

Friends of Minnamurra River Incorporated¹

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NEWS RELEASE

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FEDERAL MINISTER, NSW GOVERNMENT AND BORAL IGNORE NSW ENVIRONMENT DEPT'S MULTIPLE REQUESTS TO SAVE HIGH VALUE ABORIGINAL HERITAGE AT NEW DUNMORE/MINNAMURRA SAND MINE SITES

The Federal Environment Minister, the NSW government and Boral Limited have ignored multiple strong and clear requests by the NSW Office of Environment and Heritage (OEH) to prevent sand mining at Minnamurra/Dunmore 'totally and directly harming' high value Aboriginal cultural and archaeological sites, including up to 3000 human burials and Minnamurra Massacre victims now believed to be in or very near the mining area.

The multiple requests, including asking Boral to limit the size of its proposed mining sites, are contained in a NSW Office of Environment and Heritage (OEH) May 2019 letter to the NSW Department of Planning, newly uncovered by Friends of Minnamurra River (FOMR Inc.) deep within a public website.

(<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=DA195-8-2004-MOD-2%2120201126T033711.408%20GMT>) (pp. 1 and 2 and pp. 4,5,6 and 7.)

All available evidence shows that the Department of Planning did not pass on the OEH's warnings and requests to modify Boral's mining application and plans and that the NSW Independent Planning Commission (IPC) never saw the information before it went ahead and approved the Boral mining on Sites 5A and 5B at Dunmore/Minnamurra a year later.

The information provided by the OEH but never seen by the IPC included:

- The three recorded Aboriginal cultural heritage sites in the new mining area "would be totally and directly harmed" by Boral's proposed mining and sand extraction sites and two of those Aboriginal sites "are of high cultural and moderate to high archaeological significance".
- The NSW government's conclusion that there will be no "significant impacts" from Boral's proposed new mines "does not consider the loss of Aboriginal heritage through this (mining) expansion".
- No (Aboriginal heritage) conservation measures were being proposed by Boral or the NSW Department of Planning.
- If mining proceeded, "Partial conservation may be achieved "by not mining the south east corner of Stage 5A and the eastern side of Stage 5B" (by limiting the area to be mined on the eastern side of 5B).
Again, both recommendations were ignored: Boral mined all of 5A in 2022-2023 and has made no changes to the area of 5B, the site that it has just started to mine.

¹ Friends of Minnamurra River (FOMR) is an active incorporated community-based association formed five years ago to conserve, protect and enhance the estuarine and catchment ecosystems of the Minnamurra River. It has qualified expertise available to it and within its membership in plant and animal ecology, archaeology, hydrology and environmental science.

- Boral’s archaeological investigations and testing of the proposed mine sites were inadequate in scope and area and “it can be very difficult to predict or identify (human) burial locations through archaeological investigations”.
- “Aboriginal burials are known to occur in sand deposits such as those at Dunmore and across the NSW South Coast” and “...the exact location of burials from the (1818 Aboriginal) massacre (at or near the proposed 5B mine site) is not known.”
- OEH notes that Aboriginal leader (and possibly a survivor of the 1818 massacre), William Walker, is near the Minnamurra River and that there are historical records of Aboriginal burials in the area at or near the 5B mining site.
- The Local Illawarra Land Council has reported that the “almost 3000 Aboriginal people (who died as a result of a (disease epidemic) in the Shellharbour area at the end of the 18th Century” are believed “buried around the Minnamurra River.”
- The locations of Boral’s archaeological test pits, which revealed high concentrations of Aboriginal artefacts, should be extended “to more accurately define the boundary of the (recorded) archaeological deposits. However, it is likely that the archaeological deposit extends throughout the entire (mining) expansion areas.”
- Cumulative impact: The Boral and Department of Planning *Aboriginal Cultural Heritage Assessment Report* covering the proposed new mines sites “should include an assessment of cumulative impact.” The assessment “should consider lands adjoining the proposed extraction area, whether archaeological deposits of a similar nature are present in those lands, and if there are potential heritage conservation options on that land.” *There is no evidence that such an assessment was ever done.*

FOMR’s Chair, Will Chyra, says the federal government can still save the truly unique and precious area. He says the federal Minister for Environment, Tanya Plibersek, can uphold the OEH’s 2019 recommendations to save the rich and irreplaceable Aboriginal cultural heritage from total destruction by Boral’s sand mining because those recommendation were more recently supported by the federal government’s own independent expert consultant.

“The recommendations and information contained in 2019 OEH letter that we’ve just discovered are fully supported and supplemented only two years ago by the strong recommendations of a federal government expert consultant’s recommendations that the very same area should be declared a Significant Aboriginal Area under federal legislation, a declaration that would immediately stop mining and any future harm to the area in perpetuity,” Mr Chyra says.

“The problem is that the federal government has had its consultant’s recommendation² to protect the Site 5B and area since its election 18 months ago but Minister Plibersek has constantly failed to make a decision. She must declare the 5B mine site and the surrounding area a Significant Aboriginal Area immediately,” he says.

Mr Chyra says Minister Plibersek has the opportunity to save the site and thereby uphold the commitments her government has made to ‘close the gap’ and vastly improve life for Aboriginal Australians.

Boral has just started mining Site 5B but operations are in their early stages and FOMR observation indicate that any irreversible damage to likely burial sites and highly significant Aboriginal heritage and archaeological site areas has yet to occur, possibly pending an announcement from Minister Plibersek about accepting her consultant’s recommendation of a declaration of an SAA for the area.

Boral’s 5B mine site and area is out of public sight, just south of historic Dunmore House, only 8km north of Kiama, NSW, and on the Minnamurra River floodplain. The site is to be totally destroyed as Boral digs a large dredge pit 27-metres deep. The dredge pit will become a private lake when the burial area’s sand runs out in only about 18 months.

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² (https://www.saveminnamurrariver.org/files/ugd/233a65_a5f29d04d5e644939a5f9a3f09c8bf10.pdf). pp. 2,3 and 4.