



Our ref: DOC22/459306

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Planning and Assessment
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Email: Brittany.Golding@planning.nsw.gov.au

Dear Ms Golding

Request for Advice – Balranald Mineral Sands Mine (SSD-5285-MOD-1) – Extension of underground mining trial

Thank you for your referral dated 24 May 2022 requesting advice from Heritage NSW on the above State Significant Development (SSD).

In preparing this advice, Heritage NSW has considered the following reports: 'Balranald Mineral Sands Project Modification 1 Extension of mining trial Modification report (SSD-5285_MOD1)' (EMM, March 2022) and 'Appendix M Aboriginal cultural heritage assessment' (EMM, April 2022).

We understand from the reporting that modification 1 comprises:

- Continuation of the underground mining trial within a portion of the approved disturbance footprint of the West Balranald deposit pursuant to the consent issued for the SSD in 2016; and
- Development of approved mineral processing surface infrastructure and a portion of the access road outside of the approved disturbance footprint and excising a corresponding area from the approved disturbance footprint.

We provide the following comments on Appendix M: Aboriginal cultural heritage assessment report (ACHAR):

- Table 1.1 Consultation with Heritage NSW – EMM note in the schedule and timing of the Aboriginal cultural heritage assessment, that test excavation results would be provided after the MOD1 EIS is submitted. EMM note there is a commitment to provide an addendum to the ACHA detailing the outcomes of test excavation as part of the MOD1 Response to Submissions report (RTS) (EMM, 2022:6). Heritage NSW supports that a copy of the test excavation results addendum report be provided in the RTS stage for comment in line with previous correspondence with EMM. We recommend that the RTS include the proposed management of the four Aboriginal sites that were subject to test excavation.
- Table 3.3 – Heritage NSW recommends that the predictive model include and consider 'Earth Mounds' in the project area. These are a relatively common feature type in the Balranald region.
- Section 4.3 survey coverage and results – the survey results and mapping presented are of a good standard and appear to be consistent with the Code of Practice survey requirements. A large number of Aboriginal cultural heritage features were identified during the field survey for the modification.

- Section 3.1.3 Aboriginal site database searches - notes that Iluka are in the process of resolving the discrepancy between the Balranald Project Aboriginal Heritage Database (BAHD) and AHIMS to ensure AHIMS is appropriately updated (EMM, 2022:15). Heritage NSW supports this process and recommends that all Aboriginal sites identified are registered on AHIMS in accordance with standard notification processes under s89A of the *National Parks and Wildlife Act 1974*. Sites that are salvaged, excavated, harmed or destroyed will require an Aboriginal site impact recording form be submitted to AHIMS. This will ensure there is an accurate record of the status of Aboriginal sites on AHIMS within the project area. We recommend AHIMS site numbers are provided for sites WB 162 – 173 in the RTS.
- Section 5.2 Assessment of Significance - the scientific significance of Aboriginal sites within the modification area is presented. Were any social, historic or aesthetic values identified in the modification project area? We recommend this is addressed in the RTS.
- In Table 6.2 Potential impact to sites within the MOD1 Investigation area – this table states sites WB170-173 will have direct harm and result in total loss of value. These sites appear within the modification survey area in Figures 7.1a and 7.1b. Sites WB170-173 are absent from Table 7.1 Site significance, impact and management summary. Please clarify if sites WB170-173 will be harmed or avoided by the modification proposal. If these sites are proposed to be harmed, please clarify the management strategy. In Table 6.2 Heritage NSW supports the proposed management of surface collection of sites that did not contain PAD and were not subject to test excavation.

In summary, Heritage NSW recommends that further information is provided in the form of test excavation results and information requested above to fully assess the impacts from this modification on Aboriginal cultural heritage.

Heritage NSW recommends that Iluka and EMM continue to consult with the Registered Aboriginal Parties for the project including on the proposed management of Aboriginal sites that were subject to test excavation; and should the modification be approved, on the salvage of Aboriginal objects in line with the updated Aboriginal Cultural Heritage Management Plan.

If you have any questions regarding the above advice, please contact Lyndon Patterson, Senior Assessment Officer, Heritage Assessments at Heritage NSW, on 02 6022 0619 or Lyndon.Patterson@environment.nsw.gov.au.

Yours sincerely



Kym McNamara
Principal Assessments Officer
Heritage NSW
Department of Premier and Cabinet
 (by Delegation)
 Date: 9 June 2022