

Appendix B

Aboriginal Cultural Heritage Assessment Report



AGL Note – The West Laydown area has been removed from the Amendment Report (refer p. 30). All references to the West Laydown area within the appendices should be ignored and not considered as part of the proposed amendment.



Newcastle Power Station – Amendment Report

Aboriginal Cultural Heritage Assessment

5 August 2020

Project No.: 0468623

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Newcastle Power Station – Amendment Report

Aboriginal Cultural Heritage Assessment



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Acronyms and Abbreviations

Name	Description
Aboriginal object (as defined in the NPW Act)	Any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales (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 Place (as defined in the NPW Act)	A place declared under s.84 of the NPW Act that, in the opinion of the Minister, is or was of special significance to Aboriginal culture.
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHC	Australian Heritage Commission
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
AGL	AGL Energy Limited
ASIR	AHIMS Site Impact Recording
ASR	Aboriginal Archaeological Survey Report
Burra Charter	The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance
CHL	Commonwealth Heritage List
CHMP	Cultural Heritage Management Plan
CHR	Channelized Right-hand Turn
CSSI	Critical State Significant Infrastructure
disturbed land or land already disturbed by previous activity	Land is disturbed if it has been the subject of a human activity that has changed the land's surface -being changes that remain clear and observable*.
DPIE	NSW Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
ERM	Environmental Resources Management Pty Ltd
Excavation Area	Land subject to test excavations are part of the investigation
GGP	Gloucester Gas Project
'harm' an Aboriginal object (as defined in the NPW Act)	To destroy, deface, damage an object; move an object from the land on which it is situated; or cause or permit an object to be harmed.
Heritage Act	Heritage Act 1979
Heritage NSW (formerly OEH)	Heritage NSW (formerly the Office of Environment and Heritage)
HLLS	Hunter Local Land Services
IBRA	Interim Biogeographic Regionalisation for Australia
IHO	Interim Heritage Order
LEP	Local Environmental Plan

LGA	Local Government Area
NGSF	Newcastle Gas Storage Facility
NPS	Newcastle Power Station
NP&W Act	National Parks and Wildlife Act 1974
NP&W Regulation	National Parks and Wildlife Regulation 2009
NTS Corp	Native Title Services Corporation
PAD	Potential Archaeological Deposit
Project Area	The land subject to investigation in this report
RAPs	Registered Aboriginal Parties
SHR	State Heritage Register
The Project	The proposed development
WLALC	Worimi Local Land Council

EXECUTIVE SUMMARY

Assessment Background

Environmental Resources Management Australia Pty Ltd (ERM) has been commissioned by Aurecon Group (Aurecon) on behalf of AGL Energy Limited (AGL) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) relating to minor design amendments of the proposed Newcastle Power Station Project. These amendments are being assessed as part of an Amendment Report being prepared by Aurecon for the Department of Planning, Industry and Environment (DPIE), as part of the approval process for the Project.

The Newcastle Power Station, associated pipeline easements, and transmission line easements which make up the Project Area are proposed to be constructed across Lot 2 DP1043561, Lot 3 DP1043561, Lot 4 DP1043561 (partial lot), Lot 202 DP1173564 (partial lot), Lot 1201 DP1229590 (partial lot), Lot 1202 DP1229590 (partial lot), Lot 1203 DP1229590 (partial lot) and Lot 1 DP813606.

ERM was earlier commissioned by Aurecon on behalf of AGL to prepare the ACHAR for the Newcastle Power Station Project to inform the Environmental Impact Statement (EIS), and again to update the ACHAR to inform the subsequent Submissions Report (ERM 2020).

This report (the ACHAR for the Amendment Report) draws on the results of the Newcastle Power Station archaeological investigation, presented in ERM 2020, to assess the potential impacts of the proposed design amendments.

Proposed amendments

Proposed amendment of the Newcastle Power Station Project will be assessed in an overarching Amendment Report, to which this ACHAR will be appended. Proposed amendments being considered by the Amendment Report include:

- Construction Laydown Areas
 - Proposed Central Laydown Area on Lots 2 and 3 DP 1043561
 - Proposed East Laydown Area at Newcastle Gas Storage Facility (NGSF)
 - Proposed West Laydown Area at 235 Old Maitland Road, Hexham
- Proposed Screening and Crushing Facility on Lot 3 DP 1043561
- Minor road alignment amendments
- Amended transmission line alignment

Assessment

Inspection of the Newcastle Power Station Site was undertaken as part of the preparation of the ACHAR for the Newcastle Power Station (ERM 2020). This inspection did not include the proposed East and West construction laydown areas, as these were not identified at the time of assessment. This report reiterates the results of the initial Newcastle Power Station Site survey, where relevant, and provides an assessment of proposed impacts within the Newcastle Power Station Site against the amended project layout. No additional field survey has been undertaken for the preparation of this report, as the East and West laydown areas have been previously disturbed and paved and as such, are considered to have low potential for the presence of Aboriginal cultural heritage values. Further, the East and West Laydown areas will not be subject to ground disturbing activities through the proposed amendments,

Field survey of the Newcastle Power Station Project Area (ERM 2020) identified four previously unidentified Aboriginal heritage sites. Comparison of these results against the location of the proposed amendment areas indicates that one site (NPS01) is situated approximately 20 m northwest of the proposed amendments, along with an associated Potential Archaeological Deposit (PAD). The remaining three sites are situated outside the proposed amendment areas.

Through considered design, AGL proposes to avoid NPS01 during establishment of the Central laydown area on Lots 2 and 3. No project impacts will occur within 20 m of NPS01.

Conclusions

The conclusions of this report can be summarised as:

- *Four Aboriginal sites are located within the Newcastle Power Station Project Area;*
- *Only one of the sites is situated within proximity of the proposed amendments;*
- *Aboriginal cultural heritage potential across the balance of the amended project area has been assessed as low, due to previous ground disturbance and subsequent low archaeological sensitivity;*
- *The likelihood of identifying further artefacts within the Project Area is minimal;*
- *No impacts will result from the proposed amendments; and*
- *All sites and objects would be managed under the recommendations made below and presented in the Aboriginal Cultural Heritage Management Plan to be prepared for the Project.*

1 INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned by Aurecon Group (Aurecon) on behalf of AGL Energy Limited (AGL) to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) relating to design amendments to the Newcastle Power Station Project (the Project). The Newcastle Power Station, associated pipeline easements, and transmission line easements are proposed to be constructed across Lot 2 DP1043561, Lot 3 DP1043561, Lot 4 DP1043561 (partial lot), Lot 202 DP1173564 (partial lot), Lot 1201 DP1229590 (partial lot), Lot 1202 DP1229590 (partial lot), Lot 1203 DP1229590 (partial lot), and Lot 1 DP813606 (the Project Area).

Proposed amendment of the Project will be assessed in an overarching Amendment Report, to which this ACHAR will be appended. Proposed amendments being considered by the Amendment Report include:

- Construction Laydown Areas
 - Proposed Central Laydown Area on Lots 2 and 3 DP 1043561
 - Proposed East Laydown Area at Newcastle Gas Storage Facility (NGSF)
 - Proposed West Laydown Area at 235 Old Maitland Road, Hexham
- Proposed Screening and Crushing Facility on Lot 3 DP 1043561
- Minor road alignment amendments
- Amended transmission line alignment

Inspection of the Newcastle Power Station Site was undertaken as part of the preparation of the ACHAR for the Newcastle Power Station (ERM 2020). This inspection did not include the proposed East and West construction laydown areas, as these are cleared hardstand areas previously subject to separate environmental assessments. This report reiterates the results of the initial Newcastle Power Station Site survey, where relevant, and provides an assessment of proposed impacts within the Newcastle Power Station Site against the amended project layout. No additional field survey has been undertaken for the preparation of this report as it was not considered necessary, given that the East and West Laydown Areas have been previously assessed under other project approvals, and are now covered in asphalt hardstands. .

The ACHAR has been prepared in accordance with the NSW Office of Environment and Heritage's (OEH) *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the Guidelines), and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010* (Code of Practice). This ACHAR contains information regarding Indigenous community consultation, field investigations and associated data analysis. It provides mitigation and management recommendations for the proponent to avoid or minimise harm to Aboriginal objects.

1.1 Objectives

This ACHAR assesses the potential impacts of the Project on Aboriginal cultural heritage values and prepares strategies to manage risks to identified heritage values during the course of the Project.

This report documents:

- The consultation process undertaken with Aboriginal communities and their involvement in the Project;
- The landscape and natural resources of the Project Area;
- A synthesis of local and regional Aboriginal archaeological research to develop a contextual basis for predictive models;

- A review of archaeological and relevant literature and heritage listings on the NSW Department of Planning, Industry and Environment (DPIE) Aboriginal Heritage Information Management System (AHIMS) database;
- A predictive model for Aboriginal site types and location relevant to the Project Area;
- A review of the Project Area's non-Aboriginal history to gain an understanding and appreciation of past land uses and associated historical ground disturbance;
- The archaeological methodology implemented during the study;
- The cultural and archaeological sensitivity of landforms that may be subject to impacts;
- The field survey results;
- The significance of any located Aboriginal objects and places;
- A description of the Project and whether or not it has the potential to result in impacts to Aboriginal cultural heritage and historic heritage items; and
- Provision of management and mitigation measures based on the results of the investigation.

1.2 Site Location

The Newcastle Power Station site is located in Tomago, NSW, approximately 14 km north-west of Newcastle within the Port Stephens Council and Newcastle Local Government Areas (*Figure 1.1*). The Project Area is approximately 90.59 hectares (ha) in size and encompasses the following property allotments:

- Lot 2 DP1043561;
- Lot 3 DP1043561;
- Lot 4 DP1043561 (partial lot);
- Lot 202 DP1173564 (partial lot);
- Lot 1201 DP1229590;
- Lot 1202 DP1229590;
- Lot 1203 DP1229590 (partial lot); and
- Lot 1 DP813606.

The Proposed Amendment Areas (the subject of this report) are identified as:

- Proposed Construction Laydown Areas (situated on Lots 2 and 3 DP1043561, Lot 1 DP813606 (Hexham) and Lot 101 DP1038663);
- Proposed Screening and Crushing Facility (situated on Lot 3 DP1043561);
- Minor road alignment amendments; and
- Amended transmission line easement (situated on part of Lot 202 DP1173564).

The Project Area and Proposed Amendment Areas are shown in *Figure 1.1*.

The north-west boundaries of Lot 2 DP1043561, Lot 3 DP1043561, and Lot 4 DP1043561, as well as the western boundary of Lot 1203 DP1229590 abut the Pacific Highway. The southern boundaries of Lot 2 DP1043561, Lot 3 DP1043561, and Lot 202 DP1173564 adjoin industrial estates. Lot 202 DP1173564 is bounded to the east and north by lots displaying dense vegetation. The NGSF (Lots 1201, 1202 and 1203 DP 1229590) is bounded by native vegetation on all sides. Lot 1 DP813606 (Hexham) is situated on the eastern side of the Hunter River, within a developed industrial estate.

1.3 Description of Proposed Development

1.3.1 Construction Laydown Areas

Central

A construction laydown area is proposed on parts of Lots 2 and 3, DP104356. This Central Laydown Area adjoins the NPS site to the west, and is within the Proposal Area previously assessed in the EIS. The laydown area would be used temporarily for the storage of equipment and containers, and some pre-assembly of equipment, during construction of the NPS. Hours of operation for the laydown area would be as per the EIS.

Preparation of this laydown area would include minor earthworks, including clearing and grubbing, compacting the surface, and installing security fencing. There is no intention for any chemical/liquid storage, stockpiling of coils or erodible materials, or wash-down or washouts at this location, minimising the risk of its use. Site drainage for the laydown area would be connected into the construction sediment ponds proposed in the EIS.

East

The East Laydown Area is proposed within the existing Newcastle Gas Storage Facility (NGSF), which is located to the east of the NPS. This proposed laydown has been previously cleared and paved as part of the NGSF construction phase and was used as a contractor carpark at that time. As such, no earthworks are required. Uses and hours of operation would be as noted for the proposed Central laydown area.

West

The West Laydown Area is proposed at 235 Old Maitland Road, Hexham which is located beside the Pacific Highway to the west of the NPS. This proposed laydown has been previously cleared and paved and has been used by various contractors to AGL and Jemena. As such, no earthworks are required. Uses and hours of operation would be as noted for the proposed Central laydown.

1.3.2 Screening and Crushing Facility

A Screening and Crushing Facility is proposed to process the rock excavated during preparation of the power station site, in order for this material to be used on-site as select (suitable) fill. This would avoid having to import fill material to site to establish the necessary cut-fill balance. The Screening and Crushing Facility will be located wholly within Lot 3, with the precise location yet to be determined. It is likely that the location will be towards the Pacific Highway in the north-western section of the Project Area. The Facility would process an indicative quantity of 50,000m³ of rock across a period of approximately 40 days, to facilitate cut and fill works.

1.3.3 Transmission Line Realignment

Amendment of the proposed transmission line easements is planned to avoid overlapping a TransGrid easement. The proposed amendment will remain within the NPS Project Area as previously assessed in the EIS. The amendment would result in an additional 0.17 ha of clearing, which is within the original area assessed for impact. There would be no alteration of the proposed construction method.

1.3.4 Roadworks corridor on Old Punt Road

The Project Area would be extended to include the section of Old Punt Road requiring channelized right hand turn (CHR) treatment to facilitate entry into the site access road. These works were described in the EIS, however, were not included in the mapped Project Area. This is a 250 m long and 20 m wide section of the existing, cleared road corridor, with no vegetation clearing required to facilitate works.

1.4 Authorship

This report has been prepared by Dr Robin Twaddle and Stephanie Moore (Heritage Consultants, ERM). Technical review was undertaken by Erin Finnegan (Principal Heritage Consultant, ERM) and quality assurance review was provided by Damon Roddis (Partner, ERM).



2 LEGISLATION AND GUIDELINES

Aboriginal cultural heritage in NSW is protected by the *National Parks and Wildlife Act 1974* (NP&W Act). Land managers are required to consider the effects of their activities, or proposed development, on the environment under several pieces of legislation, principally the *Environmental Planning and Assessment Act 1979* (EP&A Act). Cultural heritage, which includes Aboriginal and historical heritage, is subsumed within the definition of “environment”. In certain circumstances, Commonwealth legislation protecting Aboriginal heritage may also apply to Aboriginal heritage places in NSW. The key state legislation applying to the Project is summarised below in Section 2.1.

2.1 State Legislation

2.1.1 NSW Environmental Planning and Assessment Act 1979

The EP&A Act requires that environmental impacts are considered in land use planning, including impacts on Aboriginal and non-Aboriginal heritage. Various planning instruments prepared under the Act identify permissible land use and development constraints.

This Project has been designated Critical State Significant Infrastructure (CSSI) by the relevant authority.

The SEARs for the Project were issued on 18 February 2019 and require as follows:

- An assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the Project, including adequate consultation with the Aboriginal stakeholders having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH, 2010).

This assessment has therefore been prepared in accordance with the requirements of the *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011), the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010a), the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010b) and the NSW Heritage Manual (1996).

2.1.2 NSW National Parks and Wildlife Act 1974

All Aboriginal objects within NSW are protected under Part 6, and particularly Section 90, of the *NSW National Parks and Wildlife Act 1974* (NP&W Act). Under Section 5 of the Act, “Aboriginal Object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Indigenous 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.

Sites of traditional significance that do not necessarily contain archaeological materials may be gazetted as ‘Aboriginal places’ under Section 84 of the Act, and are protected under Sections 84-86 of the Act. This protection applies to all sites, regardless of their significance or land tenure.

2.1.2.1 The due diligence process

Part 6 of the NP&W Act provides specific protection for Aboriginal objects and places by making it an offence to destroy, deface, damage, or move them from the land. The Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW, 2010a) as adopted by the *National Parks and Wildlife Regulation 2009* (NP&W Regulation) made under the NP&W Act, provides guidance to individuals and organisations to exercise due diligence when carrying out activities that may harm Aboriginal objects.

This code of practice can be used for all activities across all environments. The NP&W Act provides that a person who exercises due diligence in determining that their actions will not harm Aboriginal

objects has a defence against prosecution for the strict liability offence if they later unknowingly harm an object.

Under Section 86, a person who, without first obtaining the consent of the Director-General, knowingly harms or desecrates an Aboriginal object or Aboriginal place is guilty of an offence. In most circumstances, it is required that an Aboriginal Heritage Impact Permit (AHIP) be obtained for any impact to an Aboriginal object or place. The Biodiversity and Conservation Division (BDC) of the Department of Planning, Industry and Environment (DPIE) is the responsible authority, with the Director General of that department the consent authority. However, as the Project has been assessed as CSSI, the need for a permit under Section 90 does not apply. This does not, however, exempt the proponent from managing cultural heritage matters to the same statutory standard, as is usually captured in the SEARs requirements.

2.1.3 NSW Heritage Act 1977

The NSW *Heritage Act 1977* establishes the NSW Heritage Council and the State Heritage Register (SHR). The aim of the Act is to conserve the heritage of New South Wales. The aim of heritage management is not to prevent change and development, but to ensure that the heritage significance of recognised heritage items is not harmed by changes.

The SHR is a separate listing to the State Heritage Inventory and includes items which are accorded SHR listing through gazettal in the NSW Government Gazette. Nominated items are considered by the NSW Heritage Council which then makes a recommendation to the Minister for Heritage. The Minister is empowered to place Interim Heritage Orders (IHO) on an item of potential State significance on the basis of advice received from the Heritage Council.

In addition to the items listed on the SHR, the State Heritage Inventory also includes declared Aboriginal Places; listed IHOs; items on State Agency Heritage Registers; and items of local heritage significance on a local council's Local Environmental Plan.

2.1.4 Guidelines

This document has also been prepared in accordance with the following guidelines:

- The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance);
- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH, 2011);
- Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010);
- Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (OEH);
- NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1994); and
- Assessing Heritage Significance (NSW Heritage Office, 2001).

3 ABORIGINAL COMMUNITY CONSULTATION

This chapter contains details of the Aboriginal community consultation undertaken during the course of investigation of the Newcastle Power Station Project Area and Proposed Amendment Areas. In accordance with the guideline *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW, 2010), consultation with Aboriginal people is an essential part of the heritage assessment process to:

- Determine potential harm on Aboriginal cultural heritage from proposed activities; and
- Inform decision making for any application for an Aboriginal Heritage Impact Permit (AHIP) where it is determined that harm cannot be avoided.

The guideline also sets out four stages of consultation requirements. Fulfilment of these requirements is outlined below. A complete log of consultation with the Aboriginal community throughout the project is included as *Appendix B*.

It is noted that consultation for this project was initiated during the original assessment of the Newcastle Power Station EIS, and the Stage 1 details presented in section 3.1 relate to that phase of assessment. The information is included here as it remains relevant for this amendment report.

Stage 2 details the consultation as prepared for the Newcastle Power Station field survey, along with presentation of information about the proposed amendments.

Stages 3 and 4 of the consultation, as outlined here, are relevant to this report only. Information regarding Stages 3 and 4 as they occurred for the Newcastle Power Station Site (the EIS) can be found in the Newcastle Power Station ACHAR (ERM 2020).

3.1 Stage 1: Notification of Project Proposal and Registration of Interest

The aim of Stage 1 of the consultation process is *to identify, notify and register Aboriginal people who hold cultural knowledge relevant to determining the cultural significance of Aboriginal objects and/or places in the area of the proposed project*.

On behalf of the Proponent, ERM has actively sought to fulfil this aim and identify stakeholder groups or people wishing to be consulted about the Project and invite them to register their interest. After determining that there was no approved determination of Native Title over Project Area (per 4.1.1 of the guidelines), ERM reached out to additional resources for information about interested parties.

In order to identify people with a potential interest in the Project (as per 4.1.2 of the guidelines), letters containing the location and nature of the Project (dated 30 November 2018, *Appendix C*) were sent to the following bodies:

- Worimi Local Aboriginal Land Council (WLALC);
- Hunter Local Land Services (HLLS);
- National Native Title Tribunal;
- Native Title Services Corporation (NTS Corp);
- NSW BDC Regional Operations Hunter Central Coast Branch;
- Office of the Registrar, *Aboriginal Land Rights Act* (1983); and
- Port Stephens Council.

Responses to these letters identified 25 Aboriginal people or organisations with a potential interest in the Project (*Appendix D*). A Project notification and invitation to register letter (as per 4.1.3 of the guidelines) was sent to each of the identified parties on 21 January 2019 (*Appendix F*). Each identified party was given two consecutive weeks to register their interest in the Project. Twelve (12) registrations were received following the Project notification letters (*Appendix G*).

In addition to the agency contacts, a local press advertisement requesting Aboriginal party participation was placed in the *Port Stephens Examiner* and the *Newcastle Herald* on 6 December 2018 (*Appendix E*). The response period for Aboriginal stakeholders to register an interest in the Project was open for two consecutive weeks. Zero (0) registrations were received following the presentation of the local press public advertisement.

The Aboriginal people or organisations who have registered their interest in the Project are identified in *Table 3.1*.

Table 3.1 Registered Aboriginal Parties

Individual/Organisation
Didge Ngunawal Clan
Nu-Run-Gee Pty Ltd
Worimi Traditional Owners Indigenous Corporation
Divine Diggers Aboriginal Cultural Consultants*
Worimi Local Aboriginal Land Council
Widescope Indigenous Group
Murra Bidgee Mulangari Aboriginal Corporation
A1 Indigenous Services
Mu-Roo-Ma Pty Inc.
Muragadi
Karuah Indigenous Corporation
Merrigarn
<small>* Note – Divine Diggers requested to be removed from further correspondence at the completion of Stage 2, upon being informed they had not been engaged to participate in the field survey. This correspondence is included in Appendix I.</small>

3.2 Stage 2: Presentation of Information about the Proposed Project

The aim of Stage 2 of the consultation process is *to provide registered Aboriginal parties with information about the scope of the proposed project and the proposed cultural heritage assessment process.*

3.2.1 Field Survey Methodology

A proposed field survey methodology was sent to each of the Registered Aboriginal Parties (RAPs) (dated 4 April 2019) (*Appendix H*). The letter included:

- An outline of proposed works;
- The proposed methodology and an indication that dates for pedestrian survey are to be determined; and
- A request for Aboriginal parties to identify any particular areas of interest within the Newcastle Power Station Project Area to survey.

ERM received five (5) return emails regarding the project methodology (*Appendix I*). The responses received are summarised in *Table 3.2*.

Table 3.2 Comments on Proposed Survey Methodology

Organisation	Comments
Didge Ngunanwal Clan	Thanked sender for the email. No further comments.
Divine Diggers Aboriginal Cultural Consultants	Acknowledged the report had been read. Supported the methodology.
Merrigarn	Acknowledged that the report had been read. Supported the methodology and recommendations.
Muragadi	Acknowledged that the report had been read. Supported the methodology and recommendations.
Murra Bidgee Mulangari Aboriginal Corporation	Acknowledged that the report had been read. Supported the methodology and recommendations.

All responses received supported the proposed methodology; therefore, no modifications were made. Additional feedback from RAPs was incorporated into the survey report.

Assessment of Proposed Amendments

On 25 March 2020, ERM emailed each of the RAPs to advise them of the proposed project amendments, including additional assessment of the construction laydown on Lots 2 and 3 DP1043561. At the time of correspondence, details of other proposed amendments were unavailable. The correspondence included a description of the proposed works (as known), mapping indicating the location of previously identified sites and the indicative proposed construction laydown area, and a detail of the proposed desktop assessment of impacts. The correspondence also asked the RAPs to provide any additional comments on cultural significance that may be relevant to the assessment of impacts to Aboriginal cultural heritage within the Proposed Amendment Areas.

Details regarding the full suite of proposed amendments were provided at the time of delivery of the draft report (consultation Stage 4). The proposed amendments, including the East and West Laydown Areas and the Screening and Crushing facility, were clearly detailed in the introduction of the draft report and demonstrated in the document figures.

A copy of the notifications as sent to the RAPs is included as *Appendix J*.

3.3 Stage 3: Gathering Information about Cultural Significance

Only one comment was received regarding the Proposed Amendment Areas. Muragadi provided an email response indicating that they had read and understood the project update and supported the recommendations provided. This response is provided as *Appendix K*.

No other comments were received within the statutory review period.

3.4 Stage 4: Review of Draft Cultural Heritage Assessment Report

The Draft ACHAR was provided to all RAPs on 25 May 2020. The Draft ACHAR included details of all proposed amendments, including those not originally noted in the Stage 2 Notification documentation. All amendments were clearly identified throughout the Draft ACHAR.

Only one comment relating to the review of the Draft ACHAR was received within the statutory review period. Mur-Roo-Ma Incorporated provided a letter stating that they understand the amendment and proposed amendments and agree with all aspects of the report. Mur-Roo-Ma also noted that as the proposed Central construction laydown is in close proximity to the site NPS01 it will be important that the proponent follow all guidelines and recommendations outlined in the document and any recommendations from the CHMP. A copy of the response from Mu-Roo-Ma has been included in *Appendix L*. No other comments were received.

4 ENVIRONMENTAL CONTEXT

The environmental setting in which people live has direct and indirect influences on human behaviour. This is particularly true for hunter-gatherer societies in which availability and abundance of local resources influence movement within the landscape. Environmental factors may also influence the potential that archaeological sites would be preserved and visible. Because of this, the physical setting of the Project is discussed in terms of geology and landforms, and past land use and disturbance.

A determination of the former environmental context is essential to develop accurate models of cultural activity, site distribution patterns and the archaeological potential of any given area. The environmental setting of the Project is discussed below. This section discusses the Newcastle Power Station Project Area broadly, as the Proposed Amendment Areas are contained within the same context.

4.1 The Sydney Basin Bioregion

Bioregions and sub-bioregions are large, geographically distinct areas of land with common characteristics such as geology, landform patterns, climate, ecological features and plant and animal communities. The Interim Biogeographic Regionalisation for Australia (IBRA) provides a regional and national planning framework for the systematic development of a comprehensive, adequate and representative National Reserve System. Bioregions delineate salient environmental characteristics which can highlight patterns in Aboriginal site patterning.

The Project Area is located in the Sydney Basin Bioregion, which extends north from Batemans Bay to Nelsons Bay and as far west as Mudgee. The bioregion is bordered to the north by the NSW North Coast and Brigalow Belt South bioregions, to the west by the South Eastern Highlands and South Western Slopes bioregions, and to the south by the South East Corner Bioregion. The total area of the bioregion is 2,462,500 hectares (approximately 4.53% of NSW) (NSW NPWS, 2003). The general attributes of the Sydney Basin Bioregion are outlined in *Table 4.1*.

Table 4.1 Sydney Basin Bioregion Attributes

Characteristic	Description
Climate	The climate of this bioregion is predominately temperate, with warm summers and no dry season. A sub-humid climate can be found in the north-east, while a montane climate zone is located around the Blue Mountains. Rainfall can occur throughout the year, but varies across the bioregion in relation to altitude and distance from the coast. Temperature also varies with the coast and Hunter Valley seeing higher temperatures, while the higher plateaux and western edge see lower temperatures.
Landforms	Landforms found within the bioregion consist of mountainous regions, gorges with weather sandstone edges, volcanic cents, coastal barriers, deep estuaries, and cliffs that exposed 'layer cake' geology.
Geology	The bioregion overlays part of the New England Fold Belt. Bedrocks are Devonian and Permian, with older rocks faulted across the basin along the north-eastern edge of the bioregion. Coal deposits accumulated and the upper parts of the basin were covered in quartz sandstone by extremely large braided rivers. Shallow marine sediments and later more river sediments continued to accumulate in the basin during the Jurassic, but all of these younger rocks have been eroded, leaving only a thin cap of shale over the resistant sandstones.
Soils	High diversity in rock types, topography, and climate has resulted in a large variety of soils. The coastal area is dominated by frontal dunes, behind which are accumulations of organic matter that develops coloured topsoil. Species composition and structural form are similar on

Characteristic	Description
	sandy soils of the sandstone plateaus and the sandy soils of the dunes. Better quality shale soils form caps on sandstone and on the coastal ramps.
Vegetation	Vegetation across this bioregion is diverse and generally dictated by the soils. Limited areas of rainforest can be found in the lower Hunter, Illawarra escarpment and on Robertson basalts, as well as in protected gorges and on right soil. Alternating sandstones and shale plateaus lead to contour-patterned vegetation communities, while volcanic vents or diatremes carry locally different vegetation.

4.2 Geology, Soils, and Topography

Geologically, the wider Sydney Basin Bioregion overlays part of the New England Fold Belt, with Devonian and Permian bedrock and older rocks faulted across the basin along the north-eastern edge of the bioregion. Coal deposits accumulated and the upper parts of the basin were covered in quartz sandstone by extremely large braided rivers. Shallow marine sediments and later more river sediments continued to accumulate in the basin during the Jurassic, but all of these younger rocks have been eroded, leaving only a thin cap of shale over the resistant sandstones.

The Project Area is situated within the Newcastle Bite dune barrier system. This barrier system is divided into an “inner” Pleistocene series of dune deposits and an “outer” Holocene sequence, which is located immediately adjacent to Stockton Beach. The Holocene dune sequence within Seaside Estate is the result of “accretion” (the increase or addition of land by the deposit of sand washed up naturally by the sea) of a series of beach ridges between 6000 and 4500 years ago (Dean-Jones 1992:4).

There have been three periods of dune transgression (movement) since 4500 BP, each of which has been separated by a period of stabilisation. The first period of transgression occurred approximately between 4500 and 4000 BP, the second between 2300 and 1200 BP and the third, which is still active, began approximately 300 years ago (Dean-Jones 1992:4). This process has resulted in three distinct Holocene dune sequences within the study area and forms three distinct parallel ridges oriented north-east to south-west. The Project Area is located in the Inner Stable dune system.

4.3 Hydrology

The Project Area is located to the south and east of the Hunter River. A number of small, unnamed creeks are found within 750 m of the Project Area. Fullerton Cove is found approximately 7 km to the south-east, while the coast is approximately 11 km to the south-east. No reliable water sources, suitable for subsistence, are located within the Project Area.

4.4 Flora and Fauna

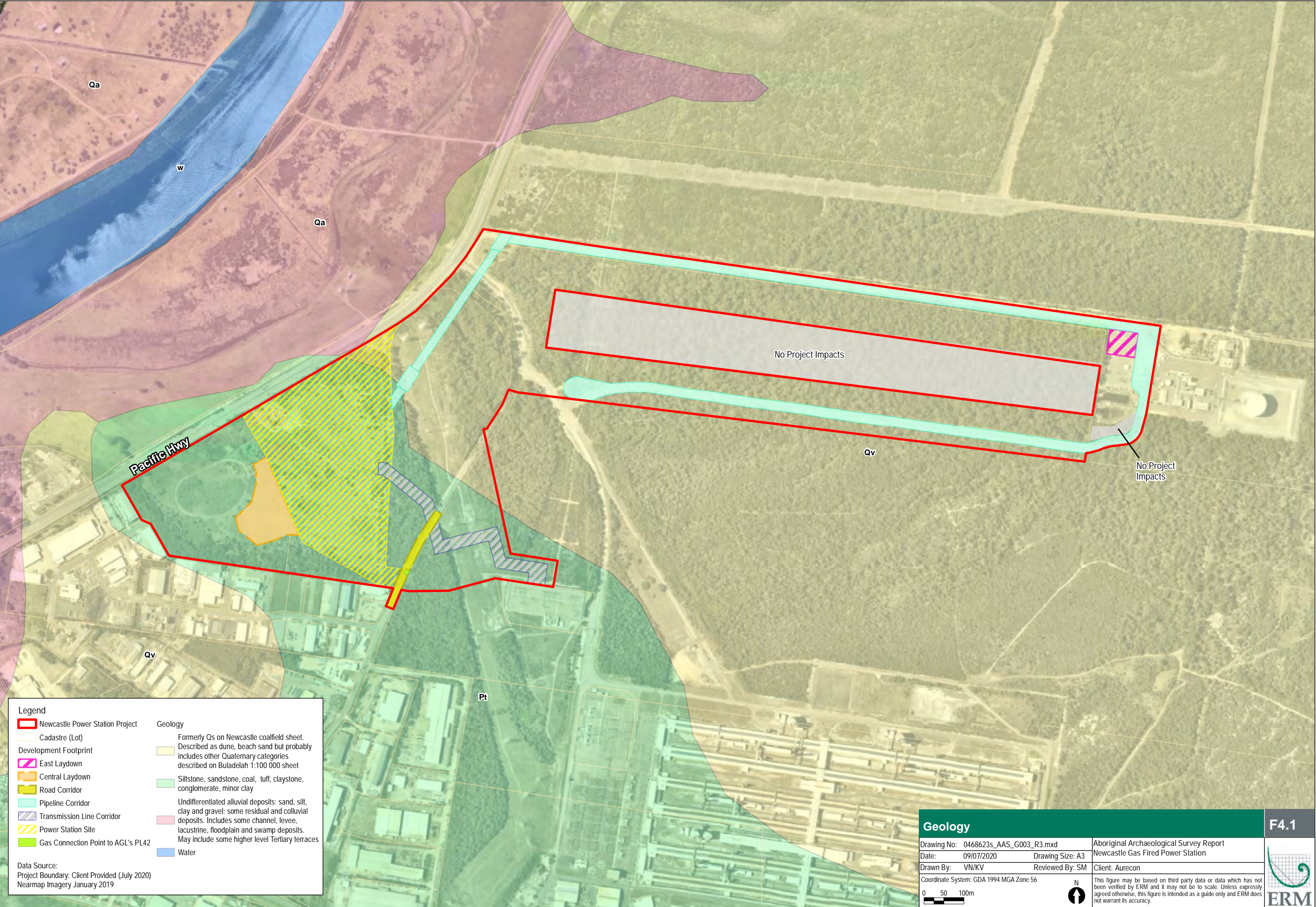
The Project Area contains a range of flora and fauna, reflecting the past landscape and potential resources available to Aboriginal people in the area. Previous studies have identified a variety of vegetation communities within and surrounding the Project Area, which contributes to this ecological diversity.

The Project Area has been shown to contain ‘Spotted Gum – Ironbark Open Forest’, ‘Melaleuca – Casuarina Forest’ and ‘Closed Grassland’ vegetation communities. In addition, the surrounding area contains ‘Banksia Open Woodland’ and ‘Swamp Forest’. Between these communities, the Project Area has access to a number of resource species, including those that could be utilised for manufacturing tools and weapons, and subsistence species that could be eaten (URS 2002).

Additionally, the vegetation communities provide habitat for mammals and birds that may have been hunted for food and material resources. The faunal species identified within the Project Area during previous studies include possums, koalas, and fruit bats. The Project Area also showed evidence of common bushland birds, small reptiles and several common frog species (URS, 2002).

4.5 Land Use and Disturbance

The Newcastle Power Station Project Area is situated within a historically rural setting, and there is evidence from historical aerial imagery and documentation that the land was previously utilised for crop farming and stock grazing during the mid-late 19th Century. Farming activities, including creation of formal or informal tracks, plowing, or stock movement, are likely to have resulted in some disturbance in the upper levels of any remnant soils; however, it is unlikely that this disturbance has had a significant effect on the archaeological potential of the area.



Legend

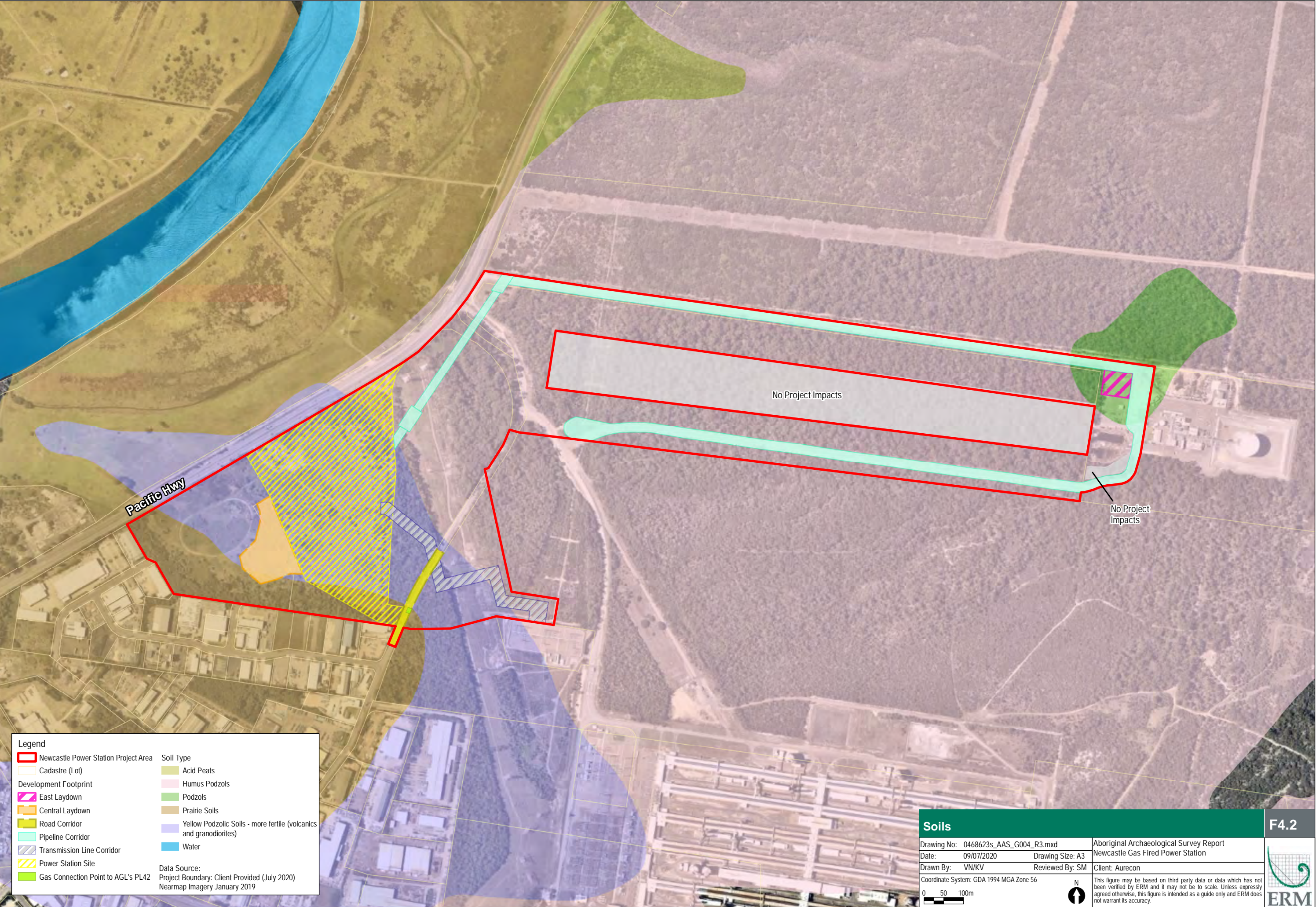
- Newcastle Power Station Project
- Cadastral (Lot)
- Development Footprint
- East Laydown
- Central Laydown
- Road Corridor
- Pipeline Corridor
- Transmission Line Corridor
- Power Station Site
- Gas Connection Point to AGL's PL42

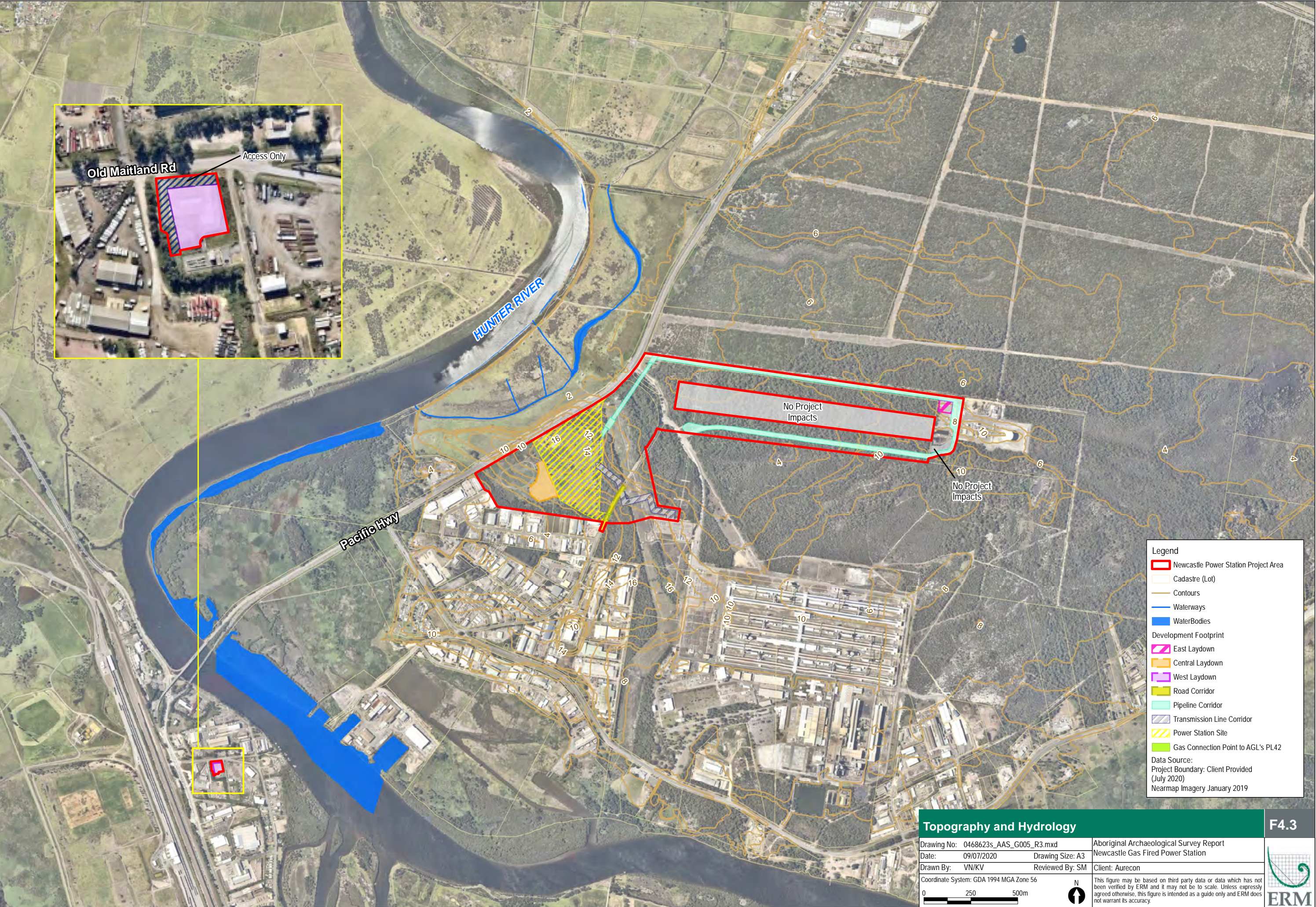
Geology

- Formerly Qs on Newcastle coalfield sheet. Described as dune, beach sand but probably includes other Quaternary categories described on Buladelah 1:100 000 sheet
- Siltstone, sandstone, coal, tuff, claystone, conglomerate, minor clay
- Undifferentiated alluvial deposits: sand, silt, clay and gravel; some residual and colluvial deposits. Includes some channel, levee, lacustrine, floodplain and swamp deposits. May include some higher level Tertiary terraces
- Water

Data Source:
Project Boundary: Client Provided (July 2020)
Nearmap Imagery January 2019

Geology		F4.1
Drawing No: 0468623s_AAS_G003_R3.mxd		Aboriginal Archaeological Survey Report Newcastle Gas Fired Power Station
Date: 09/07/2020	Drawing Size: A3	
Drawn By: VN/KV	Reviewed By: SM	Client: Aurecon
Coordinate System: GDA 1994 MGA Zone 56		This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.
0 50 100m		





5 ARCHAEOLOGICAL BACKGROUND

The Newcastle Power Station Project Area is situated in a region rich in Aboriginal cultural heritage. Numerous archaeological sites have been recorded within the region. The following information provides the context in which Aboriginal cultural heritage in the Project Area can be understood. It includes a review of early historic records relating to Aboriginal people within the region.

5.1 Ethno-history

The Worimi people are the traditional owners of the Tomago area. Early historical records indicate the Worimi people extended south as far as Stockton, north to Cape Hawke and inland to Dungog and Maitland (Tindale 1974). The people who lived south of the Worimi were the Awabakal and to the north were the Birpai.

By studying accounts of early European settlers and drawing on the results of archaeological investigations, we can reconstruct aspects of the Worimi lifestyle. The subsistence and economy of Aboriginal groups depended largely on the environment in which they lived. While coastal groups exploited marine and estuarine resources, hinterland groups relied on freshwater and terrestrial animals and plants. A distinction between the two lifestyles is clearly made in early European accounts. For example, during a trip along the Hawkesbury-Nepean during 1791, Watkin Tench wrote that:

[hinterland people] depend but little on fish, as the river yields only mullets, and that their principal support is derived from small animals which they kill, and some roots (a species of wild yam chiefly) which they dig out of the earth'. (Tench 1996)

In contrast, Collins wrote that for coastal people:

'Fish is their chief support...the woods, exclusive of the animals which they occasionally find in their neighbourhood, afford them but little sustenance; a few berries, the yam and fern root, the flowers of the different Banksia, and at times some honey, make up the whole vegetable catalogue'. (Attenbrow 2010)

Tench also noted the importance of marine foods in the economy of coastal groups (refer ERM 2005). According to Tench, the task of fishing was divided between husband and wife, the woman using a hook and line and the man using a foz gig (spear) (Tench 1996:258-260). Bark canoes were often used by both men and women for fishing and fires were commonly placed in the middle of these canoes. When fish were scarce or the weather was foul, coastal groups turned their attention to gathering shellfish, hunting reptiles and small animals, digging fern roots, or gathering berries (Tench 1996:258-260).

The exploitation of swamps and wetlands figured prominently in the lifestyle of the Worimi people. Swamps are rich in diverse plant and animal resources and were important places in the economy of Aboriginal people living in the Hunter Valley (ERM 2005, 12). This is indicated by historic records and by archaeological investigations on the fringes of wetlands. Archaeological excavations at Seaside Estate (ERM 2005), have found dense complex occupation sites that would have supported a rich economic, social and spiritual life. Staple food plants like the Bungwall Fern, were gathered from swamps and may have been processed with specialised stone tools called 'Worimi Cleavers'.

5.2 The Aboriginal Cultural Landscape

The Hunter River region is within the traditional lands of the Worimi and Awabakal people, who retain strong connections with their land and cultural traditions. *Muloobinba* (Newcastle) and *Coquon* (Hunter River) are important locations in the rich landscape, providing marine life and bush tucker, as well as locations for meetings and ceremonies (City of Newcastle 2019).

Local Dreaming stories demonstrate the interconnectedness between people, communities and landscapes, and can help us to understand how cultural significance is related to place. The Dreaming stories include those of *Biraban*, the eagle hawk, who is linked to social structure and *Koin*, a messenger who announces the coming of *Kooris* from distant lands for rites or ceremonies. These, and many other tales, speak of connection – both between people and between people and their landscape – and demonstrate a broader understanding of Country.

The cultural landscape is further represented by places of significance, which may consist of ceremonial places or sacred sites. Often places of significance are natural landscape features which play a role in Dreaming stories, or are used as landmarks in the local area. Within the Newcastle region, this includes sites such as *Whibay Gamba* (Nobbys), *Tahlbihn Point* (Fort Scratchley) and a high cliff called *Yi-ran-na-li*.

5.3 Regional Archaeological Context

A broad synthesis of archaeological sites in the Hunter region was undertaken in 1984 by Hughes. This found a general consistency in the types and distribution of archaeological sites throughout the Hunter Valley. Key conclusions included:

- Archaeological sites would be found across the entire Hunter Valley;
- Several site types are present, the most common being open artefact scatters;
- Artefact scatters are most likely to occur on creek banks, especially at creek junctions, with low frequencies found over 100 m from creeks and on hillslopes and crests;
- Sites will generally reduce in size as associated water courses decrease in catchment size;
- Most archaeological evidence dates to the mid to late Holocene; and
- Technological analysis of stone artefacts may assist in relatively dating sites that cannot be directly dated.

Archaeological investigations undertaken since Hughes' work (e.g. Hiscock 1986; Koettig 1986a, b;) have tended to confirm these patterns. Particularly that environmental and topographic context is key in determining the size and nature of sites:

- Open artefact scatter sites are found across the landscape where original soils were preserved. Open artefact scatter sites increase in frequency, size, and complexity near creeks, rivers and swamps;
- Isolated finds (stone artefacts) are found anywhere across the landscape and may represent casual discard or the remains of dispersed open scatter sites;
- Midden sites are found near estuaries and coastline;
- Aboriginal burials are generally found in soft substrates such as sand and are often found within occupation contexts such as middens; and
- Scarred and carved trees are found within areas of remnant bushland that contain old growth trees.

Aboriginal rock shelters, rock shelter art, rock engravings and axe grinding stones are found in areas of sandstone outcropping and escarpment.

5.4 Local Archaeological Context

5.4.1 Gloucester Gas Project Pipeline Modification Environmental Impact Statement (EMM, 2013)

In November 2013, EMM was commissioned by AGL to prepare an Environmental Impact Statement (EIS) for the modification of the high-pressure gas transmission pipeline associated with the Gloucester Gas Project (GGP). The GGP, as approved, included a gas transmission pipeline from the central processing facility at Stratford to the gas delivery station at Hexham. The proposed modification sought to realign four sections of the approved pipeline to connect the GGP to the Newcastle Gas Storage Facility (NGSF) at Tomago.

EMM undertook an environmental assessment, including preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the proposed modification areas. One of the proposed modification areas (Tomago Section) is located immediately north-west of the Project Area. No field survey was undertaken of the portion between the Hunter River and the Project Area, as this section was to be underbored and would not be subject to surface disturbance.

EMM determined that none of the surveyed areas were archaeologically sensitive, and no Aboriginal archaeological sites would be impacted by the proposed modification. The RAPs involved in the survey identified the area as having cultural significance through intangible links to the Awabakal ancestors.

5.5 Previous Assessments within the Project Area

5.5.1 Tomago Gas Fired Power Station Environmental Impact Statement (URS 2002)

URS were engaged by Macquarie Generation in 2002 to prepare an EIS for the proposed Tomago Gas Fired Power Station, an early phase of preparation for this current Project. As part of this assessment, URS commissioned HLA Envirosciences (2000) to prepare a Cultural Heritage Assessment, considering Aboriginal and non-Aboriginal heritage values in the Project Area. The survey was part of a larger assessment for the Development Application relating to industrial subdivision in Tomago, of which the proposed power station site (the Project Area) was included. HLA Envirosciences engaged with the Worimi Local Aboriginal Land Council to undertake the survey.

The field survey identified no Aboriginal objects within or immediately surrounding the proposed power plant site; however, it was noted that visibility was generally low throughout the survey area. HLA Envirosciences noted mitigation measures which included monitoring of initial Phase 1 construction activities to minimise potential for impact to unknown Aboriginal sites or objects.

5.5.2 M12RT Biodiversity and Aboriginal Heritage Investigations (Jacobs 2015)

Jacobs Pty Ltd was commissioned by Roads and Maritime Services (now Transport for NSW) to undertake biodiversity and Aboriginal heritage investigations within land owned by AGL (the Project Area). The land is associated with the proposed M1 Pacific Motorway extension to Raymond Terrace.

During this investigation, Jacobs undertook archaeological survey and test excavations within the Project Area (in the north-eastern portion) and identified one large site complex extending from the northern side of the M1 to the Project Area. This site was registered on the AHIMS Database as Hexham M12RT (AHIMS ID #38-4-1751) (*Figure 5.1*).

The AHIMS Site Impact Recording (ASIR) form for Hexham M12RT shows that the site extends into the current Project Area, although it is noted that the registered AHIMS location is north of the M1.

5.5.3 Newcastle Gas Storage Facility Modification 3 (EMM 2017)

AGL owns and operates the Newcastle Gas Storage Facility (NGSF), which was developed in accordance with Project Approval MP10_0133 in 2012. The NGSF stores liquefied natural gas and enable AGL to meet peak gas demands and provide additional security of supply during disruption events. The NGSF has been in operation since 2015.

The Project Approval has been modified three times:

1. 2013 by Modification 1 – which authorised the washing out of concrete mixers and pump trucks on site during the construction stage;
2. 2014 by Modification 2 – which authorised the transfer of the tail gas produced at the NGSF to a nearby industrial retailer; and
3. 2017 by Modification 3 (the subject of the EMM report) – which sought to authorise:
 - the processing of the tail gas produced as part of the operation of the NGSF into a form suitable to be used in the Jemena low-pressure network and the injection of the processed tail gas into the Jemena low-pressure network via the Jemena Secondary Main;
 - the construction and operation of a maintenance flare to ensure ongoing safety during periods when the existing process flare is off-line for maintenance; and
 - other minor changes to the infrastructure and operations at the NGSF to ensure the tail gas sent to the Jemena network meets Australian gas quality standards and to continue to ensure the optimal efficiency of the NGSF.

The Environmental Assessment prepared for the proposed amendment indicated no impact to Aboriginal cultural heritage resulting from the proposed amendment, as the proposed works would occur within the existing NGSF footprint.

Proposed Amendments to the Newcastle Power Station Project will occur within the same NGSF footprint, and as such are unlikely to result in further impacts to Aboriginal Cultural Heritage.

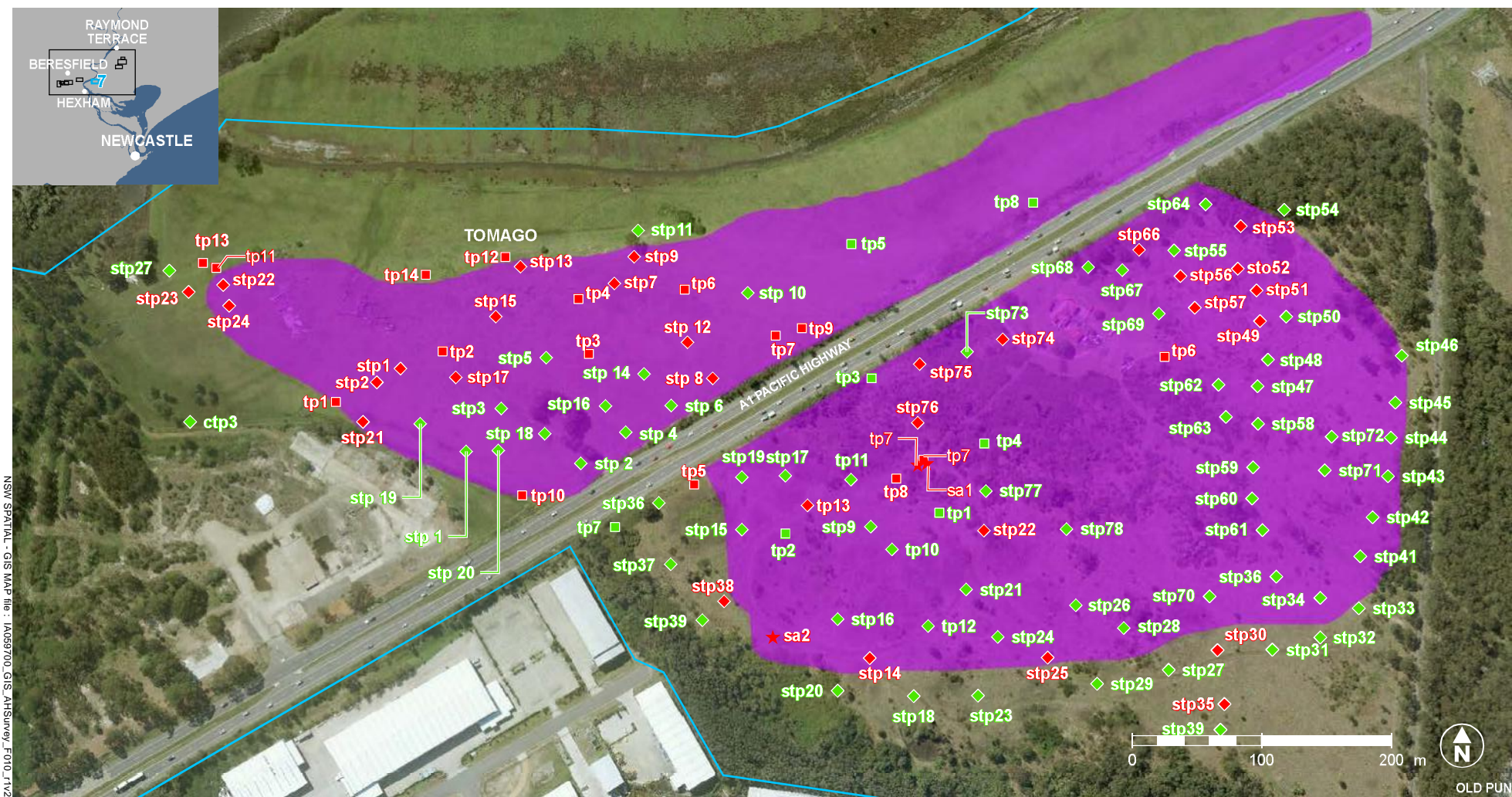


Figure H-7 Test pit location mapping

Data sources

Roads and Maritime Services 2015
Land and Property Information 2014
Office of Environment and Heritage 2015
Jacobs 2015 and 2016
AUSIMAGE October 2015

5.6 AHIMS Database Search Results

The AHIMS database provides information concerning previously recorded Aboriginal sites in NSW. AHIMS stores data regarding a site's location, site type, site features and a unique site identification number for all registered Aboriginal heritage sites in NSW. Mapping of an AHIMS database search result will identify any known sites that could be impacted by the proposed works as well as help to determine the overall pattern of Aboriginal sites in an area. A summary of the various site types likely to be located in the Project Area can be found in *Table 5.1*. This will aid in the development of a site prediction model for the Project Area.

Table 5.1 Parks and Wildlife Group Site Type Definitions

Site types	Definition
Stone artefact scatters (or open camp sites)	Stone artefact scatter sites, also known as open camp sites, are usually indicated by surface scatters of stone artefacts and sometimes fire blackened stones and charcoal. Where such sites are buried by sediment they may not be noticeable unless exposed by erosion or disturbed by modern activities. The term camp site is used as a convenient label which, in the case of open sites, does not necessarily imply that Aboriginal people actually camped on the sites; rather it indicates only that some type of activity was carried out there.
Isolated finds	Sites consisting of only one identified stone artefact, isolated from any other artefacts or archaeological evidence. They are generally indicative of sporadic past Aboriginal use of an area.
Shell middens	Middens consist of accumulations of shell that represent the exploitation and consumption of shellfish by Aboriginal people. Shell species may be marine, estuarine or freshwater depending on the environmental context and middens may also include other faunal remains, stone artefacts, hearths and charcoal.
Shelter sites	Sandstone shelters and overhangs were used by Aboriginal people to provide camp sites sheltered from the rain and sun. The deposits in such sites are commonly very important because they often contain clearly stratified material in a good state of preservation.
Grinding grooves	Grooves resulting from the grinding of stone axes or other implements are found on flat areas of suitable sandstone. They are often located near waterholes or creek beds as water is necessary in the sharpening process. In areas where suitable outcrops of rock were not available, transportable pieces of sandstone were used.
Quarries	These are areas where stone was obtained for flaked artefacts or ground-edge artefacts, or where ochre was obtained for rock paintings, body decoration or decorating wooden artefacts.
Art sites	Aboriginal paintings, drawings and stencils are commonly to be found where suitable surfaces occur in sandstone shelters and overhangs. These sites are often referred to as rock shelters with painted art.
	Rock engravings, carvings or peckings are also to be found on sandstone surfaces both in the open and in shelters. These are referred to as rock engraving sites.
Scarred trees	Scarred trees bear the marks of bark and wood removal for utilisation as canoes, shields, boomerangs or containers. It is commonly very difficult to confidently distinguish between Aboriginal scars and natural scars or those made by Europeans.
Burial sites	Burials may be of isolated individuals, or they may form complex burial grounds.
Stone arrangements, carved trees and ceremonial grounds	These site types are often interrelated. Stone arrangements range from simple cairns or piles of rocks to more elaborate arrangements; patterns of stone laid out to form circles and other designs or standing slabs of rock held upright by stones around the base.

Site types	Definition
	Carved trees are trees with intricate geometric or linear patterns or representations of animals carved into their trunks. Ceremonial grounds and graves were often marked by such trees. Bora grounds are a common type of ceremonial site and they are generally associated with initiation ceremonies. They comprise two circles, generally edged with low banks of earth but sometimes of stone, a short distance apart and connected by a path.

An extensive search of the BDC AHIMS database was conducted on 13 March 2019 (Appendix M), prior to the field survey undertaken for the NPS Assessment. The AHIMS search used the following details:

Client Service ID: 406479
Lat, Long From: -32.8211, 151.7015
Lat, Long to: -32.8086, 151.7363
Buffer: 200 m

A total of five (5) sites were identified within the search area, which encompassed the Newcastle Power Station Project Area and all proposed amendment areas under assessment in this report (Figure 5.2). No registered site locations occur within the Newcastle Power Station Project Area, or the proposed amendment areas. Of the registered site identified during the search, the majority are recorded as 'Artefact', with 'Art' and 'Potential Archaeological Deposit (PAD)' sites also contribute to the types of recorded sites in the area, although the overall number of these sites is low.

The proposed West laydown is outside the AHIMS search area, as it was not proposed during the initial assessment. As the proposed West laydown has been subject to prior assessment and has been cleared and paved, it is considered that the West laydown has no potential to contain Aboriginal objects, and results of an AHIMS search over this area would not have altered this assessment.

5.7 Predictive Model

The knowledge gained from examining landforms, geology, archaeological patterning, and prior archaeological reports have enabled a set of parameters to be established to predict the potential location of Aboriginal sites within the Project Area. The background results suggest that:

- The most likely site type is artefacts;
- Stone artefacts are likely to be present across the area irrespective of landscape;
- Sites are more likely to be present in areas in close proximity to water sources such as river and creek systems; and
- PADs may also be present.

6 ARCHAEOLOGICAL SURVEY

6.1 Archaeological Survey Methodology

An archaeological survey was undertaken over three (3) days between 6 – 8 May 2019 by Katherine Deverson (Heritage Consultant, ERM) and Phoebe Worth (Environmental Consultant, ERM) in conjunction with RAPs. The survey methodology was provided to the RAPs for comment prior to fieldwork commencing. The survey aimed to identify all Aboriginal sites present within the proposed impact area, including the identification of any PADs. The methodology for the survey included:

- The survey was to be undertaken on foot where possible with up to four RAPs in attendance;
- The survey consisted of all participants traversing the Project Area using walking transects approximately 5 m apart to ensure the entire Project Area was covered (subject to visibility and accessibility);
- The survey targeted each landform in the study area;
- Areas of potential such as raised landforms in close proximity to semi-permanent water sources were also targeted;
- Areas of exposure and ground visibility were targeted;
- Any areas of interest to the RAPs were targeted; and
- Any cultural heritage information for the study area held by Aboriginal parties was recorded during the field survey. Any cultural knowledge provided by Aboriginal Stakeholders would be treated in confidence, and the information would be distributed according to their wishes.

This methodology was adopted to pursue the discovery of new archaeological sites, ensure the accurate recording of such sites and provide sufficient information to provide an assessment of the Project Area's cultural significance. Discussion also included Aboriginal intangible values and the importance of Aboriginal sites to the community.

6.2 Field Survey Results

The field survey conducted in May 2019 looked at the Project Area for the Newcastle Power Station site, as presented in the EIS. It is noted that this survey did not include the proposed East or West Laydown Areas, as these areas are paved areas previously cleared and assessed under separate impact assessments. Additionally, as no ground disturbing works are proposed at these locations, additional field survey was considered unnecessary.

The results of the 2019 survey are provided in the Newcastle Power Station ACHAR (ERM 2020). Three (3) previously unidentified Aboriginal heritage sites were recorded within the Newcastle Power Station Project Area. Two (2) of these sites were isolated finds (single stone artefacts) and the other site was a large artefact scatter. Additionally, a PAD encompassing finds at NPS01 and NPS02 was identified. Sites identified during survey were recorded and artefacts were left *in situ*. One additional site was recorded within the Newcastle Power Station Project Area at the completion of test excavation.

Only one of the recorded sites is situated within 20 m of the proposed amendments, situated north-west of the proposed Central Laydown Area. The site (NPS01) has been summarised below. The proposed construction laydown boundaries have been restricted to provide a minimum 20 m buffer from the edge of the site NPS01 to avoid any direct or indirect impact.

6.2.1.1.1 NPS01 (AHIMS #38-4-2020)

NPS01 is located within 1.5 km of the Hunter River to the north-west. The site is a large artefact scatter that is likely associated with, or part of, a previously identified site located to the north-west on

the opposite side of the M1 (M12RT as described in Jacobs 2015). Additionally, a PAD encompassing finds at NPS01 was identified (see *Figure 6.1*).

NPS01 comprises 23 stone artefacts located along a circular track in area covering approximately 175 m by 200 m. One piece of bone was also identified, although it is noted that this is animal bone and may not be associated with the site. It is very unlikely that all artefacts located on the surface were identified within this area, as other than the track the ground visibility was 0% and was mostly poor to very poor along the track itself (Photograph 6.1). Cores and flakes were identified consisting of a variety of stone material, including silcrete, chert, and mudstone (Photograph 6.2)

It is considered likely that the site is associated with the previously identified AHIMS Site 38-4-1751 and is likely a part of the same occupation site related to activities along the Hunter River.

A PAD was identified in association with the site and is thought to extend across the entire site and, a large section of the mid slope landform and into Lot 3 DP1043561. NPS01 and the associated PAD are situated northwest of the proposed construction laydown area “on Lots 2 and 3 DP1043561.



Photograph 6.1 General landscape and ground surface at NPS01 (ERM 2020)



Photograph 6.2 Artefact recorded at NPS01 (ERM 2020)

Figure 6.1 Survey Results

7 SIGNIFICANCE ASSESSMENT

The following section provides an assessment of the overall Aboriginal cultural heritage significance of the Newcastle Power Station Project Area, including the Proposed Amendment Areas. All statements made here regarding the Project Area apply to the Proposed Amendment Areas, and include the proposed East and West Laydown Areas. The Newcastle Power Station Project Area has been assessed against the NSW significance assessment criteria for potential for social, historical, scientific, and aesthetic values, contributing to the overall significance of the area.

7.1 Assessment of Aboriginal Cultural Significance

Cultural significance is defined in The Australia ICOMOS Charter for Places of Cultural Significance 2013 (Burra Charter) as ‘a concept which helps in estimating the value of places’. The places that are likely to be of significance are those which help an understanding of the past or enrich the present, and which will be of value to future generations. The Burra Charter provides a definition of cultural significance as “aesthetic, historic, scientific or social value for past, present or future generations”. Aboriginal cultural heritage sites can be assessed through the applications of these four principle values.

Description of cultural heritage values

The review of background information and information gained through consultation with Aboriginal people should provide insight into past events. These include how the landscape was used and why the identified Aboriginal objects are in this location, along with contemporary uses of the land. The following descriptions of cultural heritage values are drawn from *the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* (OEH 2011), based on the Burra Charter principles.

- **Social or cultural value** (assessed only by Traditional Owners/First Nations People) refers to the spiritual, traditional, historical or contemporary associations and attachments the place or area has for Aboriginal people. Social or cultural value is how people express their connection with a place and the meaning that place has for them;
- **Historic value** (assessed by Traditional Owners/First Nations People and/or non-Aboriginal historical specialists) refers to the associations of a place with a historically important person, event, phase or activity in an Aboriginal community. Historic places do not always have physical evidence of their historic importance (such as structures, planted vegetation or landscape modifications). They may have ‘shared’ historic values with other (non-Aboriginal) communities and include places of post-contact Aboriginal history; and
- **Scientific (archaeological) value** (assessed by professional archaeologists) refers to the importance of a landscape, area, place or object because of its rarity, representativeness and the extent to which it may contribute to further understanding and information.

Significance values will be graded with a basic ranking of high, moderate, or low. The grading is based on the rarity, representativeness and research (educational) potential for each value:

- High significance is usually attributed to sites, which are so rare or unique that the loss of the site would affect our ability to understand aspects of past Aboriginal use/occupation for an area;
 - Moderate significance can be attributed to sites which provide information on an established research question; and
 - Low significance is attributed to sites that cannot contribute new information about past Aboriginal use/occupation of an area. This may be due to disturbance of the nature of the site’s contents.
- **Aesthetic value** (assessed by Traditional Owners and/or non-Aboriginal specialists) refers to the sensory, scenic, architectural and creative aspects of the place. It is often closely linked with social values. It may consider form, scale, colour, texture and material of the fabric or landscape, and the smell and sounds associated with the place and its use.

7.1.1 Cultural/Social Significance

No comments were received specifically relating to cultural/social significance of the project area to the local Aboriginal community.

7.1.2 Historic Significance

There is no evidence to suggest that the Newcastle Power Station Project Area holds any historical significance for local Aboriginal people.

7.1.3 Scientific Significance

Stone artefact sites including open camp sites (or artefact scatters) and isolated finds are the most common site types found across the region, which is reflected in both field survey and test excavations. Artefact material across the broader Newcastle Power Station Project Area was typical of that found throughout the region, dominated by silcrete with occasional chert, and mudstone. Moreover, artefact types are in line with the broader regional pattern with a majority of finds being flakes or cores. Identified artefacts were located in disturbed contexts, within heavily eroded exposures that often also displayed evidence of vehicle use or sediments where heavy disturbance is evident. The level of disturbance observed suggests little surface or subsurface material would remain *in situ*, and therefore would provide little additional scientific information.

NPS01 has not been subject to subsurface archaeological testing as part of this assessment, as AGL is proposing to avoid the area of archaeological potential associated with NPS01 by providing a 20 m buffer between NPS01 and the proposed Central Laydown Area. The results of the Jacobs (2015) study indicate that the areas surrounding NPS01 contained subsurface objects. Indicating that the site may contain archaeological potential. NPS01 has been assessed as having low to moderate scientific significance, which would only be clarified through archaeological investigation and analysis of any subsurface material identified.

The remainder of the Newcastle Power Station Project Area and Proposed Amendment Areas have low potential to contain Aboriginal objects, based on the results of previous assessments. No objects were identified during the archaeological survey.

The Newcastle Power Station Project Area and Proposed Amendment Areas have been assessed as having low scientific significance.

7.1.4 Aesthetic Significance

There are no features of the Project Area or identified artefacts that indicate aesthetic significance.

7.2 Aboriginal Heritage Statement of Significance

The Project Area has no social, historical or aesthetic values. Based on the results of archaeological survey and test excavation within the Project Area, scientific significance has been assessed as being low.

No comments were received regarding overall cultural value of the Project Area, and it can be generally considered that the project area is of low overall significance.

8 IMPACT ASSESSMENT

8.1 Proposed Impact

AGL is proposing a number of amendments to the Newcastle Power Station development, including: development of temporary construction laydown areas (Central, East and West); the development of a crushing and screening facility within Lot 3; and minor amendment of the proposed transmission line easement and roadworks corridor on Old Punt Road.

The proposed works will consist of the following impacts:

- Construction Laydown Areas
 - Minimal earthworks (Central Laydown only), including clearing and grubbing, compacting surface, and installing security fencing.
 - No earthworks will be undertaken at the East and West Laydown Areas, as these have already been cleared and paved.
- Proposed Screening and Crushing Facility
 - Ground preparations, including clearing, grubbing and levelling, construction of the screening and crushing facility, within the Project Area originally assessed for impact.
- Minor road alignment amendments
 - Ground preparations, including clearing and grading, installation of road base and asphalt, and construction of kerbing, within the Project Area originally assessed for impact.
- Amended transmission line alignment
 - The proposed amended alignment is within the Project Area originally assessed for impact, with no alteration of the proposed construction method.

8.2 Impact to Aboriginal Cultural Heritage Values

Field survey and Aboriginal community consultation were undertaken to identify Aboriginal cultural heritage values present within the Newcastle Power Station Project Area, in order to mitigate and manage impacts from the proposed works. The field survey identified four Aboriginal heritage sites within the Newcastle Power Station Project Area, identified as NPS01 (AHIMS #38-4-2020), (NPS02/AHIMS #38-4-2021 and NPS03/AHIMS #38-4-2022), and a low density subsurface scatter (NPS04/AHIMS #38-4-2038). Of the four identified sites, there are none within the proposed amendment areas.

8.2.1 Construction Laydown Areas

Three temporary construction laydown areas are proposed (Central, East and West). The proposed East and West construction laydown areas will be situated on previously cleared land that presently contains concrete/asphalt hardstands. As such, the installation of a construction laydown area in these locations will require no ground preparation works and will not result in impacts to Aboriginal Cultural Heritage.

The Central laydown area proposed within Lot 2 and Lot 3 is situated approximately 20 m southeast of the identified site NPS01. NPS01 was recorded as a large, low-density artefact scatter consisting of 23 stone artefacts identified along an informal track. The artefacts included flakes and cores, manufactured from silcrete and chert raw materials.

During initial planning of the Central laydown area, ERM worked with Aurecon and AGL to avoid or mitigate impacts to NPS01. Through considered design, AGL has proposed a construction laydown area that will completely avoid NPS01 (as shown in *Figure 8.1*). To ensure no inadvertent impacts

during initial ground preparation works, a buffer of 20 m from NPS01 has been established, and the construction laydown area will be installed outside this buffer.

8.2.2 Screening and Crushing Facility

The proposed screening and crushing facility is within the Newcastle Power Station Project Area, as previously assessed. It is understood that the proposed screening and crushing facility will be situated in proximity to the proposed power station. As such, impacts in this area have been assessed by the Newcastle Power Station ACHAR (ERM 2020). No additional impacts to Aboriginal Cultural Heritage will result from the addition of the screening and crushing facility to the Project Footprint.

8.2.3 Road Alignments

Construction of the road alignments would include land clearance and grading, installation of road base and asphalt, and construction of kerbing as well as as other ancillary activities. These activities will result in impacts to ground surface at the proposed locations. The proposed amendments to the road alignments will avoid all known Aboriginal Cultural Heritage sites within the Newcastle Power Station Project Area.

Construction impacts will be managed in accordance with the recommendations made in the EIS and reiterated in *Section 9* of this report, and an Aboriginal Cultural Heritage Management Plan.

8.2.4 Transmission Line Easement

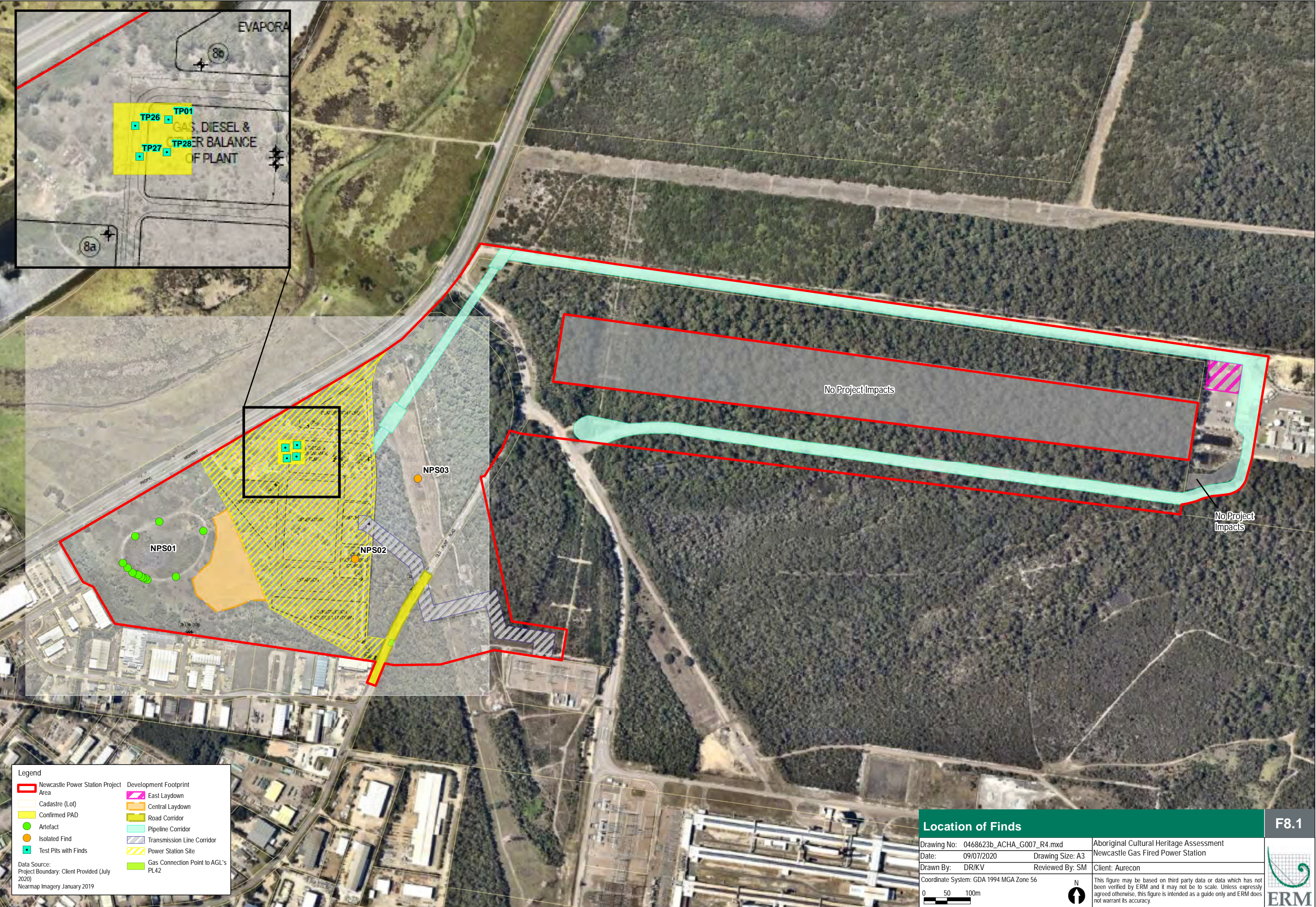
The proposed amendment of the transmission line easement will occur within the Newcastle Power Station Project Area, as investigated in the ACHAR submitted with the EIS (ERM, 2020). The transmission line amendment will not occur in proximity to any known Aboriginal Cultural Heritage Site and will result in no impacts to known sites.

Construction impacts will be managed in accordance with the recommendations made in the EIS and reiterated in *Section 9* of this report, and an Aboriginal Cultural Heritage Management Plan.

8.2.5 Summary of Impacts

The proposed design amendments will have no impact to Aboriginal Cultural Heritage values. Avoidance of NPS01 has been achieved through careful design of the proposed construction laydown areas on Lot 2 and Lot 3. No other proposed amendments are in proximity to known Aboriginal Cultural Heritage sites, and the overall archaeological potential of the Newcastle Power Station Project Area is considered to be low.

An impact assessment summary of all identified sites can be found in *Section 9, Table 9.1* of the Newcastle Power Station ACHAR (ERM 2020).



Legend

Newcastle Power Station Project Area

Cadastre (Lot)

Confirmed PAD

Artefact

Isolated Find

Test Pits with Finds

Development Footprint

East Laydown

Central Laydown

Road Corridor

Pipeline Corridor

Transmission Line Corridor

Power Station Site

Gas Connection Point to AGL's PL42

Data Source:
Project Boundary: Client Provided (July 2020)
Nearmap Imagery January 2019

Location of Finds

Drawing No: 0468623b_ACHA_G007_R4.mxd	Aboriginal Cultural Heritage Assessment
Date: 09/07/2020	Newcastle Gas Fired Power Station
Drawn By: DR/KV	Reviewed By: SM
Client: Aurecon	
Coordinate System: GDA 1994 MGA Zone 56	
0 50 100m	
N	
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.	

9 CONCLUSIONS AND RECOMMENDATIONS

9.1 Conclusions

Field survey of the Newcastle Power Station Project Area (ERM 2020) identified four (4) previously unidentified Aboriginal heritage sites. Comparison of these results against the location of the proposed amendment areas indicates that only one site, NPS01, is situated within 20 m of the proposed amendments, specifically the proposed Central laydown area.

Through considered design, AGL proposes to avoid direct and indirect impact to NPS01 during establishment of the Central laydown area. No project impacts will occur within 20 m of NPS01.

The conclusions of this report can be summarised as:

- Four (4) Aboriginal sites are located within the Newcastle Power Station Project Area;
- Only one of the sites (NPS01) is situated within 20 m of the Proposed Amendment Areas, and will be avoided through careful design of the proposed Central Laydown Area;
- The remaining three sites will be subject to impact as part of the Newcastle Power Station project works, however, no additional impacts will result from the proposed amendments.
- The likelihood of identifying further artefacts within the Proposed Amendment Areas is minimal;
- No additional impacts will result from the Proposed Amendment Areas; and
- All sites and objects within the broader Newcastle Power Station Project Area will be managed under the recommendations made below and presented in the Aboriginal Cultural Heritage Management Plan.

9.2 Recommendations

The following recommendations are made to assist in ongoing management of identified Aboriginal Cultural Heritage located in proximity to the Proposed Amendment Areas. The proposed Central laydown area has been located 20 m from site NPS01 to ensure no accidental impacts occur to NPS01 during ground preparation works and operation of the construction laydown area. To ensure this 20 m buffer is maintained, it is recommended that:

- A surveyor is engaged to mark-out the boundaries of the construction laydown area;
- A physical barrier (e.g. portable mobile fencing) is installed at the outer edge of NPS01, where it abuts the laydown area to ensure personnel and vehicles remain within the proposed impact area. The physical barrier should be of a sort that does not result in ground disturbance;
- Signage is installed alerting construction staff of the presence of the Aboriginal Cultural Heritage site to the north, which would be designated as a No-Go Zone; and
- The presence of this site and the No-Go Zone would be included in the construction site induction.

The following management recommendation statements below were developed for the broader Newcastle Power Station assessment, taking into consideration information gathered from the background desktop investigation, predictive modelling, results of the field survey, heritage significance assessment, legislative requirements, and consultation with relevant Aboriginal parties. These recommendations are as presented in the EIS.

9.2.1 Aboriginal Cultural Heritage Management Plan

- An Aboriginal Cultural Heritage Management Plan (ACHMP) should be prepared for the Project, prior to commencement of groundworks.

- The ACHMP should be prepared in consultation with the RAPs and the Biodiversity and Conservation Division (BCD) of the DPIE.
- The ACHMP should include, but not be restricted to, management procedures for:
 - Long-term management of objects and Aboriginal cultural values;
 - Cultural awareness inductions;
 - Chance find procedures;
 - Mitigating impact to sites; and
 - Ongoing consultation with the RAPs.

9.2.2 Cultural Awareness Induction

- All personnel involved with ground breaking activities within the Project Area should undertake a cultural awareness training programme in line with the recommendations below.

9.2.3 Chance Finds Procedure

- If suspected Aboriginal heritage objects are found during works, the following Chance Find Procedure should be followed and applies to the entire Project Area:
 - All activity in the immediate area should cease and an appropriately qualified heritage professional should be consulted;
 - BDC should be immediately contacted;
 - Local Aboriginal stakeholder groups should be notified; and
 - An appropriately qualified heritage professional should record the location and attributes of the site and determine the significance of the find;
- In the event of the discovery of human skeletal material (or suspected human skeletal material) during project activities in the Project Area the following steps should be followed:
 - All activities and/or works in the immediate area must cease;
 - The State Police must be contacted along with the BDC; and
 - Any sand/soils removed from the near vicinity of the find must be identified and set aside for assessment by the investigating authorities.

9.2.4 Long-term management of objects

- Artefacts and charcoal recovered during the testing program are currently being held by ERM, until project approval is granted.
- Upon project approval, the artefacts and charcoal samples should be returned to the RAPs. It is suggested that the most appropriate course of action would be reburial at a location determined by the RAPs, as close as possible to the location from which they were recovered; however, this approach will need to be planned in consultation with all RAPs and a unanimous agreement should be reached.
- Recommended long term management procedures and protocols should be integrated into the ACHMP.

9.2.5 Aboriginal Community Endorsement and Recommendations

- A copy of this report should be provided to each of the Registered Aboriginal Parties for comment; and
- Upon finalisation, a copy of this report incorporating comments from the RAPs should be provided to the relevant BDC regional branch.

10 REFERENCES

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- NSW Heritage Office 1996 *NSW Heritage Manual* published by Department of Urban Planning and Affairs (NSW).
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- Tindale 1974 *Aboriginal tribes of Australia: their terrain, environmental controls, distribution, limits, and proper names*. University of California Press, Berkeley.
- URS 2002 Tomago Gas Fired Power Station Environmental Impact Statement. Prepared for Macquarie Generation.

APPENDIX A SEARS AND AGENCY COMMENTS

Anthony Ko

From: Airport Developments <Airport.Developments@AirservicesAustralia.com>
Sent: Friday, 1 February 2019 3:26 PM
To: Tatsiana Bandaruk
Cc: Anthony Ko; Hogan, Timothy MR 2
Subject: NSW-MI-025 - SEARs, Newcastle Gas Fired Power Station (SSI 9837) [SEC=UNCLASSIFIED]

Hi Tatsiana,

We recommend that operators of Newcastle Airport, which is the Department of Defence, be consulted to evaluate this development in the first instance. We suggest also a plume rise assessment is provided to Newcastle Airport. Newcastle Airport will determine if this development needs to be referred to Airservices for assessment.

Regards,

William Zhao

Advisor Airport Development | Operations Standards & Assurance
Airservices Australia

Phone: +61 3 9339 2504

Email: airport.developments@airservicesaustralia.com

www.airservicesaustralia.com

attached for your reference.

From: GCR CASA
To: [Tatsiana Bandaruk](#)
Cc: [GCR CASA](#)
Subject: CASA Response G119/69 Newcastle Gas Fired Power Station (SSI 9837) - Request for input to the SEARs [SEC=UNCLASSIFIED]
Date: Friday, 1 February 2019 9:27:23 AM
Attachments: [image001.png](#)

UNCLASSIFIED

Dear Ms Bandaruk

I refer to your email below requesting comment from the Civil Aviation Safety Authority (CASA) on the Newcastle Gas Fired Power Station Project, located in Tomago, north of Newcastle NSW.

CASA has reviewed the Secretary's Environmental Assessment Requirements (SEARs) and I am advised that a Plume Rise assessment should be conducted by the proponent.

As the proposal is within the Williamstown Control Zone, CASA recommends that input from the Department of Defence be sought. However, before Defence can comment or provide an informed response on the proposal they will require answers to the following:

1. Height of the stacks (above mean sea level and above ground level)
2. The location of the proposed stacks (Latitude and Longitude)
3. Height and lateral extent of the exhaust plume
4. Results of the plume rise modelling
5. Will there be any proposed, associated danger areas
6. Plans for catastrophic and minor failures, i.e. what danger areas would need to be put in place if any, how would it affect the airspace, etc, and
7. Has an AVRMP been done? If so, a copy of the report.

Please contact Mr Aaron Doherty at the Department of Defence if you wish to discuss this matter further. Mr Doherty can be contacted by email at aaron.doherty@defence.gov.au.

I trust this information is of assistance.

Yours sincerely

Steve Neal
Section Manager
Government and Corporate Relations

Phone 131 757

From: Tatsiana Bandaruk <Tatsiana.Bandaruk@planning.nsw.gov.au>
Sent: Friday, 25 January 2019 2:46 PM
Cc: Anthony Ko <Anthony.Ko@planning.nsw.gov.au>

Subject: Newcastle Gas Fired Power Station (SSI 9837) - Request for input to the SEARs

Newcastle Gas Fired Power Station Project (SSI 9837)
Request for Input into Secretary's Environmental Assessment Requirements

Good afternoon,

AGL Macquarie Pty Ltd has requested Secretary's Environmental Assessment Requirements (SEARs) for the Newcastle Gas Fired Power Station Project, located in Tomago, north of Newcastle, within the Port Stephens local government area.

The proposal involves:

- the construction and operation of a 250 MW gas fired power station; and
- ancillary infrastructure including connection to gas supply, gas compression facilities, fuel storage tanks, water management facilities and grid connection.

This email is to seek agency input to the SEARs for this project.

The Preliminary Environmental Assessment is available at http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9837, and a copy of the proposed SEARs is attached for your reference.

It would be appreciated if you could review these documents and provide any comments by COB **Friday 8 February 2019**.

Kind regards,

Tatsiana Bandaruk

Environmental Assessment Officer

Resource and Energy Assessments | Planning Services

Level 30, 320 Pitt Street | GPO Box 39 | Sydney NSW 2001

T 02 8275 1349

E: tatsiana.bandaruk@planning.nsw.gov.au



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6 February 2019

Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

APPLICATION NO: (Our Ref. 25-2019-1-1)

PROPOSAL: Newcastle Gas Fired Power Station Project (SSI 9837)

PROPERTY: 1940 Pacific Highway, TOMAGO 2322 (Lot: 3 DP: 1043561)

ATTN: Tatsiana Bandaruk

Dear Sir / Madam,

Thank you for your correspondence dated 25 January 2019 requesting Council's comments for the above development. Council has given consideration to the likely impacts of the proposal and makes the following comments.

Biodiversity considerations

- Assessment of koala habitat on site and offsetting requirements are to be conducted in accordance with Port Stephens Council's Comprehensive Koala Plan of Management.
- Any offsetting requirements in accordance with the biodiversity offset scheme should be secured within the local area, where possible.
- As the proposal site is located within proximity to a number of wetland environments including the Hunter Estuary Wetlands (Ramsar site) and known habitat for threatened species and migratory birds, an assessment of air and water quality impacts in relation to biodiversity impacts is required to determine potential impacts of emissions (chemical and heat (including plume rise)) and associated acid rainfall events on wetlands environments (including SEPP wetlands, nationally important wetlands and internationally important wetlands). Special consideration should be given to potential impacts on habitat quality, food sources (insects, fish etc.), flight patterns of migratory birds and amphibians.

Heritage considerations

- As the site has been identified as an area of high Aboriginal heritage significance, comprehensive assessment including detailed consultation with Aboriginal stakeholders and subsurface investigations are required. Subsurface investigations are to be completed by a qualified archaeologist in accordance with the Code of Practice for Archaeological Investigation of Aboriginal objects in NSW (DECCW 2010). The results of subsurface investigations should inform future management potential archaeological deposits and determine whether an Aboriginal Heritage Impact Permit (AHIP) would be required.

Thank you for the opportunity to comment on the proposed development. If you wish to discuss the matters raised above or have any questions, please contact me on the number below and I will be happy to help.

Yours Faithfully

A handwritten signature in grey ink, appearing to read 'J. Franklin', with a stylized flourish at the end.

Jessica Franklin
Development Planner

Port Stephens Council

Phone: 4988 0141

Email: jessica.franklin@portstephens.nsw.gov.au

Web: www.portstephens.nsw.gov.au



Department of Industry

OUT19/1114

Tatsiana Bandaruk
Environmental Assessment Officer
Resource and Energy Assessments
NSW Department of Planning and Environment

Tatsiana.Bandaruk@planning.nsw.gov.au

Dear Ms Bandaruk

**Newcastle Gas Fired Power Station (SSI 9837)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)**

I refer to your email of 25 January 2019 to the Department of Industry (DoI) in respect to the above matter. Comment has been sought from relevant branches of Lands & Water and Department of Primary Industries (DPI), and the following requirements for the proposal are provided:

DoI -- Water and Natural Resources Access Regulator

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at <https://www.industry.nsw.gov.au/water>).

Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

Yours sincerely

Liz Rogers
Manager, Assessments
Lands and Water - Strategy and Policy
6 February 2019



Planning &
Environment

30 January 2019

Tatsiana Bandaruk
Environmental Assessment Officer
Resource and Energy Assessments – Planning Services
GPO Box 39
Sydney NSW 2001

Your Reference: SSI 9837
Our Reference: DOC19/74683

Emailed: tatsiana.bandaruk@planning.nsw.gov.au

Dear Ms Bandaruk

**Re: Request for Secretary's Environmental Assessment Requirements –
Newcastle Gas Fired Power Station (SSI 9837)**

I refer to your letter of the 25th of January 2019 requesting advice on issues concerning the preparation of Secretary's Environmental Assessment Requirements for the Newcastle Gas Fired Power Station (SSI 9837).

The Division of Resources & Geoscience has not identified the potential for the project to impact on significant mineral resources, including metallic minerals, industrial and extractive minerals, petroleum, gas or coal resources. No operating extractive industry, mines or petroleum production facilities have been identified for consideration, nor any exploration activities.

As such, the Division does not have specific requirements regarding land use compatibility for the project site or utilities investigation areas. The Division may provide advice on the location of biodiversity offset areas for the project through the Biodiversity Offsets Scheme.

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the Division of Resources & Geoscience - Land Use team at landuse.minerals@geoscience.nsw.gov.au.

NSW Department of Planning and Environment
DIVISION of RESOURCES & GEOSCIENCE
PO Box 344 Hunter Region Mail Centre NSW 2310
E: landuse.minerals@geoscience.nsw.gov.au
Tel: 02 4063 6500
ABN 38 755 709 681

Yours sincerely

Andrew Helman
A/Manager - Land Use

A handwritten signature in black ink, appearing to read 'P. Dale', with a small dot at the end.

For Paul Dale
Director – Land Use & Titles Advice



DOC19/66222-2; EF14/502 (SSI 9837)

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Tatsiana Bandaruk
By email: tatsiana.bandaruk@planning.nsw.gov.au

8 February 2019

**NEWCASTLE GAS FIRED POWER STATION PROJECT - (SSI 9837)
SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

I refer to your email to the Environment Protection Authority (EPA) dated 25 January 2019 seeking the EPA's comments on the draft Secretary Environmental Assessment Requirements (SEARS) for the Newcastle Gas Fired Power Station Project, located at 1940 Pacific Highway, Tomago, in the Port Stephens local government area.

The EPA understands that the proposal involves:

- construction and operation of a 250 MW gas fired power station; and
- ancillary infrastructure including connection to gas supply, gas compression facilities, fuel storage tanks, water management facilities and grid connection.

The EPA has considered the proposal and has identified in **Attachment A** the information it requires to assess the project. The EPA has included specific comments on air issues based on the information presented in the Preliminary Environmental Assessment and the known capacity of the Tomago airshed to accept additional pollutants.

In carrying out the EIS assessment, the EPA recommends that the proponent refers to the relevant guidelines listed in **Attachment B** and any relevant industry codes of practice and best practice management guidelines.

If you require any further information regarding this matter, please contact Genevieve Lorang on 4908 6869 or by email to hunter.region@epa.nsw.gov.au.

Yours sincerely

MITCHELL BENNETT
Head Strategic Operations Unit - Hunter
Environment Protection Authority

Encl: **Attachment A** – EPA's Recommended Secretary's Environmental Assessment Requirements – Newcastle Gas
Fired Power Station -1940 Pacific Highway Road, Tomago (SEAR 9837).

Attachment B – Guidance Material

ATTACHMENT A

EPA's Recommended Secretary's Environmental Assessment Requirements – Newcastle Gas Fired Power Station, Tomago. (SEAR 9837).

1 Environmental impacts of the project

Impacts related to the following environmental issues need to be assessed, quantified and reported on:

- Air Quality
- Noise and Vibration
- Water and Soil Quality and Management
- Waste Management
- Dangerous Goods, Chemical Storage and Bunding

The Environmental Impact Statement (EIS) should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at Attachment B.

2 Licensing requirements

Should project approval be granted, the proponent will need to make a separate application to EPA for an Environment Protection Licence for the scheduled activity of Electricity Generation. Additional information is available through EPA's *Guide to Licensing* document.

General information on licence requirements can also be obtained from EPA's Environment Line on 131 555 during office hours, or can be found at the EPA web site at:

<http://www.epa.nsw.gov.au/licensing/>

3 The Proposal and Premises

The objectives of the proposal should be clearly stated and refer to:

- The size and type of the operation;
- The nature of the processes and the products, by-products and wastes produced;
- The types and quantities of any chemicals to be used and stored onsite;
- Proposed operational hours, including any heavy vehicle movements;
- Proposed maximum and average annual production rates that will occur at the premises; and
- Proposed staging and timing of the proposal.

The EIS will need to fully identify all the processes and activities intended for the site over the life of the development. This will include details of:

- The location of the proposed facility and details of the surrounding environment;
- The proposed layout of the site;
- Appropriate land use zoning;
- Ownership details of any residence and/or land likely to be affected by the proposed operations;
- Maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the facility;
- All equipment proposed for use at the site;
- All chemicals, including fuel, used on the site and proposed methods for their transportation, storage, use and emergency management;
- Clearly detail the boundary of the premises; and
- Methods to mitigate any expected environmental impacts of the development.

4 Air Issues

4.1 Air quality

The EIS should include an air quality impact assessment (AQIA) in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW, including, as a minimum the following components:

Specifics relating to the proposed project

In reviewing the Preliminary Environmental Assessment (PEA) the EPA has identified some specific issues that need to be addressed based on the information presented to date:

1. The PEA mentions that either reciprocating engines or turbines may be used as generators running on both/either gas or diesel. The EIS must clearly state what type of generators will be used.
2. Gas and diesel may have very different air emissions profiles and if either fuel source may be used, each fuel source need to be assessed separately under worst case scenarios (in terms of operating output, predicted emissions at that output and the maximum amount of time the unit will operate (if it is less than 24 hours).
3. If diesel is to be used for “cold start” of the generators prior to switching to gas the EIS needs to clearly detail the average synchronisation times and diesel burn times prior to switching to gas operation. Such operations would need to be assessed and modelled covering both fuel sources and maximum times each would run for.
4. The EIS needs to specifically assess known issues within the Tomago airshed in the cumulative air assessment. The EPA advises that the airshed is currently constrained in terms of additional pollutant inputs, particularly with regard to sulphur dioxide and fluoride. Combustion of diesel may be limited by the local airshed capacity.

Assessment Objective

1. Demonstrate the proposed project will incorporate and apply best management practice emission controls. The EPA notes that the PEA mentions that if turbines are to be used that thermal emissions will be vented to atmosphere. This is not best practice and the EIS should explore alternative options such as heat capture to reboilers using closed cycle turbines; and
2. Demonstrate that the project will not cause violation of the project adopted air quality impact assessment criteria at any residential dwelling or other sensitive receptor.

Assessment Criteria

- Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations (POEO) Act (1997)* and the POEO (Clean Air) Regulation (2010).

Existing Environment

- Provide a detailed description of the existing environment within the assessment domain, including:
 - geophysical form and land-uses;
 - location of all sensitive receptors;
 - local and regional prevailing meteorology.

Emissions Inventory

- Provide a detailed description of the project and identify the key stages with regards to the potential for air emissions and impacts on the surrounding environment.

- Identify all sources of air emissions, including mechanically generated, combustion and transport related emissions likely to be associated with the proposed development.

Air Quality Emission Control Measures

- Provide a detailed discussion of all proposed air quality emission control measures, including details of a reactive/predictive management system. The information provided must include:
 - explicit linkage of proposed emission controls to the site specific best practice determination assessment
 - timeframe for implementation of all identified emission controls;
 - key performance indicators for emission controls;
 - response mechanisms;
 - responsibilities for demonstrating and reporting achievement of KPIs;
 - record keeping and complaints response register; and

5 Noise and Vibration

The following matters should be addressed in relation to noise and vibration impacts associated with the proposal. This includes identification of the hours of operations, assessment of all activities where proposed, and impacts on sensitive receivers associated with the proposed hours of operation. The EPA notes that the PEA mentions that either reciprocating engines or turbines may be used as generators running on both/either gas or diesel. Given that these different generators may have different noise outputs, the EIS must clearly state what type of generators will be used and the noise assessment is conducted based on this.

The following matters should be addressed as part of the EIS.

General

- Construction noise associated with the proposed development should be assessed using the Interim Construction Noise Guideline (DECC, 2009).

Industry

- Operational noise from all industrial activities (including private haul roads) to be undertaken on the premises should be assessed using the guidelines contained in the NSW Industrial Noise Policy (EPA, 2000) and Industrial Noise Policy Application Notes.

Road

- Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in the NSW Road Noise Policy (DECCW, 2011).
- Noise from new or upgraded public roads should be assessed using the NSW Road Noise Policy (DECCW, 2011).

Monitoring

- Detail monitoring that will be conducted to assess the impacts of the proposal.

6 Water and Soils

6.1 Water Quality

Describe Proposal

- Describe the proposal including position of any intakes and discharges, volumes, water quality and frequency of all water discharges.
- Demonstrate that all practical options to avoid discharges have been implemented and environmental impact minimised where discharge is necessary.
- Where relevant include a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

Background Conditions

- Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal. Issues to be discussed should include but are not limited to:
 - a description of any impacts from existing industry or activities on water quality
 - a description of the condition of the local catchment e.g. erosion, soils, vegetation cover, etc.
 - an outline of baseline groundwater information, including, for example, depth to water table, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment
 - historic river flow data
- State the Water Quality Objectives for the receiving waters relevant to the proposal. These refer to the community's agreed environmental values and human uses endorsed by the NSW Government as goals for ambient waters (<http://www.environment.nsw.gov.au/ieo/index.htm>). Where groundwater may be impacted the assessment should identify appropriate groundwater environmental values.
- State the indicators and associated trigger values or criteria for the identified environmental values. This information should be based on the ANZECC (2000) Guidelines for Fresh and Marine Water Quality as a minimum but should also be based on advice from Hunter Water Corporation given the sensitive receiving environment of the Hunter River.
- State any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.

Impact Assessment

- Describe the nature and degree of impact that any proposed discharges will have on the receiving environment, both surface water and groundwater.
- Detail contractual and other arrangements that will be put in place to prevent pollution from haul roads and unsealed roads per se, particularly rights of carriageways not owned by the proponent.
- Assess impacts against the relevant ambient water quality outcomes. Demonstrate how the proposal will be designed and operated to:
 - protect the Water Quality Objectives for receiving waters where they are currently being achieved; and
 - contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.

- Where a discharge is proposed that includes a mixing zone, the proposal should demonstrate how wastewater discharged to waterways will ensure the ANZECC (2000) water quality criteria for relevant chemical and non-chemical parameters are met at the edge of the initial mixing zone of the discharge, and that any impacts in the initial mixing zone are demonstrated to be reversible.
- Propose water quality limits for any discharge(s) that adequately protects the receiving environment.
- Assess impacts on groundwater and groundwater dependent ecosystems.
- Describe how stormwater will be managed both during and after construction.

Monitoring

- Describe how predicted impacts will be monitored and assessed over time.

6.2 Soil

The EIS should include:

- An assessment of potential impacts on soil and land resources should be undertaken, being guided by Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
 - Soil erosion and sediment transport - in accordance with Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008).
- A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

7 Waste

The EIS should:

- Include a detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.
- Identify, quantify, characterise and classify all waste that currently exists at the site. Identify the intended end use, for example reuse or disposal, and the end use location(s) for the waste. Also, specify the mechanism under which waste will be reused or disposed, such as a Resource Recovery Exemption. Note: All waste must be classified in accordance with EPA's Classification Guidelines.
- Identify, characterise and classify all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste. Note: All waste must be classified in accordance with EPA's Waste Classification Guidelines.
- Identify, characterise and classify all waste that is proposed to be disposed of to an offsite location, including proposed quantities of the waste and the disposal locations for the waste. This includes waste that is intended for re-use or recycling. Note: All waste must be classified in accordance with EPA's Classification Guidelines.
- Include a commitment to retaining all sampling and classification results for the life of the project to demonstrate compliance with EPA's Waste Classification Guidelines.

- Provide details of how waste will be handled and managed onsite to minimise pollution, including:
 - a) Stockpile location and management
 - Labelling of stockpiles for identification, ensuring that all waste is clearly identified and stockpiled separately from other types of material (especially the separation of any contaminated and non-contaminated waste).
 - Proposed height limits for all waste to reduce the potential for dust and odour.
 - Procedures for minimising the movement of waste around the site and double handling.
 - Measures to minimise leaching from stockpiles into the surrounding environment, such as sediment fencing, geofabric liners etc.
 - b) Erosion, sediment and leachate control including measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site during works. The EIS should show the location of each measure to be implemented. The Proponent should consider measures such as:
 - Sediment traps
 - Diversion banks
 - Sediment fences
 - Bunds (earth, hay, mulch)
 - Geofabric liners
 - Other control measures as appropriate
- The Proponent should also provide details of:
 - how leachate from stockpiled waste material will be kept separate from stormwater runoff;
 - treatment of leachate through a wastewater treatment plant (if applicable); and
 - any proposed transport and disposal of leachate off-site.
- Provide details of how the waste will be handled and managed during transport to a lawful facility. If the waste possesses hazardous characteristics, the Proponent must provide details of how the waste will be treated or immobilised to render it suitable for transport and disposal.
- Include details of all procedures and protocols to be implemented to ensure that any waste leaving the site is transported and disposed of lawfully and does not pose a risk to human health or the environment.
- Include a statement demonstrating that the Proponent is aware of EPA's requirements with respect to notification and tracking of waste.
- Include a statement demonstrating that the Proponent is aware of the relevant legislative requirements for disposal of the waste, including any relevant Resource Recovery Exemptions, as gazetted by EPA from time to time.
- Outline contingency plans for any event that affects operations at the site that may result in environmental harm, including: excessive stockpiling of waste, volume of leachate generated exceeds the storage capacity available on-site etc.
- Include details of the quantity and type of liquid and/or non-liquid waste(s) generated, handled, processed or disposed of at the premises, including:
 - the transportation, assessment and handling of waste arriving at or generated at the site;
 - any stockpiling of wastes or recovered materials at the site;
 - any waste processing related to the facility, including reuse, recycling, reprocessing or treatment both on- and off-site;

- the method for disposing of all wastes or recovered materials at the facility;
- the emissions arising from the handling, storage, processing and reprocessing of waste at the facility;
- the proposed controls for managing the environmental impacts of these activities.

8 Dangerous Goods, Chemical storage and Bunding

- The EIS must outline all details regarding the transport, handling, storage and use of dangerous goods, chemicals and products, including fuel, both on site and with ancillary activities and describe the measures proposed to minimise the potential for leakage or the migration of pollutants into the soil/waters or from the site.
- The EIS should identify any fuel or chemical storage areas proposed for the site.
- The EIS should consider compliance with the following legislation, standards and guidelines where relevant:
 - Australian Standard AS1692:1989 Tanks for Flammable and combustible liquids;
 - The DECC's "Bunding and Spill Management" Technical Guideline (November 1997)
 - Australian Standard AS 1940:2004 The Storage and Handling of Flammable and Combustible Liquids
 - Australia Standard AS 4452-1997: The Storage and Handling of Toxic Substances;
 - Australian/New Zealand Standard AS/NZS 4452:1997: The Storage and Handling of Mixed Classes of Dangerous Goods in Packages and Intermediate Bulk Containers;
 - and
 - Road and Rail Transport (Dangerous Goods) Act 1997

9 Monitoring Programs

The EIS should include a detailed assessment of any noise, air quality, weather, water or waste monitoring required during the construction and on-going operation of the site to ensure that the development achieves a satisfactory level of environmental performance. The evaluation should include a detailed description of the monitoring locations, sample analysis methods and the level of reporting proposed.

ATTACHMENT B**Guidance Material**

Title	Web address
<u>Relevant Legislation</u>	
<i>Environmentally Hazardous Chemicals Act 1985</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+14+1985+cd+0+N
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<u>Licensing</u>	
Guide to Licensing	www.environment.nsw.gov.au/licensing/licenceguide.htm
<u>Air Issues</u>	
Air Quality	
Approved methods for the Modelling and Assessment of Air Pollutants in NSW (2016)	http://www.epa.nsw.gov.au/resources/epa/approved-methods-for-modelling-and-assessment-of-air-pollutants-in-NSW-160666.pdf
Approved methods for the Sampling and Analysis of Air Pollutants in NSW (2016)	http://www.epa.nsw.gov.au/resources/air/07001amsaap.pdf
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+428+2010+cd+0+N
<u>Noise and Vibration</u>	
Interim Construction Noise Guideline (DECC, 2009)	http://www.environment.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.environment.nsw.gov.au/noise/vibrationguide.htm
NSW Industrial Noise Policy Noise Policy for Industry (2017)	http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/nsw-industrial-noise-policy
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf
<u>Waste</u>	
Waste Classification Guidelines (EPA, 2014)	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery exemption	http://www.epa.nsw.gov.au/wasteregulation/recovery-exemptions.htm
<u>Water</u>	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.mincos.gov.au/publications/australian_and_new_zealand_guidelines_for_fresh_and_marine_water_quality

Title	Web address
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

Anthony Ko

From: Fire Safety <FireSafety@fire.nsw.gov.au>
Sent: Monday, 18 February 2019 12:06 PM
To: Tatsiana Bandaruk
Subject: FRN19/354 - BFS19/291 - FW: Newcastle Gas Fired Power Station Project (SSI 9837) Request for Input into Secretary's Environmental Assessment Requirements

Dear Tatsiana,

In regards to your email correspondence dated the 25th of January 2019, Fire & Rescue NSW confirms receipt of the Secretary's Environmental Assessment Requirements (SEARs) for AGL Macquarie Pty Ltd, Newcastle Gas Fired Power Station Project (SSI 9837), located in Tomago, north of Newcastle, within the Port Stephens local government area.

It has been the experience of FRNSW that power stations pose unique challenges to firefighters when responding to and managing an incident. Factors such as high and potentially hazardous fuel loads, facility layout, and design of fire safety systems have a significant impact on the ability to conduct firefighting operations safely and effectively. Consultation with organisations such as FRNSW throughout the development process enables the design and implementation of more effective fire safety solutions that help to mitigate the impact of incidents when they occur.

FRNSW understands the project will undergo a State Environmental Planning Policy No.33 – Hazardous and Offensive Development (SEPP 33) screening process and the subsequent development of a Preliminary Hazard Analysis (PHA) report.

Following a review of the SEARs FRNSW initial recommendations are that a comprehensive Fire Safety Study (FSS) will be required for the site.

FRNSW requests the opportunity to review and comment on the forthcoming EIS.

Regards



STATION OFFICER BRENDAN HURLEY

TEAM LEADER SPECIAL HAZARDS

INFRASTRUCTURE LIAISON UNIT | Fire and Rescue NSW

T: (02) 9742 7343 | M: 0438 601 582

1 Amarina Ave, Greenacre, NSW 2190 | Locked Mail Bag 12, Greenacre, NSW 2190

PREPARED FOR ANYTHING.

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enquiries@hunterwater.com.au

8 February 2019

Our Ref: HW2018-813

Resource and Energy Assessments
NSW Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Tatsiana Bandaruk, Environmental Assessment Officer
Via email: Tatsiana.Bandaruk@planning.nsw.gov.au

Dear Tatsiana,

RE: REQUEST FOR INPUT INTO SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS - NEWCASTLE GAS FIRED POWER STATION PROJECT (SSI 9837)

Thank you for your email on 25 January 2019 to Hunter Water Corporation (Hunter Water) seeking input for the Secretary's Environmental Assessment Requirements (SEARS) for the Environmental Impact Statement (EIS) for the proposed 250 MW gas fired power station and ancillary infrastructure at Tomago. Hunter Water understands that the proposed power station would operate as a peak load generation facility, would connect into the existing gas supply system at the Newcastle Gas Storage Facility (NGSF) and/or the Tomago to Hexham high pressure gas pipeline via new pipeline(s), and would connect into the existing electricity network at the Tomago switchyard via a new 132 kV transmission line. Ancillary infrastructure to be constructed on the power station site would include fuel storage tanks, water management facilities, workshops, administration buildings and amenities.

The proposed power station site is located adjacent to the Tomago Sandbeds Special Area as gazetted in the *Hunter Water Regulation 2015*, while the gas pipeline and electrical transmission investigation areas are located within the Special Area. The Tomago aquifer can supply up to 30% of the region's drinking water supply and plays an important strategic function for Hunter Water as a drought reserve.

Hunter Water's Operating Licence requires compliance with the Framework for Management of Drinking Water Quality that is part of the Australian Drinking Water Guidelines (ADWG). The Framework requires adoption of a multiple barrier approach to water quality, and states that "*the most effective barrier is protection of source water to the maximum degree practical*". Protection of land within the Special Area is key to ensuring that this barrier is effective. In accordance with the *Hunter Water Regulation 2015*, prevention of pollution or contamination of water in the Special Area is of paramount importance to the Corporation.

It is noted that the draft SEARs include, among others, the requirement for the EIS to address the following matters:

- an assessment of the impacts of the project on groundwater aquifers and groundwater dependent ecosystems;
- a detailed site water balance for the project, including water supply and wastewater disposal arrangements;
- an assessment of whether the project would have a neutral or beneficial effect on water quality;
- an assessment of potential contamination from the proposed construction of the site and its associated risks to human health and the environment; and
- a Biodiversity Development Assessment Report.

Hunter Water's recommended additions to these requirements are described below.

Aquifers and Groundwater Dependent Ecosystems (GDEs)

An assessment of the impact of the project on the Tomago aquifer and GDEs should specifically address the extraction of groundwater for both construction and operation as well as discharge of stormwater and excess water from operational activities to the environment, if proposed.

The NGSF is located within the groundwater draw zone for extraction wells at Station 20 in the Tomago aquifer, as indicated in Attachment 1. Where the proposed new gas pipeline would connect into the NGSF (either option) the construction and/or operation of the pipeline will potentially impact on the Hunter Water boreline and this should be addressed in the EIS.

Neutral or Beneficial Effect on Water Quality (NorBE)

Hunter Water expects that all development in drinking water catchments will demonstrate NorBE. NorBE applies to all releases of water, wastewater and other contaminants from the site that may affect water quality, during both construction and operation. A development is considered to demonstrate NorBE if the development:

- has no identifiable potential impact on water quality, or
- will contain any water quality impact on the development site and prevent it from reaching any watercourse, waterbody or drainage depression on the site, or
- will transfer any water quality impact outside the site where it is treated and disposed of to standards approved by the consent authority.

Hunter Water has published guidelines for development in drinking water catchments and these can be viewed on Hunter Water's website at [Guideline for Development in the Drinking Water catchments](#). This link may be included in the list of reference documents in Attachment 1 to the SEARS.

Water Supply and Associated Services

Hunter Water understands that operational water demands will be determined by the preferred power generation technology. Hunter Water notes that the Preliminary Environmental Assessment (PEA) identifies a range of options for water supply, including groundwater bores, the Hunter River, and the Hunter Water potable water network.

There is an existing water supply network in the vicinity of the NGSF. Environmental impacts associated with extending the existing water supply network, if required, should be addressed in the EIS.

Potable water supply would be from Grahamstown Water Treatment Plant which can be sourced from either Grahamstown Dam or Tomago Borefields depending on operational

requirements. There is varying water quality from either source which Hunter Water will be able to provide upon request.

From a water system demand perspective it is important to understand annual volume, volume required when operating, how long a 'peak' may last, average/peak flow rate required, and operating implications – this could influence how Hunter Water configures the network and what to do when changing source water

In addition to a water balance, the feasibility of each of the identified options should be detailed in the EIS. In particular, the EIS should address how water usage for the project will affect water availability for other relevant water users, including the environment, if groundwater bores are proposed to supply water from the Tomago aquifer. We reiterate that the Tomago Sandbeds are an important source of drinking water for the Lower Hunter Region, particularly during times of drought, and that this function should not be compromised.

The construction of ancillary services for the project, in particular, have the potential to impact on the Tomago aquifer and the EIS must assess these potential impacts. These include general construction impacts, such as erosion and spill risk, and the discharge of potable water to the downstream environment during the commissioning of new water supply assets, such as the impact of scouring the pipes and the need for dechlorination and other scour control measures. Designs should address site selection for scour or other maintenance access locations, including potential alternative locations.

Wastewater and Associated Services

The expected concentrations of contaminants and volumes of wastewater (sewage and process water), together with the preferred disposal option/s and any associated impacts, should be clearly addressed in the EIS. The EIS should also address whether the operation of the proposed power station would produce brine and how that would be disposed.

The PEA mentions potential options for the management of excess process water from the operation, but does not discuss how sewage generated at the power station will be managed. The site is not currently service by the existing Hunter Water sewer network, however, a private sewer scheme services the industrial area to the south of the site by way of a pump out system that operates under a Trade Waste Agreement with Hunter Water. The Proponent should liaise with Hunter Water to identify the requirements for connection to this system or alternate sewage management options.

The EIS should assess the options for the disposal of wastewater and the potential environmental and/or operational impacts of the chosen option. If disposal to sewer or tankering to the Raymond Terrace Wastewater Treatment Works is the preferred option, the assessment must address impacts to the capacity and functionality of the Hunter Water wastewater treatment system. Where development is located within a drinking water catchment, disposal of wastewater to a Hunter Water wastewater treatment system, whether by sewer or tanker, is considered to meet NorBE. If the proponent proposes to discharge process wastewater to the environment, evidence must be provided to demonstrate that the discharge meets NorBE.

If connection to the reticulated sewerage network is proposed, details of the impact assessment for such connection may be included in the EIS rather than in a separate document to Hunter Water. This should include assessment of the impacts of overflows from any manholes required.

Stormwater

The EIS should include a stormwater management plan and MUSIC modelling to demonstrate that the proposed stormwater treatment train will result in post-development stormwater quality that is equal to or better than the pre-development stormwater quality. The appropriate Port Stephens MUSIC Link defaults should be used, and the modelling files should be provided to Hunter Water (where there is a risk of impacts on the drinking water catchment) and Port Stephens Council for review, together with the MUSIC Link report and justification for any parameters that have been modified.

Contamination Risk

The potential for contaminants to be liberated and enter the Tomago aquifer as a result of construction and operation of the project should be addressed in the EIS. The nature and extent of the contamination risk should be described, including an estimation of the likely pollutant concentrations that may reach the aquifer and how such risks are proposed to be managed.

Biodiversity Development Assessment Report (BDAR)

The BDAR should include an assessment of the impact of the development on the adjacent biodiversity stewardship site proposed by Hunter Water. Hunter Water can provide more information about the biodiversity stewardship site to the consultant preparing the EIS. We note that the southern gas investigation corridor is less likely to affect the proposed biodiversity stewardship site than the northern corridor.

In particular, the BDAR needs to include an assessment of the impact of edge effects and disruption of movement corridors, particularly for koalas. It is noted that the PEA refers to endangered koala populations in Hawks Nest and Tea Gardens, which are in the Great Lakes Local Government Area and are a separate and distinct population from the population in the Tomago Sandbeds in the Port Stephens Local Government Area. During preparation of the BDAR, consultation should be undertaken with relevant organisations regarding koala population studies undertaken across the Tomago Sandbeds and regarding other koala data. Such organisations include Port Stephens Council, Hunter Wildlife Rescue and Port Stephens Koalas.

Regarding biodiversity offsets, we note that the Hunter Region Botanic Gardens has a register Biobanking Agreement with the Office of Environment and Heritage and has biodiversity credits available for purchase.

Additional Considerations

Indicative construction laydown and stockpiling areas must be nominated and assessed. All potentially contaminating materials should be stored outside the catchment area and construction should include the preparation of environmental management plans that address the management of all potential risks.

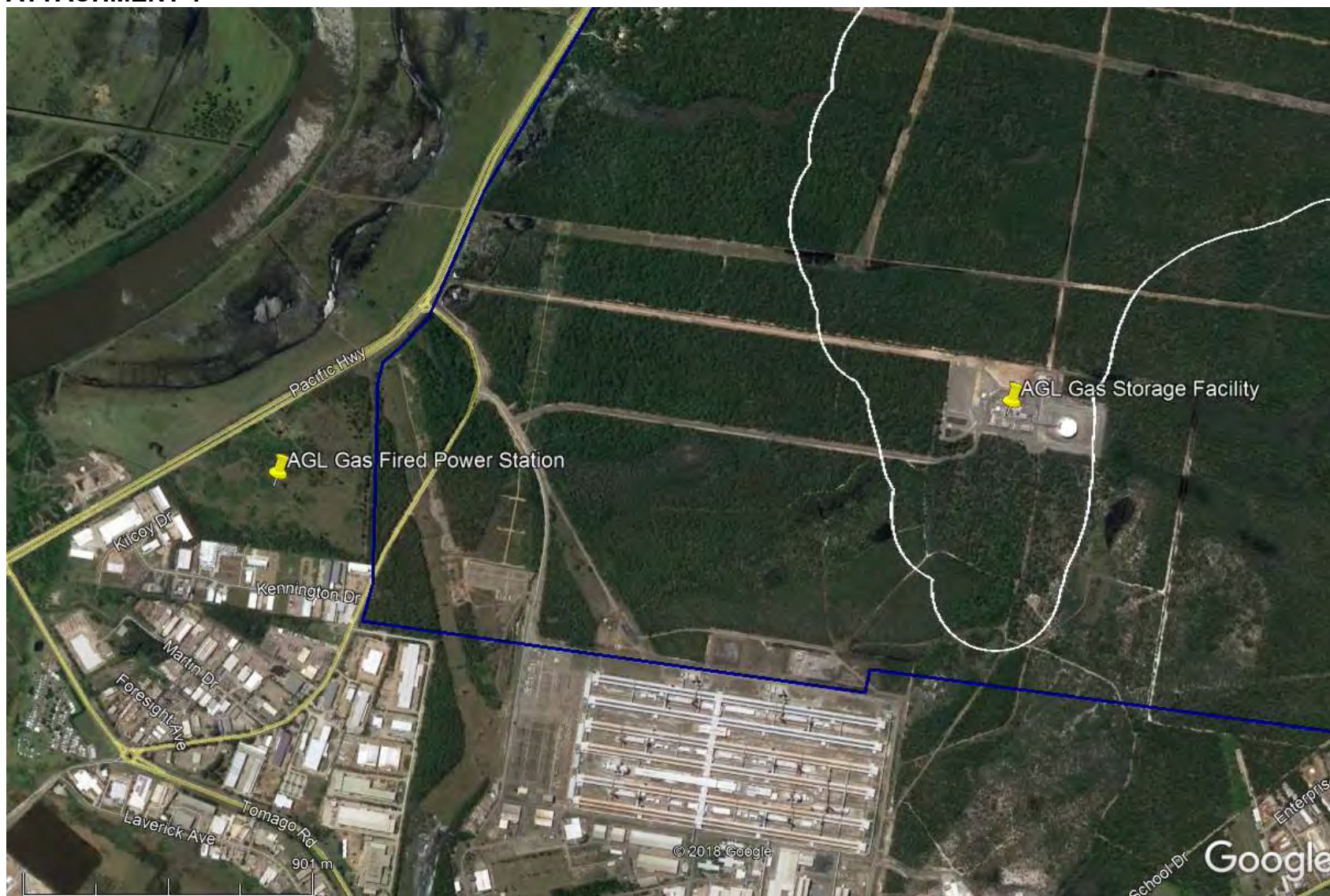
If you require further advice or clarification regarding the above comments, please contact me on (02) 4979 9545.

Yours sincerely,



Malcolm Withers
Account Manager Major Development

ATTACHMENT 1



Location of proposed Gas Fired Power Station site and existing Newcastle Gas Storage Facility in relation to the gazetted Tomago Special Area (dark blue line) and Station 20 groundwater draw zone (white line).

DOC19/67554-1
SSI 9837

Tatsiana Bandaruk
Environmental Assessment Officer
Resource and Energy Assessments – Planning Services
Department of Planning and Environment
tatsiana.bandaruk@planning.nsw.gov.au

Dear Tatsiana

Input into Secretary's Environmental Assessment Requirements – Newcastle Gas Fired Power Station Project – Port Stephens LGA (SSI 9837)

I refer to your email dated 25 January 2019 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the Newcastle Gas Fired Power Station Project, located at 1940 Pacific Highway, Tomago. The proposed development is within the Port Stephens local government area.

The Office of Environment and Heritage (OEH) understands that AGL is seeking to establish a gas fired power station, electricity transmission line, gas transmission pipeline and associated infrastructure. OEH understands that the proposal is a critical State Significant Infrastructure (SSI 9837) project under the *Environmental Planning and Assessment Act 1979*.

OEH has reviewed the Preliminary Environmental Assessment document as prepared by AGL (dated 9 January 2019) and has prepared Standard SEARs which are presented in **Attachment A**. There are no project-specific SEARs provided for this project (**Attachment B**). Details of guidance documents are provided in **Attachment C**.

With respect to Aboriginal cultural heritage, OEH notes that any Aboriginal cultural heritage assessment undertaken prior to 2010 is unlikely to meet current OEH Aboriginal cultural heritage guidelines for the assessment of Aboriginal cultural heritage in NSW. The OEH 2011 *Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW* should be referenced in this instance.

If you have any further questions in relation to this matter, please contact Brendan Mee, Senior Conservation Planning Officer, on 02 4904 2730 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

A handwritten signature in dark ink, appearing to be 'SC', with a long horizontal flourish extending to the right.

STEVEN COX

**Senior Team Leader - Planning
Hunter Central Coast Branch
Conservation and Regional Delivery Division**

7 February 2019

Enclosure: Attachments A, B, C

Attachment A – Standard Environmental Assessment Requirements

<p>Biodiversity</p> <ol style="list-style-type: none"> 1. Biodiversity impacts related to the proposed development (SSI 9837) are to be assessed in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and Biodiversity Assessment Method. 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows; <ul style="list-style-type: none"> • The total number and classes of biodiversity credits required to be retired for the development/project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. <p>If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.</p> 4. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>.
<p>Aboriginal cultural heritage</p> <ol style="list-style-type: none"> 5. The Environmental Impact Assessment (EIS) must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in the Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and consultation with OEH regional branch officers. 6. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR. 7. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

Historic heritage
<p>8. The EIS must provide a heritage assessment including but not limited to an assessment of impacts to State and local heritage including conservation areas, natural heritage areas, places of Aboriginal heritage value, buildings, works, relics, gardens, landscapes, views, trees should be assessed. Where impacts to State or locally significant heritage items are identified, the assessment shall:</p> <ul style="list-style-type: none"> a. outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996), b. be undertaken by a suitably qualified heritage consultant(s) (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria), c. include a statement of heritage impact for all heritage items (including significance assessment), d. consider impacts including, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment (as relevant), and e. where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical archaeological test excavations (terrestrial and maritime as relevant) and include the results of these test excavations.
Water and soils
<p>9. The EIS must map the following features relevant to water and soils including:</p> <ul style="list-style-type: none"> a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map). b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method). c. Wetlands as described in s4.2 of the Biodiversity Assessment Method. d. Groundwater. e. Groundwater dependent ecosystems. f. Proposed intake and discharge locations.
<p>10. The EIS must describe background conditions for any water resource likely to be affected by the development, including:</p> <ul style="list-style-type: none"> a. Existing surface and groundwater. b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations. c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters. d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.

<p>11. The EIS must assess the impacts of the development on water quality, including:</p> <ul style="list-style-type: none"> a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction. b. Identification of proposed monitoring of water quality.
<p>12. The EIS must assess the impact of the development on hydrology, including:</p> <ul style="list-style-type: none"> a. Water balance including quantity, quality and source. b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas. c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems. d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches). e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water. f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options. g. Identification of proposed monitoring of hydrological attributes.
<p>Flooding and coastal erosion</p>
<p>13. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:</p> <ul style="list-style-type: none"> a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas).
<p>14. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.</p>
<p>15. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

16. Modelling in the EIS must consider and document:

- a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
- b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
- c. Relevant provisions of the NSW Floodplain Development Manual 2005.

17. The EIS must assess the impacts on the proposed development on flood behaviour, including:

- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
- b. Consistency with Council floodplain risk management plans.
- c. Compatibility with the flood hazard of the land.
- d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
- h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
- i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

Attachment B – Project specific environmental assessment requirements

Biodiversity - nil
Aboriginal cultural heritage - nil
Historic heritage - nil
Water and soils - nil
Flooding and coastal erosion - nil

Attachment C – Guidance material

Title	Web address
Relevant legislation	
<i>Biodiversity Conservation Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Coastal Management Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Fisheries Management Act 1994</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
<i>Marine Parks Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N
<i>National Parks and Wildlife Act 1974</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<i>Wilderness Act 1987</i>	http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N
Biodiversity	
Biodiversity Assessment Method (OEH, 2017)	http://www.environment.nsw.gov.au/resources/bcact/biodiversity-assessment-method-170206.pdf
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf
NSW Guide to Surveying Threatened Plant	http://www.environment.nsw.gov.au/resources/threatenedspecies/160129-threatened-plants-survey-guide.pdf
Fisheries NSW policies and guidelines	http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	http://www.environment.nsw.gov.au/protectedareas/developmentadjoiningdecc.htm
Heritage	
The Burra Charter (The Australia ICOMOS charter for places of cultural significance)	http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf
Statements of Heritage Impact 2002 (HO & DUAP)	http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf
NSW Heritage Manual (DUAP) (scroll through alphabetical list to 'N')	http://www.environment.nsw.gov.au/Heritage/publications/

Title	Web address
Aboriginal cultural heritage	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	http://www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf
Aboriginal Site Recording Form	http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf
Aboriginal Site Impact Recording Form	http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf
Aboriginal Heritage Information Management System (AHIMS) Registrar	http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm
Care Agreement Application form	http://www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
Flooding and coastal erosion	
Reforms to coastal erosion management	http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Guidelines for Preparing Coastal Zone Management Plans	Guidelines for Preparing Coastal Zone Management Plans http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf

Title	Web address
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf



NSW RURAL FIRE SERVICE



The Secretary
NSW Planning & Environment
GPO Box 39
Sydney NSW 2001

Your Ref: SSD 9837
Our Ref: D19/305
DA19013117196 AB

ATTENTION: Tatsiana Banduruk

8 February 2019

Dear Ms Bandurak

Agency Comment:- Secretary Environmental Assessment Requirements for Newcastle Gas Fired Power Station Project; Lots 2&3 DP 1043561 - 1940 Pacific Hwy Tomago

I refer to NSW Planning and Environment correspondence dated 25 January 2019 seeking comment from the NSW Rural Fire Service (NSW RFS) on matters to be included in the Environmental Impact Statement (EIS) for the above State Significant Development proposal.

The NSW RFS understands the proposal will include:

- A new power station with a nominal capacity of about 250MW comprising of either large reciprocating engine generators or aero-derivate gas turbine generators. The power station would operate as a "peak load" generation facility supplying electricity at short notice during periods of high electricity demand or low electricity supply.
- Facilities ancillary to the power station include gas compression facilities, fuel storage tanks and infrastructure including diesel storage and truck unloading facilities, water management facilities and office, administration / amenities areas, workshop / storage facilities.
- Connection of the power station to the gas supply at the Newcastle Gas Storage Facility (NGSF) with a new gas pipeline(s) and/or connection of the power station directly to the existing Tomago to Hexham high pressure gas pipeline.
- Connection of the power station to the existing TransGrid operated Tomago switchyard with a new 132kV transmission line.

The subject land is part mapped bush fire prone land by Port Stephens Shire Council. The NSW RFS considers that the EIS for the Newcastle power station should address the following bush fire criteria:

- Department of Planning and Environment – Hazardous Industry Planning Advisory Papers;
- the aim and objectives of 'Planning for Bush Fire Protection 2006';
- identification of potential ignition sources during construction and operation of the development;
- storage of fuels and other hazardous materials (e.g., explosives for blasting);

Postal address

Records
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
Planning and Environment Services (North)
Suite 1, 129 West High Street
COFFS HARBOUR NSW 2450

T (02) 6691 0400
F (02) 6691 0499
www.rfs.nsw.gov.au
Email: pes@rfs.nsw.gov.au

- *proposed bush fire protection measures for the development, including vegetation management and fire suppression capabilities;*
- *operational access for fire fighting appliances to the site; and*
- *emergency and evacuation planning.*

For any enquiries regarding this correspondence, please contact Alan Bawden on 6691 0400.

Yours sincerely



John Ball

Manager – Planning and Environment Service North

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.



6 February 2019

Department of Planning & Environment
Resource and Energy Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Tatsiana Bandaruk

SEARS REQUEST - SSI 9837 - NEWCASTLE GAS FIRED POWER STATION PROJECT, LOT: 3 DP: 1043561, 1940 PACIFIC HIGHWAY TOMAGO

Reference is made to Department of Planning and Environment's email dated 25 January 2019, requesting Roads and Maritime Services' (Roads and Maritime) requirements under Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic, broader transport issues and the inclusion of the M1 Motorway extension to Raymond Terrace. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

Roads and Maritime have reviewed the Preliminary Environmental Assessment, prepared by AGL, dated 9 January 2019. It is understood that the proposal be for:

- the construction and operation of a 250 MW gas fired power station at 1940 Pacific Highway Tomago, with access to Old Punt Road; and
- ancillary infrastructure including connection to gas supply, gas compression facilities, fuel storage tanks, water management facilities and grid connection.

Roads and Maritime response & requirements

Roads and Maritime recommends that the Environmental Impact Statement (EIS) should refer to the following guidelines with regard to the traffic and transport impacts of the proposed development:

- Road and Related Facilities within the Department of Planning EIS Guidelines, and,
- Section 2 Traffic Impact Studies of Roads and Maritime's *Guide to Traffic Generating Developments 2002*.

Furthermore, a traffic and transport study shall be prepared in accordance with the Roads and Maritime's *Guide to Traffic Generating Developments 2002* and is to include (but not be limited to) the following:

- Assessment of all relevant vehicular traffic routes and intersections for access to and from the site, including current traffic counts,
- Assessment of trip generation of the proposed power station. As a power station is not a defined use in the RMS Guide to Traffic Generating Developments, it is recommended that an assessment of the peak hour trip generation be made relative to the expected employees and visitors driving to and from the site during the AM and PM peak hours.
- The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
- Identify any necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network for the development. In this regard, preliminary concept drawings shall be submitted with the EIS for any identified road infrastructure upgrades. However, it should be noted that any identified road infrastructure upgrades will need to be to the satisfaction of Roads and Maritime and Council.

M1 Motorway Extension to Raymond Terrace

The M1 Motorway extension to Raymond Terrace (M12RT) project has been declared critical State significant infrastructure (SSI 7319) under section 115V of the *Environmental Planning and Assessment Act 1979*, as it is considered to be essential to the State for economic, environmental or social reasons. Roads and Maritime is currently carrying out environmental assessment of the project through the completion of an Environmental Impact Statement (EIS).

Noting the interaction of the proposed Newcastle Gas Power Station and the M12RT project, Roads and Maritime have been holding negotiations and design reviews with the proponent AGL to ensure that both projects can be delivered across the site (mainly being Lot 2 & 3 DP1043561).

Negotiations and reviews to date have resulted in potential changes to both projects so that both can be accommodated on the subject site. It is RMS's position to achieve this outcome and ensure both major infrastructure projects can be delivered and function across the subject site. It is anticipated that negotiations and review will continue to occur until both projects achieve project approval and are constructed through the site.

The potential timing of delivery of the AGL proposal may occur earlier than the M12RT. In this circumstance, specific conditions may be required on the AGL approval instrument to enable the efficient future delivery of the M12RT. The reverse would potentially apply should the M12RT proceed earlier. It would be appreciated if the Department could consider including requirements in the respective approval instrument conditions for either project.

In relation to the M1 Motorway extension in addition to the above requirements, Roads and Maritime request the following:

- Key Issue Transport –include reference to the future M1 Motorway extension to Raymond Terrace in the list of roads that should be assessed for capacity, condition, safety and efficiency.
- Key Issue Transport –include a requirement to demonstrate consultation with Roads and Maritime to support the objective of the delivery of the M12RT within the site.

On determination of this matter, please forward a copy of the SEARs to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4908 7688 or by emailing development.hunter@rms.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Marler', with a stylized, flowing script.

Peter Marler
Manager Land Use Assessment
Hunter Region

APPENDIX B

ABORIGINAL COMMUNITY CONSULTATION – CONSULTATION LOG

Date	To Person	To Organisation	From Person	From Organisation	Method	Details
30/11/2018		Port Stephens Council	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		OEH Newcastle Regional Operations	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		National Native Title Tribunal	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		Native Title Services	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		Office of the Registrar	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		Worimi LALC	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018		Hunter Local Land Services	Stephanie Moore	ERM	Email	Send Stage 1 Project Notification Letter
30/11/2018	Stephanie Moore	ERM		Geospatial Service, NNTT	Email	Notice of change of address and provision of correct search details
3/12/2018		Geospatial Service, NNTT	Stephanie Moore	ERM	Email	Send completed search form
3/12/2018	Stephanie Moore	ERM		Geospatial Service, NNTT	Email	Notice of receipt of search request
5/12/2018	Stephanie Moore	ERM	Jodie Rikiti	Office of the Registrar	Email	Return completed search request
7/12/2018	Stephanie Moore	ERM	Elizabeth Akerman	Port Stephen Council	Email	Response to Stage 1 Project Notification Letter, suggested contacting Worimi LALC
11/12/2018	Stephanie Moore	ERM	Jamie Merrick	Worimi LALC	Email	Response to Stage 1 Project Notification Letter, registering LALC interest and
11/12/2018	Stephanie Moore	ERM	Jamie Merrick	Worimi LALC	Email	advising of three other groups to be consulted.
				OEH Hunter and Central Coast		follow up email correcting a typo in one of the providd email addresses.
20/12/2018	Stephanie Moore	ERM	Gillian Goode	Branch	Email	Response to Stage 1 Project Notification Letter
22/01/2019	Carolyn Hickey	A1 Indigenous Services	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
	Ashely Gregory/Adam					
22/01/2019	Sampson	AGA Services	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
	Donna and George	Cacatua Culture				
22/01/2019	Sampson	Consultants	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Jeffrey Matthews	Crimson-Rosie	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Paul Boyd/Lilly Carrol	Didge Ngunawal Clan	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Tania Matthews	Hunters & Collectors	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	David Feeney	Karuah Indigenous Corporation	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	CEO	Karuah Local Aboriginal Land Council	Stephanie Moore	ERM	Email	Did not send invite, land within Worimi LALC
22/01/2019	Arthur Fletcher	Kawul Pty Ltd (trading as Wonn1 Sites)	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Mick Leon	Lakkari NTCG	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	David Ahoy	Lower Hunter Aboriginal Incorporated	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
	Lea-Anne Ball and Uncle					
22/01/2019	Tommy Miller	Lower Hunter Wonnarua Cultural Services	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	CEO	Mindaribba Local Aboriginal Land Council	Stephanie Moore	ERM	Email	Did not send invite, land within Worimi LALC
22/01/2019	Ryan Johnson	Murra Bidgee Mullangari Aboriginal Corporation	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Anthony Anderson	Mur-Roo-Ma Inc.	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Leonard Anderson OAM	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Roger Matthews	Roger Matthews Consultancy	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Des Hickey	Wattaka Wonnarua CC Service	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Steven Hickey	Widescope Indigenous Group	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Richard Edwards	Wonnarua Elders Council	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	CEO	Worimi Local Aboriginal Land Council	Stephanie Moore	ERM	Email	Did not send invite, Worimi LALC already registered
		Worimi Traditional Owners Indigenous				
		Corporation				
22/01/2019	Candy Lee Towers		Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Carol Ridgeway-Bissett		Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Steve Talbott		Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
		NSW National Parks and Wildlife Service				
22/01/2019	Graeme Russell	(Board of Management)	Stephanie Moore	ERM	Email	Sent Invitation to Register interest in the project
22/01/2019	Stephanie Moore	ERM	Lilly Carroll	Didge Ngunawal Clan	Email	Registered interest in the project
22/01/2019	Lilly Carroll	Didge Ngunawal Clan	Stephanie Moore	ERM	Email	Acknowledged receipt of registration

22/01/2019 Stephanie Moore	ERM	Lennie Anderson	Nur-Run-Gee Pty Ltd	Email	Registered interest in the project for Nur-Run-Gee and Worimi Traditional Owners
23/01/2019 Lennie Anderson	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
23/01/2019 Stephanie Moore	ERM	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Email	Emailed to register interest
23/01/2019 Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
25/01/2019 Stephanie Moore	ERM	Steven Hickey	Widescope Indigenous Group	Email	Registration of interest
25/01/2019 Steven Hickey	Widescope Indigenous Group	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
25/01/2019 Stephanie Moore	ERM	Ryan Johnson	Murra Bidgee Mullangari	Email	Registration of interest
28/01/2019 Stephanie Moore	ERM	Carolyn Hickey	A1 Indigenous Services	Email	Registration of interest
28/01/2019 Stephanie Moore	ERM	Candy Towers	Indigenous Corporation	Email	Registration of interest
29/01/2019 Stephanie Moore	ERM	Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Email	Registration of interest
29/01/2019 Ryan Johnson	Murra Bidgee Mullangari	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
29/01/2019 Carolyn Hickey	A1 Indigenous Services	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
29/01/2019 Candy Towers	Worimi Traditional Owners Indigenous Corporation	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
29/01/2019 Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Email	Registration of interest	Email	Acknowledged receipt of registration
29/01/2019 Stephanie Moore	ERM	Anthony	Muragadi	Email	Registration of interest
29/01/2019 Anthony	Muragadi	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
29/01/2019 Stephanie Moore	ERM	Dave Feeney	Karuah Indigenous Corporation	Email	Registration of interest
29/01/2019 Dave Feeney	Karuah Indigenous Corporation	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
30/01/2019 Stephanie Moore	ERM	Shaun Carroll	Merrigarn	Email	Registered interest in the project
30/01/2019 Shaun Carroll	Merrigarn	Stephanie Moore	ERM	Email	Acknowledged receipt of registration
4/04/2019 Lilly Carroll	Didge Ngunawal Clan	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Lennie Anderson	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Steven Hickey	Widescope Indigenous Group	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Ryan Johnson	Murra Bidgee Mullangari	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Carolyn Hickey	A1 Indigenous Services	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Candy Towers	Worimi Traditional Owners Indigenous Corporation	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Anthony	Muragadi	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Dave Feeney	Karuah Indigenous Corporation	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Shaun Carroll	Merrigarn	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Jamie Merrick	Worimi LALC	Stephanie Moore	ERM	Email	Provided copy of the project methodology
4/04/2019 Stephanie Moore	ERM	Lilly Carroll	Didge Ngunawal Clan	Email	Acknowledgement of receipt of methodology
5/04/2019 Stephanie Moore	ERM	Anthony	Muragadi	Email	Agrees with recommendations made by ERM
8/04/2019 Stephanie Moore	ERM	Shaun Carroll	Merrigarn	Email	Agrees with recommendations made by ERM
8/04/2019 Stephanie Moore	ERM	Ryan Johnson	Murra Bidgee Mullangari	Email	Endorses recommendations made by ERM
8/04/2019 Stephanie Moore	ERM	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Email	No comments on the methodology
13/04/2019 Stephanie Moore	ERM	Carolyn Hickey	A1 Indigenous Services	Email	Supports the methodology
17/04/2019 Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Stephanie Moore	ERM	Email	Sent invitation to participate in fieldwork
17/04/2019 Lennie Anderson	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	Sent invitation to participate in fieldwork
17/04/2019 Jamie Merrick	Worimi LALC	Stephanie Moore	ERM	Email	Sent invitation to participate in fieldwork
17/04/2019 Candy Towers	Worimi Traditional Owners Indigenous Corporation	Stephanie Moore	ERM	Email	Sent invitation to participate in fieldwork
17/04/2019 Anthony	Muragadi	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.

17/04/2019	Dave Feeney	Karuah Indigenous Corporation	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Shaun Carroll	Merrigarn	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Steven Hickey	Widescope Indigenous Group	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Ryan Johnson	Murra Bidgee Mullangari	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Carolyn Hickey	A1 Indigenous Services	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
17/04/2019	Lilly Carroll	Didge Ngunawal Clan	Stephanie Moore	ERM	Email	Advised that client had limited numbers for fieldwork, and their group had not been provided the opportunity to participate.
18/04/2019	Stephanie Moore	ERM	Lennie Anderson	Nur-Run-Gee Pty Ltd	Email	advised of rates and provided insurances. Also provided name of attendee for field survey
18/04/2019	Lennie Anderson	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	return email to clarify number of attendees.
18/04/2019	Stephanie Moore	ERM	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Email	emailed to advise that she will no longer be commenting on the project, as she is not taking part in the survey.
18/04/2019	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Stephanie Moore	ERM	Email	return email to advise that we would remove Deirdre from the correspondence list
18/04/2019	Stephanie Moore	ERM	Candy Towers	Worimi Traditional Owners Indigenous Corporation	Email	advised of rates and provided insurances. Also provided name of attendee for field survey
18/04/2019	Stephanie Moore	ERM	Lennie Anderson	Nur-Run-Gee Pty Ltd	Email	Apologised for confusion and confirmed one attendee.
23/04/2019	Stephanie Moore	ERM	Deidre Perkins	Divine Diggers Aboriginal Cultural Consultants	Email	further correspondence regarding removal. Confirmed no further participation.
23/04/2019	Stephanie Moore	ERM	Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Email	forwarded through insurances and rates, and confirmed name of field officer
23/04/2019	Stephanie Moore	ERM	Lennie Anderson	Nur-Run-Gee Pty Ltd	Email	advised that he will not be able to attend fieldworks and nominated new field officer to attend
26/04/2019	Stephanie Moore	ERM	Dave Feeney	Karuah Indigenous Corporation	Email	email to advise no issues with the proposed methodology
29/04/2019	Stephanie Moore	ERM	Jamie Merrick	Worimi LALC	Email	advised rates and availability for fieldwork, provided insurances, and name of field representative
6/05/2019	Stephanie Moore	ERM	Candy Towers	Worimi Traditional Owners Indigenous Corporation	Email	reponse to methodology. Advised that Worimi TOIC agree with the methodology
6/05/2019	Stephanie Moore	ERM	Candy Towers	Worimi Traditional Owners Indigenous Corporation	Email	provided details of field officer to attend fieldwork. Advised that field officer had completed online induction.
5/06/2019	Paul Boyd/Lilly Carrol	Didge Ngunawal Clan	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Lennie Anderson	Nur-Run-Gee Pty Ltd	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Candy Lee Towers	Worimi Traditional Owners Indigenous Corporation	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Jamie Merrick	Worimi LALC	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Steven Hickey	Widescope Indigenous Group	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Ryan Johnson	Murra Bidgee Mullangari	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Anthony Anderson	Mur-Roo-Ma Inc.	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Anthony	Muragadi	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Dave Feeney	Karuah Indigenous Corporation	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Shaun Carroll	Merrigarn	Stephanie Moore	ERM	Email	sent copy of survey report and proposed test excavation methodology
5/06/2019	Stephanie Moore	ERM	Ryan Johnson	Murra Bidgee Mullangari	Email	Endorses recommendations made by ERM
5/06/2019	Stephanie Moore	ERM	Ryan Johnson	Murra Bidgee Mullangari	Email	advised that Murra Bidgee would be available for fieldworks
10/06/2019	Stephanie Moore	ERM	Carolyn Hickey	A1 Indigenous Services	Email	email to support the survey report and proposed methodology, additionally
11/06/2019	Stephanie Moore	ERM	Anthony	Muragadi	Email	advising their group is available to attend fieldwork
13/06/2019	Stephanie Moore	ERM	Bec Young/Anthony Anderson	Mur-Roo-Ma Inc.	Email	Agrees with recommendations made by ERM
						provided written response to survey report and methodology, advising no issues with either document

[illegible]

APPENDIX C

ABORIGINAL COMMUNITY CONSULTATION – AGENCY LETTERS

Hunter Local Land Services
Via email: admin.hunter@lls.nsw.gov.au



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

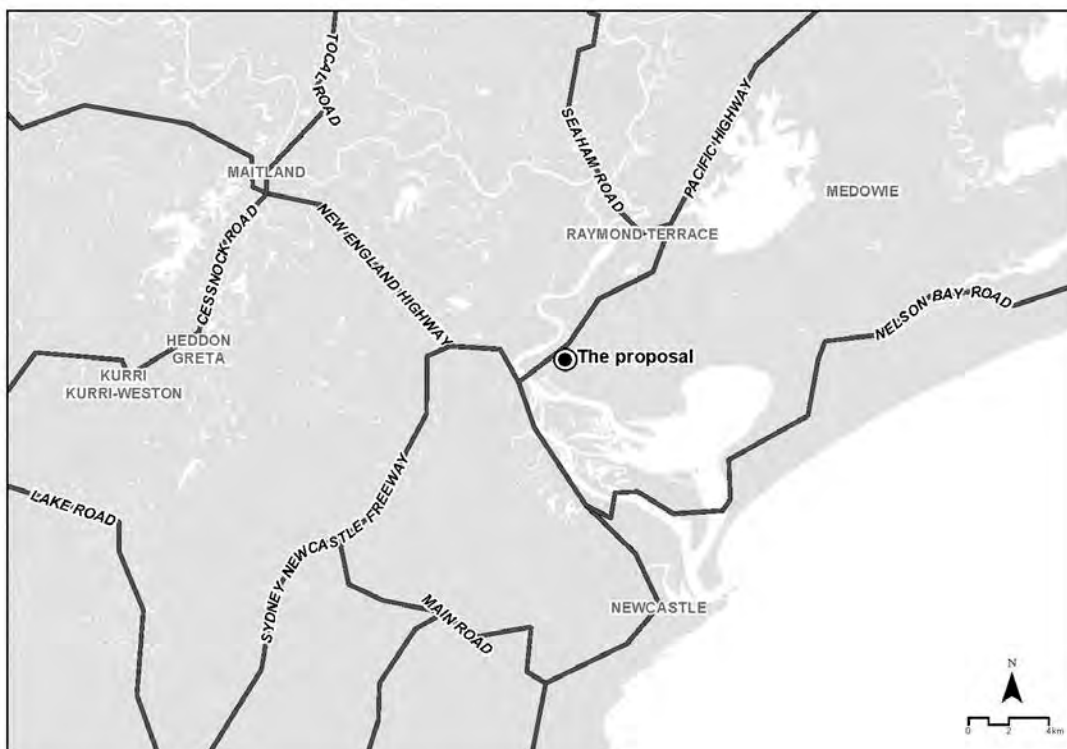


Figure 3 – Location of the proposed power station

AGL Energy Limited (AGL) proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking

Page 5 of 14

approval for the project from the NSW Minister for Planning and Environment under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Proposal involves the construction and operation of a power station with a nominal capacity of about 250-megawatt (MW), and associated infrastructure including gas supply and electricity transmission connections. The proposed power station would employ Open Cycle Gas Turbine (OCGT) or reciprocating gas engine technology. It would operate as a “peak load” facility supplying electricity at short notice during periods of high demand or low supply. The proposed power station would connect to the gas supply with a new pipeline to the Newcastle Gas Storage Facility (NGSF) and/or its associated existing pipeline. A high voltage electrical transmission line would connect the proposed power station to the existing TransGrid Tomago 132kV switchyard. The proposed power station is likely to have a minimum operating life of 25 years.

Previous archaeological studies within and surrounding the project site (not undertaken by the proponent) have indicated there may be a likelihood of identifying archaeological remains within the project footprint. The ACHA will endeavour to provide additional information about the archaeological resources present within the project area, in order to provide any necessary management recommendations.

ERM is writing to fulfil Stage 1 of the consultation requirements - *project notification and identification of stakeholders*. As part of this step, ERM would like to obtain a list of Aboriginal people who may have an interest in this project and hold relevant knowledge about the cultural significance of the area. Relevant stakeholder lists can be returned to Stephanie Moore (Project Archaeologist) at the below details.

Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

National Native Title Tribunal
Via email: enquiries@nntt.gov.au



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

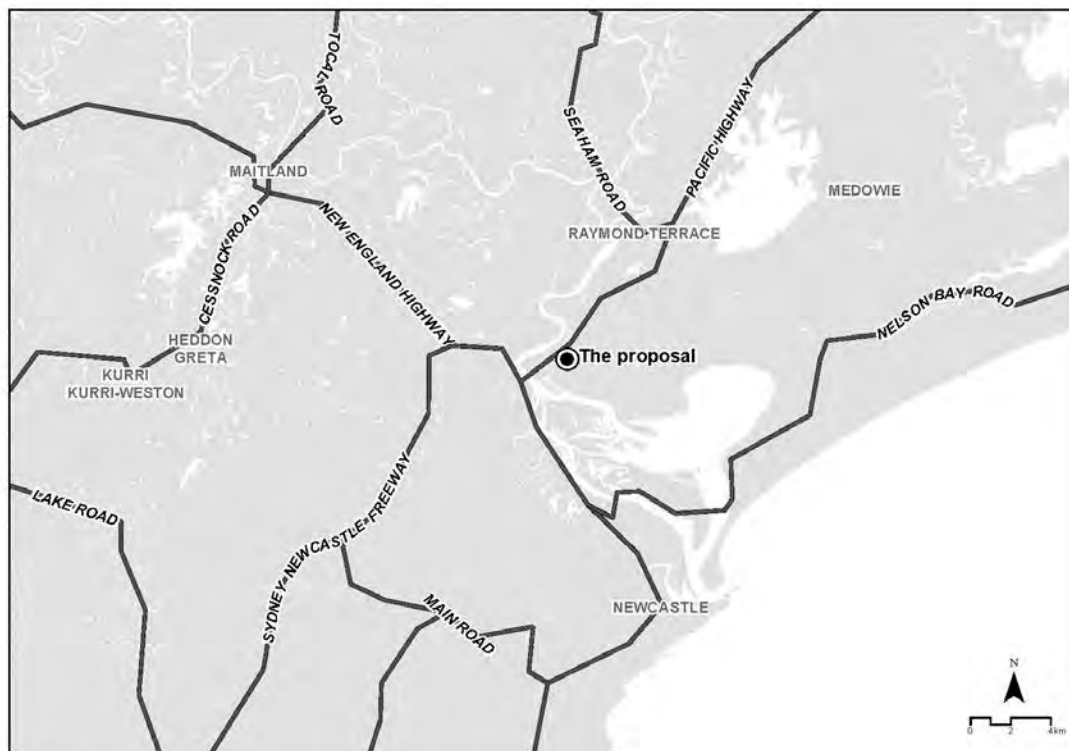


Figure 7 – Location of the proposed power station

AGL Energy Limited (AGL) proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking

approval for the project from the NSW Minister for Planning and Environment under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Proposal involves the construction and operation of a power station with a nominal capacity of about 250-megawatt (MW), and associated infrastructure including gas supply and electricity transmission connections. The proposed power station would employ Open Cycle Gas Turbine (OCGT) or reciprocating gas engine technology. It would operate as a “peak load” facility supplying electricity at short notice during periods of high demand or low supply. The proposed power station would connect to the gas supply with a new pipeline to the Newcastle Gas Storage Facility (NGSF) and/or its associated existing pipeline. A high voltage electrical transmission line would connect the proposed power station to the existing TransGrid Tomago 132kV switchyard. The proposed power station is likely to have a minimum operating life of 25 years.

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

Native Title Services Corporation Ltd
Via email: information@ntscorp.com.au
PO Box 2105
Strawberry Hills NSW 2012



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

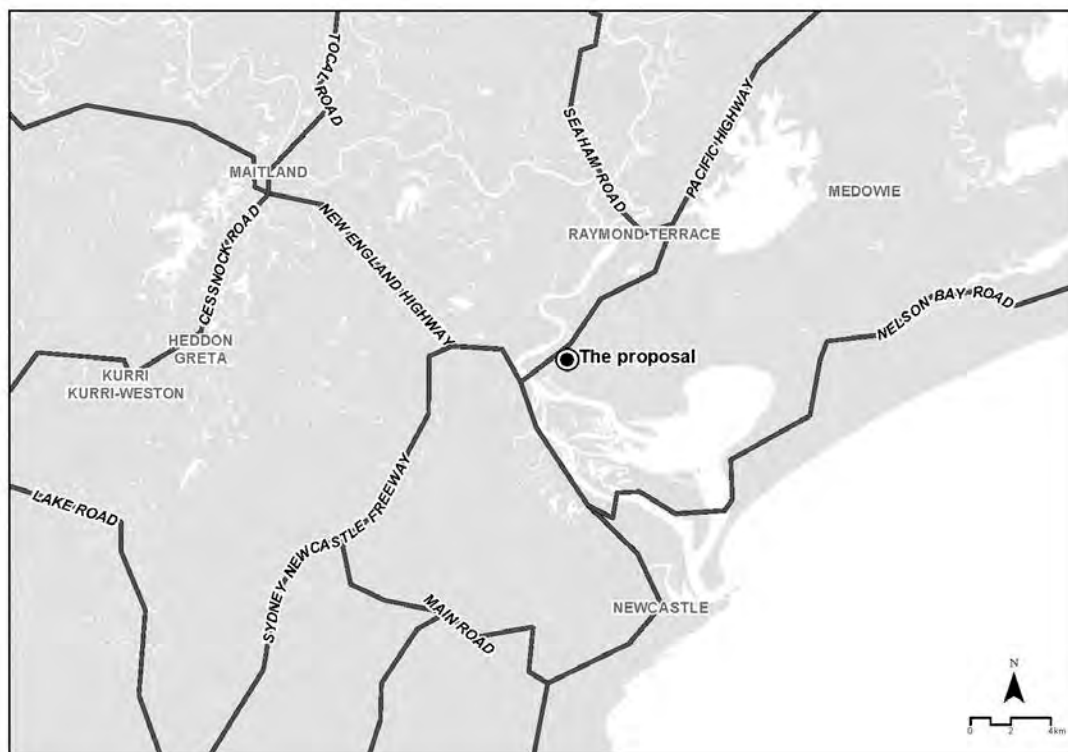


Figure 6 – Location of the proposed power station

AGL Energy Limited (AGL) proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking

Page 11 of 14

approval for the project from the NSW Minister for Planning and Environment under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Proposal involves the construction and operation of a power station with a nominal capacity of about 250-megawatt (MW), and associated infrastructure including gas supply and electricity transmission connections. The proposed power station would employ Open Cycle Gas Turbine (OCGT) or reciprocating gas engine technology. It would operate as a “peak load” facility supplying electricity at short notice during periods of high demand or low supply. The proposed power station would connect to the gas supply with a new pipeline to the Newcastle Gas Storage Facility (NGSF) and/or its associated existing pipeline. A high voltage electrical transmission line would connect the proposed power station to the existing TransGrid Tomago 132kV switchyard. The proposed power station is likely to have a minimum operating life of 25 years.

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

Newcastle Regional Operations Group
Office of Environment and Heritage
Via email: rog.hcc@environment.nsw.gov.au
PO Box 1002
Dangar NSW 2309



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

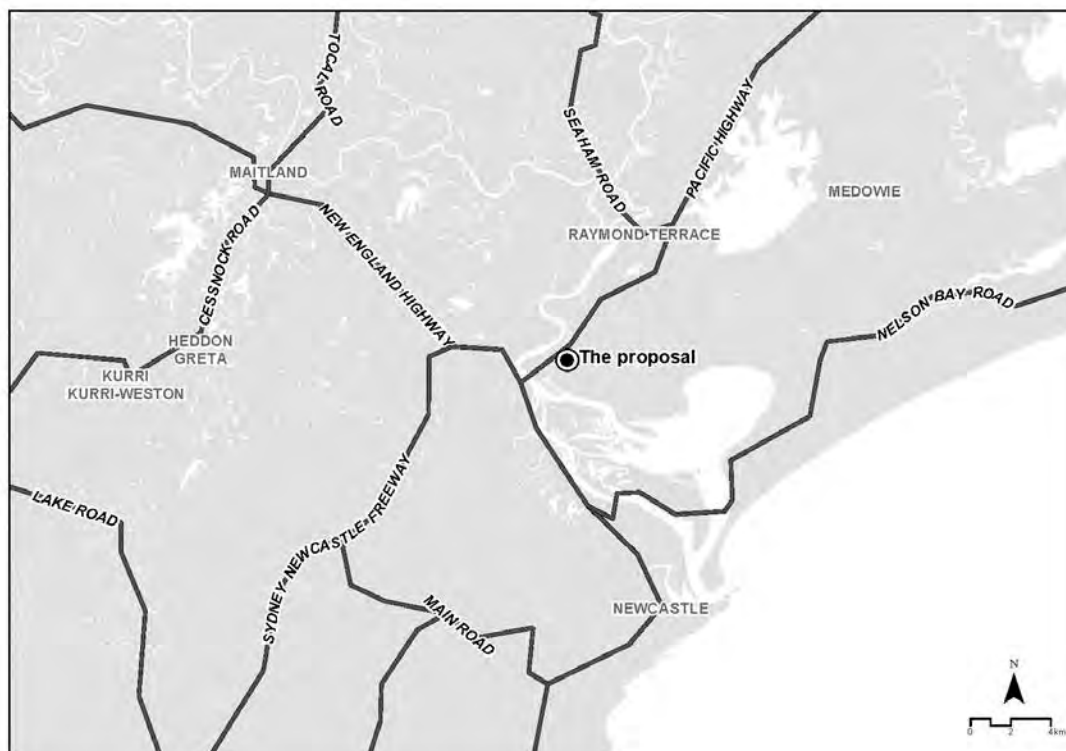


Figure 1 – Location of the proposed power station

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The Proposal involves the construction and operation of a power station with a nominal capacity of about 250-megawatt (MW), and associated infrastructure including gas supply and electricity transmission connections. The proposed power station would employ Open Cycle Gas Turbine (OCGT) or reciprocating gas engine technology. It would operate as a "peak load" facility supplying electricity at short notice during periods of high demand or low supply. The proposed power station would connect to the gas supply with a new pipeline to the Newcastle Gas Storage Facility (NGSF) and/or its associated existing pipeline. A high voltage electrical transmission line would connect the proposed power station to the existing TransGrid Tomago 132kV switchyard. The proposed power station is likely to have a minimum operating life of 25 years.

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stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant



Office of the Registrar
Aboriginal Land Rights Act 1983 (NSW)
Via email: adminofficer@oralra.nsw.gov.au
PO Box 5068
Parramatta NSW 2150

30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

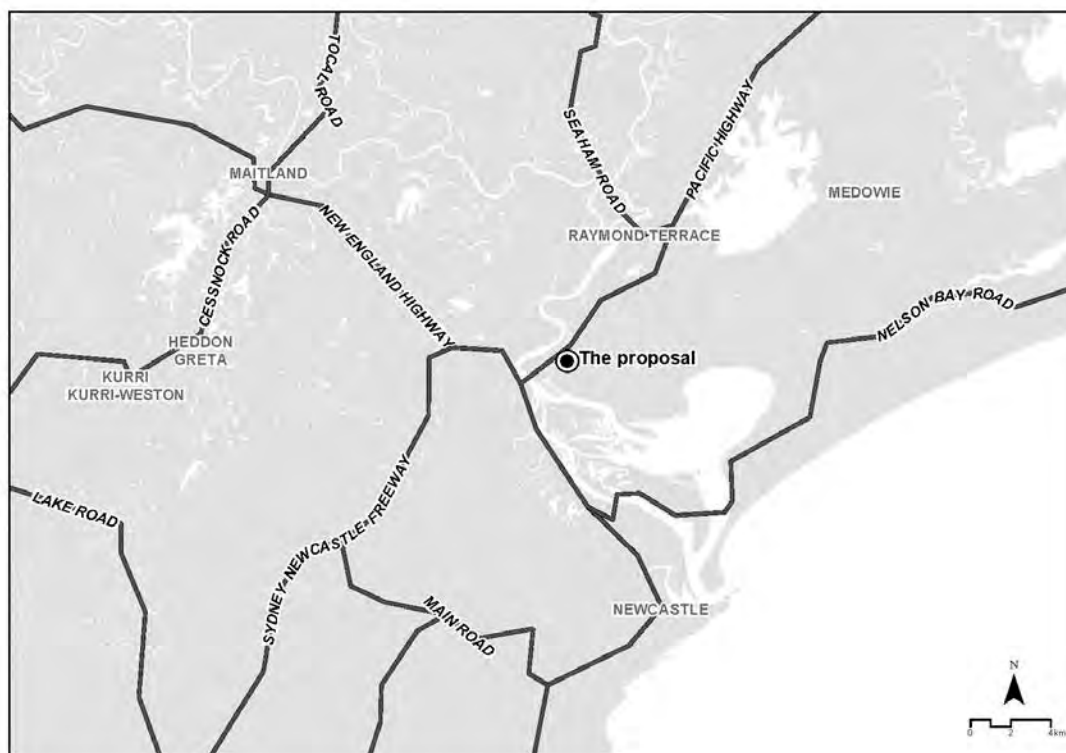


Figure 5 – Location of the proposed power station

AGL Energy Limited (AGL) proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking approval for the project from the NSW Minister for Planning and Environment under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

Port Stephens Council
Via email: council@portstephens.nsw.gov.au
PO Box 42
Raymond Terrace NSW 2324



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

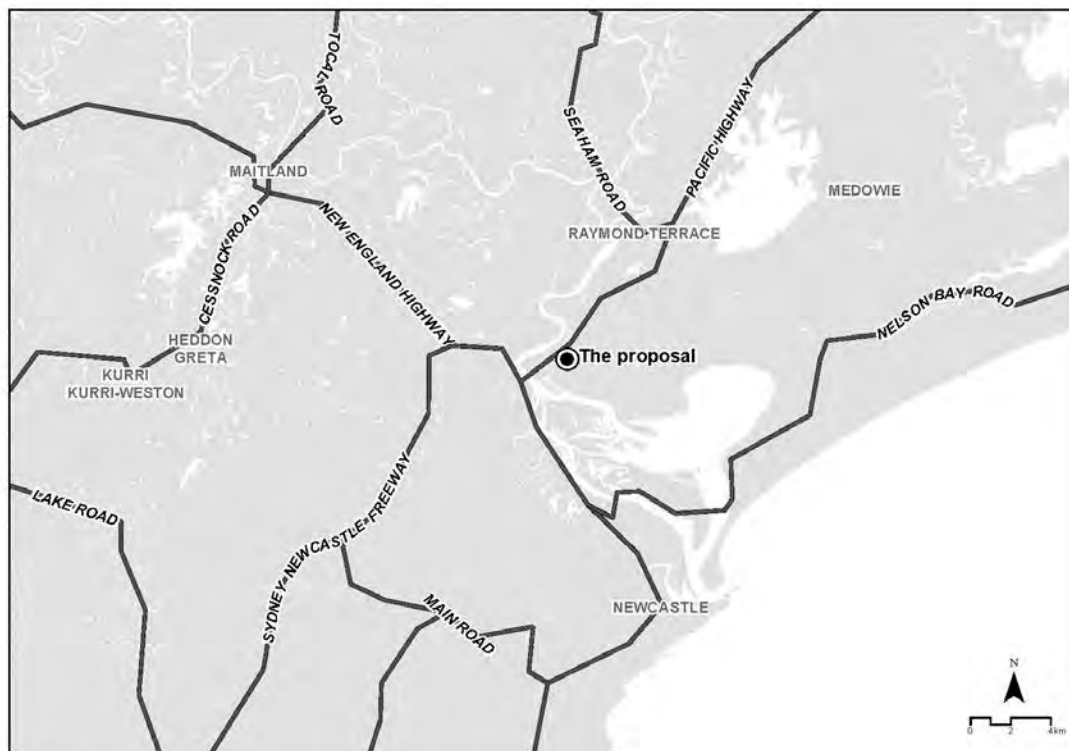


Figure 2 – Location of the proposed power station

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

Worimi Local Aboriginal Land Council
Via email: reception@worimi.org.au



30 November 2018

Reference: 0468623

Dear Sir/Madam,

Subject: Proposed power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a power station in Tomago, NSW (Figure 1).

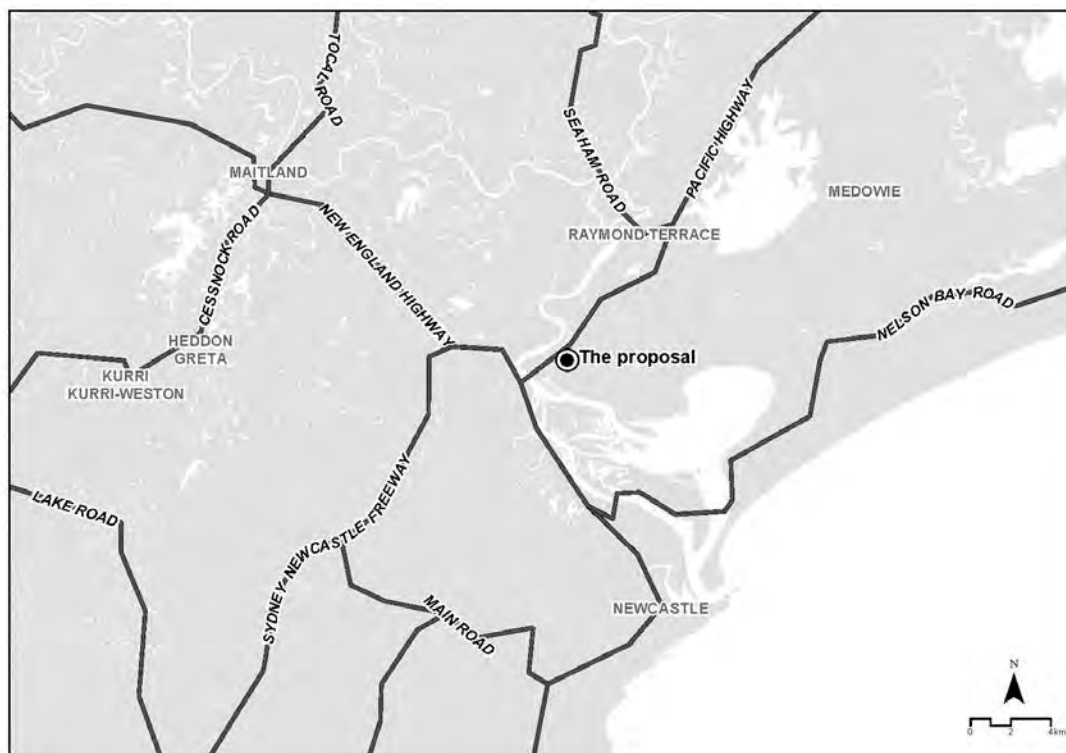


Figure 4 – Location of the proposed power station

AGL Energy Limited (AGL) proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868

Yours sincerely,

Stephanie Moore
Heritage Consultant

APPENDIX D

ABORIGINAL COMMUNITY CONSULTATION – AGENCY RESPONSES

4 December 2018

Stephanie Moore
ERM
Level 15, 309 Kent Street
SYDNEY NSW 2000

Dear Stephanie

Re: Request - Search for Registered Aboriginal Owners

I refer to your email dated 30 November 2018 regarding an Aboriginal Cultural Heritage Assessment for the proposed power plant located in Tomago, NSW.

I have searched the Register of Aboriginal Owners and the project area described has Registered Aboriginal Owners in the wider area, namely Worimi Conservation Lands, pursuant to Division 3 of the *Aboriginal Land Rights Act 1983*.

The Aboriginal owners for this managed national park are represented by a Board of Management (BoM) and can be contacted through Mr Graeme Russell, Joint Management Co-ordinator, NSW National Parks and Wildlife Service on (02 4984 8200). Graeme will be able to confirm whether the BoM is interested in the project or whether it is beyond their cultural area.

I suggest that you contact the Worimi Local Aboriginal Land Council regarding this on 02 4033 8800. They may be also able to assist you in identifying other Aboriginal stakeholders that may wish to participate.

Yours sincerely

A handwritten signature in blue ink, consisting of a large loop followed by a series of smaller, fluid strokes.

Jodie Rikiti
Administration Officer
Office of the Registrar, ALRA

DOC18/924513
0468623

Ms Stephanie Moore
ERM
Stephanie.moore@erm.com

Dear Stephanie

Proposed AGL Power Plant at Tomago – Aboriginal Stakeholder List

In response to your request under Section 4.1.2(a) of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), please find attached a list of known Aboriginal parties that have self-nominated for Port Stephens Council Local Government Area (LGA). Please note the following information with respect to Aboriginal consultation for your project.

Aboriginal stakeholder lists maintained by OEH are comprised of self-nominated individuals and organisations

Please note that the attached list is comprised only of self-nominated individuals and Aboriginal organisations who could have an interest in your project. The list is not vetted by OEH. As the list comprises only of self-nominated individuals and Aboriginal organisations, it is not necessarily an exhaustive list of all Aboriginal parties who may hold an interest in the project. Further consultation in accordance with step 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) is required to identify Aboriginal people who may hold either cultural or historical knowledge relevant to determining the significance of Aboriginal objects or places within your proposed project area.

Aboriginal stakeholder lists may cover multiple Local Aboriginal Land Council boundaries

Please note that the attached list may contain two or more Local Aboriginal Land Councils (LALCs) that occur in the LGA. Please review the boundary of your specific project area and ensure you consult with all LALC(s) that overlap with your project area. OEH does not require you to contact any LALCs on the attached list that you determine are wholly located outside your project area.

Ensure you document the consultation process

Please ensure all consultation undertaken in accordance with the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010) is documented within an Aboriginal Cultural Heritage Assessment Report (ACHAR). This must include copies of all correspondence sent to or received from all Registered Aboriginal Parties (RAPs) throughout the entire consultation process. Omission of these records in the final ACHAR may cause delays in the assessment of an Aboriginal Heritage Impact Permit (AHIP) application or a major project Aboriginal cultural heritage assessment, and could require parts of the consultation process to be repeated if the evidence provided to OEH

does not demonstrate that the consultation process has been conducted in accordance with our consultation requirements.

Demonstrate that reasonable consultation attempts have been made

Please ensure you provide evidence to demonstrate that reasonable attempts have been made to contact the relevant parties identified through step 4.1.2 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010). If this evidence is not provided, OEH may deem that the consultation process has not complied with the consultation requirements. Similarly, the proponent is required to record all feedback received from RAPs, along with the proponent's response to the feedback. Where concerns or contentious issues are raised by RAPs during the consultation process, OEH expects that reasonable attempts are made to address and resolve these matters, however OEH acknowledges that in some cases, this may not be achievable. In the case where conflict cannot be resolved, it is the responsibility of the proponent to record these differences and provide the necessary information in their ACHAR with their AHIP application or major project ACHAR.

Consultation should not be confused with employment

As outlined in Section 3.4 of the *Aboriginal cultural heritage consultation requirements for proponents* (DECCW 2010), 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 an application. OEH does not have any role with respect to commercial engagement. Where RAPs are engaged commercially to provide field services as part of an assessment process, that is a matter for the proponent to manage as they see fit. However, if a proponent is proposing to undertake consultation processes or elicit cultural information from RAPs during the course of conducting a field survey, OEH considers this to form part of the consultation process, and expects that all RAPs would be afforded the opportunity to be involved in the process.

Contacting our office

To ensure we can respond to enquiries promptly, please direct future correspondence to our central mailbox: rog.hcc@environment.nsw.gov.au.

Should you require any further information, please do not hesitate to contact us.

Yours sincerely



GILLIAN GOODE
Archaeologist
Hunter Central Coast Branch
Conservation and Regional Delivery Division

20 December 2018



Attachment A

Hunter Central Coast Branch - Aboriginal Stakeholder List for Port Stephens Council LGA

Please note that this list is valid at the time of sending only, and should not be used for subsequent projects.

Organisation	First name	Surname	Address 1	City	State	Post code	Landline	Mobile	Email
A1 Indigenous Services	Carolyn	Hickey	10 Marie Pitt Place	GLENMORE PARK	NSW	2745		0411650057	Cazadirect@live.com
AGA Services	Ashley, Gregory & Adam	Sampson	22 Ibis Parade	WOODBERRY	NSW	2322	Donna Sampson 0403 765 018	Ashley Sampson 0401 958 050	aga.services@hotmail.com
Cacatua Culture Consultants	Donna & George	Sampson	22 Ibis Parade	WOODBERRY	NSW	2322		0403 765 019 - 0434 877 016	cacatua4service@tpg.com.au
Crimson-Rosie	Jeffery	Matthews	6 Eucalypt Avenue	MUSWELLBROOK	NSW	2333	02 6543 4791		
Didge Ngunawal Clan	Paul Boyd	& Lilly Carroll	7 Siskin St	QUAKERS HILL	NSW	2763		0426823944	didgengunawalclan@yahoo.com.au
Divine Diggers Aboriginal Cultural Consultants	Deidre	Perkins	6 Ashleigh Street	HEDDON GRETA	NSW	2321	02 4937 4573	0425 654 290 (preferred)	dedemaree3@hotmail.com
Hunters & Collectors	Tania	Matthews	U211 Walowa St	NARRABRI	NSW	2390		0409 193 612	Tamathews10@hotmail.com
Karuah Indigenous Corporation	David	Feeney	1/7 Mustons Rd	KARUAH	NSW	2324	02 4997 5952	0421 114 853	karuahindigenous@outlook.com
Karuah Local Aboriginal Land Council	CEO		16 Muston Road	KARUAH	NSW	2324	02 4997 5733		karuahaboriginal@bigpond.com
Kawul Pty Ltd trading as Wonn1 Sites	Arthur	Fletcher	619 Main Road	GLENDALE	NSW	2285	02 4954 7751	0402 146 193	Wonn1sites@gmail.com
Lakkari NTCG	Mick	Leon	C/- 4/39 Short Street	FORSTER	NSW	2428		0402 751 584	doowakee@gmail.com
Lower Hunter Aboriginal Incorporated	David	Ahoy	5 Killara Drive	CARDIFF SOUTH	NSW	2285		0421 329 520	lowerhunterai@gmail.com

Organisation	First name	Surname	Address 1	City	State	Post code	Landline	Mobile	Email
Lower Hunter Wonnarua Cultural Services	Lea-Anne Ball and Uncle Tommy Miller		51 Bowden Street	HEDDON GRETA	NSW	2321	02 4937 2694	0402 636 521 (Uncle)	tn.miller@southernphone.com.au
Mindaribba Local Aboriginal Land Council	CEO		1A Chelmsford Drive	METFORD	NSW	2323	02 4934 8511		ceo@mindaribbalalc.org
Murra Bidgee Mullangari Aboriginal Corporation	Ryan Johnson	& Darleen Johnson-Carroll	PO Box 246	SEVEN HILLS	NSW	2147		0497 983 332	murrabidgeemullangari@yahoo.com.au
Mur-Roo-Ma Inc.	Anthony	Anderson	7 Vardon Road	FERN BAY NSW	NSW	2295	02 4928 1910	0402 827 482	murroomainc1@gmail.com
Nur-Run-Gee Pty Ltd	Leonard	Anderson OAM	22 Popplewell Road	FERN BAY NSW	NSW	2295		0431 334 365	lennie.anderson011@bigpond.com
Roger Matthews Consultancy	Roger	Matthews	105 View Street	GUNNEDAH	NSW	2380		0455 671 288	
Wattaka Wonnarua CC Service	Des	Hickey	4 Kennedy Street	SINGLETON	NSW	2330	02 6573 3786	0432 977 178	deshickey@bigpond.com
Widescope Indigenous Group	Steven	Hickey	73 Russell Street	EMU PLAINS	NSW	2750		0425 230 693 0425 232 056	Widescope.group@live.com
Wonnarua Elders Council	Richard	Edwards	PO Box 844	CESSNOCK	NSW	2325			
Worimi Local Aboriginal Land Council	CEO		2163 Nelson Bay Road	WILLIAMTOWN	NSW	2318	02 4965 1500		andrew@worimi.org.au
Worimi Traditional Owners Indigenous Corporation	Candy Lee	Towers	36 Avon St	MAYFIELD	NSW	2304		0412 475 362	worimitoc@hotmail.com
	Carol	Ridgeway-Bissett	33 Ullora Road	NELSON BAY	NSW	2315	02 4984 3113		
	Steve	Talbott	73 Kiah Road	GILLIESTON HEIGHTS	NSW	2321		0429 662 911	gomeri.namoi@outlook.com

Robin Twaddle

From: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>
Sent: Monday, 3 December 2018 5:53 PM
To: Stephanie Moore
Subject: RE: SR5204 - 0468623 Tomago Power Station - Search Request - SR5204

Follow Up Flag: Follow up
Flag Status: Completed

UNCLASSIFIED

Native title search – *NSW Freehold Parcels - Lot 2 and Lot 3 DP1043561*
Your ref: 0468623 - **Our ref:** SR5204

Change of e-mail address for Geospatial Searches

Please ensure that from 14th August 2018 your search requests are forwarded to GeospatialSearch@NNTT.gov.au with a **completed search request form**. The form is available from the Tribunal's website at this address: <http://www.nntt.gov.au/News-and-Publications/Pages/Forms.aspx>

Dear Stephanie Moore,

Thank you for your search request received on 03 December 2018 in relation to the above area.

Please note: Records held by the National Native Title Tribunal as at 03 December 2018 indicate that the identified parcels appear to be freehold, and freehold tenure extinguishes native title.

The National Native Title Tribunal does not hold data sets for freehold tenure; consequently, we **cannot** conduct searches over freehold. For confirmation of freehold data, please contact the NSW Land and Property Information office or seek independent legal advice.

For further information, please visit our [website](#).

Cultural Heritage Searches in NSW

The National Native Title Tribunal (the Tribunal) has undertaken steps to remove itself from the formal list of sources for information about indigenous groups in development areas. The existence or otherwise of native title is quite separate to any matters relating to Aboriginal cultural heritage. Information on native title claims, native title determinations and Indigenous Land Use Agreements is available on the Tribunal's website.

Interested parties are invited to use Native Title Vision (NTV) the Tribunal's online mapping system to discover native title matters in their area of interest. Access to NTV is available at <http://www.nntt.gov.au/assistance/Geospatial/Pages/NTV.aspx>
Training and self-help documents are available on the NTV web page under "Training and help documents". For additional assistance or general advice on NTV please contact GeospatialSearch@NNTT.gov.au

Additional information can be extracted from the Registers available at <http://www.nntt.gov.au/searchRegApps/Pages/default.aspx>

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: Stephanie Moore <Stephanie.Moore@erm.com>

Sent: Monday, 3 December 2018 6:23 AM

To: Geospatial Search Requests <GeospatialSearch@NNTT.gov.au>

Subject: SR5204 - 0468623 Tomago Power Station - Search Request

Good Morning,

Please find attached the completed search request form for 0468623 Tomago Power Station.

The request is being made as per the requirements of Stage 1 of the Aboriginal Cultural Heritage Consultation Requirements for proponents (DECCW 2010).

If you have any further questions, please don't hesitate to get in touch.

Regards,

Stephanie Moore
Heritage Consultant

M.ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia
T +612 8584 8868 | M +614 39 720 041
E stephanie.moore@erm.com | W www.erm.com



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Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

Robin Twaddle

From: Elizabeth Akerman <Elizabeth.Akerman@portstephens.nsw.gov.au>
Sent: Friday, 7 December 2018 11:49 AM
To: Stephanie Moore
Subject: Stage 1 Project Notification - Proposed AGL Power Plan, Tomago

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Stephanie

Thank you for your enquiry to Port Stephens Council regarding Aboriginal Cultural Heritage consultation requirements for the above project.

It would probably best if you could direct your enquiry to both Worimi Local Aboriginal Land Council and Karuah Aboriginal Land Council their contact details can be found on Council's website here: <http://www.portstephens.nsw.gov.au/live/community/community-directory/aboriginal-and-torres-strait-islander>

Both of these LALCs may have some suggestions regarding contacts or the best way to go about meeting the consultation requirements for this project.

Any questions please give me a call directly.

Kind regards



Elizabeth Akerman
Acting Community Development and
Engagement Coordinator

p 02 4988 0405 | m 0438 886 515
w portstephens.nsw.gov.au





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APPENDIX E

ABORIGINAL COMMUNITY CONSULTATION – PUBLIC ADVERTISEMENT

Environmental Resources Management Australia Pty Ltd (ERM), on behalf of AGL Energy Limited (AGL), is undertaking an Aboriginal Cultural Heritage Assessment, to support AGL's proposal to construct and operate a gas fired peaking power station and associated infrastructure in Tomago, NSW. ERM is seeking expressions of interest from any Aboriginal people who may have cultural knowledge relating to the project area who may be able to assist.



Or email to: stephanie.moore@erm.com

AW3653863

APPENDIX F

ABORIGINAL COMMUNITY CONSULTATION – INVITATION TO REGISTER



Carolyn Hickey
A1 Indigenous Services
10 Marie Pitt Place
GLENMORE PARK NSW 2745
Cazadirect@live.com

21 January 2019

Reference: 0468623

Dear Carolyn

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

1 Proposed Development - The Glades Estate

The proponent of the proposed works is AGL Energy Limited (AGL).

AGL proposes to construct and operate a gas fired peaking power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking approval for the project from the NSW Minister for Planning and Environment under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Proposal involves the construction and operation of a 250-megawatt (MW) gas fired peaking power station and associated infrastructure including gas supply and electricity transmission connections. The Proposal would employ Open Cycle Gas Turbine (OCGT) or reciprocating gas engine technology. It would operate as a "peak load" facility supplying electricity at short notice during periods of high demand, low supply from intermittent supply sources or when baseload power generation is offline. The Proposal would connect to the gas supply with a new pipeline to the Newcastle Gas Storage Facility (NGSF) and/or its associated existing pipeline. A high voltage electrical transmission line would connect the Proposal to the existing TransGrid Tomago 132kV switchyard. The Proposal is likely to have a minimum operating life of 25 years.

2 Registration

If you wish to formally register for future consultation regarding any of these cultural heritage assessments please contact Stephanie Moore (Project Archaeologist) by **4 February 2019** at the below details:

Stephanie Moore
stephanie.moore@erm.com

Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868
0439 720 041

If you have any specific information concerning the cultural values of the project areas, we would also be grateful if you could let us know. Any cultural knowledge provided will be treated in confidence and the information will be distributed according to the wishes of the Aboriginal stakeholders.

Yours sincerely,

For Environmental Resources Management Australia Pty Ltd







Stephanie Moore
Project Archaeologist



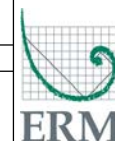
Damon Roddis
Partner



Project Location

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Drawn By: VN	Reviewed By: SM	Client: Aurecon (on behalf of AGL Energy)	
Coordinate System: GDA 1994 MGA Zone 56		This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.	
			

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Ashley, Gregory & Adam Sampson
AGA Services
22 Ibis Parade
WOODBERRY NSW 2322
aga.services@hotmail.com

21 January 2019

Reference: 0468623

Dear Ashely, Gregory & Adam

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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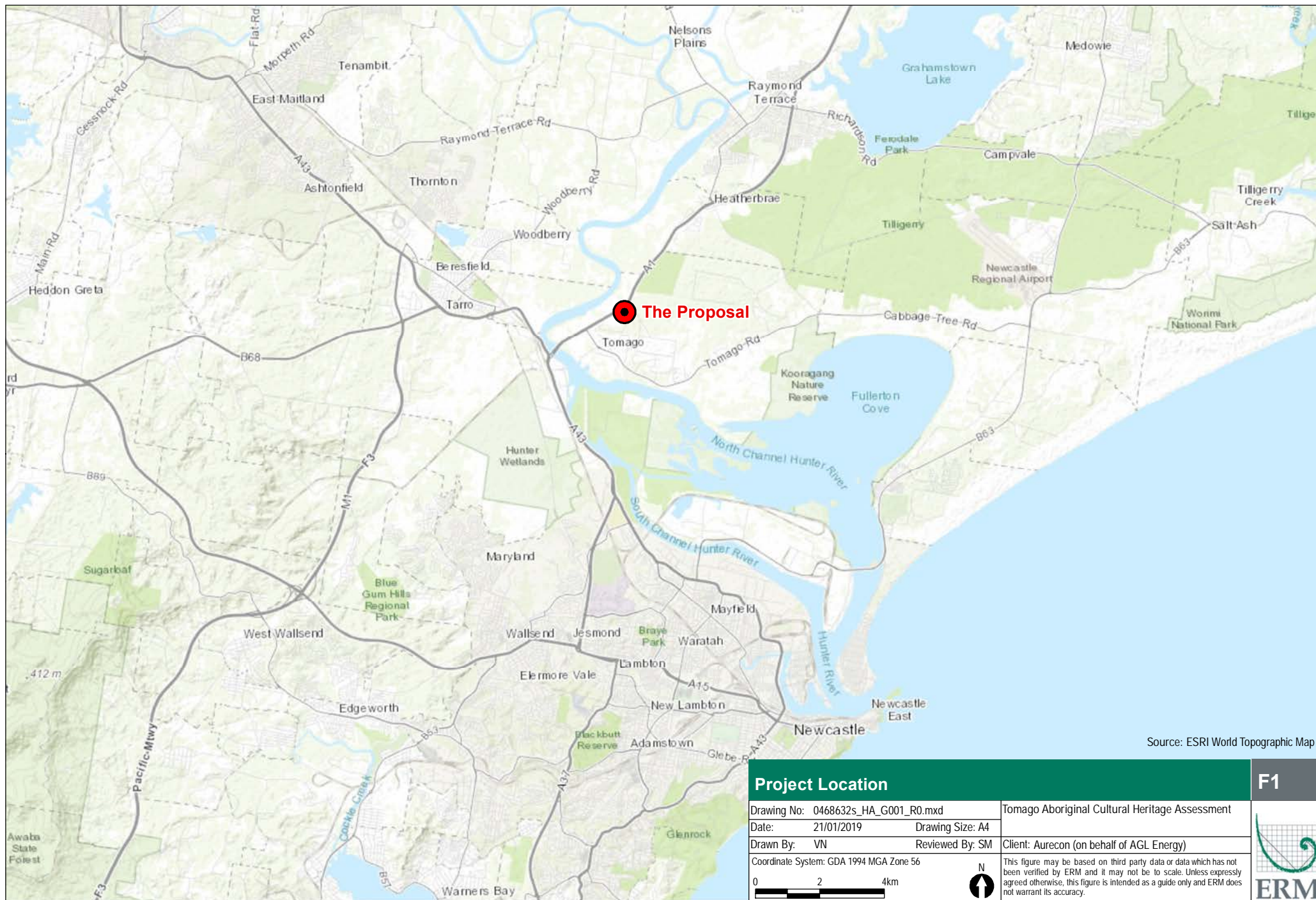
For Environmental Resources Management Australia Pty Ltd





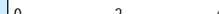
Stephanie Moore
Project Archaeologist



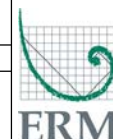
Damon Roddis
Partner



Project Location

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Donna & George Sampson
Cacatua Culture Consultants
22 Ibis Parade
WOODBERRY NSW 2322
cacatua4service@tpg.com.au

21 January 2019

Reference: 0468623

Dear Donna & George

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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stephanie.moore@erm.com

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Australia Square NSW 2000
(02) 8584 8868
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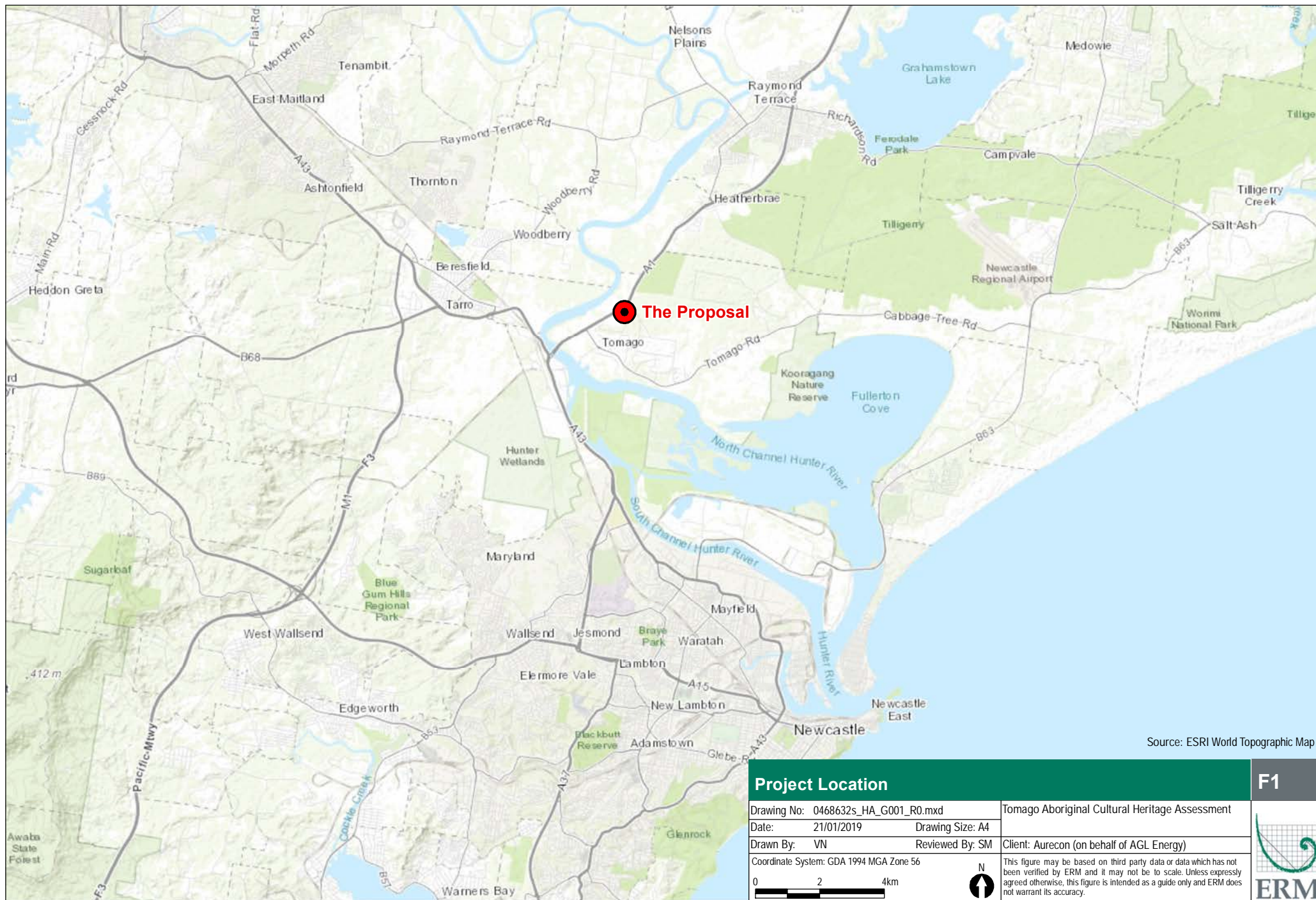
For Environmental Resources Management Australia Pty Ltd





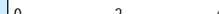
Stephanie Moore
Project Archaeologist



Damon Roddis
Partner

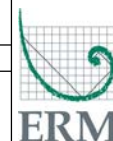


Project Location

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Carol Ridgeway-Bissett
33 Ullora Road
NELSON BAY NSW 2315

21 January 2019

Reference: 0468623

Dear Carol

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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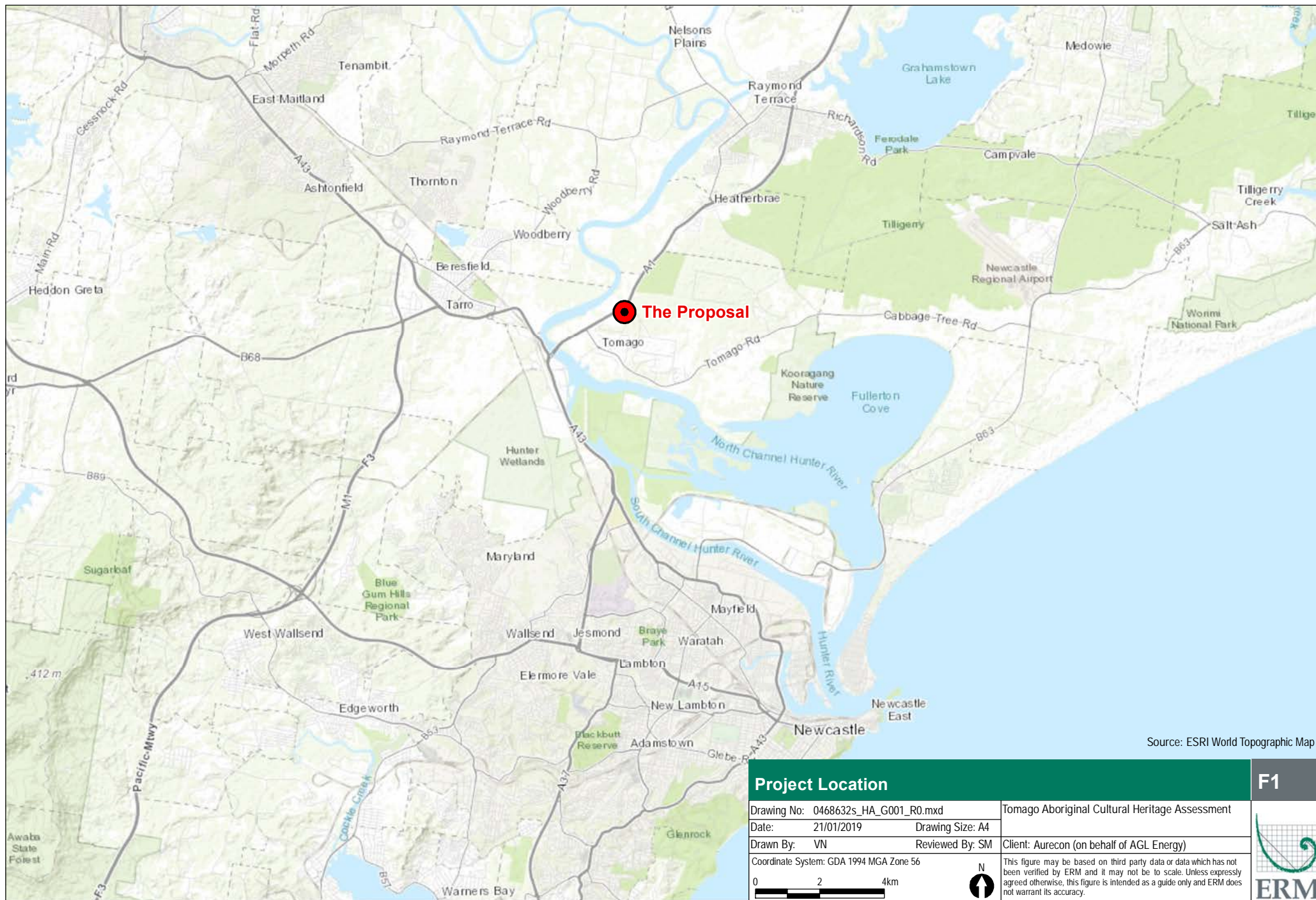
For Environmental Resources Management Australia Pty Ltd






Stephanie Moore
Project Archaeologist



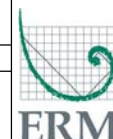
Damon Roddis
Partner



Project Location

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Jeffery Matthews
Crimson-Rosie
6 Eucalypt Avenue
MUSWELLBROOK NSW 2333

21 January 2019

Reference: 0468623

Dear Jeffery

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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2 Registration

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Stephanie Moore
stephanie.moore@erm.com
Locked Bag 3012

Australia Square NSW 2000
(02) 8584 8868
0439 720 041

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Yours sincerely,

For Environmental Resources Management Australia Pty Ltd






Stephanie Moore
Project Archaeologist



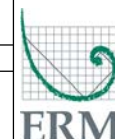
Damon Roddis
Partner



Project Location

Drawing No: 0468632s_HA_G001_R0.mxd		Tomago Aboriginal Cultural Heritage Assessment	
Date: 21/01/2019	Drawing Size: A4		
Drawn By: VN	Reviewed By: SM	Client: Aurecon (on behalf of AGL Energy)	 
Coordinate System: GDA 1994 MGA Zone 56		<p>This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.</p>	

F1





Paul Boyd & Lilly Carroll
Didge Ngunawal Clan
7 Siskin St
QUAKERS HILL NSW 2763
didgengunawalclan@yahoo.com.au

21 January 2019

Reference: 0468623

Dear Paul & Lilly

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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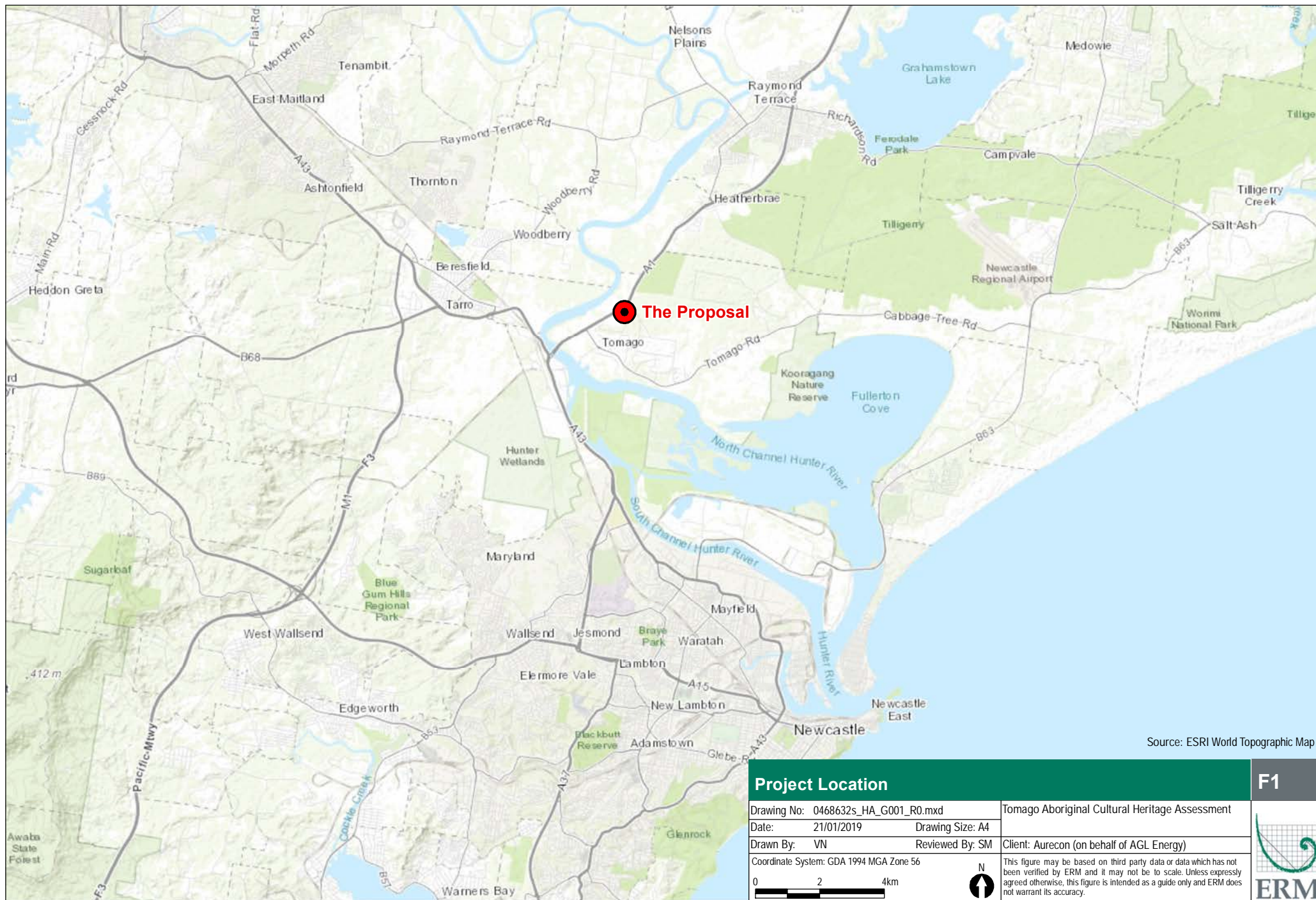
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Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

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Reviewed By: SM

Tomago Aboriginal Cultural Heritage Assessment

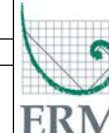
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0 2 4km



F1





Deidre Perkins
Divine Diggers Aboriginal Cultural Consultants
6 Ashleigh Street
HEDDON GRETA NSW 2321
dedemaree3@hotmail.com

21 January 2019

Reference: 0468623

Dear Deidre

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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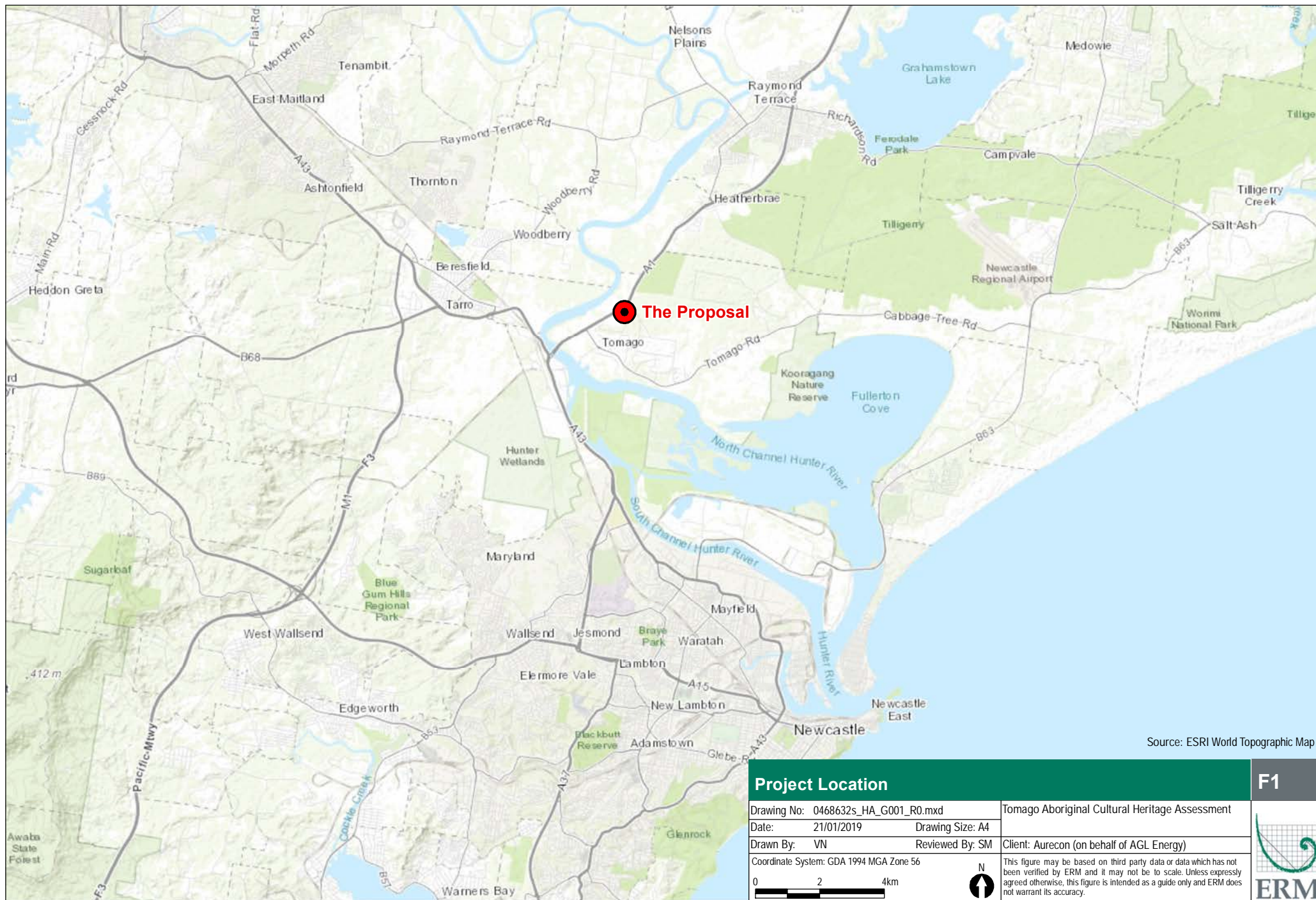
For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

Drawing No: 0468632s_HA_G001_R0.mxd

Date: 21/01/2019

Drawn By: VN

Coordinate System: GDA 1994 MGA Zone 56

Drawing Size: A4

Reviewed By: SM

Tomago Aboriginal Cultural Heritage Assessment

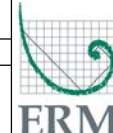
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0 2 4km



F1





Graeme Russell
Joint Management Co-ordinator
NSW National Parks and Wildlife Service
(Board of Management)

21 January 2019

Reference: 0468623

Dear Graeme

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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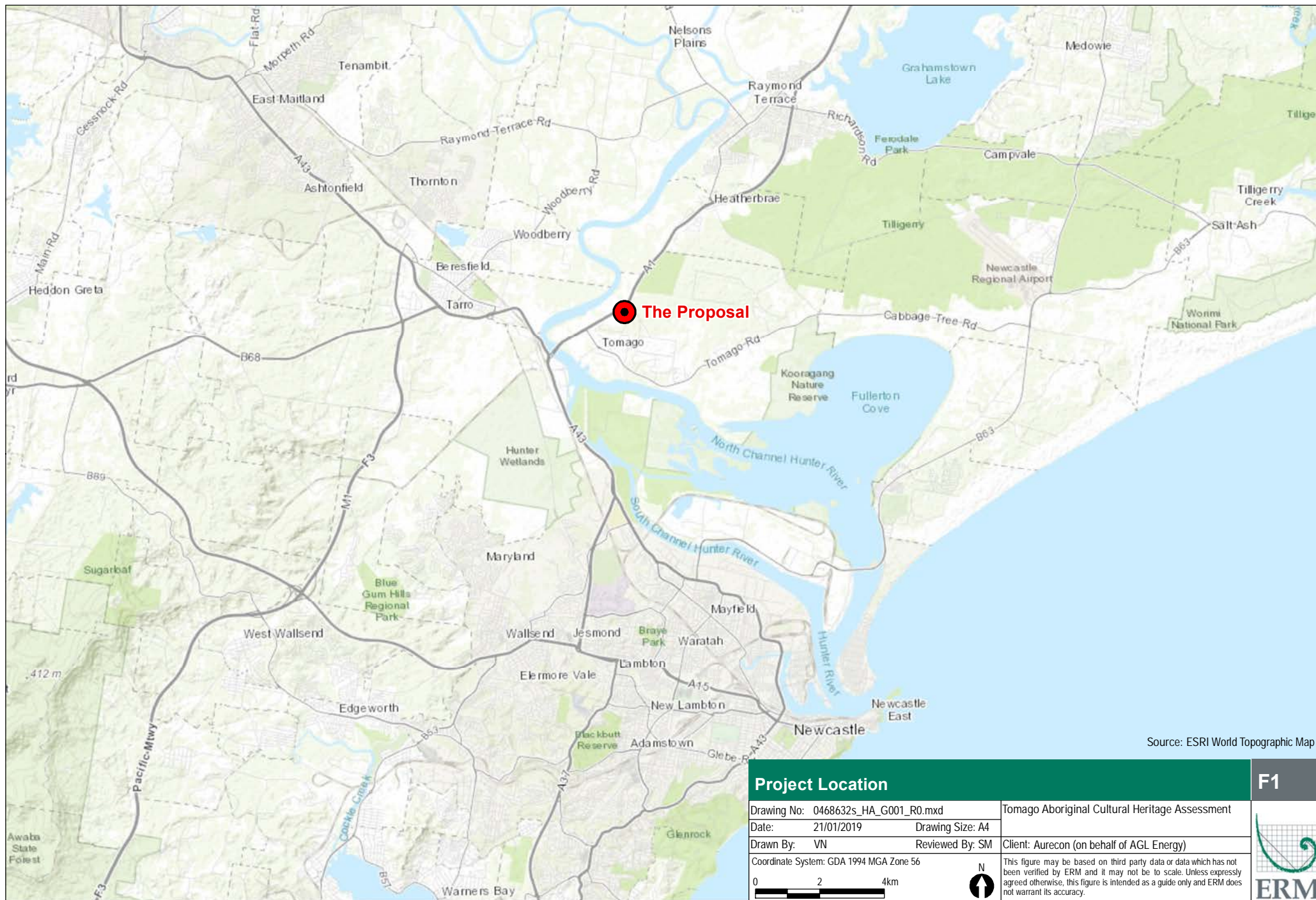
For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

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Coordinate System: GDA 1994 MGA Zone 56

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Reviewed By: SM

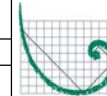
Tomago Aboriginal Cultural Heritage Assessment

Client: Aurecon (on behalf of AGL Energy)

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F1



ERM



Tania Matthews
Hunters & Collectors
U211 Walowa St
NARRABRI NSW 2390
Tamatthews10@hotmail.co

21 January 2019

Reference: 0468623

Dear Tania

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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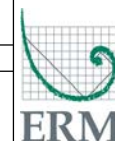
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Partner



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F1





David Feeney
Karuah Indigenous Corporation
1/7 Mustons Rd
KARUAH NSW 2324
karuahindigenous@outlook.com

21 January 2019

Reference: 0468623

Dear David

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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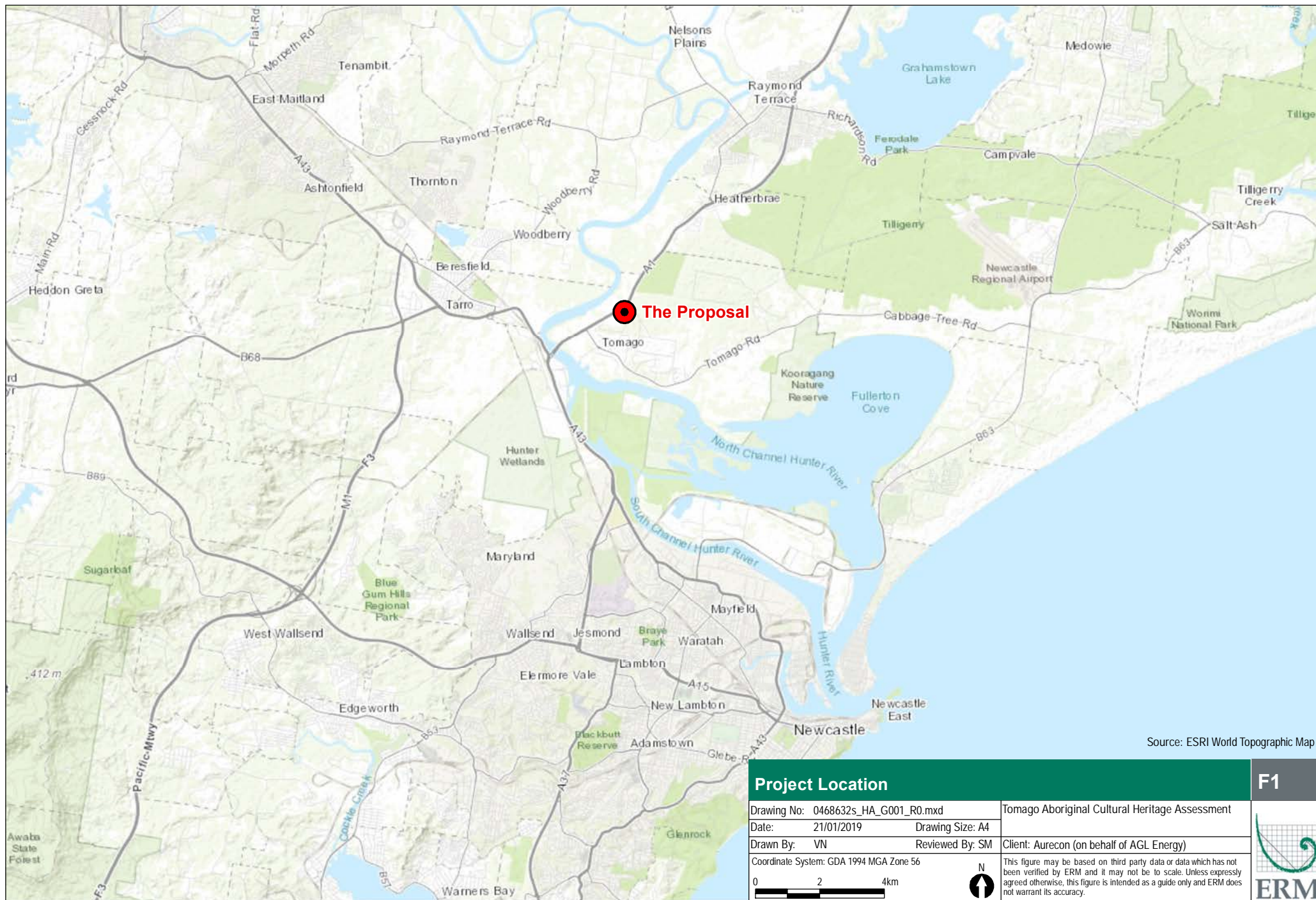
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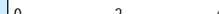
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Project Archaeologist



Damon Roddis
Partner

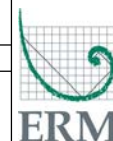


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F1





Karuah Local Aboriginal Land Council
16 Muston Road
KARUAH NSW 2324
karuahaboriginal@bigpond.com

21 January 2019

Reference: 0468623

Dear Karuah Local Aboriginal Land Council

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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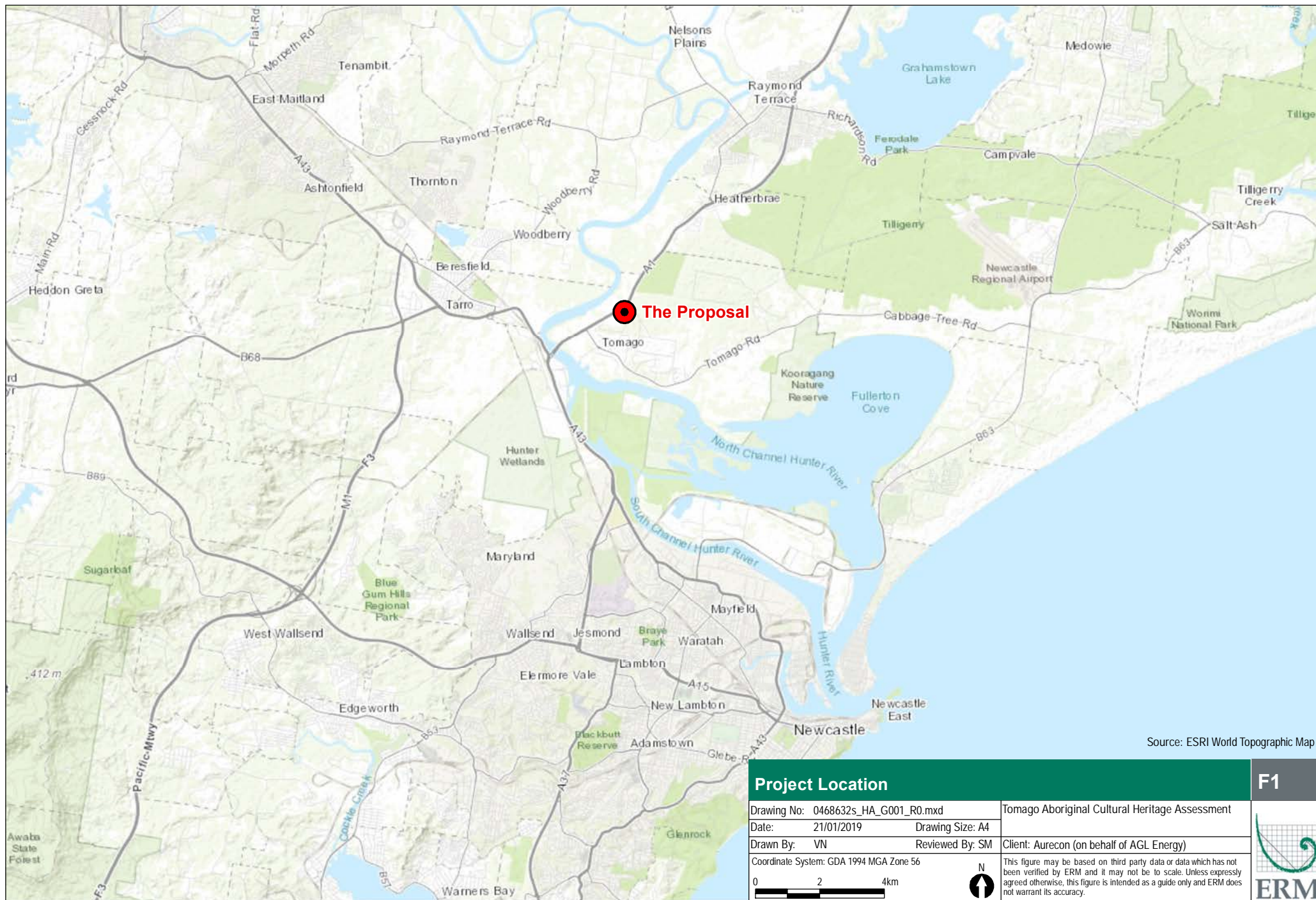
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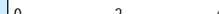
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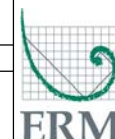
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Partner



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F1





Arthur Fletcher
Kawul Pty Ltd (trading as Wonn1 Sites)
619 Main Road
GLENDALE NSW 2285
Wonn1sites@gmail.com

21 January 2019

Reference: 0468623

Dear Arthur

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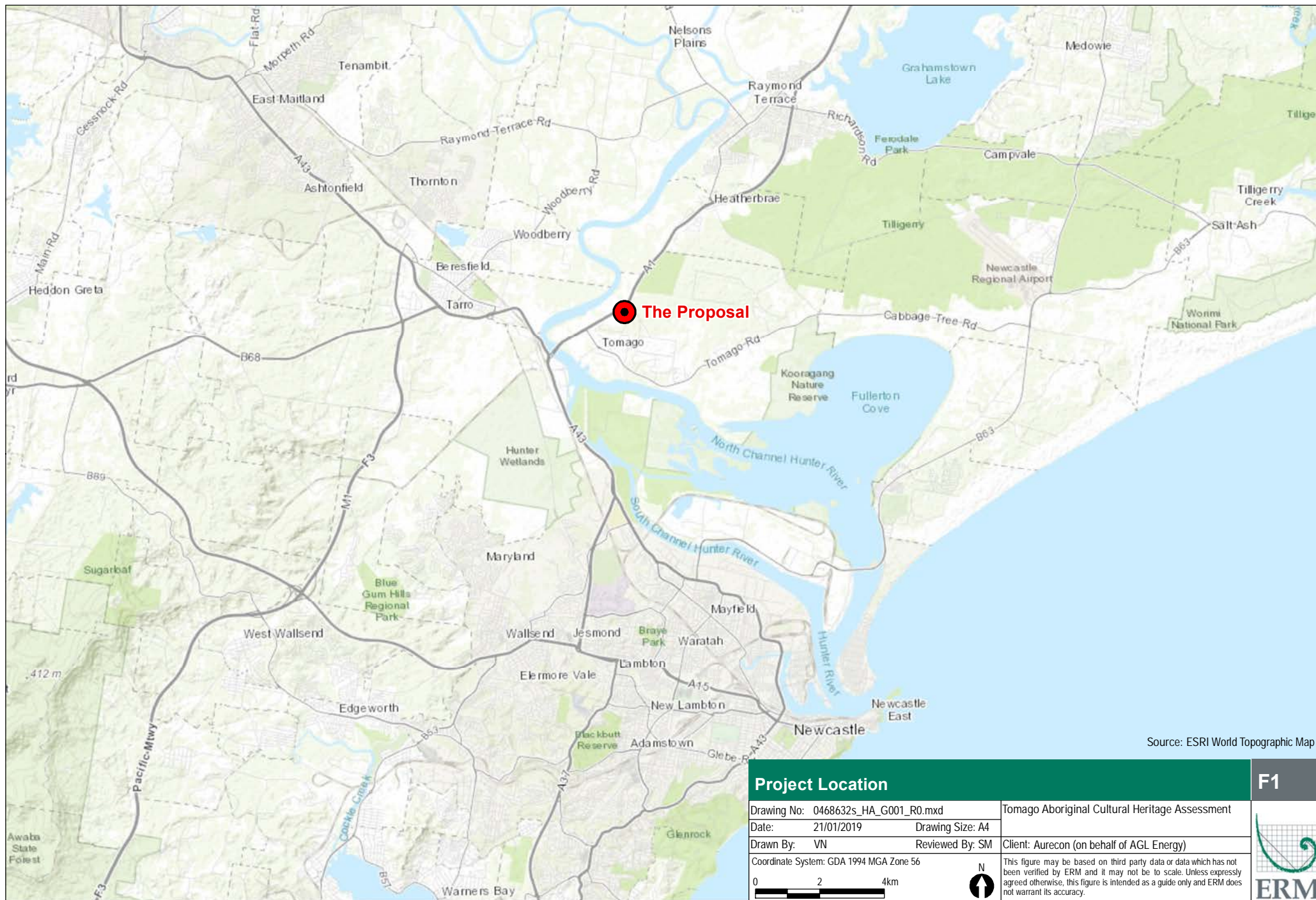
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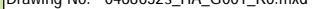

Stephanie Moore
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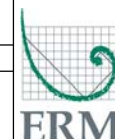
Damon Roddis
Partner



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F1





Mick Leon
Lakkari NTCG
C/- 4/39 Short Street
FORSTER NSW 2428
doowakee@gmail.com

21 January 2019

Reference: 0468623

Dear Mick

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2 Registration

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Stephanie Moore
stephanie.moore@erm.com

Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868
0439 720 041

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Yours sincerely,

For Environmental Resources Management Australia Pty Ltd






Stephanie Moore
Project Archaeologist



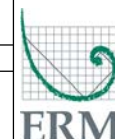
Damon Roddis
Partner



Project Location

Drawing No: 0468632s_HA_G001_R0.mxd		Tomago Aboriginal Cultural Heritage Assessment	
Date: 21/01/2019	Drawing Size: A4		
Drawn By: VN	Reviewed By: SM	Client: Aurecon (on behalf of AGL Energy)	 
Coordinate System: GDA 1994 MGA Zone 56		<p>This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.</p>	

F1





David Ahoy
Lower Hunter Aboriginal Incorporated
5 Killara Drive
CARDIFF SOUTH NSW 2285
lowerhunterai@gmail.com

21 January 2019

Reference: 0468623

Dear David

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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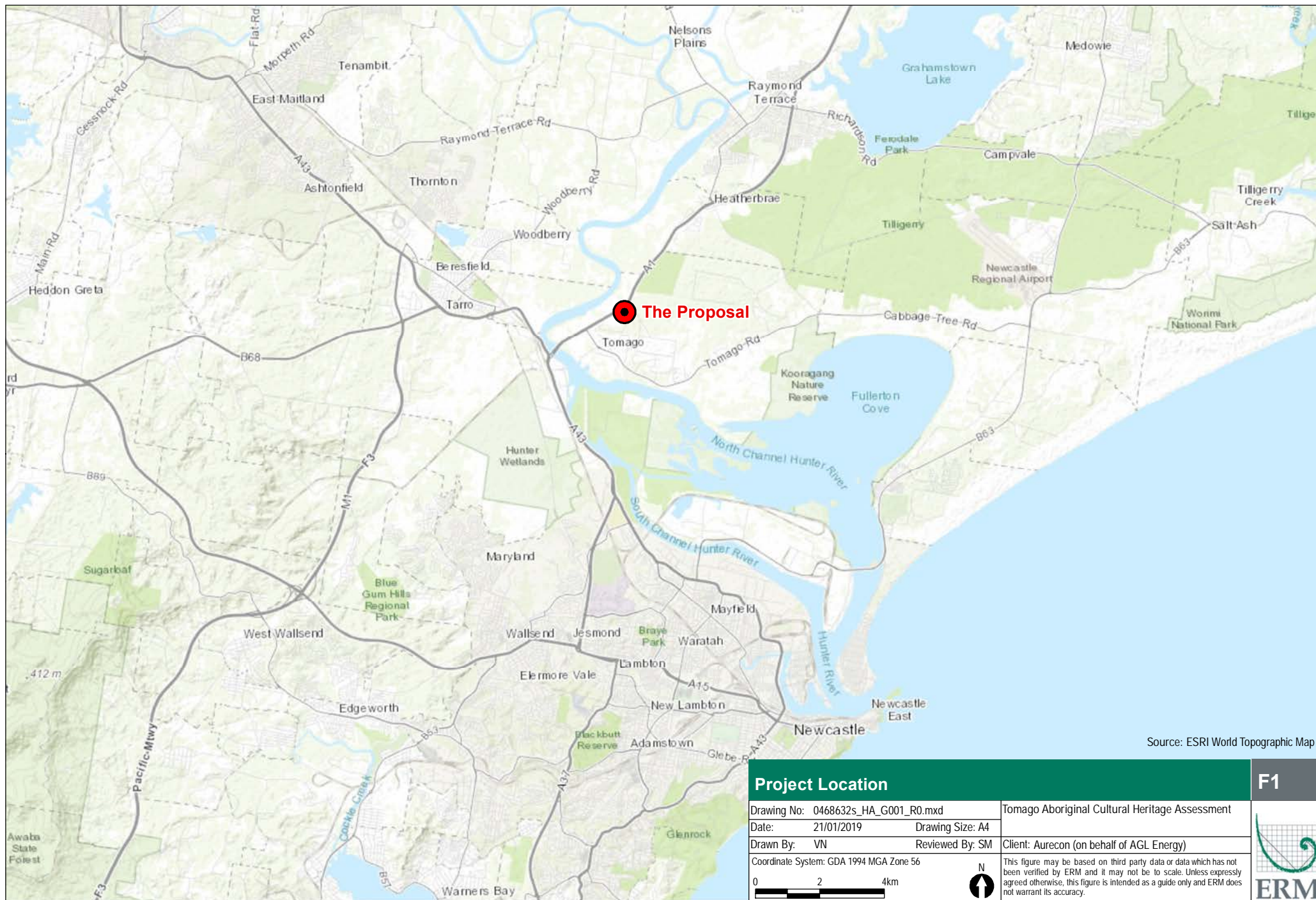
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Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

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Reviewed By: SM

Tomago Aboriginal Cultural Heritage Assessment

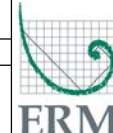
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0 2 4km



F1





Lea-Anne Ball and Uncle Tommy Miller
Lower Hunter Wonnarua Cultural Services
51 Bowden Street
HEDDON GRETA NSW 2321
tn.miller@southernphone.com.au

21 January 2019

Reference: 0468623

Dear Lea-Anne and Uncle Tommy Miller

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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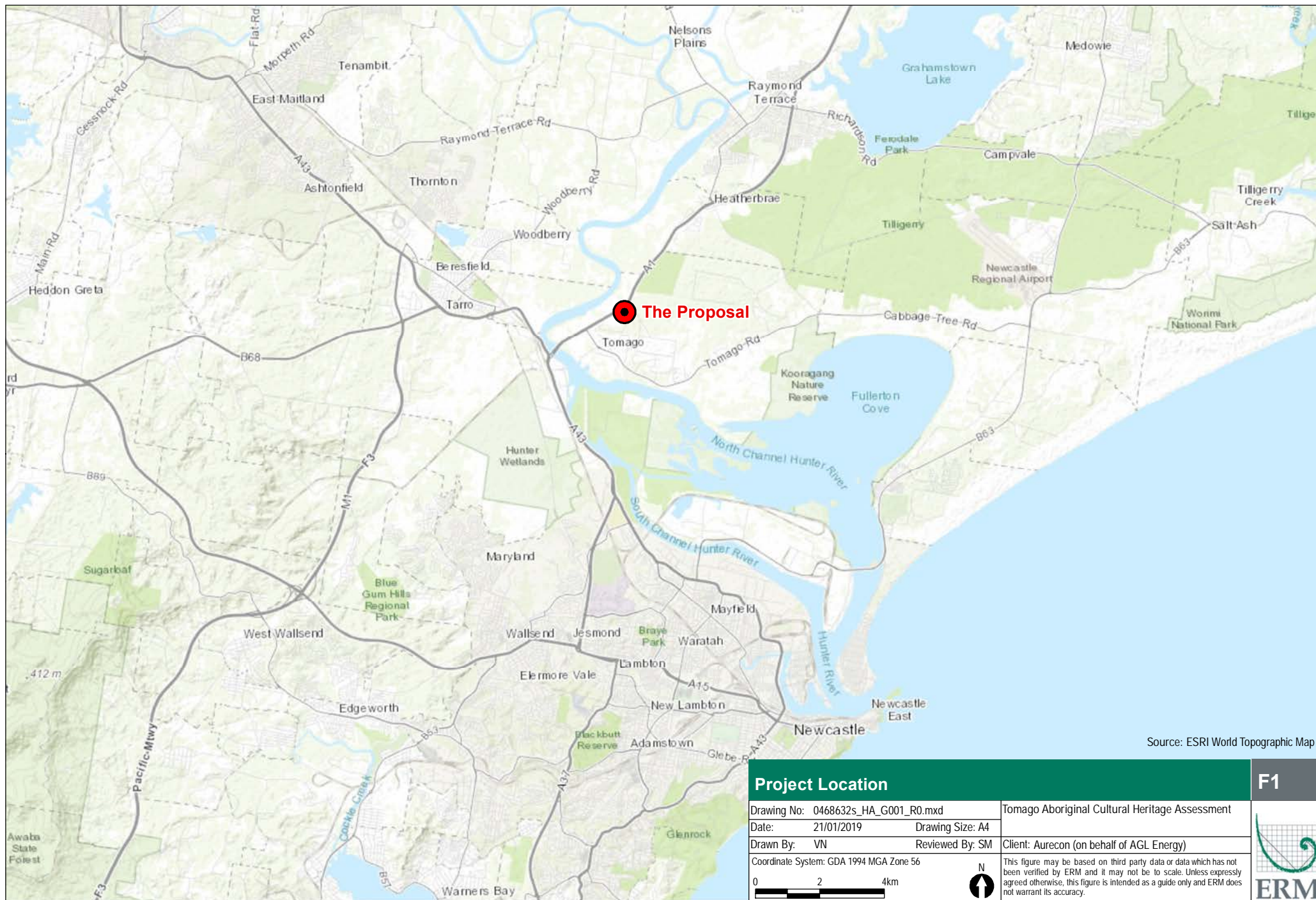
For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

Drawing No: 0468632s_HA_G001_R0.mxd

Tomago Aboriginal Cultural Heritage Assessment

Date: 21/01/2019

Drawing Size: A4

Drawn By: VN

Reviewed By: SM

Client: Aurecon (on behalf of AGL Energy)

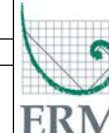
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F1





Mindaribba Local Aboriginal Land Council
1A Chelmsford Drive
METFORD NSW 2323
ceo@mindaribbalalc.org

21 January 2019

Reference: 0468623

Dear Mindaribba Local Aboriginal Land Council

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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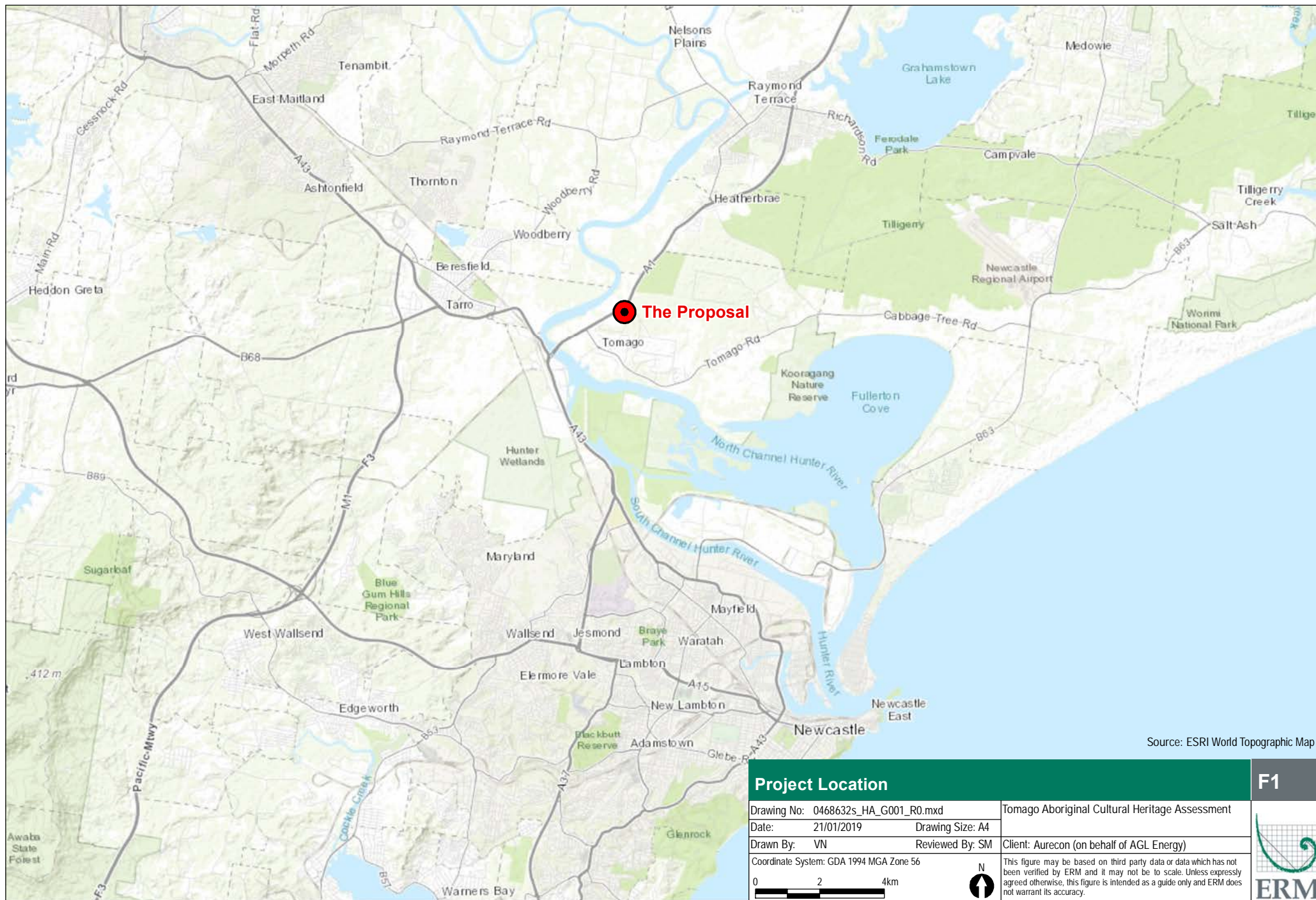
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Stephanie Moore
Project Archaeologist




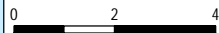


Damon Roddis
Partner

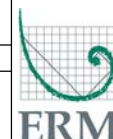


Source: ESRI World Topographic Map

Project Location

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F1





Ryan Johnson
Murra Bidgee Mullangari Aboriginal Corporation
PO Box 246
SEVEN HILLS NSW 2147
murrabidgeemullangari@yahoo.com.au

21 January 2019

Reference: 0468623

Dear Ryan

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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Yours sincerely,

For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



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Tomago Aboriginal Cultural Heritage Assessment

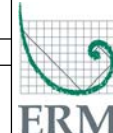
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0 2 4km



F1





Anthony Anderson
Mur-Roo-Ma Inc.
7 Vardon Road
FERN BAY NSW 2295
murroomainc1@gmail.com

21 January 2019

Reference: 0468623

Dear Anthony

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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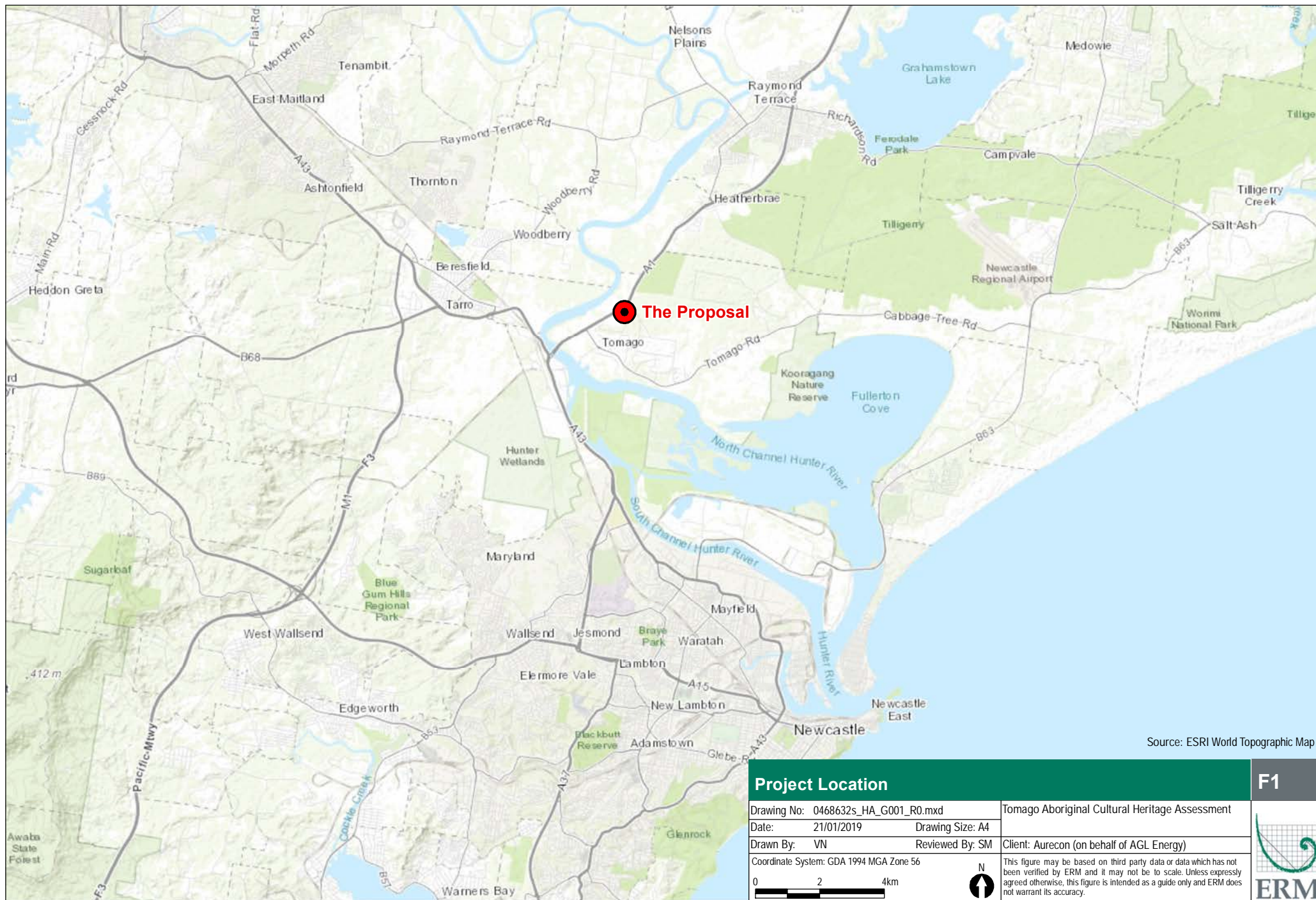
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Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



Project Location

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Tomago Aboriginal Cultural Heritage Assessment

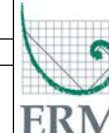
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0 2 4km



F1





Leonard Anderson OAM
Nur-Run-Gee Pty Ltd
22 Popplewell Road
FERN BAY NSW 2295
lennie.anderson011@bigpond.com

21 January 2019

Reference: 0468623

Dear Leonard

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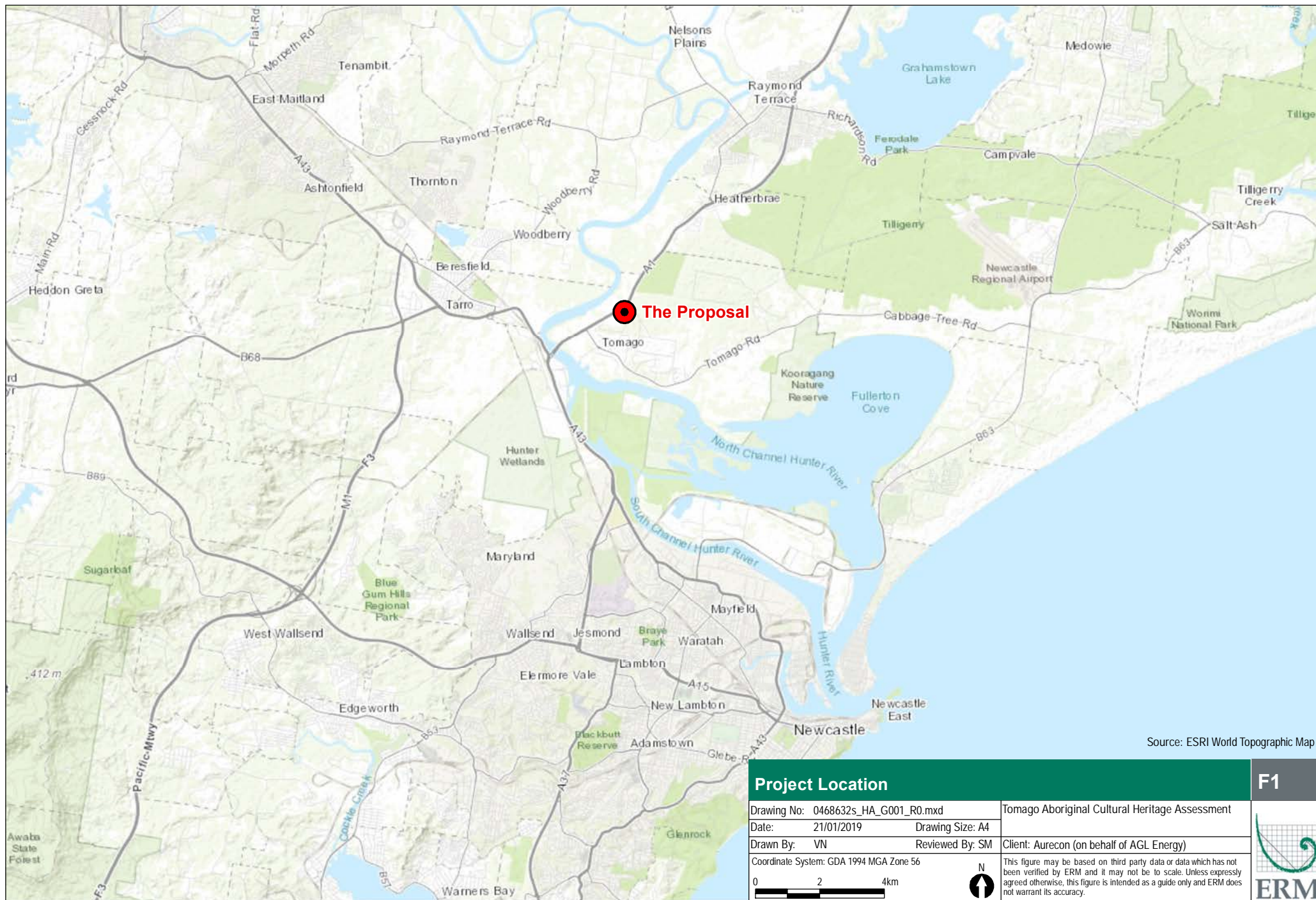
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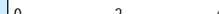
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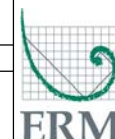
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Roger Matthews
Roger Matthews Consultancy
105 View Street
GUNNEDAH NSW 2380

21 January 2019

Reference: 0468623

Dear Roger

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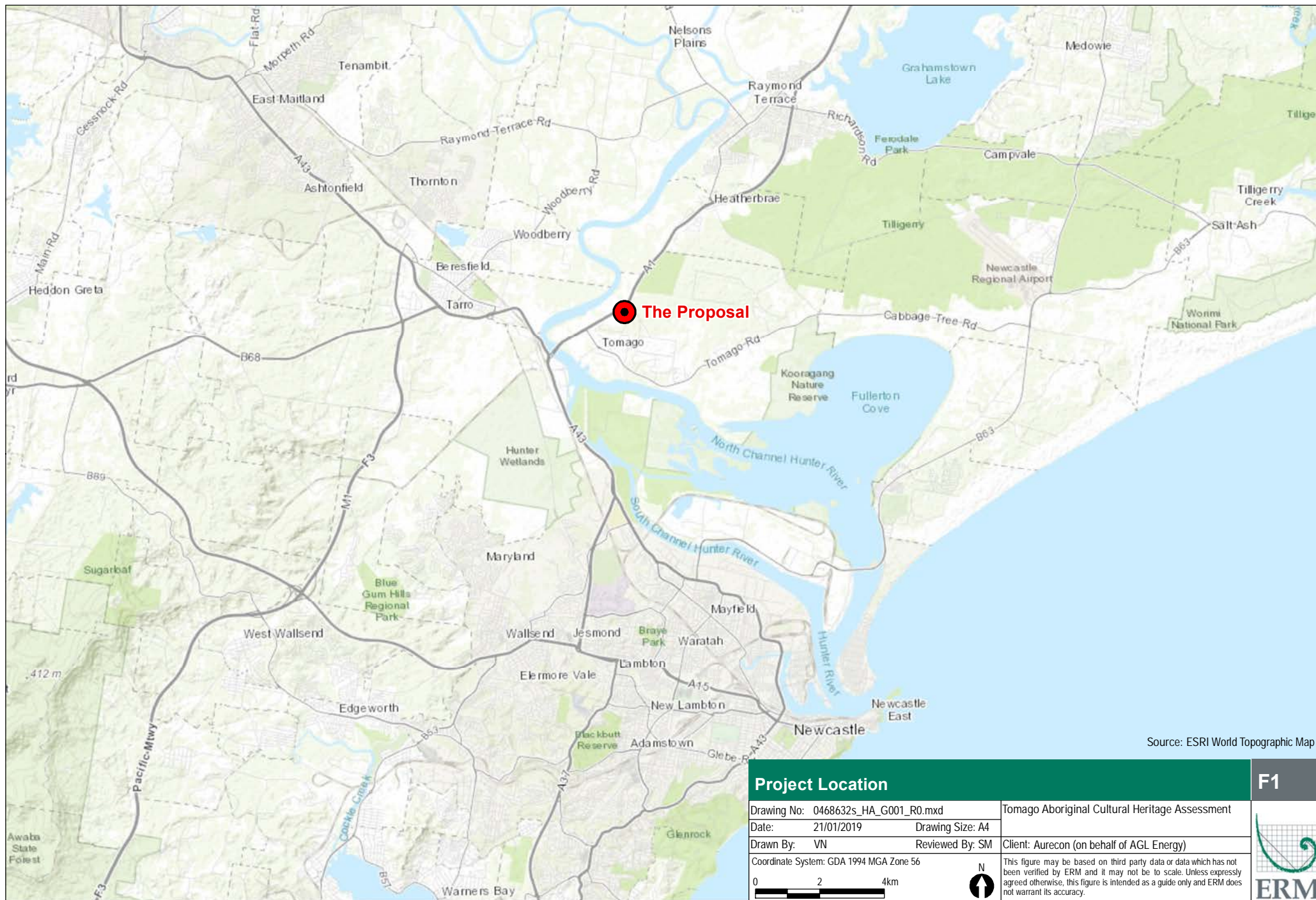
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Damon Roddis
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Tomago Aboriginal Cultural Heritage Assessment

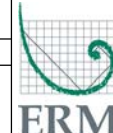
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0 2 4km



F1





Steve Talbott
73 Kiah Road
GILLIESTON HEIGHTS NSW 2321
gomeri.namoi@outlook.com

21 January 2019

Reference: 0468623

Dear Steve

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

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Damon Roddis
Partner

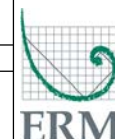


Source: ESRI World Topographic Map

Project Location

F1

Drawing No: 0468632s_HA_G001_R0.mxd		Tomago Aboriginal Cultural Heritage Assessment	
Date: 21/01/2019	Drawing Size: A4		
Drawn By: VN	Reviewed By: SM	Client: Aurecon (on behalf of AGL Energy)	
Coordinate System: GDA 1994 MGA Zone 56		<p>This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.</p>	





Des Hickey
Wattaka Wonnarua CC Service
4 Kennedy Street
SINGLETON NSW 2330
deshickey@bigpond.com

21 January 2019

Reference: 0468623

Dear Des

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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2 Registration

If you wish to formally register for future consultation regarding any of these cultural heritage assessments please contact Stephanie Moore (Project Archaeologist) by **4 February 2019** at the below details:

Stephanie Moore
stephanie.moore@erm.com

Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868
0439 720 041

If you have any specific information concerning the cultural values of the project areas, we would also be grateful if you could let us know. Any cultural knowledge provided will be treated in confidence and the information will be distributed according to the wishes of the Aboriginal stakeholders.

Yours sincerely,

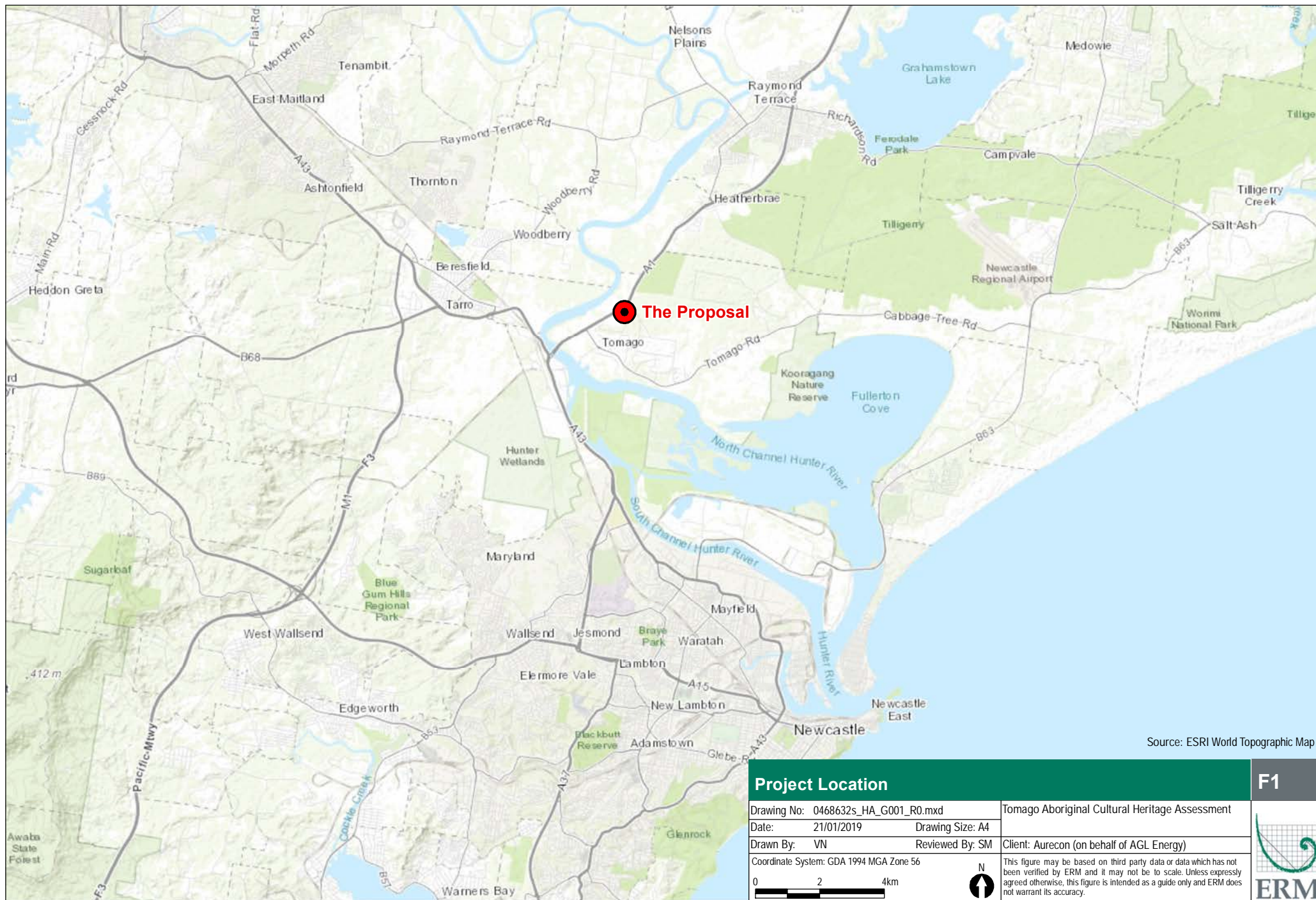
For Environmental Resources Management Australia Pty Ltd





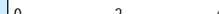
Stephanie Moore
Project Archaeologist



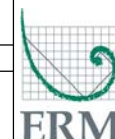
Damon Roddis
Partner



Project Location

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F1





Steven Hickey
Widescope Indigenous Group
73 Russell Street
EMU PLAINS NSW 2750
Widescope.group@live.com

21 January 2019

Reference: 0468623

Dear Steven

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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stephanie.moore@erm.com

Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868
0439 720 041

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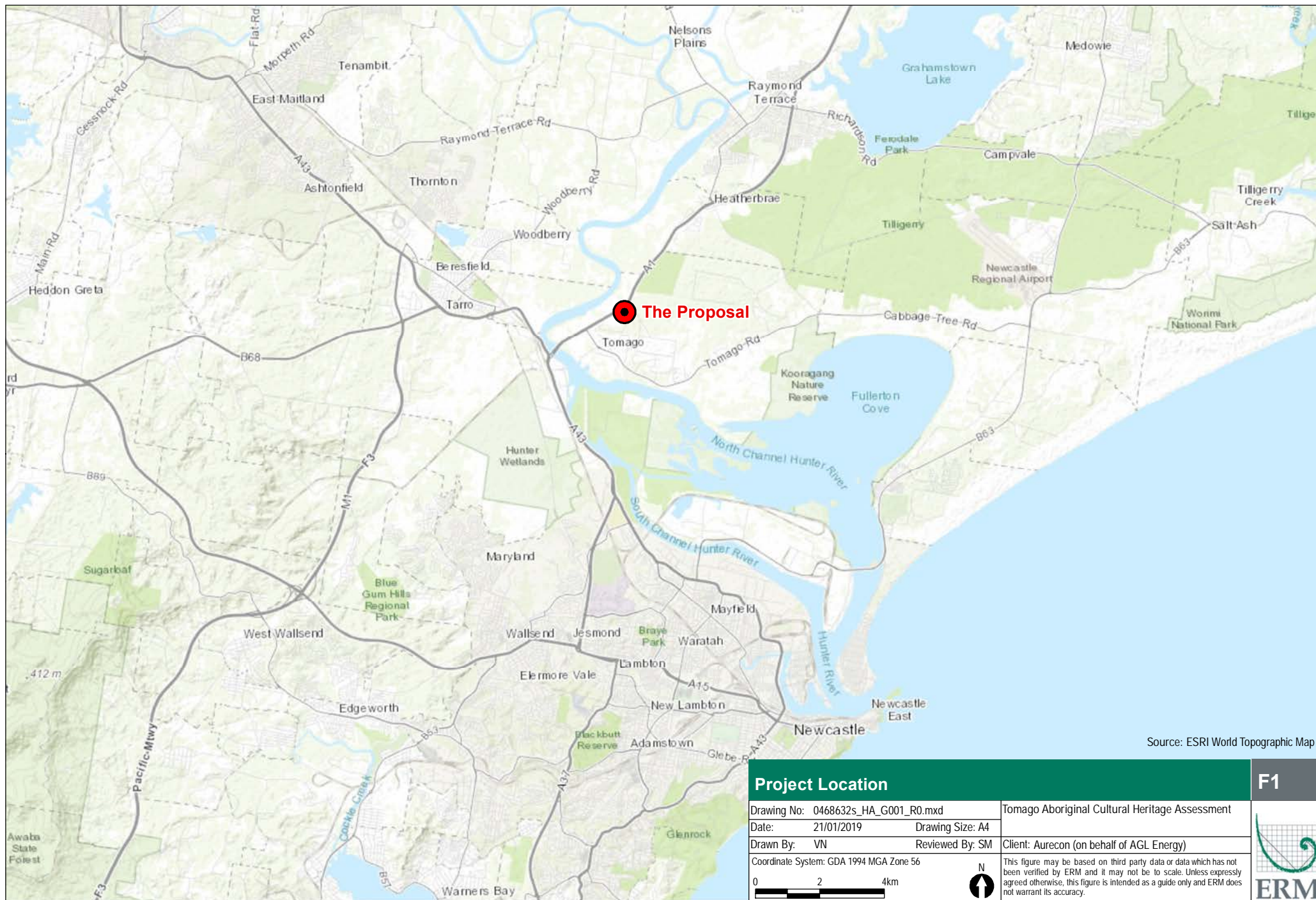
For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner





Richard Edwards
Wonnarua Elders Council
PO Box 844
CESSNOCK NSW 2325

21 January 2019

Reference: 0468623

Dear Richard

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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stephanie.moore@erm.com
Locked Bag 3012

Australia Square NSW 2000
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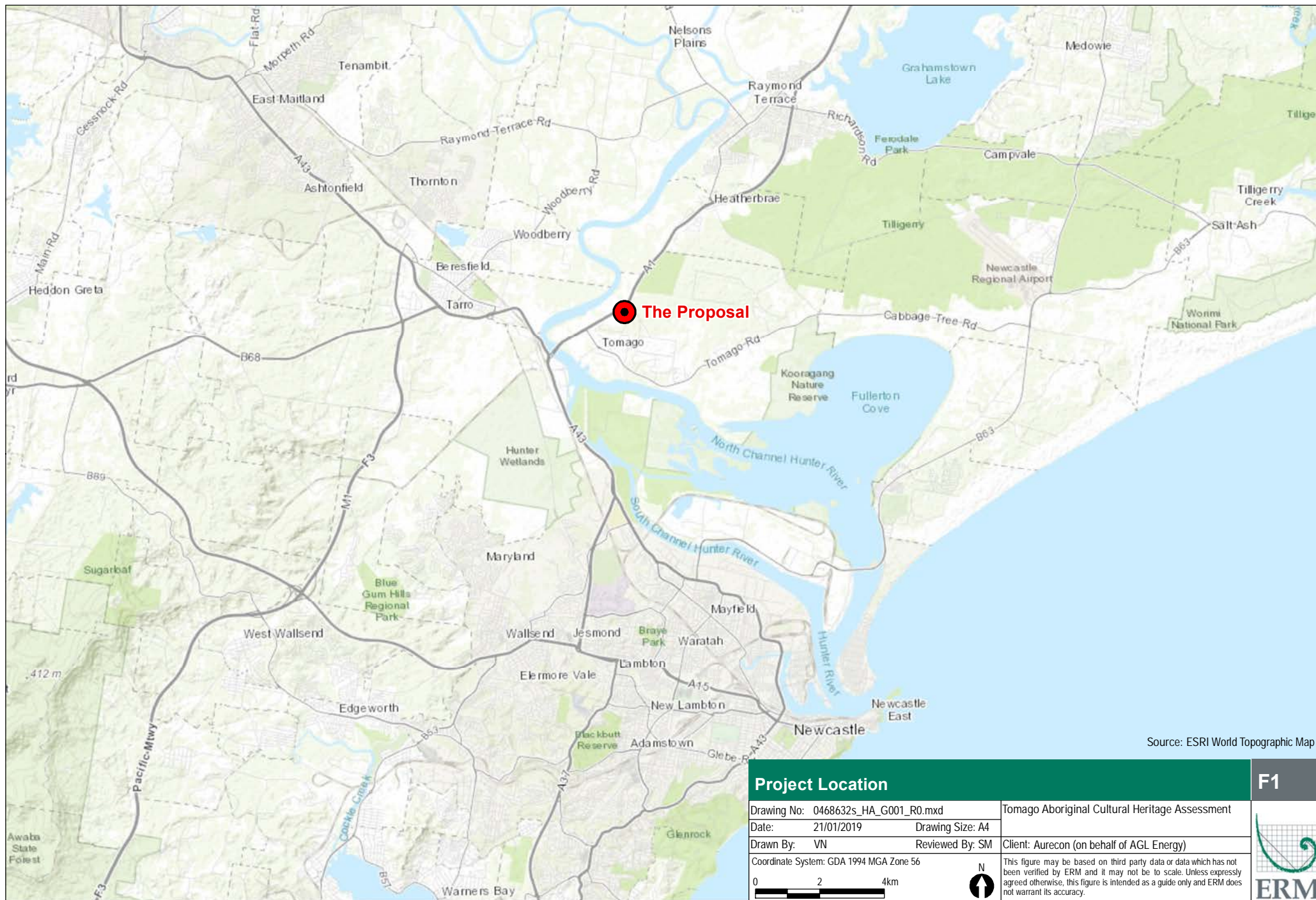
For Environmental Resources Management Australia Pty Ltd






Stephanie Moore
Project Archaeologist



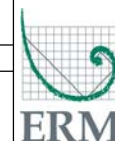
Damon Roddis
Partner



Project Location

Drawing No: 0468632s_HA_G001_R0.mxd		Tomago Aboriginal Cultural Heritage Assessment	
Date: 21/01/2019	Drawing Size: A4		
Drawn By: VN	Reviewed By: SM	Client: Aurecon (on behalf of AGL Energy)	 
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F1





Worimi Local Aboriginal Land Council
2163 Nelson Bay Road
WILLIAMTOWN NSW 2318
andrew@worimi.org.au

21 January 2019

Reference: 0468623

Dear Worimi Local Aboriginal Land Council

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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Stephanie Moore
stephanie.moore@erm.com

Page 1 of 4

Locked Bag 3012
Australia Square NSW 2000
(02) 8584 8868
0439 720 041

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Yours sincerely,

For Environmental Resources Management Australia Pty Ltd






Stephanie Moore
Project Archaeologist



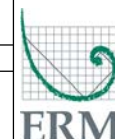
Damon Roddis
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Project Location

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F1





Candy Lee Towers
Worimi Traditional Owners Indigenous Corporation
36 Avon St
MAYFIELD NSW 2304
worimitoc@hotmail.com

21 January 2019

Reference: 0468623

Dear Candy

Subject: Proposed gas fired power station, Tomago NSW – Aboriginal Cultural Heritage Assessment

In accordance with the NSW Office of Environment and Heritage's (OEH) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (the Consultation Guidelines), and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010 (Code of Practice), Environmental Resources Management Australia (ERM) wishes to inform you that we have been engaged by Aurecon (on behalf of AGL) to prepare an Aboriginal Cultural Heritage Assessment (ACHA) associated with the proposed construction and operation of a gas fired power plant in Tomago, NSW. The proposed project location is identified in **Figure 1** below.

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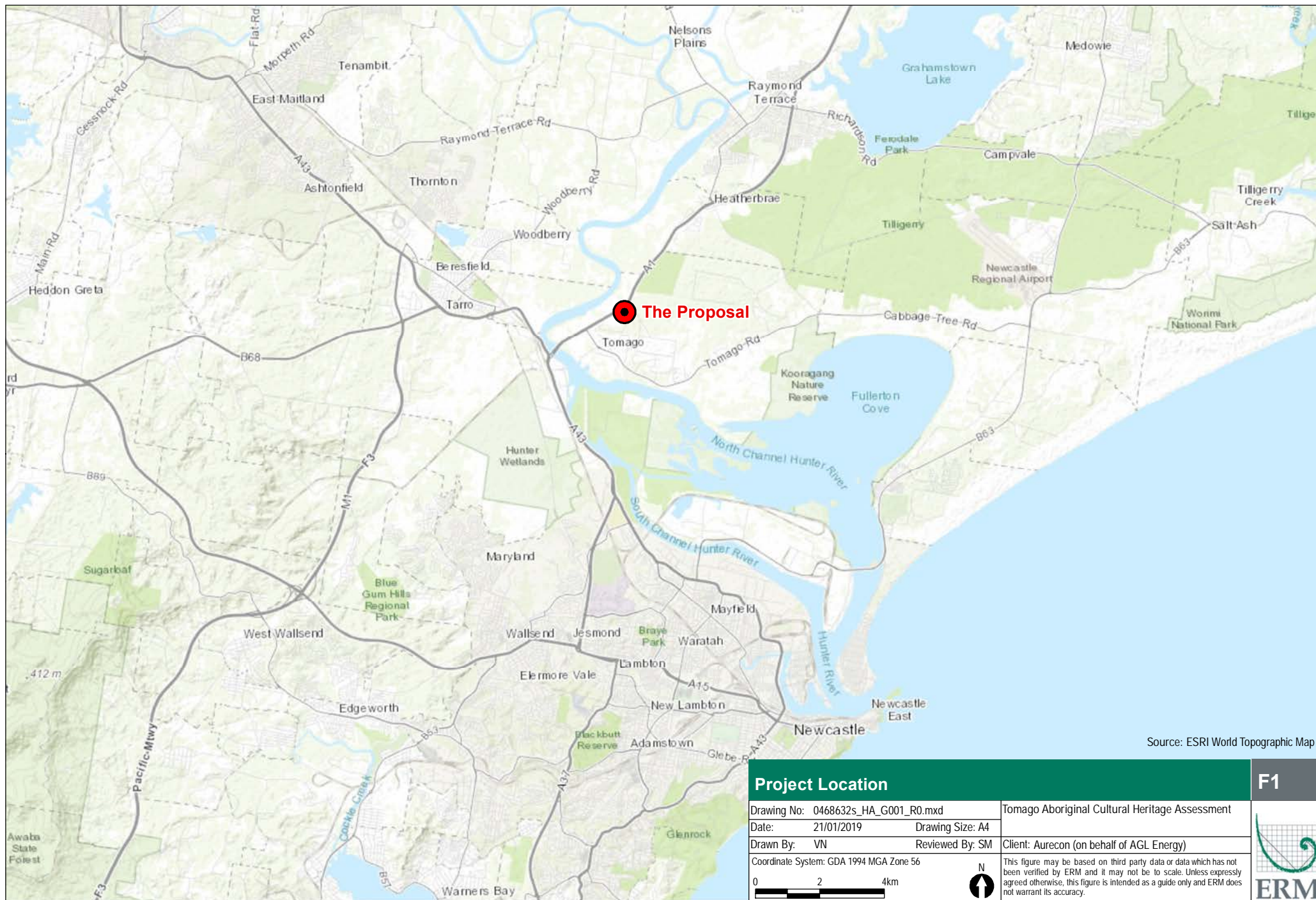
For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Project Archaeologist



Damon Roddis
Partner



APPENDIX G

ABORIGINAL COMMUNITY CONSULTATION – REGISTRATIONS

Robin Twaddle

From: Caza X <cazadirect@live.com>
Sent: Monday, 28 January 2019 11:48 AM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

A1

Indigenous Services

Contact: Carolyn

M: 0411650057

E: Cazadirect@live.com

A: 10 Marie Pitt Place, Glenmore Park, NSW 2745

ABN: 20 616 970 327

Hi

A1 would like to register for consultation and an field work for this project.

I am a traditional owner and hold cultural knowledge and connection to this area

Thank you

Carolyn Hickey

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, 22 January 2019 1:52 PM
To: Cazadirect@live.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore
Heritage Consultant

M. ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

T +612 8584 8868 | **M** +614 39 720 041

E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: lilly carroll <didgengunawalclan@yahoo.com.au>
Sent: Tuesday, 22 January 2019 1:22 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie,

DNC would like to register an interest into Tomago Gas Fired Plant Project,

Kind regards
Paul Boyd & Lilly Carroll
Directors DNC

[Sent from Yahoo Mail for iPhone](#)

On Tuesday, January 22, 2019, 1:54 pm, Stephanie Moore <Stephanie.Moore@erm.com> wrote:

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore

Heritage Consultant

M.ICOMOS

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Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

T [+612 8584 8868](tel:+61285848868) | **M** [+614 39 720 041](tel:+61439720041)

E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: Deidre Perkins <dedemaree3@hotmail.com>
Sent: Wednesday, 23 January 2019 1:58 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good afternoon Stephanie,
Hope this finds you well. I would like to register for The Tomago project.
Sincerely
Deidre Perkins 😊

Get [Outlook for Android](#)

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, January 22, 2019 1:54:33 PM
To: dedemaree3@hotmail.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

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Robin Twaddle

From: David Feeney <karuahindigenous@outlook.com>
Sent: Tuesday, 29 January 2019 3:49 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Hi Stephanie[

Karuah Indigenous Corporation would like to registrar
there interest for the Tomago assessment

Thank you

Dave Feeney
Snr Aboriginal Culture Officer
0421114853

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, January 22, 2019 3:55 AM
To: karuahindigenous@outlook.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

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Heritage Consultant

M. ICOMOS

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Robin Twaddle

From: Shaun Carroll <Merrigarn@hotmail.com>
Sent: Wednesday, 30 January 2019 10:43 AM
To: Stephanie Moore
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie,
Can you please register me for the above project, please feel free to contact me via email or mobile 0400637554.
Kind regards
Shaun Carroll

Sent from [Mail](#) for Windows 10

Robin Twaddle

From: Muragadi <muragadi@yahoo.com.au>
Sent: Tuesday, 29 January 2019 2:30 PM
To: Stephanie Moore
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Dear Stephanie,

I would like to register for the above project, our family and members hold the cultural knowledge relevant to identifying Aboriginal objects and or places in the project area. Our family and members have done many projects in the area and have been doing Aboriginal Cultural heritage projects for over 20 years. Please feel free to contact me via email or mble 0418970389.

Kind regards

Anthony

Robin Twaddle

From: Ryan Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Friday, 25 January 2019 6:35 PM
To: Stephanie Moore
Subject: RE: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

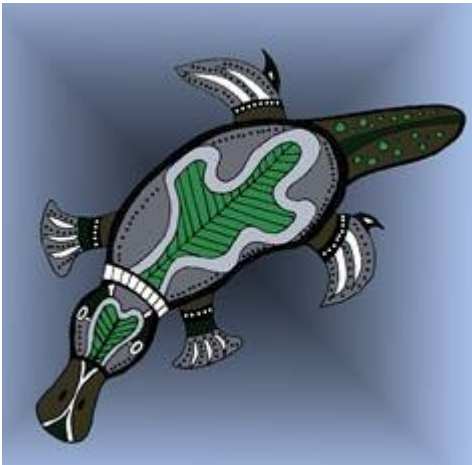
Follow Up Flag: Follow up
Flag Status: Completed

Dear Stephanie,

Please register our organisation for the above project, our family and members hold the cultural knowledge that is required to identifying aboriginal objects and/or places in the project area.

Kind regards

Ryan Johnson | **Murra Bidgee Mullangari**



Aboriginal Corporation Cultural Heritage

A: PO Box 246, Seven Hills, NSW, 2147
E: murrabidgeemullangari@yahoo.com.au
ICN: 8112

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From: Stephanie Moore [mailto:Stephanie.Moore@erm.com]
Sent: Tuesday, 22 January 2019 1:57 PM
To: murrabidgeemullangari@yahoo.com.au
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

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If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore
Heritage Consultant

M.ICOMOS

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T +612 8584 8868 | **M** +614 39 720 041
E stephanie.moore@erm.com | **W** www.erm.com

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Robin Twaddle

From: Anthony Anderson <murroomainc1@gmail.com>
Sent: Monday, 28 January 2019 2:10 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest
Attachments: ERM- Tomago Gas Fire Station.docx

Follow Up Flag: Follow up
Flag Status: Completed

To Stephanie-

Please find enclosed expression of interest for Tomago ACHA

Thanks
Bec Young
Operations Manager

On Tue, Jan 22, 2019 at 1:58 PM Stephanie Moore <Stephanie.Moore@erm.com> wrote:

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore

Heritage Consultant

M. ICOMOS

ERM

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T +612 8584 8868 | **M** +614 39 720 041

E stephanie.moore@erm.com | **W** www.erm.com



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--

Anthony Anderson
CEO Mur-roo-ma Incorporated
Justice of The Peace

Robin Twaddle

From: lennie.anderson011 lennie.anderson011 <lennie.anderson011@bigpond.com>
Sent: Tuesday, 22 January 2019 4:49 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon Stephanie!

On behalf of the Worimi Traditional Owners and Elders Group and my Company (Nur-Run-Gee Pty Ltd) I wish to give knowledge that:

- We/I wish to Register for the upcoming ACHA.

If any further information is required do not hesitate to contact our Offices (Nur-Run-Gee) or Phone Mob 0431 334 365.

Lennie Anderson OAM ASM ADM
Worimi Traditional Custodian
Nur-Run-Gee Pty Ltd (Director)
Indigenous Archaeologist

----- Original Message -----

From: "Stephanie Moore" <Stephanie.Moore@erm.com>
To: "lennie.anderson011@bigpond.com" <lennie.anderson011@bigpond.com>
Sent: Tuesday, 22 Jan, 2019 At 1:58 PM
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore

Heritage Consultant

M. ICOMOS

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E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: stephen talbott <gomerioi.namoi@outlook.com>
Sent: Wednesday, 13 February 2019 7:25 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie

I called and registered my expression of interest however have not received any confirmation of my interest being registered
Can you please confirm you have received this

Regards

Steven

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, 22 January 2019 1:59:50 PM
To: gomerioi.namoi@outlook.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore
Heritage Consultant

M. ICOMOS

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E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: WIDESCOPE . <widescope.group@live.com>
Sent: Thursday, 24 January 2019 6:54 PM
To: Stephanie Moore
Subject: RE: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie

Please register my interest in the Aboriginal Cultural heritage assessment ACHA being undertaken in Tomago NSW.

I am a recognised indigenous cultural knowledge holder. I hold knowledge relevant in determining the significance of Aboriginal objects and places. I hold a cultural connection to the surrounding areas.

My preferred Method of contact is Via Email: widescope.group@live.com
Admin 0425232056

or Mob 0425230693

My level of involvement: I would like to attend Community Consultation meetings and to be considered for field survey works.

Regards
Steven Hickey

Sent from [Mail](#) for Windows 10

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, January 22, 2019 1:59:00 PM
To: Widescope.group@live.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore
Heritage Consultant

M. ICOMOS

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E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: Sites <Sites@worimi.org.au>
Sent: Thursday, 24 January 2019 12:15 PM
To: Stephanie Moore
Subject: FW: `Gas Fired Power Plant

Hi Stephanie, I understand that other stakeholders received letters of engagement for this job yesterday?
Can you please confirm the inclusion of the WLALC as we a yet to hear back from you.

Kind Regards,

Jamie Merrick
Senior Sites Officer
Worimi Local Aboriginal Land Council
2163 Nelson Bay Road,
WILLIAMTOWN NSW 2318

Ph: **02) 4033 8814** | Fax: **02) 4033 8899**
Email: sites@worimi.org.au



From: Sites
Sent: Wednesday, 5 December 2018 8:22 AM
To: 'Stephanie.moore@erm.com' <Stephanie.moore@erm.com>
Subject: `Gas Fired Power Plant

Hi Stephanie could you let us know if you received our expression of interest for the gas fired power plant

Kind Regards,

Jamie Merrick

Senior Sites Officer

Worimi Local Aboriginal Land Council

2163 Nelson Bay Road,

WILLIAMTOWN NSW 2318

Ph: **02) 4033 8814** | Fax: **02) 4033 8899**

Email: sites@worimi.org.au



Robin Twaddle

From: Worimi TOC <worimitoc@hotmail.com>
Sent: Monday, 28 January 2019 12:02 PM
To: Stephanie Moore
Subject: Re: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie,

On behalf of Worimi Traditional Owners Indigenous Corporation and its members I would like to register our interest in the above mention project for the full consultation.

Cheers,

Candy Towers
Worimi Custodian
Worimi Traditional Owners Indigenous Corporation
Ph: 0412 475 362
e: worimitoc@hotmail.com



Guudji Yiigu, I am a Worimi and Yorta Yorta woman from Newcastle NSW, I acknowledge and pay my respects to the traditional owners and custodians of the land on which I live and work, to their continuing connection to land, water, culture and community and pay my respects to the Elders past, present and to our future generations.

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Tuesday, 22 January 2019 1:59 PM
To: worimitoc@hotmail.com
Subject: Tomago Gas Fired Power Plant ACHA - Invitation to Register Interest

Good Afternoon,

Please find attached an Invitation to Register your interest for an Aboriginal Cultural Heritage Assessment (ACHA) project being undertaken in Tomago NSW.

If you would like to register your Interest, please do so either in writing or by phone by **4 February 2019**.

Should you have any further questions, please don't hesitate to get in touch.

Kind Regards,

Stephanie Moore
Heritage Consultant

M. ICOMOS

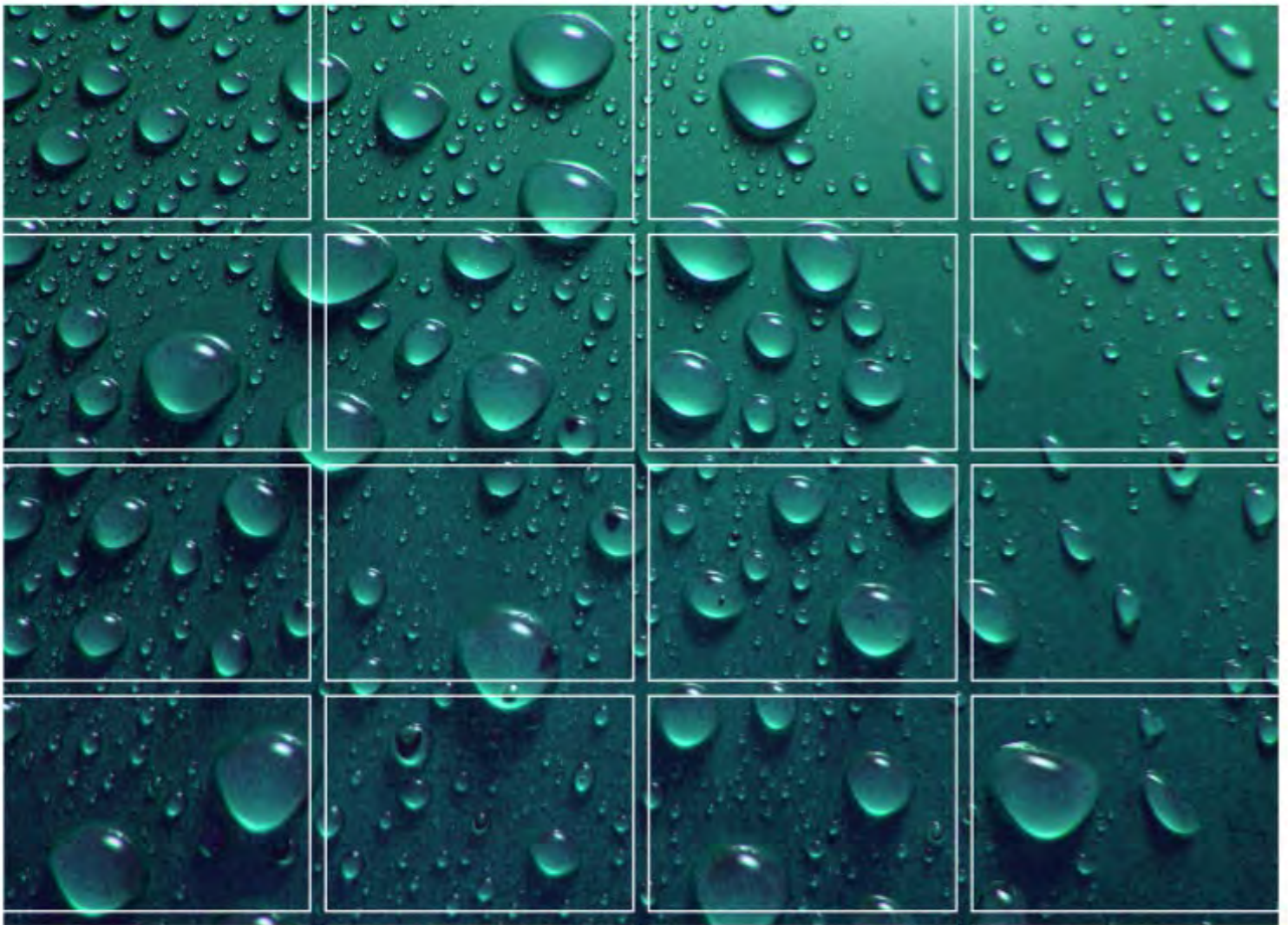
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E stephanie.moore@erm.com | **W** www.erm.com

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APPENDIX H

ABORIGINAL COMMUNITY CONSULTATION – FIELD SURVEY METHODOLOGY



Newcastle Power Station

Field Survey Methodology

4 April 2019

Project No.: 0468623

Document details	
Document title	Newcastle Power Station
Document subtitle	Field Survey Methodology
Project No.	0468623
Date	4 April 2019
Version	1.0
Author	Dr Robin Twaddle
Client Name	Aurecon

Document history

Version	Revision	Author	Reviewed by	ERM approval to issue		Comments
				Name	Date	
Draft	00	Dr Robin Twaddle	S. Moore/E. Finnegan	D. Roddis	20/03/2019	
Final	00	Dr Robin Twaddle	S. Moore/E. Finnegan	D. Roddis	04/04/2019	Revised per client comments

Signature Page

4 April 2019

Newcastle Power Station

Field Survey Methodology



Stephanie Moore
Heritage Consultant



Damon Roddis
Partner

Environmental Resources Management Australia Pty Ltd

Level 15

309 Kent Street

Sydney NSW 2000

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1. INTRODUCTION

Environmental Resource Management Australia Pty Ltd (ERM) have been commissioned by Aurecon to prepare an Aboriginal Cultural Heritage Assessment (ACHA) for a property in Tomago, NSW. The property consists of:

- Lot 2 DP1043561;
- Lot 3 DP1043561;
- Lot 4 DP1043561 (partial lot);
- Lot 202 DP1173564 (partial lot); and
- Lot 1203 DP1229590 (partial lot).

The ACHA will be prepared in accordance with the NSW Office of Environment and Heritage's (OEH) *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (the Guidelines), and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW 2010* (Code of Practice) and will include Indigenous community consultation, field investigations and associated data analysis and reporting. The ACHA is being prepared to support the proposed construction and operation of a dual-fuel power station in Tomago as outlined in *Section 3*.

This document provides details of the proposed assessment methodologies for the site. This document will be provided to all Registered Aboriginal Parties (RAPs) who have registered interest in the project for their review and comment. Any comments received will be considered and incorporated into the assessment methodologies where practicable.

2. SITE LOCATION

This methodology document relates to field investigations and the preparation of an ACHA report for the proposed development being undertaken at the site identified as the 'Newcastle Power Station'. The location of this site is provided below.

The proposed Newcastle Power Station is in Tomago, NSW, approximately 14 km north-west of Newcastle within the Port Stephens Local Government Area (Figure 2-1). The approximately 96 ha Proposal encompasses the following lots:

- Lot 2 DP1043561;
- Lot 3 DP1043561;
- Lot 4 DP1043561 (partial lot);
- Lot 202 DP1173564 (partial lot); and
- Lot 1203 DP1229590 (partial lot).

The north-west boundaries of Lot 2 DP1043561, Lot 3 DP1043561, and Lot 4 DP1043561 as well as the western boundary of Lot 1203 DP1229590 abut the Pacific Highway. The southern boundaries of Lot 2 DP1043561, Lot 3 DP1043561, and Lot 202 DP1173564 adjoin industrial estates. Lot 202 DP1173564 is bounded to the east and north by allotments displaying dense vegetation.

Legend

Project Boundary

Cadastre (Lot)

Data Source:
Project Boundary: Client Provided
(February 2019)
Nearmap Imagery January 2019



Project Area of the Newcastle Gas Fired Power Station

F2-1

Drawing No: 0468623s_HA_G002_R0.mxd		Newcastle Gas Fired Power Station	
Date: 04/04/2019	Drawing Size: A3		
Drawn By: GC	Reviewed By: RT	Client: Aurecon	
Coordinate System: GDA 1994 MGA Zone 56		This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.	
0 50 100m			



3. PROPOSED DEVELOPMENT

The proponent of the proposed works is NGSF Asset Pty Limited, a wholly owned subsidiary of AGL Energy Limited (AGL).

AGL proposes to construct and operate a dual-fuel (gas/diesel) power station and associated infrastructure ('the Proposal') in Tomago, NSW. AGL ('the proponent') is seeking approval for the project from the NSW Minister of Planning and Environment under the NSW Environmental Planning and Assessment Act 1979 (EP&A Act).

The Proposal involves the construction and operation of approximately 250-megawatt (MW) dual-fuel power station and associated infrastructure including gas supply and electricity transmission connections. The Proposal would employ open cycle gas turbine (OCGT) or reciprocating gas engine technology able to operate on diesel fuel if necessary. It would operate as a "peak load" facility supplying electricity at short notice during periods of high demand, low supply from intermittent supply sources or when baseload power generation is offline. The Proposal would connect to the gas supply via a new pipeline(s) to the Newcastle Gas Storage Facility (NGSF) and/or the existing high-pressure gas supply pipeline on Old Punt Road. A high voltage electrical transmission line would connect the Proposal to the existing TransGrid Tomago 132kV switchyard. The Proposal is likely to have a minimum operating life of 25 years.

With specific reference to Aboriginal cultural heritage and the assessment of potential impacts to the heritage values within the Proposal Area, construction of the power station and associated infrastructure would result in the following works:

- clearing of vegetation to enable installation of gas pipelines and associated construction yards and transmission line infrastructure as required;
- site preparation including levelling earthworks;
- excavation for foundations, services, and drainage works;
- installation of foundations and underground services;
- installation of aboveground mechanical and electrical plant and equipment;
- erection of structures and buildings; and
- landscaping.

The proposed gas and power transmission infrastructure is expected to largely follow existing easements within areas that have already been disturbed. However, there could be some potential for disturbance of Aboriginal cultural heritage sites during construction.

4. HERITAGE BACKGROUND

An extensive Aboriginal cultural heritage investigation was undertaken across Lot 2 DP1043561 and Lot 3 DP1043561 (located in the western portion of the current Project Area) by Jacobs Pty Ltd for RMS in 2015 as part of the M1 Pacific Motorway Extension to Raymond Terrace Project. This investigation included a pedestrian survey which identified Potential Archaeological Deposits (PADs) across both lots. This was registered with AHIMS as site # 38-4-1751.

A subsequent test pitting program of 65 shovel probes and 12 test pits was undertaken at #38-4-1751 across both lots. Stone artefacts were located in 16 of the shovel probes and five (5) of the test pits. Two additional isolated artefacts were also located on the ground surface. Angular fragments dominate the artefact assemblages with occasional flakes and cores also identified. Artefact material is primarily Indurated Mudstone/Tuff/Chert (IMTC), with quartz and silcrete also identified.

An Environmental Impact Statement (EIS) was prepared by HLA Envirosciences (HLA) in 2002 to assess the impacts of the construction and operation of a proposed power station at the same location as the Proposal. This included consultation and a survey undertaken in conjunction with the Worimi Local Aboriginal Lands Council. The EIS highlighted that the Project Area is in a zone of high archaeological sensitivity given its ready access to resources and that previous studies had located a high incidence of sites (e.g. Dean-Jones 1990).

A review of the Aboriginal Heritage Information Management System (AHIMS) sites register indicated four sites (three artefact scatters and one scarred tree) were located within 1.5 km from the Project Area boundary (HLA 2002). These sites have been assessed as forming part of a larger site complex recorded east of the Project Area. Moreover, it was found that site densities were at their highest in close proximity to water sources, particularly wetlands (refer HLA 2002).

No sites were located within or immediately adjacent to the Project Area (HLA 2002).

An extensive search of the OEH Aboriginal Heritage Information Management System (AHIMS) database was conducted on 13 March 2019, using the following details:

Client Service ID: 406479
Lat, Long from: -32.8211, 151.7015
Lat, Long to: -32.8086, 151.7363
Buffer: 200 m
Number Sites: 5

A total of five (5) sites were identified within the search area. Of these, the majority of these are recorded as Artefact, with Art and Potential Archaeological Deposit (PAD) also contributing to the types of recorded sites. There is one (1) recorded site within the Project Area. The results of the AHIMS search are summarised in *Table 4.1*.

Table 4.1 AHIMS Registered Site Types

Site Type	Number
Artefact	3
Artefact, Potential Archaeological Deposit (PAD)	1
Art (Pigment or Engraved)	1

5. FIELDWORK METHODOLOGY

An archaeological survey will be undertaken over 3 days in May 2019 and will aim to identify all Aboriginal sites present within the Project Area including the identification of any PADs as well as confirm the findings of the previous survey and test pitting program. The proposed methodology for the survey includes:

- the survey will be undertaken on foot where possible with up to four RAPs in attendance;
- the survey will consist of all participants traversing the Project Area using walking transects approximately 5 m apart to ensure the entire Project Area is covered (subject to visibility and accessibility);
- the survey will target each landform in the Project Area;
- areas of archaeological potential such as raised landforms in close proximity to semi-permanent water sources will also be targeted;
- areas of exposure and ground visibility will be targeted;
- any areas of interest to the RAPs will be targeted; and
- any cultural heritage information for the study area held by Aboriginal parties will be recorded during the field survey. Any cultural knowledge provided by Aboriginal Stakeholders will be treated in confidence and the information will be distributed according to their wishes.

6. FEEDBACK

ERM requests that you respond to this information package and advise of your availability to attend the fieldwork prior to **Thursday 2 May 2019**.

Please provide feedback to **Stephanie Moore** at the following contact details:

Post: Locked Bag 3012, Australia Square, NSW 2000

Phone: 02 8584 8868

Email: stephanie.moore@erm.com

ERM also ask if you hold any knowledge of sites within or near the study area or have any specific information concerning the cultural values of the study area, we would be grateful if you could let us know. Our contact details are listed above. Any cultural knowledge provided by Aboriginal Stakeholders will be treated in confidence and the information will be distributed according to their wishes.

Yours sincerely,

For Environmental Resources Management Australia Pty Ltd



Stephanie Moore
Heritage Consultant



Paul Douglass
Partner

REFERENCES

Dean-Jones, P. 1990 *Newcastle Bight Aboriginal Sites Study*. Prepared for the NSW National Parks and Wildlife Service and National Estate Grant Committee.

HLA Envirosciences (HLA) 2002 *Tomago Gas Fired Power Station Environmental Impact Study*. Prepared for Macquarie Generation.

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Indonesia	South Korea
Ireland	Spain
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Japan	Switzerland
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Kenya	Thailand
Malaysia	UAE
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APPENDIX I

ABORIGINAL COMMUNITY CONSULTATION – RESPONSES TO FIELD SURVEY METHODOLOGY

Robin Twaddle

From: lilly carroll <didgengunawalclan@yahoo.com.au>
Sent: Thursday, 4 April 2019 8:36 PM
To: Stephanie Moore
Subject: Re: Newcastle Power Station - Project Methodology

Follow Up Flag: Follow up
Flag Status: Completed

Thanks Steph,

Look forward to working with you again soon

[Sent from Yahoo Mail for iPhone](#)

On Thursday, April 4, 2019, 3:29 pm, Stephanie Moore <Stephanie.Moore@erm.com> wrote:

Good Afternoon,

Please find attached a copy of the proposed project methodology for the Newcastle Power Station (Tomago) Aboriginal Cultural Heritage Assessment.

Should you have any questions or comments, please provide these in writing to:

Stephanie Moore

Stephanie.moore@erm.com

**Locked Bag 3012
Australia Square NSW 2000**

Please provide comments by Close of Business **Thursday 2nd May 2019**.

Arrangements for fieldworks are currently underway and a separate email will be sent enquiring about availability.

If you have any further questions, please don't hesitate to get in touch.

Regards,

Steph

Stephanie Moore

Heritage Consultant

M.ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

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Robin Twaddle

From: Deidre Perkins <dedemaree3@hotmail.com>
Sent: Monday, 8 April 2019 4:08 PM
To: Stephanie Moore
Subject: Re: Newcastle Power Station - Project Methodology

Hello Stephanie, I have read over the report.
It all seem good to me .
Deidre☺

Get [Outlook for Android](#)

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Thursday, April 4, 2019 3:26:04 PM
To: dedemaree3@hotmail.com
Cc: Robin Twaddle; James Grieve; Erin Finnegan
Subject: Newcastle Power Station - Project Methodology

Good Afternoon,

Please find attached a copy of the proposed project methodology for the Newcastle Power Station (Tomago) Aboriginal Cultural Heritage Assessment.

Should you have any questions or comments, please provide these in writing to:

Stephanie Moore
Stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000

Please provide comments by Close of Business **Thursday 2nd May 2019**.

Arrangements for fieldworks are currently underway and a separate email will be sent enquiring about availability.

If you have any further questions, please don't hesitate to get in touch.

Regards,
Steph

Stephanie Moore
Heritage Consultant

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T +612 8584 8868 | **M** +614 39 720 041

E stephanie.moore@erm.com | **W** www.erm.com



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Robin Twaddle

From: Shaun Carroll <Merrigarn@hotmail.com>
Sent: Monday, 8 April 2019 11:20 AM
To: Stephanie Moore
Subject: RE: Newcastle Power Station - Project Methodology

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie,
I have read the project information and methodology for the above project, I agree with the recommendations.
Kind regards
Shaun Carroll

Sent from [Mail](#) for Windows 10

From: Stephanie Moore <Stephanie.Moore@erm.com>
Sent: Thursday, April 4, 2019 3:17:32 PM
To: merrigarn@hotmail.com
Cc: Robin Twaddle; James Grieve; Erin Finnegan
Subject: Newcastle Power Station - Project Methodology

Good Afternoon,

Please find attached a copy of the proposed project methodology for the Newcastle Power Station (Tomago) Aboriginal Cultural Heritage Assessment.

Should you have any questions or comments, please provide these in writing to:

Stephanie Moore
Stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000

Please provide comments by Close of Business **Thursday 2nd May 2019**.

Arrangements for fieldworks are currently underway and a separate email will be sent enquiring about availability.

If you have any further questions, please don't hesitate to get in touch.

Regards,
Steph

Stephanie Moore
Heritage Consultant

M. ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

T +612 8584 8868 | M +614 39 720 041

E stephanie.moore@erm.com | W www.erm.com



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Robin Twaddle

From: jesse johnson <muragadi@yahoo.com.au>
Sent: Friday, 5 April 2019 12:52 PM
To: Stephanie Moore
Subject: Re: Newcastle Power Station - Project Methodology

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie
I have read the proposed methodology for the above project, I agree with the recommendations made by ERM.
Kind regards
Anthony
0418970389

Sent from my iPhone

On 4 Apr 2019, at 3:19 pm, Stephanie Moore <Stephanie.Moore@erm.com> wrote:

Good Afternoon,

Please find attached a copy of the proposed project methodology for the Newcastle Power Station (Tomago) Aboriginal Cultural Heritage Assessment.

Should you have any questions or comments, please provide these in writing to:

Stephanie Moore
Stephanie.moore@erm.com
Locked Bag 3012
Australia Square NSW 2000

Please provide comments by Close of Business **Thursday 2nd May 2019**.

Arrangements for fieldworks are currently underway and a separate email will be sent enquiring about availability.

If you have any further questions, please don't hesitate to get in touch.

Regards,
Steph

Stephanie Moore
Heritage Consultant

M.ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

T +612 8584 8868 | **M** +614 39 720 041

E stephanie.moore@erm.com | **W** www.erm.com

<image001.png>

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<0468623 - AGL Tomago ACHA Project Methodology FINAL.pdf>

Robin Twaddle

From: Ryan Johnson <murrabidgeemullangari@yahoo.com.au>
Sent: Monday, 8 April 2019 11:21 AM
To: Stephanie Moore
Subject: RE: Newcastle Power Station - Project Methodology

Follow Up Flag: Follow up
Flag Status: Completed

Dear Stephanie,
I have read the report and project methodology for the New Castle Power Station project, I endorse the recommendations made by ERM.
Kind regards

Ryan Johnson | **Murra Bidgee Mullangari**



Aboriginal Corporation Cultural Heritage

A: PO Box 246, Seven Hills, NSW, 2147
E: murrabidgeemullangari@yahoo.com.au
ICN: 8112

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From: Stephanie Moore [mailto:Stephanie.Moore@erm.com]

Sent: Thursday, 4 April 2019 3:23 PM

To: murrabidgeemullangari@yahoo.com.au

Cc: Robin Twaddle <Robin.Twaddle@erm.com>; James Grieve <James.Grieve@erm.com>; Erin Finnegan <Erin.Finnegan@erm.com>

Subject: Newcastle Power Station - Project Methodology

Good Afternoon,

Please find attached a copy of the proposed project methodology for the Newcastle Power Station (Tomago) Aboriginal Cultural Heritage Assessment.

Should you have any questions or comments, please provide these in writing to:

Stephanie Moore

Stephanie.moore@erm.com

Locked Bag 3012

Australia Square NSW 2000

Please provide comments by Close of Business **Thursday 2nd May 2019**.

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If you have any further questions, please don't hesitate to get in touch.

Regards,
Steph

Stephanie Moore
Heritage Consultant

M.ICOMOS

ERM

Level 15, 309 Kent Street | Sydney, NSW 2000 | Australia

T +612 8584 8868 | M +614 39 720 041

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APPENDIX J

ABORIGINAL COMMUNITY CONSULTATION – PROJECT UPDATE LETTER



Carolyn Hickey
10 Marie Pitt Place
GLENMORE PARK
A1 Indigenous Services
Via email: Cazadirect@live.com

25 March 2020

Reference: 0468623

Dear Dear Carolyn,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

ERM recently completed an ACHA for the Project, which included the results of field survey and archaeological test excavation within the Project Area. This was submitted as part of AGL's Environmental Impact Statement (EIS) which was placed on public exhibition from **20 November 2019** to **18 December 2019**. Following exhibition, a submission was received from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (**DPIE**) (formerly the Office of Environment and Heritage). In response to this submission, ERM made a series of minor amendments to the ACHA in sections 9 and 10 of the ACHA. We write to you at this stage to advise you of these amendments and to provide a copy of the updated ACHA report for your information. You can find a sharing link to the report in the email that accompanies this letter. If you have trouble obtaining the document from the sharing link, please get in touch and we will arrange alternate transmission.

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Additionally, ERM would like to advise that an Amendment Report will be submitted to DPIE in the coming months. The Amendment Report will include the establishment of a construction laydown area on Lot 2 DP1043561. A Supplementary ACHA will be required to be prepared addressing the proposed works in the Amendment Report, however, it is anticipated that through careful design, any impact to the identified site (NPS01) on Lot 2 DP1043561 will be avoided. Given the extent of the survey work done to date, no further field investigation of NPS01 will be undertaken during the preparation of the Supplementary ACHA.

ERM is in the process of preparing the Supplementary ACHA, which will be provided to you upon completion for your review and comment. Should you have any comments or queries in the meantime, please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SM', with a long horizontal flourish extending to the right.

Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Paul Boyd & Lilly Carroll
7 Siskin St
QUAKERS HILL
Didge Ngunawal Clan
Via email: didgengunawalclan@yahoo.com.au

25 March 2020

Reference: 0468623

Dear Dear Paul Boyd & Lilly Carroll,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Leonard Anderson OAM
22 Popplewell Road
FERN BAY
Nur-Run-Gee Pty Ltd
Via email: lennie.anderson011@bigpond.com

25 March 2020

Reference: 0468623

Dear Leonard,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (AGL), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (ACHA) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Candy Lee Towers
36 Avon St
MAYFIELD
Worimi Traditional Owners Indigenous Corporation
Via email: worimitoc@hotmail.com



25 March 2020

Reference: 0468623

Dear Dear Candy Lee,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Deidre Perkins
6 Ashleigh Street
HEDDON GRETA
Divine Diggers Aboriginal Cultural Consultants
Via email: dedemaree3@hotmail.com



25 March 2020

Reference: 0468623

Dear Dear Deidre,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Jamie Merrick
2163 Nelson Bay Road
WILLIAMTOWN
Worimi Local Aboriginal Land Council
Via email: sites@worimi.org.au

25 March 2020

Reference: 0468623

Dear Dear Jamie,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Steven Hickey
73 Russell Street
EMU PLAINS
Widescope Indigenous Group
Via email: Widescope.group@live.com

25 March 2020

Reference: 0468623

Dear Dear Steven,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Ryan Johnson
PO Box 246
SEVEN HILLS
Murra Bidgee Mullangari Aboriginal Corporation
Via email: murrabidgeemullangari@yahoo.com.au

25 March 2020

Reference: 0468623

Dear Dear Ryan ,

Subject: Newcastle Power Station Project - SSI 9837

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Carolyn Hickey
10 Marie Pitt Place
GLENMORE PARK
A1 Indigenous Services
Via email: Cazadirect@live.com



25 March 2020

Reference: 0468623

Dear Dear Carolyn,

Subject: Newcastle Power Station Project - SSI 9837

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Yours sincerely,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Anthony Anderson
7 Vardon Road
FERN BAY
Mur-Roo-Ma Inc.
Via email: murroomainc1@gmail.com

25 March 2020

Reference: 0468623

Dear Dear Anthony,

Subject: Newcastle Power Station Project - SSI 9837

Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

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Heritage Consultant
0439 720 041
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Anthony
Muragadi
Via email: muragadi@yahoo.com.au

25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



David Feeney
1/7 Mustons Rd
KARUAH
Karuah Indigenous Corporation
Via email: karuahindigenous@outlook.com

25 March 2020

Reference: 0468623

Dear David,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Shaun Carroll
Merrigarn
Via email: merrigarn@hotmail.com



25 March 2020

Reference: 0468623

Dear Shaun,

Subject: Newcastle Power Station Project - SSI 9837

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Heritage Consultant
0439 720 041
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David Feeney
1/7 Mustons Rd
KARUAH
Karuah Indigenous Corporation
Via email: karuahindigenous@outlook.com

25 March 2020

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Paul Boyd & Lilly Carroll
7 Siskin St
QUAKERS HILL
Didge Ngunawal Clan
Via email: didgengunawalclan@yahoo.com.au

25 March 2020

Reference: 0468623

Dear Dear Paul Boyd & Lilly Carroll,

Subject: Newcastle Power Station Project - SSI 9837

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Leonard Anderson OAM
22 Popplewell Road
FERN BAY
Nur-Run-Gee Pty Ltd
Via email: lennie.anderson011@bigpond.com



25 March 2020

Reference: 0468623

Dear Dear Leonard,

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Candy Lee Towers
36 Avon St
MAYFIELD
Worimi Traditional Owners Indigenous Corporation
Via email: worimitoc@hotmail.com



25 March 2020

Reference: 0468623

Dear Dear Candy Lee,

Subject: Newcastle Power Station Project - SSI 9837

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Stephanie.moore@erm.com

Deidre Perkins
6 Ashleigh Street
HEDDON GRETA
Divine Diggers Aboriginal Cultural Consultants
Via email: dedemaree3@hotmail.com



25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
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Stephanie.moore@erm.com

Jamie Merrick
2163 Nelson Bay Road
WILLIAMTOWN
Worimi Local Aboriginal Land Council
Via email: sites@worimi.org.au



25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



Steven Hickey
73 Russell Street
EMU PLAINS
Widescope Indigenous Group
Via email: Widescope.group@live.com

25 March 2020

Reference: 0468623

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Stephanie Moore
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Ryan Johnson
PO Box 246
SEVEN HILLS
Murra Bidgee Mullangari Aboriginal Corporation
Via email: murrabidgeemullangari@yahoo.com.au

25 March 2020

Reference: 0468623

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Stephanie Moore
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Carolyn Hickey
10 Marie Pitt Place
GLENMORE PARK
A1 Indigenous Services
Via email: Cazadirect@live.com

25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Anthony Anderson
7 Vardon Road
FERN BAY
Mur-Roo-Ma Inc.
Via email: murroomainc1@gmail.com



25 March 2020

Reference: 0468623

Dear Dear Anthony,

Subject: Newcastle Power Station Project - SSI 9837

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Anthony
Muragadi
Via email: muragadi@yahoo.com.au



25 March 2020

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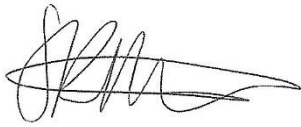
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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com



David Feeney
1/7 Mustons Rd
KARUAH
Karuah Indigenous Corporation
Via email: karuahindigenous@outlook.com

25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Shaun Carroll
Merrigarn
Via email: merrigarn@hotmail.com



25 March 2020

Reference: 0468623

Dear Dear Shaun,

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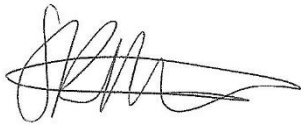
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Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

Shaun Carroll
Merrigarn
Via email: merrigarn@hotmail.com



25 March 2020

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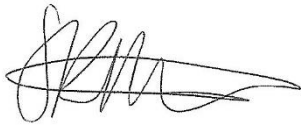
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Stephanie Moore
Heritage Consultant
0439 720 041
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Anthony
Muragadi
Via email: muragadi@yahoo.com.au



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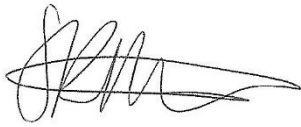
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Ryan Johnson
PO Box 246
SEVEN HILLS
Murra Bidgee Mullangari Aboriginal Corporation
Via email: murrabidgeemullangari@yahoo.com.au

25 March 2020

Reference: 0468623

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25 March 2020

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Stephanie Moore
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Leonard Anderson OAM
22 Popplewell Road
FERN BAY
Nur-Run-Gee Pty Ltd
Via email: lennie.anderson011@bigpond.com

25 March 2020

Reference: 0468623

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0439 720 041
Stephanie.moore@erm.com

Steven Hickey
73 Russell Street
EMU PLAINS
Widescope Indigenous Group
Via email: Widescope.group@live.com



25 March 2020

Reference: 0468623

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Stephanie Moore
Heritage Consultant
0439 720 041
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Jamie Merrick
2163 Nelson Bay Road
WILLIAMTOWN
Worimi Local Aboriginal Land Council
Via email: sites@worimi.org.au



25 March 2020

Reference: 0468623

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Candy Lee Towers
36 Avon St
MAYFIELD
Worimi Traditional Owners Indigenous Corporation
Via email: worimitoc@hotmail.com



25 March 2020

Reference: 0468623

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Environmental Resources Management (ERM), on behalf of Aurecon and AGL Energy Limited (**AGL**), are writing to provide an update on the Aboriginal Cultural Heritage Assessment (**ACHA**) for the Newcastle Power Station Project (**Project**) located at 1940 Pacific Highway, Tomago, NSW 2322 within the Port Stephens Council area.

ERM recently completed an ACHA for the Project, which included the results of field survey and archaeological test excavation within the Project Area. This was submitted as part of AGL's Environmental Impact Statement (EIS) which was placed on public exhibition from **20 November 2019** to **18 December 2019**. Following exhibition, a submission was received from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (**DPIE**) (formerly the Office of Environment and Heritage). In response to this submission, ERM made a series of minor amendments to the ACHA in sections 9 and 10 of the ACHA. We write to you at this stage to advise you of these amendments and to provide a copy of the updated ACHA report for your information. You can find a sharing link to the report in the email that accompanies this letter. If you have trouble obtaining the document from the sharing link, please get in touch and we will arrange alternate transmission.

Should you have any comments on the amended report, please do not hesitate to get in touch. Contact details are provided at the close of this letter. Comments should be provided by Close of Business on Wednesday 22 April 2020.

Additionally, ERM would like to advise that an Amendment Report will be submitted to DPIE in the coming months. The Amendment Report will include the establishment of a construction laydown area on Lot 2 DP1043561. A Supplementary ACHA will be required to be prepared addressing the proposed works in the Amendment Report, however, it is anticipated that through careful design, any impact to the identified site (NPS01) on Lot 2 DP1043561 will be avoided. Given the extent of the survey work done to date, no further field investigation of NPS01 will be undertaken during the preparation of the Supplementary ACHA.

ERM is in the process of preparing the Supplementary ACHA, which will be provided to you upon completion for your review and comment. Should you have any comments or queries in the meantime, please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SM', with a long horizontal flourish extending to the right.

Stephanie Moore
Heritage Consultant
0439 720 041
Stephanie.moore@erm.com

APPENDIX K

ABORIGINAL COMMUNITY CONSULTATION – RESPONSES TO PROJECT UPDATE LETTER

Stephanie Moore

From: Muragadi <muragadi@yahoo.com.au>
Sent: Tuesday, 12 May 2020 2:18 PM
To: Stephanie Moore
Subject: RE: Newcastle Power Station - Project Update

Follow Up Flag: Follow up
Flag Status: Completed

Hi Stephanie,
I have read the project information and update I agree with the recommendations made.
Kind regards
Jesse Carroll Johnson

From: Stephanie Moore [mailto:Stephanie.Moore@erm.com]
Sent: Wednesday, 25 March 2020 6:13 PM
To: Muragadi <muragadi@yahoo.com.au>
Subject: Newcastle Power Station - Project Update

Good Evening,

Please find attached a project update letter in relation to the proposed Newcastle Power Station Site.

Please also see below a link to the Amended ACHA for the project. The document found at the link contains mark ups in **red text** to allow you to easily see where additions have been made.

https://theermgroup-my.sharepoint.com/:b:/g/personal/stephanie_moore_erm_com/EWU8rN_vRKZMphGZcTcMMZsBLjV2zTLdzT1_wjV8niyow?e=SeBFbR

If you have any questions or comments, please send them through by COB Wednesday 22 April 2020.

Kind Regards,
Steph

Stephanie Moore
Heritage Consultant

M.ICOMOS

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Read our 2019 [Sustainability Report: From The What to The How](#), and [ERM Foundation Annual Review](#)



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From: [Muragadi](#)
To: [Stephanie Moore](#)
Subject: RE: Newcastle Power Station - Project Update
Date: Tuesday, 12 May 2020 2:19:33 PM
Attachments: [image001.png](#)

Hi Stephanie,
I have read the project information and update I agree with the recommendations made.
Kind regards
Jesse Carroll Johnson

From: Stephanie Moore [mailto:Stephanie.Moore@erm.com]
Sent: Wednesday, 25 March 2020 6:13 PM
To: Muragadi <muragadi@yahoo.com.au>
Subject: Newcastle Power Station - Project Update

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Please also see below a link to the Amended ACHA for the project. The document found at the link contains mark ups in **red text** to allow you to easily see where additions have been made.

https://theermgroup-my.sharepoint.com/:b/g/personal/stephanie_moore_erm_com/EWU8rN_vRKZMphGZcTcMMZsBLjjV2zTLdzT1_wjV8niyow?e=SeBFbR

If you have any questions or comments, please send them through by COB Wednesday 22 April 2020.

Kind Regards,
Steph

Stephanie Moore
Heritage Consultant

M. ICOMOS

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APPENDIX L

ABORIGINAL COMMUNITY CONSULTATION – RESPONSES TO DRAFT ACHAR



9 Vardon Road
Fern Bay NSW 2295
0421078695
0402827482
Murroomainc1@gmail.com
ABN: 97 807 719 484

Friday 5th of June 2020

ERM

Att: Stephanie Moore

Re: Aboriginal Cultural Heritage Assessment Amendment Report for Proposed
Newcastle Gas Power Station

To Stephanie,

Murrooma Incorporated has read and fully understands the amendment and proposed modifications of scope of works within the Aboriginal Cultural Heritage Assessment report. We agree with all aspects of this report and understand that these amendments will not impact on the sites that have been identified within the surveys and test excavations.

Although in very close proximity to the artefact scatters- NPS01 it will be extremely important that the proponent follow all guidelines and recommendations as outlined in 9.2 (eg- Site fencing and NO Go zones) and follow all CHMP recommendations (e.g Site Cultural Inductions) that have or will be put in place so no destruction of our local sites occur. It will be extremely important for the client to be aware that this cannot be breached in any way.

As Traditional Knowledge Holders of the Worimi area we are required to maintain the protection and best options for our Aboriginal sites.

Please contact if you have any questions,

Thankyou

Bec Young- Murrooma -Operations Manager/Sites Officer
Anthony Anderson - Murrooma- CEO.

APPENDIX M AHIMS BASIC AND EXTENSIVE SEARCH RESULTS

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : 0406468

Client Service ID : 406479

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
38-4-0248	T 7;	AGD	56	378900	6367400	Open site	Valid	Artefact : -	Open Camp Site	1845,102116,102568
	<u>Contact</u>	<u>Recorders</u>	Pam Dean-Jones					<u>Permits</u>		
38-4-1291	RPS PHWY AS2	GDA	56	378274	6368460	Open site	Valid	Artefact : 8		
	<u>Contact</u>	<u>Recorders</u>	RPS Australia East Pty Ltd -Hamilton, Miss. Philippa Sokol					<u>Permits</u>		
38-4-1751	HEXHAM M1RT 1	GDA	56	378643	6368784	Open site	Valid	Artefact : 1, Potential Archaeological Deposit (PAD) : -		
	<u>Contact</u>	<u>Recorders</u>	Mr. Andrew Costello					<u>Permits</u>		
38-4-1753	Repatriated Aboriginal afts	GDA	56	380886	6368803	Open site	Valid	Art (Pigment or Engraved) : -		
	<u>Contact</u>	<u>Recorders</u>	RPS Australia East Pty Ltd -Hamilton					<u>Permits</u>		
38-4-1837	Tomago Power Artefact 1	GDA	56	379506	6367843	Open site	Valid	Artefact : 1		
	<u>Contact</u>	<u>Recorders</u>	Jacobs Group (Australia) Pty Ltd - Newcastle, Mr. Andrew Costello					<u>Permits</u>		

Report generated by AHIMS Web Service on 15/03/2019 for Robin Twaddle for the following area at Lat, Long From : -32.8211, 151.7015 - Lat, Long To : -32.8086, 151.7363 with a Buffer of 200 meters. Additional Info : Data to be used in an ACHA. Number of Aboriginal sites and Aboriginal objects found is 5

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.

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