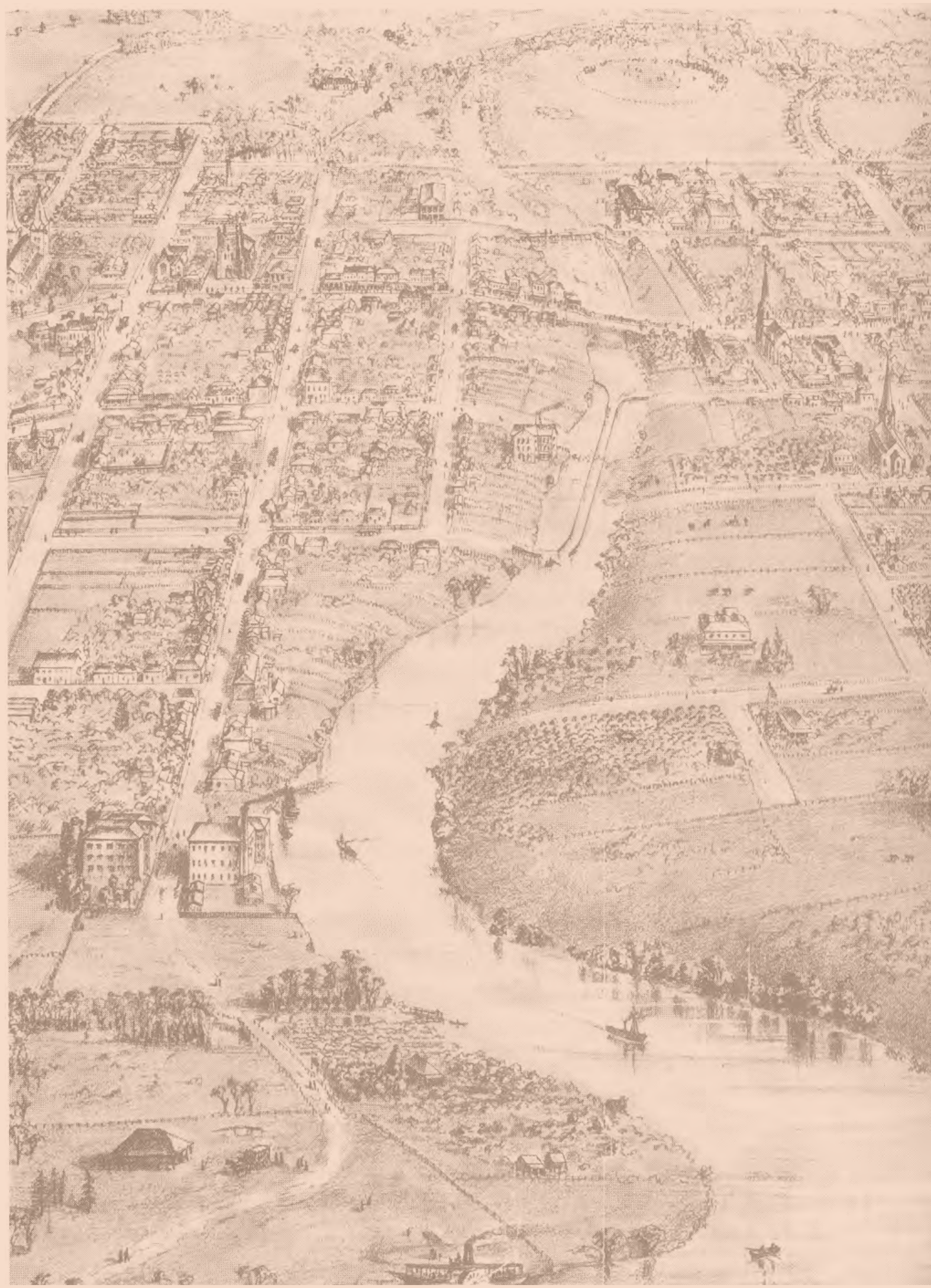


Charles Street Parramatta

Archaeological Assessment
and Research Design

June 2020



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Detail of the "Birdseye View of Parramatta", 1870, ML_XV1B_Parr_01

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Executive Summary

Curio Projects Pty Ltd was commissioned by Spackman Mossop Michaels (SMM) to prepare an Historical Archaeological Assessment AND Research Design Report (AARD) for the Charles Street Square Development, located at 38 Charles Street, Parramatta, including a portion of the road reserve (the study area).

The purpose of this AARD is to identify whether or not archaeological 'relics' are, or are likely to be, present within the study area, and whether or not the Charles Street Square Development would be likely to disturb or expose them (if present). If there is a likelihood that potential relics will be disturbed, it may be necessary to seek consent under a Section 140 permit from the Department of Premier and Cabinet, NSW Office of Environment and Heritage. The Research Design will inform the approach of any recommended archaeological involvement.

This report has been prepared with reference to the following documents:

- Archaeological Assessment Guidelines (NSW Heritage Office, Department of Urban Affairs & Planning 1996).
- Assessing Significance for Historical Archaeological Sites and Relics (Heritage Branch 2009);
- The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, 2013); and,
- Historical Archaeology Code of Practice (Heritage Office 2000).

CONCLUSIONS

This report concludes that:

- There has been almost 200 years of continuous historical occupation of the subject site;
- The locations of former structures have been identified from historic sources. These are likely to date from the 1820s to the mid twentieth century;
- There is low to moderate potential for historical archaeological resources to survive at the subject site;
- The potential archaeological remains are likely to be associated with the domestic, and possibly commercial, occupation of the site;
- The potential historical archaeological resources have been assessed, in accordance with the NSW Heritage Significance Criteria, as potentially having State heritage significance (in the case of Barbers' and Owen's occupation), and Local heritage significance for the remainder of the site;
- Potential archaeological remains are therefore defined as 'relics' in accordance with the Heritage Act 1977;
- The proposed development may disturb and/or remove portions of potential relics at the subject site-specifically the excavations for the mature tree at the corner of Charles and Phillip Streets.

RECOMMENDATIONS

The following recommendations are made for management of the site's archaeological heritage significance prior to and during approved development of the site. It is recommended that:

- An application should be made to the Archaeologists, Department of Premier and Cabinet, for an excavation permit, issued under Section 140 of the NSW Heritage Act;

- This permit should allow for test excavation in accordance with an Archaeological Research Design and Excavation Methodology (ARD) set out in Section 9;
- This assessment Report and the ARD should be submitted in support of the permit application; and,
- Inclusion of the information generated from investigation of archaeological resources in other parts of the site could also be considered as part of a public interpretation strategy, which is currently being finalised.

1.0 Introduction

1.1. Background

Curio Projects Pty Ltd was commissioned by Spackman Mossop Michaels (SMM) to prepare an Historical Archaeological Assessment and Research Design Report (AARD) for the Charles Street Square Development, located at 38 Charles Street, Parramatta, including a portion of the road reserve (the study area).

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- The Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance, Australia ICOMOS, 2013); and,
- Historical Archaeology Code of Practice (Heritage Office 2000).

The terminology used in this report is consistent with the NSW Heritage Manual prepared by the NSW Heritage Office (now the Department of Premier and Cabinet) and the Burra Charter.

1.2. Site Identification

The study area is a proposed development at the corner of Charles and Phillip Streets in Paramatta (Figure 1-1 and Figure 1-2). It is located at 38 Charles Street and is comprised of five allotments, including part of the road reserve. The allotments include: Lot 1 DP 1172250; Lot 2 DP 869816; Lot 2 DP 869820; Lot 1 DP 506760; and Part of the adjacent road reserve of Charles Street.

1.3. Limitations and Constraints

This report deals with the historical archaeology of the study area only. The Aboriginal and cultural heritage values of the study area are addressed in the Due Diligence report (DD) and an Aboriginal Cultural Heritage Assessment Report (ACHAR) which is also completed.

The study area inspection was undertaken as a visual study only, and no physical investigation (i.e. test excavation) was carried out to inform this assessment. Geo-technical results from work in 2019 have however been consulted.

This report has been completed using preferred concept plans for the Charles Street Square Development which are subject to final approvals and therefore can only be used as a guide for potential impacts. Recommendations made in this report will need to be reassessed once final detailed plans are available.

1.4. Authorship

This report has been prepared by Matthew Kelly, Senior Archaeologist and Michelle Richards, Senior Archaeologist of Curio Projects. Kieren Watson, Archaeologist and Tatiana Barreto, Architectural Advisor, Curio Projects, prepared the overlays for the report.

1.5. Acknowledgements

We acknowledge the assistance of Catherine Dung and Bene Fernandez of SMM and Adam Fowler of Parramatta City Council.



Figure 1-1: Charles Street Square study area outlined in red. (Source: Six Maps with Curio additions 2019)



Project: Charles Street, Parramatta

Drawn By: Kieren Watson

Client: Spackman Mossop Michaels

Date: 26.2.2019

Figure 1-2: A recent aerial photo of the Charles Street Square study area. (Source: Six Maps with Curio additions 2019)

2. Statutory Context

2.1. Introduction

In NSW, heritage items and known or potential archaeological resources are afforded statutory protection under the:

- *National Parks and Wildlife Act 1974* (NSW);
- *Heritage Act 1977* (NSW); and
- *Environmental Planning and Assessment Act 1979* (NSW);

There are further planning policies and controls that provide a non-statutory role in the protection of environmental heritage. These include *Development Control Plans* for each local Council area.

This section of the report discusses the local and State planning context for the study area with respect to its archaeological values and potential associated with local heritage items and places in the vicinity of the study area.

2.2. State Legislation—Aboriginal Archaeology

2.2.1. NSW Parks and Wildlife Act 1974

The *NSW Parks and Wildlife Act 1974*, administered by the OEH, is the primary legislation that provides statutory protection for all ‘Aboriginal objects’ (Part 6, Section 90) and ‘Aboriginal places’ (Part 6, Section 84) within NSW.

An Aboriginal object is defined through the *NPW Act 1974* as:

“any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.”

The *NPW Act 1974* provides the definition of ‘harm’ to Aboriginal objects and places as:

“...any act or omission that:

(a) destroys, defaces or damages the object or place, or

(b) in relation to an object-moves the object from the land on which it had been situated, or

(c) is specified by the regulations, or

(d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c),”¹

The *NPW Act 1974* also establishes penalties for ‘harm’ to Aboriginal objects and declared Aboriginal places, as well as defences and exemptions for harm. One of the main defences against the harming of Aboriginal objects and cultural material is to seek an Aboriginal Heritage Impact Permit (AHIP) under

¹ NPW Act 1974

Section 90 of the *NPW Act 1974*, under which disturbance to Aboriginal objects could be undertaken, in accordance with the requirements of an approved AHIP.

OEH Guidelines

In order to best implement and administer the protection afforded to Aboriginal objects and places as through the *NPW Act 1974* and *EP&A Act 1979*, the OEH have prepared a series of best practice statutory guidelines with regards to Aboriginal heritage. These guidelines are designed to assist developers, landowners and archaeologists to better understand their statutory obligations with regards to Aboriginal heritage in NSW and implement best practice policies into their investigation of Aboriginal heritage values and archaeology in relation to their land and/or development. These guidelines include:

- *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.*²
- *Guide to Investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW.*³
- *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales.*⁴
- *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.*⁵
- *Aboriginal Heritage Impact Permits, a Guide for Applicants.*⁶

2.3. State Legislation—Historical Archaeology

2.3.1. 2.2.1 NSW Heritage Act 1977

The purpose of the *NSW Heritage Act 1977* (as amended) is to conserve the environmental heritage of the State. *Environmental heritage* is broadly defined under Section 4 of the *Heritage Act* as consisting of the following items:

‘those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance.’

The *Heritage Act 1977* protects heritage, but historical archaeological remains are additionally protected from being moved or excavated through the operation of the ‘relics’ provisions. These protect unidentified ‘relics’ which may form part of the State’s environmental heritage, but which have not been listed on the State Heritage Register or protected by an Interim Heritage Order. An archaeological site is an area of land which is the location of one or more archaeological ‘relics’.

Division 9 of the *Heritage Act 1977* is titled ‘*Protection of certain relics*’, with Section 139 containing provisions for ‘*Excavation permit [being] required in certain cases*’ to ‘*disturb or excavate land*’. Such permits are issued under Sections 140 and 141 of the Act, or under Sections 60 and 63 of the Act, in cases where ‘relics’ are situated within sites or places listed on the State Heritage Register. Section 139 prohibits the excavating or disturbing of land leading to a relic being discovered, exposed, moved, damaged or destroyed. To ‘excavate and disturb land’ in the context of the *NSW Heritage Act 1977* is an action associated with the activity of digging or unearthing.

² DECCW 2010, *Due Diligence Code of Practice for the Investigation of Aboriginal Objects in New South Wales*. A Due Diligence Report has recently been completed for the Charles Street site.

³ OEH 2011, *Guide to Investigating, assessing and reporting on Aboriginal cultural heritage in NSW*.

⁴ DECCW 2010, *Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales*.

⁵ DECCW 2010, *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

⁶ OEH 2011, *Aboriginal Heritage Impact Permits, a Guide for Applicants*.

The amendments made to the *Heritage Act 1977* in 2009, defined a 'relic' as an archaeological deposit, resource or feature that has heritage significance at a local or State level.⁷

This significance-based approach to identifying 'relics' is consistent with the way other heritage items such as buildings, works, precincts or landscapes are identified and managed in NSW. The key issue is whether a deposit, artefact, object or material evidence that survives from the past is significant according to the significance criteria outlined in *The Burra Charter*. If it is significant, it will need to be managed under the 'relics' provisions of the *Heritage Act 1977*.⁸ If an historical deposit, artefact, object or material evidence from the past is deemed not to meet the threshold of local or State significance, then it does not need to be managed as a 'relic' under the *Heritage Act 1977*.

In addition, Section 146 of the *Heritage Act 1977* relates to the requirement to report the discovery of relics to the Heritage Council.

Section 146 of the *Heritage Act 1977* states:

146 Notification of discovery of a relic

A person, who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:

(a) within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and

(b) within the period required by the Heritage Council furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

In accordance with the Section 146 provisions of the *Heritage Act 1977*, the discovery of relics is generally reported to the Department of Premier and Cabinet, in the form of a post-excavation report or similar, depending on the circumstances in which the discovery was made and in accordance with any requirements of the Minister.

The Charles Street Square study area is not listed on the NSW State Heritage Register. However, any relics present on the study area are subject to the requirements of Section 139 of the *Heritage Act 1977*.

NSW Heritage Division Guidelines

In order to best implement and administer the protection afforded to historical archaeological 'relics' and heritage places as through the NSW *Heritage Act 1977* and *EP&A Act 1979*, the NSW State Government have prepared a series of best practice statutory guidelines with regards to historical archaeology. These guidelines are designed to assist developers, landowners and archaeologists to better understand their statutory obligations with regards to historical archaeology in NSW and implement best practice policies into their investigation of historical archaeological heritage values in relation to their land and/or development.

⁷ NSW Heritage Branch Department of Planning, 2009.

⁸ Heritage Branch 2009, 1.

2.3 Environmental Planning and Assessment Act 1979

The NSW Department of Planning and Environment administers the *EPA Act 1979*, which provides the legislative context for environmental planning instruments to be made to legislate and guide and the process of development and land use. Local heritage items, including known archaeological items, identified Aboriginal Places and heritage conservation areas are protected through listings on Local Environmental Plans (LEPs) or Regional Environmental Plans (REPs). The *EPA Act 1979* also requires that potential Aboriginal and historical archaeological resources are adequately assessed and considered as part of the development process, in accordance with the requirements of the *NPW Act 1974* and the *Heritage Act 1977*.

2.3.1 Parramatta Local Environmental Plan 2011

Clause 5.10 of the Parramatta Local Environmental Plan 2011 (PLEP 2011) sets out objective and planning controls for the conservation of heritage in the Parramatta City Council area, including the conservation of built heritage and archaeological sites.

The objectives and planning controls for the conservation of Parramatta’s environmental heritage are outlined in Clause 5.10 Heritage Conservation as follows:

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Parramatta,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Development consent, as outlined in Clause 5.10 (2) is required as follows:

(2) Requirement for consent

Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

- (i) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area.*

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

Clause 5.10 (5) relates to the requirement for a heritage assessment to be required prior to development consent being given.

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

2.3.2 Parramatta Development Control Plan 2011

The Parramatta Development Control Plan (DCP) 2011 is a non-statutory development control plan that provides the detailed design guidelines to support the PLEP 2011. The Parramatta DCP 2011 provides simple guidance on how development may occur, and includes notably, main objectives to ensure that items of environmental heritage are conserved, respected and protected.

Section 3.5.2 of the Parramatta DCP concerns Archaeology and clarifies how Parramatta's archaeological resources are to be managed. Notably, this section specifies that:

For all Development Applications for sites included in the PHALMS [Parramatta Historical Archaeological Landscape Management Study] area, which include excavation, Council requires that applicants refer in their Statement of Environmental Effects to the Recommended Management of the site as set out in the PHALMS. If action is recommended regarding known or potential archaeological resources on the site, applicants shall follow the procedures set out in the Study.⁹

⁹ Parramatta DCP 2011: 86

The entire Charles Street Square study area and surrounds is included within PHALMS Archaeological Management Units (AMUs) 3209 and 2936.

2.3.3 Parramatta Historical Archaeological Landscape Management Study (PHALMS)

The PHALMS project was undertaken to identify and provide a framework for the management of Parramatta City’s finite historical archaeological resources. The land within the area covered by REP 28 was the subject of historical research and archaeological survey to assess its potential to contain significant archaeological relics. For management purposes REP 28 was divided into discrete units designated Archaeological Management Units (AMU’s). Datasheets for each AMU are integrated into the SHI to provide information regarding historic land tenure, development episodes, and the significance of potential archaeological relics contained within their boundary.

The current development area falls within AMUs 3209, 3210 and 2936 (see Figure 2-1 to Figure 2-3). Information relevant to the study area and contained in the PHALMS AMU listings are¹⁰:

AMU 3209

- This AMU has low potential to contain intact subsurface deposits;
- This AMU has moderate archaeological research potential; and
- Archaeological evidence within this AMU is likely to have been heavily disturbed.

AMU 3210

- Archaeological evidence at this site is likely to be totally removed;
- This AMU has no current archaeological research potential.

AMU 2936

- This AMU has moderate archaeological research potential;
- Archaeological evidence within this AMU is likely to have been heavily disturbed.

Management recommendations for the AMUs with archaeological potential is:

- Test Trench and Reassess.

¹⁰ Godden Mackay Logan, 2000, Parramatta Historical Archaeological Landscape Management Study 2000 (PHALMS).

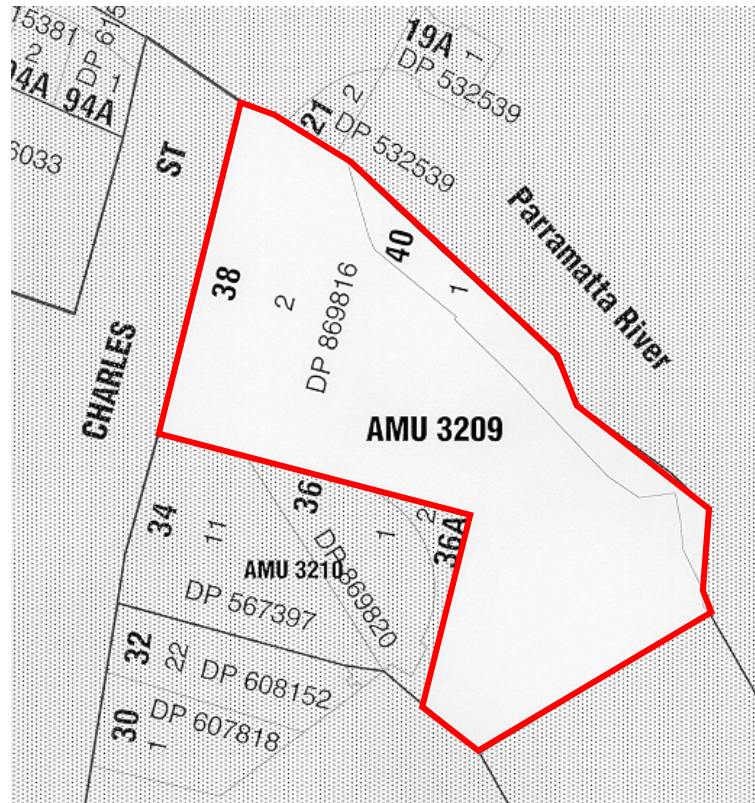


Figure 2-1 Boundary (red line) of PHALMS AMU 3209 which encompasses part of the study area. (Source: NSW Office of Environment and Heritage)

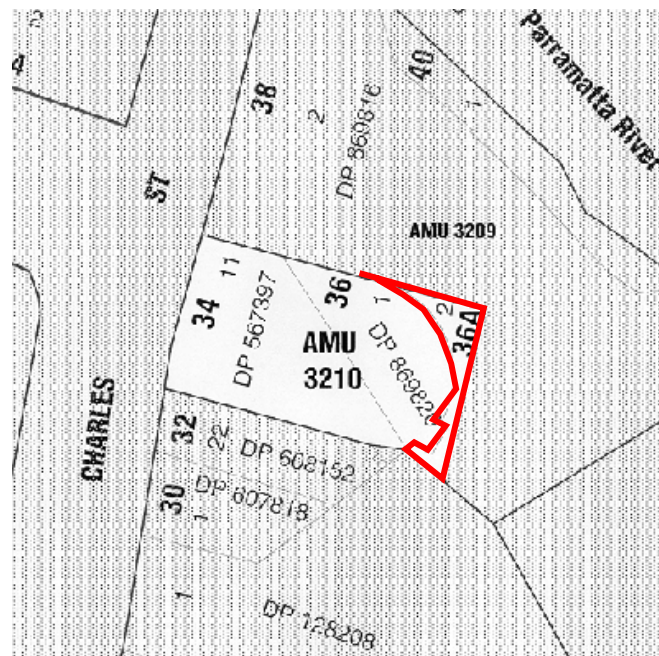


Figure 2-2 Boundary (red line) of PHALMS AMU 3210 which encompasses part of the study area. (Source: NSW Office of Environment and Heritage)



Figure 2-3 Boundary (red line) of the western portion of PHALMS AMU 2936 which encompasses part of the study area. (Source: NSW Office of Environment and Heritage)

2.3.2. Nearby Heritage Listings

While there are no statutory heritage listings in the State Heritage Register (SHR) in the Charles Street Square study area, there are seventeen (17) SHR listings in proximity (Table 1 and Figure 2-4). Most of these listings are built heritage items, however four of the listings refer to historic archaeology: 1) Harrisford and potential archaeological site; 2) Parramatta District Hospital - Archaeology, Marsden Street (00826); 3) Prince Alfred Square and potential archaeological site (01997); and, 4) Ancient Aboriginal and Early Colonial Landscape, Robin Thomas Reserve, Harris Park (01863).

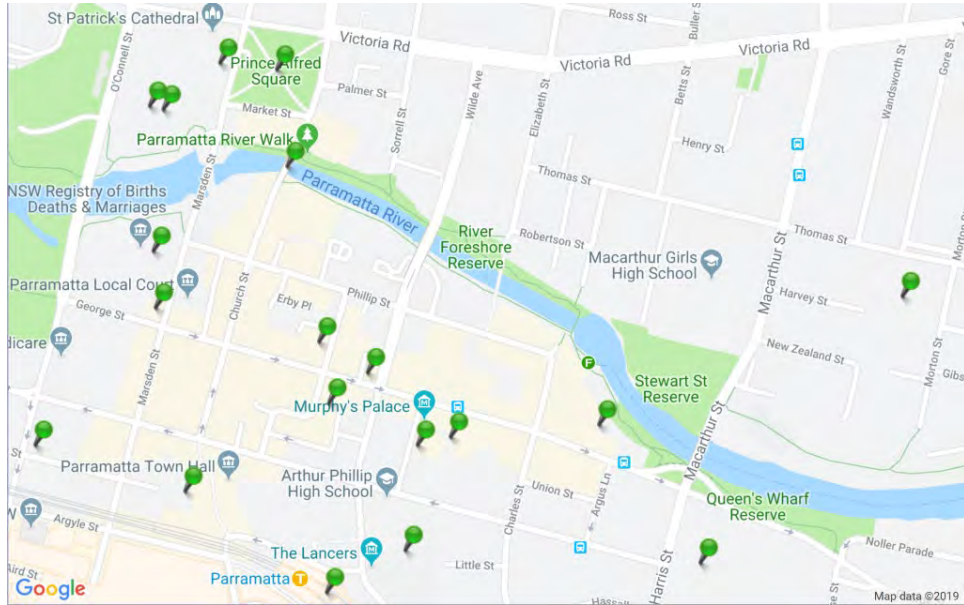


Figure 2-4 State Heritage Register listings in proximity to Charles Street Square study area (see also Table 1) (Source: OEH Heritage Division, SHR Map Search, Accessed 18/06/2019 <https://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>).

Table 1 State Heritage Register listings in proximity to the Charles Street Square study area (OEH Heritage Division SHR)

| ITEM NAME | ADDRESS | SHR No. | GAZETTE DATE |
|---|--|---------|--------------|
| Harrisford (house) & Potential archaeological site AMU 3034 (State Significant) | 182 George Street Parramatta | 00248 | 02/04/1999 |
| Perth House and Stables | 85 George Street Parramatta | 00155 | 02/04/1999 |
| Warders Cottages | 1 and 3 Barrack Lane Parramatta | 00709 | 02/04/1999 |
| Shop and Office | 88-92 George Street Parramatta | 00278 | 02/04/1999 |
| Roxy Theatre | 65-69 George Street Parramatta | 00711 | 02/04/1999 |
| Redcoats Mess House | Horwood Place Parramatta | 00218 | 02/04/1999 |
| Lennox Bridge | 349-351 (adj) Church Street Parramatta | 00750 | 02/04/1999 |
| Broughton House | 43a Thomas Street Parramatta | 01302 | 02/04/1999 |
| St John's Anglican Cathedral | 195 Church Street Parramatta | 01805 | 02/04/1999 |
| Traveller's Rest Inn Group | 12, 14, 16 O'Connell Street Parramatta | 00748 | 02/04/1999 |
| Parramatta District Hospital – Brislington and Landscape | 10 George Street Parramatta | 00059 | 02/04/1999 |
| Parramatta District Hospital - Archaeology | Marsden Street Parramatta | 00828 | 02/04/1999 |
| Marsden Rehabilitation Centre Group | O'Connell Street Parramatta | 00826 | 02/04/1999 |
| Kings School Group (former) | 3 Marist Place Parramatta | 00771 | 02/04/1999 |
| Murphy's House | 1 Marist Place Parramatta | 00238 | 02/04/1999 |

| ITEM NAME | ADDRESS | SHR No. | GAZETTE DATE |
|--|--|---------|--------------|
| Prince Alfred Square and potential archaeological site | 353 Church Street Parramatta | 01997 | 28/08/2017 |
| Ancient Aboriginal and Early Colonial Landscape | Robin Thomas Reserve, Harris Park Parramatta | 01863 | 08/07/2011 |

3. Historical Outline

3.1. Historic Occupation

The current historical outline presents a summarised history of Parramatta highlighting some of the most important events that occurred within the broader Charles Street Square area. It is divided in two main sections (Early Aboriginal Occupation and Post-Invasion Development) with other historic subdivisions that have the pedagogical intent of demonstrating the historical development within the boundaries of Charles Street Square. This historic timeframe tries to understand the potential nature of the remaining archaeological evidence present on study area today in contrast to the broader development of Parramatta as one of the most significant regions of NSW.

In addition, due the nature of the study area and its proximity to the Parramatta river, it is also necessary to understand the distinct impacts that occurred in face of the various flood events that were registered on the historic records. Such impacts are fundamental when understanding the conditions of preservation of archaeological remains as well as its nature, as demonstrated on <Chapter XYZ>. Finally, the following chapters indicate to historic subdivisions that aim to separate the most important events that were responsible to form the contemporary Parramatta region. The selected timeframes – or phases – are as following:

Phase 1 (1788 – 1823)

Events associated with this phase are related to the early town development of Parramatta area and the convict period of colonial settlement of the study area. As Parramatta was the second settlement established in Australia, this historic division embraces the early town settlement occupied by rudimentary timber structures and huts associated with the convict occupation until the replacement of Governor Macquarie in 1821.

Phase 2 (1823 – 1840s)

This period is related to the early residential grant and lease systematisation promoted during the government of Sir Thomas Brisbane after the survey and identification of Parramatta’s occupation in 1823, which resulted in comprehensive map of the region. This identification enabled the crown to organise the occupation of the land and its tenants by either granting a lease for areas with constructions worth over £1,000 or after the payment of a 21 years quit rent. During the 1840s, economic depression and droughts have imposed severe conditions to Parramatta’s population¹¹.

Phase 3 (1850s to 1870s)

The third historic phase is related to the early development of Parramatta that followed the establishment of grants and leases during the 1820s and the development of local businesses and commerce after the depression of the 1840s. It was also within this period that land was occupied distant from Parramatta’s commercial centre, with several new estates and subdivisions of land.

Phase 4 (1880s to 1910s)

¹¹ Kass, T, Liston, C and McClymont, J, 1996, *Parramatta: A Past Revealed*, Parramatta City Council, p.163 and 164

Since the late 1870s, Parramatta experienced the most intense population growth during 1870 to 1880 since the convict system¹², followed by another growth during 1880s until 1890s. During those two growth periods, the new residents were attracted to Parramatta due to several economic reasons that have reinforced the building boom, especially in the South-eastern part of Parramatta¹³ and its surroundings. It was after 1884 that Parramatta’s residents started to be listed amongst the Sydney street directories, which its population was composed mostly of Australian-born residents, although with a remarkable presence of British and Chinese immigrants. During this period, Parramatta possessed several rural villages that were responsible for the production of dairy, cattle, grapevines, oranges, orchards and poultry¹⁴.

Phase 5 (1920s to 1930s)

This phase marks the years post the WWI and WWII, which Parramatta experienced a period of severe economic depression and unemployment after the prosperous years of the 1920s decade¹⁵. The increasing unemployment numbers imposed pressure on the local and state administration that presented a series of measures, such as food coupons, that aimed to aid the unemployed workforce and lessen the effects of the economic depression¹⁶. Within the employed workforce, the economic depression and conditions at time directly affected wage rates, which was then followed by political resistance from workers with an influence from the Communist Party.

Phase 6 (1940s to 1960s)

The period immediately after WWII was characterised by the change in status of Parramatta at the State political level due to the amalgamation of this area with the surrounding municipalities and the development of the County of Cumberland Scheme. Such development proposal divided Parramatta and its surrounding municipalities into distinct zones separated by land use: residential, commercial, industrial or vacant areas¹⁷. In terms of economic and industrial development, the subdivision of the County of Cumberland Scheme attributed to Parramatta most of the industrial zones within the County of Cumberland, which the metal fabrication industry was the most prominent one.

Phase 7 (1970s to present)

The most recent historic subdivision selected for the analysis of the Charles Street Square study area is related to the development of Parramatta from 1970s until the present day. This period is marked by another boom of building and development within the Parramatta area, which demanded more than basic infrastructure development, but also a more substantial investment by Local and State governments towards community services and facilities¹⁸.

¹² *ibid.* p.185

¹³ *ibid.*

¹⁴ Kass, *et al, op cit*, p.227 to 232.

¹⁵ *ibid.* p.329

¹⁶ *ibid.* p.334

¹⁷ *ibid.* p.367

¹⁸ *ibid.* p.398

3.2. Historic Analysis - Early Aboriginal Occupation

Prior to European occupation of the region Aboriginal people had inhabited the Sydney basin for thousands of years. The Darug are the traditional owners of the Parramatta area. This language group originally extended from the eastern suburbs of Sydney as far south as La Perouse, west as far as Bathurst and north as far as the Hawkesbury River.¹⁹ The Darug clan group, that occupied modern day Parramatta, were the Barramattagal after whom that place is named.²⁰ Much of the evidence of traditional Aboriginal lifestyle and economy was disturbed in the early years of European settlement and much of our information on the locals is based on ethnohistorical sources. The Barramattagal people enjoyed an abundant and uniquely varied food resource created by the convergence of fresh water and saltwater within the river. Fresh water species included mullet, crayfish, shellfish and turtles while the saltwater species included eels, fish, shellfish and molluscs. Middens were excavated to for a myriad of uses by the Europeans. Much of the disturbance of shell middens occurred early in the post-contact period, particularly in areas of the river close to settlement building activity such as Parramatta and Sydney.

The Parramatta Terrace Sand Sheet is known to contain Aboriginal cultural deposits dating to the Pleistocene period (>10,000 years BP). The Charles Street Square study area's proximity to the Parramatta River also indicates there is a possibility for cultural deposits to exist in the area. However, factors including the erosion of the riverbanks and the historic development and disturbance on the site have decreased the likelihood of Aboriginal cultural deposits remaining undisturbed in the study area.

3.3. Historic Analysis – Post Invasion Development

3.3.1. Convict period and initial colony settlement

Parramatta was the second settlement established in New South Wales intended to supply the Sydney settlement with agricultural resources. Soon after the First Fleet reached Sydney Cove in January 1788 it became apparent that the surrounding land was not suitable for agriculture. In addition, the Colonial Marines and convicts were largely untrained in farming, which exacerbated the shortage of both necessary skills and supplies for maintaining the colony. As a result, explorations were made further inland to locate arable land. Lieutenant Bradley reached at least as far as Duck Creek in February 1788 and Bradley noted the good quality of soil along the Parramatta River by May 1788.

Rose Hill is adjacent to the Parramatta River and approximately 12 miles from Sydney (19 kilometres). It was identified as having some potential for farming and a Government Farm was established there in November 1788. The work was undertaken by groups of convicts supervised by the Colonial Marines.

Growing from the experimental farming settlement, Rose Hill developed into the settlement known as Parramatta. The regularised configuration of the town plan manifest from the military administrative

¹⁹ Eades, D, 1976, *The Dharawal and Dhurga languages of the New South Wales South Coast*, Australian Institute of Aboriginal Studies, Canberra.

²⁰ Attenbrow, V, 2002, *Sydney's Aboriginal Past: Investigating the Archaeological and Historical Records*, UNSW Press, Sydney, p.24.

origin of the settlement. In 1790 Lt. William Dawes was sent to Parramatta to survey the town grid and the line of streets, the same arrangement largely survives today (Figure 3-1).

Parramatta's population expanded quickly. This growth was aided by the successful farming ventures and the increasing numbers of free settlers who received land grants in the area. The growing population of the town in turn necessitated improvements in public services. This resulted in the establishment of many of Parramatta's major public institutions in the first 15 years after 1788. These included a hospital (1790), Government House (c. 1790), The Barracks (1790/91) and the Government Brewery (1804) as well as several churches, stores and pubs.

Despite Governor Phillip's early endeavours, the later development of Parramatta had been rather haphazard. The arrival of Governor Macquarie in 1810 saw a new effort to take control of the expansion of the developing town. In December 1810, Macquarie inspected the town with surveyor James Meehan to plan streets and improve the layout of the town.²¹ Macquarie returned in 1811 to regularise the streets, changing the name of High Street to George Street, and renamed other streets including those now known as Phillip, Macquarie and Marsden Streets.²² By 1814 he had expanded the grid layout of the town with new north-south and east-west streets. This included the alignment of Charles Street at the eastern edge of the town (see Figure 3-1).

Prior to Macquarie's arrival, town leases had been issued for allotments along George, Church and Macquarie Streets. However, the vast majority of existing occupation was still allowed with little record of ownership, subsequent sale or length of occupation. In 1823, the 14-year leases issued in 1809 were due to expire.²³ In the same year, the Government declared that 21-year leases would be offered to anyone occupying land in Parramatta. These leases could be converted to free hold by the payment of 21 years quit rent or by constructing a building worth at least £1,000. Records from this Government initiative identify the study area occupants and leaseholders, including the portions of the three allotments in the Charles Street Square study area (Figure 3-2).

3.4. Historic Analysis – Individual Allotments

To better assess the development of the Charles Street Square area, it is necessary to undertake a detailed study of the individual allotments that were previously marked as the current study area. Such allotments subdivision is variable through time and are play an important role in understanding the nature of potential archaeological remains that may be within the study area as well as to evaluate its historic and cultural significance. The analysis of the individual allotments follows the distinct historic timeframes – or phases – that were detailed previously (Chapter XYZ).

3.4.1. Phase 1 and Phase 2

A map of Parramatta and a return of the allotments and their occupants was prepared on 5 April 1823 by the surveyor general John Oxley for the colonial secretary, Frederick Goulburn. The information in these two documents, the map and the return, are summarised below in relation to the study area. The 1823 Town Leases for Parramatta issued under Governor Sir Thomas Brisbane marked a departure

²¹ Kass, *et al, op cit*, p.75.

²² *Ibid.*

²³ Kass, *et al, op cit*, p.113.

from the restrictions on leases and strict building regulations imposed by the previous Governor Macquarie.

Section 23 Allotment 13 and 70

The 1823 return lists Walter Lawry as the holder of Allotment 70. Records also show that in 1823 the land was leased to him for 21 years. Lawry was a Methodist missionary who had arrived in the colony in 1818 at the age of 25. In 1822 Lawry addressed his correspondence from Parramatta. However, it is not clear if Lawry lived on Allotment 70 because his Parramatta address may have been associated with one of his other properties in the town.²⁴

The 1823 plan shows a small structure at the southern end of Allotment 70, outside the boundary of the study area (see Figure 3-2). By 1824 Lawry had returned to England, he eventually returned to Parramatta 30 years later.²⁵

In 1839 Lawry transferred Allotments 13 and 70 to the Byrne brothers for £500.²⁶ The 1844 Brownrigg map of Parramatta shows the small structure on Allotment 13 has been removed but the structure on the southern portion of Allotment 70 remained (c.f. Figure 3-2 and Figure 3-3). In 1855 William Byrnes purchased Allotment 70 for £16/1/8. James and William Byrnes were brothers who were the pioneers of the steam ferry transport on the Parramatta River in the 1830s. Lawry was associated with the Byrnes brothers through the Methodist Church. The Byrnes brothers were highly esteemed and lucrative businessmen, known for their political careers, their steam powered flour mill, manufacturing the first tartan cloths in the colony in the 1840s, and building the first Wesleyan church (Methodist) in Parramatta in the 1860s.²⁷

Section 23 Allotment 14

In 1823, Allotment 14 was leased for 21 years to Hugh Owens. The 1823 plan shows a small structure in the centre of the allotment that was likely a wooden hut (see Figure 3-2). By 1844 the Brownrigg plan shows that this structure has been removed (Figure 3-3).

Owens was a soldier in the Veteran's Corp, that was a group of soldiers formed by Governor Macquarie in 1810 from the outgoing 102 Regiment (NSW Corps). The veterans signed on for additional service in the colony on the strength of the 73rd Regiment, which had accompanied Macquarie to Sydney.²⁸ Owens' life centred around Parramatta but there is little evidence of his dealings on Allotment 14. A newspaper report on the return of a lost mare to Hugh Owens of Smith Street appeared in the 1833 Sydney Gazette.²⁹ Owens also had legal dealings involving land on

²⁴ S. G. Cloughton, 'Lawry, Walter (1793–1859)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/lawry-walter-2337/text3045>, published first in hardcopy 1967, accessed online 3 February 2019.

²⁵ Ibid.

²⁶ LTO Deed, Book O, No 375.

²⁷ G. P. Walsh, 'Byrnes, William (1809–1891)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/byrnes-william-3334/text4673>, published first in hardcopy 1969, accessed online 17 June 2019.

²⁸ Montague, R.H., 1982, "The Royal Veterans in Australia", *Journal of the Royal Australian Historical Society*, Vol. 68, [Pt 3], pp 238-246.

²⁹ The Sydney Gazette and New South Wales Advertiser, 12 September, 1833, p.4.

Marsden Street that had allegedly been occupied by Samuel Larkin illegally, which he pursued into the 1830s. Allotment 14 was purchased by William Byrnes in 1858 for £3/16/8.³⁰

Section 23 Allotment 16

Thomas Barber, formerly of NSW Corps (later the 102nd Regiment) arrived in Australia as a free settler aboard the "Earl Cornwallis" in 1801.³¹ He was discharged from Military Service in 1810 and was granted land in the District of Airs and received 100 acres.³² Barber is later listed on the 1823 return of allotments in the town of Parramatta as holding four allotments on Phillip, Hunter and Church Streets.³³ The allotment that included the Charles Street study area was leased to Barber on 30 June 1823.³⁴ He later sold this piece of land to his son, Samuel Barber, on 18 August 1836 for 100 pounds.³⁵ This site was on the east side of Charles St and consisted of 134 rods at a quit rent of 6d per rod.³⁶ This allotment was granted to Samuel Barber on March 1, 1841 at a cost of £70.³⁷

Thomas Barber died in June 1838 in the house on the study area, and was buried in St John's Cemetery, Parramatta.³⁸ The 1844 Brownrigg plan of the area shows the extent of Barber's holdings around the Smith and Charles St intersection where he leased at least three of the allotments (see Figure 3-3).

The 1822 Plan of the Town of Parramatta shows a reconfiguration of the allotment boundaries in the study area as Charles and Phillip Streets had been laid out by this time (see Figure 3-2). The study area contained a structure near Charles Street, although it is not aligned with the street frontage. This (presumably) wooden rectangular building remained on the study area as shown on the 1844 Plan of the Town of Parramatta within an allotment leased by 'T. Barber' and granted to 'T. Barber' during the period of leasehold conversion. The nature of the occupation on the allotment at this time was probably mixed mercantile/domestic. Evidence of this is in the obituary for Thomas Barber by his son Samuel which notes that the Barbers kept a business on their allotment in Charles Street.³⁹ The mixed character of this area of the town is further confirmed by an 1840 sale notice for a nearby lot which contained a slaughter-house and butcher shop.⁴⁰

From the late 1850s the study area was held by two owners, William Byrnes owned Allotments 70 and 14 and Barber on Allotment 16. In the 1860s the area could still be said to retain some sense of bucolic calm, despite the proximity of Byrnes Mill to the east, with a gentle slope down to the river. However, this area was still subject to flooding with catastrophic floods noted in 1864 and 1890.⁴¹ The

³⁰ Grants Vol 295, 1689.

³¹ Burns, A and Reid, L, 1996, *The Barbers: A Parramatta Family*, Aristoc Press, Glen Waverley, p39. Barber must have known Owens on Allotment 14 having both served in the 102nd Regiment.

³² Burns and Reid, *op cit*, p.51 and Col. Sec, Fiche 3266; 9/2652 p.4

³³ Colonial Secretary's Papers 1788-1825 [hereafter Col. Sec.] (Fiche 3265; 4/7576 pp.7,9,16).

³⁴ CT 4530 f144.

³⁵ *ibid.*

³⁶ *The Sydney Monitor*, 22 June 1838, p 3 and Burns and Reid, *op cit*, p.65.

³⁷ Col Sec (Fiche 3680; No. 624).

³⁸ Burns and Reid, *op cit*, p.82.

³⁹ *The Cumberland Argus and Fruitgrowers Advocate*, 15 November, 1890, p.4.

⁴⁰ Commercial Journal and Advertiser, 3 Jun 1840, Page 3.

⁴¹ For example, *The Empire*, 4 May, 1864, p.5.

floods reputedly scoured the riverbanks at this location and required substantial reclamation and filling.⁴²

3.4.2. Phase 3 and Phase 4

The eastern end of Charles Street was changing quickly at the end of the nineteenth century. These changes were necessary to accommodate the expanding needs of the growing Parramatta population which placed more pressure on the land. The site opposite the study area, on the west side of Charles Street, for example was sold in 1876 and subdivided for up to 5 cottages.⁴³ In 1892, the Council announced that a special water rate would be imposed on rateable properties to construct and maintain reticulated water supplies to a variety of streets that now included Charles Street.⁴⁴ The Council had gradually been introducing reticulated water to these 'new' areas since 1889. The 1893/5 plans show the study area as vacant and the 1895 Sands Directory only lists Robert Stokes occupying this end of Charles Street.⁴⁵

3.4.3. Phase 5 and Phase 6

By the 1930s six small structures are built, all fronting Charles Street. These structures consisted of one brick and five weatherboard cottages with yards spaces to the east (see Figure 3-8).

In 1942, substantial works including, concrete bedding and walls along the banks, was undertaken to stabilise and improve the condition of the river between Charles Street and Church Street. These works also included replacing the 1870s structure with the Charles Street weir resulting in the new higher water level at this location of the river.⁴⁶

The 1943 aerial photo of the area shows these yard spaces to be extensive vegetable gardens, likely market gardens (see Figure 3-9). Market gardens were established in Parramatta by many of the Chinese immigrants who had not succeeded in gold digging ventures.⁴⁷ Chinese market gardens were established as early as the 1890s and continued to increase as a popular endeavour for this migrant community in Parramatta until it was slowed by the White Australia policy in the 1940s.⁴⁸ In the post-war period there were many changes to Parramatta and Sydney's town planning including the expansion of central retail premises and suburban residences that pushed orchards, market gardens and farmlands further out of town.⁴⁹

⁴² See PHALMS AMU 2309.

⁴³ *Sydney Morning Herald*, 7 October, 1876, p.13.

⁴⁴ *The Cumberland Argus and Fruitgrowers Advocate*, 5 March, 1892, p.2.

⁴⁵ Sydney Sands Directory, 1895.

⁴⁶ Extent 2017, Parramatta River CBD Foreshore Archaeological Management Strategy, Volume I: Review of Archaeological Context, report to Parramatta City Council, p.30.

⁴⁷ Barnes, S. and Mar P. 2018. 'Waves of People' Parramatta City Council, Parramatta, p.57; Williams, M, 1999, Chinese Settlement in NSW. A thematic history, NSW Heritage Office of NSW, Retrieved April 10, 2017 from <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/chinesehistory.pdf>, 6.

⁴⁸ Barnes and Mar, *op cit*, p.58.

⁴⁹ *ibid*, p.64.

3.4.4. Phase 7

Since the 1950s, through the 1960s and 1970s the State Government attempted to establish a ferry transport link between Circular Quay and Parramatta. In 1988, Parramatta’s bicentennial year, it was decided that a fast ferry service be established close to the CBD at Charles Street. The State Government financed a programme to dredge the silted river between Charles Street and Silverwater, which involved dredging 20,000 cubic metres of the riverbed between Rydalmere and Silverwater and the excavation of a channel 4.6 kilometres to Parramatta (Figure 3-11).⁵⁰

The ferry service commenced on 9 December 1993 and was instantly popular. The ferry service fleet is comprised of seven shallow draft, low wash catamaran ferries, known as ‘Rivercats’, named after famous sportswomen, Betty Cuthbert, Dawn Fraser, Shane Gould, Evonne Goollagong, Marjorie Jackson and Marlene Mathews and Nichole Stevenson.⁵¹

3.4.5. Historical development and flood events in the study area

The following section outlines the history and developments in the study area that have been identified in through historic research for Phases 1 through 7. The flood history of the Parramatta River has impacted on the use and development of the study area from settlement to present day. Historic records of the known moderate to severe floods in the study area are as follows:

3.4.6. Phases 1 - 2

- 1795 earliest recorded flood in Parramatta, which was severe enough to wash away the first bridge.⁵²
- 1806 and 1809 heavy storms are reported.⁵³
- November 1812 extensive flooding particularly along the river flats west of the Church Street Bridge.⁵⁴
- 1826 flood caused damage to the second bridge.⁵⁵

3.4.7. Phases 3 - 4

- June 1864 major flood resulting in damage to numerous properties. Subsequently, flood gates were constructed between Charles Street and Lennox Bridge.⁵⁶
- May 1889 flood caused substantial damage specifically, scouring the riverbank in the study area.⁵⁷

⁵⁰ McClymont, J. 2014, ‘Rivercat Wharf – Parramatta’ Parramatta Historian, unpublished work, Parramatta Council Heritage Centre, from <http://arc.parracity.nsw.gov.au/blog/2014/10/07/rivercat-wharf-parramatta/>, 1.

⁵¹ *ibid.*

⁵² Eagle, R and Geary, M, 1986, “Lower Parramatta River Flood Study”, prepared for the NSW Public Works Department, p.16.

⁵³ The Sydney Gazette and New South Wales Advertiser, 19 October 1806 and 26 November 1809.

⁵⁴ The Sydney Gazette and New South Wales Advertiser, 28 November 1812, p.2.

⁵⁵ Eagle and Geary, *op cit.*

⁵⁶ Extent, *op cit.*, p.28.

⁵⁷ Eagle and Geary *op cit.*

3.4.8. Phases 5 - 7

Significant flood events on the Parramatta River that likely affected the study area in the twentieth century were recorded in 1914, 1956, 1961, 1967, 1969, 1974 and 1975.⁵⁸ None of these floods were as damaging as the 1889 flood.

⁵⁸ *ibid*, p. 15 and Appendix C.



Figure 3-1 "Plan of the Township of Parramatta in New South Wales 1814", showing the newly established street grid with Charles St indicated by the arrow. (Source: ML M M2 811.1301/1814/1)



Figure 3-2 Detail of "Map of the Township of Parramatta", 1823 showing the early allotment boundaries. The allotments that would form part of the current study area are 14, 16, and 70. See the structure, set at an angle to the street alignment, which was leased originally by Barber (No. 16 Section 23). (Source, LPI, CP 1.1022)



Figure 3-3 Detail of the “Plan of Parramatta” 1844 completed by W Brownrigg. The allotment boundary on Charles Street has been regularised and the 1823 structure appears to remain. (Source: ML M4 811, 1301/1844/1)

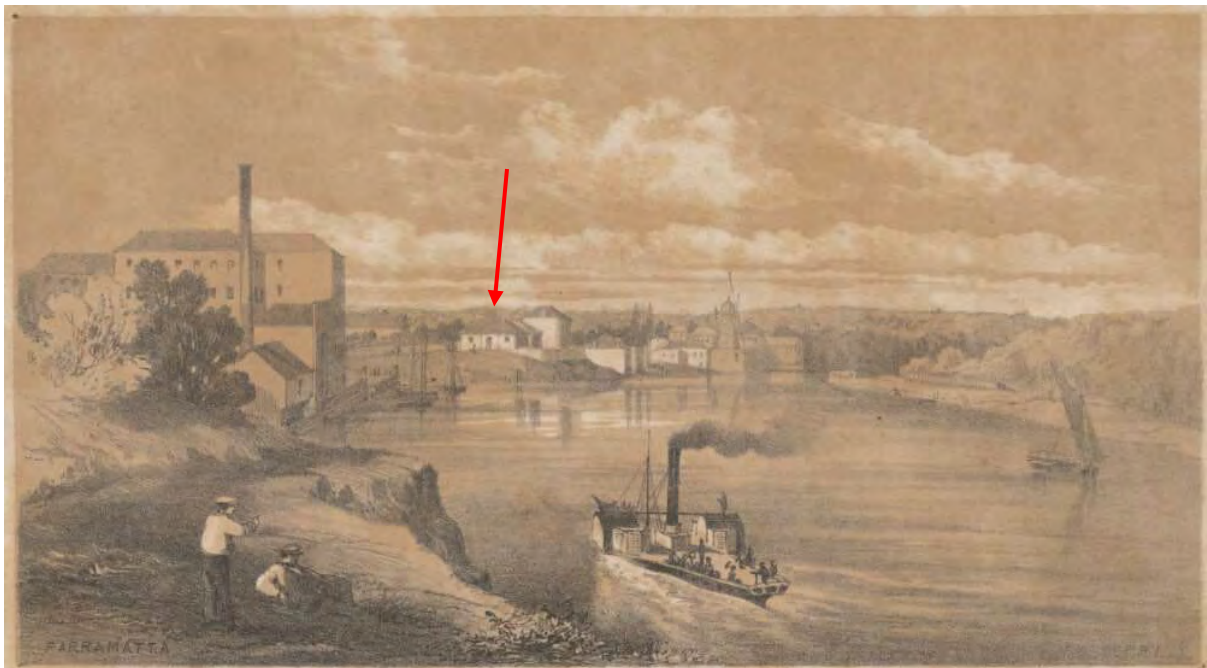


Figure 3-4 Parramatta, c.1860 by F, C Terry showing the southern side of the Parramatta River from Byrnes Mill to Howell’s Mill in the distance. Note the structures alongside the river with Barber’s House indicated. (Source: NLA PIC Drawer 2614 #S4042)

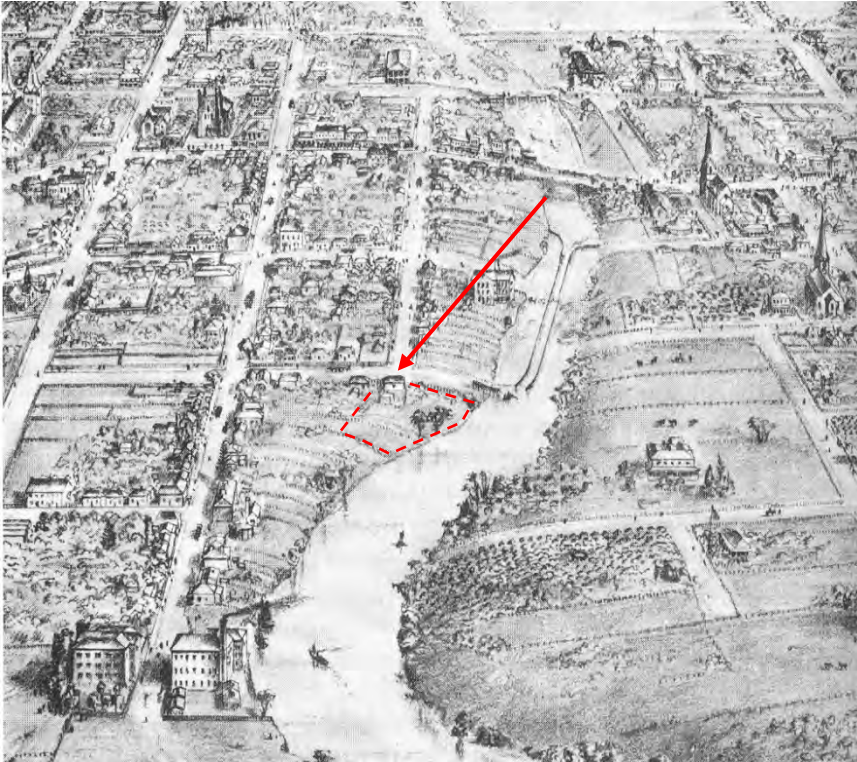


Figure 3-5 Detail of the “Birdseye View of Parramatta”, 1870 with the approximate study area indicated, with Barber’s house still evident and showing fence lines and gentle slopes down to the river. (Source: ML_XV1B_Parr_01).

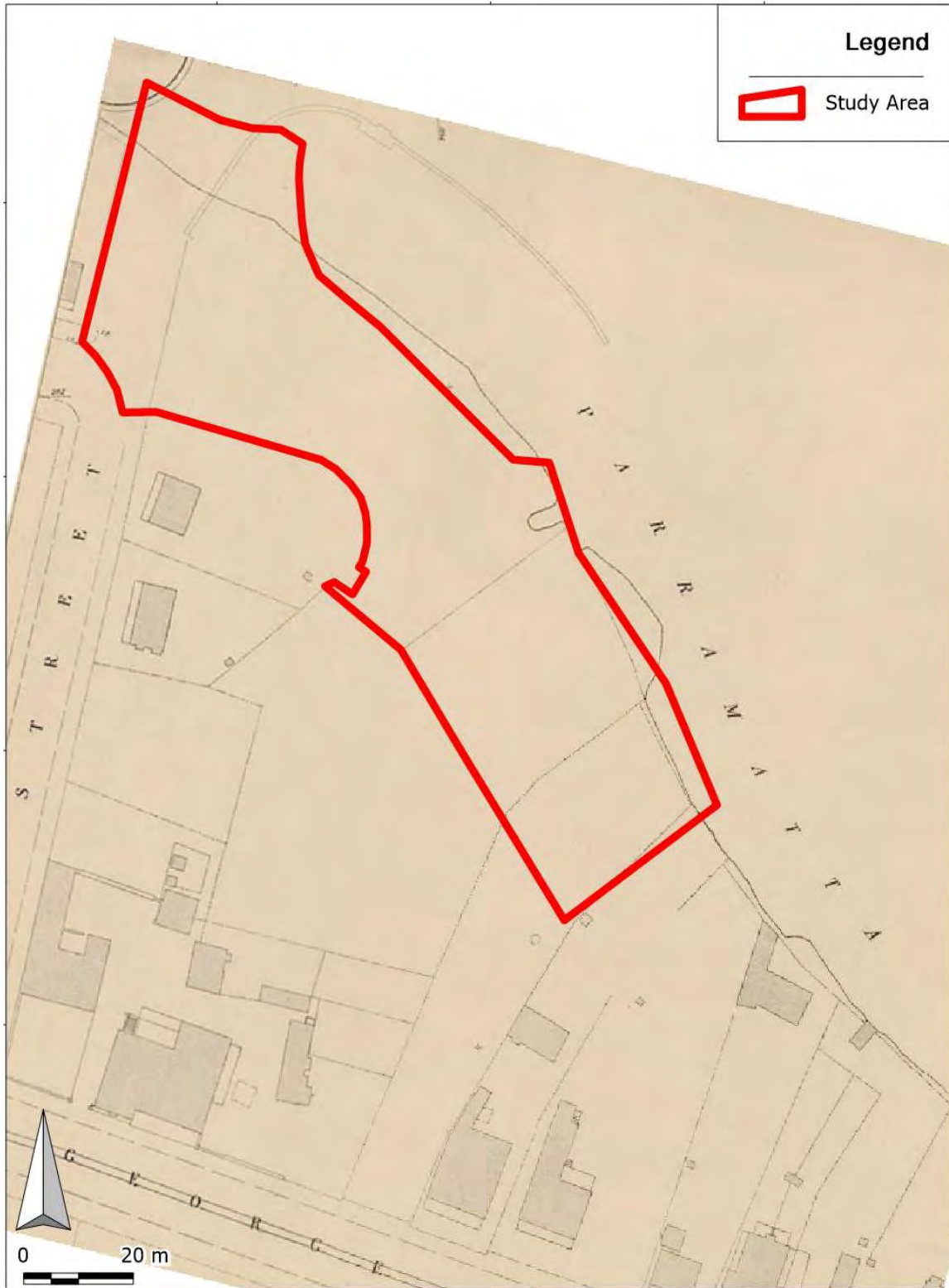


Figure 3-6 Detail of sheet 10 of the Parramatta Survey, 1895. Note that the study area is vacant at this stage. (Source: SL NSW).

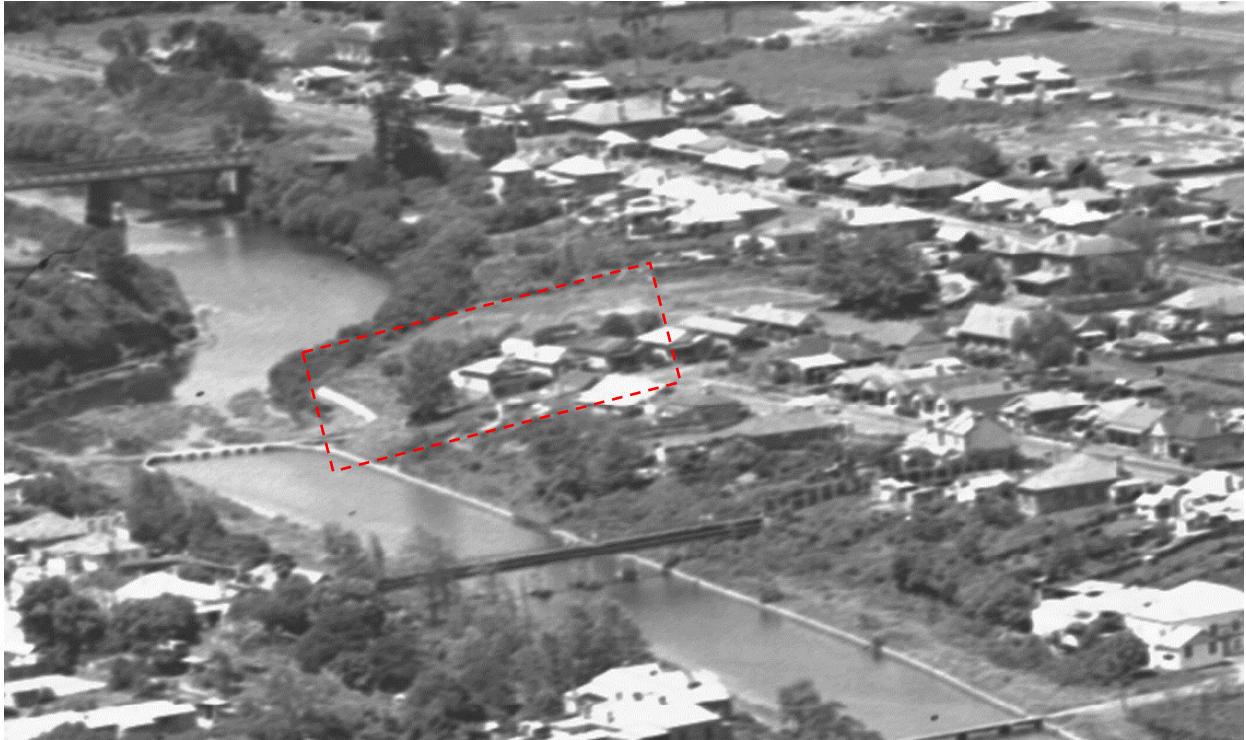


Figure 3-7 Detail of an undated twentieth century oblique view of Parramatta showing the study area outlined. Note the gentle slope down to the river and the weir and the mangroves along the eastern portion of the study area. (Source: NLA PIC FH/7946 PIC HURL 262/9)

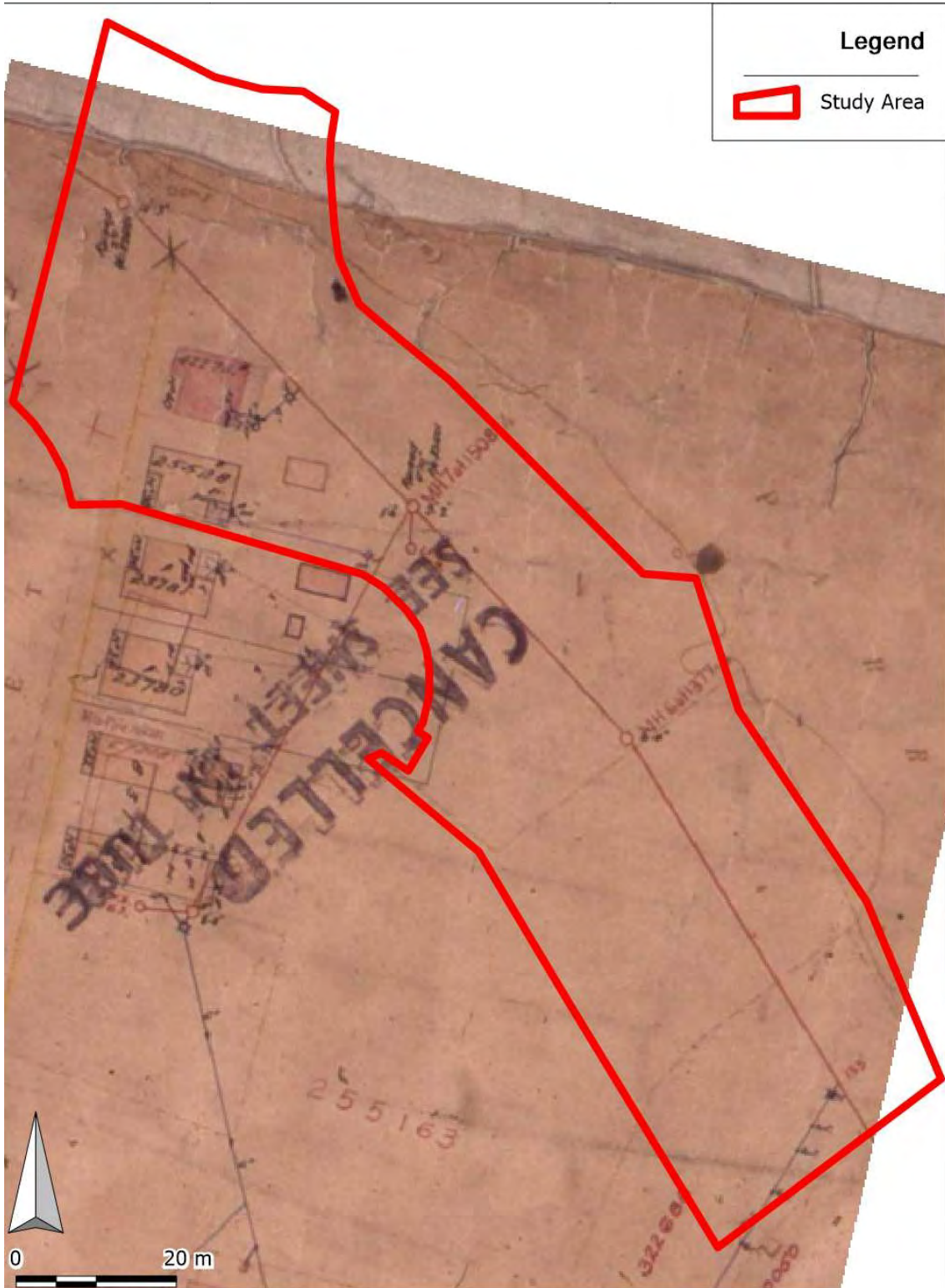


Figure 3-8 Detail of Sheet 10 of Sydney Water Contract 2703, c.1932. The structures shown are one brick (shown in pink) and 5 wooden/weatherboard (shown in buff) cottages with rear yard spaces and attendant outbuildings. (Source Sydney Water Archives).



Figure 3-9 Detail of the 1943 aerial photo series of Sydney. The study area is indicated. (Source: Six Maps).

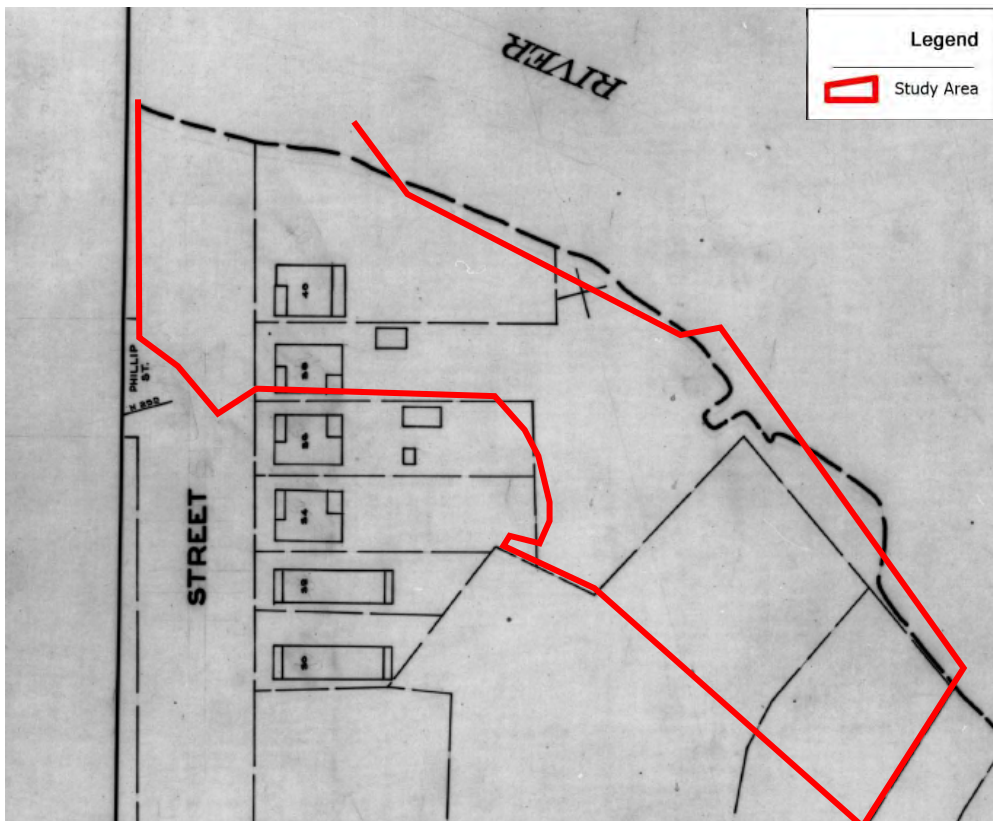


Figure 3-10 Detail of Sheet 2703 Sydney Water poss. 1960s. (Source: Sydney Water Archives).



Figure 3-11 1988 construction of the Charles Street Ferry Wharf. (Source: Parramatta Heritage Centre Coll.)



Figure 3-12 Detail of the 1994 aerial photo of the study area after the Rivercat dredging but before the current developments on the study area. (Source: LPI).

4. Physical Assessment

4.1. Study area Inspection

A study area inspection was undertaken by Curio Projects in March 2019 in order to gain a better understanding of physical and landform context of the Charles Street Square study area proposed for the development (i.e. the redevelopment of the wharf and surrounding landscape). The study area lies at the corner of Charles and Phillip Streets in the eastern part of the Parramatta CBD (see Figure 4-1 and Figure 4-2) and is bound to the north and east by Parramatta River.

The study area has a south-west street level entry with terraced levels extending down to the river on the western side of the study area. The study area is also accessible from the east and west via concrete footpaths at the level of the Parramatta River. The study area terraces include a café at 34 Charles Street and the Port Bar restaurant on a lower terrace, outdoor seating, safety rails, landscaping/gardens, ramps and steps marking the edges of the terraces, there is an automatic public toilet and bike lockers at the western end of the study area and the wharf facility at the river edge (see Figure 4-3 to Figure 4-5). The formalised river edge consists of a concrete surface with a variety of treatments for the retaining wall. These treatments vary from rubble filled wire gabions, a dry coursed stone corbelled wall and a concrete face associated with the weir (see Figure 4-6).

The south-east half of the study area is an open grassed space, with some mature trees, that slopes up to the relative level of Charles Street.

The study area inspection revealed high levels of modern construction, terracing and landscaping, at the western end, mixed with open grassed space with moderate landscaping at the eastern end.

4.2. Geotechnical, Ground Penetrating Radar and Environmental Investigations

A Ground Penetrating Radar (GPR) survey was conducted in March 2018. The survey focused on the wharf area, to locate a sewer main and other possible services in the area.⁵⁹ The results of that survey are shown in Figure 4-8. The services were identified in the wharf area and included:

- Near-surface services electrical and comms 100-300mm
- Hydrant 800-1200mm
- Stormwater drainage 500-600mm (where visible)
- Sewer main beyond 2m depth.

In addition to these recently identified services an historically attested water main runs through the upper level of the study area (see Figure 3-8). This historic feature is included in Figure 5-1. Endeavour Energy also has a number of assets which currently cross near to or are on the study area. They consist of two 132,000-volt circuits which cross from Charles Street to Owens Avenue near the Charles Street weir.

A geotechnical investigation, consisting of two boreholes, has also been completed in June 2018 for the wharf upgrade.⁶⁰ The borehole locations were immediately adjacent to the existing retaining wall

⁵⁹GBG Australia, 2018, Subsurface Investigation to Determine Location of Services/Utilities at Parramatta Wharf, NSW, report to Hansen Yunken Pty Ltd.

⁶⁰ Coffey Partners, 2018, Parramatta Wharf Upgrade, Geotechnical Investigation Factual Report, report to Hansen Yunken.

beside the river. This investigation, which primarily focussed on the bedrock, determined that the subsurface deposits consisted of:

- A gravelly clay sand/ clayey sand/sandy clayey ("fill") present from 0.15m below ground level to 2.5m below ground level; and,
- The Wianamatta shale bedrock was present from 2.5m below ground to over 5.5m.

Within the "fill" layer no artefacts or other cultural material was identified. This suggests that this deposit has low archaeological potential in this location.

As a supplement to this geo-technical information borehole investigation of the study area took place under an Exception Notification in May and June 2019.⁶¹ Eight boreholes were undertaken across the study area to a depth of 2.0m or natural soils had been reached. These bore holes were primarily focussed on identification of contaminants across the study area, but comments made in the report noted,

Anthropogenic materials observed in some of the fill material encountered included road base, bitumen, concrete and ceramic tiles⁶²

And possible natural material was identified in BH01, BH02 and BH04 above 2m in depth.

The bore holes BH01 to BH05 were also the subject of a separate report investigating the subsurface soils and geology.⁶³ Variable depths of fill were identified across the study area ranging in depth from only 0.2m (BH01) to 2.9m+ (BH03). The borehole closest to the area of greatest archaeological potential was BH01 where the fill was only to a depth of 0.2m with subsequent deposits of clayey sand over successive sandy clays with gravel fractions to a depth of 4.2m where clay and shale layers indicated bedrock. The geotechnical report interprets these layers as alluvium and are probably indicative of redeposition after scouring in flood events.

⁶¹ Issued by the Heritage Division, May 6th, 2019 (see Section 10.1). Contamination Report by Alliance Geotechnical 21st June, 2019.

⁶² Alliance Geotechnical, 2019, p. 18.

⁶³ Report by Alliance Geotechnical 27th June, 2019.



Figure 4-1 Looking north west across the corner of Phillip and Charles Streets to the entrance to the wharf area. (Curio, 2019)



Figure 4-2 Looking north from the Charles and Phillip Streets corner. (Curio, 2019)



Figure 4-3 View south east to the terrace levels and the Port Bar Restaurant. (Curio, 2019)



Figure 4-4 Looking south east on the lower terrace to the Port Bar Restaurant. The wharf area is to the left. (Curio, 2019)



Figure 4-5 Looking south east along the Parramatta River to the Charles Street Wharf along the concrete path along the river. (Curio, 2019)



Figure 4-6 View from the middle of the weir to the Charles Street Wharf. Note the variety of treatment of the river edging adjacent to the wharf. (Curio, 2019)



Figure 4-7 Looking south west across the Charles Street weir. (Curio, 2019)

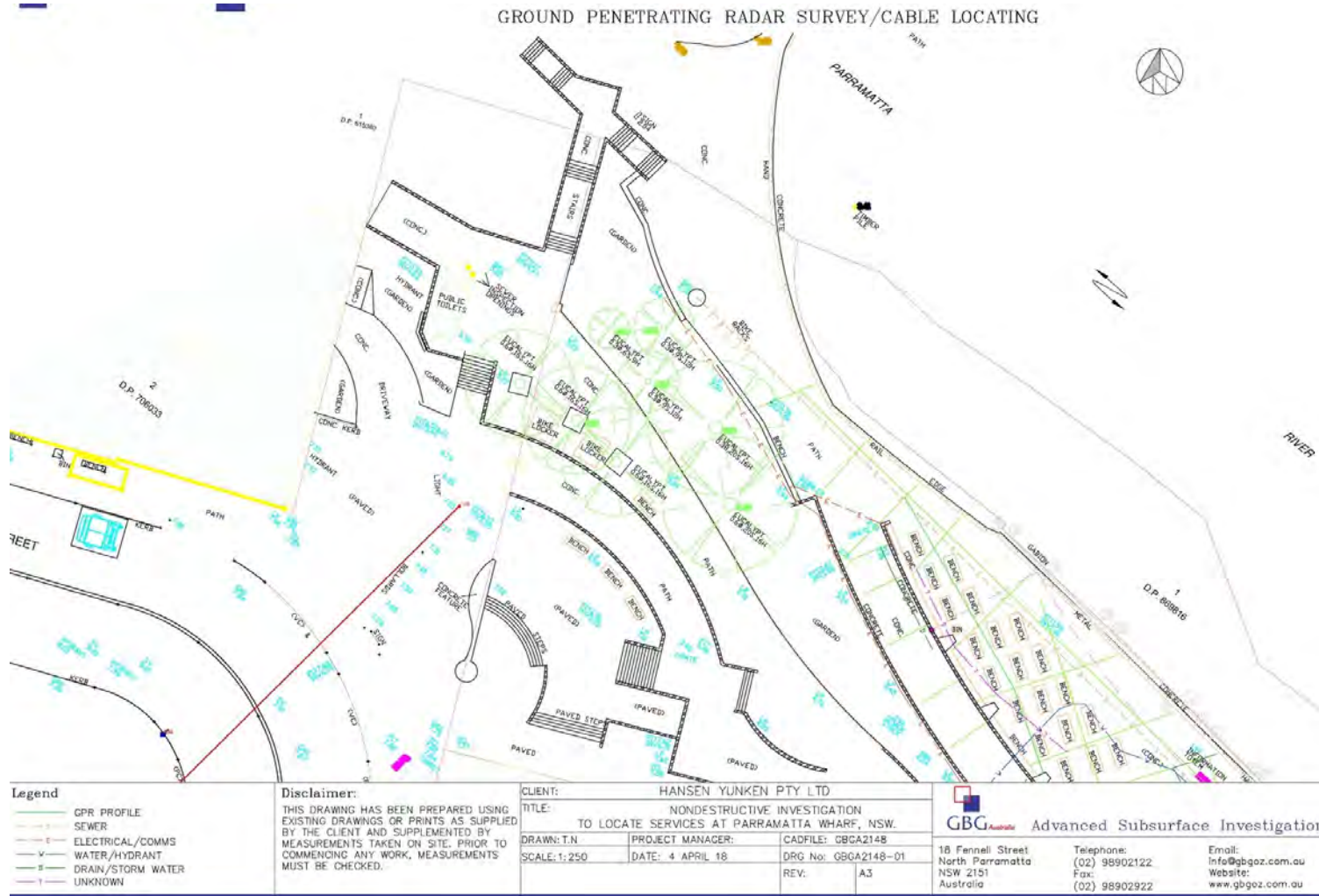


Figure 4-8 Plan of identified services at the wharf area. (Source: GBG Australia Consultants)



Figure 4-9 Borehole location from 2019 testing. (Source Alliance Geotechnical, 2019, Fig 2)

5. Archaeological Potential

5.1. Introduction

The extent to which physical remains of past occupation survive across any site is dependent on the nature of the archaeological remains and the modifications made to the study area following their construction or deposition. While each subsequent phase of development and occupation may contribute new deposits and features to the archaeological record, it may also remove or disturb deposits and features associated with previous phases of occupation.

Deep structures such as cellars, wells and cesspits have a greater potential for survival than features located on former surfaces. Built structures are generally less easily disturbed than “soft” artefact rich deposits such as yard soils or underfloor deposits. Based on the information presented in the study area history, and the current building configuration it is possible to make some observations regarding the likely survival of archaeological resources at the study area.

Overlays of the main historic structural elements in the study area shown in the historic plans and surveys discussed above are presented in Figure 5-1.

5.2. Study area Topography and Historical Development

The study area’s topography and any subsequent modifications, during the historical period, both contribute to the potential survival of archaeological resources. The study area’s topography during the nineteenth and twentieth century is unknown in detail. The available information indicates that the northern boundary of the study area remained an open space that gently sloped down to the river, in both the nineteenth and twentieth centuries (see Figure 3-4, Figure 3-5 and Figure 3-7). There is historic evidence that this northern area of the study area was subject to heavy floods and subsequent river scour in the late nineteenth century and the current ground levels were likely built up with introduced fill for land reclamation.

The remainder of the study area has seen low scale domestic development from at least the early 1820s and possibly earlier. The history of the study area suggests that structural development was focused on the Charles Street frontage, from the earliest period of demonstrated occupation in 1823. The corner of Charles and Phillip Streets was the area with the most development activity beginning in the early nineteenth century and continuing through to the mid twentieth century (see Figure 5-1). Other domestic structures were shown on historic plans along Charles Street and the rear yard areas of the twentieth century allotments were shown to contain small outbuildings/sheds.

Archaeological remains associated with these periods of occupation, if they remain, would be present as building footings, postholes, underfloor artefact deposits, former surfaces (both internal and external), and deeper subsurface features such as wells, cisterns and cesspits.

5.3. Physical Evidence

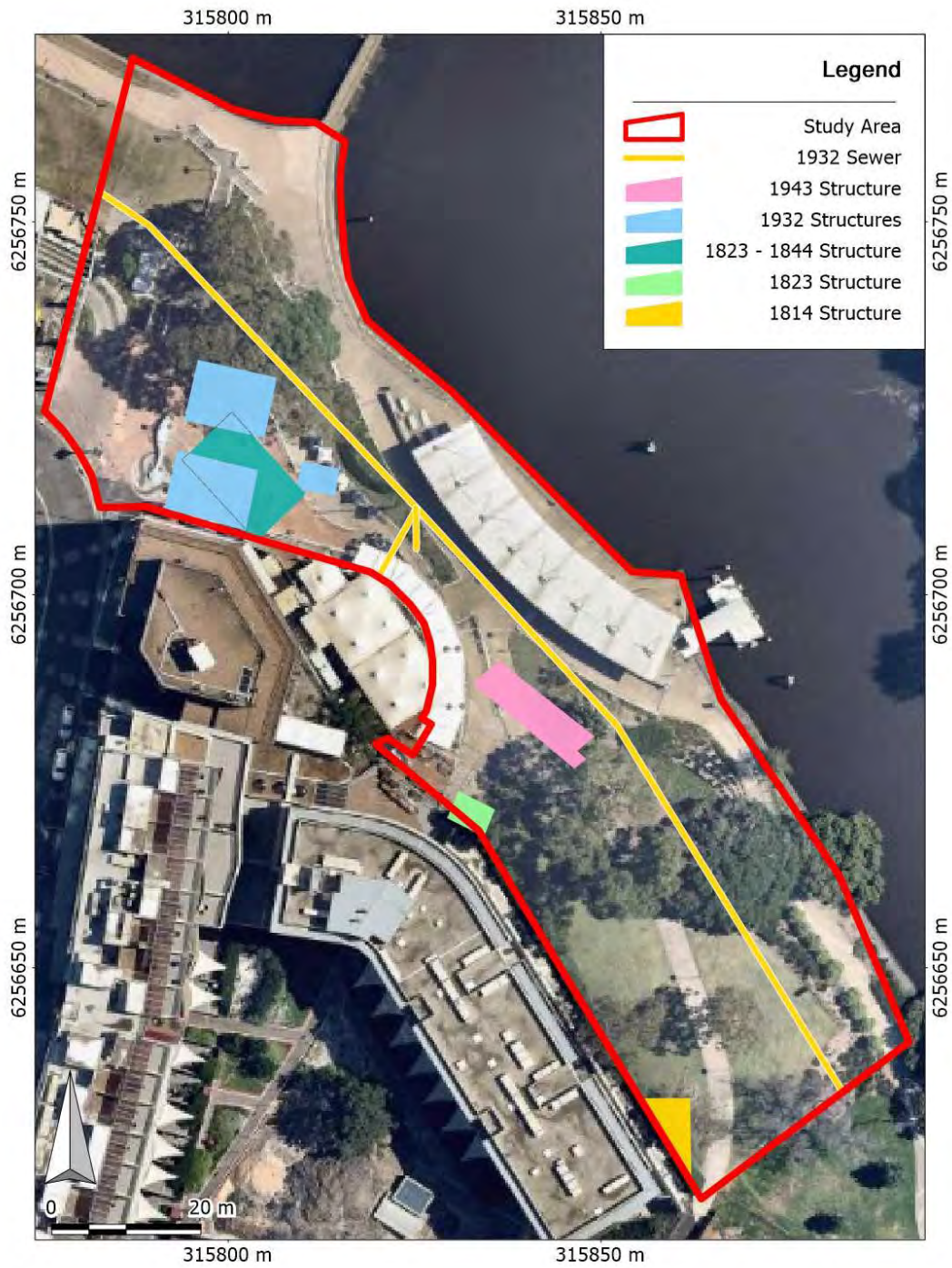
The physical evidence presented in Section 4 is suggestive of successive alluvial layers, i.e. sandy clays over clayey sands in successive layers in the area adjacent to the corner of Charles and Phillip Streets. This sequence is potentially indicating redeposition of alluvium after flood scouring events at the south-west corner of the study area.

5.4. Summary of Archaeological Potential

The subject area had seen low scale domestic occupation and development from the early nineteenth century. The structures associated with both the nineteenth and twentieth century occupation of the allotments in this area were concentrated along the Charles Street frontage at the current corner of Charles and Phillip Streets. In this location, the two primary phases of occupation are

- 1) Thomas Barber from the early nineteenth century, before 1823 to the 1870s, and
 - 2) later phases of occupation from the early- to mid-twentieth century, from the 1920s to the 1950s.
- There is also potential for 1804-1814 archaeological remains to survive in the south-east portion of the study area where a structure on Allotment 14 was present.

Several flood episodes may have affected the northern riverbanks that bound of the subject area by removing deposits through scouring events during high flow water levels. Following these flood events, it is likely that some filling and reclamation work was required and undertaken, particularly the construction of retaining walls along the river. Evidence of these events has possibly been identified in the borehole investigations. However, there is little information on the extent of the scour events and the degree to which they affected areas away from the immediate river side. To clarify this may require physical investigation. As part of the stabilisation of the riverbank, including the construction of the current wharf, some terracing has been undertaken along the river creating the current study area configuration. It is likely that both the flood events and the subsequent terracing have removed or disturbed potential archaeological deposits in these areas. As a consequence, it is concluded that in the areas at the corner of Charles and Phillip Streets there is a low to moderate potential for archaeological remains to exist in situ. In addition, based on the current evidence it is concluded that moderate archaeological potential exists in the park land in the east of the study area (Figure 5-1).



Project: Charles Street, Parramatta

Drawn By: Kieren Watson

Client: Spackman Mossop Michaels

Date: 26.2.2019

Figure 5-1 Overlay of historically known structures on the study area showing the east side of the Charles Street corner is the most likely location for remnant structural remains. (Source: Curio 2019)

6. Assessment of Significance

6.1. Basis for Assessment

Archaeological significance refers to the heritage significance of known or potential archaeological remains. Archaeological remains are an integral component of the overall significance of a place and it is therefore necessary to assess the archaeological resources of a site independently from aboveground and other heritage elements. Assessment of archaeological significance is more challenging because the extent and nature of the archaeological features are often unknown, and judgment is usually formulated on the basis of expected or potential attributes. The *Burra Charter* principles and values criteria are important to the assessment, conservation and management of sites and relics, and are necessary for assessing the heritage significance of an archaeological site.

6.2. Existing Statement of Significance

As described above the study area has been previously assessed in the 2000 PHALMS report (AMUs 3209 and 2936).⁶⁴ Both AMUs were assessed as having moderate archaeological research potential.

The Statement of Significance for AMU 3209 and 2936 is:

This area was part of the early Rose Hill settlement and developed as part of the commercial centre of Parramatta through the convict and colonial periods to the present day. The Parramatta River was a significant feature in the development of Parramatta as a regional commercial and industrial centre. This is currently the site of Parramatta's main ferry wharf.

The physical archaeological evidence within this area may include built landforms, structural features, intact subfloor deposits, open deposits and scatters, ecological samples and individual artefacts which have potential to yield information relating to major historic themes including Convicts, Cultural Sites, Environment, Housing, Land Tenure, Law and Order, Townships and Transport.

*Archaeological evidence at this site is likely to have been subject to major disturbance.*⁶⁵

6.3. NSW Heritage Criteria for Assessing Significance

Accurate assessment of the cultural significance of sites, places and items, is an essential component of the NSW heritage assessment and planning process. A clear determination of a site's significance allows informed planning decisions to be made, in addition to ensuring that heritage values are maintained, enhanced, or at least minimally affected by development. Assessments of significance are made by applying the Burra Charter evaluation criteria to assess the heritage values of the study area. These criteria can be used to assess both Aboriginal and European items and landscapes, and are as follows:

(a) **Historic Significance** - *An item is important in the course or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area)*

⁶⁴ Section 2.3.3.

⁶⁵ <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2243209> and

*(b) **Associative Significance** - An item has strong or special associations with the life or works of a person, or group of persons, of importance in NSW' cultural or natural history (or the cultural or natural history of the local area)*

*(c) **Aesthetic Significance** - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)*

*(d) **Social Significance** - An item has strong or special associations with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons*

*(e) **Technical/Research/Scientific Significance** - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)*

*(f) **Rarity** - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).*

*(g) **Representativeness** - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural and natural environments.*

These criteria are commonly used to assess all items of heritage significance whether state or local, with the criterion that relates most directly to historical archaeological significance and archaeological relics being Criterion (e): commonly referred to as 'scientific significance'.

The following criteria has been developed by the NSW Heritage Division to assist archaeologists determine the significance of archaeological sites and relics.

6.4. Assessing Significance related to Archaeological Sites and Relics

6.4.1. Archaeological Research Potential (current NSW Heritage Criterion E).

Archaeological research potential is the ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its 'relics'.

The integrity of the site, the state of preservation of archaeological material and deposits will also be relevant.

- To which contexts (historical, archaeological and research-based) is it anticipated that the site would yield important information?
- Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time-period?
- Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?
- Are there a large number of similar sites?
- Is this type of site already well-documented in the historical record?
- Has this site type already been previously investigated with results available?
- Is the excavation of this site likely to enhance or duplicate the data set?

6.4.2. Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).

Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.

- Does the archaeological site link to any NSW Historic Themes? Will the site contain 'relics' and remains which may illustrate a significance pattern in State or local history?
- Is the site widely recognized?
- Does the site have symbolic value?
- Is there a community interest (past or present) which identifies with, and values the specific site?
- Is the site likely to provide material expression of a particular event or cultural identity?
- Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)
- What is the strength of association between the person and the site?
- Did the person live or work at the site? During the phase of their career for which they are most recognized? Is that likely to be evident in the archaeology/physical evidence of the site?
- Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?

6.4.3. Aesthetic or technical significance (NSW Heritage Criterion C).

Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to mean attractive, as opposed to the broader sense of sensory perception or 'feeling' as expressed in the Burra Charter.

Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence.

- Does the site/is the site likely to have aesthetic value?
- Does the site/is the site likely to embody distinctive characteristics?
- Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?
- Does the site demonstrate a technology which is the first or last of its kind?
- Does the site demonstrate a range of, or change in, technology?

6.4.4. Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).

Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

A site may best demonstrate these aspects at the time of excavation. It may also be possible to explain the nature of the site and demonstrate past practices via public interpretation either before, during, or after excavation.

- Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?
- Was it a long-term or short-term use?
- Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?
- Does the site demonstrate continuity or change?
- Are the remains at the site highly intact, legible and readily able to be interpreted?

In addition to the significance described according to significance criteria as presented above, the archaeological research potential of a site is generally further informed by three key questions:

- Can the site contribute knowledge that no other resource can?
- Can the site contribute knowledge which no other site can?
- Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?⁶⁶

6.5. Archaeological Significance Assessment

The archaeological significance for the Charles Street Square study area has been assessed by taking into consideration the historical overview of the study area and surrounds, especially in relation to the comparative analysis of other relevant historical archaeological sites in Sydney and Parramatta. In particular, the identified sites and recommendations from the PHALMS study are reconsidered here. This included assessing the nature of potential structural and cultural remains that may exist on-site and the occupation periods to which they likely belong. The following archaeological significance assessment was prepared in accordance with the *NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics*.

6.5.1. Historical Archaeological Research Potential (Criterion E)

The study area has low potential to contain archaeological evidence associated with the early phases of domestic occupation of the study area particularly, Phase 2 (1820s -1840s). Remains of the c. 1823 Thomas Barber’s house and outbuildings has been assessed as having low archaeological potential to have survived in the study area. There is also moderate potential for the remains of the earliest occupation structure, pre-1823, to remain on the study area that are associated with Hugh Owens (Allotment 14). If they were to remain any of the structural or artefact deposits from these early occupation phases (Phase 1 – Phase 2; 1788 -1840) may provide further information about the nature of convict to early colonial domestic occupation in Parramatta which could be compared with other historical and archaeological evidence from other similar early colonial settlement sites, both in Parramatta and Sydney. The associated occupation deposits that may remain in the study area

⁶⁶ Bickford, A and S Sullivan, 1984, “Assessing the Research Significance of Historic Sites”, in Sullivan S and S Bowdler (eds.), *Site Surveys and Significance Assessment in Australian Archaeology* (Proceedings of the 1981 Springwood Conference on Australian Prehistory), Department of Prehistory, Research School of Pacific Studies, The Australian National University, Canberra pp. 23–24.

(relics/artefacts) can also be considered significant for their potential to provide archaeological evidence that permits an evaluation of different economic practices in the early settlement periods. If any evidence of deeper subsurface features survives (e.g.: wells and cess spits), their contents have the potential to yield information associated with to the occupants of the study area and activities they carried out there.

The study area could yield important information from the Phase 2 occupation period (1820s-1840s) onwards in Parramatta, should archaeological remains survive. This information would provide the opportunity to research the early domestic occupation, establishment of local businesses and the economic development of Parramatta. The subject area may contain the mixed remains of several occupations and eras, within potentially disturbed deposits.

This archaeological site would not be rare or representative in terms of the extent, nature, integrity and preservation of the deposits. Especially compared to other nearby sites in Parramatta, a number of extensive sites containing evidence from Phase 1 and Phase 2 periods of occupation have already been archaeologically investigated and excavated consequently, this type of site is already well documented. However, given the subject area’s proximity to the Parramatta River, if historic archaeological sites remain, they have the potential to provide new evidence about the nature of occupation along the Parramatta River during the early settlement and the development of the colony in Parramatta.

If it were to be present the research significance under this criterion is assessed as:

- Thomas Barber’s occupation – State [Phase 2]; and,
- Hugh Owens’ occupation – State [Phase 2].

6.5.2. Association with Individuals, Events or Groups of Historical Importance (Criteria A, B, & D)

The study area and the potential archaeological site is linked to the NSW Historic Themes outlined in Table 2

Table 2 NSW Historical Themes associated with the study area.

| AUSTRALIAN THEME | NSW THEME | Individual or feature associated with the site | SIGNIFICANCE |
|--|---------------------------------|---|--|
| 1 Tracing the natural evolution of Australia | Environment – naturally evolved | The Parramatta River. Still associated with the site, although the riverbanks have been heavily modified. | The Parramatta River was a primary form of transportation in the early colony settlement and exploration phases. It was also important for the agricultural development. |
| 2 Peopling Australia | Convict | The establishment of agricultural land with | Parramatta was the second colonial |

| | | | |
|---|----------------------------------|---|---|
| | | convict labour at Parramatta. | settlement established with convict labour. |
| 2 Peopling Australia | Ethnic influences | Chinese market gardens on the site in the 1930s and 40s. | Parramatta has a strong association with the Chinese migrants who established market gardens as early as the 1890s. |
| 3 Developing local, regional and national economies | Commerce | The Byrne brother's involvement in commerce and setting up local businesses and industry. Barber family business. | Byrne brothers are lease holders in the study area and are known to have conducted their businesses nearby, but not in the study area. The Barber family business operated in the study area in Phase 2 |
| 3 Developing local, regional and national economies | Environment – cultural landscape | Modification and management of the Parramatta River banks. | Land reclamation and riverbank stabilisation to mitigate flooding and facilitate the ferry service. |
| 3 Developing local, regional and national economies | Transport | Steam ferry service established on the Parramatta River by the Byrne brothers in the 1830s. | Current ferry stop site. |
| 4 Building settlements, towns and cities | Accommodation | The Barber's and the Owens' houses. | The first residential structures to be built in the study area, associated with Phase 2 occupation. Likely built according to Gov. Macquarie's standard layout. |
| 8 Developing Australia's cultural life | Religion | Walter Lawry (missionary) and the Byrne brothers associated with the Methodist church. | Early lease and landholders of allotments in the study area, but they are not known to have occupied the site. |

The site may contain 'relics' and remains from Phase 1 and Phase 2 which may illustrate significant aspects of the establishment and development of Australia's second settlement and subsequent free-settlement lease holds on the study area. These have the potential to be significant at a National, State and local level. This evidence may be the deposits left by and the dwellings occupied by Hugh Owens and Thomas Barber.

The study area is widely recognised today as the ferry wharf which links Parramatta CBD to Sydney CBD via the Parramatta River. However, the history and potential archaeological site are not widely recognised. The current ferry wharf may be assessed as having contemporary symbolic value that could be enhanced with heritage value by promoting the current ferry terminal with the Queen's wharf, the original Parramatta ferry wharf. Such significance might be investigated further by undertaking community consultation specifically related to the historic heritage of the study area.

The study area may be likely to provide material expression of Chinese cultural identity if there are any market garden and associated c1940s settlement remains. It is unlikely that the association with the Methodist church through the leases held by Lawry or the Byrne brothers exists as material evidence on the study area. While the study area is associated with William and James Byrnes as lease holders, and James was a particularly important figure in NSW for his establishment of several businesses and commerce ventures, the study area is unlikely to contain any material evidence directly linked to the Byrne brothers as they did not occupy this land.

6.5.3. Aesthetic or Technical Significance (Criterion C)

The archaeological remains of the study area are not likely to have aesthetic value. However, if any substantial structural remains with associated artefact deposits of Owens' cottage survive, they may demonstrate distinctive characteristics related to the early domestic architectural or engineering styles employed in the colony. Historic records have identified that Owens' cottage was the first structure built in the subject area and it may be assessed as locally significant for being the earliest site development of this area of Parramatta.

6.5.4. Ability to Demonstrate the Past through Archaeological Remains (Criteria A, C, F & G)

An archaeological resource associated with the occupation of the Charles Street Square study area, both structural and artefactual, could provide information about past function of early colonial occupation, as well as about the daily lives of the people living and working in this area of Parramatta.

This criterion primarily depends on the nature and level of preservation of the potential archaeological resource within the study area. Well preserved and legible archaeological remains associated with the pre-1844 dwelling/s that may survive in the study area, and artefacts retrieved from potential wells, cisterns and cesspits would have the ability to demonstrate characteristics of the area's nineteenth and early twentieth century development.

The study area has the potential to demonstrate continuity or change over a long period, from Parramatta's initial settlement up until the present. However, due to these historic events, both cultural and natural, the remains at the study area are not likely to be highly intact, legible and readily able to be interpreted. The study area is therefore not assessed as containing well-preserved or rare

examples of technologies or occupations which are typical of particular historic periods, although the study area has always been part of the boarder river landscape that encapsulates such significance.

6.6. Statement of Archaeological Significance

The Charles Street Square study area is unlikely to contribute unique historic archaeological knowledge, which other resources can in Parramatta, especially because many similar but more extensive sites have already been archaeologically investigated. The study area will contribute archaeological information that may be compared and contrasted to similar sites in Parramatta. A unique quality of the study area is its proximity to the Parramatta River, which may contribute some knowledge which no other site can in relation to water management and use in the colony. This knowledge may contribute towards answering questions about the initial establishment and development of Australia's second colony settlement. However, considering the development and flood history of the study area the likelihood of material remains surviving is greatly reduced.

The archaeological evidence relating to the nineteenth century occupation of the study area has the potential to provide information about the study area's development in relation to the historic socio-economic profiles of the occupants. The study area also has some potential to provide information on the nineteenth and early twentieth century water supply, use and management in Parramatta that could be obtained from several wells or cisterns that may survive on the study area.

Cumulatively, the potential archaeological information gathered from the Charles Street Square study area would be able to demonstrate practices relating to lifeway patterns typical of the nineteenth and early twentieth century Parramatta, with potential to supplement the existing knowledge of the local area.

7. Impact Assessment

7.1. Development Proposal

The Charles Street Square Stage 1 Renewal development is in the very early stages of planning, and the design has now reached a preferred concept form at the time of writing, i.e. September 2019 (Figure 7-1). The development will deliver a substantial upgrade of the existing Charles Street Square, improving amenity, access, legibility and identity at this important gateway to Parramatta City. The project will be delivered in coordination with a major public artwork and will complement the RMS upgrade of the ferry wharf infrastructure.

A high-quality river foreshore is a major opportunity identified in the Parramatta 2038 Community Strategic Plan for the Parramatta CBD, supported by the adoption of the Parramatta City River Strategy. The completed upgrade will be designed to provide:

- A memorable arrival and departure experience at a key City gateway;
- Inclusive and legible connections between street and river;
- A generous public space with potential to host ancillary activation or informal gatherings with views, shade and trees;
- Integration of wayfinding, visitor information, ticketing and public amenities;
- Continuous level access along the foreshore promenade;
- Reduced visual clutter and vehicular conflict to improve legibility and safety;
- New public artwork and site interpretation; and
- Coordination with the proposed Phillip Street upgrade.



Figure 7-1: Preferred Concept Design—Context Plan (Source: Spackman Mossop Michaels 2019)

As noted above there is now a preferred concept form, and the key components of the project design will include:

- Circulation system of ramps and walkways that provides universal access between the street and the riverfront
- Generous seating terraces and steps that integrate with the ramps and walkways to create more direct access to the riverfront, and also to create a space that can be inhabited for events as well as everyday activities (rest, viewing the river, waiting for the ferry etc)
- Preservation of existing trees, as well as planting of additional trees
- New shade structure integrated with seating terraces
- Preservation of existing means of access to adjacent land uses (driveway to 94 Phillip St, right of carriageway to 36 Charles St)

Development activities associated with the construction of the Upgrade are likely to include:

- Demolition of existing terraces and replacement with new walkways and ramps, installation of new wooden seating terraces and timber seating around existing trees (Figure 7-2).
- Construction of new public toilets;
- Construction of several new structures (i.e. new shade structure, visitor information shed, mobile visitor information stand, bike shed etc);
- Demolition and relocation of several existing elements (Figure 7-2);

- Cutting and filling to achieve required levels (Figure 7-3);
- Excavations for stormwater lines and pits (Figure 7-3);
- Retention of existing trees, planting of new trees and general landscaping.

The inclusion of integrated ramps and walkways has removed the need for a lift, as recommended in the Strategy. The majority of the development activities proposed will have a minimal below-ground impact, with the majority of development works proposed to the current slope towards the river, requiring filling of the rather than excavation. Where the concept plan proposes cutting of the slope, this impact would be relatively minor, with the preferred concept plans showing cutting in select areas only to a maximum of 500mm below the existing ground level (see Figure 7-3).

However, there is a location in the preferred plan that will require more significant excavation works: the proposed lookout which will also include a new storeroom, for which excavation 0.1m below existing ground level would likely be required (Figure 7-3).

In addition to these works outlined within the concept plan, there will also be the introduction of new subsurface services (Figure 7-3) and temporary structures such as site compounds and staging areas. Development activities of this nature also have the potential to impact subsurface deposits.

7.2. Potential Archaeological Impacts

Section 5 had reviewed the archaeological potential for the study area and identified the area generally as having low to moderate archaeological potential. The outline of the physical impacts, outlined above and shown in Figure 7-1 to Figure 7-3, indicates that the areas of cut on the site are largely focussed on the north-west end of the study area.

An overlay of these areas of cut and the excavation for storm water lines, associated pits, retractable bollards and tree planting indicates that majority of the substantial excavations will avoid the most significant known structure (i.e. the house of Barber, c1820s to 1870s). Some small excavations (250mm to 500mm) are likely to impact upon the northern most twentieth century cottage fronting Charles Street. Most other areas with historically indicated structures avoid areas of excavation.

However the excavation for the installation of a mature tree at the corner of Charles and Phillip Streets does have the potential to intersect with the footprints of the Barber house and the twentieth century structures as shown in Figure 7-4. While archaeological potential for the site has largely been established as low to moderate the potential level of significance of the Barber occupation in this area would warrant a prudent approach to the potential impact in the form of testing the area prior to the development work proceeding. Should significant archaeological remains of the Barber occupation/structure be identified in the testing location then discussions would commence regarding the relocation of the mature tree planting.

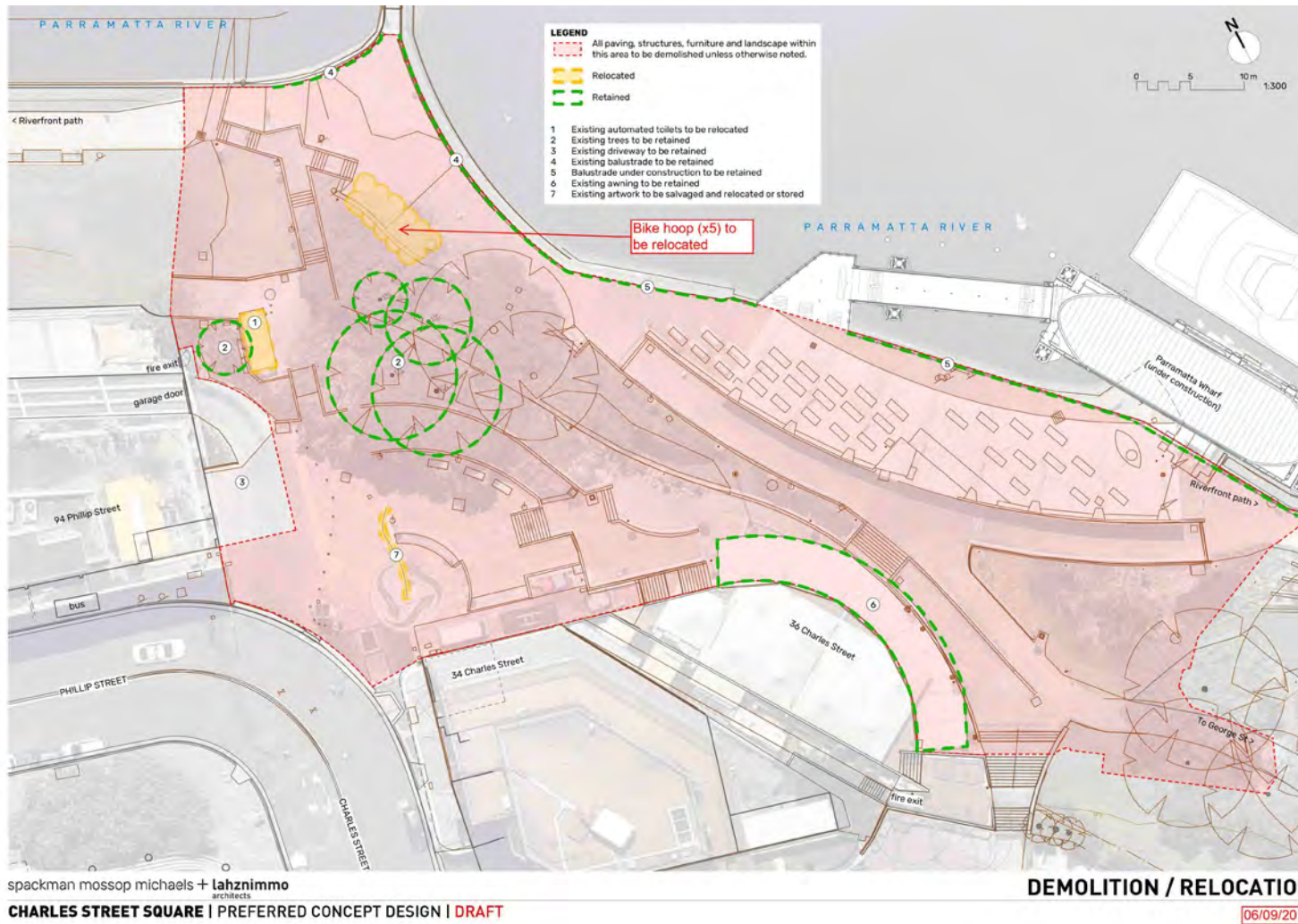


Figure 7-2 Demolition and relocation plan for the project. ((Source: Spackman Mossop Michaels 2019))

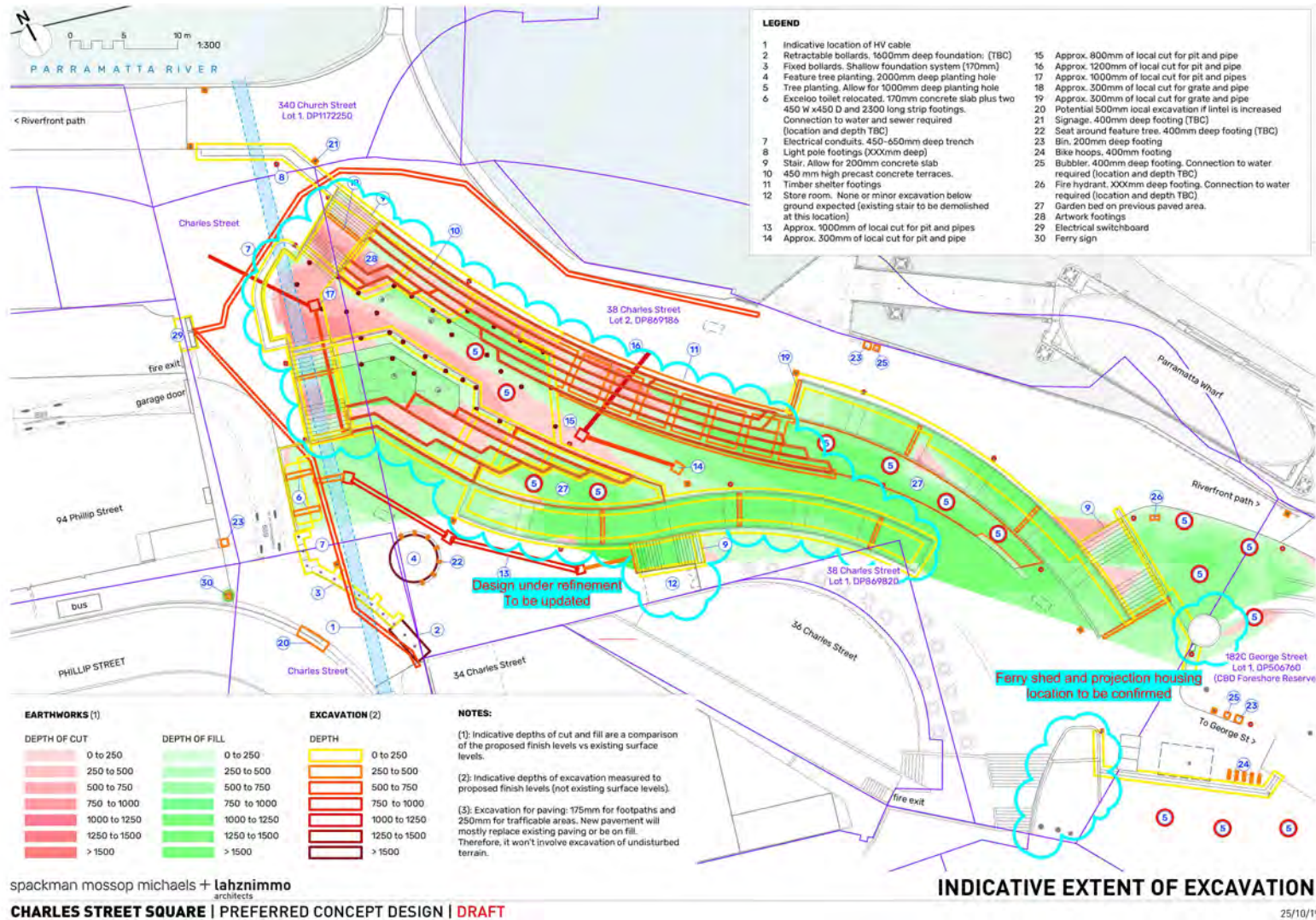


Figure 7-3 Cut and fill, and stormwater line and pit locations and major plantings in the study area. (Source: Northrop).

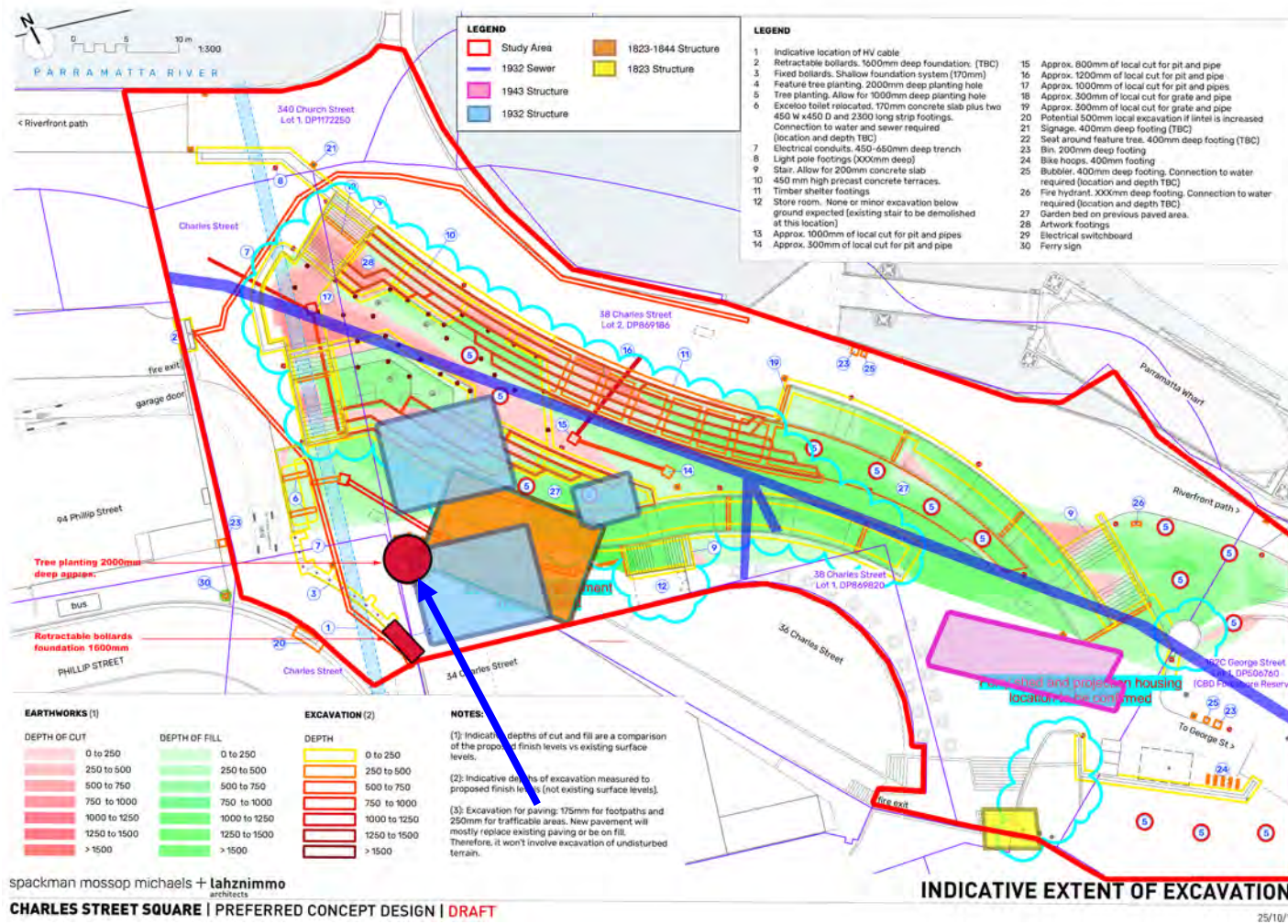


Figure 7-4 Area of excavations with overlay of historic structures. Note the excavation for the mature tree (arrow) intersecting with the Barber structure (1823-1844) and the 1932 bungalow. (Source: Northrop with Curio additions).

8. Conclusions and Recommendations

8.1. Conclusions

This report concludes that:

- There has been almost 200 years of continuous historical occupation of the subject site;
- The locations of former structures have been identified from historic sources. These are likely to date from the 1820s to the mid twentieth century;
- There is low to moderate potential for historical archaeological resources to survive at the subject site;
- The potential archaeological remains are likely to be associated with the domestic, and possibly commercial, occupation of the site;
- The potential historical archaeological resources have been assessed, in accordance with the NSW Heritage Significance Criteria, as potentially having State heritage significance (in the case of Barbers' and Owen's occupation), and Local heritage significance for the remainder of the site;
- Potential archaeological remains are therefore defined as 'relics' in accordance with the Heritage Act 1977;
- The proposed development may disturb and/or remove portions of potential relics at the subject site-specifically the excavations for the mature tree at the corner of Charles and Phillip Streets.

8.2. Recommendations

The following recommendations are made for management of the site's archaeological heritage significance prior to and during approved development of the site. It is recommended that:

- An application should be made to the Archaeologists, Department of Premier and Cabinet, for an excavation permit, issued under Section 140 of the NSW Heritage Act;
- This permit should allow for test excavation in accordance with an Archaeological Research Design and Excavation Methodology (ARD) set out below;
- This assessment Report and the ARD should be submitted in support of the permit application;
- Inclusion of the information generated from investigation of archaeological resources in other parts of the site could also be considered as part of a public interpretation strategy, which is currently being finalised;

9. Research Design

9.1. Introduction

An archaeological Research Design identifies and establishes the rationale, context, questions and methodology for the archaeological investigation of a site. The rationale is established through the assessment process which identifies the past occupation of the study area (Section 3) and the heritage values and research potential of the likely archaeological resource (Section 6). The questions focus on recovering the values or 'unknown' information or gaps in information about the past that may be recoverable, and which may be lost if the archaeological resource is disturbed or destroyed. In turn, the questions focus the development of excavation and recording methods to recover the information or values of the study area.

9.2. Research Questions

Development plans indicate that the proposed development has some potential to adversely impact the potential archaeological relics across the area of Charles Street for the introduction of a new mature planting. The approach of the testing will be to investigate the nature and extent of any surviving relics in the area of the impact so that they can be assessed and if necessary, the impacts redesigned. Accordingly, the research questions for the study area have been developed to provide key information about any surviving relics.

9.2.1. General Research Questions

An archaeological research design can be formulated to answer general questions about any deposits or features exposed during the work. These general questions are applicable to most archaeological sites investigated. These general questions are:

- What features or deposits are present on the study area;
- What is their nature and extent;
- What date can be assigned to them;
- How does this information compare to available historical information relating to the study area; and
- What is the significance of the "relics"?

9.2.2. Study area Specific Research Questions

General Questions relating to potential relics on the study site

The investigation of archaeological sites also enables us to ask more specific questions related to the available historical/archaeological information known for the study area.

LANDSCAPE

- What is the nature of the soil profile in the area of investigation? How does the soil profile relate to flood events or the earlier Pleistocene sand body indicated in this area?
- Does evidence of in situ natural topsoil (A1/A2 horizon) remain within investigated areas? If so, can this tell us anything about the nature of the landscape at the time of settlement or use of the land thereafter?

- Is there evidence of flood events within this area that have potentially affected the survival or archaeological remains?

Site Occupation

- Does the site retain structural and/or depositional evidence associated with the construction or occupation of the Barber house?
- Is there any evidence for the twentieth century building and has this later occupation had any impact on the nineteenth century remains?
- The archaeological evidence present at the site may provide unexpected information. The kinds of research questions that can be asked may evolve depending upon the types of archaeological remains found at the site. Other relevant questions would be addressed if/as they arise.

10. MITIGATIVE STRATEGY AND EXCAVATION METHODS

10.1. Archaeological Investigation Methods

10.1.1. General

The assessment of archaeological potential for the study area assessed the site as having archaeological potential, albeit, variable. In general, as there is a development activity that has potential to disturb an area which the historic overlays indicate was formerly occupied by an historic structure, an archaeological program should be established.

Consequently, it is proposed to undertake a test trench to investigate the nature and extent of the potential archaeological remains of Barber house in the area of disturbance. A test trench in the location of the tree planting would therefore form the basis of the test excavation program with part of this trench covering the area of the presumed location of the Barber house to provide advice on the level of survival of that structure.

10.2. Nominated Team

| | |
|--------------------------------|------------------|
| Excavation Director: | Matthew Kelly |
| Secondary Excavation Director: | Andre Fleury |
| Archaeological Assistant(s) | Mikhaila Chaplin |
| Planner: | Bernadette Owens |

The details of any additional team members will be confirmed in writing to the archaeologists at NSW Office of Premier and Cabinet once the timing of the excavation has been finalised.

10.3. Test Trench

10.3.1. Location

It is proposed that an initial test trench across adjacent to the site of the Barber House at its south west corner (indicated on the historic overlays see Figure 5-1 and Figure 10-1) be undertaken to investigate the potential for archaeological remains of that structure and any other features that may be assessed as relics. The test trench will be sited to investigate the area of impact of the proposed tree planting in this area. Due to the location of the trench and the nature of the current surfaces the trench will, of necessity be curved to fit into the stepped area at the entrance to the site (see Figure 10-1).

Should the test trench indicate that no significant archaeological deposits or features remain in the impact area then the archaeologist will record the exposed deposits to indicate the nature of the remains beneath the road and footpath and complete a short report to meet the relevant condition(s) of the Excavation Permit. No further archaeological involvement is proposed based on the conclusion of this short report that no 'relics' are present.

However, should the test trenches indicate a general level of integrity and survival of significant archaeological deposits and features then a hold point on the work would be established. Contact will then be made with the archaeological team at the NSW Office of Premier and Cabinet and an

assessment will be made of the exposed remains in terms of their archaeological research significance and their potential to be of State significance. As noted above in this case relocation of the tree or reduction in its size may be required.

- Trench 1 (dimensions 5m x 1m) has been sited to investigate the presence of the remains of the Barber House structural remains and any features that may be assessed as a relic;

10.3.2. Excavation and Recording

The recording process in the test trenching phase will include the following:

- Establish site grid by survey;
- Hard surfaces would be cut using appropriate cutting machinery as required. These cuts would correspond to the size of the intended excavation to reduce impact on the amenities;
- Machine clearance would be initially undertaken (a small excavator of 1-3t), under the direction of the Excavation Director (or secondary Excavation Director) of surface fills to expose deposits;
- Manual (hand) excavation of exposed features or deposits using hand tools (shovels and trowels);
- Exposure (via hand excavation) of the identified archaeological deposit/relic to the extent of the deposit within the test trench;
- Preparation of annotated site plans to plot the location of features, deposits and items;
- Note taking in a dedicated field notebook that will be used to create a running record of the testing program;
- Photography of the excavation using a high-end digital camera (& scale bar/mini rod) with photo date and contextual details recorded in a photo catalogue;
- Use of context recording forms and context numbers to record all archaeological information;
- Recording of any archaeological features and deposits which will be given sequential identifiers (context numbers). Contexts and summary details will be entered into a running context catalogue with significant/notable items recorded on individual data sheets; and,
- Collection, labelling, safe storage, washing, sorting and boxing of artefacts.

Should any locally significant artefacts from intact contexts be revealed during the excavation process, they will be retained, bagged and tagged according to location, context and fabric. These will later be cleaned, re-bagged and subject to preliminary cataloguing before being secured in archive boxes in an appropriate location (once analysis and recording has been completed). The ultimate artefact repository chosen (and/or options for dissemination or display) will be the responsibility of the client and will be detailed in the excavation report.

If potentially State significant archaeological deposits/structural remains and relics have been sufficiently exposed and recorded (in accordance with the above), they will remain in place until discussions have been undertaken with the archaeologists, Department of Premier and Cabinet.

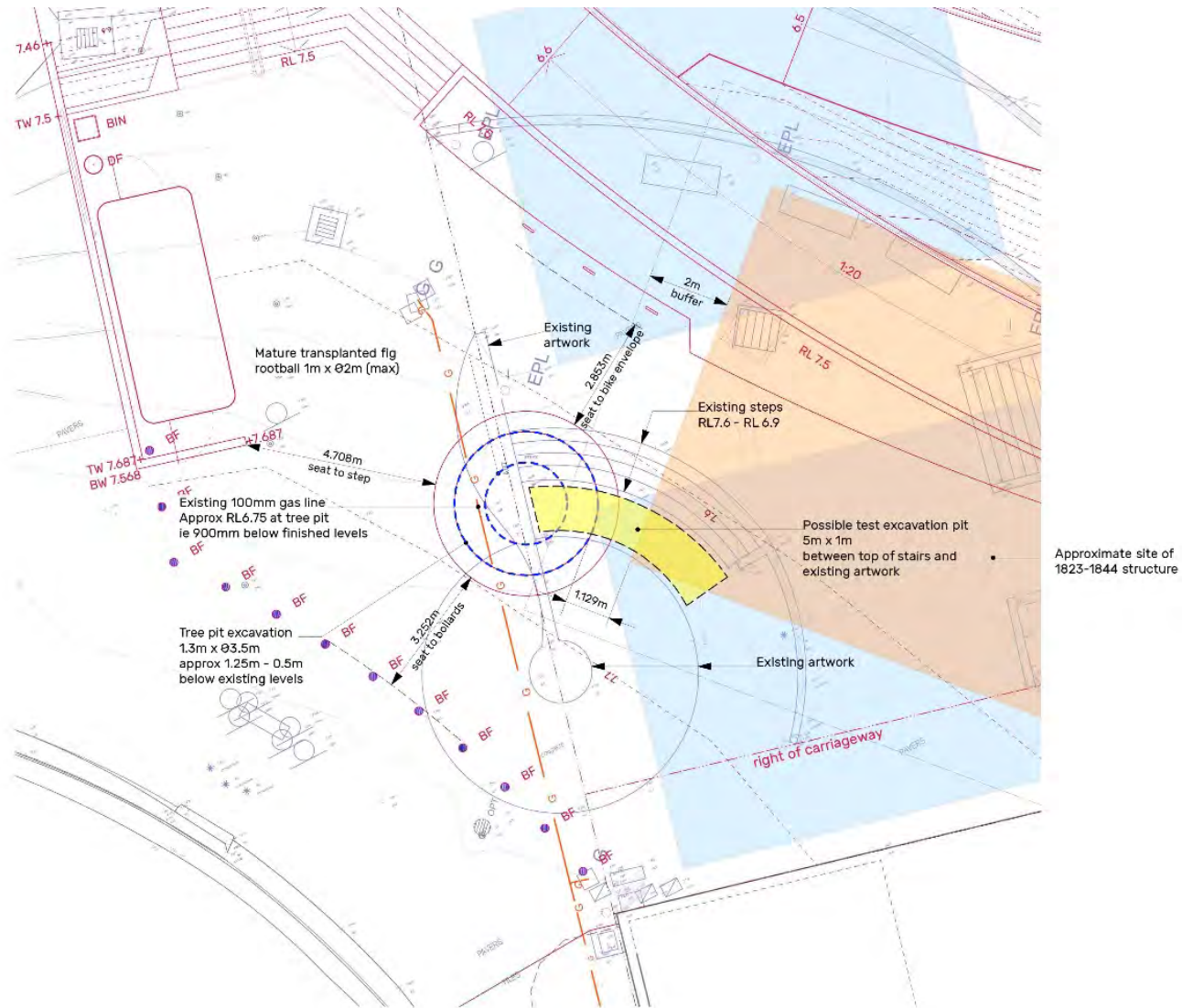
10.3.3. Final Reporting

Following the completion of the archaeological investigations, the excavation team will prepare a preliminary report, for the purpose of informing the client and DPC as is usually a condition.

Curio will then undertake a post-excavation analysis of the excavation data in order to produce a final archaeological excavation report, which will fully document the archaeological works undertaken, their results and the potential effects of any archaeological findings on future works in this area.

The final test excavation report will include but not be limited to:

- An introduction and executive summary.
- Planning framework.
- Site history supplemented by additional research.
- Archaeological background.
- Archaeological investigation methodology, results and site recordings.
- Analysis and catalogue detailing all historical cultural material recovered.
- Maps and site plans etc.
- Photo catalogue.
- Artefact catalogue.
- Re-assessments of significance.
- Interpretation of results and addressing of Research Design questions.
- Conclusions and recommendations.
- Identification of repository for artefacts and site records.



TREE PIT 1.1m FROM MAPPED HERITAGE SITE
GAS LINE OUTSIDE OF ROOTBALL OF TRANSPLANTED TREE

spackman mossop michaels + lahznimmo
architects

CHARLES STREET SQUARE | DESIGN DEVELOPMENT | DRAFT

UPPER SQUARE TREE PIT – HERITAGE IMPACT

4/6/20

Figure 10-1 Location of proposed test trench in relation to tree excavation and overlaid historic structures (Barber House=pink and 20th century cottages = blue). (Source: Spackman Mossop Michaels, 2020)

11. References

11.1. Primary

11.1.1. NSW State Archives

- Col Sec Fiche 3680; No. 624.
- Col. Sec, Fiche 3266; 9/2652.
- Col. Sec, Fiche 3265; 4/7576.

11.1.2. Land Titles

- CT 4530 f144
- Grants Vol 295, 1689.
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11.2. Secondary

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11.3. Newspapers

- *Commercial Journal and Advertiser*, 3 Jun 1840, Page 3.
- *The Cumberland Argus and Fruitgrowers Advocate*, 15 November, 1890, p. 4.
- *The Cumberland Argus and Fruitgrowers Advocate*, 5 March, 1892, p. 2.
- *The Empire*, 4 May 1864, p. 5.
- *The Sydney Gazette and New South Wales Advertiser*, 12 September, 1833, p. 4.

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- *The Sydney Gazette and New South Wales Advertiser*, 28 November 1812, 2.
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11.4. Websites

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12. Appendices

12.1. Exception Letter



Office of
Environment
& Heritage

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Parramatta NSW 2150
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Parramatta NSW 2124
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritagemailbox@environment.nsw.gov.au
www.heritage.nsw.gov.au

File: EF19/16201
Job ID: DOC19/235195

Mr Steven Wallace
Alliance Geotechnical Pty Ltd
10 Welder Road
SEVEN HILLS, NSW 2147
E: s.wallace@allgeo.com.au

Dear Mr Wallace

NOTIFICATION OF AN EXCEPTION UNDER S139(4) OF THE HERITAGE ACT 1977

Proposal: To drill up to nine boreholes for contamination investigation at 38 Charles Street, PARRAMATTA NSW 2150

Reference is made to an exception notification form and supporting material received from you on 20 March 2019 seeking to undertake the above works. It is noted that these works are being undertaken under Exception 1b: *The excavation or disturbance of land will have a minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them.*

The proposed works have been assessed as documented by the report/drawings titled:

- *Re: Charles Street Square, Heritage Impact Statement for Standard Exception under s139(4) of the Heritage Act 1977, prepared by Curio Projects dated 20 March 2019*

Under delegated authority an exception from the need for an excavation permit is endorsed, in accordance with section 139(4) of the *Heritage Act 1977* and the relevant criteria have been addressed.

Please note this exception is endorsed, subject to the following general conditions. Acceptance of these statutory conditions by the Applicant is a requirement of this exception:

1. If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974* (as amended).
2. This exception does not allow the removal of State significant relics.
3. Where substantial intact archaeological relics of State or local significance, not identified in the archaeological assessment or statement required by this exception, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, additional assessment and possibly an excavation permit may be required prior to the recommencement of excavation in the affected area.

4. Anything done pursuant to this exception must be specified, supervised and carried out by people with knowledge, skills and experience appropriate to the work.

It should be noted that this endorsed exception for select contamination boreholes at 38 Charles Street, Parramatta covers only those proposed works described in the application. Any additional archaeological investigations will require a further approval.

This exception does not signify approval for any other activity on the site. In addition, an endorsement for an exception to the need for an archaeological permit under the *Heritage Act 1977* is additional to those that may be required from other local, State or Australian Government authorities. Inquiries about any other approvals needed should, in the first instance, be directed to the local council, State or Australian Government where appropriate.

Inquiries on this matter may be directed to Felicity Barry, Senior Historical Archaeologist at the Heritage Division, Office of Environment & Heritage, on 9995 6914 or via email at Felicity.Barry@environment.nsw.gov.au.

Yours sincerely



Tim Smith, OAM
Director, Operations
Heritage Division
Office of Environment and Heritage

On behalf of the Executive Director, Heritage Division, Office of Environment & Heritage

6 May 2019



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