



Mr Andrew Beattie
Acting Manager
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
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Dear Mr Beattie

**MP10_0240 MAJOR PROJECT REFERRAL – PRINCES HIGHWAY UPGRADE –
FOXGROUND AND BERRY BYPASS, REVIEW OF ENVIRONMENTAL ASSESSMENT**

I refer to your letter dated 9 November 2012, advising that the EA for the above project is on public exhibition. It is noted that the Director-General's Requirements (DGRs) issued for the project included Aboriginal and Historic Heritage as a Key issue.

The non-Indigenous Heritage component of the EA report for the project has been reviewed. This includes Section 7.6 'Landscape Character & Visual Amenity'; 7.8 'Historic Heritage' of the Transport RMS EA report prepared by AECOM dated November 2012 and a separate specialist 'Non-Aboriginal (historic) heritage Technical Paper' (Appendix K) prepared by Navin Officer Pty Ltd dated November 2012. The specialist heritage report indicates that desktop searches and field surveys were undertaken to identify and assess any historic items in proximity to the project. Forty (40) field recordings were made and of these thirty-four (34) were found to be heritage items. A statement of significance and management recommendations were prepared for each item.

It is noted that the current Princes Highway runs through the town centre of Berry, creating conflicts between through traffic, local traffic and pedestrians and reducing the amenity of Berry for residents. The construction of a bypass of Berry avoids the need to widen and transform one of the town's primary historic grid streets to accommodate the through highway traffic.

It is also noted that in other areas the highway design has been refined to take account of some heritage impacts for example the moving of the bridge location over Broughton Mill Creek away from the 'Mananga' Homestead a Queen Anne style homestead (Berry Estate Manager's Residence) built in 1894. Other items such as intersections and roundabouts, and the alignment in general, have also been moved in order to lessen heritage impacts.

Of the 34 heritage items, 19 would not be directly impacted, six would be partially impacted and nine wholly impacted. Of those not directly impacted (19), 13 occur within 50 metres of the construction footprint and 11 would be subject to indirect impacts relating to their landscape contexts.

There would also be broader impacts on the significant Southern Illawarra Coastal Plain and Hinterland Cultural Landscape due to the visual and structural impact of the carriageway formation, deep cuttings, and visually obtrusive embankments.

The Non-Aboriginal (Historic) Heritage Technical Paper at Appendix K found that overall, the impacts would be acceptable, subject to the implementation of management recommendations.

The recommended measures include Temporary Fencing during Construction to provide Exclusion Zones; Heritage Awareness Inductions; Archival Recording; Archaeological Monitoring and Salvage of key sites; Avoidance of Impacts to key sites including remnant plantings. For the broader cultural landscape project impacts would be mitigated through the re-establishment of vegetation, the appropriate use of landscaping and barriers, and the use of complimentary visual components and compatible design elements, some with themes relevant to aspects of significance of the area.

Archival recording and archaeological monitoring was also recommended for 'Glen Devan' (G2B H11) described as a Federation House at 77 North Street, Berry assessed as being of Local significance. The term 'moderate Local significance' used in the EA for this cottage is incorrect and is not in accordance with Heritage Council guidelines for assessing significance.

The EA report noted that the house is likely to be demolished although Roads and Maritime Services 'should remain open to the possibility of a third party or agent proposing to conserve all or part of the G2B H11 structure by moving it to a new location within or near Berry, at that party's expense.' (page 424). The EA also refers to the possibility of materials being 'salvaged' from the house during demolition for some kind of 'curated' new interpretative feature. This recommendation is not supported as it would be difficult for this kind of salvage to provide a meaningful outcome.

The Department is advised that the Heritage Branch has received separate representations from the local community which indicate that new research by the Local Historical Society indicates that the cottage was actually built in the 1870s and may have originally been a dairy. This would make the building amongst the earliest in Berry and the Heritage Branch agrees with the local community that re-location of this cottage to a new site should be a required outcome of the Bypass Project rather than demolition and tokenistic salvage for future 'interpretation'.

Section 10 of the EA includes draft SOC's related to Historic Heritage. These are generally considered adequate except for:

- H2 which refers to the 'Glen Devan' cottage. As noted above the current commitments for the cottage are not considered sufficient and re-location of the cottage would be a far superior outcome.
- H4 which refers to public availability of archival records. It is recommended that the commitment should be strengthened to require lodgment of reports with the Heritage Council of NSW. This is essential for archaeological excavation reports.

It is considered that the recommendations for mitigation measures they may be strengthened through appropriate conditions of approval for the project. Accordingly, the following Conditions are recommended if the MP10_0240 – PRINCES HIGHWAY UPGRADE – FOXGROUND AND BERRY BYPASS, Major Project Application is approved by the Minister for Planning:

Heritage

1. The Proponent shall prepare a Non-Indigenous Heritage Management Plan in consultation with the Heritage Council of NSW as part of the Construction Environmental Management Plan. 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 manager or 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 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. A report by the heritage consultant (illustrated by works' photographs) shall be submitted to the Director-General and the Heritage Council of NSW for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out.

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 Assessments 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 Office, Department of Planning, and also to the Local Studies Library and the Local Historical Society in the relevant Local Government areas.
7. Any affected historical archaeological sites of Local significance are to be subject to professional archaeological excavation and/or recording before construction works commence. The Excavation Director 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.
8. 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 areas. 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;
- g/. Detailed response to research questions (at minimum those stated in the 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).

I trust that the information in this letter will be of assistance to you.

Yours sincerely



17/12/2012

Dr Siobhan Lavelle OAM

Acting Manager, Conservation Team

Heritage Branch

Office of Environment and Heritage

AS DELEGATE OF THE NSW HERITAGE COUNCIL