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Belinda Scott  
A/Team Leader - Water  
Infrastructure Projects  
Department of Planning & Infrastructure  
GPO Box 39  
**SYDNEY NSW 2001**

Dear Ms Scott

I refer to the your letter (received by this Office on the 29<sup>th</sup> March) requesting Heritage Council comments regarding the Adequacy of the Environmental Assessment for the Water and wastewater servicing of the West Dapto urban release area and adjacent growth areas (MP 09\_0189). It is noted that this is the first time that the Heritage Council has been asked to comment on this Major Project.

Accompanying your letter was a copy of the AECOM report titled '*Water and Wastewater Servicing in the West Dapto Urban Release Area and Adjacent Growth Areas – Non-Indigenous Heritage Assessment and Impact Management*' dated June 2011. A copy of the Environmental Assessment (EA) was requested and subsequently received.

It is noted that the above non-indigenous heritage report did not form part of the EA package as an Appendix. Given the proposed impacts on heritage (as discussed below) the Heritage Council considers it necessary that the non-Indigenous Heritage Assessment forms part of the EA documentation to be considered by the public during the Exhibition phase of this determination. This is important to ensure that any public submissions relating to the proposal are made with full access to relevant documents and information.

This Major project covers the provision of water and wastewater services to an area of 420 hectares to service approximately future 30,000 dwellings as part of the West Dapto Urban Release Area and Adjacent Growth Areas in the Illawarra Region. This area currently contains approximately 195 non-indigenous heritage sites of varying levels of significance from none to State significance. The project works have the potential to directly impact nine sites and potentially impact 45 sites include cemeteries, State significant homesteads and important sites relating to the regions agricultural and dairying history.

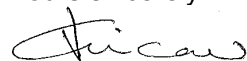
It is noted that in regards to this heritage, the EA states that "*a number of Aboriginal heritage and non-Aboriginal heritage sites may be impacted by construction of the Proposal. Sydney Water intends to avoid these sites if feasible. However, given the extent of the sites and design limitations on water and wastewater systems, avoidance is unlikely to be practical in all cases. Where sites cannot be avoided through construction methodologies or design alterations, Sydney Water has developed mitigation measures to minimise impacts... For non-Aboriginal heritage sites, mitigation measures may include undertaking further assessment of heritage significance and test excavation*".

Accordingly, having considered the above documents and the information contained within them the Heritage Branch provides the following comments:

1. This project would have a range of impacts on a wide range of heritage including two items which have been assessed as being of State significance – Avondale and Marshall Mount Homestead, Garden and Outbuildings. In each case the report by AECOM states that impacts to their heritage is unacceptable. The Heritage Council concurs with this statement. This is particularly important in the case of Avondale, where the project impacts include the construction of a water pipeline passing through the main homestead building.
2. The Heritage Council considers that the works plan specifically in relation to Avondale and Marshall Mount Homestead should be redesigned to ensure that there are no impacts to either site and that these State significant heritage items are protected during the works.
3. Based on the wide ranging impacts on heritage across the project area, the four Draft Statement of Commitments (DSOC) numbered 14-17 put forward by the Applicant to manage the impacts to non-Indigenous heritage are not considered adequate. They are vague and will not be capable of mitigating the large number of impacts this project will have on non-indigenous heritage.
4. Based on the impacts identified in the AECOM non-Indigenous Heritage report the Heritage Branch considers that if Major Project 09\_0189 is approved, conditions of Approval should be included that state:
  - Each non-Indigenous heritage item identified as being of local or above significance which is to be directly or indirectly impacted by this project must be managed in accordance with the individual and specific recommendations made for each item within Sections 5.2.1-5.2.38 and 5.3.1-33 of the AECOM report titled 'Water and Water Servicing in the West Dapto Urban Release Area and Adjacent Growth Areas – Non-Indigenous Heritage Assessment and Impact Management' dated June 2011.
  - In cases where further archaeological testing or salvage excavation is proposed to minimise project impacts, the chosen Excavation Director must demonstrate in writing that they meet the Heritage Council Excavation Directors Criteria for excavation at these sites. This submission must be sent to the Heritage Branch, Office of Environment & Heritage for comment prior to any archaeological works commencing.
  - Should the layout proposed for the Water and Wastewater Pipelines change during the life time of the project and additional heritage items will be impacted by this change, a Heritage Impact Assessment must be undertaken to identify these impacts and provide mitigation measures to offset them.
  - A Historic Heritage Construction Management Plan must be undertaken prior to works commencing to guide the management and protection of heritage items during construction, particularly in relation to vibration impacts. This Plan must be sent to the Heritage Branch, Office of Environment & Heritage for approval prior to any archaeological works commencing.

If you have any questions regarding the above advice, please feel free to contact Katrina Stankowski at [Katrina.Stankowski@heritage.nsw.gov.au](mailto:Katrina.Stankowski@heritage.nsw.gov.au).

Yours sincerely



04/04/2012

**Vincent Sicari**

Manager – Conservation Team

Heritage Branch

Office of Environment & Heritage

**As Delegate of the NSW Heritage Council**