

13 November 2014

REF
SF2012/015388

Director Infrastructure Projects
Ms Karen Jones
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Michael Young

Dear Ms Jones,

Re: Princes Highway Upgrade - Foxground and Berry Bypass

Roads and Maritime Service requests the Secretary, Department of Planning and Environment, to modify the Foxground and Berry Bypass Ministers Conditions of Approval C13, so that the provisions under C13 apply to both Aboriginal and non-Aboriginal heritage items.

Specifically, the request is for the removal of the last paragraph of Condition C13, which reads:
'The provisions under condition C13 (to increase applicable blast criteria in agreement with the relevant landowners) do not apply where the property is a non-Aboriginal heritage item.'

In its current form, the last paragraph of Condition C13 precludes Roads and Maritime from applying for a separate approval from the Secretary to exceed the blasting criteria identified in conditions C10 and/or C11.

Roads and Maritime requires this flexibility because there is a remnant 19th century dry stone wall (G2B H54), which is a non-Aboriginal heritage item, located in the vicinity of the proposed blasting location at Cut 2A. Adherence to the blasting criteria identified in Conditions C10 and C11 would render blasting unfeasible at this location.

Rock breaking with a hydraulic hammer would be the alternative. This would increase the duration of the construction program and result in ongoing noise impacts.

The following specialist reports have been prepared to assess the potential impacts to the dry stone wall (G2B H54) of exceeding the blasting criteria identified in Conditions C10 and/or C1.

1. Mayne-Wilson & Associates, *Heritage impact assessment: Proposed blasting close to heritage listed dry stone wall (G2B H54) on Toolijooa Ridge Foxground and Berry Bypass* (October 2014).

2. SOTO Consulting Engineers, *Structural engineering report – Foxground and Berry Bypass: Structural Vibration Assessment of Dry stone Wall (G2B H54) 455 Princes Highway Broughton Village NSW* (4 November 2014).

Based on the findings of the specialist reports, it has been shown that exceeding the blasting criteria would result in no loss of heritage significance and no structural damage to the dry stone wall (G2B H54).

It is highlighted that approval of this modification request, to remove the last paragraph of Condition C13, would provide Roads and Maritime with the flexibility to apply for another separate approval if necessary to exceed the blasting criteria identified in conditions C10 and C11.

It is, therefore, requested that the Secretary modify condition C13 to remove the last paragraph so that the provisions under C13 also apply to non-Aboriginal heritage items.

Please contact Mr Graham Roche, Environmental Manager, Southern Region on 0447443957 if you have any enquires or require any additional information.

Yours faithfully



for

Ron Zahorodny

Principal Manager, Princes Highway and South