

Our ref: HMS ID 13730

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Letter uploaded to the Major Projects Planning Portal

Advice on Environmental Impact Statement – State Significant Development

Proposal: MidCoast Regional Organics Processing Solution

Major Project reference: SSD-84090218

Received: 18 February 2026

Dear Emma,

Thank you for your referral seeking advice on the above State Significant Development proposal. Heritage NSW understands that the project relates to the development of a waste management facility for processing organic material and involves clearing, leveling, and construction activities.

In preparing this advice Heritage NSW has reviewed the following documents:

- Environmental Impact Statement - prepared by MRS Consulting Group, dated 29 January 2026
- Appendix W: Aboriginal Cultural Heritage Assessment Report - prepared by McCardle Cultural Heritage, dated 28 September 2025

Following the review of the above documents, Heritage NSW requests additional information to inform its advice to the Department on whether the Aboriginal Cultural Heritage Assessment Report (ACHAR) adequately addresses the Secretary's Environmental Assessment Requirements (SEARs) for the project, including the associated recommendations for the management of Aboriginal cultural heritage. Additional information is required in relation to the matters included in **Attachment A**.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Corey O'Driscoll, SPractice Lead at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond

A/Manager

Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate under *National Parks and Wildlife Act 1974*

19 March 2026

Attachment A – Detailed Aboriginal cultural heritage advice

Aboriginal community consultation

1. Further information and documentation are required to ensure that consultation with the Registered Aboriginal Parties (RAPs) adequately complied with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010). Heritage NSW notes that consultation, as presented, largely complied with the requirements and the project had one RAP. However, there are several gaps in the documentation provided and potential errors in contacting Aboriginal Stakeholders when seeking registration, these include:
 - a. Please clarify why the email address for Nunawanna Aboriginal Corporation differs from the provided by Heritage NSW and why both provided email addresses were not used as requested.
 - b. There are potentially three typographical errors in the email addresses for the Stage 1 notifications. Three email addresses contain spaces before the '@', including those for Nunawanna Aboriginal Corporation, Mur-Roo-Ma Inc., and Robert Syron. Heritage NSW notes that Robert Syron registered for the project but that no responses were received at further project stages (see below), implying the emails were initially received. Where possible, please clarify whether these emails were received by the Aboriginal Stakeholders, this may include read receipts.
 - c. The consultation log provided in Appendix A of the ACHAR outlines that Robert Syron provided comment on the draft methodology (via email) and on the invitation for survey (via phone), however these responses are not included. Please provide evidence of this consultation, including any relevant emails and call logs.
 - d. Please provide evidence that Heritage NSW and the Forster Local Aboriginal Land Council were notified of the project RAPs. While Heritage NSW received a request for RAPs, it is unclear if RAP notification was provided as required.
 - e. Heritage NSW notes that the statement that consultation will progress by a set date if a list of potential Aboriginal Stakeholders is not provided does not comply with the requirements of the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW 2010) and if consultation was started without a list, consultation may need to be restarted once a list is provided by Heritage NSW.
 - f. Please provide any correspondence since the finalisation of the ACHAR in September 2025 to ensure that consultation has been kept continuous, as per Heritage NSW's policy and guidelines.

Archaeological Assessment

2. Heritage NSW acknowledges that the ACHAR outlines that the project area has been subject to a series of historical disturbances, including use of the land as a pine plantation, reducing the likelihood of surface archaeological materials. Despite this, further information and greater detail is required in the archaeological background, including:
 - a. Further explication is required on the potential for subsurface materials, notably shell middens, within the Holocene dune deposit. While surface impacts may have removed and/or

disturbed surface sites, the depth of the sand deposit means there may be potential for subsurface materials.

- b. Section 3.6 of the ACHAR states that the project area is unlikely to have experienced camping activities owing to the distance to water. However, the regional reports outlined in the ACHAR (i.e., Dean-Jones 1988 and Bonhomme 1988), identified shell middens in similar contexts to the project area and at similar distances to water. Further discussion is required on the potential for the project area to contain similar sites. A broader Aboriginal Heritage Information Management System (AHIMS) search may be beneficial in identifying regional site patterns.
- c. Heritage NSW recommends that Section 5.3.1 is updated to better reflect the discussion on regional reports as the current discussion notes the most common site type is open campsite rather than shell middens, nor was watercourse order discussed in the regional discussion but forms an important part of the predictive model.
- d. Please include a short discussion on potential for sea level fluctuations during the Holocene and changes in river levels that may have influenced the distance of the project area to water, noting the waterlogged nature of areas east of the Wallamba River and Millers Mistake Creek.

Additional Comments

- 3. Please update departmental names throughout the report (i.e., Heritage NSW is in the Department of Climate Change, Energy, the Environment and Water [DCCEEW]) and remove references to requirements for an Aboriginal Heritage Impact Permit (AHIP).