

Mr Gary Mulhearn
Environment and Community Manager
Yancoal Mt Thorley Warkworth
Putty Road
Mount Thorley NSW 2330

02/12/2021

Dear Mr Mulhearn

**Warkworth Continuation Project (SSD 6464)
Wollombi Brook Aboriginal Cultural Heritage Conservation Areas**

I refer to your letter dated 17 November 2021 regarding the proposed approach to conserve the Wollombi Brook Aboriginal Cultural Heritage Conservation Area (WBACHCA) as required by condition 39 of Schedule 3 of SSD 6464.

The Department understands that a small portion (approximately 13%) of the WBACHCA extends over mining leases held by Wambo Coal Pty Ltd (Wambo). As such, Warkworth Mining Limited (WML) proposes to:

- enter into a conservation agreement in respect of 87% of the WBACHCA (i.e. the proportion located outside of Wambo's tenements) which protects that area from all mining (open cut and underground); and
- enter into a conservation agreement in respect of 13% of the WBACHCA (i.e. the proportion encompassed by Wambo's tenements) which protects that area from open cut mining.

It is noted that Wambo's development consent (DA 305-7-2003) for the underground mine predates both the grant of SSD 6464 and WML's commitment to establish the WBACHCA and permanently protect it from mining. The Department acknowledges that this was recognised at the time in the Department's Assessment Report for SSD 6464.

Accordingly, the Department agrees with WML's proposed approach and confirms it would allow for conservation of the WBACHCA in accordance with the requirements of SSD 6464.

If you wish to discuss the matter further, please contact Joe Fittell on (02) 4908 6896.

Yours sincerely



Stephen O'Donoghue
Director
Resource Assessments