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1 April 2021

Matthew Sprott
Director Resource Assessments
Department of Planning, Industry and Environment

To Mr Sprott,

Heritage NSW comments and recommendations on Response to Submission and Review of Aboriginal Cultural Values for the Glendell Continued Operations Project SSD-9349

In letter correspondence dated 30 October 2020 (received on 9 December 2020 from Department of Planning, Industry and Environment (DPIE)), Heritage NSW provided comments and recommendations to the DPIE following review of Aboriginal heritage information in response to submission documents on the Glendell Continued Operations Project SSD-9349 (the Project). This letter correspondence from Heritage NSW is attached for reference.

As part of this review, Heritage NSW have provided eight proposed draft recommendations to DPIE. Recommendation 2 states:

2. In order to reduce disturbance to archaeologically sensitive areas and to avoid impact to significant Aboriginal sites a no impact buffer area of a minimum of 200 metres should be made either side of Bowmans Creek.

The recommendation appears to be based on the discussion in Section 7.2 of the Aboriginal Cultural Heritage Assessment Report (ACHAR) (Appendix 3 of RTS Part B report) which provides:

7.2 Opportunities to avoid impact

Throughout the design phase of the Project, efforts have been made to reduce the total amount of disturbance to the land. The final design of the Project has been optimised and incorporates:

- a. Avoidance of Bowmans Creek by a minimum of 200 metres, and*
- b. Avoidance of significant Aboriginal sites.*

These efforts during the design phase of the Project have reduced the potential harm to Aboriginal cultural heritage within the Project Area.

The reference above (ACHAR, Section 7.2) to the Project's avoidance of Bowmans Creek by 200 metres during the design phase relates to the minimum offset of the physical mining extraction area. As stated in Section 7.4.2.5 of the EIS, the proposed mining extraction area (Glendell Pit Extension) is offset at least 200 metres from the top of the high bank of Bowmans Creek to minimise potential impacts on Bowmans Creek and the associated alluvial aquifer system in accordance with the NSW Aquifer Interference Policy.

However, we note that the manner in which Heritage NSW Recommendation 2 is currently written implies that all works associated with the Project, including proposed infrastructure, are recommended to be situated a minimum of 200 metres from Bowmans Creek. The following proposed features of the Project are partially located within 200 metres of Bowmans Creek (refer to **Figure 1**):

- Hebden Road Realignment

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- Heavy Vehicle Access Road
- Lower reaches of the proposed Yorks Creek Realignment
- Mine Infrastructure Area (MIA) and access road, including the intersection to the 'Ravensworth Farm Relocation Option' access road.

Of the above proposed features, the Heavy Vehicle Access Road and MIA will both be removed, and the areas are proposed to be rehabilitated following the cessation of mining.

The proposed infrastructure works are critical to the effective operation of the Project and the location and alignments have been optimised to minimise impacts, however the current wording of Recommendation 2 would preclude Glendell from carrying out these works.

In addition, we note that situated within 200 metres of Bowmans Creek is an extensive range of existing infrastructure that includes the Main Northern Rail Line, New England Highway, Hebden Road, high voltage transmission lines, power lines and other linear infrastructure including pipelines and overland conveyors (refer to **Figure 1**) that are owned and managed by various mining companies and asset owners/managers including RMS, Singleton Council, ARTC, Transgrid, Ausgrid, and Telstra. Recommendation 2 in its current form could potentially impact on the ability of those with interests within 200 metres of Bowmans Creek to complete maintenance works on existing assets and undertake future infrastructure works.

Further, we note:

- The Glendell Pit Extension and associated in-pit emplacement are the key features of the Project which alter the landscape of the Project Area, which is the key issue in terms of potential impacts on cultural values identified by the various Registered Aboriginal Party (RAP) submissions. As mentioned above, these aspects of the Project are set back at least 200 metres from Bowmans Creek.
- The Aboriginal Archaeological Impact Assessment (AAIA) (Appendix D of Appendix 3 of RTS Part B report) provides an assessment of the Project's impacts in areas much closer to Bowmans Creek than 200 metres (refer to AAIA, Figures 1-5, 5-1 and 6-1). The Aboriginal archaeological sites identified within 200 metres of Bowmans Creek in the Additional Disturbance Area are shown on **Figure 2** and details are provided in **Table 1**. With regard to the Heritage NSW Recommendation 2 "*to avoid impact to significant Aboriginal sites*" it is noted that none of these sites to be disturbed within 200 metres of Bowmans Creek were categorised as being archaeologically significant. It is proposed that these sites will be recorded and salvaged prior to any ground disturbance works occurring in this vicinity, in accordance with an Aboriginal Cultural Heritage Management Plan to be developed in consultation with the project RAPs.
- Many areas within 200 metres of Bowmans Creek have been significantly impacted by past agricultural activities. As noted in the AAIA, the Additional Disturbance Area generally has a low gradient and has been subject to extensive clearing and cultivation in areas immediately adjacent to Bowmans Creek (refer to **Figure 3**), and most of the area remains cleared with large portions continuing to be used for cattle grazing. Further, the AAIA found that the historic disturbance which has occurred in the Additional Disturbance Area has led to the dissipation or removal of archaeological sites across the area, resulting in low average artefact density found during survey and the subsequent test excavation program (refer to discussion in Section 7.1.2 of the AAIA (Appendix D of Appendix 3 of RTS Part B report)).

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- The Project does not include any proposed disturbance or development on the western side of Bowmans Creek, other than some potential stream stability works associated with the proposed Yorks Creek Realignment, if required. There were no sites identified within the area of the proposed tie-in location of the Yorks Creek Realignment or on the western side of Bowmans Creek.
- Management and mitigation measures for impacts on Aboriginal archaeology have been proposed as part of the Environmental Impact Statement (EIS) as recommended in the AAIA.

It should also be noted that there has been no change to the AAIA completed by OzArk in the Response to Submissions (RTS) phase of the Project.

Based on the information provided above, we suggest the Recommendation 2 should be removed to be consistent with the project design objective of having no mining within 200 metres of Bowmans Creek.

In order to resolve the above matter we would be pleased to attend a meeting with the DPIE at your earliest convenience. If you have any questions or require any further clarification on the above, then please do not hesitate to contact the undersigned.

Yours sincerely,

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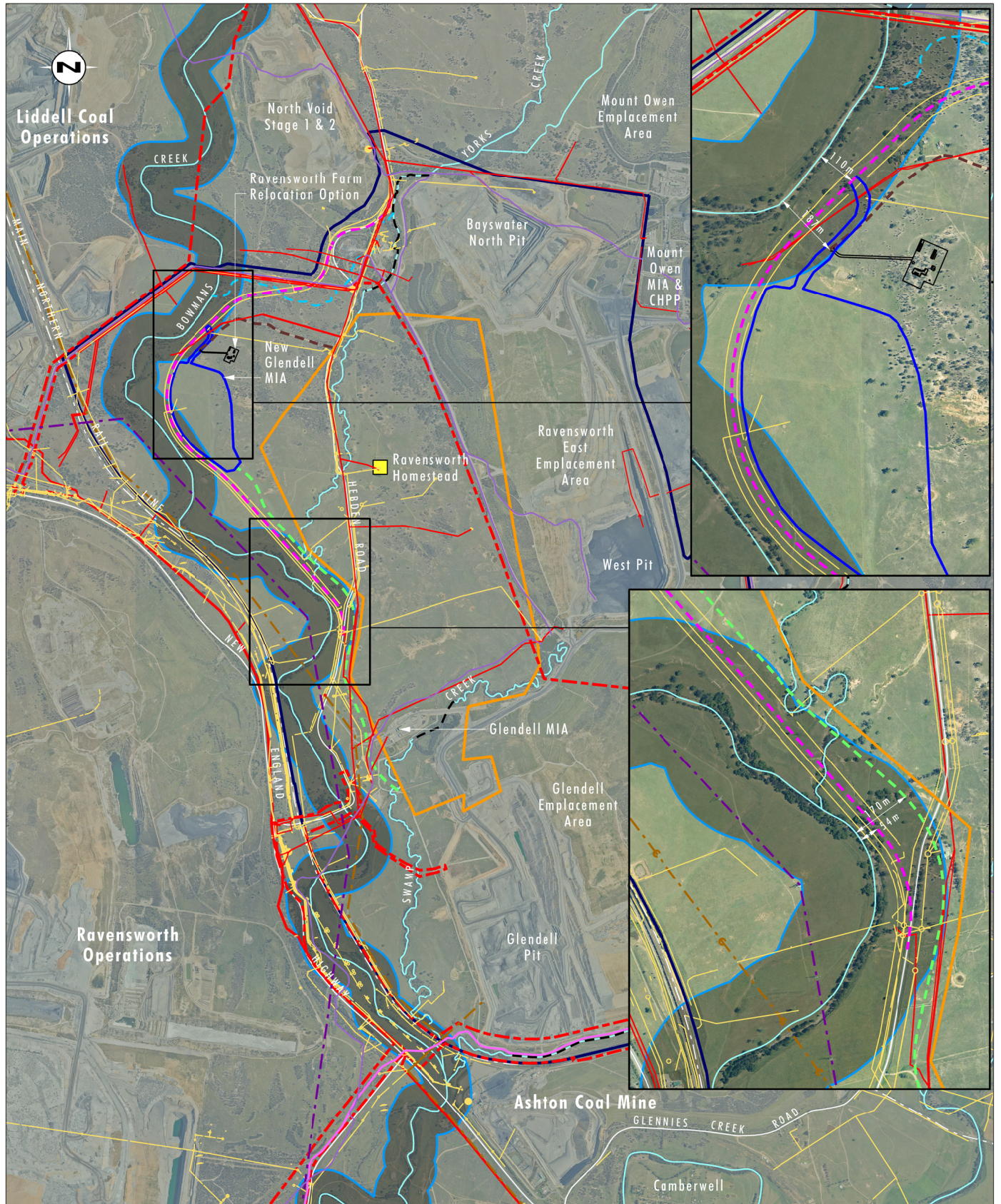


Image Source: Glencore (Dec 2018)

Data Source: Glencore (2019)

Notes: Ravensworth Homestead to be relocated, Mount Owen Consent Boundary assumes Narama Pipeline Modification is approved

Legend

- | | | | | | | | | | | | | | |
|---|---|---|---|--|---|---|--|--|--|--|---|---|--|
| Project Area | Glendell Pit Extension | Mount Owen Consent Boundary | Additional Disturbance Area | Ravensworth Homestead | Existing Creek Diversion | Construction Access Road | Bowmans Creek 200m Buffer | Other Existing Powerlines (11kV, 33kV, 66kV) | Existing Pipeline | 132kV Transmission Line | 330kV Transmission Line | Telstra Communication Line | Project Features: |
| | | | | | | | | | | | | | New Glendell MIA |
| | | | | | | | | | | | | | Heavy Vehicle Access Road |
| | | | | | | | | | | | | | Yorks Creek Realignment |
| | | | | | | | | | | | | | Hebden Road Realignment |

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FIGURE 1

Glendell Continued Operations Project

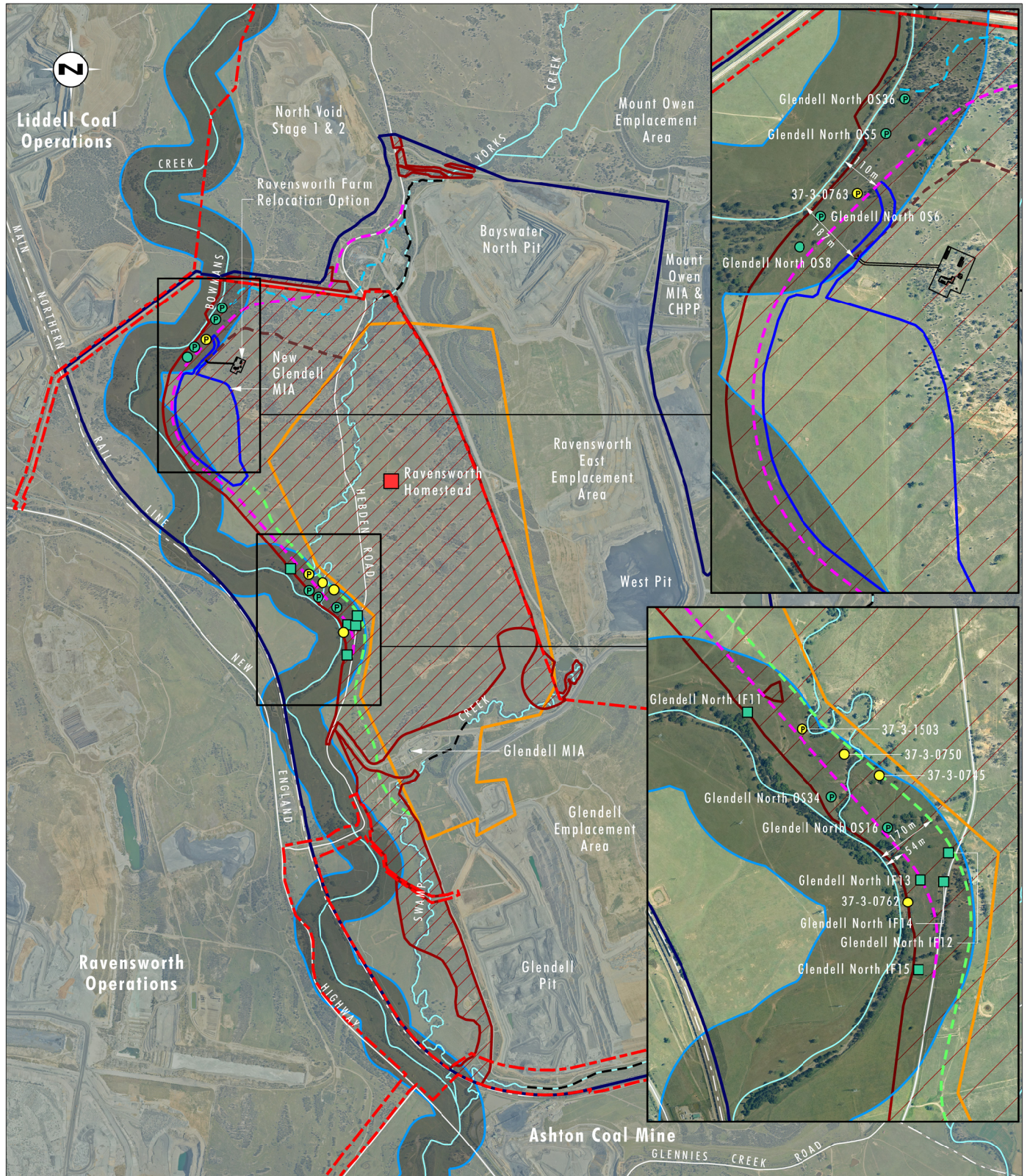


Image Source: Glencore (Dec 2018)

Data Source: Glencore (2019)

Notes: Ravensworth Homestead to be relocated, Mount Owen Consent Boundary assumes Narama Pipeline Modification is approved

Legend

- ▬ Project Area
- ▬ Glendell Pit Extension
- ▬ Mount Owen Consent Boundary
- ▬ Additional Disturbance Area
- Ravensworth Homestead
- ▬ Existing Creek Diversion
- ▬ Construction Access Road
- ▬ Bowmans Creek 200m Buffer

- Project Features:
- ▬ New Glendell MIA
 - ▬ Heavy Vehicle Access Road
 - ▬ Yorks Creek Realignment
 - ▬ Hebden Road Realignment

- OzArk Recorded Sites:
- Artefact Scatter
 - Ⓟ Artefact Scatter with PAD
 - Isolated Find

Previous Sites Recorded in the Additional Disturbance Area:

- Artefact Scatter
- Ⓟ Artefact Scatter with PAD

FIGURE 2

Aboriginal Sites Identified in the Additional Disturbance Area within 200m of Bowmans Creek

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Table 1: Aboriginal Archaeological sites in the Additional Disturbance Area within the 200 m of Bowmans Creek

AHIMS ID	Site Name	Site Type	Scientific Significance	Justification
37-3-1568	Glendell North OS36	Artefact scatter	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-1569	Glendell North OS 5	Artefact scatter	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-1571	Glendell North OS6	Artefact scatter	Moderate	Moderate artefact density and high probability of further subsurface deposits present
37-3-1549	Glendell North OS8	Artefact scatter	Low	Low artefact density; lack of associated subsurface deposits; disturbed context
37-3-1525	Glendell North IF11	Isolated find	Low	Isolated artefact without associated subsurface deposits. Likely in a secondary context
37-3-1573	Glendell North OS 16	Artefact scatter	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-1524	Glendell North IF12	Isolated find	Low	Isolated artefact without associated subsurface deposits. Likely in a secondary context
37-3-1523	Glendell North IF13	Isolated find	Low	Isolated artefact without associated subsurface deposits. Likely in a secondary context
37-3-1522	Glendell North IF14	Isolated find	Low	Isolated artefact without associated subsurface deposits. Likely in a secondary context
37-3-1521	Glendell North IF15	Isolated find	Low	Isolated artefact without associated subsurface deposits. Likely in a secondary context
37-3-1574	Glendell North OS34	Artefact scatter	Moderate	Low density with known subsurface deposits
37-3-0763	Bowmans Ck 7	Artefact scatter	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-0745	Yorks Creek 2	Artefact scatter	Low	Low artefact density; lack of associated subsurface deposits; secondary context
37-3-0750	York Creek 7	Artefact scatter with PAD	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-1503	York Creek 19	Artefact scatter	Low-moderate	Low density with known subsurface deposits. Any information gained would only address limited research questions
37-3-0762	Bowmans Ck 6	Artefact scatter	Low	Low artefact density and lack of associated subsurface deposits

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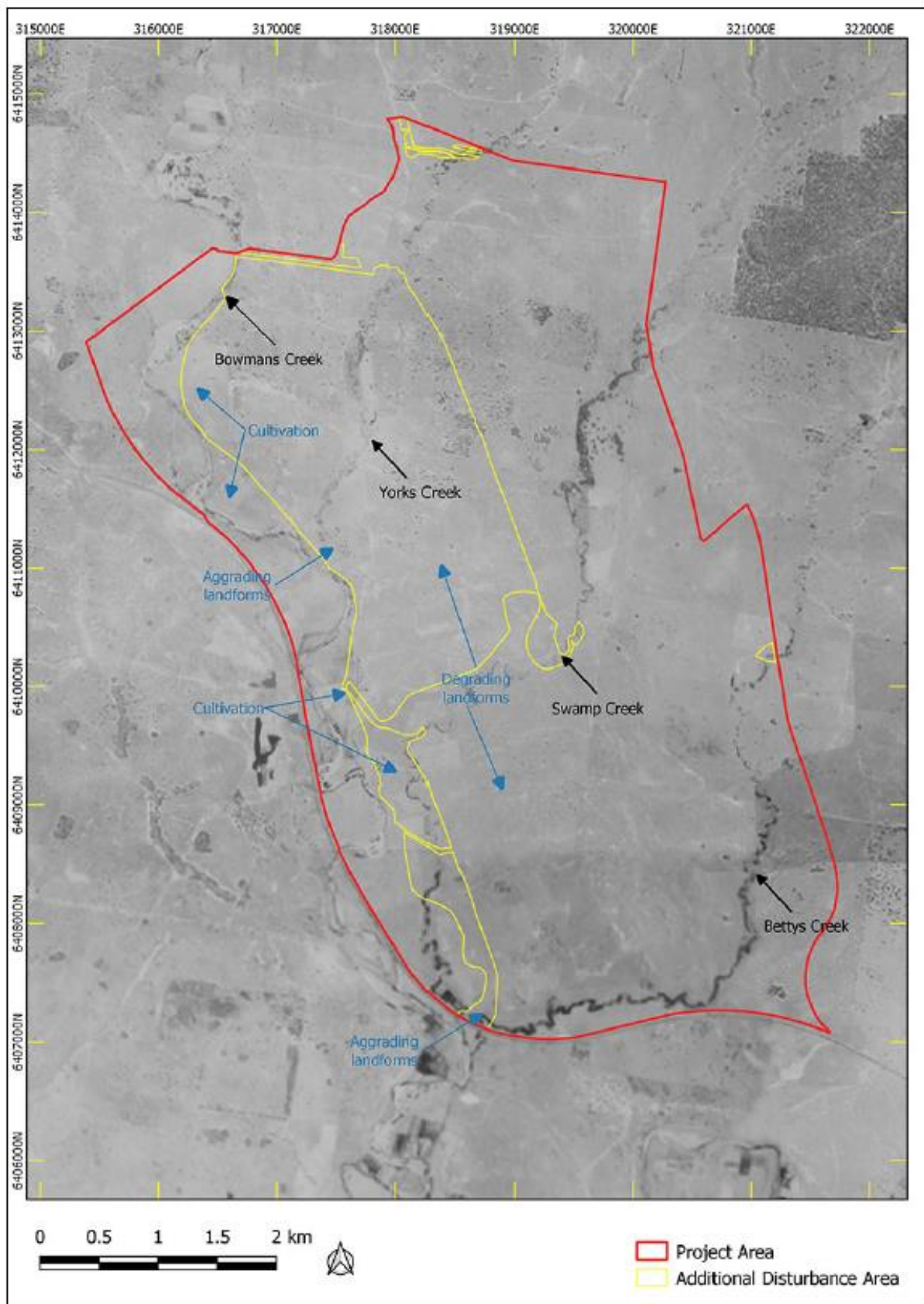


Figure 3: 1958 aerial showing historic disturbances within the Project Area