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Our Ref: A1352885

Stephen O'Donoghue  
NSW Government Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

5 March 2013

Dear Mr O'Donoghue,

**RE: STATE SIGNIFICANT DEVELOPMENT – WATERMARK COAL PROJECT (SSD-4975) –  
COMMENT ON PUBLIC EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT**

On behalf of the Heritage Council of NSW, the Heritage Branch provides response to the Environmental Impact Statement (EIS) prepared for the above project and placed on public exhibition from Thursday 28 February until Friday 26 April 2013.

The project involves the development of an open cut mine, construction and operation of a mine access road, coal handling and preparation plant, surface and groundwater reticulation infrastructure, communications and electricity infrastructure and partial road closures. *Volume 7 Appendix R: Historic Heritage Impact Assessment* identifies 14 historical sites of local significance within the project boundary, 10 of which fall within the indicative disturbance boundary and would be directly impacted (ie. removed) by the proposed development.

In November 2012 our comment was provided, on behalf of the Heritage Council of NSW, regarding the adequacy of methodology employed in the EIS to assess cultural significance, impact mitigation and management of historical heritage for the project. The methodology employed was generally found to be adequate. However, concerns were raised regarding management of the Watermark Public School site which falls within the project boundary, but outside of the indicative disturbance zone. The following comment was made:

- It is noted that the Watermark Public School site is a site of local historical and research potential. Due to the proximity of the site to the indicative mining disturbance zone and the identified archaeological potential it is recommended that a research design and excavation methodology for the site be prepared and included in Part 8 Mitigation and Management.*

It is noted that a research design and excavation methodology for the Watermark Public School site have not been included in the EIS for public exhibition. To ensure the Watermark Public School potential archaeological site is not adversely affected by the proposed development, it is recommended that any consent include the following conditions:



- The Watermark Public School Site is not to be disturbed by the proposed development. To ensure the site is not disturbed a temporary construction fence, marking the perimeter of the Watermark Public School site, is to be erected prior to the commencement of construction works and dissembled upon completion.
- A research design and methodology for any future disturbance or excavation of The Watermark Public School Site is to be included in the Historical Heritage Management Plan for the Project.

To ensure the mitigation and management measures outlined in *Volume 7 Appendix R Part 8 Mitigation and Management* are adopted in accordance with best heritage practice methodologies we would amend our recommended conditions of consent to include the following:

- The Mitigation Measures outlined in *Volume 7 Appendix R - Table 6 Recommended mitigation measures for heritage sites directly impacted by the project* are to be adopted and implemented prior to the commencement of any construction activity.
- A Historical Heritage Management Plan for sites identified in *Volume 7 Appendix R: Table 4 and Table 5* and The Watermark Public School Site is to be prepared by a suitably qualified and experienced heritage consultant. The Historical Heritage Management Plan is to be submitted to the Director General and a copy sent to the Heritage Council of NSW for approval prior to the commencement of any mining activities.
- Conservation Management Plans are to be prepared to guide the conservation of Farm Complex 3 – The Wilgas and Farm Complex 7 – Inverness and submitted to the Director General and a copy sent to the Heritage Council of NSW for approval within one year from Development Approval.

The following recommended conditions of consent outlined in our November 2012 comment remain relevant to the EIS placed on public exhibition:

- *Photographic and archival recording of all affected Heritage items, as identified in the specialist reports prepared as part of the Environmental Impact Assessment for the project, is to be undertaken prior to the commencement of any construction activity. Recording is to be completed in accordance with the Guidelines issued by the Heritage Council of NSW. Copies of these photographic recordings should be made available to the Heritage Branch - Office of Environment and Heritage, and also to the Local Studies Library and the Local Historical Society in the relevant Local Government areas.*
- *If archaeological excavation is undertaken this must be completed in accordance with Heritage Council guidelines and a research design and methodology be submitted for the approval of the Heritage Council. Any nominated archaeologist should meet requirements of the Heritage Council excavation director criteria.*
- *If substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional*



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*assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.*

- *The above conditions should also form a part of any Construction Environmental Management Plan, or equivalent document, prepared for this project.*

The Heritage Branch would be happy to review any further documentation that may address any likely heritage impacts. If you have any further enquiries regarding this matter, please contact Kate Harrison at the Heritage Branch on (02) 9873 8586.

Yours Sincerely

07/03/2013

**Vincent Sicari**  
Manager  
Conservation Team  
Office of Environment and Heritage  
**AS DELEGATE OF THE NSW HERITAGE COUNCIL**