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Belinda Scott
A/Team Leader - Water
Infrastructure Projects
Department of Planning & Infrastructure
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Dear Ms Scott

Reference is made to the your letter (received by this Branch on the 7th of September) requesting comments on the Environmental Assessment for the water and wastewater servicing of the West Dapto urban release area and adjacent growth areas (MP 09_0189) that is currently on public exhibition. It is noted that comments on this Major Project were previously provided in April 2012.

Accompanying your letter was a copy of the Sydney Water Environmental Assessment (EA) titled 'Water and Wastewater Servicing of the West Dapto Urban Release Area and Adjacent Growth Areas (four volumes) dated September 2012.

This major project covers the provision of water and wastewater services to an area of 420 hectares to service approximately future 30,000 dwellings as part of the West Dapto Urban Release Area and Adjacent Growth Areas in the Illawarra Region. This area currently contains approximately 144 non-indigenous heritage sites of varying levels of significance and the project has the potential to directly impact six sites and potentially impact 56 sites including cemeteries, State significant homesteads and important sites relating to the regions agricultural and dairying history.

It is noted that in regards to this heritage, the EA states that "a number of Aboriginal heritage and non-Aboriginal heritage sites may be impacted by construction of the Proposal. Sydney Water intends to avoid these sites if feasible. However, given the extent of the sites and design limitations on water and wastewater systems, avoidance is unlikely to be practical in all cases. Where sites cannot be avoided through construction methodologies or design alterations, Sydney Water has developed mitigation measures to minimise impacts... For non-Aboriginal heritage sites, mitigation measures may include undertaking further assessment of heritage significance and test excavation" (page 240).

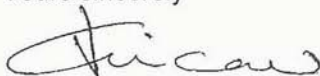
Accordingly, having considered the above documents and the information contained within them the following comments are provided:

1. This project would have a range of impacts on a wide range of heritage including two items which have been assessed as being of State significance – Avondale Homestead and Marshal Mount Homestead, Garden & Outbuildings. The Heritage Branch considers that these impacts are not acceptable.
 - In regards to Avondale Homestead it is noted that this impact relates to water pipes placed in a road corridor proposed by Wollongong City Council which "would pass either through or just south of the main building" (Table 6-28, page 157). The EA also states that this pipeline would only be constructed in this location if Council obtains approval for this road alignment. If Council revises the road alignment, Sydney Water would refine the alignment of the water pipeline such that it remains within the road corridor.
 - In regards to Marshal Mount Homestead, Garden & Outbuildings this impact relates to a water pipeline which is planned to be constructed along Marshall Mount Road which may directly impact the gardens and one outbuilding.

- It is noted that the EA report and its Appendix G (Non-Aboriginal Heritage Assessment) contain different information in regards to Marshall Mount Homestead. The EA states that the works are “unlikely to impact on elements such as the gardens and outbuildings that contribute to the heritage significance of this item” (page 152) while the Non-Aboriginal Heritage Assessment states that a “water pipeline is planned to be constructed along Marshall Mount Road. If constructed along the south-east side of the Marshall Mount Road there is the possibility of direct construction impacts on the gardens and on one outbuilding” (Appendix 1- Summary table of sites and management recommendations).
2. As Sydney Water has shown in the EA it is willing to refine the alignment of the water pipeline which will impact on Avondale, it is considered that Sydney Water should not wait for Wollongong Council to make a decision about the proposed road, but should recognise the outstanding heritage significance of Avondale (as assessed in the EA) and redesign the project to ensure that there are no impacts to Avondale.
 3. Sydney Water should also ensure that the gardens and outbuildings of Marshall Mount Homestead are not impacted during works.
 4. Based on the wide ranging impacts on heritage across the project area the proposed Draft Statement of Commitments (DSoC) (numbered 14-17) are not considered adequate. They will not be capable of mitigating the large number of impacts this project will have on non-indigenous heritage.
 5. Based on the impacts identified in the AECOM non-Indigenous Heritage report it is considered that if Major Project 09_0189 is approved, conditions of Approval must be included (in addition to the four existing DSoC) that state:
 - Each non-Indigenous heritage item identified as being of local or above significance which is to be directly or indirectly impacted by this project must be managed in accordance with the individual and specific recommendations made for each item within Appendix 1 (Summary Table of Sites and Management Recommendations) of the Non-Indigenous Heritage Assessment and Impact Management' dated September 2012.
 - In cases where further archaeological testing or salvage excavation is proposed to minimise project impacts, the chosen Excavation Director must demonstrate in writing that they meet the Heritage Council Excavation Directors Criteria for excavation at these sites. This submission must be sent to the Heritage Branch, Office of Environment & Heritage for comment prior to any archaeological works commencing.
 - Should the layout proposed for the Water and Wastewater Pipelines change during the life time of the project and additional heritage items will be impacted by this change, a Heritage Impact Assessment must be undertaken to identify these impacts and provide mitigation measures to offset them.
 - A Historic Heritage Construction Management Plan must be undertaken prior to works commencing to guide the management and protection of heritage items during construction, particularly in relation to vibration impacts. This Plan must be sent to the Heritage Branch, Office of Environment & Heritage for approval prior to any archaeological works commencing.

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

Yours sincerely



18/09/2012

Vincent Sicari
Manager – Conservation Team
Heritage Branch
Office of Environment & Heritage
As Delegate of the NSW Heritage Council