

Submission on the draft Terms of Reference

Winchelsea Mining Pty Ltd - Winchelsea Island Manganese Mine Project

This submission is made under regulation 103 of the Environment Protection Regulations 2020

Government authority: Heritage Branch of the Department of Territory Families, Housing and Communities, Northern Territory Government

Section of draft TOR	Theme or issue	Comment
3.12	Culture and Heritage	
	Aspect/Environmental values	Include: Underwater Cultural Heritage protected under the Commonwealth's <i>Underwater Cultural Heritage Act</i> and administrated by the Northern Territory Government's Heritage Branch
	Potential significant impacts and risks	Determine the construction and operational footprint of the project and describe potential impacts to Underwater Cultural Heritage, including marine, coastal and intertidal environments. This includes, but not limited to, vessel operation, barge landing construction, rock armour, groynes, moorings, or other infrastructure to be built in water or the intertidal zone. This also includes any dredging or similar disturbance of the seafloor or intertidal zone.
	Avoidance, mitigation and management	<p>Outline the measurements for avoiding, mitigating and managing the risks. This includes:</p> <ul style="list-style-type: none"> • A check against existing historical and archaeological databases • Consultation with traditional owners and custodians regarding historical maritime sites within the project footprint • Coastal archaeological surveys including intertidal surveys for historical deposits • Geophysical marine surveys, with data analysis by experts with specific experience in identifying underwater archaeological targets • Investigation of marine survey targets as required
	Monitoring and reporting	Identify the Heritage Branch of the Northern Territory Government as the primary agency to consult regarding maritime heritage matters.

3.12	Culture and Heritage Environmental values	<p>There is a definition/clarity problem running through the 3.12 regarding heritage places, which in part comes from combining sacred sites and heritage/archaeological sites under one category. The Heritage Act makes a point of protecting types of heritage places and objects. This includes automatically protected heritage places and objects, which are specifically Aboriginal and Macassan in origin, and declared heritage places. This should be stated in the Environmental values for clarity and as necessary scoping.</p> <p>Solution, change sentence to- 'Heritage places or objects protected under the Heritage Act 2011 (Heritage Act) includes both the automatic protection of Aboriginal and Macassan archaeological sites and the protection of other declared places.'</p>
------	--	---