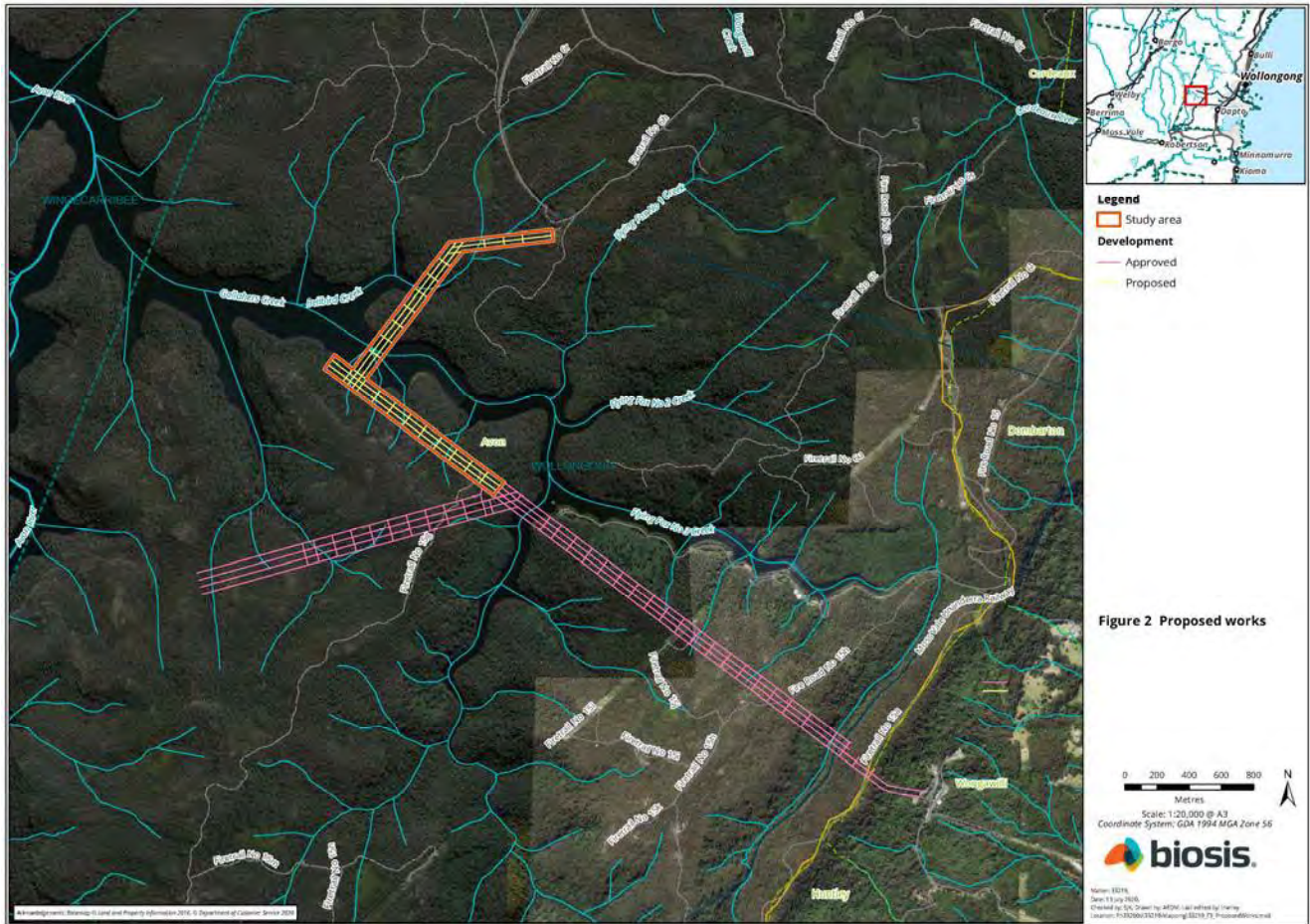
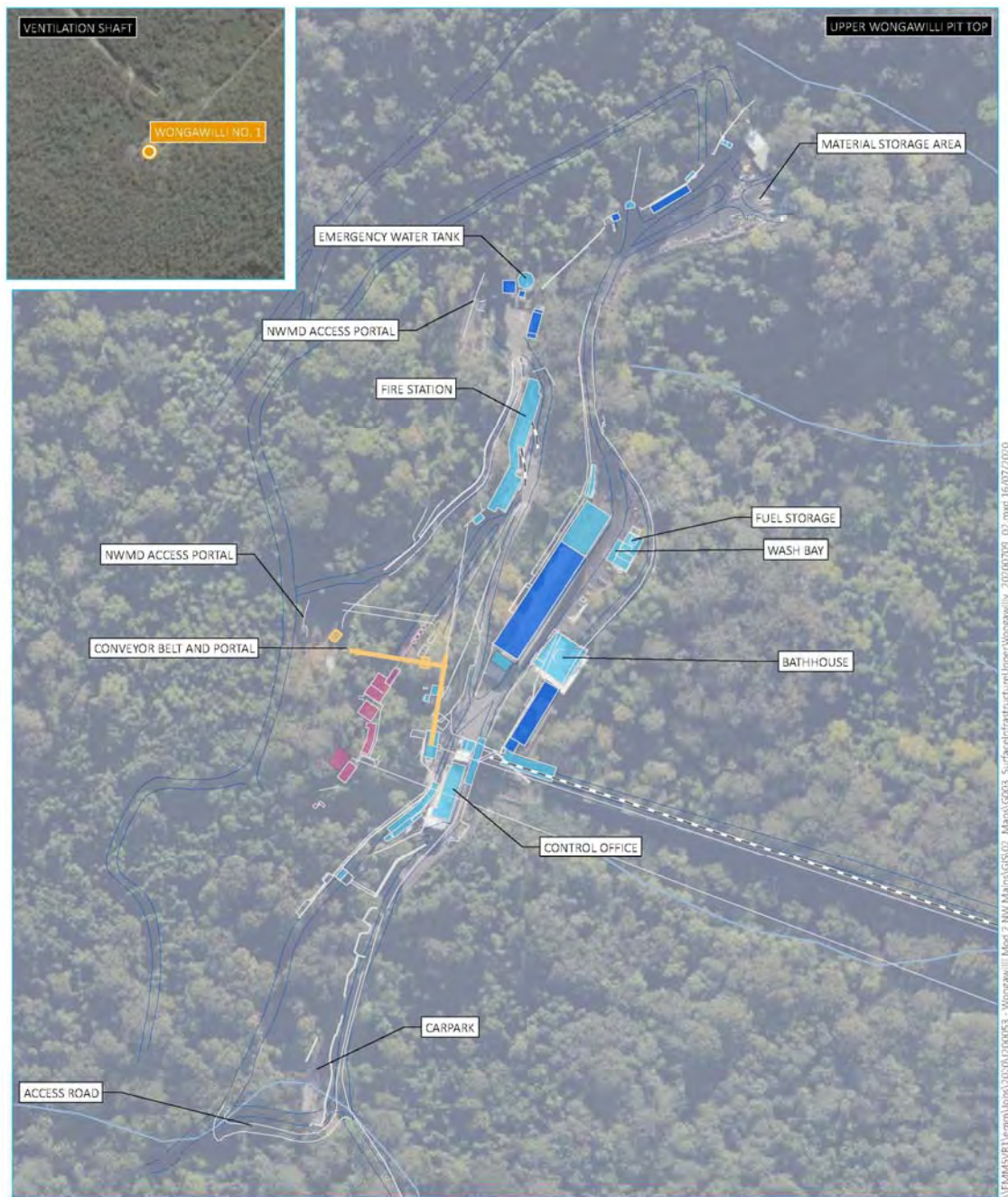
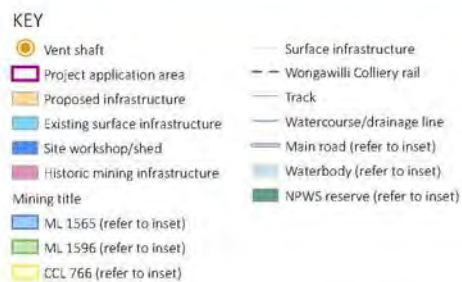
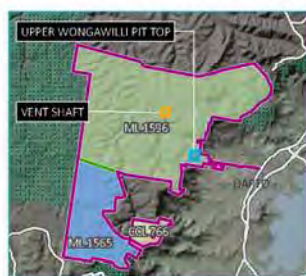


Figure 3 Surface infrastructure at Wongawilli pit top



Source: EMM (2020); WCL (2020); DFSI (2017); GA (2011); ASGC (2006)



Surface infrastructure -
Upper Wongawilli pit top

Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
- For each test pit that is excavated, the following documentation will be taken:
 - Unique test pit identification number.
 - GPS coordinate of each test pit.
 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
 - Stratigraphy.
 - Archaeological features (if present).
 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

Any cultural material identified during test excavations will be temporarily stored in the Biosis, Wollongong office for analysis (30 Wentworth Street Port Kembla NSW 2505).

Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

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15 July 2020

Yurrandaali Cultural Services
Bo Field
3 Sheeran street,
Old Errol Bay NSW 2540

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ACN 006 175 097
ABN 65 006 175 097

Email: wollongong@biosis.com.au

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A handwritten signature in black ink, appearing to read "S. Keats", enclosed within a light gray rectangular border.

Samantha Keats
Consultant Archaeologist

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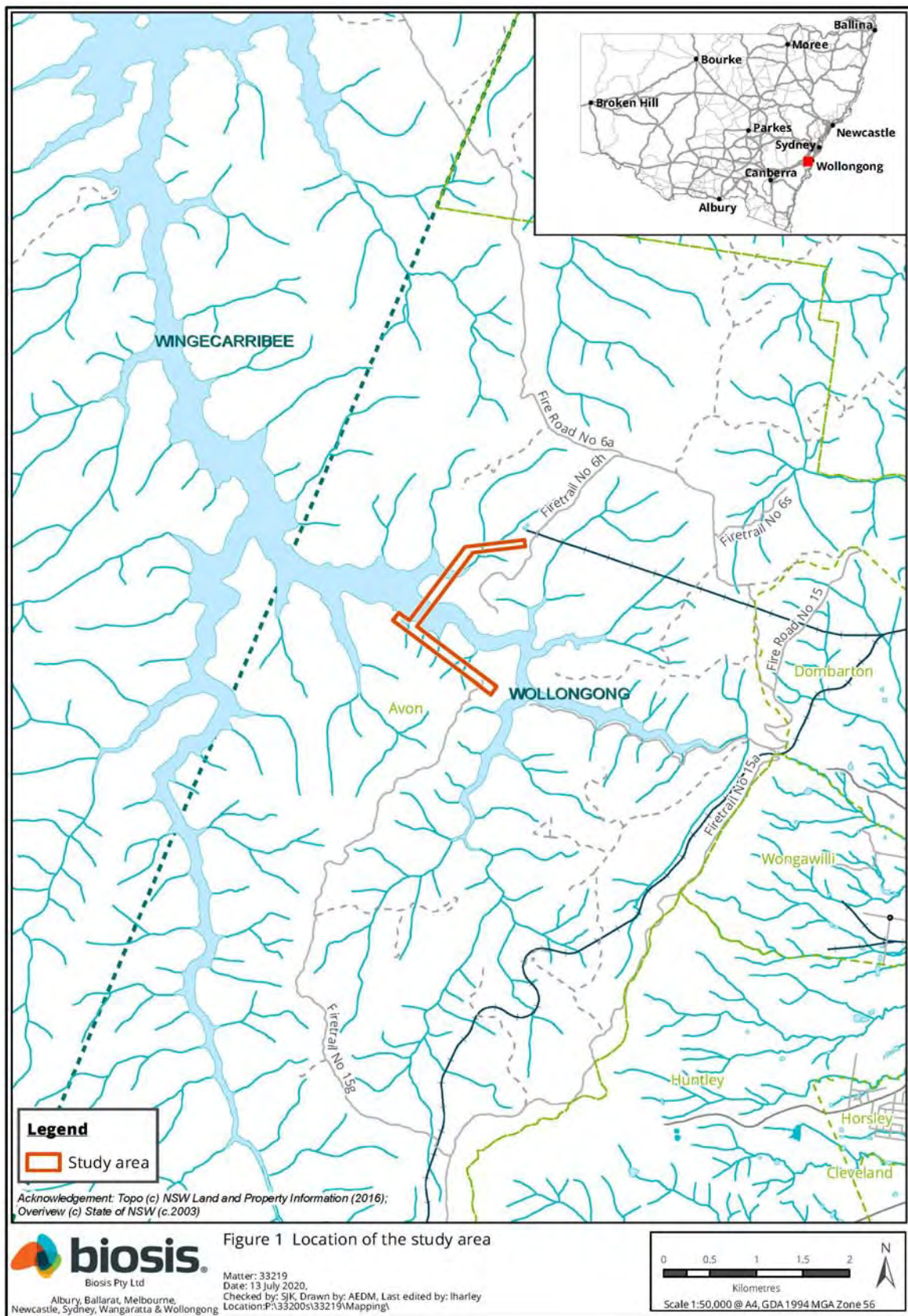


Figure 2 Study area detail

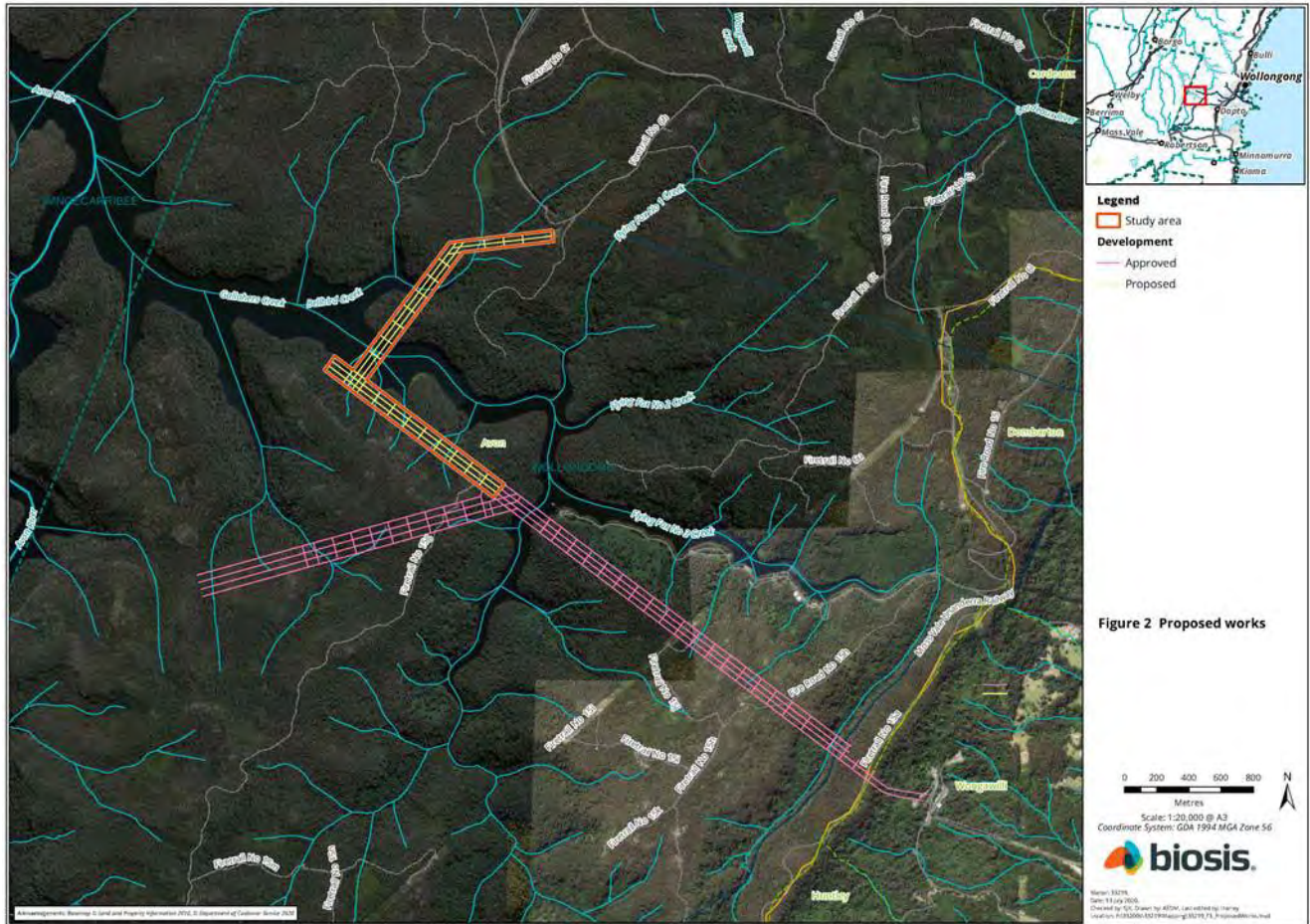
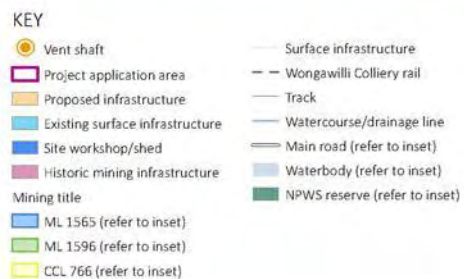
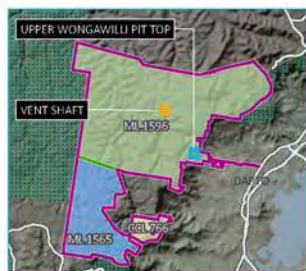
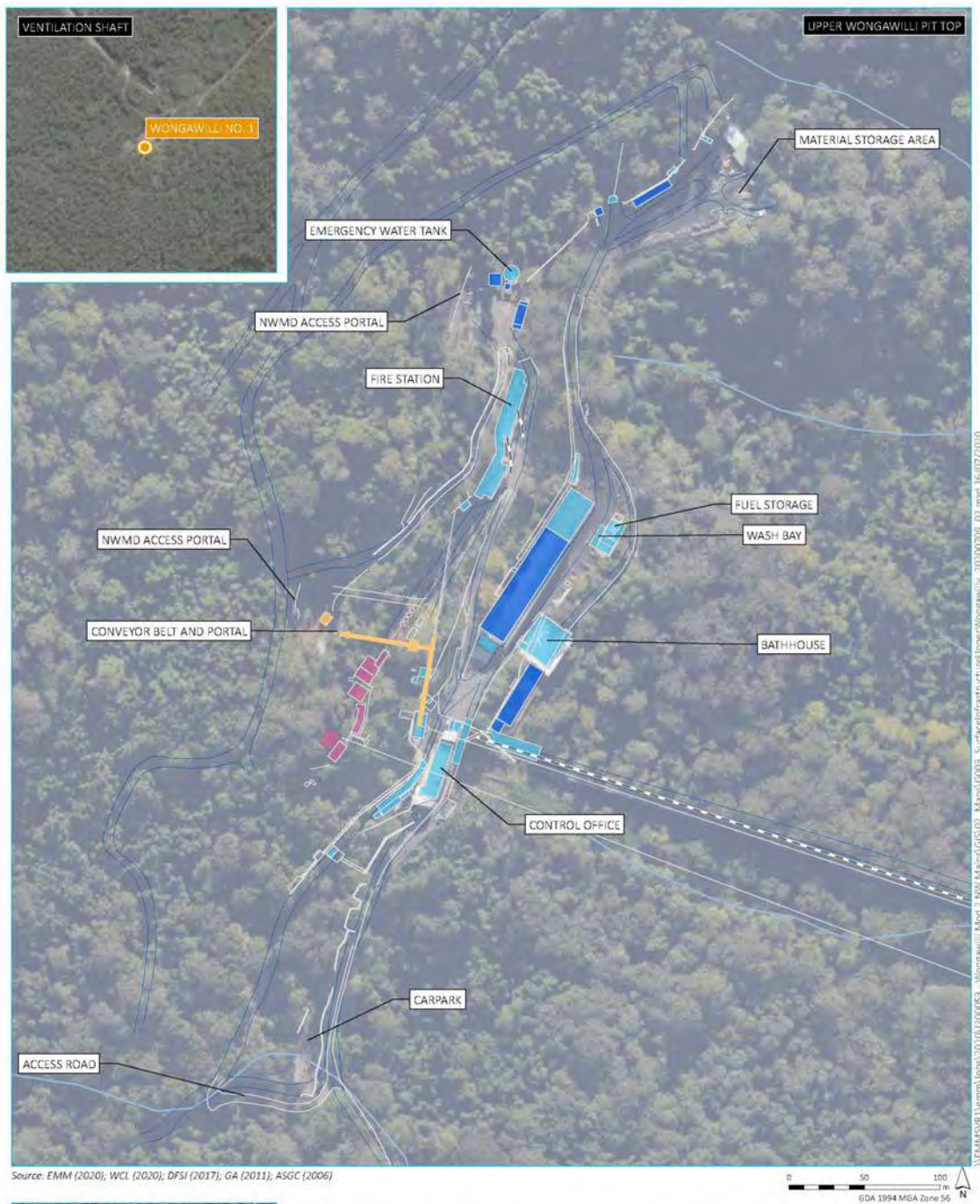
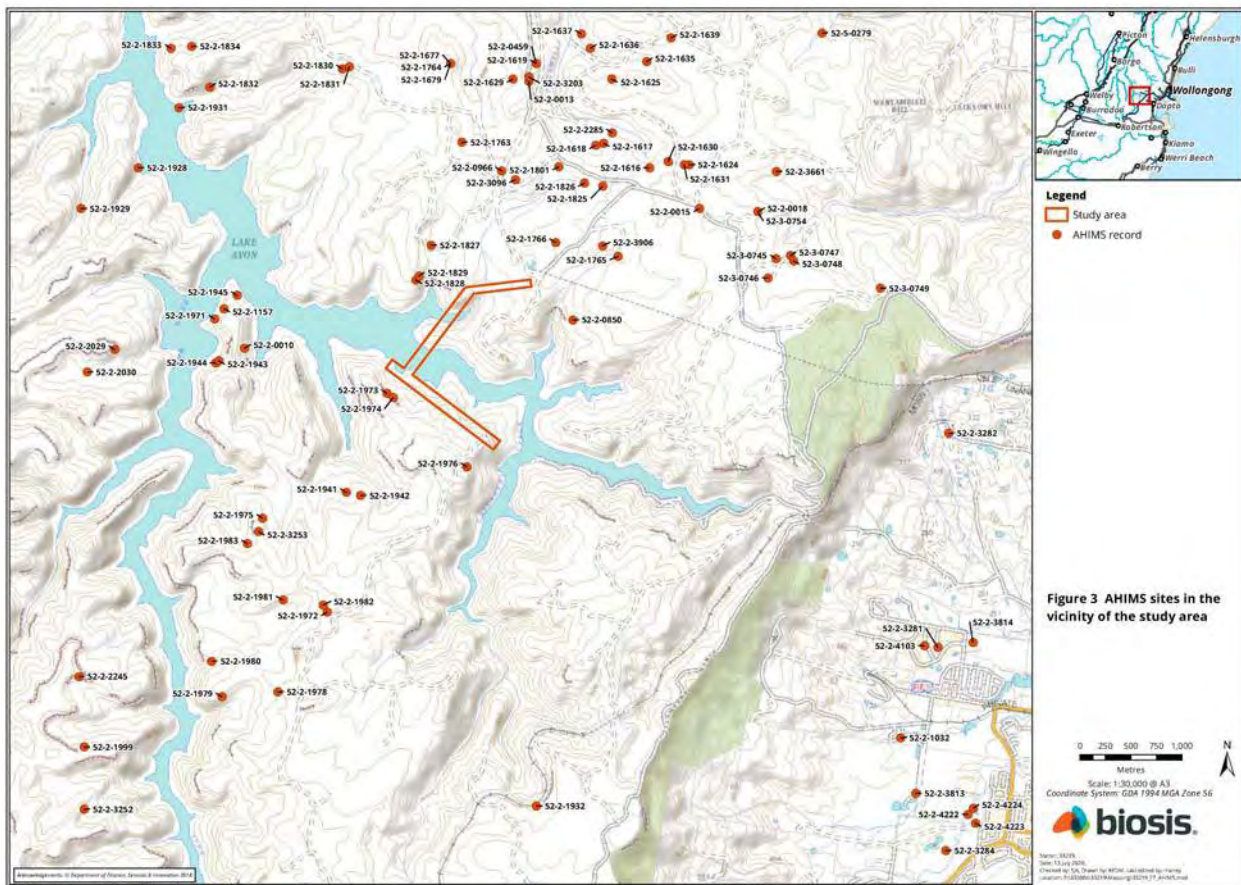


Figure 3 Surface infrastructure at Wongawilli pit top



Surface infrastructure -
Upper Wongawilli pit top

Figure 4 AHIMS sites in the vicinity of the study area



Stage 3 – Gathering information about cultural significance

The aims of stage 3 of the consultation process is to facilitate a process where RAPs for the project can:

- Contribute to culturally appropriate information gathering and the research methodology.
- Provide information that will enable the cultural significance of Aboriginal objects and/or places in the proposed study area to be determined.
- Have input into the development of any cultural heritage management options (DECCW 2010a, p.12).

The purpose of the stage 3 document below is to provide RAPs with information about the proposed ACHA methodology for the project, including the survey strategy and test excavation (if required) methodology and to seek feedback on the Aboriginal cultural values present within the study area.

The assessment methodology includes the following tasks:

Background research

This task will identify known Aboriginal sites, areas of potential archaeological sensitivity and previous disturbance, and inform the predictive modelling for the assessment/study area. The following steps will be undertaken:

- A search of the AHIMS database will be completed to identify registered sites in the vicinity of the assessment/study area. The results of the AHIMS search will be used to obtain relevant site cards and relevant previously completed Aboriginal cultural heritage assessments.
- A review of relevant reports identified through the AHIMS search will be undertaken.
- A review of aerial photographs and other resources to gauge the existing landscape and previous history of land disturbance will be undertaken.
- A review of the historical heritage databases will be undertaken.
- A brief summary of the historical uses of the study area will be developed.

Consultation with the Aboriginal community

This task will provide the Aboriginal community with the opportunity to participate in decisions regarding the management of their cultural heritage by providing proponents information regarding cultural significance and opportunities to input into management options.

Aboriginal community consultation will be undertaken in accordance with the consultation requirements, which includes:

- COMPLETED. Biosis ascertained the names of Aboriginal people or groups who may hold cultural knowledge relevant to determining the significance of Aboriginal objects and/or places within the study area.

- COMPLETED. Aboriginal stakeholders were provided with notification by letter of the project on 24 June 2020 via Biosis on behalf of WCL, and given the opportunity to be involved in consultation.
- This document outlines the details of the project and proposed archaeological testing methodology. If required. The RAPs must be given an opportunity to review and provide feedback to the proponent within a minimum of 28 days of Biosis providing the methodology document.
- The draft ACHA report and AR will be provided to all RAPs for comment – the proponent must allow 28 days for comment. All comments and correspondence sent and received regarding the project will be included in the final report in an appendix.

Culturally sensitive material

Biosis invites RAPs to provide culturally appropriate information via mail, email or phone with regards to this project.

Cultural information provided will be recorded in the Aboriginal consultation log and discussed in the report. If the information is regarded as too sensitive to be made public then RAPs should advise Biosis and identify the nature of the sensitivity. Biosis will then arrange for the recording of the information in accordance with its sensitivity. Documents which hold sensitive information will clearly list, on the front cover, who can have access to the document. These documents will be stored securely.

Field investigation

Recording during the field investigation will follow requirements 5 to 10 of the Code and industry best practice. Information recorded will include:

- Aboriginal objects or sites present in the study area during the investigation.
- Survey coverage.
- Any resources that may have potentially have been exploited by Aboriginal people.
- Landforms.
- Photographs of the site indicating landform.
- Evidence of disturbance.
- Aboriginal artefacts, culturally modified trees or any other Aboriginal sites.

Where possible, identification of natural soil deposits within the study area will be undertaken. Representative photographs of survey units, landform, vegetation coverage, ground surface visibility will be undertaken.

Detailed results of the field investigation will be provided in the draft ACHA and AR.

Archaeological test excavations (if required)

Any areas of Potential Archaeological Deposit (PAD) identified during the field investigation which cannot be avoided by the proposed development will be subject to archaeological test excavations in line with the code as outlined below.

Aims

The principle objectives of the test excavations are to identify and understand the nature, extent and significance of any areas of PAD within the study area. This will further our knowledge of Aboriginal archaeological site patterning within the study area and enable the predictive model to be further tested and refined. The aims of the testing program are to:

- Determine the nature and extent of the sub-surface archaeological deposits in the study area.
- Identify if the archaeological material occurs in an intact, undisturbed context, by examining the soil profile and stratigraphy.
- Analyse and interpret any archaeological finds (such as stone artefacts, hearths, etc.) recovered during the testing program.
- Inform current knowledge of Aboriginal occupation and land use models of the region.
- Provide management and mitigation measures for Aboriginal archaeological objects located during the subsurface testing program.
- Test the predictive model and answer the research questions developed as part of this assessment.

Test excavation methodology

If test excavations are required within the study area they will conform to the following methodology in line with Requirement 16 of the Code:

- Test excavations will be conducted in 50 by 50 centimetre units.
- The test pits will be excavated by hand (inclusive of trowels, spades and other hand tools) along transects at intervals of between 10 and 20 metres or other justifiable and regular spacing (being no smaller than five metres).
- The first test pit within a site or PAD area will be excavated in five centimetre spits; the subsequent test pits conducted within the site or PAD area can then be excavated in either 10 centimetre spits or stratigraphic units (whichever is smaller) to the base of Aboriginal object-bearing units being the removal of the A-horizon soil deposit down to the sterile clay or bedrock layer (B-horizon).
- If the depth of deposit prevents reaching sterile deposits within the 50 by 50 centimetre test pit, additional 50 by 50 centimetre test pits may be excavated adjacent to the original test pit (for example expanding the test pit to 50 by 100 centimetres) to reach the sterile deposits.
- Test pits may be combined and excavated as necessary in 50 by 50 centimetre units for the purposes of further understanding site characteristics. Note that under the Code, the maximum area that can be excavated in any one continuous area is three metres squared (3 metre²).
- The Code dictates that the maximum surface area of all test excavation units must be no greater than 0.5% of the PAD or area being investigated.

- All excavated soil will be sieved in 5 millimetre sieves. Dry sieving will be attempted in the first instance, however wet sieving may be used if deposits cannot be dry sieved.
- All cultural material will be collected, bagged and clearly labelled. They will be temporarily stored in the Biosis office for analysis (at 30 Wentworth Street Port Kembla NSW 2505).
- For each test pit that is excavated, the following documentation will be taken:
 - Unique test pit identification number.
 - GPS coordinate of each test pit.
 - Munsell soil colour and texture.
 - Amount and location of cultural material within the deposit.
 - Nature of disturbance where present.
 - Stratigraphy.
 - Archaeological features (if present).
 - Photographic records.
 - Spit records.
- Test excavation units will be backfilled as soon as practicable.
- An AHIMS Site Impact Recording form will be completed and submitted to the AHIMS register for any sites impacted during test excavations.
- In the event that suspected human remains are identified works will immediately cease and the NSW Police and Heritage NSW will be notified.
- Test excavations will cease when enough information* has been recovered to adequately characterise the objects present with regard to their nature and significance.

**Enough information is defined by Heritage NSW as meaning “the sample of excavated material clearly and self-evidently demonstrates the deposit’s nature and significance. This may include things like locally or regionally high object density: presence of rare or representative objects: presence of archaeological features: or locally or regionally significant deposits stratified or not.”(DECCW 2010b, p.28).*

Storage of cultural material

Any cultural material identified during test excavations will be temporarily stored in the Biosis, Wollongong office for analysis (30 Wentworth Street Port Kembla NSW 2505).

Once the cultural material has been analysed, the cultural material can be managed in the following manners:

- Cultural material can be held by the Aboriginal community under a care and control agreement.
- Cultural material can be returned to country and reburied as soon as practicable in a secure location in accordance with Requirements 16b and 26 of the code.

Biosis requests any comments regarding the care and control of any cultural material be included as part of the review of this assessment methodology.

Reporting

Biosis will prepare an ACHA and AR for the project. The ACHA will document the findings of the assessment, and detail the consultation process. The AR will be included as an appendix to the ACHA and will document the desktop assessment, field investigation, and test excavation results.

The main aim of the report is to document the assessment of potential development related impacts to Aboriginal cultural heritage and to formulate strategies to manage these impacts. Reporting will follow the guidelines of the Heritage NSW, in particular the consultation requirements, the Code, and the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The ACHA report will contain:

- Details of the Aboriginal consultation process undertaken as part of the assessment.
- A review and summary of the environmental context of the study area.
- A review and summary of the Aboriginal archaeological context of the study area.
- Archaeological test excavation results.
- Aboriginal site significance assessment.
- Impact assessment.
- Management strategies.
- Maps detailing any Aboriginal sites identified during the assessment process.

The RAPs will be provided with the draft ACHA report and AR, and their comments on the report content sought. Comments on the report's content are to be provided to Biosis by the party's respective nominated spokesperson(s). All comments not provided in writing will be recorded in an informal logbook by Biosis. These comments and responses to these comments will be documented in the final ACHA.

As part of this methodology registered Aboriginal parties will be provided with the draft report for comment and allowed **28 days** for review.

The final report will incorporate all comments and will be forwarded on to RAPs once completed.

References

AMBS 2006, *Volume 1: Aboriginal Heritage Management Plan: West Dapto Release Area*, An unpublished report to Wollongong City Council.

Artefact Heritage 2018, *Rezoning and subdivision of 109 Darkes Road, Kembla Grange*, Report to NewQuest Property Pty Ltd.

Biosis Pty Ltd 2015, *Lot 1, DP 825516, Farmborough Heights NSW. Aboriginal Cultural Heritage Assessment for Proposed Rezoning*, Report to Plannex Environmental Planning.

DECCW 2010a, *Aboriginal Cultural Heritage Consultation Requirements for Proponents*, Department of Environment and Climate Change, Sydney NSW.

DECCW 2010b, *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, Department of Environment and Climate Change, Sydney NSW.

OEH 2011, *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW*, Office of Environment and Heritage.

Sefton, C 1980, *Aboriginal Cultural Resources Study Illawarra Region*. Illawarra Regional Planning Committee.

Appendix 4 Stage 3: Gathering information about cultural significance

From: [Lee Field](#)
To: [Matthew Tetlaw](#)
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Date: Friday, 17 July 2020 4:29:20 PM

Hi Matthew,

Barraby supports the methodology for this project.

Thanks
Lee Field

Sent from my iPhone

On 17 Jul 2020, at 1:01 pm, Matthew Tetlaw wrote:

Dear Sir or Madame,

Thank you for registering for the NW Mains ACHA project. Please find attached a letter which contains additional information about the project as well as the proposed methodology for your review.

If you have any comments or feedback please send it through to either myself or Samantha Keats (contact details can be found in the letter).

Kind regards,

Matthew Tetlaw

Matthew Tetlaw

Research Assistant - Heritage

M: 0419 861 655

D: (02) 4201 1062

E: mtetlaw@biosis.com.au

Leaders in Ecology and Heritage Consulting

Biosis acknowledges the Aboriginal and Torres Strait Islander people as Traditional Custodians of the country on which we live and work. We pay our respects to the Traditional Custodians and Elders past, present and future, and honour their connection to the land and ongoing contribution to society.

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<33219.NWMains.Stage2.3.20200717.pdf>

From: [Clive Freeman](#)
To: [Matthew Tetlaw](#)
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Date: Wednesday, 29 July 2020 3:49:24 PM
Attachments: [profeshional indemnity insurance.pdf](#)
[imagecaf96c.PNG](#)

Hi team,

We at Freeman & Marx are excited about this project and look forward to assisting you through it. Please find attaches a copy of both public and professional liability certifications. Please note we have 6 officers 3 males and 3 females to carry out any specific work on country as required.

We look forward to working with you and the extended teams on this project.

We support the methodology and recommend on country work planning for Aboriginal parties.

Kind Regards

Clive Freeman
Managing Director
Freeman & Marx Pty Ltd
(M) 0437721481

Please consider the environment before printing this message

On Friday, 17 July 2020, 01:01:52 pm AEST, Matthew Tetlaw wrote:

Dear Sir or Madame,

THank you for registering for the NW Mains ACHA project. Please find attached a letter which contains additional information about the project as well as the proposed methodology for your review.

If you have any comments or feedback please send it through to either myself or Samantha Keats (contact details can be found in the letter).

Kind regads,

Matthew Tetlaw
Matthew Tetlaw
Research Assistant - Heritage
M: 0419 861 655
D: (02) 4201 1062
E: mtetlaw@biosis.com.au

[Biosis Logo](#)



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From: [Richard campbell](#)
To: [Matthew Tetlaw](#)
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Date: Friday, 17 July 2020 3:44:48 PM
Attachments: [image7dabe5.PNG](#)
[image7dabe5.PNG](#)

Hi Mathew I have no problem with the ACHA Stage 2 an 3.

Kindest regards
Richard

On Fri, 17 Jul. 2020, 1:01 pm Matthew Tetlaw, <MTetlaw@biosis.com.au> wrote:

Dear Sir or Madame,

THank you for registering for the NW Mains ACHA project. Please find attached a letter which contains additional information about the project as well as the proposed methodology for your review.

If you have any comments or feedback please send it through to either myself or Samantha Keats (contact details can be found in the letter).

Kind regads,

Matthew Tetlaw

Matthew Tetlaw

Research Assistant - Heritage

M: 0419 861 655

D: (02) 4201 1062

E: mtetlaw@biosis.com.au

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From: [Paul Knight](#)
To: [Samantha Keats](#)
Subject: Stage 2 and 3 Aboriginal Community Consultation - Wongawilli Colliery North West Mains
Date: Monday, 17 August 2020 7:13:01 AM
Attachments: [image003.jpg](#)
[Biosis Methodology Wollongong Coal-signed.pdf](#)

Hi Sam,

Please find attached feedback re methodology for Wongawilli NW Mains Project

Regards

Paul

Paul Knight

Chief Executive Officer

Illawarra Local Aboriginal Land Council



Virus-free. www.avg.com

Illawarra Local Aboriginal Land Council
3 Ellen Street,
Wollongong NSW 2500
Ph: 4226 3338
Fax: 4226 3360

I acknowledge the traditional owners and custodians of the land I work on as the first people of this country.

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From: [Leanne Tungai](#)
To: [Matthew Tetlaw](#)
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Date: Saturday, 18 July 2020 12:30:16 AM
Attachments: [image7aa75a.PNG](#)

Looks good to me.

On Fri, 17 Jul 2020 at 1:01 pm, Matthew Tetlaw <MTetlaw@biosis.com.au> wrote:

Dear Sir or Madame,

Thank you for registering for the NW Mains ACHA project. Please find attached a letter which contains additional information about the project as well as the proposed methodology for your review.

If you have any comments or feedback please send it through to either myself or Samantha Keats (contact details can be found in the letter).

Kind regards,

Matthew Tetlaw

Matthew Tetlaw

Research Assistant - Heritage

M: 0419 861 655

D: (02) 4201 1062

E: mtetlaw@biosis.com.au



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13 August 2020

Samantha Keats
Biosis Pty Ltd
30 Wentworth Street, Port Kembla
0439 376 720
skeats@biosis.com.au

**RE: Stage 2 and 3 Aboriginal Community Consultation – Wongawilli Colliery North
West Mains Modification**

Dear Ms Keats,

Thank you for your letter dated 15 July 2020 in relation to the Wongawilli Colliery North West (NW) Mains Modification Project.

We understand the purpose of the ACHA is to determine the impacts the proposed development will have on any Aboriginal heritage values present within the study area. The ACHA will also assist WCL in developing recommendations in order to minimise the impacts the works will have on Aboriginal heritage values and support the modification application for consideration by the Department of Planning, Industry and Environment (DPIE) under the Environmental Planning and Assessment Act 1979 (EP&A Act).

I have reviewed the methodology, as suggested by Biosis, and provide in principle support for the suggested approach. The Land Council appreciates the methodology has been provided in accordance with section 4.2 and section 4.3 of the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010a) (consultation requirements).

The Land Council would like to identify what we believe are the shortfalls on this methodology in terms of the requirements of other cultural heritage management instruments such as the:

- National Parks and Wildlife Act 1974 (NSW),
- Heritage Act 1977 (Heritage Act) (NSW),
- Environmental Planning and Assessment Act 1979 (NSW)
- ICOMOS Charter for the Conservation of Places of Cultural Significance - Burra Charter, 2013,
- Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth)
- United Nations Declaration on the Rights of Indigenous Peoples,

To be clear in our expectations and those outlined by the above-mentioned instruments we would like to draw your attention to each of these documents and remind Wollongong Coal Limited and the NSW Government of their obligations and commitments in relation to the protection of Aboriginal cultural heritage objects.

Before we explore the issues relating specifically to our concerns relating to this project we believe that it is essential that we remind the Government of their obligations and commitments in relation to the protection of Aboriginal cultural heritage objects.

Aboriginal Heritage

Legislative Instruments – State

Aboriginal cultural heritage is protected under the following New South Wales legislation:

The National Parks and Wildlife Act 1974 (NPW Act)¹

The National Parks and Wildlife Act 1974 (NPW Act) is the primary legislation for the protection of some aspects of Aboriginal cultural heritage in NSW. Part 6 provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm, which includes destroying, defacing or damaging an Aboriginal object or place, or moving an Aboriginal object from the land.

The Heritage Act 1977(Heritage Act)²

Items of Aboriginal cultural heritage value, including Post Contact sites, can also be protected by inclusion in the State Heritage Register under the Heritage Act 1977 (NSW).

The State Heritage Register is a listing of items (places, buildings, works, relics, moveable objects, precincts or land) of state heritage value. The Register was established to protect those items listed by requiring approval to carry out works on those items, and makes it illegal to:

- demolish a building or work
- “damage or despoil” a place, precinct or land, or any part thereof
- move, damage or destroy a relic or moveable object
- excavate any land for the purpose of exposing or moving a relic
- carry out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct
- alter a building, work, relic or moveable object
- display any notice or advertisement on the place, building, work, relic, moveable object or land, or in the precinct
- damage or destroy any tree or other vegetation on or remove any tree or other vegetation from the place, precinct or land.

The Heritage Council is the approval body for heritage items listed on the State Heritage Register or subject to an interim heritage order made by that body. Minor works to State Heritage Register items may be exempt from the need for approval under standard exemptions published in the Gazette, and available here.

¹ <http://www.environment.nsw.gov.au/legislation/NationalParksAndWildlifeAct1974.htm>

² <http://www.legislation.nsw.gov.au/#/view/act/1977/136>

The Environmental Planning and Assessment Act 1979³.

The Environmental Planning and Assessment Act 1979 requires that land use planning and development approval bodies consider any environmental impacts, including potential Aboriginal heritage, economic and social impacts, before granting an approval

EXTRACTED FROM THE NSW PLANNING, INDUSTRY AND ENVIRONMENT WEBSITE

We protect, respect and conserve Aboriginal cultural heritage in NSW.

Aboriginal people have lived in Australia for over 60,000 years (Clarkson et al 2017). The Australian Aboriginal culture is the oldest living culture in the world. Aboriginal cultural heritage consists of places, traditions, beliefs, customs, values and objects that represent the living history of past Aboriginal generations and are of important cultural and heritage significance to Aboriginal people.

Aboriginal cultural knowledge provides crucial links between the past and present and represents an essential part of the identities of Aboriginal people and all Australians.

Aboriginal cultural heritage includes tangible and intangible values, such as Song Lines, Dreaming stories and ceremonies passed from generation to generation, as well as physical objects and places. These important objects and places provide evidence of the diverse values, activities and knowledge of Aboriginal people who co-existed with the natural environment by living in harmony with the land they cherish and, which the Aboriginal communities now manage and protect for future generations.⁴

Legislative Instruments – Commonwealth

Aboriginal cultural heritage is protected under the following Commonwealth legislation:

The Aboriginal and Torres Strait Islander Heritage Protection Act

The Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (ATSHP Act) can protect areas and objects that are of particular significance to Aboriginal people. The ATSHP Act allows the Environment Minister, on the application of an Aboriginal person or group of persons, to make a declaration to protect an area, object or class of objects from a threat of injury or desecration.⁵

Governments at both State and Commonwealth jurisdictions have developed significant legislation pertaining to the protection of Aboriginal cultural heritage. The legislative instruments also reflect Aboriginal views in that our heritage includes both tangible and intangible objects,

³ <http://www.legislation.nsw.gov.au/#/view/act/1979/203>

⁴ <https://www.environment.nsw.gov.au/topics/aboriginal-cultural-heritage/protect-and-manage/about-aboriginal-cultural-heritage>

⁵ <http://www.comlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/0/55E0993527F830A3CA256FD5001F69E0?OpenDocument>

such as stories, connection between sites and also the relationship between different resources for example axe grinding grooves do not exist in areas that do not also have a water supply. To damage, remove or concentrate on the tangible object in Aboriginal culture without reference and understanding of the intangible will always result in desecration and destruction of the cultural heritage of a region.

*ICOMOS Charter for the Conservation of Places of Cultural Significance - Burra Charter, 2013*⁶

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members. In our response we would specifically like to highlight and reference the following Articles without limiting or negating the relevance of the entire 34 articles included in the Burra Charter:

- Article 3. Cautious approach
- Article 7. Use
- Article 8. Setting
- Article 15. Change

Legislative Instruments – International

*United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*⁷

The UNDRIP, we contend, also should be considered within the assessment of impact with specific consideration for at least 12 of the Articles contained within, as identified below.

- Article 2: Equality
- Article 8: Cultural integrity
- Article 11: Culture
- Article 12: Spiritual and religious traditions
- Article 18: Decision-making
- Article 19: Free, prior and informed consent
- Article 25: Lands, waters and resources: distinctive relationship
- Article 27: Independent process
- Article 28: Restitution
- Article 29: Environment
- Article 32: Resource development
- Article 40: Disputes

Concerns of Impact to Aboriginal Cultural Heritage

It is our assertion that the impact of the Wollongong Coal Limited operations, will directly impact tangible items in the region including rock shelters, art and axe grinding sites although we recognise that the method of operation will not create as much damage as longwall mining. Our

⁶ <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

⁷ https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf



concern does however relate to the potential for collapse of the board and pillar long after the mine has ceased operation.

An additional impact of this damage, is that it comprehensively damages the intangible aspects of our culture which includes the connection between sites and potentially the water flows that determined the locations of sites of occupation and therefore rock shelters and art. Therefore, the potential impact extends beyond the project area and impacts will occur to significant stories or songlines that form part of the identity of Aboriginal people from this land.

Desecration of these areas are akin to forced removal. It is The Government and in this case Mining interests, reinforcing the dislocation of Aboriginal people from their heritage, it is making a forced statement that our identity, values and humanity do not matter when it comes to the jobs and mining interests.

As an Aboriginal community we find that the process of assessment of our sites and their value being reflected in relation to their scientific classification as being completely inappropriate and offensive. This position fails the human test. Aboriginal people are not scientific experiments. Our heritage belongs to us. Our dislocation from land, country, stories belongs to everyone and we need to take responsibility as a community for this. To place the tangible connection to Lands and Country in the realm of scientific understanding is another slap in the face and a devaluing of our human rights and our identity. It is time for Governments and Industry to understand and accept this, and not give it lip service and skirt the legislation that has been enacted to return the dignity and identity to Aboriginal communities. We find it offensive that this methodology is not only undertaken through a western paradigm of science, and interpreted through this lens, but also provides a token understanding of what real connection and belonging to Country is about.

The Illawarra Local Aboriginal Land Council would also like to emphasise that, our culture is a living culture and our heritage surrounds us every day. Science is not what we live for or aim to contribute too. We strongly believe that the wider community as well as archaeologists and anthropologists need to appreciate and resolve to support the recognition of Aboriginal cultural heritage as part of a living and continually evolving society and place an emphasis on highlighting and celebrating this heritage rather than recording whether it has scientific value.

We therefore recommend that you consider your methodology for what it is, the simple recording of potential destruction and desecration of our heritage and not as to whether it has high, medium or low scientific value. All heritage has high importance to our community and we point out that this importance relates to the tangible and the intangible aspects, values, identity and connection between places, "The Cultural Landscape", which is not scientific but a value belonging to Aboriginal people as humans. To deny this, is to again place Aboriginal people back in the category of flora and fauna that can be exploited by privilege.

We recognise that this process is an attempt to address concerns relating to Aboriginal cultural heritage and its, desecration it is obvious that the process makes several assumptions which include:

- all sites are known or able to be identified

- Aboriginal community members are involved in ongoing consultation and have the time and resources for this consultation
- Protection of Aboriginal sites are the mandated position
- A process of ongoing recording of sites is in place

We however note that at no point are remedial activities and compensation to the Aboriginal and wider community to be considered in the methodology. The methodology also does not elude to a need to address both tangible and intangible cultural heritage and support methods of recording this information.

Conflicts with Burra Charter

The Aboriginal cultural heritage report fails to reflect many aspects of guiding documents such as the Burra Charter to which the NSW government is a signatory. We would contest that the impact does not align with the cost borne by the Aboriginal community in the potential destruction of tangible and intangible cultural heritage. It also doesn't identify the loss that will impact the wider community by the destruction that has occurred and therefore we assert that, it is not in keeping with what would be expected under the Burra Charter.

In support of our assertion we can highlighted at least 4 articles in this Charter that can be applied to this project. Specifically, we reference the following types of places of cultural significance including natural, Indigenous and historic places. We also highlight the charter makes reference to cultural values and is a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians and therefore encourage further consideration of the following Articles in relation to this project and ask Wollongong Coal Limited to address these matters as a matter of urgency before proceeding further.

Article 3. Cautious approach

3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible. Changes to a place should not distort the physical or other evidence it provides, nor be based on conjecture.

5.1 Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.

It is our view that this methodology and the objectives of this project do not align to these Articles and the stated objective of taking a cautious approach.

If this were in fact the case the project should not have taken place in the first place as it is widely understood and known that mining causes

subsidence issues and therefore results in a change to the landscape. The reports methodology fail to recognise that, due to the potential destruction of such a large area, the relationship with surrounding Aboriginal cultural heritage sites beyond the sites identified needs to be reflected in the impact reports.

Article 7. Use

7.1 Where the use of a place is of cultural significance it should be retained.

A place should have a compatible use. The policy **should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change** to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of activities and practices which contribute to the cultural significance of the place.

This methodology while potentially recognising that sites will be impacted, hence the requirement for surveys, it fails to identify how it will record and recognise the potential resulting changes to the fabric of landscape. There has been no indication on how tangible and intangible cultural heritage will identified, recorded and therefore reflected in the recommendations.

Article 8. Setting

Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Significant changes have occurred in relation to the visual, spiritual and cultural connection to this place and therefore this is not in keeping with this aspect of the Burra charter and can easily be seen to completely disregard this Article within the Charter.

The known subsidence impacts alone do not align with the principles of this Article. Additionally, the methodology will not thoroughly investigate the impacts relating to cultural landscape as it stands

Article 15. Change

15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. **The amount of change to a place and its use should be guided by the cultural significance of the place and its appropriate interpretation.**

15.2 Changes which reduce cultural significance should be reversible, and be reversed when circumstances permit.

15.3 **Demolition of significant fabric of a place is generally not acceptable.** However, in some cases minor demolition may be appropriate as part of *conservation*. **Removed significant fabric should be reinstated when circumstances permit.**

15.4 **The contributions of all aspects of cultural significance of a place should be respected.** If a place includes *fabric, uses, associations or meanings* of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

The project and the methodology as provided, place recognition or importance in relation to irreparable damage to Aboriginal heritage in a landscape that has strong intangible values and connection and to the local community. We therefore assert that this project and the recommended actions be considered in light of the management of Aboriginal cultural values both tangible and intangible and that we aim to stop all desecration that will occur in the area.

Conflicts with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

The ILALC asserts that this project and coal mining in the Southern Coalfields is in direct contravention of at least 12 articles in the UNDRIP. We contend that the project has an obligation to address and be assessed against the following Articles within The Declaration:

Article 2: Equality Indigenous peoples are equal to all other peoples, and must be free from discrimination.

To undertake an Aboriginal Heritage study through lens of adding to the scientific understanding of Aboriginal people does not treat Aboriginal people as equal and therefore by the simple act of using this as the lens of evaluation is discriminatory. Additionally, the very premise of asserting mining interests have a greater importance than Aboriginal community interests is also discriminating against the rights and interests of Aboriginal heritage, a situation which is more evident when assessed against other Articles within The Declaration. This

position is supported by the methodology identifying that the purpose of the report is to assist

Article 8: Cultural integrity Indigenous peoples shall be free from forced assimilation. Governments shall prevent:

- a) actions that take away their distinct cultures and identities**
- b) the taking of their land and resources**
- c) their removal from their land**
- d) any form of forced assimilation
- e) propaganda against them.

Article 11: Culture Indigenous peoples have the right to their cultural traditions and customs. This includes aspects of their culture such as sacred sites, designs, ceremonies, technologies and performances. Their cultural property shall be returned to them, if it was taken without their free, prior and informed consent.

Article 12: Spiritual and religious traditions Indigenous peoples have the right to their spiritual and religious traditions, customs and ceremonies. They have the right to their sacred sites, ceremonial objects and the remains of their ancestors. Governments shall assist Indigenous peoples to recover their ceremonial objects and the remains of their ancestors.

Article 25: Lands, waters and resources: distinctive relationship Indigenous peoples have the right to keep and strengthen their distinctive relationship with their lands, waters and other resources.

The ILALC asserts that the project and mining interests across the Illawarra Region is also in conflict with the Articles 11, 12 and 25. The project has caused permanent damage to cultural heritage, sacred sites and spiritual traditions and therefore identity. This situation cannot be avoided. We have already seen numerous cultural objects desecrated across the lease areas of all the Coal mines within the Southern Coalfields. Furthermore, the very act of mining effectively removes the right of Aboriginal people to access these significant cultural areas and this is further perpetuated by the additional designation as a "Special Area" as it forms part of the water catchment that supplies drinking water to the Sydney and Illawarra Regions.

The Aboriginal community has effectively been dislocated from our cultural lands and our cultural connection severed by Government policy in relation to mining and water catchment management. Although, we would like to highlight that locking people out of the catchment to protect the community is in keeping with Aboriginal values and that we view this as continuing our cultural connection to Country. Government needs to focus on developing a system through which the Aboriginal community can undertake monitoring of this cultural resource (water) and the sites and objects that it relates too.

Article 18: Decision-making Indigenous peoples have the right to participate in decisions that affect them. They can choose their own representatives and use their own decision-making procedures.

Article 19: Free, prior and informed consent Governments shall consult with Indigenous peoples in order to obtain their free, prior and informed consent before adopting laws and policies that may affect them.

Article 27: Independent process Governments shall establish a fair and independent process to recognise and decide the rights of Indigenous peoples relating to their lands, waters and resources. Indigenous peoples shall have the right to participate in this process.

Article 40: Disputes Indigenous peoples have the right to fair procedures for the resolution of disputes with States and other parties, and to effective remedies for infringements of their rights. These procedures must take account of Indigenous customs and traditions.

Mining as it currently stands, and any further extension of mining in the Illawarra Region, effectively ignores Articles 18, 19, 27 and 40 of UNDRIP.

We believe that it can easily be demonstrated that through the course of conducting mining operations that Aboriginal people we are not afforded the same representation that is available to mining or development interests, as the community has not been provided with the necessary resources to have unfettered and equal access to the necessary expertise to be able to represent our interests as to those available to others.

It may be argued that we are provided with a right to reply and this opportunity to provide feedback is a reflection of our empowerment in this respect, however this fails to recognise and compensate those involved to equivalent levels of what is available to the mining interests in this case. We would therefore contend that under Article 27 that Government and Wollongong Coal Limited has the responsibility to provide the Aboriginal community the resources to ensure fair and equitable representation, and the fact that there is a review process for this project does not adequately address this measure of having an independent process. As you have stated in your request Bosis has been engaged to assist get WCL application through the approval process and therefore not necessarily representing the Aboriginal communities interest.

It is the view of ILALC that as the NSW Statutory Body with jurisdiction to represent all Aboriginal people within our region that we should be adequately resourced to be able to fully participate in this process in independently of the applicant, by having appropriate levels of expert members of staff funded by the beneficiaries of our desecrated sites and landscape.

Article 28: Restitution Indigenous peoples have the right to the return of their land and

resources when taken without their free, prior and informed consent. Where this is not possible, they shall receive fair compensation in the form of lands and resources, or money.

Article 29: Environment Indigenous peoples shall receive assistance in order to restore and protect the environment of their land and resources. Hazardous material shall not be stored or disposed of on the land of Indigenous peoples without their free, prior and informed consent. Governments shall take measures to assist Indigenous peoples whose health has been affected by such material.

Article 32: Resource development Indigenous peoples have the right to determine strategies for the development of their lands and resources. Governments shall consult in order to obtain the free, prior and informed consent of Indigenous peoples before giving approval to activities affecting their lands or resources, particularly the development of mineral, water and other resources. Just compensation must be paid for such activities, and measures taken to lessen their adverse impact.

There is no doubt that every instrument of Government that seeks to represent Aboriginal interest in relation to Culture, Community and Country aims to ensure that Aboriginal people are treated fairly and with dignity.

Our cultural and human rights are represented within decision making processes and Articles 28, 29 and 32 place an obligation on Governments and therefore organisations operating within the borders to support our position and ability to assert our identity as the traditional custodians of this land. Furthermore, it is evident that Governments recognise that if these rights and interests are impacted in some way that we should be justly compensated in the process.

The application of this view to mining in this region provides no recognition of this redress. It is our view that discussions need to include references to redress for the disconnection with our cultural heritage and destruction of sites, assistance with economic growth to recognise that economic dislocation that has occurred to Aboriginal people from our traditional economic trading models, to that within which we find ourselves today.

Government and mining interests have a responsibility to ensure we have mechanisms to develop into this new economy. Traditionally, our communities, had full employment and this came from looking after our lands and our communities. Our removal from our lands and our traditional economies, which still continues, and perpetrated by activities such as mining place an obligation under these Articles to assist with the redevelopment of our community into this new economy.



Concluding on this point it is the view of the Illawarra Local Aboriginal Land Council that this methodology fails to adequately address the overall impacts to Aboriginal cultural heritage and therefore underrepresent the damage that may potentially occur. We also assert that the report should also address the impacts in terms of the various legislative and rights based instruments that relate to Aboriginal or Indigenous cultural heritage and the associated rights that align to these instruments. Reports that fail to address these requirements, basically fail in meeting the interests of Aboriginal people.

Regards

A handwritten signature in blue ink, appearing to read "Paul Knight".

Paul Knight
Chief Executive Officer

From: [Blaan Davies](#)
To: [Matthew Tetlaw](#)
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Date: Saturday, 18 July 2020 3:56:58 PM
Attachments: [imageb37be4.PNG](#)

Hi Matthew, thanks for the update. I have read and agree with your proposed methodologies to acquire your report for the purpose of the ACHA.

regards,

Blaan Davies

From: Matthew Tetlaw
Sent: Friday, July 17, 2020 1:01 PM
To: Blaan Davies
Subject: Re: 33219 - NW Mains ACHA Stage 2 and 3 information
Dear Sir or Madame,

Thank you for registering for the NW Mains ACHA project. Please find attached a letter which contains additional information about the project as well as the proposed methodology for your review.

If you have any comments or feedback please send it through to either myself or Samantha Keats (contact details can be found in the letter).

Kind regards,

Matthew Tetlaw
Matthew Tetlaw
Research Assistant - Heritage
M: 0419 861 655
D: (02) 4201 1062
E: mtetlaw@biosis.com.au

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Appendix 5 Stage 4: Review of draft cultural heritage assessment report

From: [Samantha Keats](#)
To: ["barrabyculturalservices@gmail.com"](mailto:barrabyculturalservices@gmail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:40:29 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[imagef05260.PNG](#)

Dear Lee,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

M: 0439 376 720

D: (02) 4201 1061

E: skeats@biosis.com.au

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From: [Samantha Keats](#)
To: ["blaandavies@my.jcu.edu.au"](mailto:blaandavies@my.jcu.edu.au)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:41:02 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image51cdfb.PNG](#)

Hi Blaand,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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From: [Samantha Keats](#)
To: ["clive.freeman@y7mail.com"](mailto:clive.freeman@y7mail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:39:53 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image623a74.PNG](#)

Hi Clive,

How are you? Hope you are both well. ☺

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

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From: [Samantha Keats](#)
To: ["grc04@live.com.au"](mailto:grc04@live.com.au)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:43:47 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image07d813.PNG](#)

Dear Gary,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

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From: [Samantha Keats](#)
To: ["oldmanwisdomgumaraa@gmail.com"](mailto:oldmanwisdomgumaraa@gmail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:41:41 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[imagebb405b.PNG](#)

Hi Lisa and Jodie,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

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From: [Samantha Keats](#)
To: ["ceo@ilalc.org.au"](mailto:ceo@ilalc.org.au)
Cc: ["Heritage Services"](#)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:43:42 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image749958.PNG](#)

Hi Paul,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

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From: [Samantha Keats](#)
To: ["jvdcorp@hotmail.com"](mailto:jvdcorp@hotmail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:35:08 PM
Attachments: [33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[image29f3bc.PNG](#)

Hi James,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

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From: [Samantha Keats](#)
To: ["leannecaroltungai@gmail.com"](mailto:leannecaroltungai@gmail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:37:24 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image7f34db.PNG](#)

Hi Leanne,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

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Consultant Archaeologist

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From: [Samantha Keats](#)
To: ["troytungai72@outlook.com"](mailto:troytungai72@outlook.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:36:51 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image01b7a0.PNG](#)

Hi Troy,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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From: [Samantha Keats](#)
To: ["warrabingi@gmail.com"](mailto:warrabingi@gmail.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:36:20 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image8ee325.PNG](#)

Hi Nathaniel,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

M: 0439 376 720

D: (02) 4201 1061

E: skeats@biosis.com.au

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From: [Samantha Keats](#)
To: ["kayla_87@hotmail.com"](#)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:35:49 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image4ad159.PNG](#)

Hi Kayla,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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E: skeats@biosis.com.au

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From: [Samantha Keats](#)
To: ["yurrandali_cs@outlook.com"](mailto:yurrandali_cs@outlook.com)
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 3:42:18 PM
Attachments: [33219.NW.Mains.ACHA.DFT01.20200924.pdf](#)
[33219.NW.Mains.AR.DFT01.202009243.pdf](#)
[image2a3f3f.PNG](#)

Dear Bo,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

M: 0439 376 720

D: (02) 4201 1061

E: skeats@biosis.com.au

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From: [Blaan Davies](#)
To: [Samantha Keats](#)
Cc: [Richard Campbell](#); [Administration Officer](#)
Subject: Re: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 9:44:46 PM
Attachments: [image51cdfb.PNG](#)

Hi Samantha,

Thank you for your sweeping report, specific to Aboriginal Cultural Heritage.

Your Ethnohistory analysis is lacking substance and significantly incorrect. As you state 'pre-European Aboriginal groups had been broken up and reconfigured by European settlement activity' is a statement that cannot be supported and you have made a large assumption. Additionally, if you have done further research on the topic of the traditional groups of the Illawarra, The Illawarra are connection of the Five Island Dreaming people subgroup wadi wadi. Therefore, 'The Illawarra region is the traditional land of the Wodi Wodi, a group of people who spoke a variant of the Dharawal language (Wesson 2009). The area occupied by this group extended from Botany Bay down the coast to around Nowra once again is incorrect.

I would like to elaborate on the concept 'possessed a distinctive stone tool assemblage' further to your expression 'dependent on certain circumstances (i.e. availability and distribution of resources). Interactions between different types of social groupings would have varied with seasons and resource availability' and 'Minimal usage has occurred within the study area. After preliminary use for logging and initial mining activities it was quickly declared a conservation and catchment area in 1880'.

Adding to the concerns held by the Illawarra Aboriginal land council, this report detracts the future aspirations of formative connection of Traditional and even more contemporary sites with quote by the Illawarra Local Aboriginal land Council, 'It is The Government and in this case Mining interests, reinforcing the dislocation of Aboriginal people from their heritage, it is making a forced statement that our identity, values and humanity do not matter when it comes to the jobs and mining interests.

At stance, the current government is at least attempting to remediate the concerns of which perpetuate the identity of Aboriginal culture and heritage. It would be more beneficial for both the developer and the Aboriginal people if this report articulated the Aboriginal value and importance to invest and contribute some form of modern reality to bring forth the Identity of Aboriginal people rather than a scientific, archeological and anthropological ACHA report.

I do commend your effort to mark an archeological assessment for the purpose of ACHA, however it is important to make contribution rather than a retribution. If you wish to discuss this further please do not hesitate to contact me via email blaan.davies@my.jcu.edu.au or phone 0411942116.

Kindest regards,

Blaan Davies
Yuin/Eora Nation
Dharawal Custodian
Taste Of Tradition Native Aboriginal Corporation
Policy Number LPS016832716-13978
Policy Number 118U621389BPK
blaan.davies@my.jcu.edu.au
0411942116

From: Samantha Keats
Sent: Thursday, September 24, 2020 3:41 PM
To: Blaan Davies
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR

Hi Blaan,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats
Consultant Archaeologist

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From: [Clive Freeman](#)
To: [Samantha Keats](#)
Subject: Re: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Friday, 25 September 2020 7:11:20 AM

Morning Sam,

We are well thank you. Hope things are great with you all.

I will have a look over it and see if we will make comment.

Kind regards.

Clive

Sent from my iPhone

On 24 Sep 2020, at 3:40 pm, Samantha Keats wrote:

Hi Clive,

How are you? Hope you are both well. ☺

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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<33219.NW.Mains.ACHA.DFT01.20200924.pdf>

<33219.NW.Mains.AR.DFT01.202009243.pdf>

From: [Richard campbell](#)
To: [Samantha Keats](#)
Subject: Re: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Friday, 25 September 2020 11:31:29 AM
Attachments: [imagebb405b.PNG](#)
[imagebb405b.PNG](#)

Hi Sam, We are all good with the process looking forward to work with yu again

Kindest regards

Lisa & Jodi

On Thu, 24 Sep. 2020, 3:42 pm Samantha Keats, <SKeats@biosis.com.au> wrote:

Hi Lisa and Jodie,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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D: (02) 4201 1061

E: skeats@biosis.com.au

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From: [Troy Tungai](#)
To: [Samantha Keats](#)
Subject: Re: 33219 NW Mains modification - Stage 4 draft ACHA and AR
Date: Thursday, 24 September 2020 5:09:40 PM
Attachments: [image01b7a0.PNG](#)

Hi Sam

Thanks for your email yes i Have read it and also support it thanks troy

Sent from [Outlook](#)

From: Samantha Keats
Sent: Thursday, 24 September 2020 3:36 PM
To: 'troytungai72@outlook.com'
Subject: 33219 NW Mains modification - Stage 4 draft ACHA and AR

Hi Troy,

In accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010), please find attached the ACHA and AR for your review and feedback. It would be appreciated if you would provide feedback on the report by 5pm 23 October 2020 either by email, return mail or a phone call. If you would like further information, please do not hesitate to contact me.

Thanks

Sam

Samantha Keats

Consultant Archaeologist

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D: (02) 4201 1061

E: skeats@biosis.com.au

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Appendix 6 Archaeological report



