



**Office of
Environment
& Heritage**

Your reference: 06_0168 MOD 5
Our reference: DOC14/163297
Contact: Michael Todd (03) 5021 8915

Ms Caitlin Elliott
Mining Projects
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Re: Modification of the Snapper Mineral Sands project (06_0168 MOD 5)

Dear Ms Elliott,

Thank you for your electronic mail to the Office of Environment and Heritage (OEH) dated 13 August 2014 inviting us to provide comments on the above Proposed Modification to the Snapper Mineral Sands Project. This response is in regard to statutory matters relating to application of the *National Parks and Wildlife Act 1974* (NPW Act) and the *Threatened Species Conservation Act 1995*.

OEH has considered the proposed modifications and lists recommendations in regard to the impacts on biodiversity, including threatened species, and Aboriginal cultural heritage. It is our understanding that there is no proposed change to overall development footprint and so comments relate mainly to the timing of clearing associated with the project.

If you have any further questions on these matters please contact Michael Todd, Regional Biodiversity Conservation Officer, on (03) 5021 8915 or by email at michael.todd@environment.nsw.gov.au.

Yours sincerely

 26/8/14

PETER EWIN
Senior Team Leader, Planning
Regional Operations Group
Office of Environment & Heritage

Encl: Attachment A – OEH Comments on and Recommendations for the Snapper Mineral Sands Modification

Attachment A: OEH Comments on and Recommendations for the Snapper Mineral Sands Modification

Biodiversity

The proponent is proposing to implement the existing Flora and Fauna Management Plan with regards to vegetation clearing and soil stripping for the modification (p. 23- Table 3). However, the modification states that they will notify the Office of Environment and Heritage of any clearing activities conducted outside of the late summer to early autumn period (including details of why the clearing is required and any additional mitigation measures that would be implemented). Given that the Flora and Fauna Management Plan refers to the importance of avoiding the abovementioned time period it is recommended that the conditions of approval should contain the following statement:

*The Office of Environment and Heritage must be notified if there is a necessity to clear outside of the late summer to early autumn period, including justification, **before** they conduct the clearing.*

The proposal is to allow the slurried overburden to dry out before covering it with at least three metres of a layer of non-slurried overburden. Given the potential for the slurried (hypersaline) overburden to migrate upwards into the upper layer of non-slurried overburden, effective rehabilitation of the final landform may be compromised by soil salinity if this is not implemented.

We support this approach and therefore it is recommended that the conditions of approval should include the following statement:

Where slurried overburden is to be used, it must be allowed to dry out before being covered with at least three metres of non-slurried overburden.

Aboriginal Cultural Heritage

It is an offence under state and federal legislation to knowingly, or through ignorance, destroy, damage, compromise or in any other way modify Natural, Aboriginal and Historic Cultural heritage values without appropriate permits, consents and authorities.

If surface and sedimentary disturbance of the upper most 'cultural units' (those geological units which may contain archaeological deposits), is within the existing disturbance footprint and consent area there should be no additional harm to cultural heritage values.

Should surface and sedimentary disturbance occur outside the current disturbance footprint and consent area, then additional archaeological assessments should be undertaken, and if necessary, the conditions of approval modified to reflect the findings of these assessment. This is in relation to both the mine proper and associated activities and infrastructure.