

Appendix B5

Heritage Management Sub-plan

Western Harbour Tunnel and Warringah Freeway Upgrade

SSI-8863

Stage 2 – Warringah Freeway Upgrade

February 2022

WHTBLWFU-CPBD-NWW-HE-PLN-000007-2

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Document control

Approval and authorisation

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Document status

Revision	Date	Description	Approval
A	3/3/2021	Addendum 7	
B	1/10/2021	For consultation	
C	5/11/2021	Internal review and incorporation of ER & stakeholder consultation feedback	
0	16/11/21	Endorsed by ER and submission to DPI&E	
1	28/1/22	Amended based on DPI&E comments – for submission to DPI&E	
2	18/2/22	Amended based on additional comments from DPI&E	

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The document is uncontrolled when printed. One controlled hard copy of the HMP as part of the CEMP and supporting documentation will be maintained by the Quality Manager at the Project office and on the project website.

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Glossary/ Abbreviations

Abbreviations	Expanded text
Aboriginal place	An Aboriginal Place is an area declared by the Minister administering the Act to be of special significance with respect to Aboriginal culture.
Aboriginal object/s	Aboriginal objects include any deposit, object or material evidence (not being a handicraft made for sale), including Aboriginal remains, relating to the Aboriginal habitation of NSW, before or concurrent with occupation by non-Aboriginal people, as defined in section 5 of the NPW Act
ARDEM	Archaeological Research Design and Excavation Methodology
CEMP	Construction Environmental Management Plan
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
Environmental heritage	Places, buildings, works, relics, movable objects and precincts, of State or local heritage significance as outline in Section 4 of the Heritage Act
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EWMS	Environmental Work Method Statements
Heritage Act	<i>Heritage Act 1997 (NSW)</i>
HCA	Heritage Conservation Area
HMP	Heritage Management Sub-plan
LALC	Local Aboriginal Land Council
MCoA	NSW Minister's Conditions of Approval
NPW Act	<i>National Parks and Wildlife Act 1974 (NSW)</i>
NVMP	Noise and Vibration Management Sub-plan
PACHCI	Procedure for Aboriginal Cultural Heritage Consultation and Investigation (Roads and Maritime, 2011)
PAD	Potential Archaeological Deposit
Project, the	Warringah Freeway Upgrade

RAP	Registered Aboriginal Parties
RMS	Roads and Maritime Services
RtS	Western Harbour Tunnel and Warringah Freeway Upgrade Response to Submissions Report (dated September 2020)
Secretary	Secretary of the NSW Department of Planning, Industry and Environment (or delegate)
SEP	Site Environment Plans
TfNSW	Transport for NSW
WFU	Warringah Freeway Upgrade

1 Introduction

1.1 Context

This Heritage Management Sub-plan (HMP or Sub-plan) forms part of the Construction Environmental Management Plan (CEMP) for the Warringah Freeway Upgrade (the Project), a component of the Western Harbour Tunnel and Warringah Freeway Upgrade project.

This HMP has been prepared to address the requirements of the Minister's Conditions of Approval (MCoA) for the Western Harbour Tunnel and Warringah Freeway Upgrade project, the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement dated January 2020 (the EIS), the Western Harbour Tunnel and Warringah Freeway Upgrade Response to Submissions report dated September 2020 (the RtS), and applicable guidance and legislation.

This HMP addresses heritage management applicable to Stage 2 of the Warringah Freeway Upgrade Project as detailed in the Staging Report – Western Harbour Tunnel and Warringah Freeway Upgrade (SSI 8863) – October 2021 Rev 1.

Note: construction activities are not to commence until the CEMP and the applicable sub-plans (including this HMP) have been endorsed by the ER and approved by the Planning Secretary.

1.2 Background and project description

The Western Harbour Tunnel and Warringah Freeway Upgrade project comprises a new motorway tunnel connection across Sydney Harbour and an upgrade of the Warringah Freeway to integrate the new motorway infrastructure with the existing road network and enable the future connection of the Beaches Link and Gore Hill Freeway Connection project.

The upgrade of the Warringah Freeway extends from the northern end of the Sydney Harbour Bridge to Willoughby Road, and will optimise traffic flow, reduce the number of merge points and introduce a southbound bus lane. The upgrade will also improve Ridge Street and Ernest Street bridges. A detailed description of the Project is provided in Section 1.3 of the CEMP.

As part of the EIS development, a non-Aboriginal Heritage Assessment and an Aboriginal Cultural Heritage Assessment were prepared to address the Secretary's Environmental Assessment Requirements (SEARs) issued by the Department of Planning, Industry and Environment (DPIE). The two reports were included in the EIS as the Non-Aboriginal Heritage and Cultural Heritage Assessment reports (Appendix J and Appendix L of the EIS respectively).

The EIS identified the potential for direct and indirect impacts on the cultural heritage values that occur within the Project area but concluded that, provided the proposed mitigation and management measures are implemented (as detailed in this Sub-plan), no significant long-term impacts would be expected.

The Western Harbour Tunnel and Warringah Freeway Upgrade Project was approved by the Minister for Planning and Public Spaces on 21 January 2021.

The proponent, Transport for NSW (TfNSW), has contracted the CPB Contractors and Downer Joint Venture (CPB Downer JV) for the design and construction of the Project.

1.3 Scope of the Sub-Plan

The scope of this HMP is to describe how the CPB Downer JV proposes to manage potential impacts on Non-Aboriginal Heritage and Aboriginal Cultural Heritage during construction of the Project. Operational impacts and operational measures do not fall within the scope of this HMP and therefore are not included within the processes contained within this HMP.

This Sub-plan is applicable to all Project activities under the control of the CPB Downer JV, including all areas where physical works will occur or areas that may otherwise be impacted by the construction works. All CPB Downer JV staff and sub-contractors are required to operate fully under the requirements of this Sub-plan and related environmental management plans, for the duration of the construction program.

This HMP addresses heritage management applicable to Stage 2 of the Warringah Freeway Upgrade Project as detailed in the Staging Report – Western Harbour Tunnel and Warringah Freeway Upgrade (SSI 8863) – October 2021 Rev 1.

1.4 Environmental management systems overview

This Sub-plan forms part of the CEMP which provides a structured and systematic approach to environmental management. The CEMP is based on the requirements of the CPB Contractors' Management System (CMS) and the requirements of the CSSI approval.

The CMS is certified to *AS/NZS SIO 14001:2015 Environmental Management Systems – requirements with guidance for use*. Additional details on the CEMP and Project environmental management system documents are provided in Section 1.5 of the CEMP.

Key interactions for this Sub-plan with other elements of the CEMP include:

- **Noise and Vibration Management Sub-plan** – details the process for the identification and monitoring of potential vibration effects on sensitive heritage items (Section 7).

2 Purpose and objectives

2.1 Purpose

The purpose of this HMP is to describe how CPB Downer JV proposes to protect and manage potential impacts to Aboriginal and non-Aboriginal heritage values during construction of the Project.

2.2 Objectives

The key objective of the HMP is to ensure all MCoA, Revised Environmental Management Measures (REMMs) and licence/permit requirements relevant to Aboriginal and Non-Aboriginal heritage are described, scheduled and assigned responsibility as outlined in:

- The EIS and RtS prepared for the Project
- MCoA granted to the project on 21 January 2021
- Roads and Maritime specifications G36, G38 and G40
- All relevant legislation and other requirements described in Section 3.1 of this HMP.

Furthermore, the CPB Downer JV will aim to meet the performance outcomes from the EIS (Chapter 28, Table 28-4) as required by MCoA C2(d)(i). Relevant performance outcomes are detailed in **Table 2-1** including a cross reference to indicate how the matter is addressed in this Sub-plan.

Table 2-1 Performance Outcomes Identified in the EIS Relevant to this Sub-plan

Performance Outcome	How Addressed	Records
The design, construction and operation of the project facilitates, to the greatest extent possible, the long-term protection, conservation and management of the heritage significance of items of environmental heritage and Aboriginal objects and places.	Impacts on heritage will be minimised through the implementation of management and mitigation measures detailed in Section 7 (Table 7-1) of this Sub-plan.	Unexpected Finds Record Form Training Records

2.3 Targets

The following targets have been established for the management of potential Aboriginal and non-Aboriginal heritage of impacts during the Project:

- Ensure compliance with the relevant legislation, including the *Environmental Planning and Assessment Act 1979* (NSW), the *Heritage Act 1977* (NSW), and, where possible, relevant guidelines
- Ensure the long-term protection, conservation and management of the heritage significance of items of environmental heritage and Aboriginal objects and places
- Follow correct procedure and ensure notification of any Aboriginal heritage objects/places uncovered during construction
- Provide Aboriginal Cultural Heritage Awareness Training to all personnel in the form of inductions before they begin work on-site.

3 Environmental Requirements

3.1 Relevant legislation and guidelines

3.1.1 Legislation

All legislation relevant to this HMP is included in Appendix A1 of the CEMP.

3.1.2 Guidelines

The main guidelines, specifications and policy documents relevant to this Sub-plan include:

- (The) Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 1999
- Department of Environment, Climate Change and Water (DECCW) Aboriginal cultural heritage consultation requirements for proponents, 2010
- NSW Government, *Policy on Aboriginal Participation in Construction*, 2016
- NSW Heritage Office and NSW Department of Urban Affairs and Planning (DUAP) *Archaeological Assessment Guidelines*, 1996
- NSW Heritage Office, *Assessing Heritage Significance*, 2001
- NSW Heritage Office, *How to Prepare Archival Recording of Heritage Items*, 1998
- NSW Heritage Office, *Photographic Recording of Heritage Items Using Film or Digital Capture*, 2006
- Roads and Maritime s *Standard Procedure – Unexpected Archaeological Finds*, 2011
- Roads and Maritime *Cultural Heritage Guidelines*, 2015
- Roads and Maritime *Standard Management Procedure: Unexpected Heritage Items*, 2015.

3.2 Minister's Conditions of Approval

The MCoA relevant to this HMP are listed in **Table 3-1**. A cross reference is also included to indicate where the condition is addressed in this Sub-plan or other Project management documents.

Table 3-1 Conditions of Approval relevant to the HMP

Ref #	Condition Requirements	Reference	How Addressed
General			
A5	<p>Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:</p> <ul style="list-style-type: none"> (a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval; (b) a log of the dates of engagement or attempted engagement with the identified party; (c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations; (d) outline of the issues raised by the identified party and how they have been addressed; and (e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed. 	Appendix B	This HMP has been prepared in consultation with the relevant agencies identified in MCoA C4(c). Records of consultation are included in the Consultation Report in Appendix B .

Ref #	Condition Requirements	Reference	How Addressed
A15	<p>With the approval of the Planning Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis.</p> <p>Notes:</p> <p>1. <i>While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times; and</i></p> <p>2. <i>If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i></p>	Section 1.1 and Section 1.3	This HMP addresses heritage management applicable to Stage 2 of the Warringah Freeway Upgrade Project as detailed in the Staging Report – Western Harbour Tunnel and Warringah Freeway Upgrade (SSI 8863) – October 2021 Rev 1

Ref #	Condition Requirements	Reference	How Addressed
A27 (d)	<p>For the duration of the work until the commencement of operation, or as agreed with the Planning Secretary, the approved ER must:</p> <p>(d) review documents identified in Conditions A10, A17, C1, C4 and C11 and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:</p> <p>(i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or</p> <p>(ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary / Department for information or are not required to be submitted to the Planning Secretary/Department);</p>	Section 9.2	The ER will review this HMP (as required by CoA A27(d)) prior to submission to the Planning Secretary to ensure it is consistent with the requirements of the Planning Approval.
Construction Environmental Management			

Ref #	Condition Requirements	Reference	How Addressed									
C4	<div>CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A5.</div> <table><tr><td></td><td>Required CEMP Sub-plan</td><td>Relevant government agencies to be consulted for each CEMP Sub-plan</td></tr><tr><td>(h)</td><td>Non-Aboriginal Heritage</td><td>Heritage NSW and relevant council(s)</td></tr><tr><td>(i)</td><td>Aboriginal Cultural Heritage</td><td>Heritage NSW</td></tr></table>		Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan	(h)	Non-Aboriginal Heritage	Heritage NSW and relevant council(s)	(i)	Aboriginal Cultural Heritage	Heritage NSW	Appendix B	This HMP has been prepared in consultation with the relevant agencies identified in MCoA C4(h & i). Records of consultation are included in the Consultation Report in Appendix B .
	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan										
(h)	Non-Aboriginal Heritage	Heritage NSW and relevant council(s)										
(i)	Aboriginal Cultural Heritage	Heritage NSW										
C5	The CEMP Sub-plans must state how: (a) the environmental performance outcomes identified in the documents listed in Condition A1 will be achieved;	Section 2.2	The environmental performance outcomes identified in the EIS and RtS are detailed in Section 2.2, Table2-1.									
	(b) the mitigation measures identified in the documents listed in Condition A1 will be implemented;	Section 3.2 Section 3.3	Details how the mitigation measures identified in the EIS and RtS relating to heritage will be implemented by the CPB Downer JV.									
	(c) the relevant terms of this approval will be complied with; and	Section 3	Details of how CPB Downer JV will comply with the relevant terms of approval are listed in Tables 3-1 & 3-2 in Section 3,									

Ref #	Condition Requirements	Reference	How Addressed
			including references to the relevant sections of this Sub-plan.
	(d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles.	CEMP – Section 3.2.1 Section 6 Section 6.4	Heritage issues requiring management during construction have been identified in the Environmental Risk Assessment Workshop (Section 3.2.1 of the CEMP) and Section 6 of this Sub-plan. Cumulative impacts are detailed in Section 6.4.
C9	The CEMP Sub-plans must be submitted to the Planning Secretary for approval along with, or subsequent to, the submission of the CEMP but in any event, no later than one month before construction.	Section 1.1	This Sub-plan will be submitted to the Planning Secretary for approval no later than one month before construction.
C10	Construction must not commence until the CEMP and all CEMP Sub-plans have been approved, unless otherwise agreed by the Planning Secretary. The CEMP and CEMP Sub-plans, as approved by the Planning Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and sub-plans for that stage have been endorsed by the ER and approved by the Planning Secretary.	Section 1.1 Section 9.2	Construction of the Project will not commence until the CEMP and all CEMP Sub-plans have been endorsed by the ER and subsequently approved by the Planning Secretary.
E50	The Proponent must take all reasonable steps so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.	Section 7	The requirements of this condition are reflected in the management and mitigation measures detailed in Section 7 of this Sub-plan. Evidence of implementation will include Unexpected Finds Record Forms, training records and Environmental Inspection forms.

Ref #	Condition Requirements	Reference	How Addressed
Archival Recording			
E51	The Lavender Street toll gantry must be designed to be consistent with the most recently endorsed <i>Sydney Harbour Bridge Conservation Management Plan</i> . The design must be undertaken in consultation with relevant stakeholders including Heritage NSW.	N/A	Not addressed. This condition is applicable to the Stage 1A contractors' scope of work.
E52	Options for protecting and reusing salvaged heritage infrastructure from the former Woodleys Shipyard and BP Sites in the landscaping of Berrys Bay must be reviewed. The use of the items must be detailed in the Place, Design and Landscape Plan required by Condition E177.	N/A	Not addressed. This condition is relevant only to the Western Harbour Tunnel scope of work
E53	Prior to the commencement of construction that would potentially impact upon the SS Baragoola and M.V. Cape Don, the Proponent must relocate the vessels to a suitable location accessible by community groups undertaking vessel restoration. The relocation must be undertaken in consultation with vessel owners and relevant community groups and must not impact the heritage significance of the items.	N/A	Not addressed. This condition is relevant only to the Western Harbour Tunnel scope of work
E54	The former Balls Head Coal Loader, including seawall, wharf, dolphins and associated maritime infrastructure, must not be physically damaged, disturbed, or destroyed by construction of the CSSI. Regular monitoring must be undertaken and incorporated into the Heritage CEMP Sub-Plan as required by Condition C4. Should the Proponent wish to disturb any heritage elements of the former Balls Head Coal Loader, consultation must occur with Heritage NSW prior to seeking Planning Secretary approval.	N/A	Not addressed. This condition is relevant only to the Western Harbour Tunnel scope of work

Ref #	Condition Requirements	Reference	How Addressed
E55	The potential to retain or minimise impacts to the NSW Torpedo Corps slipway within Woodleys Shipyard must be reviewed during detailed design. If reasonably practicable, the slipway must be retained or impacts minimised.	N/A	Not addressed. This condition is relevant only to the Western Harbour Tunnel scope of work
E56	Prior to potential physical impact, archival recording must be undertaken for the following heritage items: (a) St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney; (b) North Sydney Sewer Vent; (c) Yurulbin Park, Birchgrove; and (d) Balls Head Coal Loader Complex, Waverton.	Section 7.1 Table 6.1 Table 7.1	A Heritage Archival Recording will be prepared prior to potential physical impact of the following items: <ul style="list-style-type: none"> • St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval) • North Sydney Sewer Vent • North Sydney Bus Shelters • Cammeray Park (including Golf Course) • Cammeray Conservation Area. The remaining items detailed in this condition are outside of the Project scope.
E57	Archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's How to Prepare Archival Records of Heritage Items (1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (2006). A copy must be provided to Heritage NSW and the relevant Council and submitted as part of the Final Excavation Report required by Condition E62.	Section 7.1 CoA E60	Heritage Archival Recordings will be prepared in accordance with the nominated guidelines. A copy will be provided to Heritage NSW and the relevant Council and submitted as part of the Final Excavation Report required by CoA E60 (where triggered).

Ref #	Condition Requirements	Reference	How Addressed
Excavation and Archaeology			
E58	Prior to the commencement of construction that has the potential to impact upon areas of archaeological significance as defined in the documents listed in Condition A1, a revised Archaeological Research Design and Excavation Methodology must be prepared in accordance with the Heritage Council of NSW guidelines and Heritage NSW comments on the EIS and RtS, to guide the archaeological program. The revised methodology must be prepared in consultation with Heritage NSW and submitted to the Planning Secretary for information.	Section 7.2	The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that has the potential to impact on areas of archaeological significance as identified in the EIS and RtS, a revised Archaeological Research Design and Excavation Methodology (ARDEM) will be prepared in accordance with the requirements of this condition. The process by which the ARDEM will be prepared is detailed in Section 7.2 of this Sub-plan.
E59	Prior to commencement of archaeological excavation, the Proponent must nominate a suitably qualified Excavation Director who complies with <i>Heritage NSW's Criteria for Assessment of Excavation Directors</i> (September 2019) to oversee and advise on matters associated with historical archaeology. The Excavation Director must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the approved Archaeological Research Design and Excavation Methodology required by Condition E58.	Section 7.2	The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that has the potential to impact on areas of archaeological significance as identified in the EIS and RtS, a suitably qualified Excavation Director will be nominated in accordance with the requirements of this condition.

Ref #	Condition Requirements	Reference	How Addressed
E60	Following completion of archaeological excavation programs a Final Excavation Report must be prepared that includes: the details of any archival recording, further historical research undertaken to enhance the final reporting and results of archaeological excavations (including artefact analysis and identification of a final repository for finds). The report must be prepared in accordance with guidelines and standards required by Heritage NSW.	Section 7.3	The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that results in an archaeological excavation program, a Final Excavation Report will be prepared in accordance with the requirements of this condition.
Artefact Management			
E61	An Artefact Conservation Management Plan (ACMP) must be prepared to support the archaeological excavation programs and be prepared with the support of a conservator. The ACMP must include historical and maritime relics recovered by the project. Artefact specialists must be engaged to analyse and report on the different assemblages as part of the final reporting for the CSSI. This must include details of analysis, processing and management of the collection including its curation needs in the short and long term. The Plan must be included in the Maritime Heritage and Non-Aboriginal Heritage Management CEMP Sub-plans, required by Condition C4.	Section 7.4	The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that results in an archaeological excavation program and recovery of relics, an Artefact Conservation Management Plan (ACMP) will be prepared with the support of a conservator. The ACMP will be prepared in accordance with the requirements of this condition and included in this Sub-plan.

Ref #	Condition Requirements	Reference	How Addressed
E62	The Final Excavation Report must be submitted to the Planning Secretary, Heritage NSW and the relevant Council for information no later than 12 months after the completion of the work referred to in Condition E60. It must include details of any significant artefacts recovered, where they are located and details of their ongoing conservation and protection in perpetuity. Copies of the Final Excavation Report must be provided to the Planning Secretary, Heritage NSW and to the relevant local Council's local studies unit.	Section 7.3	The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that results in an archaeological excavation program, a Final Excavation Report will be prepared in accordance with the requirements of this condition.
Unexpected Heritage Finds			
E63	An Unexpected Heritage Finds and Human Remains Procedure must be prepared to manage unexpected heritage finds (including maritime discoveries) in accordance with any guidelines and standards prepared by Heritage NSW and submitted to the Planning Secretary for information before the commencement of construction.	Appendix A	An Unexpected Heritage Items procedure (TfNSW Unexpected Heritage Items Heritage Procedure 02, Nov 2015) has been developed in accordance with relevant Heritage NSW guidelines and standards (Appendix A of this Sub-plan). The procedure was submitted to the Planning Secretary for information prior to commencement of construction.
E64	The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of construction. <i>Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i>	Appendix A	The Unexpected Heritage Items procedure (TfNSW Unexpected Heritage Items Heritage Procedure 02, Nov 2015) is included in Appendix A and will be implemented for the duration of construction as evidenced by the completion of Unexpected Heritage Item Recording Form 418.

3.3 Revised Environmental Management Measures

Relevant REMMs, as identified in Part D of the RtS, are listed in **Table 3-2**.

Table 3-2 Environmental management measures relevant to this HMP

Ref #	Commitment	Reference	How Addressed
Non-Aboriginal Heritage			
NAH2	Appropriate heritage interpretation will be incorporated into the urban design for the project in accordance with the NSW Heritage Manual (NSW Heritage Office and Department of Urban Affairs and Planning, 1996), <i>Interpreting Heritage Places and Items: Guidelines (Roads and Maritime, 2005)</i> , and the <i>Heritage Interpretation Policy (NSW Heritage Council, 2005)</i> .	Table 6.1	<p>Appropriate heritage interpretation will be incorporated into the urban design of the Project in accordance with nominated guidelines. As detailed in Table 6.1 of this Sub-plan, the requirements of this commitment will be applicable to:</p> <ul style="list-style-type: none"> • St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval) • Northern Suburbs Ocean Outfall Sewer, Blacktown to Manly • Cammeray Park (including Golf Course) • Holtermann Estate A Conservation Area.
NAH3	Impacts to areas of archaeological potential will be avoided by the project. In the event that works are required in the location of the air raid trenches, an archaeological excavation will be required with a test excavation methodology prepared in consultation with relevant stakeholders prior to the disturbance of this area.	Section 7.2	The requirements of this commitment are not triggered by the scope of the Project (specifically at ANZAC Park). In the event of a change in design that results in impacts to areas of

Ref #	Commitment	Reference	How Addressed
			archaeological potential, an ARDEM will be prepared, and archaeological testing will be undertaken (refer to MCoA E58).
NAH4	Should at-property noise treatment be required at a premises that is heritage listed, this will be carried out in a manner to minimise heritage impact, and advice of a heritage conservation architect will be sought prior to undertaking the works. Any treatment will be sympathetic to the heritage values of the item, designed with heritage architect input and be reversible where feasible and reasonable.	Table 6.1 Section 7.7 Table 8.1	The process by which at-property noise treatment will be carried out at heritage listed properties is detailed in Table 6.1 and Section 7.7 of this Sub-plan. The advice of a heritage conservation architect will be sought in accordance with this commitment and any treatment will be sympathetic to heritage values. Table 8.1 includes the requirement to prepare a consultant's report for heritage inspections prior to at property treatments on an identified heritage item.
NAH5	Archival recording will be carried out in accordance with the Photographic Recording of Heritage Items Using Film or Digital Capture guideline for areas/items subject to change within the following terrestrial items, in accordance with Appendix J (Technical working paper: Non-Aboriginal heritage): a) Item 2: The Valley Heritage Conservation Area, Rozelle and Balmain b) Item 4: Yurulbin Park, Birchgrove c) Item 7: BP site, Waverton d) Item 9: North Sydney Bus Shelters e) Item 10: St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney	Section 7.1	A Heritage Archival Recording will be prepared in accordance with the requirements of this commitment prior to potential physical impact of the following items: <ul style="list-style-type: none"> St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval) North Sydney Sewer Vent North Sydney Bus Shelters Cammeray Park (including Golf Course)

Ref #	Commitment	Reference	How Addressed
	<p>f) Item 14: Cammeray Park (including Golf Course), Cammeray</p> <p>g) Item 15: Cammeray Conservation Area, Cammeray.</p> <p>Archival recording will be completed prior to any works that have the potential to impact upon the items and deposited with appropriate stakeholders as determined during detailed design (eg local councils).</p>		<ul style="list-style-type: none"> Cammeray Conservation Area. <p>The remaining items detailed in this REMM are outside of the Project scope.</p>
NAH10	If at any time during construction of the project, historical heritage materials, features and/or deposits are encountered, the <i>Standard Management Procedure: Unexpected Heritage Items</i> (Roads and Maritime, 2015d) will be followed.	Appendix A	The Unexpected Heritage Items procedure is included in Appendix A of this Sub-plan. The procedure will be implemented for the duration of construction as evidenced by the completion of Unexpected Heritage Item Recording Form 418.
NAH11	In the event that construction of the project reveals possible human skeletal material (remains), <i>Standard Management Procedures – Unexpected Heritage Items</i> (Roads and Maritime, 2015e) will be implemented.	Appendix A	The Unexpected Heritage Items procedure is included in Appendix A of this Sub-plan. The procedure will be implemented for the duration of construction as evidenced by the completion of Unexpected Heritage Item Recording Form 418.
NAH12	Non-Aboriginal historical heritage awareness training will be provided for contractors prior to commencement of construction works to ensure understanding of potential heritage items that may be impacted during the project, and the procedure required to be carried out in the event of discovery of historical heritage materials, features or deposits, or the discovery of human remains.	Table 7.1 (MMH1) Section 8.2	Aboriginal and Non-Aboriginal heritage awareness training will be delivered to all workers as part of the induction program.

Ref #	Commitment	Reference	How Addressed
NAH14	The North Sydney bus shelters (Item 9) will be temporarily removed, stored and relocated on completion of construction work with council.	Table 6.1	The North Sydney bus shelters (Item 9) will be temporarily removed, stored and relocated if impacted by construction work.
NAH22	Environmental management measure CNV6 will be applied to manage vibration impacts to heritage structures.	Section 7.7	The requirements of this commitment are addressed in the Noise and Vibration Management Sub-plan (Section 7).
Aboriginal Heritage			
AH2	<p>The following process will be carried out to confirm where vibration monitoring at terrestrial AHIMS sites will be required:</p> <ul style="list-style-type: none"> a) Terrestrial Aboriginal site condition surveys will be completed using photogrammetry and 3D-capture techniques to determine which AHIMS sites are considered to be structurally unsound b) Where this determination cannot be made, the AHIMS site will be considered to be structurally unsound c) A screening of vibration intensive activities within 50 metres of structurally unsound sites will be carried out to identify activities that have the potential to exceed vibration levels of 2.5 millimetres per second <p>Sites identified as being both structurally unsound and having potential for exceedance in vibration levels of 2.5 millimetres per second will be identified as requiring vibration monitoring.</p>	Section 7.6	Reflecting the requirements of this commitment, vibration monitoring will be carried out at AHIMS sites that have been identified as requiring monitoring.

Ref #	Commitment	Reference	How Addressed
AH3	<p>Vibration monitoring will be carried out at AHIMS sites that have been identified as requiring monitoring in accordance with the process outlined in mitigation measure AH2.</p> <p>Where possible, works will be conducted in a manner to minimise vibration levels, to less than 2.5 millimetres per second at all structurally unsound AHIMS sites.</p>	<p>Section 7.6</p> <p>Section 7.7</p> <p>Table 7.1 (MMH7)</p>	<p>Reflecting the requirements of this commitment, vibration monitoring will be carried out at AHIMS sites that have been identified as requiring monitoring.</p>
AH4	<p>If vibration monitoring identifies that vibration levels exceed 2.5 millimetres per second at AHIMS sites that have been identified as requiring monitoring, a site visit will be organised with a representative from Metro LALC to record any changes to the integrity of the site that may have resulted from construction vibration, and updated site cards must be prepared accordingly.</p> <p>Condition surveys may include further photogrammetry and 3D-capture techniques.</p>	<p>Section 7.6</p>	<p>In the event of exceedance of vibration levels at AHIMS sites that have been identified as requiring monitoring, a site visit will be organised with a representative from Metro LALC in accordance with the requirements of this commitment.</p>
AH5	<p>If at any time during construction of the project, any items of potential Aboriginal archaeological or cultural heritage conservation significance or human remains are discovered they will be managed in accordance with the <i>Standard Management Procedure: Unexpected Heritage Items</i> (Roads and Maritime Services, 2015e).</p>	<p>Appendix A</p>	<p>The Unexpected Heritage Items procedure is included in Appendix A of this Sub-plan. The procedure will be implemented for the duration of construction as evidenced by the completion of Unexpected Heritage Item Recording Form 418.</p>
AH6	<p>Cultural and historic heritage awareness training will be carried out for personnel engaged in work that may impact heritage items before commencing works for the project.</p>	<p>Section 8.2</p>	<p>Aboriginal and Non-Aboriginal heritage awareness training will be delivered to all workers as part of the induction program.</p>

4 Consultation

4.1 Construction Consultation

In the event that previously unidentified cultural heritage items/objects are discovered during construction, consultation with the relevant stakeholders and regulators will occur in accordance with the *Roads and Maritime Standard Management Procedure – Unexpected Heritage Items* (**Appendix A**). Where relevant, the outcomes of this consultation will be documented in subsequent revisions of this HMP.

4.2 Sub-plan Consultation

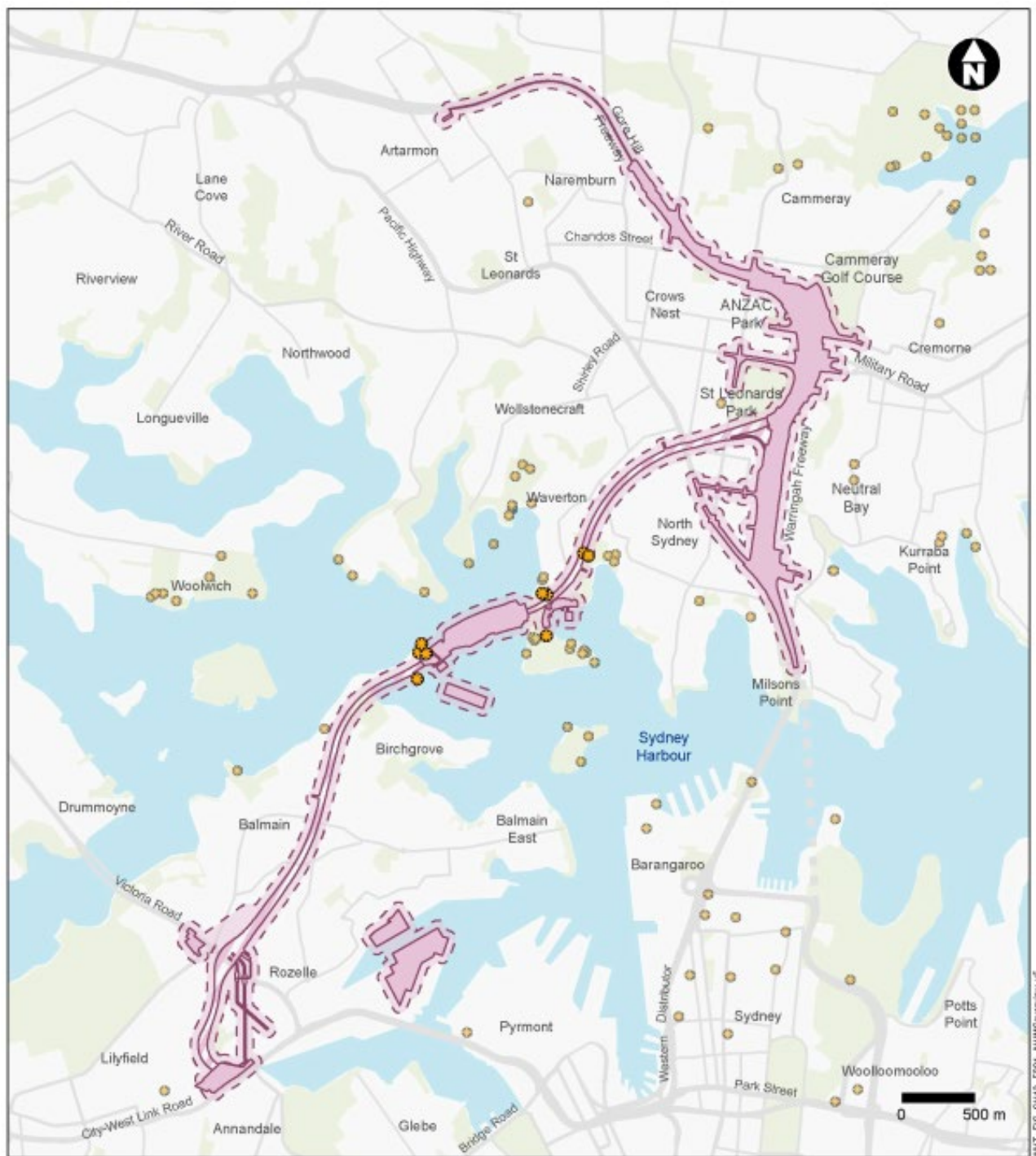
This HMP will be developed and finalised in consultation with nominated agencies in accordance with MCoA C4(c) and RAPs. Consultation with each stakeholder, including responses received and how any issues raised were addressed in the development of this Sub-plan are included in the Consultation Report in **Appendix B**.

5 Existing Environment

The following sections summarise what is known about Aboriginal and non-Aboriginal heritage within and adjacent to the Project area.

5.1 Aboriginal Places

Nine (9) Aboriginal places were identified through the cultural assessment and consultation process undertaken for the EIS. None of these places are located within 50 m of the current Project area. **Figure 5-1** shows sites identified on the Aboriginal Heritage Information Management System (AHIMS) database in the vicinity of the Project area.



Legend

Construction features

- 50 metre area around construction footprint
- Construction footprint
- Tunnel

AHIMS sites

- AHIMS site within 50 metres of the construction footprint
- AHIMS site over 50 metres from the construction footprint

Figure 5-1 AHIMS sites in the vicinity of the project area

5.2 Non-Aboriginal heritage

Within the wider study area, 246 items with heritage listings were identified. These include one of world heritage significance (Sydney Opera House buffer zone), one of national heritage significance, 10 of state heritage significance, and the remainder of local heritage significance. A total of six of the listed heritage items have maritime heritage elements. In addition, one indicative place, the Sydney Harbour Landscape Area, is located within the study area. This item is not listed on any of the statutory registers, and so no further assessment was carried out.

Of those heritage items identified within the study area, 134 items would either have no impact or a negligible impact from the Project due to either the low impact activities proposed or the distances between these items and the project construction works. Impacts on these 134 items would be limited to temporary noise, vibration and/or visual impacts during construction, and managed through the implementation of minimum working distances for vibration intensive construction activities and other standard construction management measures.

As detailed in **Figure 5-2** and **Figure 5-3**, and listed in **Table 5-1** and **Table 5-3**, 12 heritage items or collections are located within or adjacent to the project corridor.

Demolition of a small number of buildings is proposed to be carried out within Heritage Conservation Areas. These buildings are situated on the margins of the Heritage Conservation Areas and would not equate to demolition of the entire heritage place. As such comparative analysis to determine the rarity of the buildings to be demolished was not carried out for the EIS.



Figure 5-2 Location of Non-Aboriginal heritage items and potential heritage items within the project area (Map 1 of 2)

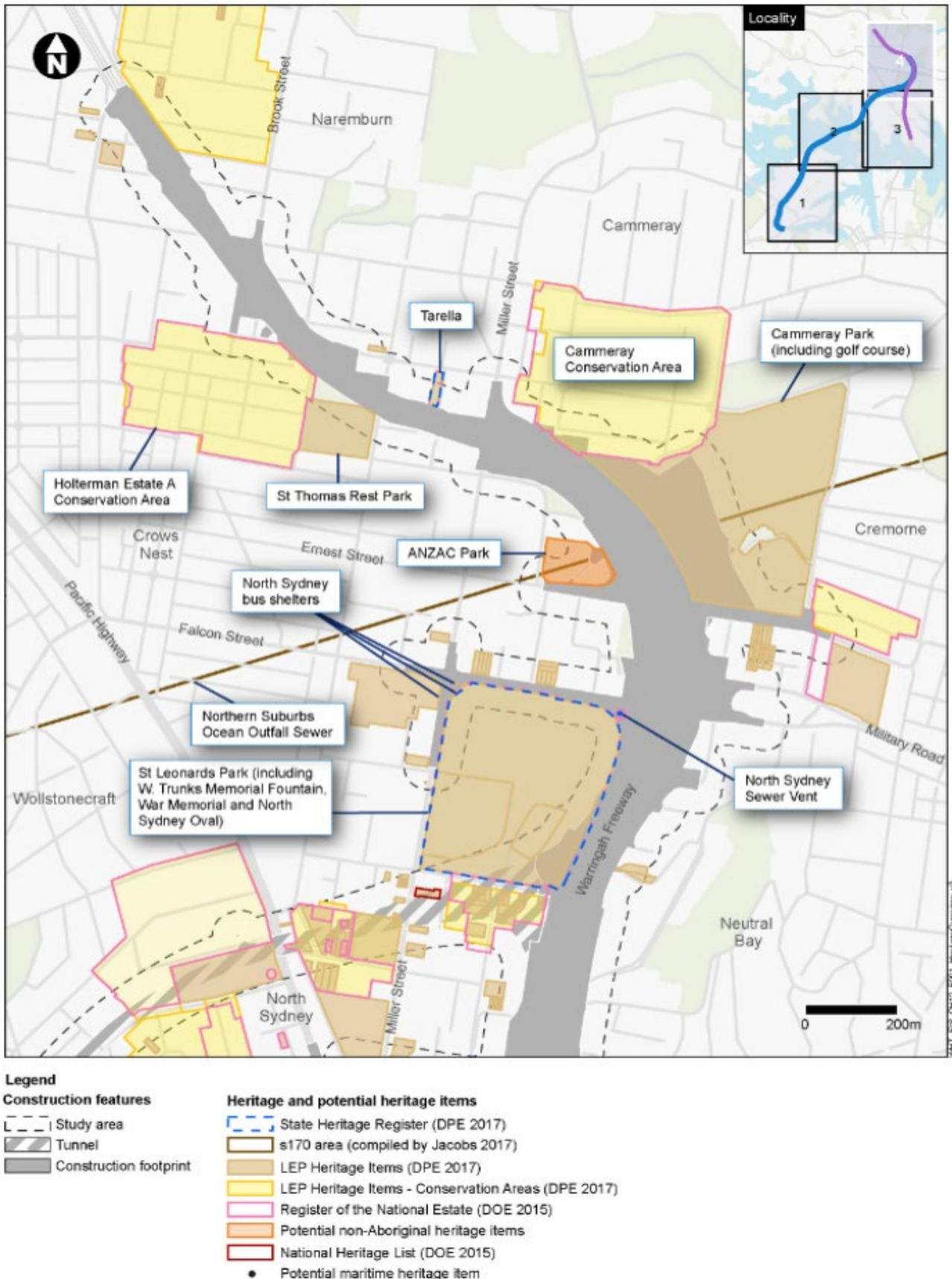


Figure 5-3 Location of Non-Aboriginal heritage items and potential heritage items within the project area (Map 2 of 2)

Table 5-1: Non-Aboriginal heritage items within the project area

Name/Location	Significance	Project impact
Sydney Harbour Bridge, approaches and viaducts (road and rail), Milsons Point/Dawes Point	National	<p>Direct impacts within the National listing boundary:</p> <ul style="list-style-type: none"> Permanent impacts to the heritage item due to road upgrade works within the heritage boundary. <p>No potential direct impacts within the National listing boundary.</p>
		<p>Direct impacts within the State listing boundary:</p> <ul style="list-style-type: none"> Physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the State heritage boundary. <p>No potential direct impacts within the State listing boundary.</p>
		<p>Indirect impacts within the National listing boundary:</p> <ul style="list-style-type: none"> Temporary visual impacts due to road upgrade activities within the heritage boundary Temporary social impacts due to limited access to the heritage item during construction. <p>Indirect impacts within the State listing boundary:</p> <ul style="list-style-type: none"> Permanent visual impacts due to the potential construction of a toll gantry within the heritage boundary and noise barrier adjacent to the boundary. Note: toll gantry works are being undertaken by the Stage 1A Warringah Freeway Upgrade contractor
North Sydney Bus Shelters: BS008 'Falcon' – Miller Street, North Sydney BS010 'Miller' – corner of Miller and Falcon Streets, North Sydney BS038 'St Johns' – Brought Street, Kirribilli	Local	<p>Direct impacts:</p> <ul style="list-style-type: none"> Temporary relocation of BS008, BS010 and BS050 in the event of construction works directly adjacent to the heritage items.
		<p>Potential direct impacts:</p> <ul style="list-style-type: none"> Potential physical impacts to BS038 due to operation of construction vehicles and equipment in close proximity.

Name/Location	Significance	Project impact
BS050 'St Leonards Park' – corner of Falcon and Miller Streets, North Sydney		<p>Indirect impacts:</p> <ul style="list-style-type: none"> • Temporary visual impacts due to the relocation of BS008, BS010 and BS050 during construction • Temporary vibration impacts to heritage items remaining in situ due to construction activities in close proximity.
St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney	State	<p>Direct impacts:</p> <ul style="list-style-type: none"> • Physical impacts to the heritage item due to the temporary establishment and operation of the Ridge Street north construction support site (WHT9). Note: WHT9 is not part of the Warringah Freeway Stage 2 Scope of works • Addition of operational infrastructure within the heritage boundary.
		<p>Potential direct impacts:</p> <ul style="list-style-type: none"> • Physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the heritage boundary.
		<p>Indirect impacts:</p> <ul style="list-style-type: none"> • Temporary and permanent visual impacts due to the construction of permanent operational infrastructure within and in the vicinity of the heritage boundary • Temporary vibration impacts due to construction activities within and in the vicinity of the heritage boundary • Slight permanent settlement and ground movement impacts to the heritage item caused by tunnel excavation.

Name/Location	Significance	Project impact
North Sydney Sewer Vent, North Sydney	State	No direct impacts
		Potential direct impacts: <ul style="list-style-type: none"> Physical impacts to the heritage item due to operation of construction vehicles and equipment in close proximity to the heritage item.
		Indirect impacts: <ul style="list-style-type: none"> Temporary and permanent visual impacts due to the construction of permanent operational infrastructure in the vicinity of the heritage item Temporary vibration impacts due to construction activities in the vicinity of the heritage item Very slight permanent settlement and ground movement impacts to the heritage item caused by tunnel excavation.
ANZAC Park, Cammeray	Local	Direct impacts <ul style="list-style-type: none"> Planned physical impacts to the heritage item due to the construction of permanent operational infrastructure within the heritage boundary.
		Potential direct impacts: <ul style="list-style-type: none"> Potential physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the heritage boundary.
		Indirect impacts: <ul style="list-style-type: none"> Temporary vibration impacts due to construction activities within the heritage boundary Temporary and permanent visual impacts due to the construction of permanent operational infrastructure within and adjacent to the heritage boundary.

Name/Location	Significance	Project impact
Northern Suburbs Ocean Outfall Sewer, Blacktown to Manly	Local	Direct impacts: <ul style="list-style-type: none"> Planned permanent adjustment to the maintenance access to the heritage item due to the construction of permanent operational infrastructure.
		Potentially direct impacts: <ul style="list-style-type: none"> Potential physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the heritage boundary.
		Indirect impacts: <ul style="list-style-type: none"> Temporary vibration impacts due to construction activities within and adjacent to the heritage boundary Slight permanent settlement and ground movement impacts to the heritage item caused by tunnel excavation.
Cammeray Park (including Golf Course), Cammeray	Local.	Direct impacts: <ul style="list-style-type: none"> Planned physical impacts to the heritage item due to the construction of permanent operational infrastructure within the heritage boundary.
		Potentially direct impacts: <ul style="list-style-type: none"> Potential physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the heritage boundary.

Name/Location	Significance	Project impact
		<p>Indirect impacts:</p> <ul style="list-style-type: none"> • Temporary and permanent visual impacts due to the construction of permanent operational infrastructure within the heritage boundary • Permanent social impacts due to the repurposing of a large section of the heritage item for permanent operational infrastructure • Temporary vibration impacts due to construction activities within the heritage boundary • Slight permanent settlement and ground movement impacts to the heritage item caused by tunnel excavation.
Cammeray Conservation Area, Cammeray	Local	<p>Direct impacts:</p> <ul style="list-style-type: none"> • Planned physical impacts to the heritage item due to the demolition of two buildings within the heritage boundary.
		<p>Potential direct impacts:</p> <ul style="list-style-type: none"> • Potential physical impacts to the heritage item due to operation of construction vehicles and equipment within and in close proximity to the heritage boundary.
		<p>Indirect impacts:</p> <ul style="list-style-type: none"> • Temporary and permanent visual impacts due to the removal of heritage fabric and the construction of permanent operational infrastructure within and adjacent to the heritage boundary • Temporary vibration impacts due to construction activities within and adjacent to the heritage boundary
Tarella, Cammeray	State	<p>Direct impacts:</p> <ul style="list-style-type: none"> • Planned physical impact due to the implementation of architectural noise treatments for the heritage item.

Name/Location	Significance	Project impact
		No potential direct impacts
		Indirect impacts: <ul style="list-style-type: none"> • Temporary vibration impacts due to construction activities in close proximity to the heritage boundary.
St Thomas Rest Park, North Sydney	Local	No direct impacts
		No potential direct impacts
		Indirect impacts: <ul style="list-style-type: none"> • Temporary vibration impacts due to construction activities in close proximity to the heritage boundary.
Holtermann Estate A Conservation Area, Crows Nest	Local	Direct impacts: <ul style="list-style-type: none"> • Planned physical impact due to the implementation of architectural noise treatments for a number of residences within the conservation area.
		No potential direct impacts
		Indirect impacts: <ul style="list-style-type: none"> • Temporary and permanent visual impacts due to the construction of permanent operational infrastructure in proximity to the conservation area.

6 Environmental aspects and impacts

6.1 Construction activities

Key construction activities that could result in impacts to heritage items include:

- Utility works / service relocations
- Initial clearing and removal of vegetation
- Installation of environmental impact mitigation measures (i.e. erosion and sediment control, exclusion fencing)
- Set up of construction support sites
- Temporary access roads during construction
- Excavation and earthworks
- Demolition of structures
- Use of vibratory equipment such as rollers, rock hammers and other heavy machinery.

6.2 Aboriginal heritage impacts

There are no known Aboriginal places in the vicinity of the Project area. Potential impacts will be managed in accordance with the Unexpected Heritage Items procedure (**Appendix A**).

6.3 Non-Aboriginal heritage impacts

Potential Non-Aboriginal heritage impacts associated with construction of the Project are outlined in **Table 6-1**.

Table 6-1 Non-Aboriginal heritage - impacts and mitigation

Name	Impact	Management
Sydney Harbour Bridge, approaches and viaducts (road and rail), Milsons Point/Dawes Point	Proposed permanent road alteration	All works potentially affecting the Sydney Harbour Bridge will be carried out in accordance with <i>Sydney Harbour Bridge Conservation Management Plan 2007</i> . Refer Table 7.1 (MMH12)
North Sydney Bus Shelters	Temporary relocation of three items	A condition survey will be completed prior to works commencing. Opportunities to temporarily remove, store and reinstate these elements on completion of construction work will be investigated and implemented if these elements need to be temporarily removed. Refer Table 7.1 (MMH13)

Name	Impact	Management
St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney	Physical impacts to the heritage item due to the temporary establishment and operation of the Ridge Street north construction support site	Appropriate heritage interpretation will be incorporated into the urban design for the Project in accordance with the <i>NSW Heritage Manual</i> (NSW Heritage Office and Department of Urban Affairs and Planning, 1996), <i>Interpreting Heritage Places and Items: Guidelines</i> (Roads and Maritime, 2005f), and the <i>Heritage Interpretation Policy</i> (NSW Heritage Council, 2005). Refer Table 7.1 (MMH14 and MMH15)
North Sydney Sewer Vent, North Sydney	No direct impacts	N/A
ANZAC Park, Cammeray	Planned physical impacts to the heritage item due to the construction of permanent operational infrastructure within the heritage boundary	Impacts to areas of archaeological potential will be avoided by the Project. <i>Note: Works will avoid impacts in the location of the air raid trenches and therefore an archaeological excavation / test excavation methodology will not be required.</i>
Northern Suburbs Ocean Outfall Sewer, Blacktown to Manly	Planned permanent adjustment to the maintenance access to the heritage item due to the construction of permanent operational infrastructure.	Appropriate heritage interpretation will be incorporated into the urban design for the Project in accordance with the <i>NSW Heritage Manual</i> (NSW Heritage Office and Department of Urban Affairs and Planning, 1996), <i>Interpreting Heritage Places and Items: Guidelines</i> (Roads and Maritime, 2005f), and the <i>Heritage Interpretation Policy</i> (NSW Heritage Council, 2005). Refer Table 7.1 (MMH15)
Cammeray Park (including Golf Course), Cammeray	Planned physical impacts to the heritage item due to the construction of permanent operational infrastructure within the heritage boundary.	Appropriate heritage interpretation will be incorporated into the urban design for the Project in accordance with the <i>NSW Heritage Manual</i> (NSW Heritage Office and Department of Urban Affairs and Planning, 1996), <i>Interpreting Heritage Places and Items: Guidelines</i> (Roads and Maritime, 2005f), and the <i>Heritage Interpretation Policy</i> (NSW Heritage Council, 2005). Refer Table 7.1 (MMH15)

Name	Impact	Management
Cammeray Conservation Area, Cammeray	Planned physical impacts to the heritage item due to the demolition of two buildings within the heritage boundary.	A thematic heritage study of golf courses in Sydney will be prepared for the region north of the Sydney Harbour. This study will assist in identifying other potential heritage items in the region that demonstrate the same or similar significance as the Cammeray Golf Course. Refer Section 7.1
Tarella, Cammeray	Planned physical impact due to the implementation of architectural noise treatments for the heritage item.	Noise treatment will be carried out in a manner to minimise heritage impact, and advice of a heritage conservation architect will be sought prior to undertaking the works. Any treatment will be sympathetic to the heritage values of the item, designed with heritage architect input and be reversible where feasible and reasonable. Refer Table 7.1
St Thomas Rest Park, North Sydney	No direct impacts	N/A
Holtermann Estate A Conservation Area, Crows Nest	Planned physical impact due to the implementation of architectural noise treatments for a number of residences within the conservation area.	Appropriate heritage interpretation will be incorporated into the urban design for the Project in accordance with the <i>NSW Heritage Manual</i> (NSW Heritage Office and Department of Urban Affairs and Planning, 1996), <i>Interpreting Heritage Places and Items: Guidelines</i> (Roads and Maritime, 2005f), and the <i>Heritage Interpretation Policy</i> (NSW Heritage Council, 2005). Refer Table 7.1 (MMH15)

Name	Impact	Management
<p>Archival recording will be undertaken for the following items:</p> <ul style="list-style-type: none"> St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney North Sydney Sewer Vent North Sydney Bus Shelters Cammeray Park (including Golf Course), Cammeray Cammeray Conservation Area, Cammeray. <p>Refer Section 7.1</p>	No direct impacts	<p>Archival recording will be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's How to Prepare Archival Records of Heritage Items (1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (2006). A copy will be provided to Heritage NSW and the relevant Council and submitted as part of the Final Excavation Report required by CoA E62.</p> <p>Refer Section 7.1 and Table 7.1 (MMH14)</p>
Heritage items situated above the tunnel alignment – including various commercial premises (shops and hotels), civic buildings (courthouse, post office, police station, council chambers), churches, schools, a theatre, trees and streetscapes, parks, etc.	No direct impacts	N/A

6.4 Cumulative impacts

Potential cumulative impacts associated with the construction of the Project (being both Western Harbour Tunnel and Warringah Freeway Upgrade) were presented and assessed in Chapter 27 of the EIS. The assessment concluded that in all locations associated with the construction of the Project, cumulative impacts to Aboriginal heritage were considered to be negligible.

In regards to Non-Aboriginal heritage, the Beaches Link and Gore Hill Freeway Connection were identified as having additional and prolonged impacts on Cammeray Park (including golf course) and minor temporary impacts to heritage items in the vicinity of North Sydney and Cammeray. Similarly, the Sydney Metro City and Southwest were identified as having minor temporary impacts to Non-Aboriginal heritage items in the vicinity of North Sydney.

Management and mitigation measures to address cumulative impacts are detailed in Section 7 of this Sub-plan.

7 Environmental mitigation and management measures

Specific measures and requirements to address contract specification, MCoA and REMMs in relation to Aboriginal and non-Aboriginal heritage values are outlined below and in **Table 7-1**.

7.1 Heritage Archival Recording

As required by CoA E57, archival recording will be undertaken in accordance with the *NSW Heritage Office's How to Prepare Archival Records of Heritage Items (1998)* and *Photographic Recording of Heritage Items Using Film or Digital Capture (2006)* for those heritage items that have been identified for demolition. The archival recording will be undertaken by a suitably qualified heritage consultant.

Photographic archival recording of the items listed in CoA E56 and REMM NAH5 will occur prior to any works that have the potential to impact upon those items. The archival recordings will be included in a Final Excavation Report (where triggered) and provided to Heritage NSW and North Sydney and Willoughby Councils.

Archival recording will be undertaken for the following items:

- St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney
- North Sydney Sewer Vent
- North Sydney Bus Shelters
- Cammeray Park (including Golf Course), Cammeray
- Cammeray Conservation Area, Cammeray.

Note: Where a final Excavation Report is not triggered, both Heritage NSW and relevant Councils will be consulted on their requirements for receiving the archival recordings undertaken.

7.2 Archaeological Research Design and Excavation Methodology

The requirement to prepare an Archaeological Research Design and Excavation Methodology (ARDEM) and engage an Excavation Director is not triggered by the scope of the Project. In the event of a change in design that has the potential to impact on areas of archaeological significance as identified in the EIS and RtS, a revised ARDEM will be prepared in accordance with the requirements of MCoA E58. Specifically, the ARDEM will:

- Be prepared by a suitably qualified archaeologist
- Be prepared in consultation with Heritage NSW and submitted to the Planning Secretary for information
- Be consistent with the NSW Heritage Council's Archaeological Assessment Guidelines (1996) or as updated
- Provide descriptions of clear significance thresholds for possible archaeological items that may be uncovered during works
- Provide for the detailed analysis of any heritage items discovered during the investigation

- Include a methodology and scope for a program of archaeological excavation, investigation and recording of any historical archaeological remains that will be impacted by the Project
- Include management options for discovered items, whether known or unexpected finds (including options for avoidance, salvage, relocation and display)
- For unexpected finds that are determined to be relics, set out the assessment process that will determine an appropriate archaeological response to managing their significance
- Include requirement for post-excavation reporting, including artefact analysis and additional historical research, where necessary, and long-term management of records
- Include procedures for notifying the NSW Heritage (or its delegate) and the Planning Secretary of any relic findings and associated reports
- Provide for the preparation of a Final Excavation Report Plan in accordance with CoA E60 and E62 and an Artefact Conservation Management Plan as required by E61.

Prior to the commencement of construction that has the potential to impact on areas of archaeological significance as identified in the EIS and RtS, a suitably qualified archaeologist whose experience complies with the Heritage NSW's Criteria for Assessment of Excavation Directors (July 2019) will be engaged in the role of Excavation Director. The Excavation Director will:

- Oversee excavation
- Advise on archaeological issues
- Advise on the duration and extent of oversight required during archaeological excavations consistent with the ARDEM.

7.3 Final Excavation Report

The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that results in an archaeological excavation program, a Final Excavation Report will be prepared by a suitably qualified Excavation Director.

The Final Excavation Report will be a consolidated document containing the findings of all excavations undertaken, including monitoring, test excavation and formal salvage excavation. The report will include the details of any archival recordings, an artefact analysis and the identification of a final repository of any finds.

The report will be submitted to the Planning Secretary, Heritage NSW and relevant Councils within 12 months of completing the archaeological investigations. The Final Excavation Report will also be submitted to the relevant local Council's local studies unit.

7.4 Artefact Conservation Management Plan

The requirements of this condition are not triggered by the scope of the Project. In the event of a change in design that results in an archaeological excavation program and recovery of relics, an Artefact Conservation Management Plan (ACMP) will be prepared with the support of a conservator.

Artefact specialists will be engaged to analyse and report on relics found with the report including details of analysis, processing and management of the collection including its curation needs in the short and long term. The ACMP will be included in this Sub-plan as required CoA E61.

7.5 Thematic Heritage Study of Golf Courses

Due to the level of change / construction works required, an archival photographic recording of Cammeray Golf Course will be undertaken in accordance with the guidelines *Photographic Recording of Heritage Items Using Film or Digital Capture (Heritage Council of NSW, 2006)*.

In recognition of the Project impacts on the Cammeray Park Golf Course, a thematic heritage study of golf courses in Sydney will be prepared for the region north of the Sydney Harbour. This study will assist in identifying other potential heritage items in the region that would demonstrate the same or similar significance as the Cammeray Park, therefore reducing the overall impact on that type of heritage item.

Note: This study is not part of the CPB Downer JV scope of works and is being undertaken by being undertaken by TfNSW.

7.6 Terrestrial Aboriginal site condition surveys

The following process will be undertaken to confirm where vibration monitoring at terrestrial AHIMS sites in the vicinity of the Project will be required:

- Terrestrial Aboriginal site condition surveys will be completed using photogrammetry and 3D-capture techniques to determine which AHIMS sites are considered to be structurally unsound
- Where this determination cannot be made, the AHIMS site will be considered to be structurally unsound
- A screening of vibration intensive activities within 50 metres of structurally unsound sites will be carried out to identify activities that have the potential to exceed vibration levels of 2.5 millimetres per second.

Sites identified as being both structurally unsound and having potential for exceedance in vibration levels of 2.5 millimetres per second will be identified as requiring vibration monitoring.

Vibration monitoring will be carried out at AHIMS sites that have been identified as requiring monitoring in accordance with the process outlined above.

Where possible, works will be conducted in a manner to minimise vibration levels, to less than 2.5 millimetres per second at all structurally unsound AHIMS sites.

If vibration monitoring identifies that vibration levels exceed 2.5 millimetres per second at AHIMS sites that have been identified as requiring monitoring, a site visit will be organised with a representative from Metro LALC to record any changes to the integrity of the site that may have resulted from construction vibration, and updated site cards must be prepared accordingly.

Condition surveys may include further photogrammetry and 3D-capture techniques.

7.7 Vibration monitoring and acoustic treatment of heritage items

The process for the identification and monitoring of potential vibration effects on sensitive heritage items is addressed in the NVMP and Section 7 of the Noise and Vibration Monitoring Program.

As required by CoA E79, vibration testing during vibration generating activities that have the potential to impact on heritage items will be undertaken to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and attended monitoring shows that the preferred values for vibration are likely to be exceeded, CPB Downer JV will review the construction methodology and, if necessary, implement additional mitigation measures.

Furthermore, in accordance with CoA E81, where acoustic treatment is required at any heritage item identified in the documents listed in CoA A1, the advice of a suitably qualified and

experienced built heritage expert will be obtained and implemented to ensure any such work minimises any adverse impacts on the heritage significance of the item. Applicable items include:

- Tarella, Cammeray
- Relevant residencies - Holtermann Estate Conservation Area, Crows Nest.

7.8 Unexpected Heritage Finds

In accordance with CoA E63 and E64, an Unexpected Heritage Items procedure will be implemented to manage unexpected heritage finds in accordance with relevant guidelines and standards prepared by the Heritage NSW (**Appendix A**).

Table 7-1 Aboriginal and Non-Aboriginal management and mitigation measures

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH1	Ensure all workers attend induction training prior to commencing work. The induction training will include information on Aboriginal archaeological sites and areas of cultural sensitivity identified in the Cultural Heritage Assessment Report and EIS.	Induction training program	Pre-construction Construction	Construction Environmental Manager	G36 CI 4.9	Training programs and attendance records
MMH2	Adopt and implement the <i>RMS Standard Management Procedure – Unexpected Heritage Items, October 2015</i> in the event that unexpected cultural Aboriginal and non-Aboriginal heritage finds are encountered during construction, including human remains.	Unexpected Heritage Items Procedure (Appendix A)	Construction	All personnel and contractors	NAH5	Unexpected Heritage Finds Recording Form 418
MMH3	Brief all construction personnel on the presence and significance of the nearby Non-Aboriginal heritage items, obligations under the <i>Heritage Act 1977</i> and the measures required to ensure the protection of any items of heritage significance for the duration of the works.	Induction training program Toolbox Talks	Pre - construction Construction	Construction Environmental Manager	NAH12 Best Practice	Training programs and attendance records

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH4	Carry out property condition surveys of heritage listed buildings and other sensitive structures within 150 metres from the edge of the construction works	Unexpected Heritage Items Procedure (Appendix A)	Pre - construction	Project Manager	Best Practice	Property Condition Survey Report
MMH5	If any items defined as relics under the NSW <i>Heritage Act 1977</i> are uncovered during the works, all works must cease in the vicinity of the find and the TfNSW Environment Manager contacted immediately.	Unexpected Heritage Items Procedure (Appendix A)	Construction phase	Project Manager	Unexpected Heritage Items Procedure (Appendix A)	Unexpected Heritage Finds Recording Form 418
MMH6	All activities will be planned and carried out to avoid, where practicable, or minimise potential impacts to heritage items and Heritage Conservation Areas. Prior to works commencing, areas of archaeological potential (Non-Aboriginal heritage) will be reviewed and identified. These will be assessed and documented during the planning stages of the Project and will be reviewed prior to physical works commencing within applicable areas.	Site Environment Plans (SEPs)	Construction	Project Manager	Best Practice	SEPs

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH7	<p>Vibration monitoring will be conducted before and during vibration generating activities that have the potential to impact on heritage items, and to identify minimum working distances to prevent cosmetic damage.</p> <p>In the event that the vibration monitoring shows that the preferred values for vibration are likely to be exceeded, the construction methodology will be reviewed and, if necessary, additional mitigation measures will be implemented.</p>	<p>Noise and vibration monitoring equipment</p> <p>Noise and Vibration Monitoring Program (Appendix B of Noise and Vibration Management Sub-plan)</p>	Construction	<p>Project Manager</p> <p>Construction Environmental Manager</p>	E79	<p>Vibration testing records</p> <p>Training, toolbox and internal communication records</p>
MMH8	<p>Works within the vicinity of items that may be of cultural or archaeological significance will not recommence until the relevant requirements of the ARDEM or advice from the Excavation Director have been met.</p> <p>The site of the discovery will be demarcated and communicated to workers as a no-go area.</p>	<p>Unexpected Heritage Items Procedure (Appendix A)</p>	Construction	<p>Project Manager</p> <p>Excavation Director</p> <p>Construction Environmental Manager</p>	Best Practice	<p>Unexpected Heritage Finds Recording Form 418</p>

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH9	All known heritage items within immediate vicinity of the construction work zones will be identified on SEPs. Preserved heritage items and places will be shown on relevant site plans and communicated to the relevant workforce. SEPs will be available to all personnel working on the site.	SEPs	Construction	Project Manager Construction Environmental Manager Foreman	TfNSW Specifications G36 4.10	SEPs
MMH10	An environmental work method statement (EWMS), for working in or near environmentally sensitive areas including heritage areas, will be prepared and implemented as required.	EWMS	Construction	Project Manager Construction Environmental Manager Foreman	TfNSW Specifications G36 4.10, 4.12	EWMS
MMH11	Exclusion fencing with relevant signage will be installed around known heritage items to prevent inadvertent damage. Where exclusion fencing is in place an access permitting system will be applied requiring approval by the Construction Environment Manager.	EWMS	Construction	Project Manager Construction Environmental Manager Foreman	Best Practice	Fencing Signage Permit system EWMS

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH12	All works potentially affecting the Sydney Harbour Bridge will be carried out in accordance with <i>Sydney Harbour Bridge Conservation Management Plan 2007</i> .	SEP's	Construction	Construction Environmental Manager	Table 6.1	SEP's
MMH13	A condition survey will be completed prior to the temporary removal of the North Sydney Bus Shelters	Structural assessor	Pre-Construction	Project Manager Construction Environmental Manager Foreman	Table 6.1	Condition survey
MMH14	Archival recording will be undertaken for the following items: <ul style="list-style-type: none"> St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval), North Sydney North Sydney Sewer Vent North Sydney Bus Shelters Cammeray Park (including Golf Course), Cammeray Cammeray Conservation Area, Cammeray. Refer Section 7.1	Qualified Heritage Specialist	Pre-Construction	Construction Environmental Manager	Table 6.1	Archival recording

ID	Measure/Requirement	Resources needed	When to implement	Responsibility	Reference	Evidence
MMH15	Appropriate heritage interpretation will be incorporated into the urban design for the Project in relation to heritage impacts.	Heritage consultant	Construction	Design Manager	Table 6.1	Heritage interpretation
MMH16	Noise treatment will be undertaken at Tarella in a manner to minimise heritage impact	Heritage and noise consultants	Construction	Project Manager Construction Environmental Manager	Table 6.1	Cosultants Report

8 Compliance Management

8.1 Roles and responsibilities

The CPB Downer JV Project Team's organisational structure and overall roles and responsibilities are outlined in Section 3.3 of the CEMP. Specific responsibilities for the implementation of environmental controls are detailed in Section 6 and Section 7 of this HMP.

8.2 Training

All employees, contractors and utility staff working on Project will undergo site induction training relating to Aboriginal and non-Aboriginal heritage management issues prior to construction commencing. The induction training will address elements related to heritage management including:

- Existence and requirements of this HMP
- Relevant legislation
- Personal and corporate obligations under relevant legislation including the *Heritage Act 1977* (NSW) and *National Parks & Wildlife Act 1974* (NSW).
- Roles and responsibilities for heritage management
- Location of identified heritage sites and no-go areas
- Proposed heritage management and protection measures
- Procedure to follow in the event of an unexpected heritage item find or discovery of human remains during construction works
- Penalties of non-compliance with this HMP.

The above requirements will be included in a Heritage Education and Training Package which will be provided to the RAPs for consultation. The consultation outcomes will be documented and the training package will be updated in response to feedback.

Further details regarding staff induction and training are outlined in 3.5 of the CEMP.

8.3 Monitoring and inspections

Monitoring and inspection requirements are outlined in **Table 8-1**.

Additional requirements and responsibilities in relation to inspections are documented in Section 3.9.1 and Section 3.9.2 of the CEMP.

Table 8-1 Monitoring and inspection requirements

Monitoring details	Location	Record	Responsibility	Frequency
Daily visual inspections	Heritage structures immediately adjacent to the works	Site diary	Site Foreman	Daily
Weekly visual inspections	Heritage structures immediately adjacent to and within 150 m of the works	Site inspection record	Construction Environmental Manager	Weekly
Heritage inspections prior to conducting property treatments on identified heritage item	Heritage listed structures requiring property treatments	Consultant report	Construction Environmental Manager Heritage consultant	As required
Heritage inspection for installation of monitoring equipment at heritage listed structures	Heritage listed structures	Consultant report	Construction Environmental Manager Heritage consultant	As required
Vibration monitoring during vibration generating activities	Identified heritage items	Vibration monitoring report	Construction Environmental Manager	As required by Noise and Vibration Management Sub-plan
Unexpected potential heritage item	Where discovered	Unexpected Heritage Finds Recording Form 418	Construction Environmental Manager Heritage consultant	Upon discovery of potential heritage item

Monitoring details	Location	Record	Responsibility	Frequency
Archival recording	<ul style="list-style-type: none"> St Leonards Park (including W. Tunks Memorial Fountain, War Memorial, and North Sydney Oval) North Sydney Sewer Vent North Sydney Bus shelters Cammeray Park (including Golf Course) Cammeray Conservation Area 	Archival Recording Report	Construction Environmental Manager Heritage consultant	Prior to impact
Testing and monitoring of Archaeological excavation (if required)	As required by ARDEM	Final Excavation Report	Construction Environmental Manager Heritage consultant	Within 12 months of completing archaeological excavations

8.4 Auditing

Audits (both internal and external) will be undertaken to assess the effectiveness of environmental controls, compliance with this Sub-plan, MCoA and other relevant approvals, licenses and guidelines.

Audit requirements are detailed in Section 3.9.3 of the CEMP.

8.5 Reporting

Reporting requirements and responsibilities are documented in Section 3.9.4 and 3.9.5 of the CEMP.

Project reporting requirements specifically relevant to heritage management are identified in **Table 8-2**. In addition, property condition survey reports for heritage structures noted within 150 m of the works will be carried out prior to commencement of construction of each section of the Project.

Table 8-2 Reporting requirements

Item	Frequency	Standards	External Reporting	Responsibility
Incidents	As required	As required by the MCoA, Roads and Maritime Environmental Incident Classification and Reporting Procedure (September 2017) and Roads and Maritime Environmental incident report	Appropriate authority	Construction Environmental Manager Foreman
Notification and reporting in the event that archaeological relics/heritage items are discovered	In accordance with the Unexpected Heritage Items Procedure (Appendix A)	<i>S146</i> of the <i>Heritage Act 1977</i> Unexpected Heritage Items Procedure (Appendix A)	Notification of NSW Heritage Council and subsequent preparation of an Archaeological Relics Management Plan. Written notification to DPIE on the outcome of NSW Heritage consultation	Construction Environmental Manager Foreman
ARDEM	Prior to works that have a direct material impact	MCoAs E58 and E59, REMM NAH5	Prepared in consultation with Heritage NSW and submitted to Planning Secretary for information	Construction Environmental Manager
Archival recording	12 months after the completion of any archaeological excavation programs and as part of	MCoAs E56 and E57	Provided to Planning Secretary, Heritage NSW and relevant Councils	Construction Environmental Manager

Item	Frequency	Standards	External Reporting	Responsibility
	the Final Excavation Report			
Final Excavation Report	12 months after the completion of any archaeological excavation programs	MCoAs E58 and E62	Provided to Planning Secretary, Heritage NSW and relevant Councils	Construction Environmental Manager
Artefact Conservation Management Plan	In support of any archaeological excavation programs	MCoA E61	Included in this Sub-plan as an Appendix	Construction Environmental Manager

9 Review and improvement

9.1 Continuous improvement

As outlined in Section 3.12 of the CEMP, management reviews will be undertaken as part of the continual improvement process. The reviews will be initiated by the Construction Environmental Manager and includes relevant project team members and stakeholders. Continuous improvement of this Sub-plan will be achieved by the ongoing evaluation of environmental management performance against environmental policies, objectives and targets for the purpose of identifying opportunities for improvement.

The continuous improvement process will be designed to:

- Identify areas of opportunity for improvement of environmental management and performance
- Determine the cause or causes of non-conformances and deficiencies
- Develop and implement a plan of corrective and preventative action to address any non-conformances and deficiencies
- Verify the effectiveness of the corrective and preventative actions
- Document any changes in procedures resulting from process improvement
- Make comparisons with objectives and targets.

9.2 HMP update and amendment

The process by which this Sub-plan will be reviewed and revised is described in Section 3.13 of the CEMP. This will occur as needed.

Only the Construction Environmental Manager, or delegate, has the authority to change any of the environmental management documentation.

The ER will review this HMP (as required by CoA A27(d)) prior to submission to the Planning Secretary to ensure it is consistent with the requirements of the Planning Approval.

The ER will review and approve minor amendments made to this HMP in line with CoA A27(i).

A copy of the updated plan and changes will be distributed to all relevant stakeholders in accordance with the approved document control procedure (refer to Section 3.11.2 of the CEMP).

Appendix A – Unexpected Heritage Items Procedure



Transport
Roads & Maritime
Services

Unexpected Heritage Items

Heritage Procedure 02

November 2015

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Appendix A	Identifying Unexpected Heritage items
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Appendix F	Archaeological Advice Checklist
Appendix G	Template Notification Letter
Appendix H	Identifying Unexpected Heritage items

Please note

This procedure applies to all development and activities concerning roads, road infrastructure and road related assets undertaken by Roads and Maritime.

For advice on how to manage unexpected heritage items as a result of activities related to maritime infrastructure projects, please contact the Senior Environmental Specialist (Heritage).

1 Purpose

This procedure has been developed to provide a consistent method for managing unexpected heritage items (both Aboriginal and non-Aboriginal) that are discovered during Roads and Maritime activities. This procedure includes Roads and Maritime's heritage notification obligations under the *Heritage Act 1977* (NSW), *National Parks and Wildlife Act 1974* (NSW), *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth) and the *Coroner's Act 2009* (NSW).

This document provides relevant background information in Section 3, followed by the technical procedure in Sections 6 and 7. Associated guidance referred to in the procedure can be found in Appendices A-H.

2 Scope

This procedure assumes that an appropriate level of Aboriginal and non-Aboriginal heritage assessment has been completed before work commences on site. In some cases, such as exempt development, detailed heritage assessment may not be required.

Despite appropriate and adequate investigation, unexpected heritage items may still be discovered during maintenance and construction works. When this happens, this procedure must be followed. This procedure provides direction on when to stop work, where to seek technical advice and how to notify the regulator, if required.

This procedure applies to all Road and Maritime construction and maintenance activities

This procedure **applies to**:

- The discovery of any unexpected heritage item (usually during construction), where Roads and Maritime does not have approval to disturb the item or where safeguards for managing the disturbance (apart from this procedure) are not contained in the environmental impact assessment.
- All Roads and Maritime projects that are approved or determined under Part 3A (including Transitional Part 3A Projects), Part 4, Part 5 or Part 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), or any development that is exempt under the Act.

This procedure must be followed by Roads and Maritime staff, alliance partners (including local council staff working under Road Maintenance Council Contracts, [RMCC]), developers under works authorisation deeds or any person undertaking Part 5 assessment for Roads and Maritime.

This procedure **does not** apply to:

- The legal discovery and disturbance of heritage items as a result of investigations being undertaken in accordance with OEH's *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (2010); an Aboriginal Heritage Impact Permit (AHIP) issued under the *National Parks and Wildlife Act 1974*; or an approval issued under the *Heritage Act 1977*¹.
- The legal discovery and disturbance of heritage items as a result of investigations (or other activities) that are required to be carried out for the purpose of complying with any environmental assessment requirements under Part 3A (including Transitional Part 3A Projects) or Part 5.1 of the EP&A Act.
- The legal discovery and disturbance of heritage items as a result of construction related activities, where the disturbance is permissible in accordance with an AHIP²; an approval issued under the *Heritage Act 1977*; the Minister for Planning's conditions of project approval; or safeguards (apart from

¹ RMS' heritage obligations are incorporated into the conditions of heritage approvals.

² RMS *Procedure for Aboriginal cultural heritage consultation and investigation* (2011) recommends that Part 4 and Part 5 projects that are likely to impact Aboriginal objects during construction seek a whole-of-project AHIP. This type of AHIP generally allows a project to impact known and potential Aboriginal objects within the entire project area, without the need to stop works. It should be noted that an AHIP may exclude impact to certain objects and areas, such as burials or ceremonial sites. In such cases, the project must follow this procedure.

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this procedure) that are contained in the relevant environmental impact assessment.

All construction environment management plans (CEMPs) must make reference to and/or include this procedure (often included as a heritage sub-plan). Where approved CEMPs exist they must be followed in the first instance. Where there is a difference between approved CEMPs and this procedure, the approved CEMP must be followed. Where an approved CEMP does not provide sufficient detail on particular issues, this procedure should be used as additional guidance. When in doubt always seek environment and legal advice on varying approved CEMPs.

3 Types of unexpected heritage items and their legal protection

The roles of project, field and environmental staff are critical to the early identification and protection of unexpected heritage items. **Appendix A** illustrates the wide range of heritage discoveries found on Roads and Maritime projects and provides a useful photographic guide. Subsequent confirmation of heritage discoveries must then be identified and assessed by technical specialists (usually an archaeologist).

An 'unexpected heritage item' means any unanticipated discovery of an actual or potential heritage item, for which Roads and Maritime does not have approval to disturb³ or does not have a safeguard in place (apart from this procedure) to manage the disturbance.

These discoveries are categorised as either:

- (a) Aboriginal objects
- (b) Historic (non-Aboriginal) heritage items
- (c) Human skeletal remains.

The relevant legislation that applies to each of these categories is described below.

3.1 Aboriginal objects

The *National Park and Wildlife Act 1974* protects *Aboriginal objects* which are defined as:

*"any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non Aboriginal extraction, and includes Aboriginal remains"*⁴.

Examples of Aboriginal objects include stone tool artefacts, shell middens, axe grinding grooves, pigment or engraved rock art, burials and scarred trees.

IMPORTANT!

All Aboriginal objects, regardless of significance, are protected under law.

If any impact is expected to an Aboriginal object, an Aboriginal Heritage Impact Permit (AHIP) is usually required from the Office of Environment and Heritage (OEH)⁵. Also, when a person becomes aware of an Aboriginal object they must notify

³ Disturbance is considered to be any physical interference with the item that results in it being destroyed, defaced, damaged, harmed, impacted or altered in any way (this includes archaeological investigation activities).

⁴ Section 5(1) *National Park and Wildlife Act 1974*.

⁵ Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

the Director-General of OEH about its location⁶. Assistance on how to do this is provided in Section 7 (Step 5).

3.2 Historic heritage items

Historic (non-Aboriginal) heritage items may include:

- Archaeological ‘relics’
- Other historic items (i.e. works, structures, buildings or movable objects).

3.2.1 Archaeological relics

The *Heritage Act 1977* protects *relics* which are defined as:

“any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and is of State or local heritage significance”⁷.

Relics are archaeological items of local or state significance which may relate to past domestic, industrial or agricultural activities in NSW, and can include bottles, remnants of clothing, pottery, building materials and general refuse.

IMPORTANT!

All relics are subject to statutory controls and protections.

If a relic is likely to be disturbed, a heritage approval is usually required from the NSW Heritage Council⁸. Also, when a person discovers a relic they must notify the NSW Heritage Council of its location⁹. Advice on how to do this is provided in Section 7 (Step 5).

3.2.2 Other historic items

Some historic heritage items are not considered to be ‘relics’; but are instead referred to as works, buildings, structures or movable objects. Examples of these items that Roads and Maritime may encounter include culverts, historic road formations, historic pavements, buried roads, retaining walls, tramlines, cisterns, fences, sheds, buildings and conduits. Although an approval under the *Heritage Act 1977* (NSW) may not be required to disturb these items, their discovery must be managed in accordance with this procedure.

As a general rule, an archaeological relic requires discovery or examination through the act of excavation. An archaeological excavation permit under Section 140 of the *Heritage Act* is required to do this. In contrast, ‘other historic items’ either exist above the ground’s surface (e.g. a shed), or they are designed to operate and exist beneath the ground’s surface (e.g. a culvert).

⁶ This is required under s89(A) of the *National Park and Wildlife Act 1974* (NSW) and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

⁷ Section 4(1) *Heritage Act 1977*.

⁸ Except when Part 3A, Division 4.1 of Part 4 or Part 5.1 of the *EP&A Act* applies.

⁹ This is required under s146 of the *Heritage Act 1977* and applies to **all projects** assessed under Part 3A, Part 4, Part 5 and Part 5.1 of the *EP&A Act*, including exempt development.

Despite this difference, it should be remembered that relics can often be associated with 'other heritage items', such as archaeological deposits within cisterns and underfloor deposits under buildings.

3.3 Human skeletal remains

Human skeletal remains can be classed as:

- Reportable deaths
- Aboriginal objects
- Relics

Where it is suspected that less than 100 years has elapsed since death, human skeletal remains come under the jurisdiction of the State Coroner and the *Coroners Act 2009* (NSW). Under s 35(2) of the Act, a person must report the death to a police officer, a coroner or an assistant coroner as soon as possible. This applies to all human remains less than 100 years old¹⁰ regardless of ancestry. Public health controls may also apply.

Where remains are suspected of being more than 100 years old, they are considered to be either Aboriginal objects or non-Aboriginal relics depending on the ancestry of the individual. Aboriginal human remains are protected under the *National Parks and Wildlife Act 1974*, while non-Aboriginal remains are protected under the *Heritage Act 1977*.

The approval and notification requirements of these Acts are described above in sections 3.1 and 3.2. Additionally, the discovery of Aboriginal human remains also triggers notification requirements to the Commonwealth Minister for the Environment under s 20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

IMPORTANT!

All human skeletal remains are subject to statutory controls and protections.

All bones must be treated as potential human skeletal remains and work around them must stop while they are protected and investigated urgently.

Guidance on what to do when suspected human remains are found is in **Appendix E**.

¹⁰ Under s 19 of the *Coroners Act 2009*, the coroner has no jurisdiction to conduct an inquest into reportable death unless it appears to the coroner that (or that there is reasonable cause to suspect that) the death or suspected death occurred within the last 100 years.

4 Responsibilities

The following roles and responsibilities are relevant to this procedure:

Role	Definition/responsibility
Aboriginal Cultural Heritage Advisor (ACHA)	Provides Aboriginal cultural heritage advice to project teams. Acts as Aboriginal community liaison for projects on cultural heritage matters. Engages and consults with the Aboriginal community as per the Roads and Maritime <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Aboriginal Sites Officer (ASO)	Is an appropriately trained and skilled Aboriginal person whose role is to identify and assess Aboriginal objects and cultural values. For details on engaging Aboriginal Sites Officers, refer to Roads and Maritime <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> .
Archaeologist (A)	Professional consultant, contracted on a case-by-case basis to provide heritage and archaeological advice and technical services (such as reports, heritage approval documentation etc). Major projects with complex heritage issues often have an on call Project archaeologist.
Project Manager (PM)	Ensures all aspects of this procedure are implemented. The PM can delegate specific tasks to a construction environment manager, Roads and Maritime site representatives or regional environment staff, where appropriate.
Regional Environment Staff (RES)	Provides advice on this procedure to project teams. Ensuring this procedure is implemented consistently by supporting the PM. Supporting project teams during the uncovering of unexpected finds. Reviewing archaeological management plans and liaising with heritage staff and archaeological consultants as needed.
Registered Aboriginal Parties (RAPs)	RAPs are Aboriginal people who have registered with Roads and Maritime to be consulted about a proposed Roads and Maritime project or activity in accordance with OEH's Aboriginal cultural heritage consultation requirements for proponents (2010).
Senior Environmental Specialist (Heritage) (SES(H))	Provides technical assistance on this procedure and archaeological technical matters, as required. Reviewing the archaeological management plans and facilitating heritage approval applications, where required. Assists with regulator engagement, where required.
Team Leader - Regional Maintenance Delivery (TL-RMD)	Ensures Regional Maintenance Delivery staff stop work in the vicinity of an unexpected heritage item. Completes Unexpected Heritage Item Recording Form 418 and notifies WS-RMD.
Technical Specialist	Professional consultant contracted to provide specific technical advice that relates to the specific type of unexpected heritage find (eg a forensic or physical anthropologist who can identify and analyse human skeletal

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	remains).
Works Supervisor - Regional Maintenance Delivery (WS-RMD)	Ensures Regional Maintenance Delivery staff are aware of this procedure. Supports the Team Leader - Regional Maintenance Delivery during the implementation of this procedure and ensures reporting of unexpected heritage items through environment management systems.

5 Acronyms

The following acronyms are relevant to this procedure:

Acronym	Meaning
A	Archaeologist
ACHA	Aboriginal Cultural Heritage Advisor
AHIP	Aboriginal Heritage Impact Permit
ASO	Aboriginal Site Officer
CEMP	Construction Environment Management Plan
OEH	Office of Environment and Heritage.
PACHCI	Procedure for Aboriginal Cultural Heritage Consultation and Investigation
PM	Project Manager
RAP	Registered Aboriginal Parties
RES	Regional Environmental Staff
SES(H)	Senior Environmental Specialist (Heritage)
TL-RMD	Team Leader – Regional Maintenance Division
RMD	Regional Maintenance Delivery
RMS	Roads and Maritime
WS-RMD	Works Supervisor - Regional Maintenance Division

6 Overview of the Procedure

On discovering something that could be an unexpected heritage item ('the item'), the following procedure must be followed. There are eight steps in the procedure. These steps are summarised in **Figure 1** below and explained in detail in Section 7.

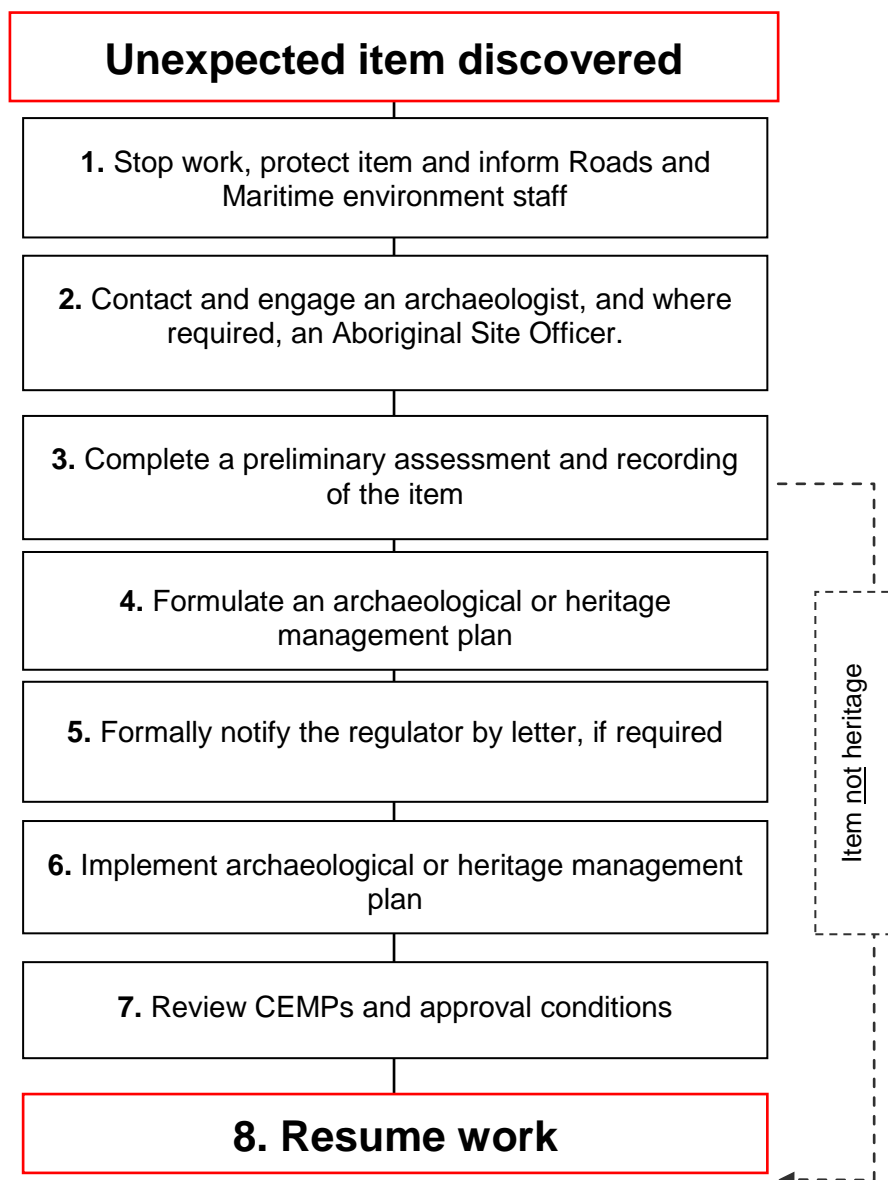


Figure 1: Overview of steps to be undertaken on the discovery of an unexpected heritage item.

IMPORTANT!

RMS may have approval or specific safeguards in place (apart from this procedure) to impact on certain heritage items during construction. If you discover a heritage item and you are unsure whether an approval or safeguard is in place, STOP works and follow this procedure.

7 Unexpected heritage items procedure

Table 1: Specific tasks to be implemented following the discovery of an unexpected heritage item.

Aboriginal Cultural Heritage Advisor (ACHA); Aboriginal Sites Officer (ASO); Archaeologist (A); Project Manager (PM); Regional Environment Staff (RES); Registered Aboriginal Parties (RAPs); Senior Environmental Specialist (Heritage) (SES(H)); Team leader – Roads and Maintenance Division (TL - RMD); Works supervisor – Roads and Maintenance Division (WS - RMD).

Step	Task	Responsibility	Guidance & Tools
1	Stop work, protect item and inform Roads and Maritime environment staff		
1.1	Stop all work in the immediate area of the item and notify the Project Manager or Team Leader-RMD. (For maintenance activities, the Team Leader is to also notify the Works Supervisor-RMD)	All	Appendix A (Identifying Unexpected Heritage items)
1.2	Establish a 'no-go zone' around the item. Use high visibility fencing, where practical.	PM or TL-RMD	
1.3	Inform all site personnel about the no-go zone. No further interference, including works, ground disturbance, touching or moving the item must occur within the no-go zone.	PM or TL-RMD	
1.4	Inspect, document and photograph the item using 'Unexpected Heritage Item Recording Form 418'.	PM or TL-RMD	Appendix B (Unexpected Heritage Item Recording Form 418) Appendix C (Photographing Unexpected Heritage items)

Step	Task	Responsibility	Guidance & Tools
1.5	<p>Is the item likely to be bone?</p> <p>If yes, follow the steps in Appendix E – ‘Uncovering bones’. Where it is obvious that the bones are human remains, you must notify the local police by telephone immediately. They may take command of all or part of the site.</p> <p>If no, proceed to next step.</p>	PM or WS-RMD	Appendix E (Uncovering Bones)
1.6	<p>Is the item likely to be:</p> <ul style="list-style-type: none"> a) A relic? (A relic is evidence of past human activity which has local or state heritage significance. It may include items such as bottles, utensils, remnants of clothing, crockery, personal effects, tools, machinery and domestic or industrial refuse) and/or b) An Aboriginal object? (An Aboriginal object may include a shell midden, stone tools, bones, rock art or a scarred tree). <p>If yes, proceed directly to Step 1.8</p> <p>If no, proceed to next step.</p>	PM or WS-RMD	Appendix A (Identifying heritage items)
1.7	<p>Is the item likely to be a “work”, building or standing structure? (This may include tram tracks, kerbing, historic road pavement, fences, sheds or building foundations).</p> <p>If yes, can works avoid further disturbance to the item? (E.g. if historic road base/tram tracks have been exposed, can they be left in place?) If yes, works may proceed without further disturbance to the item. Complete Step 1.8 within 24 hours.</p> <p>If works cannot avoid further disturbance to the item, works must not recommence at this time. Complete the remaining steps in this procedure.</p>	PM or WS-RMD	Appendix A (Identifying heritage items)

Step	Task	Responsibility	Guidance & Tools
1.8	Inform relevant Roads and Maritime Regional Environmental Staff of item by providing them with the completed 'Form 418'.	PM or WS-RMD (RES)	Appendix D (Key Environmental Contacts)
1.9	<p>Regional Environmental Staff to advise Project Manager or Works Supervisor whether RMS has an approval or safeguard in place (apart from this procedure) to impact on the 'item'. (An approval may include an approval under the <i>Heritage Act</i>, the <i>National Parks and Wildlife Act</i> or the <i>Planning and Assessment Act</i>).</p> <p>Does RMS have an approval, permit or appropriate safeguard in place to impact on the item?</p> <p>If yes, work may recommence in accordance with the approval, permit or safeguard. There is no further requirement to follow this procedure.</p> <p>If no, continue to next step.</p>		
1.10	Liaise with Traffic Management Centre where the delay is likely to affect traffic flow.	PM or WS-RMD	
1.11	Report the item as a 'Reportable Event' in accordance with the Roads and Maritime <i>Environmental Incident Classification and Reporting Procedure</i> . Implement any additional reporting requirements related to the project's approval and CEMP, where relevant.	PM or WS-RMD	<u>RMS Environmental Incident Classification and Reporting Procedure</u>
2	Contact and engage an archaeologist and, where required, an Aboriginal site officer		
2.1	<p>Contact the Project (on-call) Archaeologist to discuss the location and extent of the item and to arrange a site inspection, if required. The project CEMP may contain contact details of the Project Archaeologist.</p> <p>OR</p>	PM or WS-RMD (A; RES; SES(H))	Also see Appendix D (Key Environmental Contacts)

Step	Task	Responsibility	Guidance & Tools
	Where there is no project archaeologist engaged for the works, engage a suitably qualified and experienced archaeological consultant to assess the find. A list of heritage consultants is available on the RMS contractor panels on the Buyways homepage. Regional environment staff and Roads and Maritime heritage staff can also advise on appropriate consultants.		<u>Buyways</u>
2.2	Where the item is likely to be an Aboriginal object, speak with your Aboriginal Cultural Heritage Advisor to arrange for an Aboriginal Sites Officer to assess the find. Generally, an Aboriginal Sites Officer would be from the relevant local Aboriginal land council. If an alternative contact person (ie a RAP) has been nominated as a result of previous consultation, then that person is to be contacted.	PM or WS-RMD (ACHA; ASO)	
2.3	If requested, provide photographs of the item taken at Step 1.4 to the archaeologist, and Aboriginal Sites Officer if relevant.	PM or WS-RMD (RES)	Appendix C (Photographing Unexpected Heritage items)
3	Preliminary assessment and recording of the find		
3.1	In a minority of cases, the archaeologist (and Aboriginal Sites Officer, if relevant) may determine from the photographs that no site inspection is required because no archaeological constraint exists for the project (<i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i>). Any such advice should be provided in writing (eg via email) and confirmed by the Project Manager or Works Supervisor - RMD.	A/PM/ASO/ WS-RMD	Proceed to Step 8
3.2	Arrange site access for the archaeologist (and Aboriginal Sites Officer, if relevant) to inspect the item as soon as practicable. In the majority of cases a site inspection is required to conduct a preliminary assessment.	PM or WS-RMD	
3.3	Subject to the archaeologist's assessment (and the Aboriginal Sites Officer's assessment, if relevant), work may recommence at a set distance from the item. This is to protect any other archaeological material that may exist in the vicinity, which has not yet been uncovered. Existing protective fencing established in Step 1.2 may need to be adjusted to	A/PM/ASO/ WS-RMD	

Step	Task	Responsibility	Guidance & Tools
	reflect the extent of the newly assessed protective area. No works are to take place within this area once established.		
3.4	The archaeologist (and Aboriginal Sites Officer, if relevant) may provide advice after the site inspection and preliminary assessment that no archaeological constraint exists for the project (<i>eg the item is not a 'relic', a 'heritage item' or an 'Aboriginal object'</i>). Any such advice should be provided in writing (eg via email) and confirmed by the Project Manager or Works Supervisor - RMD.	A/PM/ASO/ WS-RMD	Proceed to Step 8
3.5	Where required, seek additional specialist technical advice (such as a forensic or physical anthropologist to identify skeletal remains). Regional environment staff and/or Roads and Maritime heritage staff can provide contacts for such specialist consultants.	RES/SES(H)	Appendix D (Key Environmental Contacts)
3.6	Where the item has been identified as a 'relic', 'heritage item' or an 'Aboriginal object' the archaeologist should formally record the item.	A	
3.7	The regulator can be notified informally by telephone at this stage by the archaeologist, Project Manager (or delegate) or Works Supervisor - RMD. Any verbal conversations with regulators must be noted on the project file for future reference.	PM/A/WS-RMD	
4	Prepare an archaeological or heritage management plan		
4.1	The archaeologist must prepare an archaeological or heritage management plan (with input from the Aboriginal Sites Officer, where relevant) shortly after the site inspection. This plan is a brief overview of the following: (a) description of the feature, (b) historic context, if data is easily accessible, (c) likely significance, (d) heritage approval and regulatory notification requirements, (e) heritage reporting requirements, (f) stakeholder consultation requirements, (g) relevance to other project approvals and management plans etc.	A/ASO	Appendix F (Archaeological/ Heritage Advice Checklist)
4.2	In preparing the plan, the archaeologist with the assistance of regional environment staff must review the CEMP, any heritage sub-plans, any conditions of heritage approvals, conditions of project approval (and or Minister's Conditions of Approval) and heritage assessment documentation (eg Aboriginal Cultural Heritage Assessment Report). This will outline if the unexpected item is consistent with previous heritage/project approval(s)	A/RES/PM	Appendix F (Archaeological/ Heritage Advice Checklist)

Step	Task	Responsibility	Guidance & Tools
	and/or previously agreed management strategies. The Project Manager and regional environment staff must provide all relevant documents to the archaeologist to assist with this. Discussions should occur with design engineers to consider if re-design options exist and are appropriate.		
4.3	The archaeologist must submit this plan as a letter, brief report or email to the Project Manager outlining all relevant archaeological or heritage issues. This plan should be submitted to the Project Manager as soon as practicable. Given that the archaeological management plan is an overview of all the necessary requirements (and the urgency of the situation), it should take no longer than two working days to submit to the Project Manager.	A	
4.4	The Project Manager or Works Supervisor must review the archaeological or heritage management plan to ensure all requirements can reasonably be implemented. Seek additional advice from regional environment staff and Roads and Maritime heritage staff, if required.	PM/RES/SES(H)/ WS-RMD	
5	Notify the regulator, if required.		
5.1	Review the archaeological or heritage management plan to confirm if regulator notification is required. Is notification required? If no , proceed directly to Step 6 If yes , proceed to next step.	PM/RES/SES(H)/ WS-RMD	
5.2	If notification is required, complete the template notification letter.	PM or WS-RMD	Appendix G (Template Notification Letter)
5.3	Forward the draft notification letter, archaeological or heritage management plan and the site recording form to regional environment staff and Senior Environmental Specialist (Heritage) for review, and consider any suggested amendments.	PM/RES/SES(H)/ WS-RMD	

Step	Task	Responsibility	Guidance & Tools
5.4	Forward the signed notification letter to the relevant regulator (ie notification of relics must be given to the Heritage Division, Office of Environment and Heritage (OEH), while notification for Aboriginal objects must be given to the relevant Aboriginal section of OEH). Informal notification (via a phone call or email) to the regulator prior to sending the letter is appropriate. The archaeological management plan and the completed site recording form must be submitted with the notification letter. For Part 3A and Part 5.1 projects, the Department of Planning and Environment must also be notified.	PM or WS-RMD	Appendix D (Key Environmental Contacts)
5.5	A copy of the final signed notification letter, archaeological or heritage management plan and the site recording form should be kept on file by the Project Manager or Works Supervisor- RMD and a copy sent to the Senior Environmental Specialist (Heritage).	PM or WS-RMD	
6	Implement archaeological or heritage management plan		
6.1	Modify the archaeological or heritage management plan to take into account any additional advice resulting from notification and discussions with the regulator.	A/PM or WS-RMD (RES)	
6.2	Implement the archaeological or heritage management plan. Where impact is expected, this would include such things as a formal assessment of significance and heritage impact assessment, preparation of excavation or recording methodologies, consultation with registered Aboriginal parties, obtaining heritage approvals etc, if required.	PM or WS-RMD (RAPs and RES)	PACHCI Stage 3
6.3	Where heritage approval is required contact regional environment staff for further advice and support material. Please note time constraints associated with heritage approval preparation and processing. Project scheduling may need to be revised where extensive delays are expected.	PM/RES/WS-RMD	
6.4	For Part 3A/Part 5.1 projects, assess whether heritage impact is consistent with the project approval or if project approval modification is required from the Department of Planning and Environment. Seek advice from regional environment staff and Environment Branch specialist staff if unsure.	PM/RES	

Step	Task	Responsibility	Guidance & Tools
6.5	Where statutory approvals (or project approval modification) are required, impact upon relics and/or Aboriginal objects must not occur until heritage approvals are issued by the appropriate regulator.	PM or WS-RMD	
6.6	Where statutory approval (or Part 3A/Part 5.1 project modification) is not required and where recording is recommended by the archaeologist, sufficient time must be allowed for this to occur.	PM or WS-RMD	
6.7	Ensure short term and permanent storage locations are identified for archaeological material or other heritage material is removed from site, where required. Interested third parties (eg museums or local councils) should be consulted on this issue. Contact regional environment staff and Senior Environmental Specialist (Heritage) for advice on this matter, if required.	PM or WS-RMD	
7	Review CEMPs and approval conditions		
7.1	Check whether written notification is required to be sent to the regulator before re-commencing work. Where this is not explicit in heritage approval conditions, expectations should be clarified directly with the regulator.	PM	
7.2	Update the CEMP, site mapping and project delivery program as appropriate with any project changes resulting from final heritage management (eg retention of heritage item, salvage of item). Updated CEMPs must incorporate additional conditions arising from any heritage approvals, and Aboriginal community consultation if relevant. Include any changes to CEMP in site induction material and update site workers during toolbox talks.	PM	
8	Resume work		
8.1	Seek written clearance to resume project work from regional environment staff and the archaeologist (and regulator, if required). Clearance would only be given once all archaeological excavation and/or heritage recommendations (where required) are complete. Resumption of project work must be in accordance with the all relevant project/heritage approvals/determinations.	RES/A/PM/WS-RMD	
8.2	If required, ensure archaeological excavation/heritage reporting and other heritage	PM/A/WS-RMD	

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Step	Task	Responsibility	Guidance & Tools
	approval conditions are completed in the required timeframes. This includes artefact retention repositories, conservation and/or disposal strategies.		
8.3	Forward all heritage/archaeological assessments, heritage location data and its ownership status to the Senior Environmental Specialist (Heritage). They will ensure all heritage items in Roads and Maritime ownership and/or control are considered for the Roads and Maritime S170 Heritage and Conservation Register.	PM/SES(H)/ WS-RMD	
8.4	If additional unexpected items are discovered this procedure must begin again from Step 1.	PM/TL-RMD	

8 Seeking advice

Advice on this procedure should be sought from Roads and Maritime regional environment staff in the first instance. Contractors and alliance partners should ensure their own project environment managers are aware of and understand this procedure. Regional environment staff can assist non-Roads and Maritime project environment managers with enquires concerning this procedure.

IMPORTANT!

Roads and Maritime Services staff and contractors are not to seek advice on this procedure directly from the Office of Environment and Heritage without first seeking advice from regional environment staff and heritage policy staff.

Technical archaeological or heritage advice regarding an unexpected heritage item should be sought from the contracted archaeologist. Technical specialist advice can also be sought from heritage policy staff within Environment Branch to assist with the preliminary archaeological identification and technical reviews of heritage/archaeological reports.

Roads & Maritime Services

9 Related information

Contact details: Senior Environmental Specialist (Heritage), Environment Branch, 02 8588 5754

Effective date: 01 February 2015

Review date: 01 February 2016

This procedure should be read in conjunction with:

- Roads and Maritimes' *Heritage Guidelines 2015*.
- Roads and Maritime Services *Environmental Incident Classification and Reporting Procedure*
- Roads and Maritime's *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*
- RTA *Environmental Impact Assessment Guidelines*.

This procedure replaces:

- Procedure 5.5 ("*unexpected discovery of an archaeological relic or Aboriginal object*") outlined in the RTA's *Heritage Guidelines 2004*.

Other relevant reading material:

- NSW Heritage Office (1998), *Skeletal remains: guidelines for the management of human skeletal remains*.
- Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal remains*.
- Department of Health (April 2008), *Policy Directive: Burials - exhumation of human remains*¹¹.

¹¹ http://www.health.nsw.gov.au/policies/pd/2008/pdf/PD2008_022.pdf

Appendix A

Identifying Unexpected Heritage Items

The following images can be used to assist in the preliminary identification of potential unexpected items (both Aboriginal and non-Aboriginal) during construction and maintenance works. Please note this is not a comprehensive typology.



Top left hand picture continuing clockwise: Stock camp remnants (Hume Highway Bypass at Tarcutta); Linear archaeological feature with post holes (Hume Highway Duplication), Animal bones (Hume Highway Bypass at Woomargama); Cut wooden stake; Glass jars, bottles, spoon and fork recovered from refuse pit associated with a Newcastle Hotel (Pacific Highway, Adamstown Heights, Newcastle area).



Top left hand picture continuing clockwise: Woodstave water pipe with tar and wire sealing (Horsley Drive); Tram tracks (Sydney); Brick lined cistern (Clyde); Retaining wall (Great Western Highway, Leura).



Top left hand picture continuing clockwise: Road pavement (Great Western Highway, Lawson); Sandstone kerbing and guttering (Parramatta Road, Mays Hill); Telford road (sandstone road base, Great Western Highway, Leura); Ceramic conduit and sandstone culvert headwall (Blue Mountains, NSW); Corduroy road (timber road base, Entrance Road, Wamberai).



Alignment pin



Survey tree



Alignment stone



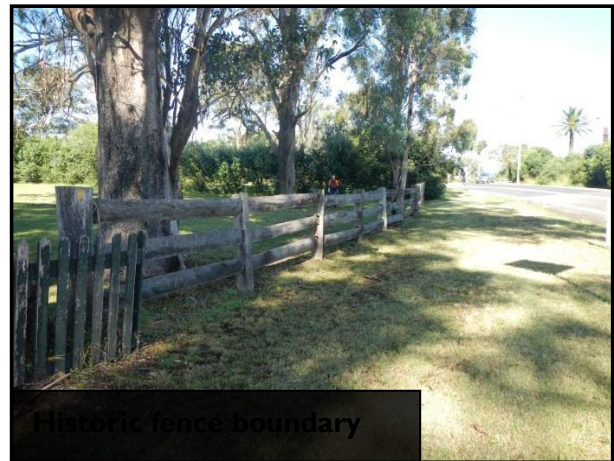
Survey tree



Milestone



Top left hand corner continuing clockwise: Alignment Pin (Great Western Highway, Wentworth Falls); Survey tree (MR7, Albury); Survey tree (Kidman Way, Darlington Point, Murrumbidgee); Survey tree (Cobb Highway, Deniliquin); Milestone (Great Western Highway, Kingswood, Penrith); Alignment Stone (near Guntawong Road, Riverstone). Please note survey marks may have additional statutory protection under the *Surveying and Spatial Information Act 2002*.



Top left hand corner continuing clockwise: Remnant bridge piers (Putty Road, Bulga); Wooden boundary fence (Campbelltown Road, Denham Court); Dairy shed (Ballina); Golden Arrow Mine Shaft.



Top left hand corner: Culturally modified stone discovered on Main Road 92, about two kilometres west of Sassafras. The remaining images show a selection of stone

artefacts retrieved from test and salvage archaeological excavations during the Hume Highway Duplication and Bypass projects from 2006-2010.

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Appendix B

Unexpected Heritage Item Recording Form 418



Unexpected heritage item recording form

Date:		Recorded by: (Include name and position)
Project name:		
Description of works being undertaken (eg Removal of failed pavement by excavation and pouring concrete slabs in 1m x 1m replacement sections).		
Description of exact location of item (eg Within the road formation on Parramatta Road, east bound lane, at the corner of Johnston Street, Annandale, Sydney).		
Description of item found (What type of item is it likely to be? Tick the relevant boxes).		
A. A relic	<input type="checkbox"/>	A 'relic' is evidence of a past human activity relating to the settlement of NSW with local or state heritage significance. A relic might include bottles, utensils, plates, cups, household items, tools, implements, and similar items.
B. A 'work, building or structure'	<input type="checkbox"/>	A 'work' can generally be defined as a form infrastructure such as tram tracks, a culvert, road base, a bridge pier, kerbing, and similar items.
C. An Aboriginal object	<input type="checkbox"/>	An 'Aboriginal object' may include stone tools, stone flakes, shell middens, rock art, scarred trees and human bones.
D. Bone	<input type="checkbox"/>	Bones can either be human or animal remains. Remember that you must contact the local police immediately by telephone if you are <u>certain</u> that the bone(s) are <u>human remains</u>.
E. Other	<input type="checkbox"/>	

Provide short description of item (eg Metal tram tracks running parallel to road alignment. Good condition. Tracks set in concrete, approximately 10cms (100 mm) below the current ground surface).	
Sketch (Provide a sketch of the item's general location in relation to other road features so its approximate location can be mapped without having to re-excavate it. In addition, please include details of the location and direction of any photographs of the item taken).	
Action taken (Tick either A or B)	
A. Unexpected item would not be further impacted on by works <input type="checkbox"/>	
Describe how works would avoid impact on the item. (eg The tram tracks will be left <i>in situ</i> , and recovered with road paving).	
B. Unexpected item would be further impacted on by works <input type="checkbox"/>	
Describe how works would impact on the item. (eg Milling is required to be continued to 200 mm depth to ensure road pavement requirements are met. Tram tracks will need to be removed).	
Project manager / works supervisor signature	

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Appendix C

Photographing Unexpected Heritage Items

Photographs of unexpected items in their current context (*in situ*) may assist heritage staff and archaeologists to better identify the heritage values of the item. Emailing good quality photographs to specialists can allow for better quality and faster heritage advice. The key elements that must be captured in photographs of the item include its position, the item itself and any distinguishing features. All photographs must have a scale (ruler, scale bar, mobile phone, coin) and a note describing the direction of the photograph.

Context and detailed photographs

It is important to take a general photograph (Figure 1) to convey the location and setting of the item. This will add much value to the subsequent detailed photographs also required (Figure 2).

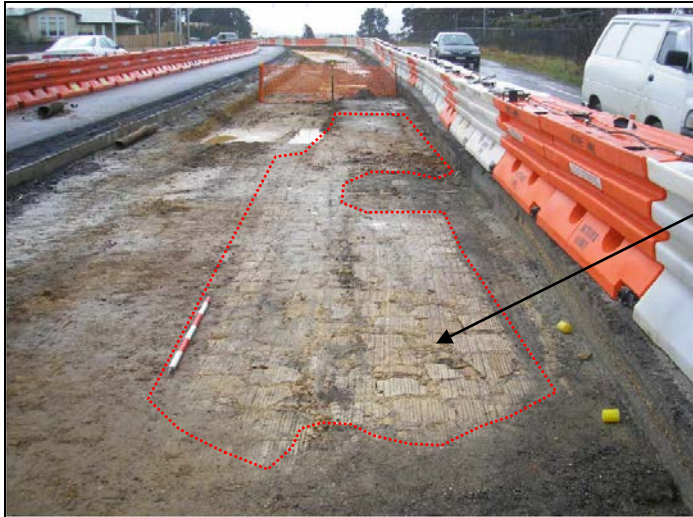


Figure 2: Close up detail of the sandstone surface showing material type, formation and construction detail. This is essential for establishing date of the feature.

Figure 1: Telford road uncovered on the Great Western Highway (Leura) in 2008.

Photographing distinguishing features

Where unexpected items have a distinguishing feature, close up detailed photographs must be taken of this, where practicable. In the case of a building or bridge, this may include diagnostic details architectural or technical features. See Figures 3 and 4 for examples.



Figure 3: Ceramic bottle artefact with stamp.



Figure 4: Detail of the stamp allows 'Tooth & Co Limited' to be made out. This is helpful to a specialist in gauging the artefact's origin, manufacturing date and likely significance.

Photographing bones

The majority of bones found on site will be those of recently deceased animal bones often requiring no further assessment (unless they are in archaeological context). However, if bones are human, Roads and Maritime must contact the police immediately (see Appendix F for detailed guidance). Taking quality photographs of the bones can often resolve this issue quickly. Heritage staff in Environment Branch can confirm if bones are human or non-human if provided with appropriate photographs.

Ensure that photographs of bones are not concealed by foliage (Figure 5) as this makes it difficult to identify. Minor hand removal of foliage can be undertaken as long as disturbance of the bone does not occur. Excavation of the ground to remove bone(s) should not occur, nor should they be pulled out of the ground if partially exposed. Where sediment (adhering to a bone found on the ground surface) conceals portions of a bone (Figure 6) ensure the photograph is taken of the bone (if any) that is not concealed by sediment.



Figure 5: Bone concealed by foliage.



Figure 6: Bone covered in sediment

Ensure that all close up photographs include the whole bone and then specific details of the bone (especially the ends of long bones, the *epiphysis*, which is critical for species identification). Figures 7 and 8 are examples of good photographs of bones that can easily be identified from the photograph alone. They show sufficient detail of the complete bone and the epiphysis.



Figure 7: Photograph showing complete bone.



Figure 8: Close up of a long bone's epiphysis.

|

Appendix C

Key Environmental Contacts

Key environmental contacts

Hunter region	Environmental Manager (Hunter)	4924 0440
	Aboriginal Cultural Heritage Advisor	4924 0383
Northern region	Environment Manager (North)	6640 1072
	Aboriginal Cultural Heritage Advisor	6604 9305
Southern region	Environmental Manager (South)	6492 9515
	Aboriginal Cultural Heritage Advisor	4221 2767
South West region	Environment Manager (South West)	6937 1634
	Aboriginal Cultural Heritage Advisor	6937 1647
Sydney region	Environment Manager (Sydney)	8849 2516
	Aboriginal Cultural Heritage Advisor	8849 2583
Western region	Environment Manager (West)	6861 1628
	Aboriginal Cultural Heritage Advisor	6861 1658
Pacific Highway Office	Environment Manager	6640 1375
Regional Maintenance Delivery	Environment Manager	9598 7721
Environment Branch	Senior Environmental Specialist (Heritage)	8588 5754

Heritage Regulators

Heritage Division Office of Environment and Heritage Locked Bag 5020 Parramatta NSW 2124 Phone: (02) 9873 8500	Department of the Environment (Clth) GPO Box 787 Canberra ACT 2601 Phone: (02) 6274 1111
Office of Environment and Heritage (Sydney Metropolitan) Planning and Aboriginal Heritage Section PO Box 668 Parramatta NSW 2124 Phone: (02) 9995 5000	Office of Environment and Heritage (North Eastern NSW) Planning and Aboriginal Heritage Section Locked Bag 914 Coffs Harbour NSW 2450 Phone: (02) 6651 5946
Office of Environment and Heritage (North Western NSW) Environment and Conservation Programs PO Box 2111 Dubbo NSW 2830 Phone: (02) 6883 5330	Office of Environment and Heritage (Southern NSW) Landscape and Aboriginal Heritage Protection Section PO Box 733 Queanbeyan NSW 2620 Phone: (02) 6229 7188

Project-Specific Contacts

Position	Name	Phone Number
Project Manager		
Site/Alliance Environment Manager		
Regional Environmental Officer		
Aboriginal Cultural Heritage Advisor		
Consultant Archaeologist		
Local Police Station		
OEHL: Environment Line		131 555

Appendix E

Uncovering Bones

This appendix provides Project Managers with (1) advice on what to do when bones are discovered; (2) guidance on the notification pathways; and (3) additional considerations and requirements when managing the discovery of human remains.

1. First uncovering bones

Stop all work in the vicinity of the find. All bones uncovered during project works should be **treated with care and urgency** as they have the potential to be human remains. Therefore they must be identified as either human or non-human as soon as possible by a qualified forensic or physical anthropologist. These specialist consultants can be sought by contacting regional environment staff and/or heritage staff at Environment Branch.

On the very rare occasion where it is *instantly obvious* from the remains that they are human, the Project Manager (or a delegate) should **inform the police by telephone** prior to seeking specialist advice. It will be obvious that it is human skeletal remains where there is no doubt, as demonstrated by the example in Figure 1. Often skeletal elements in isolation (such as a skull) can also clearly be identified as human. Note it may also be obvious that human remains have been uncovered when soft tissue and clothing are present.

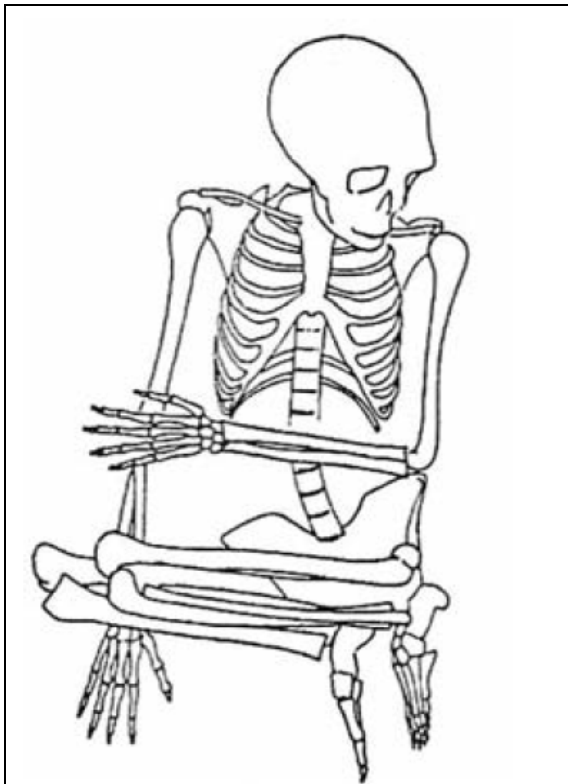


Figure 1: Schematic of a complete skeleton that is 'obviously' human¹².



Figure 2: Disarticulated bones that require assessment to determine species.

This preliminary phone call is to let the police know that Roads and Maritime is undertaking a specialist skeletal assessment to determine the approximate date of death which will inform legal jurisdiction. The police may wish to take control of the site at this stage. If not, a forensic or physical anthropologist must be requested to make an on-site assessment of the skeletal remains.

¹² After Department of Environment and Conservation NSW (2006), *Manual for the identification of Aboriginal Remains*: 17.

Where it is not 'obvious' that the bones are human (in the majority of cases, illustrated by Figure 2), specialist assessment is required to establish the species of the bones. Photographs of the bones can assist this assessment if they are clear and taken in accordance with guidance provided in Appendix C. Good photographs often result in the bones being identified by a specialist without requiring a site visit; noting they are nearly always non-human. In these cases, non-human skeletal remains must be treated like any other unexpected archaeological find.

If the bones are identified as human (either by photographs or an on-site inspection) a technical specialist must determine the likely ancestry (Aboriginal or non-Aboriginal) and burial context (archaeological or forensic). This assessment is required to identify the legal regulator of the human remains so **urgent notification** (as below) can occur. Preliminary telephone or verbal notification by the Project Manager or regional environment staff is considered appropriate. This must be followed up later by Roads and Maritime's formal letter notification as per Appendix G when a management plan has been developed and agreed to by the relevant parties.

2. Range of human skeletal notification pathways

The following is a summary of the different notification pathways required for human skeletal remains depending on the preliminary skeletal assessment of ancestry and burial context.

A. Human bones are from a recently deceased person (*less than 100 years old*).

☒ Action

A police officer must be notified immediately as per the obligations to report a death or suspected death under s35 of the *Coroners Act 2009* (NSW). It should be assumed the police will then take command of the site until otherwise directed.

B. Human bones are archaeological in nature (*more than 100 years old*) and are likely to be **Aboriginal** remains.

☒ Action

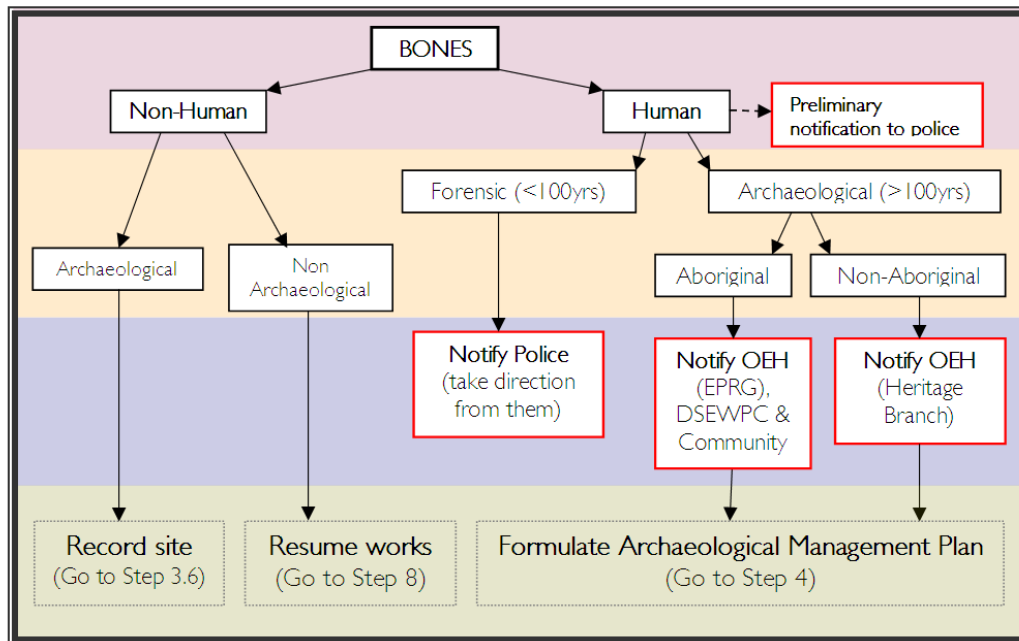
The OEH and the RMS Aboriginal Cultural Heritage Advisor (ACHA) must be notified immediately. The ACHA must contact and inform the relevant Aboriginal community stakeholders who may request to be present on site. Relevant stakeholders are determined by the RTA's *Procedure for Aboriginal Cultural Heritage Consultation and Investigation*.

C. Human bones are archaeological in nature (*more than 100 years old*) and likely to be **non-Aboriginal** remains.

☒ Action

The OEH (Heritage Branch, Conservation Team) must be notified immediately.

The simple diagram below summarises the notification pathways on finding bones.



After the appropriate verbal notifications (as described in B and C), the Project Manager must proceed through the *Unexpected Heritage Items Procedure* to formulate an archaeological management plan (Step 4). Note no archaeological management plan is required for forensic cases (A), as all future management is a police matter. Non-human skeletal remains must be treated like any other unexpected archaeological find and so must proceed to recording the find as per Step 3.6.

3. Additional considerations and requirements

Uncovering archaeological human remains must be managed intensively and needs to consider a number of additional specific issues. These issues might include facilitating culturally appropriate processes when dealing with Aboriginal remains (such as repatriation and cultural ceremonies). Roads and Maritime's ACHA can provide advice on this and how to engage with the relevant Aboriginal community. Project Managers, more generally, may also need to consider overnight site security of any exposed remains and may need to manage the onsite attendance of a number of different external stakeholders during assessment and/or investigation of remains. Project Managers may also be advised to liaise with local church/religious groups and the media to manage community issues arising from the find. Additional investigations may be required to identify living descendants, particularly if the remains are to be removed and relocated.

If exhumation of the remains (from a formal burial or a vault) is required, Project Managers should also be aware of additional approval requirements under the *Public Health Act 1991* (NSW). Specifically, Roads and Maritime is required to apply to the Director General of NSW Department of Health for approval to exhume human remains as per Clause 26 of the *Public Health (Disposal of Bodies) Regulation 2002* (NSW)¹³. Further, the exhumation of such remains needs to consider health risks such as infectious disease control, exhumation procedures and reburial approval and registration. Further guidance on this matter can be found at the NSW Department of Health [website](#).

In addition, due to the potential significant statutory and common law controls and prohibitions associated with interfering with a public cemetery, project teams are

¹³ This requirement is in addition to heritage approvals under the *Heritage Act 1977*.

advised, when works uncover human remains adjacent to cemeteries, to confirm the cemetery's exact boundaries.

Appendix F

Archaeological Heritage Advice Checklist

The following checklist can be used by the Project Manager and the archaeologist to ensure all relevant archaeological issues are considered when developing the management plan required at Step 4 of this procedure.

An archaeological or heritage management plan can include a range of activities and processes, which differ depending on the find and its significance.

	Required	Outcome/notes
Assessment and investigation		
• Assessment of significance	Yes/No	
• Assessment of heritage impact	Yes/No	
• Archaeological excavation	Yes/No	
• Archival photographic recording	Yes/No	
Heritage approvals and notifications		
• AHIPs, Section 140, S139 exceptions etc	Yes/No	
• Regulator relics/objects notification	Yes/No	
• Roads and Maritime's S170 Heritage and Conservation Register listing requirements	Yes/No	
• Compliance with CEMP or other project heritage approvals	Yes/No	
Stakeholder consultation		
• Aboriginal stakeholder consultation requirements and how it relates to RTA <i>Procedure for Aboriginal Cultural Heritage Consultation and Investigation</i> (PACHCI).	Yes/No	
• Advice from regional environmental staff, Aboriginal Cultural Heritage Advisor, Roads and Maritime heritage team.	Yes/No	
Artefact/ heritage item management		
• Retention or conservation strategy (eg items may be subject to long conservation and interpretation)	Yes/No	
• Disposal strategy (eg former road pavement)		
• Short term and permanent storage locations (interested third parties should be consulted on this issue).		
• Control Agreement for Aboriginal objects.	Yes/No	
Program and budget		
• Time estimate associated with archaeological or heritage conservation work.		
• Total cost of archaeological/heritage work.		

Appendix G

Template Notification Letter

PASTE INTO RMS LETTER TEMPLATE

"[Select and type date]"

[Select and type reference number]

[Select and type file number]

[Insert recipient's name and address, see **Appendix D**]

[Select and type salutation and name],

Re: Unexpected heritage item discovered during Roads and Maritime Services project works.

I write to inform you of an unexpected [select: relic, heritage item or Aboriginal object] found during Roads and Maritime Services construction works at [insert location] on [insert date]. [Where the regulator has been informally notified at an earlier date by telephone, this should be referred to here].

This letter is in accordance with the notification requirement under [select: Section 146 of the *Heritage Act 1977* (NSW) or Section 89(A) of the *National Parks and Wildlife Act 1974* (NSW)] **NB:** There may be not be statutory requirement to notify of the discovery of a 'heritage Item that is not a relic or Aboriginal object].

NB: On finding Aboriginal human skeletal remains this letter must also be sent to the Commonwealth Minister for Sustainability, Environment, Water, Populations and Communities (SEWPC) in accordance with notification requirements under Section 20(1) of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth).

[Provide a brief overview of the project background and project area. Provide a summary of the description and location of the item, including a map and image where possible. Also include how the project was assessed under the *Environmental Planning and Assessment Act 1979* (NSW) (eg Part 5). Also include any project approval number, if available].

Roads and Maritime Services [or contractor] has sought professional archaeological advice regarding the item. A preliminary assessment indicates [provide a summary description and likely significance of the item]. Please find additional information on the site recording form attached.

Resulting from these preliminary findings, Roads and Maritime Services [or contractor] is proposing [provide a summary of the proposed archaeological/heritage approach (eg develop archaeological research design (where relevant), seek heritage approvals, undertake archaeological investigation or conservation/interpretation strategy). Also include preliminary justification of such heritage impact with regard to project design constraints and delivery program].

The proposed approach will be further developed in consultation with a nominated Office of Environment and Heritage staff member.

Please contact me if you have any input on this approach or if you require any further information.

Yours sincerely

[Sender name and position]

[Attach the archaeological/heritage management plan and site recording form].

About this release

Reference number	RMS 12.003 PN 285 P02
Title	Unexpected Heritage Items Procedure
Parent procedure	RMS Heritage Guidelines
Prepared by	Environment Officer (Heritage) Gretta Logue Environment Officer (Heritage) Daniel Percival
Approved by	Manager Environmental Policy, Planning and Assessment Michael Crowley
Document location	Objective - SF2013/153770 / Unexpected heritage items procedure.doc
Document status	Version 1.0, 16 March 2015

Version	Date	Revision description
1.0	01/11/11	First issue
Revised	23 July 2012	Amended to reflect that (a) unexpected finds do not include items covered by a relevant approval; (b) Aboriginal people must be consulted where an unexpected find is likely to be an Aboriginal object; (c) the Department of Planning and Environment must be notified in accordance with Step 5 of this procedure for Part 3A and Part 5.1 projects.
Revised	09 October 2013	Amended to clarify that the procedure applies to all types of unexpected heritage items, not just archaeological items. The procedure introduces the term 'Historic Items' to cover both 'archaeological relics' and 'other historic items' such as works, structures, buildings and movable objects. The title of the document has been amended to better reflect this clarification.
Revised	16 March 2015	The procedure was streamlined to address all project types including maintenance works. The separate maintenance procedure (formerly Appendix B) was removed. Names and titles updated throughout.

Your comments and suggestions to improve this or any of the Heritage Guidelines and associated documents may be sent to:

Senior Environmental Specialist (Heritage)
Environmental Policy, Planning and Assessment
Environment Branch, Roads and Maritime Services
Level 17, 101 Miller Street
North Sydney, NSW 2060
Ph: 8588 5726



rms.nsw.gov.au



heritage@rms.nsw.gov.au



Customer feedback
Roads and Maritime
Locked Bag 928,
North Sydney NSW 2059



Transport
Roads & Maritime
Services

Appendix B – Records of Consultation

CoA A5 Consultation Report Heritage Management Sub- Plan

Western Harbour Tunnel and Warringah
Freeway Upgrade

Stage 2

Transport for New South Wales

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CoA A5 Consultation Summary Report – Heritage Management Sub-Plan

Transport for NSW

Western Harbour Tunnel and Warringah
Freeway Upgrade

Stage 2

December 2021

Rev 1

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Document control

Title	Consultation Report – Heritage Management Sub-Plan
Document No./Ref	WHTBLWFU-CPBD-NWW-HE-PLN-000007

Version control

Revision	Date	Description	Approval
A	2/11/21	Consultation undertaken on HMP	
0	16/11/21	Endorsed by ER and submission to DPI&E	
1	17/12/21	Amendment based on DPIE review	

Glossary/Abbreviations

Abbreviation	Expanded text
CEMP	Construction Environmental Management Plan
CoA	NSW Minister for Planning Conditions of Approval
CSSI	Critical State Significant Infrastructure
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
Minister, the	NSW Minister for Planning, Industry and Environment
NML	Noise Management Level
Planning Approval	The Planning Approval includes the Conditions of Approval, the EIS and the Submissions and Preferred Infrastructure Report (SSI-8863)
Proponent, the	Transport for NSW
Project, the	Western Harbour Tunnel and Warringah Freeway Upgrade
RBL	Rating Background Level
REMM	Revised Environmental Mitigation and Management Measure
RtS	Response to Submissions Report
WHTBL	Western Harbour Tunnel and Beaches Link
WHTWFU	Western Harbour Tunnel and Warringah Freeway Upgrade
WFU	Warringah Freeway Upgrade

1 Introduction

1.1 Background

The Western Harbour Tunnel and Warringah Freeway Upgrade (WHTWUFU) (the project) forms a core component of the broader Western Harbour Tunnel and Beaches Link (WHTBL) program of works. The project comprises two main components:

- A new crossing of Sydney Harbour involving twin tolled motorway tunnels connecting the M4-M5 Link at Rozelle and the Warringah Freeway at North Sydney (the Western Harbour Tunnel)
- Upgrade and integration works along the existing Warringah Freeway, including infrastructure required for connections to the Beaches Link and Gore Hill Freeway Connection project. Reconfiguration works as part of the Warringah Freeway Upgrade would optimise the road corridor and improve the performance of the Sydney Harbour Tunnel, the Sydney Harbour Bridge and the Western Harbour Tunnel.

Due to its importance, the WHTWUFU project was declared to be Critical State Significant Infrastructure (CSSI) by the Minister for Planning and Public Space on 9 November 2020.

On 21 January 2021, the Department of Planning, Industry and Environment (DPIE) approved the construction and operation of the WHTWUFU project (SSI 8863).

A detailed description of the project is provided in Chapter 5 of the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement (EIS).

The WHTWUFU project will be delivered in numerous stages:

- Stage 1 - Early and enabling works:
 - Stage 1A – Critical utility installation, relocation and protection (CUT)
 - Stage 1B – Cammeray Golf Course adjustment works (CGC)
 - Stage 1C – Massey to Amherst noise wall (M2A)
 - Stage 1D – WHT construction power and utilities (WHTCP)
 - Stage 1E – Maritime Heritage – relocation of historic vessels M.V. Cape Don and Baragoola (MH)
- Stage 2 - Warringah Freeway Upgrade project:
- Stage 3 - Western Harbour Tunnel project (WHT).

Further detail on each stage is provided in the WHTWUFU project Staging Report.

The Heritage Management Sub-Plan (incorporating both Aboriginal and Non-Aboriginal heritage) applies only to Stage 2 of the project. CPB Downer JV has been appointed by Transport for New South Wales (TfNSW) to deliver the Warringah Freeway Upgrade project.

1.2 Purpose of this Consultation Report

This Consultation Report has been prepared to meet the requirements of the CSSI approval, in particular Condition of Approval (CoA) A5. CoA A5 outlines the requirements for undertaking and documenting consultation undertaken during the preparation of approval documents or monitoring programs required under relevant the CoA for those documents. This Consultation Report has been prepared to consolidate the consultation undertaken during the preparation of the following document:

- CoA C4(h & i): Heritage Management Sub-plan

Note: the Heritage Management Sub-plan addresses the requirements of the following two documents in the CoA as detailed in Table 1-1.

Table 1-1 Consultation Requirements

CoA ID	Document	Consultation requirement
C4(h)	Heritage Management Sub-plan – Non-Aboriginal Heritage component	Heritage NSW and relevant Councils (North Sydney and Willoughby)
C4(i)	Heritage Management Sub-plan – Aboriginal Heritage component	Heritage NSW

1.3 CoA Compliance

This section details how this Consultation Report complies with the relevant CoA (A5) in relation to consultation required to be undertaken during the development of the HMP.

Table 1-2 lists the applicable CoA, where and how they have been addressed in this Consultation Report.

Table 1-2 Compliance with applicable CoA

CoA ID	CoA Detail	Where Addressed	How Addressed
A5	Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:	Section 1.2 Appendix 1 to 3	This consultation report identifies each of the stakeholders and agencies consulted in the preparation of this plan (Section 1.2). Full correspondence and documentation exchanged during consultation is found the Appendix 1 to Appendix 3 inclusive.
A5	(a) documentation of the engagement with the party identified in the condition of approval that has occurred before submitting the document for approval;	Appendix 1 to 3	Full correspondence and documentation exchanged during consultation is found the Appendix 1 to Appendix 3 inclusive. Each appendix relates to a different stakeholder and agency, thereby ensuring all evidence for each is consolidated in a single appendix. All correspondence is provided in a chronological order.

A5	(b) a log of the dates of engagement or attempted engagement with the identified party;	Section 2 of this Report.	<p>Section 2 includes, by stakeholder and agency, a log of all points of engagement completed or attempted.</p> <p>It also summarises the issues raised by each stakeholder.</p>
A5	(c) documentation of the follow-up with the identified party where engagement has not occurred to confirm that they do not wish to engage or have not attempted to engage after repeated invitations;	Section 2 of this Report.	<p>Section 2 includes, by stakeholder and agency, a log of all points of engagement completed or attempted.</p>
A5	(d) outline of the issues raised by the identified party and how they have been addressed; and	Section 2 of this Report and Appendix 1 to Appendix 3 inclusive.	<p>Section 2 identifies all the issues raised during consultation. It provides in tabular format:</p> <ul style="list-style-type: none"> • Issue raised; • Date raised; • How it was addressed or justification as to why it wasn't addressed; <p>Section 2 then provides cross- referencing to the relevant Appendix identifying where evidence of the above is documented in full within this Report.</p> <p><i>Note: Section 2 is broken down into each Stakeholder consulted with, and each has their own table addressing the above.</i></p>
A5	(e) a description of the outstanding issues raised by the identified party and the reasons why they have not been addressed.	Section 2 of this Report and Appendix 1 to Appendix 3 inclusive.	<p>Section 2 identifies all the issues raised during consultation. It provides in tabular format:</p> <ul style="list-style-type: none"> • Issue raised; • Date raised; • How it was addressed or justification as to why it wasn't addressed. <p><i>Note: Section 2 is broken down into each Stakeholder consulted with, and each has their own table addressing the above.</i></p>

C4	The following CEMP Sub-plans must be prepared in consultation with the relevant government agencies identified for each CEMP Sub-plan. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant CEMP Sub-plan, including copies of all correspondence from those agencies as required by Condition A5.	This Report	This Report has been prepared to address the consultation undertaken during the development of the HMP.
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1.4 Consultation Process

Consultation with stakeholders and agencies was undertaken using the following means:

- Formal correspondence (DPIE Portal notifications)
- Formal correspondence (standard email)
- Phone Calls.

2 Stakeholder and agency consultation

This Section of the Consultation Report provides detail of consultation undertaken with each stakeholder and agency in the preparation of the CEMP. In particular it contains:

A consultation log that identifies:

- Consultation dates (actual and attempted)
- Form of consultation
- Whether responses and / or comments were received
- Summary of the issues raised, including how they have been addressed

Documentary evidence of all the correspondence received and sent through the consultation phase is contained in the Appendices at the end of this Report. The Appendices and this Section are broken down by stakeholder and agency, not by issue.

2.1 HMP – North Sydney Council

Consultation with North Sydney Council (NSC) commenced on 28 September 2021 and concluded 26 October 2021.

Table 2-1 below includes the details of engagement between CPB Downer JV and NSC regarding the HMP. Table 2-2 includes a summary of the issues raised, how those were addressed and closed out. Full evidence of correspondence is in Appendix 1 of this report.

Table 2-1 Engagement log – HMP – North Sydney Council

#	Date	Correspondence		From	Recipient
		Form / Type	Purpose		
1	28/9/21	Email	To advise that the CEMP (including the Heritage Management Plan) would be provided for review on 1/10/21 and that North Sydney Council would have 3 weeks to provide comment with comments due on Friday 22/10/21	Howard Chemney	Gavin McConnell NSC Interface Manager
2	28/10/21	Teams Meeting	Present an overview of the project (including heritage impacts) and undertake an environmental risk assessment to identify additional impacts and mitigation measures (including related to heritage)	Howard Chemney	Gavin McConnell NSC Interface Manager
3	5/10/21	Email	Heritage Management Plan was sent to NSC for consultation requesting comments back by Tuesday 26/10/21	Howard Chemney	Gavin McConnell NSC Interface Manager
4	14/10/21	Email	Email reminder that all comments on the CEMP (including Heritage management plan) were due back by 26/10/21	Howard Chemney	Gavin McConnell NSC

					Interface Manager
5	22/10/21	Phone call	Left a message. Reminder that comments are requested by 26/10/21	Howard Chemney	Gavin McConnel NSC Interface Manager
6	26/10/21	Email	NSC providing comments on the HMP	Gavin McConnel	Howard Chemney

Table 2-2 below summarises the consultation comments received from NSC on the HMP.

Table 2-2 Summary of issues – HMP – North Sydney Council

Document Section, CoA or REMM	Comment Raised	Date Raised	How Addressed / Justification Why Not Addressed
Not applicable – NSC email received from Gavin McConnel on 26/10/21 advising NSC had no comments to make on the HMP (refer Appendix 1).			

2.2 HMP – Willoughby Council

Consultation with Willoughby Council commenced on 5 October 2021 and concluded 27 October 2021.

Table 2-3 below includes the details of engagement between CPB Downer JV and Willoughby Council regarding the HMP. Table 2-4 includes a summary of the issues raised, how those were addressed and closed out. Full evidence of correspondence is in Appendix 2 of this report.

Table 2-3 Engagement log – HMP – Willoughby Council

#	Date	Correspondence		From	Recipient
		Form / Type	Purpose		
1	5/10/21	Email	Heritage Management Plan was sent to NSC for consultation requesting comments back by Tuesday 26/10/21	Howard Chemney	Chris Binns Andrew Gillies Gordon Fareilly
2	14/10/21	Email	Email reminder that all comments on the CEMP (including Heritage management plan) were due back by 26/10/21	Howard Chemney	Chris Binns Andrew Gillies Gordon Fareilly

3	27/10/21	Email	Willoughby Council providing comments on the HMP	Andrew Gillies	Howard Chemney
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Table 2-4 below summarises the consultation comments received from Willoughby Council on the HMP and how addressed.

Table 2-4 Summary of issues – HMP – Willoughby Council

Document Section, CoA or REMM	Comment Raised	Date Raised	How Addressed / Justification Why Not Addressed
Table 5-1	It is unclear why the Naremburn Central Township Heritage Conservation Area has not been listed	27/10/21	<p>The Naremburn Central Township Conservation Area is bordered by Chandos Street, Northcote Street, Lawson Lane and Ryan Lane Willoughby.</p> <p>The Conservation area is located approx. 220m from the Warringah Freeway and no works associated with the upgrade are planned to within or close to the Conservation Area.</p> <p>It is for the above reasons that the Conservation Area was not included in the HMP</p>
General comment	It is unclear from the document what is exactly planned in the vicinity of the Naremburn Central Township Heritage Conservation Area	27/10/21	No works associated with the Warringah Freeway Upgrade are located within or close vicinity to the Conservation Area
General comment	Council requests further clarification on what, if any, measures are proposed to safeguard properties located within the Naremburn Central Township heritage conservation area, as well as the several local heritage items located in the vicinity of Willoughby Rd and the Freeway	27/10/21	<p>No mitigation measures are necessary in respect to the Conservation area.</p> <p>Other heritage items (identified below) in the vicinity of Willoughby Road are also a minimum of 200m from the Warringah Freeway with no works associated with the upgrade close to these locations:</p> <ul style="list-style-type: none"> Naremburn Public School and Resources Centre 10 Dalleys Road, Naremburn, House (including original interiors) 248 Willoughby road, Naremburn

			<ul style="list-style-type: none"> House (including interiors) 4 Berry Avenue, Naremburn
--	--	--	---

2.3 HMP – Heritage NSW

Consultation with Heritage NSW commenced on 1 October 2021 and concluded 29 October 2021.

Table 2-5 below includes the details of engagement between CPB Downer JV and Heritage NSW regarding the HMP. Table 2-6 includes a summary of the issues raised, how those were addressed and closed out. Full evidence of correspondence is in Appendix 3 of this report.

Table 2-5 Engagement log – HMP – Heritage NSW

#	Date	Correspondence		From	Recipient
		Form / Type	Purpose		
1	27/9/21	Email	To advise that the CEMP (including the Heritage Management Plan) would be provided for review on 1/10/21 and that Heritage NSW would have 3 weeks to provide comment with comments due on Friday 22/10/21	Howard Chemney	Hendry Wan
2	1/10/21	Email	Heritage Management Plan was sent to Heritage NSW for consultation requesting comments back by Friday 22/10/21	Howard Chemney	Hendry Wan
3	14/10/21	Email	Email reminder that comments on HMP were due back by 22/10/21	Howard Chemney	Hendry Wan
4	15/10/21	Teams Meeting	Page turn of the HMP with Heritage NSW	Howard Chemney	Hendry Wan
5	25/10/21	Letter via Email	Heritage NSW providing comments on the HMP	Timothy Smith	Howard Chemney

Table 2-6 below summarises the consultation comments received from Heritage NSW on the HMP.

Table 2-6 Summary of issues – HMP – Heritage NSW

Document Section, CoA or REMM	Comment Raised	Date Raised	How Addressed / Justification Why Not Addressed
Not applicable – Heritage NSW letter (received via email) received from Timothy Smith on 25/10/21 advising Heritage NSW had no comments to make on the HMP (refer Appendix 3).			

Appendix 1 North Sydney Council consultation records

Chemney, Howard

From: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Sent: Tuesday, 26 October 2021 1:14 PM
To: Chemney, Howard
Subject: Re: WFU - CEMP/ Traffic and Transport

CAUTION: This email originated from outside of the Organisation.

Howard, No comments on the Heritage CEMP.

Gavin

From: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Sent: Tuesday, 26 October 2021 11:53 AM
To: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Subject: RE: WFU - CEMP/ Traffic and Transport

CAUTION : Do not click links or open attachments unless you recognise the sender and know the content is safe.
Hi Gavin,

I also sent you the Heritage Management Plan (4th attachment in the attached).

Can you also provide an email stating that Council have no comments on the Heritage Management Plan (or otherwise).

Thanks

Howard

From: Chemney, Howard
Sent: Tuesday, 26 October 2021 11:50 AM
To: 'Gavin McConnell' <Gavin.McConnell@northsydney.nsw.gov.au>
Subject: RE: WFU - CEMP/ Traffic and Transport

Thanks Gavin – I also sent you the ASEMP (which covers the establishment of the construction support sites) – see attached (note the CEMP does not require consultation with Council).

Can you provide an email stating that Council have no comments on the ASEMP (or otherwise).

Howard

From: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Sent: Tuesday, 26 October 2021 11:43 AM
To: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Subject: Re: WFU - CEMP/ Traffic and Transport

CAUTION: This email originated from outside of the Organisation.

Howard,

Soil and Water CEMP comments - NSC has no comments to make in respect of the Soil and Water CEMP.

Flora and Fauna CEMP - I am chasing up comments today.

Other than Traffic, that is all of them.

Gavin

From: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Sent: Tuesday, 26 October 2021 11:31 AM
To: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Subject: RE: WFU - CEMP/ Traffic and Transport

CAUTION : Do not click links or open attachments unless you recognise the sender and know the content is safe.
Hi Gavin,

OK – can you confirm that we will be receiving all other plan comments today ?

Thanks

Howard

From: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Sent: Tuesday, 26 October 2021 11:30 AM
To: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Subject: Re: WFU - CEMP/ Traffic and Transport

CAUTION: This email originated from outside of the Organisation.

Howard,
Hi,

Unfortunately due to extensive demands on the time of our Traffic Engineering Team, they/ we cannot guarantee a response by COB Thursday. They will get a response as soon as reasonably practical.

Regards,

Gavin

From: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Sent: Monday, 25 October 2021 1:31 PM
To: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Subject: RE: WFU - CEMP/ Traffic and Transport

CAUTION : Do not click links or open attachments unless you recognise the sender and know the content is safe.
Hi Gavin,

For the Traffic Management Plan - can you please push to have these comments with me by COB Thursday this week at the very latest in order that we can achieve our program / submission deadlines.

Thanks

Howard

From: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>
Sent: Monday, 25 October 2021 12:45 PM
To: Chemney, Howard <Howard.Chemney@pcplr.com.au>
Subject: WFU - CEMP/ Traffic and Transport

CAUTION: This email originated from outside of the Organisation.

Hi Howard,

Ive spoken with our Traffic Engineer Manager and she will need another week to properly respond.

As we agreed, this is the most relevant of the CEMPs.

Will get comments to you next Monday.

Regards,

Gavin

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Chemney, Howard

From: Chemney, Howard
Sent: Tuesday, 5 October 2021 5:08 PM
To: Gavin McConnell
Cc: Rob Owens; Jacqueline McKenzie
Subject: RE: Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan consultation
Attachments: WHTBLWFU-CPBD-NWW-EO-PLN-000004-B_FFMP.pdf; WHTBLWFU-CPBD-NWW-NV-PLN-000005-B_NVMP.pdf; WHTBLWFU-CPBD-NWW-WA-PLN-000006-B_SWMP.pdf; WHTBLWFU-CPBD-NWW-HE-PLN-000007-B_HM.pdf; WHTBLWFU-CPBD-NWW-AH-PLN-000008-B_AQMP.pdf

Hi Gavin,

First set of subplans as follows attached:

- Noise & Vibration Management Sub-plan
- Flora & Fauna Management Sub-plan
- Air Quality and Odour Management Sub-plan
- Soil and Surface Water Management Sub-plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

Note I will send the Traffic, Transport and Access Management Sub-plan via drop box given its size.

Any issues then give me a call.

Many thanks

Howard
0410 542 009

From: Chemney, Howard
Sent: Tuesday, 5 October 2021 5:04 PM
To: 'Gavin McConnell' <Gavin.McConnell@northsydney.nsw.gov.au>
Cc: 'Rob Owens' <Rob.Owens@transport.nsw.gov.au>; 'Jacqueline McKenzie' <jacqueline.mckenzie@dswjv.com.au>
Subject: RE: Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan consultation

Hi Gavin,

Further to the below emails and apologies for not sending these last Friday as indicated - please find attached both the CEMP (Construction Environmental Management Plan) and the ASEM (Ancillary Site Establishment Management Plan) for the Warringah Freeway Upgrade for Councils review.

In addition, please note the CEMP has a number of sub-plans relevant to this stage of the works identified as follows:

- Traffic, Transport & Access Management Sub-plan
- Noise & Vibration Management Sub-plan
- Flora & Fauna Management Sub-plan
- Air Quality and Odour Management Sub-plan
- Soil and Surface Water Management Sub-plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

I will send these on in separate emails / via drop box given size limitations.

As indicated below, the consultation period for all these plans is for 3 weeks and therefore all comments must now be received back by Tuesday 26th October. Comments received after this date may not be addressed in time and will be considered during future revisions. We are also happy to assist you in your review of the document by undertaking a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Many thanks

Howard

From: Chemney, Howard

Sent: Tuesday, 28 September 2021 5:53 AM

To: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>

Cc: Rob Owens <Rob.Owens@transport.nsw.gov.au>; Jacqueline McKenzie <jacqueline.mckenzie@dswjv.com.au>

Subject: Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan consultation

Hi Gavin,

Further to the below – it is also a requirement of Condition A17 of the Infrastructure Approval SSI 8863 that we consult with Council on the Ancillary Site Establishment Management Plan (ASEMP). This plan outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities / construction support sites. A snippet of this condition is reproduced below:

SITE ESTABLISHMENT WORK

Ancillary Site Establishment Management Plan

A17 Before establishment of any construction ancillary facility (excluding minor construction ancillary facilities determined by the **ER** to have minimal environmental impact and those established under **Condition A19**), the Proponent must prepare an **Ancillary Site Establishment Management Plan** which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The **Ancillary Site Establishment Management Plan** must be prepared in consultation with the relevant council and government agencies. The Plan must be submitted to the Planning Secretary for approval one month before the establishment of any construction ancillary facilities. The **Ancillary Site Establishment Management Plan** must detail the management of the construction ancillary facilities and include:

- (a) a description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site);
- (b) figures illustrating the proposed operational site layout and the location of the closest sensitive land user(s);
- (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment work;
- (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:
 - (i) meet the performance outcomes stated in the documents listed in **Condition A1**, and
 - (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and
- (e) a program for monitoring the performance outcomes, including a program for construction noise monitoring.

Nothing in this condition prevents the Proponent from preparing individual **Ancillary Site Establishment Management Plans** for each construction ancillary facility.

We will be sending over the ASEMP for consultation with Council this Friday 1st October.

As with the CEMP sub-plans, the consultation period is for 3 weeks and therefore all comments must be received back by Friday 22nd October. Comments received after this date may not be addressed in time and will be considered during future revisions. We are also happy to assist you in your review of the document by undertaking a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Please note that TfNSW will also be issuing this plan formally for consultation via the DPIE Portal.

Thanks

Howard Chemney

Environment & Sustainability Manager

Warringah Freeway Upgrade

M 0410 542 009

E Howard.Chemney@cpbcon.com.au

From: Chemney, Howard

Sent: Monday, 27 September 2021 6:20 PM

To: Gavin McConnell <Gavin.McConnell@northsydney.nsw.gov.au>

Cc: Rob Owens <Rob.Owens@transport.nsw.gov.au>; Jacqueline McKenzie <jacqueline.mckenzie@dswjv.com.au>

Subject: Warringah Freeway Upgrade - Construction Environmental Management Plan consultation

Hi Gavin,

This email is to advise you that CPB Downer JV will be sending over a number of sub-plans to the Warringah Freeway Upgrade Construction Environmental Management Plan (CEMP) for consultation with Council this Friday 1st October.

Our requirement to consult with Council on these plans is contained in Condition C4 of the Infrastructure Approval SSI 8863 as snipped below and included in the attachment.

C4 The following **CEMP Sub-plans** must be prepared in consultation with the relevant government agencies identified for each **CEMP Sub-plan**. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant **CEMP Sub-plan**, including copies of all correspondence from those agencies as required by **Condition A5**.

	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan
(a)	Traffic, transport and access	Relevant council(s)
(b)	Noise and vibration	NSW Health, relevant council(s)
(c)	Flora and Fauna	DPI Fisheries, DPIE Water, EESG, and relevant council(s)
(d)	Air quality and odour	NSW Health, and relevant council(s)

(e)	Soil and surface water	DPIE Water, EESG, EPA, Sydney Water (if Sydney Water's assets are affected) and relevant council(s)
(f)	Groundwater	DPIE Water, EESG, EPA, Sydney Water (where it is proposed to discharge groundwater into Sydney Water's assets) and relevant council(s)
(g)	Maritime Heritage	Heritage NSW and relevant council(s)
(h)	Non-Aboriginal Heritage	Heritage NSW and relevant council(s)
(i)	Aboriginal Cultural Heritage	Heritage NSW
(j)	Dredging and Disposal Management Plan	EPA, DPI Fisheries, Port Authority of NSW (including Harbour Master)

Specifically we are required to consult with Council on the following project relevant sub-plans:

- Traffic, Transport & Access Management Sub-plan
- Noise & Vibration Management Sub-plan
- Flora & Fauna Management Sub-plan
- Air Quality and Odour Management Sub-plan
- Soil and Surface Water Management Sub-plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

The consultation period is for 3 weeks and therefore all comments must be received back by Friday 22nd October. Comments received after this date may not be addressed in time and will be considered during future revisions.

To assist you in your review of the documents we are happy to undertake a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Please note that TfNSW will also be issuing these plans formally for consultation via the DPIE Portal.

Thanks

Howard Chemney

Environment & Sustainability Manager

Warringah Freeway Upgrade

M 0410 542 009

E Howard.Chemney@cpbcon.com.au

Appendix 2 Willoughby Council consultation Records

27 October 2021

Howard Chemney
CPB Downer Joint Venture
Howard.Chemney@cpbcon.com.au
Warringah Freeway Upgrade project

Dear Sir,

**RE: WARRINGAH FREEWAY UPGRADE – ANCILLARY SITE ESTABLISHMENT PLAN (ASEMP)
AND CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP) SUB-PLANS –
COMMENTS FROM WILLOUGHBY CITY COUNCIL**

Infrastructure Approval (Application no. SSI 8863) for the Western Harbour Tunnel (WHT) and Warringah Freeway Upgrade (WFU) project was granted by the Minister for Planning and Public Spaces on 21 January 2021. The WHT/WFU project is being constructed in three stages:

Stage 1 – Early and Enabling Works:

- **Stage 1A** – Critical utility installation, relocation and protection
- **Stage 1B** – Cammeray Golf Course adjustment works

Stage 2 – Warringah Freeway Upgrade project

- **Stage 2A** – Warringah Freeway Upgrade early works
- **Stage 2B** – Warringah Freeway Upgrade main works

Stage 3 – Western Harbour Tunnel project

Council understands that the CPB Downer Joint Venture has been selected by the NSW Government to deliver Stage 2 – the WFU project.

As part of the conditions of the Infrastructure Approval, the CPB Downer Joint Venture is required to consult with Council on a range of plans related to the WFU project. Accordingly, draft versions of the following documents were sent to Willoughby City Council (Council) via email on 5 October 2021 requesting comment:

1. **Ancillary Site Establishment Plan (ASEMP)**
2. **Construction Environmental Management Plan (CEMP) Sub-Plans:**
 1. Traffic, Transport & Access Management Sub-Plan
 2. Noise & Vibration Management Sub-Plan
 3. Flora & Fauna Management Sub-Plan
 4. Air Quality and Odour Management Sub-Plan
 5. Soil and Surface Water Management Sub-Plan
 6. Heritage Management Sub-Plan

Given the WFU project footprint and proposed construction works are located almost completely within the North Sydney Council local government area (LGA), the impacts on Willoughby City Council are likely to be minimal. However, Council has reviewed most of the Plans and provides the following comments to ensure that environmental, traffic and transport and other impacts are satisfactorily managed.

1. Ancillary Site Establishment Management Plan (ASEMP):

Reference no. **WHTBLWFU-CPBD-NWW-EV-PLN-000001-B**

Dated 1 October 2021

Given the size of the ASEMP and relatively short time in which to provide a response, Council staff have not had the opportunity to review this Plan in detail. However, following a recent meeting with the CPB Downer Joint Venture project team where the ASEMP was discussed, Council is able to provide the following general comments.

The ASEMP relates to the Warringah Freeway Upgrade (WFU) project and has been prepared in accordance with the Minister's Conditions of Approval (MCoA) for the Western Harbour Tunnel and Warringah Freeway Upgrade project.

The ASEMP has been prepared to address the requirements of MCoA, the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement (dated January 2020) (the EIS), the Western Harbour Tunnel and Warringah Freeway Upgrade Response to Submissions Report (dated September 2020) (the RtS) and applicable guidance and legislation.

This ASEMP applies to the WFU component of the project, the key features of which include the following:

- Upgrade and reconfiguration of the Warringah Freeway from immediately north of the Sydney Harbour Bridge through to Willoughby Road at Naremburn.
- Upgrades to interchanges at Falcon Street in Cammeray and High Street in North Sydney.
- New and upgraded pedestrian and cyclist infrastructure.
- New, modified and relocated road and shared user bridges across the Warringah Freeway
- Connection of the Warringah Freeway to the portals for the Western Harbour Tunnel mainline tunnels and the Beaches Link tunnels, which will consist of a combination of trough and cut and cover structures.
- Upgrades to existing roads around the Warringah Freeway to integrate the Project with the surrounding road network.
- Upgrades and modifications to bus infrastructure, including relocation of the existing bus layover along the Warringah Freeway, and improvements to the geometry and connectivity of the existing southbound bus lane.



- Other operational infrastructure, including surface drainage and utility infrastructure, signage, tolling, lighting, CCTV and other traffic management systems.

The ASEMP outlines the environmental management practices and procedures to be implemented for the establishment of construction ancillary facilities and must be submitted to the Planning Secretary for approval one month before the installation of any ancillary facilities (excluding minor construction ancillary facilities).

As per Figure 1-2 (Overview of the construction support sites) on page 16 of the ASEMP, none of the construction support sites for the WFU project are located within the Willoughby LGA. There is proposed to be a site WHT11 Waltham Street in Artarmon however it is presumed that this will only be used as part of the later Stage 3 WHT works.

Given these facts, Council has no comments on the ASEMP at this stage. It seems comprehensive and thorough in its detail and proposed environmental management measures. Council requests that the project team consult with Council in future as required and as detailed in Section 7.6 (Community Engagement) on page 77 of the ASEMP.

2. Construction Environmental Management (CEMP) Sub-Plans:

2.1 Traffic, Transport & Access Management Sub-Plan (TTAMP)

Reference no. WHTBLWFU-CPBD-NWW-TF-PLN-000003-B

Dated 1 October 2021

Given the size of the TTAMP and relatively short time in which to provide a response, Council staff have not had the opportunity to review this Plan in detail. However, following a recent meeting with the CPB Downer Joint Venture (CCPBJV) project team on 13 October 2021, where the TTAMP was discussed, Council is able to provide the following general comments.

At this meeting, the CPBDJV project team outlined the broad scope of the TTAMP and its road network and road network management approach. The minutes for this meeting previously provided to Council by CPBDJV reflect the discussion, selected areas of concern for Council and operational arrangements for liaison with Council. It is noted that the TTAMP appears to provide mechanisms for these concerns to be managed.

It is understood that the main area of works for the WFU project will be located south of Brook St i.e. within North Sydney LGA. Minimal or no construction activity is planned beyond Brook St, outside of any advanced warning signs and incidence response measures.

Nevertheless, construction works are likely to have impacts in terms of flow-on construction traffic effects and delays to existing traffic flows within the vicinity of the project. As such, Council wants to ensure that such impacts are minimised and adequately managed.



Council would like the TTAMP to provide assurance that it addresses and minimises the impacts from the construction of the WFU project in relation to the Willoughby LGA in at least the following key areas of concern:

- Safety for all road users, access to the Willoughby LGA, congestion minimisation, no or minimal movement of construction traffic in Willoughby LGA and no construction worker parking.
- The flexibility for Council to raise issues and for these to be resolved in an acceptable manner, which may include, and not limited to, changes to the TTAMP, site specific management plans, infrastructure, technology, operational and communication measures
- To seek and receive accurate and timely advice in response to community concerns.

In addition, the following advice is provided on specific matters related to the TTAMP:

Road network management and operation in Willoughby City Council

- Please note that road network management and operation in Willoughby City Council is managed through a broad and comprehensive permit system including: Road Opening permits, Crane/Heavy Plant and Road Occupancy permits and Work Zone permits. The provision of permits is mandatory when work is to be undertaken on Council's road network. There is a fee and conditions applicable for all permits. Council requests that the CPBDJV project team contact the Traffic and Transport Team should any such permits be required.

Heavy vehicle movements

- The surge in heavy vehicle movements associated with the construction of the WFU project increases the risks of delays, queues, congestion, noise, and air pollution, particularly during weekday morning and afternoon peak periods and potential for incidents on Willoughby Council's local road network. It is critical that the current operation, use and performance of the routes used for all sites are effectively investigated and all safety hazards identified so that the hazards are mitigated to always maximise safety for all road users.
- Haulage Routes (North) on page 66 of the TTAMP does not indicate the route taken in Miller Street as it approaches the Warringah Freeway. It is Council's preference that all heavy vehicles turn right and use the Warringah Freeway to head southerly and not use Strathallen Avenue. Strathallen Avenue is a narrow State Road with both significant horizontal and vertical alignment changes that would lead to safety and amenity (noise) issues for residents if heavy vehicles use this route.

Bicyclist and pedestrian safety and amenity

- The need to maximise the safety and amenity of bicyclist and pedestrians during construction is recognised in the TTAMP. The approach adopted is outlined in Section 4.6 and Section 5.7. The information provided does not address the impact when traffic changes impact on bicycle

routes such as the proposed arrangements at the bicycle link connecting Warringah Freeway with Amherst Street.

- There is significant concern with the management of bicyclists (and pedestrians) along the Warringah Freeway, west of the Brook Street on-ramp; and at the Brook Street on-ramp. The plans provided in the TTAMP i.e. WFU-JAJ-DRG-TW-00-(1106, 1107, 1206, 1216, 1306, 1316, 1406, 1506, 2006 and 2106) indicate the retention of the two-way bicycle link along the Freeway and crossing of the Brook Street on-ramp to/from Amherst St and Warringah Freeway under multiple traffic changes.
- The safety of bicyclists under this arrangement is of significant concern. These vulnerable road users will need to negotiate a road environment with construction infrastructure, changing road and traffic management environments and high speed traffic movements. Council is requesting that the CPBDJV project team review the management approach and designs to maximise safety for bicyclists at this location including considering options such as provision of infrastructure to grade separate motor vehicle and bicyclists; and the temporary closure and rerouting to eliminate this conflict point.

Future consultation on traffic and transport matters

- As per Section 6.2.1 of the TTAMP, it is understood that a Traffic and Transport Liaison Group (TTLG) will be created by the project team and is proposed to meet monthly to discuss construction staging, community concerns associated with traffic changes, impacts on road, path and public transport users and operators. Furthermore, a Traffic Control Group (TCG) is also described in Section 6.2.2 however these will be weekly meetings.
- Council has previously confirmed that a representative from Council's Traffic and Transport Team will be able to attend the more infrequent TTLG meetings as required. Council requests that the CPBDJV project team contact the Traffic and Transport Team to confirm attendance and agendas for these future meetings.

2.2 Noise & Vibration Management Sub-Plan:

Reference no. WHTBLWFU-CPBD-NWW-NV-PLN-000005-B

Dated 1 October 2021

Council has reviewed the Noise and Vibration Management Sub-Plan and the Noise and Vibration Monitoring Program and finds them satisfactory. The following additional comments are provided.

It is highly likely that Council will receive complaints from the community in regards to construction noise. The MCoA are quite extensive and cover community consultation, out of hours work and monitoring. Complaints should be directed to the Community Complaints Mediator and the Environmental Protection Authority (EPA).



2.3 Flora & Fauna Management Sub-Plan:

Reference no. WHTBLWFU-CPBD-NWW-EO-PLN-000004

Dated 1 October 2021

Council has not reviewed this Sub-Plan in detail. Given the works will take place within the North Sydney LGA, there would seem to be negligible impacts on flora and fauna within the Willoughby LGA. However, it is noted that Willoughby Creek and Flat Rock Creek have been mentioned in the Sub-Plan. Although these creeks are located some distance from the existing Freeway and proposed project footprint, the project team should contact Council to discuss any requirements and appropriate environmental management measures, should direct or indirect impacts be identified in future that have not already been identified and addressed in this Sub-Plan.

2.4 Air Quality and Odour Management Sub-Plan:

Reference no. WHTBLWFU-CPBD-NWW-AH-PLN-000008-B

Dated 1 October 2021

Council has reviewed this Sub-Plan and finds it satisfactory. Air quality impacts are a particular area of concern for both Council and the community, both from the works themselves and construction traffic to, from and within the project footprint. Given the works will take place within the North Sydney LGA, there would seem to be only minor, peripheral impacts in terms of air quality and odour within the Willoughby LGA. Council strongly encourages the project team to ensure that air quality monitoring procedures are thorough and transparent to assuage community concerns both within Willoughby and North Sydney LGAs.

2.5 Soil and Surface Water Management Sub-Plan:

Reference no. WHTBLWFU-CPBD-NWW-WA-PLN-000006

Dated 1 October 2021

Council has reviewed the Soil and Surface Water Management Sub-Plan and makes the following comments.

The MCoA refer to a Section A1 or A2 Site Audit Statement accompanied by an Environmental Management Plan (EMP). No mention is made in regard to consultation with the EPA or councils on the suitability of the EMP if there are ongoing maintenance requirements in terms of encapsulated/remaining contaminated material or monitoring/pretreatment prior to discharge of groundwater back into the aquifer. Whilst the Site Auditor will be responsible for ensuring the suitability of any EMP, bodies responsible for the management of the land or the receiving waters impacted by the EMP should be consulted with to ensure the plan is practicable and reasonable, plus there could be ongoing costs. Whilst the MCoA cannot be modified, a written undertaking could be made by the certified Contaminated Land Consultant to conduct consultation with the land



owners/managers and relevant councils regarding the suitability of any proposed EMP before it is submitted to the Site Auditor for assessment and a Site Audit Statement is issued.

2.6 Heritage Management Sub-Plan:

Reference no. **WHTBLWFU-CPBD-NWW-HE-PLN-000007**

Dated 1 October 2021

Council has reviewed the Heritage Management Sub-Plan and makes the following comments.

From a review of Willoughby Local Environmental Plan 2012 (LEP) heritage mapping and:

- Figure 5-1 (AHIMS site in the vicinity of the project area)
- Figure 5-2 (Location of non-Aboriginal heritage items and potential heritage items within the project area Map 1 of 2)
- Figure 5-3 (Location of non-Aboriginal heritage items and potential heritage items within the project area Map 2 of)

of the Heritage Sub-Plan, it is noted that the southwest border of the Naremburn Central Township heritage conservation area is located next to the existing Warringah Freeway. Several local heritage items are also located in the vicinity of Willoughby Rd and its intersection with the Freeway.

According to section 5.2 of the Heritage Sub-Plan (pg. 20):

Of those heritage items identified within the study area, 134 items would either have no impact or a negligible impact from the Project due to either the low impact activities proposed or the distances between these items and the project construction works. Impacts on these 134 items would be limited to temporary noise, vibration and/or visual impacts during construction, and managed through the implementation of minimum working distances for vibration intensive construction activities and other standard construction management measures.

It is unclear why the two heritage conservation areas in the North Sydney Council LGA (Camberay Conservation Area and Holtermann Estate A Conservation Area, Crows Nest) have been listed in Table 5-1 (Non-Aboriginal heritage items within the project area) of the Heritage Sub-Plan, but the aforementioned Naremburn Central Township heritage conservation area has not.

It is also unclear from the various documents what exactly is planned in the vicinity of this area, but presumably it would be various roadworks that create noise and vibration. As such, Council believes there may be indirect impacts on the Naremburn Central Township heritage conservation area, similar to those listed for the two North Sydney heritage conservation areas, namely:



- *Temporary and permanent visual impacts due to the removal of heritage fabric and the construction of permanent operational infrastructure within and adjacent to the heritage boundary.*
- *Temporary vibration impacts due to construction activities within and adjacent to the heritage boundary.*

As such, Council requests further clarification on what, if any, measures are proposed to safeguard properties located within the Naremburn Central Township heritage conservation area, as well as the several local heritage items located in the vicinity of Willoughby Rd and the Freeway.

In this regard, Council notes the requirements of Conditions E79, E80 and E81 of the Infrastructure Approval and the proposed environmental mitigation and management measures as detailed in section 7.7 (Vibration monitoring and acoustic treatment of heritage items) of the Heritage Sub-Plan.

There are no Aboriginal (AHIMS) heritage items located within vicinity of the project area and thus Council would agree that there would be no impacts on the AHIMS items mapped in the Willoughby LGA for this stage of the broader WHT and WFU project. Such impacts would be related to the future Beaches Link and Gore Hill Freeway Connection project.

Conclusion:

Thank you for your giving Council the opportunity to provide comment on these Plans. Please contact Andrew Gillies, Strategic Transport Planner on **9777 7655** or Andrew.Gillies@Willoughby.nsw.gov.au if you wish to discuss these matters further.

Yours sincerely,

Ian Arnott
PLANNING MANAGER

Chemney, Howard

From: Chemney, Howard
Sent: Tuesday, 5 October 2021 5:47 PM
To: Chris Binns; Andrew Gillies; Gordon.Farrelly@Willoughby.nsw.gov.au
Cc: Rob Owens; Jacqueline McKenzie
Subject: RE: Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan (ASEMP) / Construction Environmental Management Plan sub-plans
Attachments: WHTBLWFU-CPBD-NWW-EO-PLN-000004-B_FFMP.pdf; WHTBLWFU-CPBD-NWW-NV-PLN-000005-B_NVMP.pdf; WHTBLWFU-CPBD-NWW-WA-PLN-000006-B_SWMP.pdf; WHTBLWFU-CPBD-NWW-HE-PLN-000007-B_HM.pdf; WHTBLWFU-CPBD-NWW-AH-PLN-000008-B_AQMP.pdf

Hi Chris, Andrew and Gordon,

As indicated in the email below, please find attached the following sub-plans for your review:

- Noise & Vibration Management Sub-plan
- Flora & Fauna Management Sub-plan
- Air Quality and Odour Management Sub-plan
- Soil and Surface Water Management Sub-plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

The Traffic, Transport and Access Management Sub-plan will be sent via dropbox due to its size.

Thanks

Howard Chemney

Environment & Sustainability Manager

Warringah Freeway Upgrade

M 0410 542 009

E Howard.Chemney@cpbcon.com.au

From: Chemney, Howard <Howard.Chemney@cpbcon.com.au>
Sent: Tuesday, 5 October 2021 5:44 PM
To: 'Chris Binns' <Chris.Binns@Willoughby.nsw.gov.au>; 'Andrew Gillies' <Andrew.Gillies@Willoughby.nsw.gov.au>; 'Gordon.Farrelly@Willoughby.nsw.gov.au' <Gordon.Farrelly@Willoughby.nsw.gov.au>
Cc: 'Rob Owens' <Rob.Owens@transport.nsw.gov.au>; 'Jacqueline McKenzie' <jacqueline.mckenzie@dswjv.com.au>
Subject: Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan (ASEMP) / Construction Environmental Management Plan sub-plans

Hi Chris, Andrew and Gordon,

This email is to advise you that CPB Downer JV are required to consult with Willoughby Council on the Ancillary Site Establishment Management Plan (ASEMP) and Construction Environmental Management Plan (CEMP) sub-plans as detailed in conditions A17 and C4 of the Infrastructure Approval SSI 8863 for the Warringah Freeway Upgrade (see attachment).

With regards to the CEMP sub-plans we are required to consult with Council on the following sub-plans:

- Traffic, Transport & Access Management Sub-plan
- Noise & Vibration Management Sub-plan
- Flora & Fauna Management Sub-plan

- Air Quality and Odour Management Sub-plan
- Soil and Surface Water Management Sub-plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

Please find attached the Ancillary Site Establishment Management Plan (ASEMP) for your review with the other sub-plans to follow in a separate email. The Traffic, Transport and Access Management Sub-plan will be sent via dropbox due to its size.

Please note the consultation period for all plans is for 3 weeks and therefore all comments must be received back by Tuesday 26th October. Comments received after this date may not be addressed in time and will be considered during future revisions.

To assist you in your review of the documents we are happy to undertake a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Please note that TfNSW will also be issuing these plans formally for consultation via the DPIE Portal.

Thanks

Howard Chemney

Environment & Sustainability Manager

Warringah Freeway Upgrade

M 0410 542 009

E Howard.Chemney@cpbcon.com.au

Appendix 3 Heritage NSW consultation records



Our ref: SF17/514418
DOC21/866845

Howard Chemney
Environment & Sustainability Manager
Warringah Freeway Upgrade

By email: Howard.Chemney@cpbcon.com.au
CC: Rob Owens Rob.Owens@transport.nsw.gov.au

Dear Howard,

Proponent Request for Advice - Western Harbour Tunnel & Warringah Freeway Upgrade (SSI 8863-PA-83)

Thank you for your referral dated 1 October 2021 inviting comments from the Heritage Council of NSW on the above SSI project (approved 21 January 2021).

I understand that the stages of the project comprise:

- Stage 1 - Early and enabling works
 - Stage 1A – Critical utility installation, relocation and protection (CUT)
 - Stage 1B – Cammeray Golf Course adjustment works (CGC)
- Stage 2 - Warringah Freeway Upgrade project
 - Stage 2A – Warringah Freeway Upgrade early works (WFUEW)
 - Stage 2B – Warringah Freeway Upgrade main works (WFUMW)
- Stage 3 - Western Harbour Tunnel project (WHT)
 - Supplementary stages to be confirmed at a later stage (upon procurement of the WHT Development Partner)

Condition A17 and **Condition C4** of the Infrastructure Approval SSI 8863 require that Heritage NSW be consulted on the Construction Environmental Management Plan (CEMP) **Heritage Management Sub-plan** (which includes both Aboriginal Cultural Heritage and Non-Aboriginal Heritage) and the **Ancillary Site Establishment Management Plan** respectively.

I understand that the above plans are for the Warringah Freeway Upgrade project. I have been advised that separate plans will be prepared for Stage 3 (Western Harbour Tunnel project).

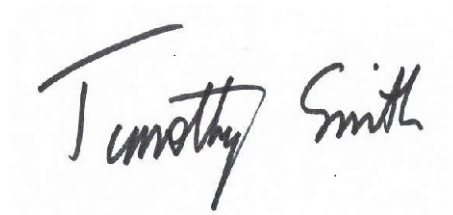
Thank you for presenting the Warringah Freeway Upgrade Heritage Management Sub-plan and the Warringah Freeway Upgrade ASEMP to Heritage NSW on 14 October 2021. The briefing was helpful and allowed questions to be answered and issues clarified.

The mitigation and management measures in the plans are supported to protect significant heritage values and to mitigate heritage impacts. As delegate of the Heritage Council of NSW, I do not have any further comments to make on the above two plans.

If you have any questions regarding the above advice on SSI 8863 Condition A17 and Condition C4, please contact Hendry Wan (Senior Heritage Officer, Major Projects) at Heritage NSW, on (02) 8837 6090 or Hendry.Wan@environment.nsw.gov.au

Thank you for this opportunity to comment on the relevant heritage matters.

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style, with the first name "Timothy" and the last name "Smith" clearly legible.

Tim Smith OAM

Director Heritage Operations

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

25 October 2021

Chemney, Howard

From: Chemney, Howard
Sent: Friday, 1 October 2021 11:44 AM
To: Hendry.wan@environment.nsw.gov.au; heritagemailbox@environment.nsw.gov.au
Cc: Rob Owens; Jacqueline McKenzie
Subject: RE: : Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan consultation - NSW Heritage
Attachments: WHTBLWHU-CPBD-NWW-EV-PLN-000001-B_ASEMP.pdf; WHTBLWFU-CPBD-NWW-HE-PLN-000007-B_HM.pdf

Hi Hendy,

Further to the below correspondence, please find attached the following plans for your consultation:

- Ancillary Site Establishment Management Plan
- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

The consultation period is for 3 weeks and therefore we request all comments must be received back by Friday 22nd October.

Please give me a call if you need any clarification.

Thanks

Howard

0410 542 009

From: Chemney, Howard
Sent: Tuesday, 28 September 2021 4:29 PM
To: Hendry.wan@environment.nsw.gov.au; heritagemailbox@environment.nsw.gov.au
Cc: Rob Owens <Rob.Owens@transport.nsw.gov.au>; Jacqueline McKenzie <jacqueline.mckenzie@dswjv.com.au>
Subject: : Warringah Freeway Upgrade - Ancillary Site Establishment Management Plan consultation - NSW Heritage

Hi Hendy,

Further to the below – it is also a requirement of Condition A17 of the Infrastructure Approval SSI 8863 that we consult with NSW Heritage on the Ancillary Site Establishment Management Plan (ASEMP). This plan outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities / construction support sites. A snippet of this condition is reproduced below:

SITE ESTABLISHMENT WORK

Ancillary Site Establishment Management Plan

A17 Before establishment of any construction ancillary facility (excluding minor construction ancillary facilities determined by the ER to have minimal environmental impact and those established under Condition A19), the Proponent must prepare an **Ancillary Site Establishment Management Plan** which outlines the environmental management practices and procedures to be implemented for the establishment of the construction ancillary facilities. The **Ancillary Site Establishment Management Plan** must be prepared in consultation with the relevant council and government agencies. The Plan must be submitted to the Planning Secretary for approval one month before the establishment of any construction ancillary facilities. The **Ancillary Site Establishment Management Plan** must detail the management of the construction ancillary facilities and include:

- (a) a description of activities to be undertaken during establishment of the construction ancillary facility (including scheduling and duration of work to be undertaken at the site);
- (b) figures illustrating the proposed operational site layout and the location of the closest sensitive land user(s);
- (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment work;
- (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:
 - (i) meet the performance outcomes stated in the documents listed in Condition A1, and
 - (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and
- (e) a program for monitoring the performance outcomes, including a program for construction noise monitoring.

Nothing in this condition prevents the Proponent from preparing individual **Ancillary Site Establishment Management Plans** for each construction ancillary facility.

We will be sending over the ASEMP for consultation with NSW Heritage this Friday 1st October.

As with the CEMP sub-plans, the consultation period is for 3 weeks and therefore all comments must be received back by Friday 22nd October. Comments received after this date may not be addressed in time and will be considered during future revisions. We are also happy to assist you in your review of the document by undertaking a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Please note that TfNSW will also be issuing this plan formally for consultation via the DPIE Portal.

Thanks

Howard Chemney

Environment & Sustainability Manager

Warringah Freeway Upgrade

M 0410 542 009

E Howard.Chemney@cpbcon.com.au

From: Chemney, Howard

Sent: Monday, 27 September 2021 6:49 PM

To: Hendry.wan@environment.nsw.gov.au; heritagemailbox@environment.nsw.gov.au

Cc: Rob Owens <Rob.Owens@transport.nsw.gov.au>; Jacqueline McKenzie <jacqueline.mckenzie@dswjv.com.au>

Subject: Warringah Freeway Upgrade - Construction Environmental Management Plan consultation - NSW Heritage

Hi Hendry,

This email is to advise you that CPB Downer JV will be sending over a number of sub-plans to the Warringah Freeway Upgrade Construction Environmental Management Plan (CEMP) for consultation with NSW Heritage this Friday 1st October.

Our requirement to consult with NSW Heritage on these plans is contained in Condition C4 of the Infrastructure Approval SSI 8863 as snipped below and included in the attachment.

C4 The following **CEMP Sub-plans** must be prepared in consultation with the relevant government agencies identified for each **CEMP Sub-plan**. Details of all information requested by an agency during consultation must be provided to the Planning Secretary as part of any submission of the relevant **CEMP Sub-plan**, including copies of all correspondence from those agencies as required by **Condition A5**.

	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan
(a)	Traffic, transport and access	Relevant council(s)
(b)	Noise and vibration	NSW Health, relevant council(s)
(c)	Flora and Fauna	DPI Fisheries, DPIE Water, EESG, and relevant council(s)
(d)	Air quality and odour	NSW Health, and relevant council(s)

(e)	Soil and surface water	DPIE Water, EESG, EPA, Sydney Water (if Sydney Water's assets are affected) and relevant council(s)
(f)	Groundwater	DPIE Water, EESG, EPA, Sydney Water (where it is proposed to discharge groundwater into Sydney Water's assets) and relevant council(s)
(g)	Maritime Heritage	Heritage NSW and relevant council(s)
(h)	Non-Aboriginal Heritage	Heritage NSW and relevant council(s)
(i)	Aboriginal Cultural Heritage	Heritage NSW
(j)	Dredging and Disposal Management Plan	EPA, DPI Fisheries, Port Authority of NSW (including Harbour Master)

Specifically we are required to consult with NSW Heritage on the following project relevant sub-plans:

- Heritage Management Sub-plan (which includes both indigenous and non-indigenous heritage)

The consultation period is for 3 weeks and therefore all comments must be received back by Friday 22nd October. Comments received after this date may not be addressed in time and will be considered during future revisions.

To assist you in your review of the documents we are happy to undertake a live review / page turn to discuss issues directly. Please contact me should you wish to take up this offer.

Please note that TfNSW will also be issuing these plans formally for consultation via the DPIE Portal.

Thanks

Howard Chemney

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Warringah Freeway Upgrade

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