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Dear Ms Moss

Parramatta Light Rail Stage 1 – Westmead to Carlingford (SSI 8285) – Modification Request

Thank you for your invitation for the Heritage Council of NSW to comment on this request for modification for the Parramatta Light Rail Stage 1 project which includes:

- Clarification changes to conditions of consent; and,
- Minor editorial changes to conditions of consent.

Following our review of the proposed changes, we provide comments for heritage related conditions in **Annexure A**.

If you have any further enquiries regarding this matter, please contact David Nix, Senior Heritage Officer, Major Projects at the Heritage Division, Office of Environment and Heritage, on (02) 9895 6523 or at david.nix@environment.nsw.gov.au.

Tim Smith OAM
Director Heritage Operations
Heritage Division Office of Environment and Heritage
As Delegate of the Heritage Council of NSW
15 November 2018

ANNEXURE A – HERITAGE DIVISION RESPONSES TO PROPOSED CHANGES TO THE SSI 8285 APPROVAL

No.	Approved Conditions (May 2018)	Proposed change (Oct 2018)	Justification for change (TfNSW)	Heritage Division comment
Table 2	E67: CHIP Hostel Options Analysis, Before commencement of construction, Approval	E67: CHIP Hostel Options Analysis, Before commencement of construction in Cumberland Hospital East , Approval	The edit is intended to ensure construction works in other locations may proceed (i.e. where they would not impact the CHIP Hostel or be impacted by any change in alignment considered to avoid any such impact).	It is recommended that reference is also made to the intersection of Fleet and Factory Streets to ensure works are not undertaken in this area that restrict opportunity for design refinement to avoid impacting CHIP Hostel prior to the Options Analysis being complete.
A5	<p>Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Secretary with the document or monitoring program or review. The evidence must include:</p> <ul style="list-style-type: none"> (a) documentation of the engagement with the party(ies) identified in the relevant condition of approval before submitting the document for approval; (b) log of the points of engagement or attempted engagement with the identified party(ies) and a 	<p>Where the terms of this approval require a document or monitoring program to be prepared or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Secretary with the document or monitoring program or review. The evidence must include:</p> <ul style="list-style-type: none"> (a) documentation of the engagement with the party(ies) identified in the relevant condition of approval before submitting the document for approval; (b) log of the points of engagement or attempted engagement with the identified party(ies) and a 	<p>The CoA currently implies that <i>all</i> comments or requests from consultees must be actioned. This edit has been proposed for transparency and to clarify that there may be some justifiable circumstances where it is not possible for TfNSW to action all requests.</p>	<p>The Heritage Division does not support this modification.</p> <p>TfNSW should undertake consultation with the identified parties in good faith to come to an agreed resolution. There is concern that should the proposed modification be accepted, meaningful consultation may not occur and may result in adverse reactions from the stakeholders.</p> <p>In addition, it is considered part (e) of the condition provides for the applicant to outline outstanding issues and provide justification as to why they cannot meet the recommendations.</p>

	<p>summary of the issues raised by the identified party(ies);</p> <p>(c) documentation of any follow-up with the identified party(ies), where feedback has not been provided, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requests;</p> <p>(d) outline of the issues raised by the identified party(ies) and how they have been addressed, including evidence that the party(ies) is satisfied the issues have been addressed; and</p> <p>(e) a description of any outstanding issues raised by the identified party(ies) and the reasons why.</p>	<p>summary of the issues raised by the identified party(ies);</p> <p>(c) documentation of any follow-up with the identified party(ies), where feedback has not been provided, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requests;</p> <p>(d) outline of the issues raised by the identified party(ies) and how they have been addressed, including evidence that the party(ies) is satisfied the issues have been addressed and/or justification of why the party(ies) recommendation(s) has not been adopted; and</p> <p>(e) a description of any outstanding issues raised by the identified party(ies) and the reasons why.</p>		
A14	<p>The Staging Report must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p>	<p>The Staging Report must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities construction to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) would require preparation and approval by the Secretary of a Staging Report.</p> <p>This would include, for example, early investigations or other minor works determined by the ER to have a minimal</p>	<p>The Heritage Division does not support this modification.</p> <p>From a heritage perspective there is an issue in understanding how the project will stage the management of impacts to heritage items (in particular archaeological impacts) proposed throughout the project. This includes all physical works deemed by the Glossary to be minor impacts</p>

	<p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stage of the CSSI; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stage of the CSSI; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>environmental impact. It is assumed, however, that the intent of this condition is to capture construction and operation only. The edit is proposed to clarify this requirement.</p>	<p>like enabling works as well as construction activities.</p> <p>The conditions currently appear to trigger compliance with certain conditions (e.g. conditions E64 and E73) prior to strategies where disturbance of relics may be called on yet the conditions for main works indicate the detailed design will work to avoid disturbance to these sites (Refer e.g. to Ancient Aboriginal and early colonial landscape – E65, E68 and E73).</p> <p>It would be appropriate for DPE to clarify through the staging report how the proponent will manage those activities that will trigger disturbance and harm to archaeology (both historical and Aboriginal) by this project.</p> <p>The current condition, unchanged, may resolve some of the conflicting requirements in the management of this project.</p>
A23	For the duration of the works until after the commencement of operation, or as agreed with the Secretary, the approved ER must:	For the duration of the works until after the commencement of operation, or as agreed with the Secretary, the approved ER must:	Allows the ER to determine a broader range of ancillary facilities that may be required to support investigative and early works and	Supported provided the assessment also undertakes an appropriate assessment of heritage impacts to ensure

	<p>(a) receive and respond to communication from the Secretary in relation to the environmental performance of the CSSI;</p> <p>(b) consider and inform the Secretary on matters specified in the terms of this approval;</p> <p>(c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</p> <p>(d) review documents identified in Table 2 and any other documents that are identified by the Secretary, for consistency, in the opinion of the ER, with requirements in or under this approval and if so:</p> <p>i. make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or</p> <p>ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Secretary for information</p>	<p>(a) receive and respond to communication from the Secretary in relation to the environmental performance of the CSSI;</p> <p>(b) consider and inform the Secretary on matters specified in the terms of this approval;</p> <p>(c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;</p> <p>(d) review documents identified in Table 2 and any other documents that are identified by the Secretary, for consistency, in the opinion of the ER, with requirements in or under this approval and if so:</p> <p>i. make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or</p> <p>ii. make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the</p>	only have a minor environmental impact.	the 'minor environmental impact' is appropriate.
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	<p>or are not required to be submitted to the Secretary);</p> <p>(e) regularly monitor the implementation of the documents listed in Table 2 to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p> <p>(f) as may be requested by the Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A41 of this approval;</p> <p>(g) as may be requested by the Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities; and</p> <p>(i) prepare and submit to the Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the</p>	<p>Secretary for information or are not required to be submitted to the Secretary);</p> <p>(e) regularly monitor the implementation of the documents listed in Table 2 to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p> <p>(f) as may be requested by the Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under Condition A41 of this approval;</p> <p>(g) as may be requested by the Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess, and if acceptable approve the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities or other ancillary facilities determined by the ER to have a minor environmental impact; and</p>		
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	Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for the duration of the ER's engagement for the CSSI.	(i) prepare and submit to the Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven days following the end of each month for the duration of the ER's engagement for the CSSI.		
C8	Construction must not commence until the CEMP and any CEMP Sub-plan specified in Condition C3 have been approved by the Secretary. The CEMP and CEMP Sub-plans , as approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and Sub-plans for that stage have been approved by the Secretary.	Construction must not commence until the CEMP and any CEMP Sub-plan specified in Condition C3 have been submitted to, or approved by the Secretary. The CEMP and CEMP Sub-plans , as submitted to, or approved by the Secretary, including any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and Subplans for that stage have been submitted to, or approved by the Secretary.	Minor editorial update for consistency, to reflect the fact that some of the documents listed in 03 are for the Secretary's approval whereas others are for information.	This modification is supported. However, recommend including '... submitted to, or approved by the Secretary (as noted in C3) ...' to further clarify action required.
E6	Condition Reports	Existing condition reports for all roads and all property and infrastructure in	Based on the current wording of this condition all "works", namely	The Heritage Division does not support this modification.

	Existing condition reports for all roads and all property and infrastructure in the road reserve likely to be used or affected by works must be prepared before commencement of such works. The report must state the current condition of the asset. A copy of the report must be provided to the asset owner no later than one month before the commencement of construction of the CSSI.	the road reserve where the physical condition is likely to be adversely affected the physical condition during works be used or affected by works must be prepared before commencement of such works. The report must state the current condition of the asset. A copy of the report must be provided to the asset owner no later than one month before the commencement of construction works of the CSSI.	"all physical work for the purposes of the CSSI including construction" (refer Table 1) would require preparation of a Condition Report. This would include, for example, early investigations that would not be defined as construction activities. While TfNSW always requires the relevant contractor for pre-construction activities to rectify any defects arising from their works, there would not typically be a requirement for a Condition Report. It is TfNSW's preference that this remains the case for these types of pre-construction activities.	There is concern both State and local heritage items will likely be physically impacted by the works. Without adequate records of the current condition of the buildings, appropriate safeguards would not be in place to rectify any potential physical damage. It is suggested the condition remain as is.
E47	Before commencement of any works and with the agreement of the landowner, a structural engineer must undertake building condition surveys of all buildings identified in the documents listed in Condition A1 as being at risk of damage. The results of the surveys must be documented in a Building Condition Survey Report for each building surveyed. Copies of Building Condition Survey Reports must be provided to the landowners of the buildings surveyed, and if agreed by the landowner, the relevant Council within three weeks of completing the surveys and no later than one month before the commencement of construction.	Before commencement of any works construction and with the agreement of the landowner, a structural engineer must undertake building condition surveys of all buildings identified in the documents listed in Condition A1 as being at risk of damage. The results of the surveys must be documented in a Building Condition Survey Report for each building surveyed. Copies of Building Condition Survey Reports must be provided to the landowners of the buildings surveyed, and if agreed by the landowner, the relevant Council within three weeks of completing the surveys and no later than one month before the commencement of construction.	It is suggested that this requirement is intended to target construction activities, rather than pre-construction activities. Note that any previously unanticipated vibration impacts on structures would be captured under Condition E47.	The Heritage Division does not support this modification. Pre-construction activities have the potential to physically impact buildings and their curtilages. It is recommended the condition remain as is.
E62	An Unexpected Heritage Finds Procedure must be prepared: (a) to manage unexpected heritage finds in accordance	An Unexpected Heritage Finds Procedure must be prepared : (a) prepared to manage unexpected heritage finds in	TfNSW currently implement a Standard Procedure across all projects to manage Unexpected Heritage Finds. Furthermore, the	This change would satisfy the intent of that condition and is supported.

	<p>with any guidelines and standards prepared by the Heritage Council of NSW or OEH; and</p> <p>(b) by a suitably qualified and experienced archaeologist or heritage specialist.</p> <p>The Procedure must be included in the Heritage Management Sub-plan required by Condition C3.</p> <p><i>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i></p>	<p>accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH; and</p> <p>(b) certified by a suitably qualified and experienced archaeologist or heritage specialist.</p> <p>The Procedure must be included in the Heritage Management Sub-plan required by Condition C3.</p> <p><i>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i></p>	<p>TfNSW Unexpected Heritage Finds Guideline is an approved Mitigation Measure from the Submissions and Preferred Infrastructure Report and therefore would be a consistent approach for all contractors on the PLR Project.</p> <p>It is proposed that this procedure not be excluded from use as it was prepared as a TfNSW Environmental Management System Procedure (not by a qualified and experienced archaeologist/heritage specialist).</p> <p>However, this procedure may be certified to meet the intended outcome of this condition.</p>	<p>The TfNSW standard procedure can be submitted to satisfy this condition, but it should be included in the CHMP subplan.</p>
E64	<p>The Proponent must prepare a Heritage Interpretation Strategy before works which impact on the items identified below commence which identifies and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI. The Heritage Interpretation Strategy must be prepared and implemented in consultation with OEH and the Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be</p>	<p>The Proponent must prepare a Heritage Interpretation Strategy before works (excluding archaeological excavation required under Condition E70 and E71) which impact on the items identified below commence which identifies and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI. The Heritage Interpretation Strategy must be prepared and implemented in consultation with OEH and the</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1).</p> <p>The construction definition allows archaeological testing under the Code of Practice....Aboriginal objects, however the Code does not provide for salvage of non-Aboriginal objects in all instances. This edit would allow for heritage salvage (which is required under Condition E70 and E71) to occur before this</p>	<p>The Heritage Division does not support this modification.</p> <p>Conditions E70 and E71 concern heritage archival recording and salvage – salvage is intended for built fabric, not for historical or Aboriginal archaeology.</p> <p>The change is also inconsistent with other conditions of this approval which require the detailed design of the CSSI and the heritage impacts to respond</p>

	<p>submitted to the Secretary for information and include, but not be limited to:</p> <p>(a) a discussion of the key interpretive themes, stories, archaeological results, and messages proposed to interpret the history and significance of affected heritage items and heritage conservation areas including:</p> <ul style="list-style-type: none"> i. Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group ii. Lennox Bridge; iii. St Patrick's Roman Catholic Cemetery; iv. iv) The Convict Lumberyard (Arthur Phillip High School site) v. Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve); vi. Queen's Wharf Reserve and stone wall and potential archaeological site; vii. Dundas Railway Station Group; viii. Prince Alfred Square (and potential archaeological site); ix. Royal Oak Hotel and stables (and potential archaeological site); 	<p>Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be submitted to the Secretary for information and include, but not be limited to:</p> <p>(a) a discussion of the key interpretive themes, stories, archaeological results, and messages proposed to interpret the history and significance of affected heritage items and heritage conservation areas including:</p> <ul style="list-style-type: none"> i. Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group ii. Lennox Bridge; iii. St Patrick's Roman Catholic Cemetery; iv. iv) The Convict Lumberyard (Arthur Phillip High School site) v. Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve); vi. Queen's Wharf Reserve and stone wall and potential archaeological site; vii. Dundas Railway Station Group; viii. Prince Alfred Square (and potential archaeological site); 	<p>condition is required (and therefore (b) can be undertaken).</p>	<p>to the heritage values of the item in particular for the Ancient Aboriginal and early colonial landscape – Robin Thomas Reserve. This is required under Conditions E65, E68 and E73</p>
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	<ul style="list-style-type: none"> x. Clyde Carlingford Rail Bridge abutments (Northern); and xi. Clyde Carlingford Rail Bridge abutments (Southern) <p>(b) Consider the information compiled in development of the Heritage Archival Recording and Salvage Report required in Condition E70.</p>	<ul style="list-style-type: none"> ix. Royal Oak Hotel and stables (and potential archaeological site); x. Clyde Carlingford Rail Bridge abutments (Northern); and xi. Clyde Carlingford Rail Bridge abutments (Southern) <p>Consider the information compiled in development process for implementing the outcomes of the Heritage Archival Recording and Salvage Report required in Condition E70.</p>		
E67	<p>The proponent must prepare an analysis of alternatives to demolition of CHIP Hostel No. 1 before the commencement of construction. The analysis must be submitted to the Secretary stating a preferred option for approval. If demolition of the CHIP Hostel No. 1 is proposed, justification must be provided which considers the following guidelines included in the Parramatta North Urban Transformation Consolidated Conservation Management Plan (UrbanGrowth NSW, 2017):</p> <ul style="list-style-type: none"> (a) that there is no prudent or feasible alternative; (b) demolition would result in no or minimal impacts on the heritage significance of the place or the wider Parramatta North Historic Sites; and 	<p>The proponent must prepare an analysis of alternatives to demolition of CHIP Hostel No. 1 before the commencement of construction in the Cumberland Hospital (East Campus). The analysis must be submitted to the Secretary stating a preferred option for approval. If demolition of the CHIP Hostel No. 1 is proposed, justification must be provided which considers the following guidelines included in the Parramatta North Urban Transformation Consolidated Conservation Management Plan (UrbanGrowth NSW, 2017):</p> <ul style="list-style-type: none"> (a) that there is no prudent or feasible alternative; (b) demolition would result in no or minimal impacts on the heritage significance of the place or the wider 	<p>The edit is intended to ensure construction works in other locations may proceed (i.e. where they would not impact the CHIP Hostel or be impacted by any change in alignment considered to avoid any such impact).</p>	<p>It is recommended that reference is also made to the intersection of Fleet and Factory Streets to ensure works are not undertaken in this area that restrict opportunity for design refinement to avoid impacting CHIP Hostel prior to the Options Analysis being complete. (See comment on Table 2).</p>

	<p>(c) demolition would be of an overall benefit to the heritage significance of the place and the wider Parramatta North Historic Sites.</p> <p>Nothing in this approval permits the demolition of the CHIP Hostel No. 1 without the written approval of the Secretary.</p>	<p>Parramatta North Historic Sites; and</p> <p>(c) demolition would be of an overall benefit to the heritage significance of the place and the wider Parramatta North Historic Sites.</p> <p>Nothing in this approval permits the demolition of the CHIP Hostel No. 1 without the written approval of the Secretary.</p>		
E70	<p>Heritage Archival Recording and Salvage</p> <p>The Proponent must prepare a Heritage Archival Recording and Salvage Report, including photographic recording of heritage items which have been identified for demolition in the documents referred to in Condition A1 and outline the salvage to be undertaken from these items.</p> <p>Archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's How to Prepare Archival Records of Heritage Items (1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (2006).</p> <p>Within 12 months of completing the archival recording, or as otherwise</p>	<p>Heritage Archival Recording and Salvage</p> <p>The Proponent must prepare a Heritage Archival Recording and Salvage Report, including photographic recording of heritage items which have been identified for demolition or modification in the documents referred to in Condition A1 and outline the salvage to be undertaken from these items.</p> <p>Archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's How to Prepare Archival Records of Heritage Items (1998) and Photographic Recording of Heritage Items Using Film or Digital Capture (2006).</p> <p>Within 12 months of completing the archival recording, or as otherwise</p>	<p>It is noted that heritage items which should trigger this condition, notably Robin Thomas Reserve, is not being "demolished", but will nonetheless be impacted. For this reason, "or modified" has been inserted</p>	<p>The proposed change is supported.</p>

	agreed with the Secretary, the Proponent must submit the Heritage Archival Recording and Salvage Report to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.	agreed with the Secretary, the Proponent must submit the Heritage Archival Recording and Salvage Report to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.		
E71	<p>Following archival recording as required by Condition E70, and before demolition, the Proponent must salvage from heritage items to be demolished, identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on the project or for other options for repository, reuse and display. Suitable repository location(s) must be established in consultation with Relevant Council(s). For any State Heritage-listed items or elements suitable for salvage, suitable repository location(s) must be determined in consultation with the Heritage Division of the OEH.</p> <p>Any residual items and materials are to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners within the locality from where the material originated.</p>	<p>Following archival recording as required by Condition E70, and before demolition the Proponent must salvage material from heritage items identified in Condition E70. Following archival recording, the Proponent must be demolished identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on the project or for other options for repository, reuse and display. Suitable repository location(s) must be established in consultation with Relevant Council(s) (or Registered Aboriginal Parties, where relevant). For any State Heritage-listed items or elements suitable for salvage, suitable repository location(s) must be determined in consultation with the Heritage Division of the OEH.</p> <p>Any residual items and materials are (where appropriate) to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners within the</p>	<p>Under the current condition requirement sub-surface artefacts cannot be recovered "before demolition" (interpreted here as relating to built heritage, and therefore taking place before the construction works) because they would be progressively recovered during excavation for construction.</p> <p>The current wording effectively reflects what is appropriate for non- Aboriginal heritage. It fails to recognise, for example, that return to the landowner may not be appropriate for this reason, or that specific salvage, display and other requirements may have already been agreed with the RAPs in the ACHAR. This is of particular relevance to "heritage items" such as Robin Thomas Reserve, which includes Aboriginal heritage.</p>	This modification is generally supported.

		locality from where the material originated.		
E72	<p>Historical Archaeology Before works within a Historical Archaeological Management Unit (HAMU), the Proponent must engage a suitably qualified archaeologist whose experience complies with the NSW Heritage Council's Criteria for Assessment of Excavation Directors (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with historical archaeology and to prepare a Historical Archaeological Research Design and Excavation Methodology.</p>	<p>Historical Archaeology Before works within a-Zones 1 and 2 Historical Archaeological Management Unit (HAMU), the Proponent must engage a suitably qualified archaeologist whose experience complies with the NSW Heritage Council's <i>Criteria for Assessment of Excavation Directors</i> (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with historical archaeology (i.e. non-Aboriginal) and to prepare a Historical Archaeological Research Design and Excavation Methodology.</p>	<p>EIS Technical Paper 11 - Non-Aboriginal Archaeological Assessment includes HAMUs along the entire route of the PLR project. HAMUs are allocated to one of three archaeological management zones developed for the project to manage archaeology with varying levels of significance throughout the project corridor.</p> <p>Each management zone(s) has a defined range of environmental management measures which apply to each HAMU within that zone. Zones 1 and 2 contain State and Local heritage significant items and therefore have specific measures to manage the risk to these items. However, Zone 3 HAMUs have been identified as having "nil to low archaeological resource present", and only standard mitigation measures are required, such as heritage inductions and an advice of an archaeologist in the event of unexpected finds.</p> <p>The condition currently requires a Historical Archaeological Research Design and Excavation Methodology for all activities along the alignment. It is suggested that this is intended</p>	<p>The Heritage Division does not support this modification.</p> <p>This condition is identified to nominate a suitably qualified historical archaeologist to act as Excavation Director for the project within all HAMUs. This means the works in all three HAMU zones (1-3) should have that person nominated to provide appropriate management of historical archaeological relics of local and State significance, including those unexpected within zone 3 under this approval.</p>

			<p>to capture only those activities that are likely to impact on heritage sites or items, and therefore only applies to HAMU Zones 1 and 2. The edit to this condition is proposed to remove the requirement for a Historical Archaeological Research Design and Excavation Methodology for HAMUs categorised as Zone 3, which have nil-low potential for encountering archaeology.</p> <p>It is understood this condition would typically only apply to non- Aboriginal heritage, as implied by the use of the term "historic heritage", whereas Aboriginal heritage is managed as agreed with the RAPs and outlined in the ACHAR. Minor text change has been included for clarification.</p>	
E73	<p>The Historical Archaeological Research Design and Excavation Methodology must to be submitted to the Heritage Council of NSW (or its delegate) for review and comment before finalisation. The Historical Archaeological Research Design and Excavation Methodology must:</p> <p>(a) be consistent with NSW Heritage Council Guidelines including:</p> <p>i) Archaeological Assessments (1996);</p> <p>ii) Assessing Significance for Historical</p>	<p>The Historical Archaeological Research Design and Excavation Methodology must to be submitted to the Heritage Council of NSW (or its delegate) for review and comment before finalisation. The Historical Archaeological Research Design and Excavation Methodology must:</p> <p>(a) be consistent with NSW Heritage Council Guidelines including:</p> <p>i) Archaeological Assessments (1996);</p>	Minor editorial update.	This modification is generally supported.

	<p>Archaeological Sites and Relics (2009), iii) Skeletal Remains (1998), and iv) Historical Archaeological Code of Practice (2009); (b) include provision for early physical investigation of areas of impact identified as likely to contain State significant archaeology in the research design to inform detailed design in these areas to avoid State significant archaeology. This shall include, but not be limited to: i) St Patrick's Roman Catholic Cemetery; ii) Ancient Aboriginal and Early Colonial Landscape / Robin Thomas Reserve; and iii) The Parramatta Town Drains (where these alignments are unclear); (c) provide for the detailed analysis of any archaeological relics discovered during the investigations; (d) include management options for discovered archaeological relics (including options for avoidance, salvage, and display or interpretation); (e) include procedures for notifying the Heritage Council of NSW (or its delegate) and Secretary of any relic as required under s146 of the Heritage Act</p>	<p>ii) Assessing Significance for Historical Archaeological Sites and Relics (2009), iii) Skeletal Remains (1998), and iv) Historical Archaeological Code of Practice (2009); (b) include provision for early physical investigation of areas of impact identified as likely to contain State significant archaeology in the research design to inform detailed design in these areas to avoid State significant archaeology. This shall include, but not be limited to: i) St Patrick's Roman Catholic Cemetery; ii) Ancient Aboriginal and Early Colonial Landscape / Robin Thomas Reserve; and iii) The Parramatta Town Drains (where these alignments are unclear); (c) provide for the detailed analysis of any archaeological relics discovered during the investigations; (d) include management options for discovered archaeological relics (including options for avoidance, salvage, and display or interpretation); (e) include procedures for notifying the Heritage Council of NSW (or its delegate) and Secretary of any relic as required</p>		
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	1977; and (f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.	under s146 of the <i>Heritage Act 1977</i> ; and (f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.		
E75	In the event that archaeological relics are discovered, the Proponent must prepare an Archaeological Excavation Report containing the findings of any excavations, including artefact analysis and the identification of a final repository of any relics. The report must be submitted to the Secretary, for information, within 12 months of completing all archaeological investigations, unless otherwise agreed with the Secretary. The Archaeological Excavation Report must also be submitted to the NSW Heritage Council, the local library and the local Historical Society in the local government area. A copy of the Archaeological Excavation Report must be provided with the relics.	In the event that <u>non-Aboriginal</u> archaeological relics are discovered, the Proponent must prepare an Archaeological Excavation Report containing the findings of any excavations, including artefact analysis and the identification of a final repository of any relics. The report must be submitted to the Secretary, for information, within 12 months of completing all archaeological investigations, unless otherwise agreed with the Secretary. The Archaeological Excavation Report must also be submitted to the NSW Heritage Council, the local library and the local Historical Society in the local government area. A copy of the Archaeological Excavation Report must be provided with the relics.	Minor editorial edit for clarification.	The Heritage Division does not support this modification. This condition enables the archaeological excavation report to document findings that may include post-contact archaeology within historical contexts. A holistic approach to documenting and recording the findings, particularly for Parramatta, is recommended and has been previously advised by the Heritage Council of NSW. It is recommended this condition remain unchanged.
E78	Works impacting on the following Aboriginal archaeological sites, and any mitigation and salvage measures required, must be specified in the Heritage Management Sub-Plan required by Condition C3 : (a) Cumberland Hospital East; (b) Harris Street Footpath / Robin Thomas Reserve; (c) PLR AFT 2; and	<u>The Excavation Director must oversee and advise on works</u> impacting on the following Aboriginal archaeological sites, and any mitigation and salvage measures required: <u>must be specified in the Heritage Management Sub-Plan required by Condition C3</u> : (a) Cumberland Hospital East;	The Heritage Management Sub Plan is required for Construction and therefore won't be prepared in time for work to commence. Therefore, revised wording proposed to enable the Excavation Director to oversee these works prior to the CEMP being approved.	The Heritage Division does not support this modification in full. It is agreed the Excavation Director must oversee these works. However, those impacts should be managed as required by the additional

	(d) Sydney Turf Club Carpark.	(b) Harris Street Footpath / Robin Thomas Reserve; (c) PLR AFT 2; and (d) Sydney Turf Club Carpark.	This ensures that the risk of impacting the items is mitigated.	<p>conditions of consent on this approval as outlined below.</p> <p>We do not support the deletion of the CHMP subplan requirement by Condition C3.</p> <p>The proposed change does not consider the condition E65 which requires identified impact to heritage items...must be minimised through both detailed design and construction The measures to manage this must be detailed in the heritage management sub-plan required by condition C3. It is also inconsistent with Condition E68 of CoA – The detailed design of the CSSI must have regard to the following heritage items to ensure that the design respects and responds to the heritage values of the items: (e) Ancient Aboriginal and early colonial landscape.</p> <p>The change is in direct conflict to Condition E65. It is also in conflict with requirements of Conditions E68 and E73 for managing the Aboriginal archaeological values present within Robin Thomas Reserve.</p>
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				<p>The CHMP subplan should be prepared prior to works commencing. This includes activities such as the Enabling Works which may disturb and harm the archaeological deposits of State Heritage Significance at Robin Thomas Reserve as part of the Ancient Aboriginal and Early Colonial Landscape.</p> <p>The CHMP should document how this project will manage this item through all stages of this project.</p>
E95	<p>Once the Design Review Panel is formed a Design Review Panel Terms of Reference must be developed and endorsed by all panel members and then approved by the Secretary. The Terms of Reference must be submitted to the Secretary for information and:</p> <ul style="list-style-type: none"> (a) establish best practice governance and protocols for the operation of the Design Review Panel; (b) include a Code of Conduct; (c) outline the agreed frequency of Design Review Panel meetings (d) outline secretariat functions and administration including the recording and storing of meeting 	<p>Once the Design Review Panel is formed a Design Review Panel Terms of Reference must be developed and endorsed by all panel members and then approved by the Secretary. The Terms of Reference must be submitted to the Secretary for information and:</p> <ul style="list-style-type: none"> (a) establish best practice governance and protocols for the operation of the Design Review Panel; (b) include a Code of Conduct; (c) outline the agreed frequency of Design Review Panel meetings (d) outline secretariat functions and administration including the recording and storing of meeting 	<p>There is a minor inconsistency between the wording of this condition and Table 2. The condition says that the ToR are to be submitted to the Secretary for information, whereas Table 2 says it is submitted for approval.</p>	<p>This modification is generally supported.</p>

	(e) agenda, minutes and actions; and identify cessation arrangements	(e) agenda, minutes and actions; and identify cessation arrangements		
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