



Planning

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Mr Howard Reed
Team Leader - Mining
Mining & Industry Projects
Major Project Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

RECEIVED

9 NOV 2010

Attention: Naomi Nelson

Dear Mr Reed

RE: Heritage Branch comments on the Environmental Assessment currently on for the Appin Vent Shaft No. 6 Project (MP10_0079)- Wollondilly Local Government Area.

On 15th October the Heritage Branch received a letter from Bruce Blunden of bhpBilliton requesting any comments that the Heritage Branch may have on the Appin Vent Shaft No. 6 Project (10_0079) Environmental Assessment currently on Public Exhibition. It was requested that these comments be provided to the Department of Planning.

The Heritage Branch notes that this is the first time it has been asked to comment on this project. It is requested that in future comments from the Heritage Branch are sought during the previous approval phases.

The Heritage Branch has reviewed the three volumes of the report submitted- 'Environmental Assessment Ventilation Shaft No. 6 Project Volume 1 (Main Report), Volume 2 (Specialist Reports) and Volume 3 (EMS and Management Plans). These reports detail that the subject site contains the Morton Park- Mountbatten Group of heritage buildings which comprise an 1822 (approx) stone chapel, an 1822 (approx) stone cottage (which has been incorporated into the slightly later homestead building) and garden building. Random scatters of historical archaeological artefacts have also been found across the site.

Accordingly, the Heritage Branch has the following comments:

1. Whilst the Environmental Assessment contains a vibration impact assessment for the proposed works, the potential impacts of the vibrations on the heritage fabric of the stone Chapel, brick homestead and other early buildings of the Mountbatten Group is not assessed.

This is particularly problematic as the works will be taking place within close proximity to very early colonial buildings with delicate fabric which have specific management needs in regards to vibration issues.

A heritage vibration assessment undertaken for these structures which includes detailed monitoring and mitigation methods needs to be undertaken immediately and any mitigation measures agreed upon. This study should be undertaken by a qualified heritage structural engineer.

These buildings are rare within NSW as part of a very small suite of pre 1825 buildings. As such, any impacts to their fabric, including vibrations should be most carefully studied, monitored during works, and appropriately mitigated during and after works are complete.

2. It is noted the Reports outline that there are no assessed direct impacts from the project on the fabric of Mountbatten Group (as outlined above, a vibration study needs to be undertaken to determine if this remains the case), and that the impacts will be visual. The Mountbatten Group is assessed as possessing aesthetic significance, primarily for the open and pastoral landscape the site is located in. These works will impact on this landscape and significance and as a result, the Heritage Impact Statement (HIS) has highlighted 5 mitigation measures to offset this. Only 1 of these measures (No. 5) has found its way into bhpBilliton's Draft Statement of Commitments (DSoC). The remainder of these measures are:
 - The sympathetic placement of new buildings and structures on the property should continue to be implemented throughout the construction and operation phases of development.
 - Sympathetic finishes and vegetation screening should be used to screen and separate the new buildings and structures from the heritage items.
 - Vegetation clearing should be minimised, and should not include historical plantings in the vicinity of the Morton Park- Mountbatten Group.
 - A management plan for the construction phase of the project should be developed to describe the procedures for the discovery of suspected archaeological relics during the construction phase of the project and procedures for heritage impact assessment in the case of unforeseen contingencies that may impact heritage significance beyond that assessed in the HIS. However, it is noted that a draft Heritage Management Plan (HMP) has been undertaken and was included in Volume 3 of the supplied reports.

The Heritage Branch requests that the remaining four of the mitigation measures detailed within the HIS are included in the applicants DSoC.

3. The Draft Heritage Management Plan outlines a number of ways which the detailed impacts to the Mountbatten Group and any unexpected heritage (including archaeology) can be mitigated. This draft document is generally considered to be acceptable with the exception of the failure to include the implementation of Section 146 of the NSW Heritage Act (*which is not turned off by the Part 3A process*). Section 146 states that the Heritage Council must be notified of the discovery of a relic under any circumstances. Therefore, the steps detailed in Section 5.2 of the Draft HMP which state that in the event that suspected relics are encountered the Heritage Branch would be notified if appropriate, needs to be amended to reflect the existence of S146. This should state that if a relic is uncovered, the NSW Heritage Council, or its Delegate, should be notified as soon as possible.
4. Finally, in the SHI form contained within the Heritage Impact Assessment (Annexure H), the Mountbatten Group is assessed of being of historical significance at a State level and having aesthetic, representative and rarity significance at a regional level. This was amended in the 2009 Heritage Study for the Bulli Seam Operations Project

by Michael Pearson (not supplied as part of the project documentation) to Local significance. No reason apart from the removal of 'regional' significance as a level of assessment by the NSW Heritage Council is given for this downgrading.

Section 3 of the HIS details that the original stone cottage and stone chapel were constructed in approximately 1822. Only 34 residences constructed prior to 1822 are still standing within NSW. This makes these buildings extremely rare.

Furthermore, the history of De Arrieta, the original owner and the storey of his arrival in the Colony and land Grant from Governor Macquarie (whose bicentennial anniversary as Governor is being celebrated across the state this very year) has already been assessed as being significant at a State level. Given that bhpBilliton has committed in their DSoC to "manage and conserve the Mountbatten Group in a manner consistent with its heritage values", the Heritage Branch suggests that this would include the engagement of a consultant to re-assess the heritage significance of the Mountbatten Group with a view to consider its nomination for the State Heritage Register.

I hope that this information is of assistance. If you have any further enquiries regarding this matter, please contact Katrina Stankowski at the Heritage Branch on (02) 98738569.

Yours sincerely



04/11/2010

Vincent Sicari
Manager
Conservation Team
Heritage Branch
Department of Planning