

**Heritage Council**

of New South Wales

3 Marist Place  
Parramatta NSW 2150Locked Bag 5020  
Parramatta NSW 2124  
DX 8225 PARRAMATTATelephone: 61 2 9873 8500  
Facsimile: 61 2 9873 8599[heritage@heritage.nsw.gov.au](mailto:heritage@heritage.nsw.gov.au)  
[www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

Mr Michael Young  
Senior Planner  
Infrastructure Projects  
NSW Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



Contact: Siobhan Lavelle  
Phone: 02 9873 8546  
Fax: 02 9873 8599  
Email: [siobhan.lavelle@heritage.nsw.gov.au](mailto:siobhan.lavelle@heritage.nsw.gov.au)  
File: 11/19367  
Our Ref: A1256153; A1270447; A1309613;  
A1318343



Dear Mr Young,

**RE: SSI – 4963 Pacific Highway Upgrade — Woolgoolga to Ballina Project  
– Public Exhibition of the Environmental Impact Statement**

This letter has been prepared following review of the documents forming the Environmental Impact Statement for the Pacific Highway Upgrade — Woolgoolga to Ballina Project.

It is noted that the Director-General's Requirements (DGRs) issued for the project on 23 November 2011 included Aboriginal and Historic Heritage as a Key issue, requiring consideration of State and local heritage items. The DGRs specifically required assessment of impacts to State and local historic heritage (including archaeology, heritage items and conservation areas), in particular, impacts on the New Italy Settlement and High Conservation Value Old Growth Forest.

The main EIS report and key working papers related to non-Indigenous Heritage components for the Woolgoolga to Ballina project have been reviewed. In particular, this includes Chapter 13 (Main Volume 1B) and also the separate specialist document *Historical (non-Aboriginal) Heritage Assessment* dated November 2012 (FINAL), prepared by Transport NSW, Aurecon and SKM.

Chapter 13 of the main EIS report (Volume 1B) advises that:

*There were 38 heritage items identified near or in the project boundary. Thirty of these sites were identified as being of local or state heritage significance (based on criteria set out in the NSW Heritage Manual).*

*The project would impact on 20 heritage items. 18 heritage items would be directly impacted by the construction of the project (ie be within the project boundary) or indirectly impacted (such as landscape and vista or vibration impacts). Two of these 18 sites are listed on the NSW State Heritage Register (New Italy Settlement and High Conservation Value Old Growth Forest).*

*Two heritage properties listed on local environmental plans would be impacted by the project, but impacts would occur outside the identified heritage curtilage of the items. New Italy Settlement Sites is listed on both the State Heritage Register and the Richmond Valley Local Environmental Plan 2012. There would be no direct impacts on the State Heritage Register sites, but with potential indirect impacts. There would be direct impacts to the local*



*environmental plan listed sites, with the Monument to the Pioneers being relocated out of the project boundary and the removal of Roder's Well and mango orchard.*

*The project would impact on the High Conservation Value Old Growth Forest, impacting on 2.14 hectares of the item. All impacts are in areas adjacent to the existing Pacific Highway. This equates to around 0.001 per cent of the entire heritage listing. Due to the widespread nature of this heritage item in the region, the project could not avoid impacts to this item.*

*To manage or mitigate impacts to non-Aboriginal heritage items, a range of measures have been identified including photographic condition survey before construction, protection during construction (through fencing or structural support), archival recording or relocation of structures.*

The Heritage report indicates that a range of mitigation measures are recommended which would lead to outcomes ranging from avoidance of impacts through protection to archaeological salvage excavation or recording prior to destruction.

The Heritage Branch provided comment on the draft EIS by letter dated 1 November 2012. That letter specifically suggested that additional information should be provided regarding the assessment of the impact on the High Conservation Value Old Growth Forest and that some increased explanation of the relationship to the biodiversity offset strategy being development for the whole project would be desirable. It is noted that the Heritage component of the exhibited EIS document has not provided any additional level of information than previously. Therefore the previous comment stands and has not been addressed in the document reviewed.

Should the project be approved it is recommended that the Conditions of Approval should include matters similar to the following:

1. The Proponent shall prepare a Non-Indigenous Heritage Management Plan in consultation with the Heritage Council of NSW to identify all heritage mitigation works. That document shall include details of all procedures to be implemented during the works in relation to non-Indigenous heritage items.
2. A specialist heritage consultant shall be nominated for the works. The consultant shall have appropriate qualifications and experience commensurate with the scope of the Major Project works. The name and experience of this consultant shall be submitted to the Director-General of Planning & Infrastructure for approval prior to commencement of works. The heritage consultant shall advise on the detail design resolution of new works, undertake on-site heritage inductions, and shall inspect new works, design and installation of services (to minimise impacts on significant fabric and views) and manage the implementation of the conditions of approval for the Project.
3. All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW.
4. Significant heritage items and built elements are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.
5. More detailed research and other investigations are to be undertaken for each identified heritage item which will be negatively affected by the proposal to address specific impacts arising from more detailed design development and to provide mitigation and management measures for those impacts.
6. Photographic and archival recording of all affected Heritage items, as identified in the specialist reports prepared as part of the Environmental Impact Statement 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 Council, the




Department of Planning & Infrastructure, and also to the Local Studies Library and the Local Historical Society in the relevant local area(s).

7. All affected historical archaeological sites of Local and State significance are to be subject to professional archaeological excavation and/or recording before construction works commence. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines for each site which is to be excavated. Those documents should be prepared for the approval of the Director-General, Department of Planning & Infrastructure and the Heritage Council of NSW or its Delegate.
8. The nominated Excavation Director(s) for the project works must meet the Heritage Council endorsed Criteria for Excavation Directors for open area salvage excavations of State significant sites.
9. After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and the Local Historical Society in the relevant Local Government area(s). The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The information within the final excavation report shall be required to include the following:
  - a/. An executive summary of the archaeological programme;
  - b/. Due credit to the client paying for the excavation, on the title page;
  - c/. An accurate site location and site plan (with scale and north arrow);
  - d/. Historical research, references, and bibliography;
  - e/. Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
  - f/. Nominated repository for the items, which has agreed to take the items;
  - g/. Detailed response to research questions (at minimum those stated in the Department of Planning and Heritage Council approved Research Design);
  - h/. Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site;
  - i/. Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

Thank you for referring this proposal for comment.

For further contact in relation to this matter please phone Dr Siobhan Lavelle on 9873 8546.

Yours sincerely



15/02/2013

**Vincent Sicari**

Manager, Conservation Team

Heritage Branch

Office of Environment and Heritage

Department of Premier & Cabinet

**AS DELEGATE OF THE NSW HERITAGE COUNCIL**