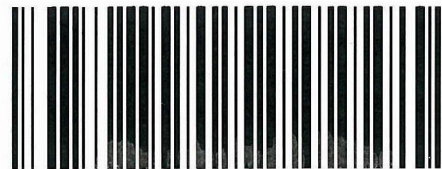


Our reference: DOC10/37231  
Contact: Lou Ewins (02) 9995 6802



PCU014555

Michael Buckley  
A/Director  
Government Lands & Social Projects  
Department of Planning  
GPO Box 39  
Sydney NSW 2001



Dear Mr Buckley,

**Re: Proposed Vehicle and Pedestrian Safety Project Sydney Opera House (MP 09-0200)**

Thank you for providing the Department of Environment Climate Change and Water (DECCW) the opportunity to comment on the Environmental Assessment for the above project.

The EA "*Vehicle and Pedestrian Safety Project at the Sydney Opera House* Byrne & Associates July 2010, includes a report on the assessment of Aboriginal heritage by Godden MacKay Logan Aboriginal heritage (Annexures D and E). This assessment notes that an Aboriginal midden (AHIMS#45-6-1683) was recorded within the study area in 1983 and this site has been classified as "destroyed". The consultants suggest that there is a slight possibility that material evidence of Aboriginal occupation could still be present. The Archaeological Management Plan includes a comprehensive approach to the management of Aboriginal values, including monitoring of construction to ensure that archaeological evidence is identified and appropriately managed.

There is the potential for Aboriginal middens to be associated with burials. However, it cannot be assumed that human remains will be of Aboriginal origin. It is suggested that following protocol be included in section 6.2 Recommendations/ Archaeological Investigation, in the event that human remains be encountered:

If any human remains are located in, on or under the land, the proponent must:

- (a) not further disturb these remains;
- (b) immediately cease all work at the particular location;
- (c) immediately notify the NSW Police;
- (d) notify the Department of Planning (DoP) as soon as practicable and provide any available details of the remains and their location; and
- (e) not recommence any work at the particular location unless authorised in writing by the DoP.

The Department of Environment and Climate Change NSW is now known as the Department of Environment, Climate Change and Water



If you wish to discuss any of the above matters further please contact Lou Ewins, Manager, Planning and Aboriginal Heritage, Metropolitan Branch, on (02) 9995 6802.

Yours sincerely

*G. Howard 9/9/10*

**GISELLE HOWARD**  
**Director Metropolitan**  
**Environment Protection and Regulation**