



## Wollongong Coal Ltd

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5<sup>th</sup> October 2021

Stephen O'Donoghue  
Director - Resource Assessments  
Department of Planning, Industry and Environment  
4 Parramatta Square, 12 Darcy Street  
Parramatta, NSW, 2150

**Re: Wongawilli Colliery Modification 2 - Heritage NSW Request for Additional Information**

Dear Stephen,

I refer to the Department of Planning, Industry and Environment (DPIE) correspondence dated 24 September 2021, in which further information is requested to effectively address additional matters raised by Heritage NSW in regard to the proposed Wongawilli Colliery Modification 2 (MP09\_0161\_Mod2).

Wollongong Coal Pty Ltd (WCL) has considered and responded to each of the additional matters raised by Heritage NSW (see Appendix A – Heritage NSW Response) and would welcome the opportunity to discuss with the Department and Heritage NSW if required.

Should you have any questions or queries in relation to the content of this letter please do not hesitate to contact me on 0404 972 746.

Yours sincerely

**Richard Sheehan**

Wollongong Coal Group Environment Manager

E: [Richard.sheehan@wcl.net.au](mailto:Richard.sheehan@wcl.net.au)

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Enc Appendix A - Heritage NSW Response to Additional Information Request

**Appendix A**

# Heritage NSW - Response to Additional Information Request



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**Table A.1**

### Heritage NSW Response

Item	Illawarra LALC concerns	Biosis response	Heritage NSW response	WCL Response to Additional Information Request
Additional assessment and Mitigation requirements or opportunities	<p>Paul Knight recommended that baseline recording of sites within the vicinity of the study area be undertaken to ensure that these sites are thoroughly recorded prior to mining.</p> <p>These sites should also be subjected to monitoring during and after mining has ceased to assess impacts.</p> <p>All upland swamps within the study area should also be registered on AHIMS.</p>	<p>A specific buffer was not discussed; however, a buffer of 350 metres is recommended. This would include the following Aboriginal sites:</p> <ul style="list-style-type: none"> <li>• AHIMS 52-2-1766</li> <li>• AHIMS 52-2-1827</li> <li>• AHIMS 52-2-1828</li> <li>• AHIMS 52-2-1829</li> <li>• AHIMS 52-2-1973</li> <li>• AHIMS 52-2-1974</li> <li>• AHIMS 52-2-1976</li> </ul> <p>The upland swamps are not currently listed as being Aboriginal heritage sites. The matter of whether the swamps should be recognised as Aboriginal heritage sites is beyond the scope of this assessment and would require further consultation and determination with all RAPs and NSW Heritage.</p>	<p>1 Please clarify whether and how these sites will be subject to baseline recording and monitoring.</p> <p>2 We acknowledge the complexity of registering the upland swamps with AHIMS given their significance relates to intangible components. However, we support:</p> <p>2.1 Mapping of the upland swamps within the project area to improve understanding of the intangible values that exist within the project area as well as the broader cultural landscape.</p> <p>2.2 Advising whether the upland swamps will be directly or indirectly impacted by the development. Please explicitly address whether the water flow of the swamps will be impacted.</p> <p>2.3 Advising whether any story or song lines will be impacted by this modification (this relates to a point in the next row of the table).</p>	<p>1 Baseline recording and monitoring: WCL confirms the listed Aboriginal sites would be subject of baseline recording – given they are located within the 350 metres buffer zone.</p> <p>As described in Section 6.1 of the Aboriginal Cultural Heritage Assessment Report (ACHAR): <i>Monitoring of Aboriginal cultural heritage sites within the vicinity of the study area will be undertaken to ensure that these sites are thoroughly recorded prior to mining. This will include baseline recording of shelter sites and monitoring during and after mining has ceased to assess impacts.</i></p> <p>This statement is supported by recommendation 4 within the ACHAR, which WCL has accepted and notes: <i>As per Heritage NSW request, it is recommended that an Aboriginal Cultural Heritage Management Plan (ACHMP) be prepared. This will be a framework for ongoing consultation with the Aboriginal community and will include a provision for ongoing assessment and monitoring of any Aboriginal cultural heritage sites and values that may be identified within the project area in the future.</i></p>



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				<p>2 Upland Swamps</p> <p>WCL acknowledges the presence of Upland Swamps within the study area. Each of the matters raised by Heritage NSW in regard to Upland Swamps is responded to below:</p> <p>2.1 Upland Swamps are identified in Figure 2.25 of the Supplementary Groundwater Impact Assessment (SGIA) (Umwelt 2021) appended to the Submissions Report, Appendix H (EMM 2021).</p> <p>WCL propose to provide this information regarding the location of the upland swamps and assist interested parties to further define intangible values that exist within the study area as well as the broader cultural landscape. WCL propose to incorporate this exercise into updating the ACHMP in consultation with RAPS post approval of MOD2.</p> <p>The updated ACHMP would identify the proposed methodology for undertaking this exercise.</p> <p>2.2 The SGIA confirms that depressurisation due to first workings of the North West Mains Development (NWMD) is not predicted to cause additional impacts to identified Upland Swamp water conditions. As such no direct or indirect impacts are predicted to occur to identified Upland Swamps as a result of MOD2 (ie water flow of</p>



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Item	Illawarra LALC concerns	Biosis response	Heritage NSW response	WCL Response to Additional Information Request
Considering and documenting options to address the impact on intangible values	Paul Knight directed Biosis to their response to the Dendrobium Mine Extension Project - Proposed extension to the Dendrobium Coal Mine in relation to the impact on intangible values within the study 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. The ILALC also reinforced the values of the Burra Charter in highlighting the importance of the following principles: 8. Aboriginal cultural heritage encompasses both tangible and intangible elements.	The discussion of impacts to intangible values centred on the consolidation of oral histories, ethnographic accounts and options for mapping and assessing Aboriginal cultural heritage sensitivity and values. This type of research has not been done for the entire catchment area and would be one option to adequately assess impacts on intangible values. This could build a basis for future research, improve consultation with the local Aboriginal communities, and incorporate Aboriginal values as a foundational consideration in mining projects within the catchment area.	What measures and commitment can be given to future research, improving consultation with the local Aboriginal communities, and incorporating Aboriginal values as a foundational consideration in mining projects within the catchment area?	<p>the Upland Swamps are not predicted to be impacted).</p> <p>2.3 MOD2 is not predicted to cause any impact surface features as a result of mining activities. Minor disturbance is required to establish infrastructure largely within the footprint of the existing Upper and Lower Pit Tops with no impacts to any story or song lines expected to occur as a result of MOD2.</p> <p>WCL propose to provide ongoing opportunities for future research, improving consultation with the local Aboriginal communities, and incorporating Aboriginal values as a foundational consideration in mining projects within the catchment area. Noting mining projects owned by other organisations would be responsible for how these may be incorporated to their own discrete projects.</p> <p>WCL propose to adopt the consolidation of oral histories, ethnographic accounts and options for mapping and assessing Aboriginal cultural heritage sensitivity and values as part of updating the ACHMP to be developed post approval of MOD2.</p> <p>The updated ACHMP would identify the proposed methodology for undertaking this exercise and would be developed in consultation with RAPS. In so doing WCL, in consultation with RAPS, will provide clear measures and commitments to the objectives identified by Heritage NSW.</p>



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		<p>Paul Knight directed Biosis to their response to the Dendrobium Mine Extension Project – Proposed extension to the Dendrobium Coal Mine in relation to the impact on intangible values within the study area. Specifically, 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”.</p> <p>The ILALC also reinforced the values of the Burra Charter in highlighting the importance of the following principles:</p> <p>8. Aboriginal cultural heritage encompasses both tangible and intangible elements.</p> <p>9. Aboriginal witnesses are the determinants of Aboriginal culture.</p> <p>10. Cultural values are dynamic, not static and may not be captured at any one time.</p> <p>11. For Aboriginal people, the significance of individual features is</p>		



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	<p>derived from their interrelatedness within the cultural landscape. This means that features cannot be assessed in isolation and that assessments need to consider the feature and its associations in a holistic manner.</p>			
Considering and documenting options to manage remediation	<p>Paul Knight stated that environmental values are linked to cultural values and that there should be long term restoration of values.</p> <p>Paul Knight also raised his concerns that there should be enhanced access to the water catchment area for Aboriginal people.</p>	<p>Biosis did discuss options such as 3D scanning or photogrammetry of rock shelter and grinding groove sites as part of the baseline recording. However, no surface impacts are expected and baseline recording and monitoring of sites is recommended.</p>	<p>We recommend this concern regarding whether there will be enhanced access to the water catchment area for Aboriginal people be addressed</p>	<p>WCL propose to provide and facilitate access to the water catchment for Aboriginal people.</p> <p>WCL requests that a suitable notification period (e.g., 14 business days) be made to the Colliery, so as to allow for appropriate preparations to be made prior to any access.</p>