



Title of Proposal - Willandra ancestral remains repatriation project

Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

1.1 Project Industry Type

Natural Resources Management

1.2 Provide a detailed description of the proposed action, including all proposed activities.

The proposed action for this application is the repatriation of the Willandra ancestral remains (human skeletal) from Canberra to Mungo National Park. These remains have been held in Canberra since around 1974 and will be moved from existing storage in the National Museum of Australia and transported to, and placed in storage at, Mungo National Park.

The proposed action comprises a number key activities including:

- pre-transport preparation
- return journey of the Willandra ancestral remains from Canberra to Mungo National Park
- welcome to country ceremonies in Hay and Balranald, en route to Mungo National Park
- welcome to country and repatriation ceremony held at Mungo National Park
- storage and protection of the Willandra ancestral remains at Mungo National Park.

The proposed action will fulfil a long-term aspiration of the Aboriginal community, first articulated in the initial Willandra Lakes Region World Heritage Area (WLRWHA) Consultative Committee meeting in 1984, and later developed into a detailed strategy in the 1996 Plan of Management for the WLRWHA to 'locate and manage all human remains and other archaeological material to the satisfaction of the three Traditional Tribal Groups' (Strategy 33.1).

Pre-transport preparation

The Willandra ancestral remains collection is currently housed at the National Museum of Australia, Mitchell storage facility. It is held there on behalf of the Willandra Aboriginal community, but does not form part of the Museum collection.

A small, private, departure ceremony, hosted by the Ngunnawal people of the ACT, will take place at the National Museum of Australia, Mitchell facility prior to movement from the ACT.

Transport of Willandra ancestral remains

The proposed transport of the ancestral remains from Canberra to Mungo National Park will take place in November, 2017. The Willandra ancestral remains will be transported from the NMA, Mitchell, Canberra via existing main roads - Barton Highway, Hume Highway, Sturt Highway, Ivanhoe Road and Marma Box Creek Road, to Mungo National Park. A detailed timeline of events and transportation is included in Attachment B.



Hay and Balranald Return to Country Ceremonies

There will be a welcome to country ceremony held for the ancestral remains as they pass through the township of Hay and Balranald, en route to Mungo National Park. Upon arrival at Mungo National Park a welcome to country and repatriation ceremony will be held. Further details on these events is described in Attachment A.

Mungo Return to Country Ceremony

There will be a Return to Country and Repatriation ceremony held at Mungo National Park. Further details on these events is described in Attachment A.

Storage and protection of Ancestral remains

Following the welcome to country at Mungo, the Willandra ancestral remains collection will be returned to, and stored within, the Mungo Keeping Place. . Details of the Mungo Keeping Place are outlined in Attachment B.

1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Mungo Repatriation area	1	-33.720752331882	143.02449451201
Mungo Repatriation area	2	-33.720752331882	143.02449451201
Mungo Repatriation area	3	-33.720235467846	143.02699391172
Mungo Repatriation area	4	-33.723350879454	143.02948987485
Mungo Repatriation area	5	-33.725166961196	143.02543179738
Mungo Repatriation area	6	-33.720752331882	143.02449451201

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).

The Willandra Lakes Region is in the Murray Basin area of far south-western NSW,



approximately 875 kilometers (km) west of Sydney and 151 km north-west of Balranald, NSW. The Willandra Lakes Region covers some 240,000 hectares (ha), including much of Mungo National Park and a larger area of leasehold grazing country.

The Willandra ancestral remains will be moved from existing storage in the NMA repository at 90 Vicars Street Mitchell, and transported to Mungo National Park where it will be placed in secure storage. Mungo National Park is within the Willandra Lakes World Heritage Area (see attached maps). Details on the storage of the collection are presented in Attachments A and B.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

1 hectares

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title.Mungo National Park. Lot/DP: 7303/1173617

1.8 Primary Jurisdiction.

New South Wales

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

No

1.10 Is the proposed action subject to local government planning approval?

No

1.11 Provide an estimated start and estimated end date for the proposed action.

Start date 11/2017

End date 12/2017

1.12 Provide details of the context, planning framework and State and/or Local government requirements.

The 1996 Plan of Management for the WLRWHA (Department of Environment, 1996) clearly articulated the long term aspiration of the Aboriginal community. This plan requires the



development of strategies and associated actions to 'locate and manage all human remains and other archaeological material to the satisfaction of the three Traditional Tribal Groups' (Strategy 33.1). Work on this strategy has been ongoing since then[A1] [HJ2] . Please see Attachment A for more details.

The repatriation of the Willandra ancestral remains to Mungo National Park will not involve any activity (i.e. the construction, removal, modification, or installation of any work or building) as defined under the Wentworth Local Environment Plan (2011) or the NSW Environment Protection and Assessment Act (1979) (EP&A Act) and therefore an

environmental impact assessment (REF or Review of Environmental Factors) of the activity is not required and has not been undertaken.

In NSW the repatriation of Aboriginal cultural materials is considered as conservation works as identified in the NPW Act (1974). No 'harm' (as defined in the NPW Act 1974) is proposed to the ancestral remains during the repatriation process.

Furthermore, the NPW Act exempts Officers of the Service (i.e. OEH staff) conducting conservation works from 'harm' provisions under the Act, and therefore no authorisation for the repatriation is required under this Act.

The proposed action is consistent with NSW state policies on repatriation. Please see Section 6.3.1 of this referral for more details.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders.

Extensive consultation has taken place on this proposed action with a wide range of stakeholders. Please see Attachment A for a complete record of consultation on this issue between 1984 and 2017. Below is a brief summary of recent consultation from 2015 to 2017.



In February 2015 over 60 people attended a two-day forum (Forum 1) at Mildura to discuss the repatriation of the Willandra ancestral remains. The forum was hosted by the WRTC and OEHL and mediated by an independent facilitator and brought together a wide range of traditional custodians, scientists and heritage managers. At the forum, the three Traditional Tribal Groups met with representatives of the national scientific community to discuss various options for repatriation of the Willandra ancestral remains.

A second forum (Forum 2) took place in November 2016. This Forum was attended by representatives of the three Traditional Tribal Groups, Aboriginal Elders, Native Title holders, and representatives from OEHL, ANU and the National Museum of Australia (NMA).

A third forum (Forum 3) was held in April 2017. This Forum was attended by Aboriginal Elders, Native Title holders, and representatives from OEHL, ANU, Griffith University and the NMA. The 3rd Forum considered the outcomes from the previous 2 Forums, and arrived at the following final decisions:

1. The Willandra ancestral remains will be brought back to Mungo in November, 2017.
2. The Willandra ancestral remains will be stored in the room where Mungo Lady is stored, at Mungo National Park.
3. Once the collection is returned further meetings and discussions are required to decide on a final plan on the permanent resting place.

A wide range of scientists, researchers and museum curators attended Forums 1, 2 and 3, and specific comments from these stakeholders have been included in the minutes of these meetings. The Willandra Temporary and Scientific Advisory Group (T-SAG) was established in 2014 to provide advice on the management of the WLRWHA. This group comprises 16 scientists with an interest or experience in the Willandra. The specific outcomes of Forums 1, 2 and 3 have been circulated to the T-SAG, and also other scientists, researchers and curators who have worked, or are working in, the Willandra.

Please see Attachment A and Attachment B for full details.



1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.

The repatriation of the Willandra ancestral remains to Mungo National Park will not involve any activity (i.e. the construction, removal, modification, or installation of any work or building) as defined under the Willandra Lakes Regional Environmental Plan (2001), Wentworth Local Environment Plan (2011) or the EP&A Act (1979) and therefore an environmental impact assessment of the activity has not been undertaken.

The action will not involve any action or work that will have a significant impact on the WHA and therefore an environmental impact assessment under the EPBC Act (1999) has not been undertaken. Further details on the assessment of the impact on World Heritage Values and National Heritage Values are included in this referral under Section 5.2.

1.15 Is this action part of a staged development (or a component of a larger project)?

No

1.16 Is the proposed action related to other actions or proposals in the region?

No



Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

2.1 Is the proposed action likely to have ANY direct or indirect impact on the values of any World Heritage properties?

Yes

2.1.1 Impact table

Properties	Impact
Willandra Lakes Region	The action associated with this application is the movement of the Willandra ancestral remains from the NMA to Mungo National Park. This action will have a positive impact on the values of the WLRWHA as ancestral remains will be returned to country, and a long standing management problem will be resolved. It has been determined that the proposed action is unlikely to have a significant impact on the World Heritage values of the WLRWHA. Full details on the assessment of impacts on the World Heritage values are presented in Attachment A.



2.1.2 Do you consider this impact to be significant?

No

2.2 Is the proposed action likely to have ANY direct or indirect impact on the values of any National Heritage places?

Yes

2.2.1 Impact table

Place	Impact
Willandra Lakes Region	The action associated with this application is the movement of the Willandra ancestral remains from the NMA to Mungo National Park. This action will have a positive impact on the values of the Willandra Lakes Region National Heritage place, as ancestral remains will be returned to country, and a long-standing management problem will be resolved. It has been determined that the proposed action is unlikely to have a significant impact on the National Heritage values of the Willandra Lakes. Full details on the assessment of impacts on the National Heritage values are presented in Attachment A

2.2.2 Do you consider this impact to be significant?

No

2.3 Is the proposed action likely to have ANY direct or indirect impact on the ecological character of a Ramsar wetland?

No

2.4 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

No

2.5 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed migratory species, or their habitat?



No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

No

2.7 Is the proposed action to be taken on or near Commonwealth land?

No

2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

No

2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?

No

2.10 Is the proposed action a nuclear action?

No

2.11 Is the proposed action to be taken by the Commonwealth agency?

No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?

No

2.13 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?

No



Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

3.1 Describe the flora and fauna relevant to the project area.

There are no flora and fauna impacts associated with this proposed activity. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building.

3.2 Describe the hydrology relevant to the project area (including water flows).

There are no hydrological impacts associated with this proposed activity. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building.

3.3 Describe the soil and vegetation characteristics relevant to the project area.

There are no physical impacts associated with this proposed activity. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building. Further details on the significance of the area are contained in Attachment A.

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area.

There are no natural features impacts associated with this proposed activity. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building. Further details on the significance of the area are contained in Attachment A.

3.5 Describe the status of native vegetation relevant to the project area.

There are nonative vegetation impacts associated with this proposed activity. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building.



3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

Not applicable. The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building.

3.7 Describe the current condition of the environment relevant to the project area.

The proposed activity will be confined within the existing buildings at Mungo National Park that were constructed in the 1980s. No structural changes will take place to this building. Further details on the storage facilities are presented in Attachment A and B.

3.8 Describe any Commonwealth Heritage Places or other places recognised as having heritage values relevant to the project area.

Not applicable

3.9 Describe any Indigenous heritage values relevant to the project area.

The statement of outstanding universal values for the WLRWHA contains the following description on Indigenous heritage values.

Willandra Lakes provides excellent conditions to document life in the Pleistocene epoch, the period when humans evolved into their present form. The undisturbed stratigraphic context provides outstanding evidence for the economic life of Homo sapiens sapiens to be reconstructed. Archaeological remains such as hearths, stone tools and shell middens show a remarkable adaptation to local resources and a fascinating interaction between human culture and the changing natural environment. Several well-preserved fossils of giant marsupials have also been found here. Willandra contains some of the earliest evidence of Homo sapiens sapiens outside Africa. The evidence of occupation deposits establishes that humans had dispersed as far as Australia by 42,000 years ago. Sites also illustrate human burials that are of great antiquity, such as a cremation dating to around 40,000 years BP, the oldest ritual cremation site in the world, and traces of complex plant-food gathering systems that date back before 18,000 years BP associated with grindstones to produce flour from wild grass seeds, at much the same time as their use in the Middle East. Pigments were transported to these lakeshores before 42,000 years BP. Evidence from this region has allowed the typology of early Australian stone tools to be defined.

Since inscription, the discovery of the human fossil trackways, aged between 19,000 and



23,000 years BP, have added to the understanding of how early humans interacted with their environment.

The specific action in this referral will involve the movement of indigenous ancestral remains from Canberra to Mungo, where they will be stored in the Mungo Keeping Place. The project has exceptional indigenous heritage values as the ancestral remains are of very high spiritual, traditional and cultural value.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area.

Mungo National Park was established in 1978 in an area that was formerly Western Lands Lease. It is owned and managed by the State of NSW. The remainder of the Willandra Lakes World Heritage Area is predominantly privately held Western Lands Leases, with a few small privately held freehold portions within these leases.

3.11 Describe any existing or any proposed uses relevant to the project area.

The primary purpose of Mungo National Park is for the conservation of natural and cultural heritage. The park is open to the public and there are extensive facilities to cater for tourists. The park also contains a Keeping Place where a wide variety of Aboriginal cultural items are stored. See Attachments A and B for further details.



Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.

Details on the measures to avoid or reduce impact from the proposed action are included in Attachment A, under the following headings:

Pre-transport preparation

Transport of ancestral remains

Hay and Balranald Return to Country

Mungo Return to Country Ceremony

Details on further measures are also included in Attachment B under the following headings:

Transportation Timetable

Transportation: Overnight stops and security

Mungo Keeping Place

4.2 For matters protected by the EPBC Act that may be affected by the proposed action,



describe the proposed environmental outcomes to be achieved.

The environmental outcomes that will be achieved by the proposed action are as agreed by the NSW and Commonwealth governments and all stakeholder groups associated with the management of the WLRWHA, and documented under the Plan of Management (1996) for the WLRWHA.

This outcome is Strategy 33.1 in the WLRWHA plan of management (1996) to

‘Locate and manage all human remains and other archaeological material to the satisfaction of the three Traditional Tribal Groups’.

The full text and details of Strategy 33.1 from the 1996 Plan of Management are in Attachment A.



Section 5 – Conclusion on the likelihood of significant impacts

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

No

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

5.1.9 A water resource, in relation to coal/gas/mining

No



5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.

The proposed repatriation of the Willandra Ancestral remains is not expected to result in one or more of the values of the National Heritage place or World Heritage area being lost, degraded or damaged, or notably altered, modified, obscured or diminished.

The Department of Environment and Energy has prepared impact guidelines for the assessment of impacts (Department of the Environment, 2013). These guidelines specifically consider the following impact assessment for World Heritage properties with cultural heritage values. A detailed analysis of the impacts is provided in Attachment A (see heading "EPBC Impact Guidelines").



Section 6 – Environmental record of the person proposing to take the action

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.

Yes.

This application is lodged by the NSW Office of Environment and Heritage (OEH), Heritage Division, State of NSW.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.

This application is lodged by the NSW Office of Environment and Heritage (OEH), Heritage Division, State of NSW. There are no past or present proceedings against the person proposing the action, or the person making the application

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

Yes

6.3.1 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework.

The most recent NSW government policy in regard to repatriation of ancestral remains is a 2002 document (under NPWS at that time). This policy is attached to this application, although it is now somewhat dated. A revised and a new draft version ("Repatriation of Aboriginal Cultural Material (including Ancestral Remains) Policy)" is in the final stages of authorisation. The new repatriation policy (see Attachment A) has the following objectives.

To enable Heritage Division staff to undertake the OEH Repatriation Program.



To enable OEH staff members, and other stakeholders such as repositories or other government agencies, to support the repatriation of Aboriginal cultural material including Aboriginal objects to Aboriginal Communities.

To enable Aboriginal Communities to drive repatriation initiatives.

To ensure professional and culturally appropriate management and return of Aboriginal cultural material back to Aboriginal Communities.

To ensure consistent processes are used in the management and return of Aboriginal cultural material back to Aboriginal Communities.

To ensure the location of Aboriginal cultural material (including Aboriginal objects) are recorded, in accordance with NSW statutory requirements, to ensure their ongoing protection.

To reflect the Objectives and Actions outlined in the NSW Repatriation Framework: A Whole-of-Government Initiative under the NSW State Plan.

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

No



Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Australian Archaeological Survey Consultants Pty Ltd 2004. Our Past, Our Future. The Willandra. Willandra Lakes World Heritage Area Three Traditional Tribal Groups Plan of Management, Employment Strategy, Keeping Place and Research Centre Feasibility Study. Report to Mutthi Mutthi, Ngiyampaa and Paarkinji.	High	NIL
Australian Heritage Commission 1980. Nomination of Willandra Lakes Region for Inclusion in the World Heritage List. Canberra: Australian Heritage Commission.	High	NIL
Cribb, J. 1990. Bones of Contention. The Weekend Australian, 1990.	High	NIL
Department of Environment, Sport & Territories 1996. Sustaining the Willandra. The Willandra Lakes Region World Heritage Property Plan of Management. Canberra: Department of Environment, Sport & Territories.	High	NIL
Foundation for National Parks & Wildlife 2011. Mungo Centre Mungo National Park, Nsw Willandra Lakes Region World Heritage Area (Wlrwha) Design Brief Part a Design Requirements. Report to	High	Nil



Reference Source	Reliability	Uncertainties
Mungo Centre Reference Committee.		
Michael Williams and Associates 2015. Key Outcomes Report of a Willandra Repatriation Forum Held in Mildura 17-18 February 2015. Unpublished report to Office of Environment and Heritage.	High	Nil
Michael Williams and Associates 2016. Key Outcomes Report of a 2nd Willandra Repatriation Forum Held in Buronga 9 November 2016. Unpublished report to Office of Environment and Heritage.	High	Nil
Michael Williams and Associates 2017. Key Outcomes Report of a 3rd Willandra Repatriation Forum held at Inland Botanic Gardens, Buronga on 5 April 2017 Unpublished report to Office of Environment and Heritage.	high	Nil
Stannard, B. 1988. Bones of Contention. The Bulletin, 1988.	High	Nil
Williams, Doug 2016. Repatriation of Cultural Materials and Human Remains to Willandra: A Brief Review. A Document to Support Community Workshops on Repatriation. Unpublished report to the Office of Environment and Heritage.	High	Nil
Department of Environment, Sport & Territories 1996. Sustaining the Willandra. The Willandra Lakes Region World Heritage Property Plan of Management. Canberra: Department of Environment, Sport & Territories.	High	Nil
Webb, S.G. 1989. The	High	Nil



Reference Source	Reliability	Uncertainties
Willandra Lakes Hominids, Canberra, Department of Prehistory, Research School of Pacific Studies, Australian National University.		
Bowler, J.M. & Thorne, A.G. 1976. Human Remains from Lake Mungo. Discovery and Excavation of Lake Mungo III. In: KIRK, R. L. & THORNE, A. G. (eds.) The Origin of the Australians. New Jersey: Humanities Press.	High	Nil
Bowler, J.M., Jones, R., Allen, H.R. & Thorne, A.G. 1970. Pleistocene Human Remains from Australia: A Living Site and Human Cremation from Lake Mungo. World Archaeology, 2, 39-60.	High	Nil



Section 8 – Proposed alternatives

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

8.0 Provide a description of the feasible alternative?

Since February 2015 a series of three repatriation forums have been held to discuss the return of the Willandra ancestral remains collection. The outcome of these forums is that the collection will be returned to Mungo National Park and placed in storage.

The options that were considered for repatriation of the Willandra ancestral remains collection at the November 2016 Forum were:

- a) Repatriation of the entire Willandra ancestral remains collection to Mungo (approx. 105 individuals);*
- b) Reburial of approx. 103 individuals in individual (unmarked) graves, OR reburied in three cemeteries located near Lakes Mungo, Gogolo and Gampung;*
- c) Safekeeping, in a simple purpose built Keeping Place, of the Mungo Man and Mungo Woman ancestral remains, either at Joulni or Leaghur;*
- d) Establishment of a Research Centre to allow on-going study, assessment and conservation of cultural heritage in the Willandra Lakes, preferably using existing buildings at Leaghur or Joulni.*

While there has been consideration of these alternatives (whether or not the collection, or parts of the collection, will be reburied or placed in an underground long term keeping place) they have not been progressed or endorsed by the community, and do not form part of this proposed activity.

8.1 Select the relevant alternatives related to your proposed action.



Activities

8.9 Describe any public consultation that has been, is being or will be undertaken (including with Indigenous stakeholders).

Repatriation Forum # 1 February 2015

Repatriation Forum # 2 November 2016

Repatriation Forum # 3, April 2017

For full details on these forums see attached reports (Michael Williams and Associates, 2015, 2016, 2017), and the details provided in Attachment A.

8.10 Describe any environmental impact assessments that have been, is being or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project for the alternative.

There are no environmental impact assessments completed or under way for any alternative options in relation to this activity.

8.12 Nominate any matters of National Environmental Significance that are likely to be impacted by this alternative proposal by ticking the relevant checkboxes.

8.13 Describe any impacts on the flora and fauna relevant to the alternative proposal.

Not applicable

8.26 What are the proposed measures for any alternative action to avoid or reduce impact?

Not applicable

8.27 Do you have another alternative?



No



Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

9.0 Is the person proposing to take the action an Organisation or an Individual?

Organisation

9.2 Organisation

9.2.1 Job Title

Executive Director

9.2.2 First Name

Pauline

9.2.3 Last Name

McKenzie

9.2.4 E-mail

pauline.mckenzie@environment.nsw.gov.au

9.2.5 Postal Address

Locked Bag 5020
PARRAMATTA NSW 2124
Australia

9.2.6 ABN/ACN

ABN

30841387271 - OFFICE OF ENVIRONMENT AND HERITAGE

9.2.7 Organisation Telephone

03 5021 8914



9.2.8 Organisation E-mail

harvey.johnston@environment.nsw.gov.au

9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Not applicable

Small Business Declaration

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:..... Date:

9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations

Yes

9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made

The Office of Environment and Heritage seeks exemption from the fees associated with this application on the following basis:

- This application is submitted for the benefit of the Aboriginal community of western NSW, and the Barkandji, Ngilyampaa and Mutthi Mutthi people who have lived on, managed and cared for the land.
- The action's primary objective is to protect and conserve cultural heritage in a way that is consistent with the objects of the EPBC Act and the Australian Government Policy on Indigenous Repatriation
- It is in the public interest to do so



- The proposed activity will fulfil a long-term aspiration of the Aboriginal community, first articulated in the initial Willandra Lakes World Heritage Area Consultative Committee meeting in 1984, and later developed into a detailed strategy in the 1996 Plan of Management for the Willandra Lakes WHA to 'locate and manage all human remains and other archaeological material the satisfaction of the three Traditional Tribal Groups' (Strategy 33.1).
- The application will be of benefit to the Willandra Lakes Region WHA by restoring elements of the outstanding universal value to the region
- The application will be of benefit to the Aboriginal community and is viewed as an opportunity for healing, restoration, and re-association with country.

The Office of Environment and Heritage seeks exemption from the fees associated with this application on the following basis:

- This application is submitted for the benefit of the Aboriginal community of western NSW, and the Barkandji, Ngiyampaa and Mutthi Mutthi people who have lived on, managed and cared for the land.
- The action's primary objective is to protect and conserve cultural heritage in a way that is consistent with the objects of the EPBC Act and the Australian Government Policy on Indigenous Repatriation
- It is in the public interest to do so
- The proposed activity will fulfil a long-term aspiration of the Aboriginal community, first articulated in the initial Willandra Lakes World Heritage Area Consultative Committee meeting in 1984, and later developed into a detailed strategy in the 1996 Plan of Management for the Willandra Lakes WHA to 'locate and manage all human remains and other archaeological material the satisfaction of the three Traditional Tribal Groups' (Strategy 33.1).
- The application will be of benefit to the Willandra Lakes Region WHA by restoring elements of the outstanding universal value to the region



- The application will be of benefit to the Aboriginal community and is viewed as an opportunity for healing, restoration, and re-association with country.

Person proposing the action - Declaration

I, Pauline McKenzie, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature: Pauline McKenzie Date: 13/9/17

I, Pauline McKenzie, the person proposing the action, consent to the designation of Pauline McKenzie as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature: Pauline McKenzie Date: 13/9/17

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Organisation

9.5 Organisation

9.5.1 Job Title

Executive Director

9.5.2 First Name

Pauline

9.5.3 Last Name

McKenzie

9.5.4 E-mail

pauline.mckenzie@environment.nsw.gov.au

9.5.5 Postal Address



PO Box 318

BURONGA
BURONGA NSW 2739
Australia

9.5.6 ABN/ACN

ABN

30841387271 - OFFICE OF ENVIRONMENT AND HERITAGE

9.5.7 Organisation Telephone

03 5021 8914

9.5.8 Organisation E-mail

harvey.johnston@environment.nsw.gov.au

Proposed designated proponent - Declaration

I, Pauline McKenzie, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: [Signature] Date: 13/9/17

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Executive Director

9.8.2 First Name

Pauline

9.8.3 Last Name

McKenzie



9.8.4 E-mail

pauline.mckenzie@environment.nsw.gov.au

9.8.5 Postal Address

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9.8.8 Organisation E-mail

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Referring Party - Declaration

I, Pauline McKenzie, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: [Signature] Date: 13/9/17



Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

- 1.
2. d_williams_2016_willandra_repatriation_background_study_optimised_size.pdf
3. npws_repatriation_of_aboriginal_remains_policy_2002.pdf
4. repat_2017_route.jpg
5. willandra_repatriation_epbc_referral_attachment_a.pdf
6. willandra_repatriation_epbc_referral_attachment_b.pdf
7. willandra_repatriation_mnp_and_wha_location_map.jpg
8. williams_and_assoc_5_april_2017_repatriation_forum_report_11_9_17.pdf
9. williams_and_assoc_2015_repatriation_forum_feb_2015_report.pdf
10. williams_and_assoc_november_2016_repatriation_forum_reduced_file_size.pdf