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File: 11/19441
Our Ref: A960701
Your Ref: MP09_0131

Director Metropolitan and Regional Projects
GPO Box 39
SYDNEY NSW 2001

Attention: Robert Byrne

Dear Mr Byrne

EXHIBITION OF PREFERRED PROJECT REPORT (PPR) – TALLAWARRA LANDS PROJECT (MP09-0131)

Response is provided to your letter on behalf of the NSW Heritage Council seeking comments on the PPR for the above proposed project. It is noted that the Heritage Council has previously provided comment on this proposal (letter dated 28/10/2011) and that the proposal is being re-exhibited as proponent's PPR involves amendments to the project. The modifications are identified as follows:

- Adjustments to the boundaries of the Northern and Central Precincts to ensure:
 - That the land uses proposed accurately follows the zone boundaries (and there is no encroachment of proposed residential areas into adjoining zones);
 - That none of the future residential allotments will be impacted by noise contours associated with the operation of the power station etc.; and
 - That the fig tree of Aboriginal significance located to the east of Cormack Avenue can be retained as requested by the stakeholders who participated in the Aboriginal Archaeological study.
- Modifications to the road and cycleway network to address concerns raised during the exhibition period by Council and members of the public including bicycle user groups:
 - Inclusion of the road link to the south to connect Haywards Bay via Haywards Bay Road with the Tallawarra Site;
 - The in-road cycle lane has been replaced with an out of road dedicated cycle path which will generally be located on the northern / western side of Yallah Bay Road but will cross over to the southern side just east of the industrial precinct; and
 - Adjustments to Road Types as set out in Section 5.0 of the Landscape Plan prepared by Corkery Consulting.

The proposed modifications will not impact any identified heritage items within the project area and it is considered that the revised proposal will have similar heritage impacts to that originally assessed. It is noted that the applicant has incorporated some of the Heritage Council's earlier comments into their Statement of Commitments and this is considered positive.

The following conditions should be incorporated into any consent to ensure that appropriate measures are in place to protect heritage items:

- The Statement of Commitments must include a clause that states that any recommendations from any other Heritage Impact Assessments or Assessments of Archaeological Potential



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undertaken at the site are to be incorporated into a revised Statement of Commitments at the completion of these studies; and

- A Heritage Management Plan must be prepared that details how construction impacts on Aboriginal and non-Aboriginal heritage will be minimised and managed. The Plan shall include, but not necessarily be limited to:
 - Specific measures to be applied to works undertaken in close proximity to identified Aboriginal and non-Aboriginal heritage items to minimise and avoid impacts on these items;
 - How heritage items (Aboriginal objects and relics or works) discovered during the construction of the project will be considered and managed. This shall include a component within the site induction program for construction workers on Aboriginal and non-Aboriginal heritage within the project area;
 - Stop-work and notification procedures to be implemented should any unexpected intact archaeological deposits and/or State significant relics not previously identified be discovered;
 - A procedure for continued consultation with the relevant Aboriginal stakeholders; and
 - Procedures to be followed should non-compliance against any of this management plan be detected.

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 Gary Estcourt at the Heritage Branch on (02) 9873 8562.

Yours sincerely

10/08/2012

Vincent Sicari

Manager

Conservation Team

Office of Environment and Heritage

AS DELEGATE OF THE NSW HERITAGE COUNCIL