



Our ref: DOC20/336068-2

Your ref: SSD 9526

Lauren Evans  
Team Leader  
Energy and Resource Assessments, Planning and Assessment Division  
Department of Planning, Industry and Environment  
[lauren.evans@planning.nsw.gov.au](mailto:lauren.evans@planning.nsw.gov.au)

Dear Ms Evans

**Maxwell Underground Coal Mine Project (SSD 9526) – Additional information**

I refer to your e-mail dated 24 April 2020 in which the Planning and Assessment Division (P&A) of the Department of Planning, Industry and Environment (the Department), invited Biodiversity and Conservation Division (BCD) to review a submission from Scott Franks and Anor on behalf of the Wonnarua People in response to the Response to Submissions Report (RTS report) for the Maxwell Underground Coal Mine Project. The submission related to Aboriginal cultural heritage issues.

Scott Franks and Anor on behalf of the Wonnarua People registered an interest in the Maxwell Underground Coal Mine Project and became a registered Aboriginal party (RAP) for the project. The proponent consulted with all the RAPs in the preparation of an Aboriginal cultural heritage assessment report (ACHAR) which included an aboriginal cultural values assessment. All relevant documents were sent to the RAPs for comment and provided opportunities to all RAPs for their input regarding Aboriginal cultural heritage values and management of Aboriginal sites.

The proponent will manage potential impacts on Aboriginal heritage sites through ongoing consultation with the RAPs and will prepare an Aboriginal cultural heritage management plan for mitigation and management of Aboriginal sites within the assessment boundary.

AECOM on behalf of the proponent consulted with the RAPs in the preparation of the ACHAR which included consultation with Mr Franks who was a registered Native Title Claimant at the time. The native title application by Scott Franks and Anor on behalf of the Wonnarua People has since been discontinued.

The ACHAR completed for the project did not identify any evidence that a massacre site was located within the project assessment area. There are no areas of Crown Land in the project assessment area for the Maxwell Underground Mine Project and therefore there are no rights to negotiate applicable to the project.

If you have any further questions in relation to this matter, please contact Steven Cox, Senior Team Leader, Planning on 4927 3140 or via email at [rog.hcc@environment.nsw.gov.au](mailto:rog.hcc@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in blue ink that reads 'Lucas Grenadier'.

**LUCAS GRENADIER**  
**A/Director Hunter Central Coast Branch**  
**Biodiversity and Conservation Division**

Date: 20 May 2020