

Our ref: HMS ID 10273

Nick Hearfield
Senior Planning Officer
Department of Planning, Housing and Infrastructure
nick.hearfield@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Advice on Response to Submissions and Amendment Report – State Significant Infrastructure

Proposal: Thrumster Wastewater Scheme

Major Project reference: SSI-56980459

Received: 2 May 2025

Dear Nick,

Thank you for your referral seeking advice on the Response to Submissions (RTS) and Amendment Report for the above State Significant Infrastructure proposal.

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

- Relevant sections of the Response to Submissions: Thrumster Wastewater Scheme – prepared by GHD Pty Ltd, dated 9 April 2025
- Relevant sections of the Amendment Report: Thrumster Wastewater Scheme – prepared by GHD Pty Ltd, dated 28 April 2025
- Appendix E: Revised Aboriginal Cultural Heritage Assessment Report – Thrumster Wastewater Scheme – prepared by Niche Environment Heritage Pty Ltd, dated 28 April 2025

Response to Submissions

Our previous advice on the Environmental Impact Statement (EIS) requested additional information including the completion of test excavations to determine the nature and extent of Thrumster PAD 1 (AHIMS ID# 30-3-0390), updates to the proposed test excavation methodology and clarification in relation to the impact assessment, proposed management measures, the Aboriginal community

consultation process and the Aboriginal Heritage Information Management System (AHIMS) search results, AHIMS data and AHIMS site card registrations and updates.

Heritage NSW notes that the Aboriginal cultural heritage assessment report (ACHAR) for the project has been revised to address previous comments on the EIS and provide results of test excavations completed within Thrumster PAD 1 (AHIMS ID# 30-3-0390). The responses provided as part of the RTS, including the additional information provided in the revised ACHAR, have largely addressed our previous comments on the EIS, however, clarification and/or additional information is requested in relation to the following:

1. It remains unclear on whether registered Aboriginal sites 'E1' (AHIMS ID# 30-3-0321) and 'Wattoo 2' (AHIMS ID# 30-3-0205) will be avoided and conserved or managed via community collection. The impact assessment presented in Tabel 45 (pg.160-161) indicates that both sites can be avoided, however, the wording of the proposed management measures indicates that the potential remains that the sites cannot be avoided and thus may require management via community collection. We reiterate our request that the proponent is required to clarify the stage at which the project design is currently at and confirm whether it is possible to undertake an updated impact assessment for these two sites to establish which management strategy is to be employed.
2. Please request the proponent provide evidence that the revised ACHAR has been provided to all Registered Aboriginal Parties (RAPs) for review and comment. We note that the revised ACHAR contains PDF letters dated 27 March 2025, however, no documentation is provided which demonstrates that these letters (and the revised ACHAR) were provided to RAPs. Evidence can comprise of copies of dated emails records, with all relevant email addresses shown, and may be provided separately to Heritage NSW for our review/records.

In future, please also ensure that the proponent prepares all mapping at a scale that is appropriate to the site and its relationship to other sites, important features (contours, landform, waterways), proposed works and the project boundary. Multiple maps may be required to effectively convey this information.

Amendment Report

Heritage NSW understands that since the public exhibition of the EIS refinements to the project footprint have been made due to the development of the detailed design and in response to consultation with agencies throughout the environmental assessment process. These amendments are understood to include a reduced laydown area adjacent to the proposed WWTP to minimise impacts to biodiversity and minor amendments to the pipeline network and thus project footprint.

Heritage NSW understands that the Revised ACHAR for the project also includes the results of additional assessment in support of the refined project as presented in the Amendment Report. In relation to the amended project the revised ACHAR outlines that no additional Aboriginal sites or areas of potential have been identified within the revised footprint. The updated ACHAR concludes that the refined project will not result in any additional impact to Aboriginal cultural heritage values compared to those identified during the original assessment for the EIS.

Heritage NSW provisionally agrees with the proposed management recommendations (Sections 9 and 10 of the Revised ACHAR) which includes the development of an ACHMP in consultation with RAPs. On the basis that the above outstanding matters are adequately addressed, recommended Draft

Conditions of Approval have been provided in **Attachment A**, noting that these may require minor revision depending upon the response provided in relation to comment #1 above.

Please note that the comments provided relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Marika Low, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Alison Lamond

Alison Lamond
A/Strategic Manager
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
9 May 2025

Attachment A - Recommended Draft conditions for Aboriginal Cultural Heritage

Below are our recommended draft conditions for the protection of Aboriginal Heritage and the implementation of an Aboriginal Cultural Heritage Management Plan (ACHMP).

Aboriginal Heritage

1. All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
2. The Registered Aboriginal Parties (RAPs) must be kept informed about the SSI. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSI.

Aboriginal Cultural Heritage Management Plan

3. Prior to carrying out any development, the Applicant must prepare an ACHMP for the development to the satisfaction of the Secretary. This plan must:
 - a. be prepared by a suitably qualified and experienced person;
 - b. be prepared in consultation with the RAPs and reviewed by Heritage NSW;
 - c. include a description of the measures (and associated methodologies) that would be implemented for:
 - i. protecting the Aboriginal heritage items identified within the project footprint or items located outside the approved development footprint, including fencing off the Aboriginal heritage items prior to commencing construction;
 - ii. the salvage via community collection of the Aboriginal objects and sites approved for impact within the approved project area;
 - iii. a strategy for the short-term and long-term management of any Aboriginal objects salvaged under approval (including those recovered during previous test excavations);
 - iv. include updated mapping of all areas that have been and will be subject to mitigation measures such as surface collection or protective fencing;
 - v. ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
 - vi. ongoing consultation with RAPs during the implementation of the ACHMP;
 - vii. preparing Aboriginal Site Impact Recording Form/s (ASIRFs) for all Aboriginal heritage sites where management via community collection has occurred under the ACHMP with ASIRFs to be submitted to the Aboriginal Heritage Information Management System (AHIMS) registrar.
 - d. include a contingency plan and reporting procedure including:
 - i. an Unexpected Heritage Finds and Human Remains Procedure prepared in relation to Aboriginal cultural heritage, with these measures to be prepared in accordance with the guidelines and standards specified by Heritage NSW, be implemented for the duration of

the project and to include the requirement to register any newly identified Aboriginal objects or sites in the AHIMS database.

- a. include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Planning Secretary's approval, the Applicant must implement the ACHMP.