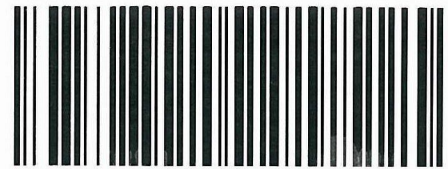




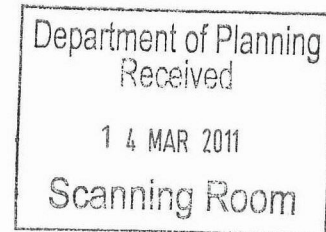
Planning



PCU020564

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Our ref: B304166
Your ref: MP10_0190
File: 10/24241

Daniel Cavallo
A/Director
Metropolitan and Regional Projects North
Department of Planning
GPO Box 39
SYDNEY NSW 2001



Attention: Ben Everleigh

Dear Mr Cavallo

Subject: Heritage Branch comments on February 2011 Environmental Assessment for MP 10_0190- Wet 'n' Wild Sydney, Reservoir Road, Prospect.

The Heritage Branch received your Memorandum dated the 18th February requesting any comments the Heritage Branch may have on the Environmental Assessment currently on public exhibition for the above project.

Accordingly, the Heritage Branch has reviewed the report and its associated Appendices and considers that the EA has not addressed the Director Generals Requirements DGRs) for the Project regarding heritage and archaeology, and has not adequately considered the impacts the project has on the heritage of the area. This is outlined further in the following comments:

1. The Environmental Assessment does not address the DGR Number 9 regarding assessing the archaeological impacts that the project will have. This is highlighted in the Statement of Heritage Impact (Appendix K) by Graham Brooks and Associates, which states "*Archaeological assessment of the subject is outside the scope of this Report*".

This means that there has been no assessment of the potential for, or significance of any archaeological relics which may exist on the subject site. This also means that any mitigation strategies put forward in the EA or under draft Statement of Commitment (SoC) Number 5 (Heritage) regarding the management of archaeology have no foundation as there has been no input by an archaeologist regarding the appropriateness of these strategies or Commitments.

Moreover, in Section 8.5 (final paragraph), the Brooks Report states: "*The management of the archaeological issues associated with this intervention will be the responsibility of the archaeologists in accordance with the relevant provisions of the NSW Heritage Act*". As no archaeologist has been associated with the Heritage Impact Assessment there is no identified person or procedure to follow should archaeology be encountered. This needs to be rectified.

Furthermore, the assumption that archaeologists will manage any archaeology in accordance with relevant Heritage Act legislation outlines that the heritage consultants are

unfamiliar with the Part 3A legislation which turns off the Approval sections of the Heritage Act.

As a consequence of this, it is even more important that an archaeological assessment be undertaken and appropriate mitigation strategies put in place should archaeology be encountered, including the nomination of an appropriately qualified archaeologist prior to works commencing. This archaeologist must meet NSW Heritage Council Excavation Director criteria.

2. The impacts the proposal may have on the State Heritage Register listed Royal Cricketers Arms Hotel have not been adequately assessed as required in DGR 7. There has been insufficient visual or other assessment in the Brooks Report which details how the proposal may affect this state significant heritage item. There are a number of statements outlining that the proposal will not affect this site, but there is no supporting evidence in the report to outline how these conclusions were obtained.
3. Moreover, statements in the Brooks Report regarding visual impacts to the Royal Cricketers Arms Hotel are inconsistent. In Section 8.4 (paragraph 6), it is stated that the "proposed water theme park will not be visible from the Post Office and is unlikely to be visible from the Hotel". However, in Paragraph 8 of the same section, it's written that there will be no visual encroachment on the curtilage of the Hotel. These issues can be rectified by further visual study of the proposed site in relation to the Royal Cricketers Arms Hotel prior to project approval.
4. In Sections 1.2 and 8.2 of the Heritage Impact Statement, the DGR for heritage is wrongly stated and does not conform to DGR 7 listed in Appendix A. Furthermore, as stated above, the report does not address DGR 9- Archaeological Impacts, although in several sections it does appear to detail impacts to archaeology even though archaeology hasn't been assessed in the report (Sections 7.0, 8.4, 8.5).
5. A significant issue with the Statement of Heritage Impact by Graham Brooks is the inability to reference correct levels of assessment for heritage. In Section 4.0 the term 'some significance' is used multiple times. 'Some' is not a level recognised in the Heritage Council 'Assessing Significance' Guidelines- Local and State are. Moreover, Section 4.3 - the statement of significance for the site does not contain an overall level of significance for the site. The assessment of significance needs to be reworked to conform to NSW Heritage Council Guidelines.
6. Section 7.0 of the Brooks Report states that the northern edge of the historical alignment of Reservoir Road as it crosses the frontage of the site is of Local Significance and that the existing semi rural character of the road should be retained.

The Heritage Branch considers that increased visual screening along this frontage through the appropriate use of trees is highly necessary to protect this aspect of the sites significance. The Heritage Branch also considers that increased visual screening around Policeman's cottage heritage precinct is required to allow it to maintain its visual character as a heritage building and to separate it from the entry way and the car parks which are proposed to adjoin it.

7. The Signage on Reservoir Road requires careful location and design to fit in with the rural character and nature of the Road as outlined under point 6 in Section 5.0 of the Brooks Report- "*The existing semi rural character of the road should be retained*". This is most important for the sign positioned on the western side of the entry way, as this section of Road retains a rural character and feel particularly as patrons will pass the Royal Cricketers Arms Hotel and the Policeman's Cottage prior to arriving at the entrance way to the site. These considerations are not evident from the signage design and locations proposed in Appendix D or Appendix U.

8. Minor issues with the EA and the Heritage Impact Assessment relate to the usage of 'Heritage Office' where Heritage Branch, Department of Planning is appropriate, and the use of 'Heritage Branch' guidelines or criterion, where any guidelines or criterion should be more correctly referenced as being produced by the NSW Heritage Council.
9. There is no map outlining the location of the subject site and highlighting the SHR listed heritage items in proximity to it.

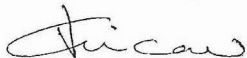
The Heritage Branch concurs with the Applicants Statement of Commitments unrelated to archaeology, which includes:

- retaining the former Policeman's cottage on site,
- retaining the tall pines in the immediate vicinity of the Policeman's cottage,
- retaining a visual link between the former Policeman's Cottage and St Bartholomew's Church and
- retaining the alignments of Reservoir Road and Watch House Road.

The Heritage Branch considers that given the issues outlined above under points 1-9, the Wet 'N' Wild project should not be approved by the Minister until the Applicant has undertaken the supplementary studies requested above and reworked the EA to fix the errors found within.

The Heritage Branch would be pleased to review future reports which incorporate our comments. If you have any questions regarding the above, please feel free to contact Katrina Stankowski on 02 98738569.

Yours sincerely



10/03/2011

Vincent Sicari

Manger
Conservation Team
Heritage Branch
Department of Planning