Rose-Anne Hawkeswood

From: Peter Ewin <Peter.Ewin@environment.nsw.gov.au>
Sent: Monday, 7 September 2015 3:00 PM
To: Rose-Anne Hawkeswood
Cc: Michael Todd; John Gilding
Subject: OEH Response - Ginkgo Mineral Sands Mine (DA 251-09-01) - Waste Management Modification Request Agency Comments

Roseanne,
We have reviewed the available documentation and make the following comments in regard to the proposal to modify the Waste Management Systems associated with the Ginkgo Mineral Sands Mine (DA 251-09-01).

The proposal is to install an on-site landfill, an on-site compost system and a chicken enclosure to manage waste locally. Review of Figure 3a (Page 6) of the Environmental Assessment indicates the first of these two facilities are within the existing clearing footprint for the mine (though in areas that may not yet be cleared) whereas the chicken enclosure (and any associated access) appears to be outside the existing footprint (at least on this map). This may not be correct as under Section 4.2 (Page 8) it states the following:

> *As no additional surface development outside the existing/approved surface development area is proposed as part of the Modification, there would be no material alteration to the existing/approved impacts of the Ginkgo Mine on land resources; flora; fauna; Aboriginal cultural heritage; non-Aboriginal cultural heritage; visual amenity; and the rehabilitation strategy.*

Clarification of these conflicting statements is required (it may be just how the map is presented), and if additional vegetation is required to be cleared that is not within the consent area then the appropriate assessment of both impacts on biodiversity, including threatened species, and Aboriginal cultural heritage will be required – as a minimum the latter should be a Due Diligence assessment as identified in the DD Code of Practice (www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf). Details of the area of clearing, the vegetation present and any past survey

While reviewing this application, we have identified that all previously recorded sites associated with the mine have an s90 Consent to Destroy (Consent 1810) and s87 Permit to modify (Permit 1811). However, the consent and permit for the project was for 10 years and expired in December 2013. Therefore, any modification of either new or existing sites (such as sites associated with these works and also in areas of proposed mining that have yet to be cleared, such as the eastern extremity of the Ginkgo mine footprint shown on Figure 3a) would likely require an Aboriginal Heritage Impact Permit (AHIP). Cristal Mining currently have an AHIP application in the system for the modifications associated with the proposed Crayfish deposit (MOD 9) but this appears to not cover the area associated with the original Ginkgo footprint. It may be that no further impact is to occur on Aboriginal objects and that a new AHIP is not required. However, I will contact Cristal directly to discuss this, and may be good to raise it through this process as well to ensure that they are aware of the issue.

If you have any questions in regard to this response do not hesitate to contact me on the numbers below.

Thanks,
Peter

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