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Aboriginal Affairs &
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17 June 2020

Dear Consultee

RE: *Aboriginal Heritage Act 1988* - Application for Authorisation – Kelaray Pty Ltd – Lake Torrens Murdie Exploration Program

On behalf of the Premier of South Australia, as Minister responsible for the *Aboriginal Heritage Act 1988* (SA) (Act), I invite you and members of your organisation to participate in a public consultation process about an application for authorisation under section 23 of the Act. Section 23 of the Act makes it an offence to damage, disturb or interfere with Aboriginal sites, objects or remains (Aboriginal heritage) without authorisation.

Exploration Program Details

Kelaray Pty Ltd (Applicant) has sought the authorisation to help enable mineral exploration activities at Lake Torrens, South Australia, as part of its Lake Torrens Murdie Exploration Program (Exploration Program). The Applicant's activities at Lake Torrens are associated with its Exploration Licences 5945 and 5937, located some 70 km south-east of Roxby Downs.

The whole of Lake Torrens, including Andamooka Island, is recorded on the Central Archive as a site of significance according to Aboriginal tradition and anthropology. The authorisation is sought for the entirety of the area within those licences that also overlaps the Aboriginal site (Application Area). The Applicant's proposed exploration activities are separated into the following three program areas:

- **Nearshore Program Area:** the area of the Lake Torrens lakebed extending up to 500 metres from the lake's shoreline towards the middle of the lake
- **Offshore Program Area:** all areas of the Lake Torrens lakebed that are more than 500 metres from the Lake Torrens shoreline, including Murdie Island and any other smaller islands within the lake
- **Onshore Program Area:** the area of land extending 500 metres inland from the lake's shoreline and the southern part of Andamooka Island.

Proposed activities within the Application Area include: gravity in-fill surveys; deep diamond exploration drilling; upgrading existing access tracks; creation of new access tracks; drilling for water bores; construction of a new camp on Andamooka Island; vegetation clearing; the construction of multiple lake access points; and subsequent rehabilitation works.

Aboriginal Heritage

The Central Archive, which includes the Register of Aboriginal Sites and Objects, contains a record for one Aboriginal site within the Application Area. This site, Central Archive site 6436-7237, encompasses the entirety of Lake Torrens, including a 500-metre wide area inland from the lake's shoreline. Site 6436-7237 is recorded on the Central Archive as a site of significance according to Aboriginal tradition and anthropology. As the Central Archive is a non-exhaustive record, the Application Area may also contain further undiscovered and/or unrecorded Aboriginal heritage.

Aboriginal Engagement and Heritage Management

The Applicant advises that it has a 20-year history of engagement with Aboriginal groups and individuals claiming traditional interests over areas on and around Lake Torrens. The Applicant previously undertook a number of clearance surveys for its neighbouring 'Torrens Project' on EL 5614 (now EL 6407) with various Aboriginal groups, including Kokatha, Barngarla and Kuyani.

For its current section 23 authorisation application, the Applicant conducted separate on-site consultation meetings with representatives of the Kokatha, Kuyani and Adnyamathanha peoples in 2019. Further off-site consultation has been undertaken by the Applicant with representatives of the Kokatha, Barngarla, Kuyani and Adnyamathanha.

If the authorisation sought under the Act is granted, the Applicant will engage the Kokatha Aboriginal Corporation (KAC) to conduct on-ground heritage inspections of those proposed lake access zones within the KAC's native title determination area that have not been inspected by KAC to date, to ensure that Aboriginal heritage is avoided and appropriately managed.

The Applicant advises that it has developed a Cultural Heritage Management Plan and a Chance Find Procedure. These documents govern the Applicant's proposed process for managing Aboriginal heritage discovered during the Exploration Program.

Section 13 Consultation

Prior to considering whether to grant the authorisation sought, section 13 of the Act requires the Premier to take all reasonable steps to consult with Traditional Owners, the State Aboriginal Heritage Committee, and any other Aboriginal parties that may have an interest in the matter.

Please refer to the enclosed consultation information pack for additional information regarding the Exploration Program.

Pursuant to section 13, verbal and written submissions are now invited from all interested Aboriginal parties. Consultees can make a submission to AAR by phone, letter or email. Anyone in receipt of the consultation information pack is encouraged to share it with other Aboriginal parties who may also have an interest. The consultation information package is also available online at dpc.sa.gov.au/heritage-applications.

When making a submission, consultees should consider and provide responses to the following key questions:

- 1. Should the authorisation sought be granted to the Applicant? Why or why not?**
- 2. If the authorisation is granted, what conditions, if any, should be imposed on it?**
- 3. Are there any other matters that the Premier should be aware of when considering the application?**

In line with social distancing requirements, no public meeting will be held for this consultation. AAR will endeavour to contact key Traditional Owners and other Aboriginal parties with a known interest in the Application Area prior to the closure of the consultation period. If you do not receive a call, but wish to learn more about the Exploration Program and/or lodge a submission, please call AAR on (08) 8226 8900 or write to:

Mr Alex van Wessem
Principal Project Officer (Heritage)
Aboriginal Affairs and Reconciliation
GPO Box 320
ADELAIDE SA 5001
Email: DPC-AAR.CIR@sa.gov.au

Thank you for taking the time to consider this letter. If you are an interested Aboriginal party, on behalf of the Premier, AAR encourages you to make a submission before the closing date.

Submissions are due by 5:00 pm on Thursday 23 July 2020.

Yours sincerely



Toby Forde
Manager Aboriginal Heritage
Aboriginal Affairs and Reconciliation

Encl. – Consultation information pack