



Our ref: DOC22/605441

Ms. Deana Burn
Industry Resources Energy Assessments
Department of Planning and Environment
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Dear Deana,

Heritage NSW – Aboriginal Cultural Heritage (ACH) - Environmental Impact Statement (EIS) - Manildra - Port Kembla Bulk Liquid Terminal (SSD-33042483) (Wollongong City)

Heritage NSW has reviewed the Port Kembla Bulk Liquids Terminal, Foreshore Road, Port Kembla - Aboriginal Consultation Report, Report to The Manildra Group of Companies Wollongong LGA, June 2022, as requested.

Heritage NSW understands that Apex Archaeology were engaged to assist the Manildra Group of Companies, to undertake consultation with the Aboriginal community regarding the proposed Port Kembla Bulk Liquids Terminal. It is understood that an Environmental Impact Statement (EIS) will support a State Significant Development Application (SSDA) for the project to permit the following: storage of ethanol for export, provision for storage of vegetable oil as part of future developments, loading ethanol onto ships, filling ISO Tanks and road tankers for export and some local markets, construction of 4 million litre capacity storage tanks of 16.5m diameter with a 20m wall height, construction of two 300mm stainless steel pipes to facilitate delivery of product to ships as well as system flushing, installation of fire detection and protection systems, in loading of approximately 65 truckloads per week, and the onloading of approximately 20 loads of ISO tanks per week.

I note that we have previously advised the following - *'Heritage NSW understands that as part of the CDC application, specialist investigations were previously undertaken, including Aboriginal cultural heritage. the project is in an existing industrial area and has been subject to extensive earthworks, limiting any potential for Aboriginal sites to [be] present. Heritage NSW notes that the applicant will undertake an assessment of cultural values in consultation with the local Aboriginal community and that the previously completed Outer Harbour Concept Plan will be used where appropriate. Heritage NSW requires that the assessment of cultural values be conducted in accordance with the Code of Practice for Archaeological Investigation in NSW (2010), and by guided by the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (2011). Consultation with Aboriginal people must be undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). The significance of any cultural heritage values Aboriginal people identify as part of this process must be documented. Further advice was received from Heritage NSW stating that a full Aboriginal Cultural Heritage Assessment Report (ACHAR) was not necessary. This Aboriginal Consultation Report details the results of the consultation undertaken with the Aboriginal community.*

I note that the assessment of cultural values was conducted in accordance with the *Code of Practice for Archaeological Investigation in NSW (2010)*, and guided by the *Guide to*



Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (2011), and in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). A total of fourteen Aboriginal people and organisations registered an interest in being consulted for the project. As a result, it was found that:

- There are no previously registered Aboriginal sites within the study area.
- The study area is highly disturbed through past land use practices, including significant land reclamation works.
- The study area itself is considered unlikely to retain any tangible evidence of Aboriginal occupation within the area.
- The study area is a part of a larger cultural landscape, which was occupied by Aboriginal people for thousands of years before colonisation, and well into the early years of European expansion into the area.
- As such, the study area forms part of a highly significant cultural landscape, despite the level of disturbance present.
- Given the level of disturbance already present within the study area, the proposed development is considered unlikely to impact on the cultural values of the wider landscape.

With respect cultural values assessment I note that - *The draft report was provided to the RAPs on 13 May 2022 for their review and comment. Responses were received from four of the RAPs. Gunjeewong advised they were "happy with the report", Woronora Plateau Gundungara Elders Council noted receipt of report with thanks and advised they "do not have any further comment", Illawarra Local Aboriginal Land Council confirmed receipt of the report and that they had noted the due date for comments, and Coomaditchie United Aboriginal Corporation requested a hard copy of the report, which was sent by Jenni Bate of Apex Archaeology the same day. There were no other comments or responses from the RAPs.*

Based on the information provided in the Aboriginal Consultation Report, Heritage NSW is satisfied that there are no Aboriginal cultural heritage constraints in relation to the Manildra - Port Kembla Bulk Liquid Terminal (SSD-33042483) proceeding, and as such, does not need to be consulted in relation to future stages of this proposal. I shall upload to the MPP. If you require any further information, please contact me directly.

Kind Regards

Nicole Davis

Manager Assessments

Heritage NSW

Department of Planning and Environment