

PLANNING PROPOSAL

45 MACQUARIE STREET, PARRAMATTA





**CITY OF
PARRAMATTA**

PLANNING PROPOSAL

45 MACQUARIE STREET, PARRAMATTA



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Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Planning Ingenuity	Submitted to Council for assessment – August 2022

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Council on the assessment of the Planning Proposal – November 2023

INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DPE) guide, 'A Guide to Preparing Local Environment Plans' (December 2021).

Background and context

The Site

On 21 December 2022 Council received a Planning Proposal from Planning Ingenuity on behalf of Strata Plus Pty Ltd relating to the land at 45 Macquarie Street, Parramatta. The site has a primary street address of 45 Macquarie Street, Parramatta and is also identified as 30 – 32 Hunter Street and 140 Marsden Street Parramatta. The site is shown in **Figure 1**, below.

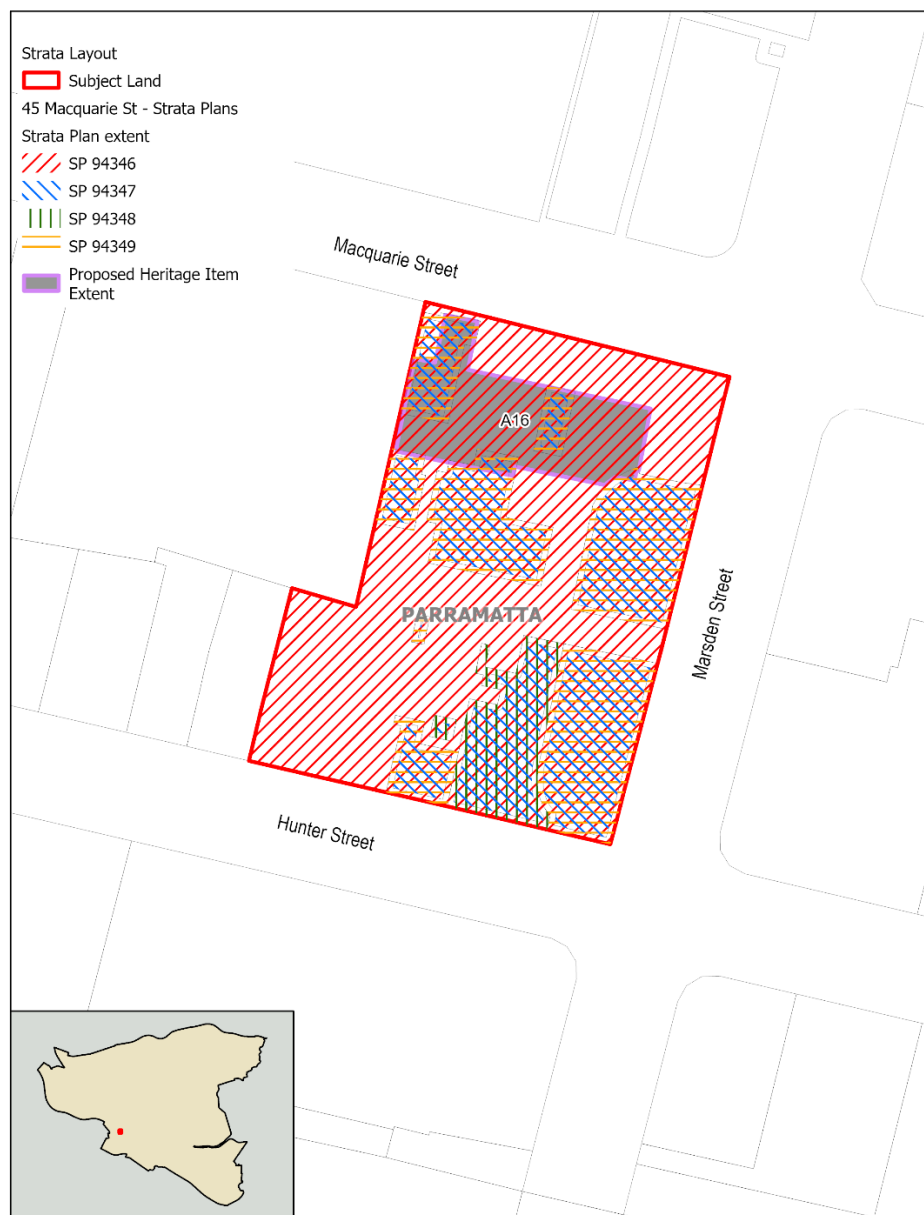


Figure 1 – Subject site at 45 Macquarie Street, Parramatta, also identified as 30-32 Hunter Street and 140 Marsden Street, subject to the Planning Proposal

The site is a corner lot bounded by Marsden Street to the east, Hunter Street to the south and Macquarie Street to the north and has an area of approximately 4,900m². The site contains an existing high density mixed-use retail and commercial building, ground level retail with public piazza, six level commercial podium building, 16 level commercial tower, as well as an archaeological interpretation zone (consisting of the Phillip Ruddock Heritage Centre, exposed archaeological site and museum) and through site link.

The building located within the site has been strata subdivided to create the following strata lots (see maps at **Figures 2 - 6**):

- SP 94346 known as 45 Macquarie Street, Parramatta (see **Figure 3**)
- SP 94347 known as 32 Hunter Street Parramatta (see **Figure 4**)
- SP 94348 known as 30 Hunter Street, Parramatta (see **Figure 5**)
- SP 94349 known as 140 Marsden Street, Parramatta (see **Figure 6**)



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Parramatta Local Environmental Plan 2023
45 Macquarie St, Parramatta

Data Prepared by: **David Hewetson**
Date: **05/10/2023**

Approved:

Figure 2 – Existing strata lots at 45 Macquarie Street, Parramatta



Figure 3 – SP 94346 known as 45 Macquarie Street, Parramatta



Figure 4 – SP 94347 known as 32 Hunter Street Parramatta



Figure 5 – SP 94348 known as 30 Hunter Street, Parramatta



Figure 6 – SP 94349 known as 140 Marsden Street, Parramatta

On 21 March 2014 the subject site, then known as 134–140 Marsden Street, was listed as a local item of significance in the Parramatta City Centre Local Environmental Plan 2007 as Item 135 “Archaeological site”. This item is now identified as A16 on Schedule 5 of the Parramatta Local Environmental Plan 2023 (see **Figure 19 in Part 4 of this document**)

On 5 July 2019, 45 Macquarie Street, Parramatta was listed on the NSW State Heritage Register (SHR) as item 02027, “Archaeological Site and associated artefacts” (see **Figures 7 and 8**). This State Heritage Listing was of a smaller footprint than the Local Heritage Listing.



Figure 7 – Item 02027 at 45 Macquarie Street, Parramatta, listed on the NSW State Heritage Register (SHR) as "Archaeological Site and associated artefacts" (highlighted in blue). The local heritage listing is outlined in yellow.

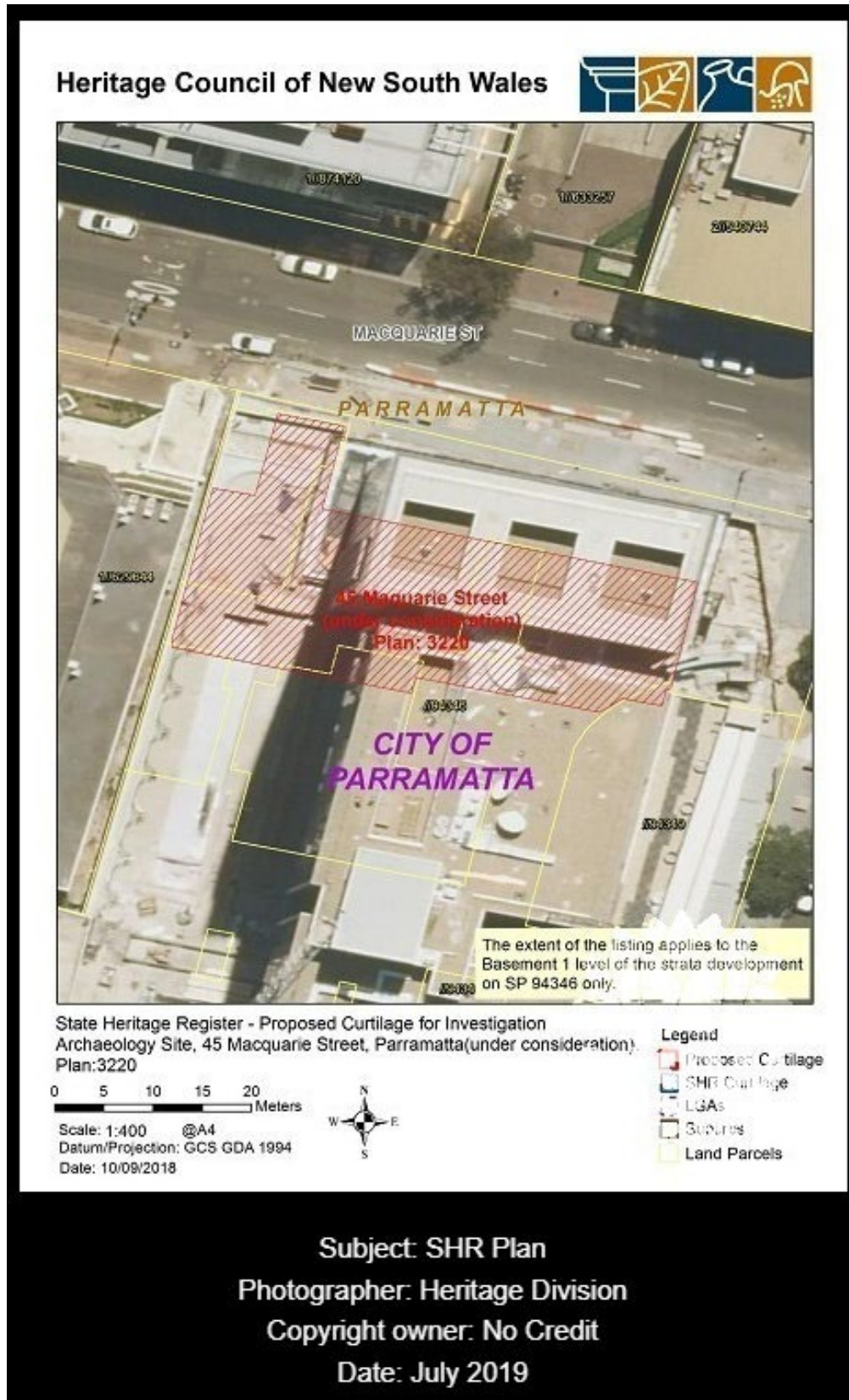


Figure 8 – NSW State Heritage Register Plan of item 02027 “Archaeological Site and associated artefacts” at 45 Macquarie Street, Parramatta. Extent of the listing is shown hatched in red.



Figure 9 – Street view of the subject site from Macquarie Street, Parramatta



Figure 10 – Street view of the subject site from Marsden Street, Parramatta



Figure 11 – Street view of the subject site from Hunter Street, Parramatta



Figure 12 – Heritage item on the subject site as viewed from Ground Floor



Figure 13 – Entrance to the Phillip Ruddock Heritage Centre on the ground floor

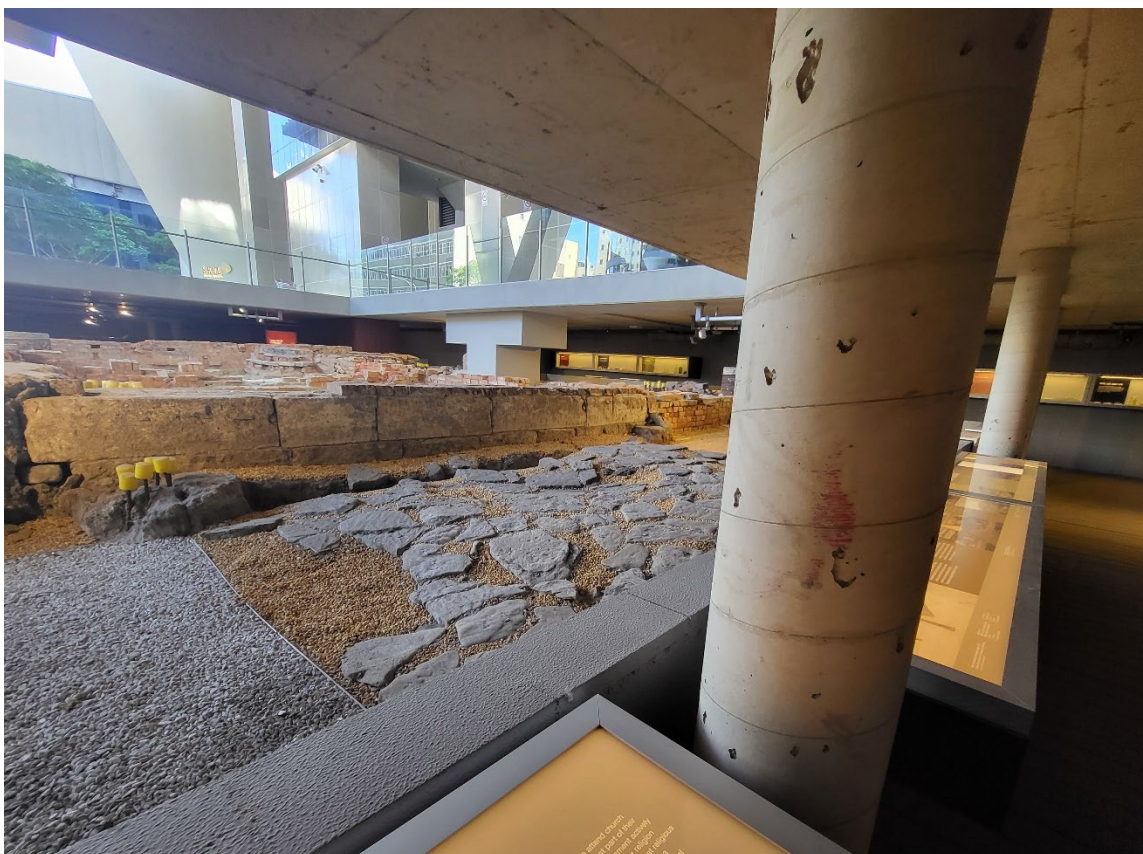


Figure 14 – Heritage item on the subject site as viewed from Basement Level 1.

Background

Under Parramatta Local Environmental Plan 2023 the site:

- is zoned MU1 Mixed Use zone
- has a maximum building height of 54 metres
- has a maximum floor space ratio (FSR) of 6:1
- is listed as local item A16 “Archaeological Site”

An extract of each the above maps is provided in **Part 4 – Mapping**; specifically, **Section 4.1 Existing controls**.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the *Parramatta Local Environmental Plan 2023* to reduce the curtilage of the archaeological site to be consistent with the State Heritage Register (SHR) listing of the item.

The intended outcome of the Planning Proposal is to preserve the heritage significance of the archaeological site, whilst reducing its extent to apply only to the area consistent with the SHR listing of the item. The Planning Proposal will continue to protect the heritage values and character of the subject site while enabling exempt and complying development to take place under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 in the parts of the existing building that will be excluded from the listing without affecting the heritage significance of the archaeological remains.

The Planning Proposal seeks to achieve these intended outcomes through amendment to the *Parramatta Local Environmental Plan 2023* (PLEP 2023) to reduce the curtilage of the archaeological site identified as A16 on Schedule 5 of the PLEP 2023 (SP94346, SP94348 & SP94349) to be consistent with the SHR listing of the item. The Planning Proposed is accompanied by a technical study to support the proposed change (refer to **Appendix 1**).

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta Local Environmental Plan 2023* in relation to Schedule 5 Environmental heritage, Part 3 Archaeological sites.

In order to achieve the desired objectives, the following amendment to the *PLEP 2023* would need to be made:

1. Amend the curtilage of the existing heritage item A16 “Archaeological site” to be consistent with the curtilage of item 02027 on the State Heritage Register. Refer to **Figure 20** in Part 4 of this Planning Proposal.

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This part describes the reasons for the proposed outcomes and development standards in the Planning Proposal.

3.1 Section A - Need for the Planning Proposal

This section establishes the need for a Planning Proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

Local Strategic Planning Statement (LSPS)

No. There are no strategic studies or reports that directly address the inconsistency of the heritage listing at the subject site. However, the Planning Proposal is generally consistent with the Local Strategic Planning Statement (LSPS). The LSPS provides strategic direction on how the City of Parramatta conserves heritage. It contains actions and priorities to help Council achieve the vision of the State Government's Greater Sydney Region Plan and Central City District Plan and highlights its important role as the Central River City.

The proposal is consistent with the LSPS as it is consistent with Planning Priority 9: *Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs*. The proposal will not affect the heritage and cultural assets on the site, as there are no proposed physical changes to the site, with no archaeological remains existing beyond the SHR curtilage. The archaeological heritage will continue to be managed and protected under the existing arrangements.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best and most appropriate means of achieving the amendment to the curtilage of the archaeological site in Schedule 5 of the PLEP 2023. The reduced extent will continue to provide ongoing protection and recognition of the heritage significance of the archaeological site.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this Planning Proposal are discussed below.

Infrastructure and Collaboration

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in **Table 3a**, below.

Table 3a – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	O1: Infrastructure supports the three cities	N/A. This Planning Proposal does not impact infrastructure
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in **Table 3b**, below.

Table 3b – Consistency of Planning Proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet communities' changing needs	N/A This Planning Proposal is related to heritage only
	O7: Communities are healthy, resilient and socially connected	
	O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	
	O11: Housing is more diverse and affordable	
A city of great places	O12: Great places that bring people together	The Planning Proposal is in keeping with this objective as the buildings on site were carefully designed to respectfully combine them with the history and heritage of the site, evident in the archaeological interpretation zone and permanent exhibition area that is accessible to the public
	O13: Environmental heritage is identified, conserved and enhanced	

Productivity

An assessment of the Planning Proposal's consistency with the GSRP's relevant Productivity objectives is provided in **Table 3c**, below.

Table 3c – Consistency of Planning Proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	N/A This Planning Proposal is related to heritage only
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	
	O21: Internationally competitive health, education, research and innovation precincts	
	O22: Investment and business activity in centres	
	O23: Industrial and urban services land is planned, retained and	

	managed	
	O24: Economic sectors are targeted for success	

Sustainability

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Sustainability objectives is provided in **Table 3d**, below.

Table 3d – Consistency of Planning Proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	N/A This Planning Proposal is related to heritage only
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Implementation objectives is provided in **Table 3d**, below.

Table 3d – Consistency of Planning Proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The Planning Proposal is consistent with the State Government’s Planning Proposal process in accordance with the 'A Guide to Preparing Planning Proposals'. The Planning Proposal considers other strategic planning documents including the Central City District Plan and local strategies. This will be further discussed below.

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* (“CCDP”) is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this Planning Proposal are discussed below.

Infrastructure and Collaboration

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in **Table 4a**, below.

Table 4a – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
A city supported by infrastructure O1: Infrastructure supports the three cities O2: Infrastructure aligns with forecast growth – growth infrastructure compact O3: Infrastructure adapts to meet future need O4: Infrastructure use is optimised	PP C1: Planning for a city supported by infrastructure <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</i> • A2: Sequence growth across the three cities to promote north-south and east-west connections • A3: Align forecast growth with infrastructure • A4: Sequence infrastructure provision using a place based approach • A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans 	N/A This Planning Proposal does not impact infrastructure.

	<ul style="list-style-type: none"> • A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	
<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	<p>N/A</p> <p>This Planning Proposal does not relate to the collaboration areas.</p>

Liveability

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in **Table 4b**, below.

Table 4b – Consistency of Planning Proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
<p>A city for people</p> <p>O6: Services and infrastructure meet communities’ changing needs</p>	<p>PP C3: Provide services and social infrastructure to meet people’s changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>N/A</p> <p>This Planning Proposal is related to heritage only</p>
<p>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney’s communities are culturally rich with diverse neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. 	

	<ul style="list-style-type: none"> • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	
<p>Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	
<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>The Planning Proposal is in keeping with priority O13 as the buildings on site were carefully designed to respectfully combine them with the history and heritage of the site, evident in the archaeological interpretation zone and permanent exhibition area that is accessible to the public.</p>

Productivity

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of Planning Proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>A well-connected city O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A24: Revitalise Hawkesbury Road so that it becomes the civic, transport, commercial and community heart of Westmead • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct 	<p>N/A This Planning Proposal is related to heritage only</p>
<p>Jobs and skills for the city O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOP Economic Corridor</p> <ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct PPC8 • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOP between centres within GOP 	
<p>O14: The plan integrates land use and transport creates walkable and 30 minute cities</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network 	

	<ul style="list-style-type: none"> • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d) • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections 	
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney’s centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	<p>N/A This Planning Proposal is related to heritage only</p>
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities (a-e) and transport operations (f-g) [abridged] 	
<p>O24: Economic sectors are targeted for success</p>	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts by (a-d) [abridged] • A54: Provide a regulatory environment that enables economic opportunities created by changing technologies • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers 	

	<ul style="list-style-type: none"> • A56: Protect and support agricultural production and mineral resources by preventing inappropriate dispersed urban activities • A57: Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experience and ensure connections to transport at key tourist attractions • A58: Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation • A59: When preparing plans for tourism and visitation consider (a-g) [abridged] 	
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Sustainability

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Productivity Priorities and Actions is provided in **Table 4d**, below.

Table 4d – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape O25: The coast and waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District’s Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	<p>N/A This Planning Proposal is related to heritage only</p>

<p>O26: The coast and waterways are protected and healthier</p>	<p>PP C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <ul style="list-style-type: none"> • A64: Implement South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City 	<p>N/A This Planning Proposal is related to heritage only</p>
<p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	
<p>O31: Public open space is accessible, protected and enhanced</p>	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	
<p>An efficient city</p> <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p>	<p>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <ul style="list-style-type: none"> • A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 • A76: Support precinct-based initiatives to increase renewable 	

<p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>energy generation and energy and water efficiency</p> <ul style="list-style-type: none"> • A77: Protect existing and identify new locations for waste recycling and management • A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm 	
<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>PP C20: Adapting to the impacts of urban and natural hazards and climate change</p> <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A84: Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	

3.2.1 Will the Planning Proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The following local strategic planning documents are relevant to the Planning Proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The Planning Proposal is considered to meet the strategies and key objectives identified in the plan including:

- **Welcoming - 4.3 Respect, protect and celebrate our shared living histories of Parramatta and embrace our heritage.**

The Planning Proposal will continue to protect and recognise the heritage significance of the archaeological site. The proposal will continue to respect, conserve and celebrate Parramatta's heritage values.

Parramatta Local Strategic Planning Statement

Refer to Section 3.1.1 of this Planning Proposal.

Parramatta Local Housing Strategy

Refer to Section 3.1.1 of this Planning Proposal.

Parramatta CBD Planning Strategy

Council adopted the "Parramatta CBD Planning Strategy" at its meeting of 27 April 2015. The Strategy is the outcome of detailed technical studies which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The objectives of the Strategy are as follows:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.
2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for delivery of the new planning framework for the Parramatta CBD.

The Parramatta LEP 2023 delivered the vision of the Parramatta CBD Planning Strategy in terms of growth and expansion of the vibrant business community. This Planning Proposal is considered to be consistent in that it protects and recognises the heritage significance of the archaeological site without limiting the uses within the existing building.

3.2.2 Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

There are no State or regional studies or strategies which relate to the site for this Planning Proposal.

3.2.3 Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to **Table 5** below).

Table 5 – Consistency of Planning Proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not relevant to the proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (BASIX) 2004	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site. The Planning Proposal will have the effect of enabling consideration of the application against the provisions of this SEPP for works proposed to parts of the building outside of the curtilage of the State Heritage Listed area.
SEPP (Housing) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Resilience and Hazards) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Industry and Employment) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Transport and Infrastructure) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Biodiversity and Conservation) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Planning Systems) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Precincts – Central River City) 2021	N/A	N/A

3.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing Planning Proposals for new LEPs. The directions are listed under nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

The following directions are considered relevant to the subject Planning Proposal.

Table 6 – Consistency of Planning Proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Planning Systems and Planning Systems – Place Based		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan.	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal does not introduce any site specific provisions.	Yes
Direction 1.7 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the Interim Plan)	The Planning Proposal achieves the overall intent of the Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Parramatta Priority Growth Area.	Yes

2. Design and Place

This Focus Area was blank at the time the Directions were made.

3. Biodiversity and Conservation

Direction 3.1 – Conservation Zones

The objective of this direction is to protect and conserve environmentally sensitive areas.

The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.

Yes

Direction 3.2 – Heritage Conservation
The objective of this direction is to protect and conserve environmentally sensitive areas.

The Planning Proposal is consistent with this direction, in that it continues to protect and conserve the archaeological site.

Yes

Direction 3.5 – Recreation Vehicle Areas
The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

The Planning Proposal is consistent with this direction, in that it is not proposing to enable land to be developed for the purpose of a recreation vehicle area.

Yes

4. Resilience and Hazards

Direction 4.1 – Flooding
The objectives of this direction are to:

- (a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.

The Planning Proposal is consistent with this direction, in that existing flood prone land will not be altered by the planning proposal.

Yes

<p>Direction 4.3 Planning for Bushfire Protection</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) Encourage sound management of bush fire prone areas. 	<p>The land is not identified as bush fire prone land under Section 10.3 of the Environmental Planning and Assessment Act.</p>	<p>Yes</p>
<p>Direction 4.4 – Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.</p>	<p>The land is not within an investigation area within the meaning of the Contaminated Land Management Act 1997 and has not been subject to development as described in Table 1 of the contaminated land planning guidelines.</p>	<p>Yes</p>
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>The Planning Proposal is consistent with this direction, in that existing acid sulfate soils provisions will not be altered by the planning proposal</p>	<p>Yes</p>
<p>5. Transport and Infrastructure</p>		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The Planning Proposal does not increase dependence on cars or impact the choice of available transport.</p>	<p>Yes</p>
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Proposal does not include the identification of or removal of and land require for acquisition.</p>	<p>Yes</p>
<p>Direction 6.3 - Site Specific Provisions</p>	<p>The Planning Proposal does not introduce any site specific provisions.</p>	<p>Yes</p>

6. Housing		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.</p>	<p>The Planning Proposal is consistent with this direction, in that it does not include any housing development.</p>	<p>Yes</p>
7. Industry and Employment		
<p>Direction 7.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) Encourage employment growth in suitable locations, (b) Protect employment land in business and industrial zones; and (c) Support the viability of identified centres. 	<p>The Planning Proposal is consistent with this direction, in that it does not apply to business or industrial zones or alter provisions for land in a business or industrial zone.</p>	<p>Yes</p>

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal is related to heritage only, with the subject site already fully developed and containing existing buildings, including the public piazza and archaeological interpretation zone.

3.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

Heritage

The subject site is identified as item A16 “archaeological site” on Schedule 5 of the PLEP 2023 (see **Figure 15**). The subject site is also identified as item 02027, “Archaeological Site and associated artefacts” on the NSW State Heritage Register (SHR).

The proposed reduction of the PLEP 2023 listing to align with the SHR curtilage will not impact the archaeological site, as all remaining extant State significant historical archaeology within the site is limited to the SHR listing curtilage, and no changes are proposed to the existing SHR listed item.

The Planning Proposal will have the effect of enabling consideration of the application of the provisions of the State Environmental Planning Policy (Exempt and Complying Development

Codes) 2008 for works proposed to parts of the building outside of the curtilage of the State Heritage Listed area.

Any future development on the subject site within the vicinity of the item will still require a Statement of Heritage Impact to address any potential impacts on the archaeological site.

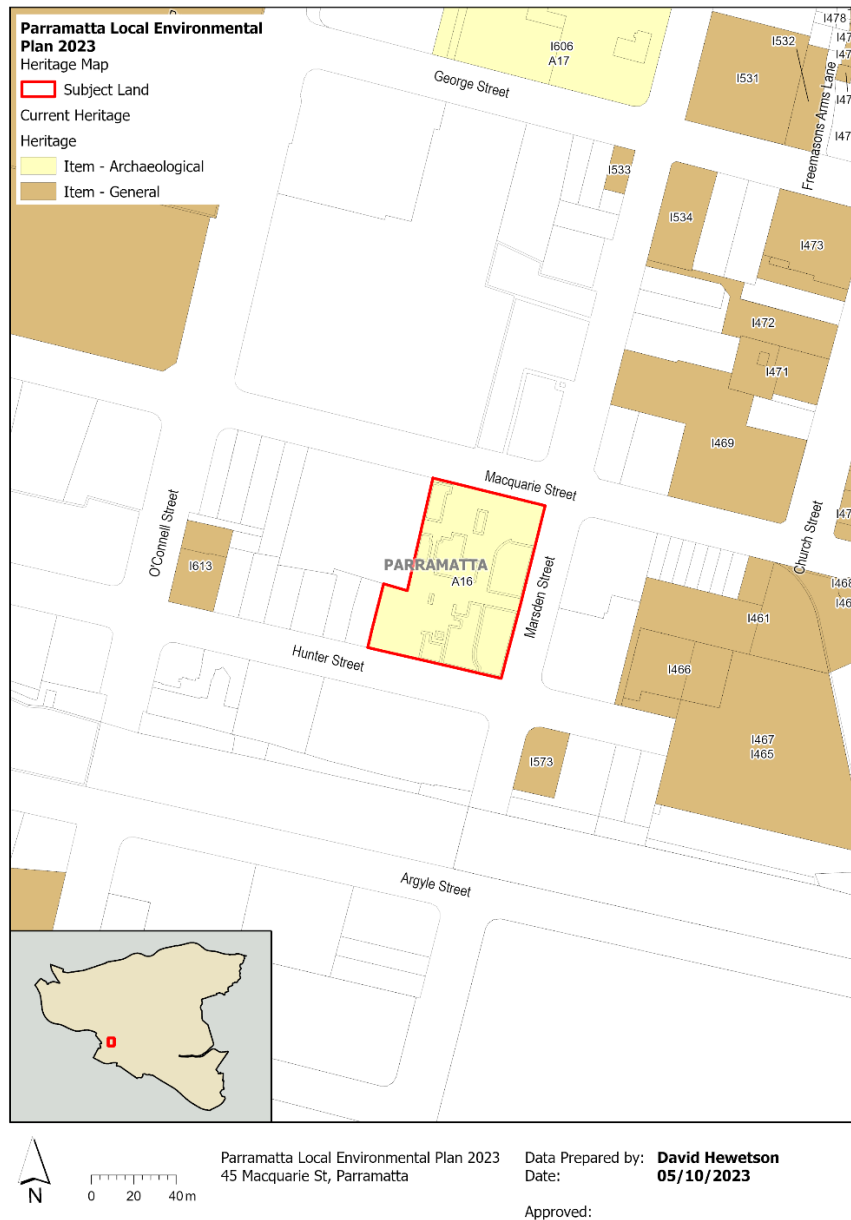


Figure 15 – Heritage item map, Parramatta LEP 2023 for the subject site at 45 Macquarie Street, Parramatta

3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal has considered the significance of the archaeological site and concludes that any social and economic effects have been adequately addressed. The Planning Proposal will continue to manage, protect and promote the heritage character of the archaeological site.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the Planning Proposal?

There are no potential impacts on public infrastructure as a result of this Planning Proposal.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

PART 4 – MAPS

This section contains the mapping for this Planning Proposal in accordance with the DP&E’s guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *Parramatta Local Environmental Plan 2023* controls which apply to the site. **Figure 16** illustrates the existing MU1 Mixed Use zone for the site at 45 Macquarie Street, Parramatta.



Figure 16 – Existing zoning extracted from *PLEP 2023* Land Zoning Map

Figure 17 illustrates the existing Height of Buildings controls for the site at 45 Macquarie Street, Parramatta.

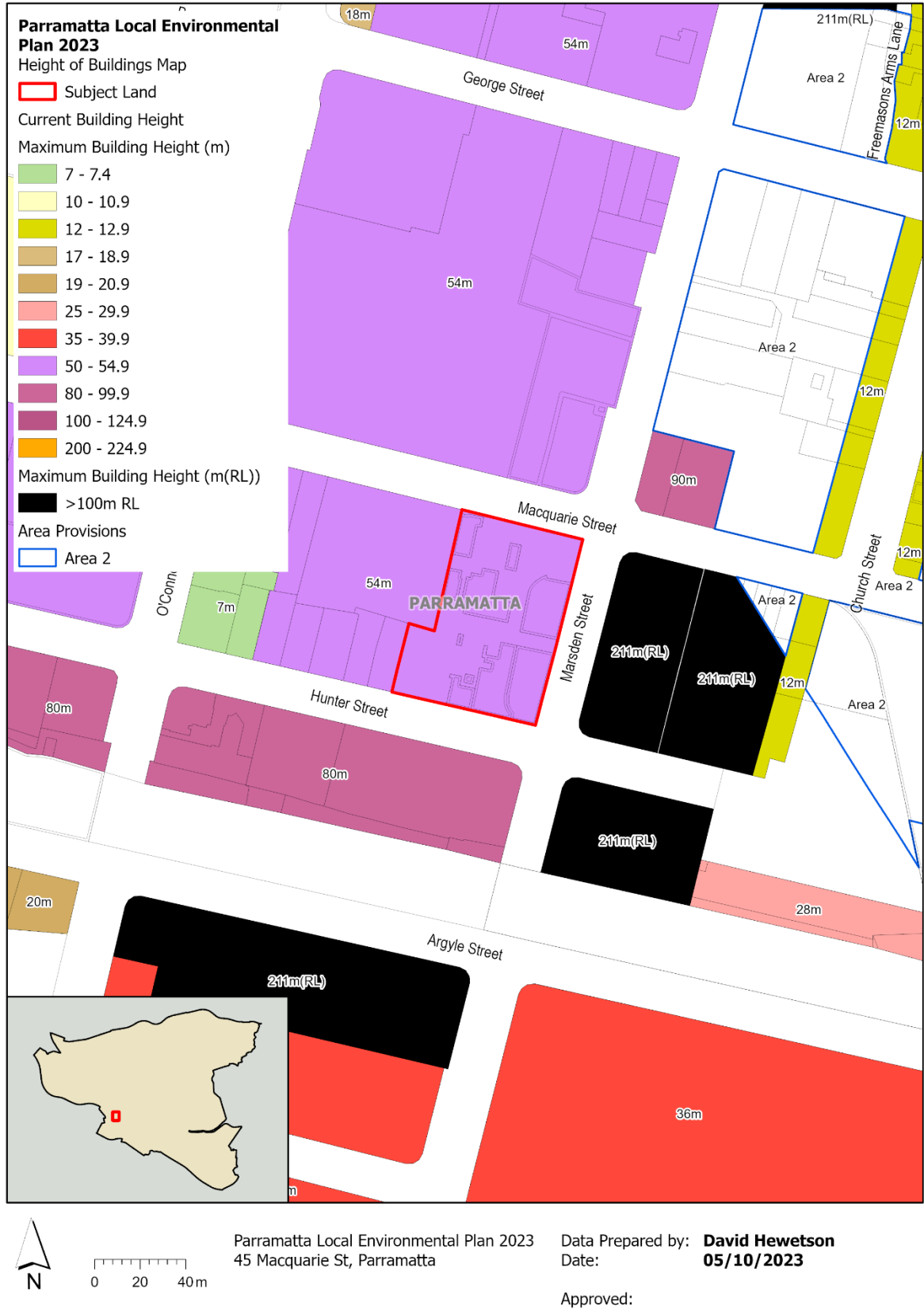


Figure 17 – Existing building heights extracted from the PLEP 2023 Height of Buildings Map

Figure 18 illustrates the existing Floor Space Ratio controls for the site at 45 Macquarie Street, Parramatta

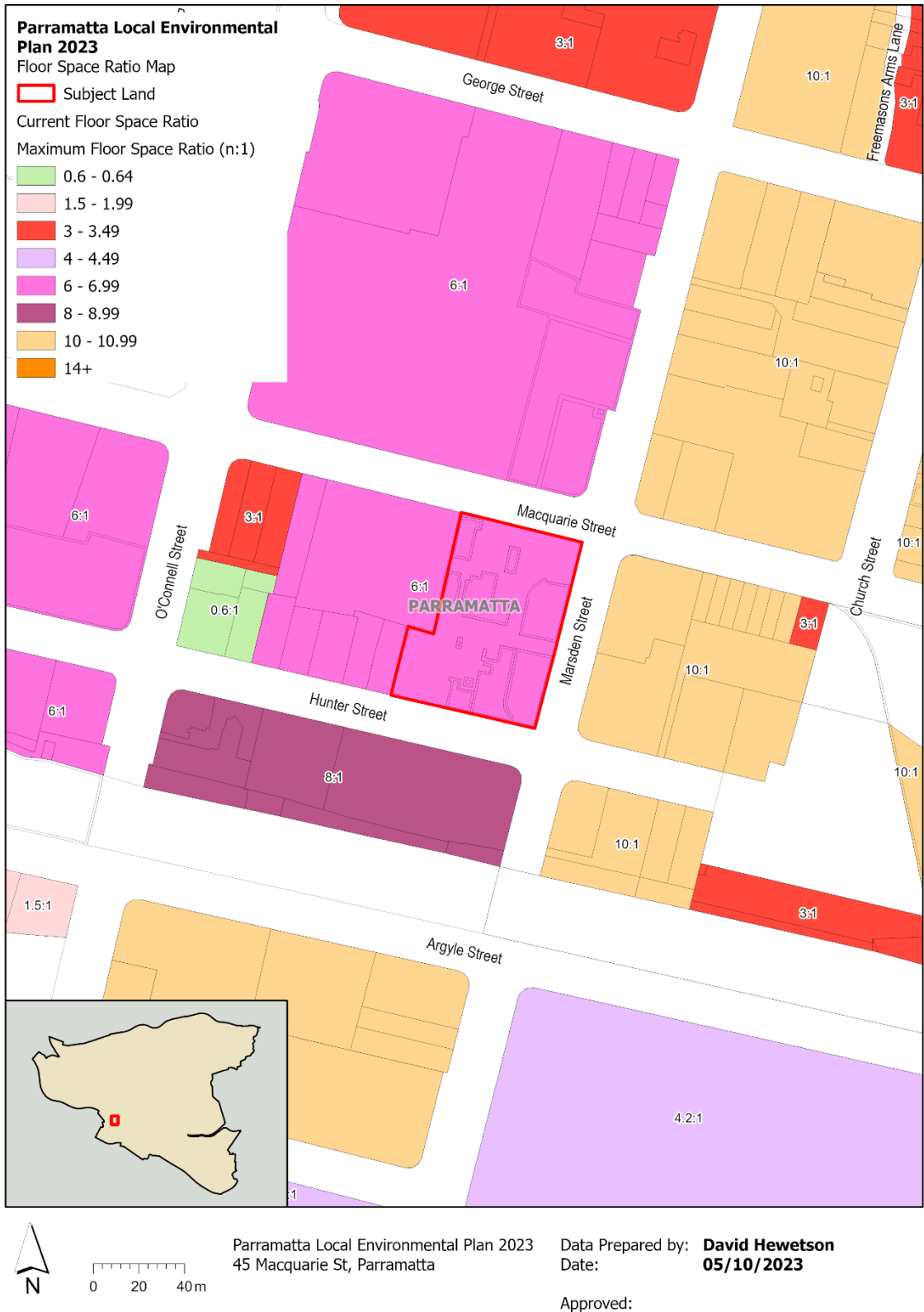
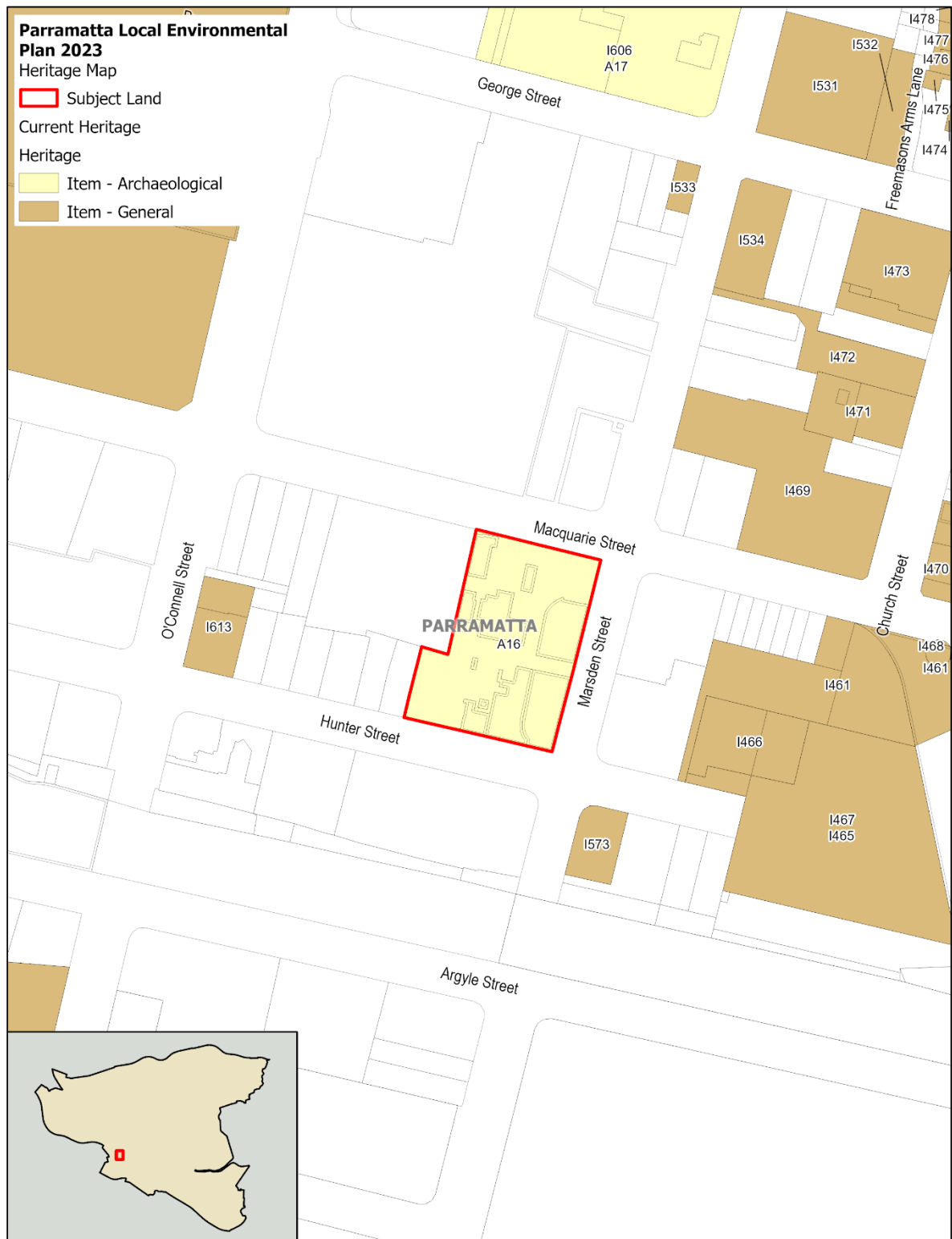


Figure 18 – Existing floor space ratio extracted from the PLEP 2023 Floor Space Ratio Map

Figure 19 illustrates the existing Heritage Item A16 “archaeological site”, for the site at 45 Macquarie Street, Parramatta



0 20 40m

Parramatta Local Environmental Plan 2023
45 Macquarie St, Parramatta

Data Prepared by: **David Hewetson**
Date: **05/10/2023**

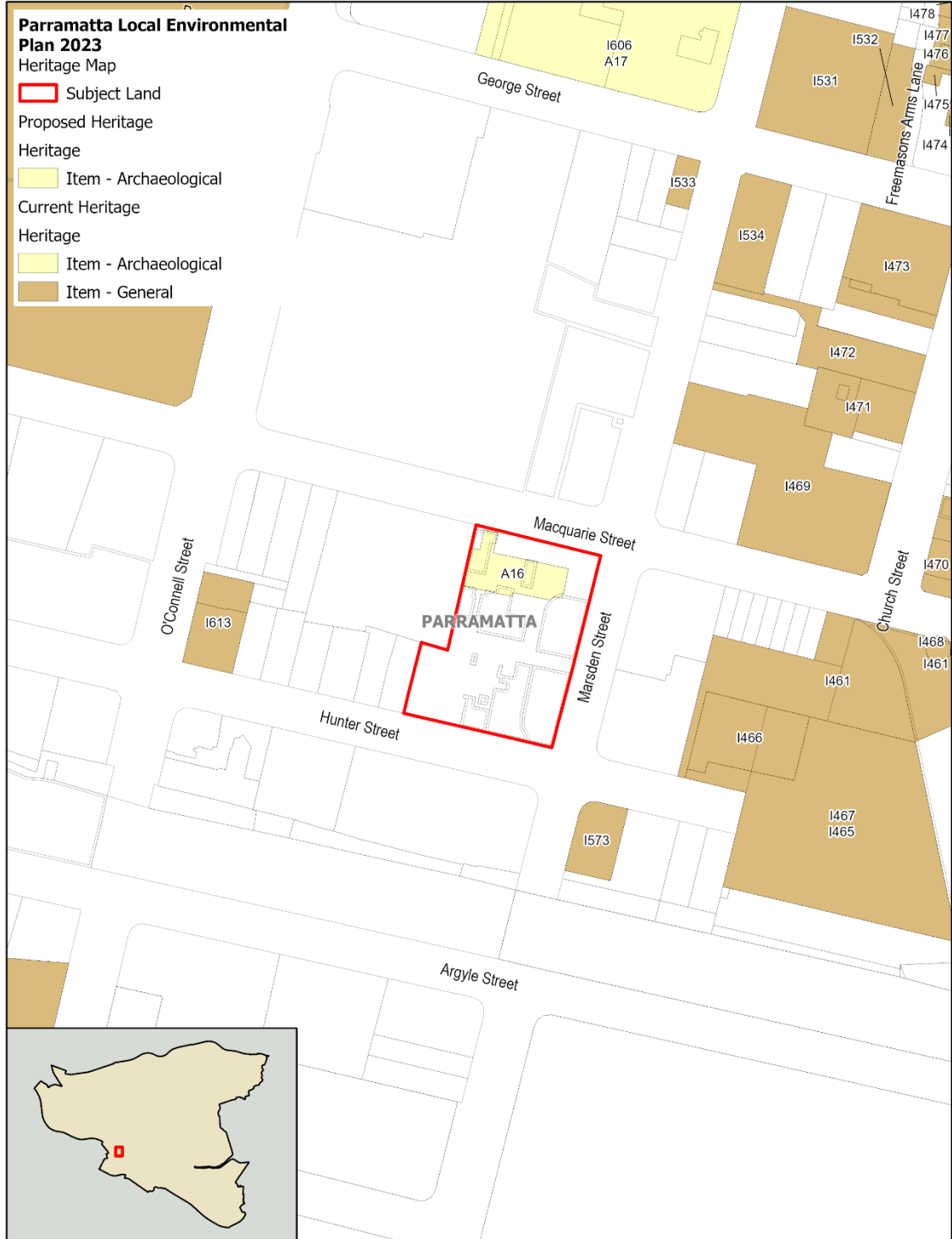
Approved:

Figure 19 – Existing heritage items extracted from the *PLEP 2023* Heritage Map

4.2 Proposed controls

The figures in this section illustrate the proposed Heritage map as a result of the assessment and recommendations for the Planning Proposal.

Figure 20 illustrates proposed Heritage map for the site at 45 Macquarie Street, Parramatta



0 20 40m

Parramatta Local Environmental Plan 2023
45 Macquarie St, Parramatta

Data Prepared by: **David Hewetson**
Date: **05/10/2023**

Approved:

Figure 20 – Proposed amendment to the *PLEP 2023* Heritage Map

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- display at Council's Customer Service centre
- display at Council's branch libraries across the LGA;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the Planning Proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PART 6 – PROJECT TIMELINE

Once the Planning Proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the Planning Proposal’s process.

Table 7 below outlines the anticipated timeframe for the completion of the Planning Proposal.

Table 7 – Anticipated timeframe to Planning Proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	October 2023
Report to Council on the assessment of the PP	November 2023
Referral to Minister for review of Gateway determination	December 2023
Date of issue of the Gateway determination	February 2023
Date of issue or revised Gateway determination (if relevant)	Not Applicable
Commencement and completion dates for public exhibition period	June 2024
Commencement and completion dates for government agency notification	June 2024
Consideration of submissions	July 2024
Consideration of Planning Proposal post exhibition and associated report to Council	August 2024
Submission to the Department to finalise the LEP	September 2024
Notification of instrument	September 2024

Appendix 1 – Heritage Assessment Report

[GBA Heritage 2021]

October 2021

The General Manager
City of Parramatta Council
PARRAMATTA NSW

Dear Sir



HERITAGE ASSESSMENT REPORT LEP ARCHAEOLOGICAL LISTING 45 MAQUARIE ST, PARRAMATTA

On behalf of the owners of the V by Crown mixed use development at 45 Macquarie Street, Parramatta we have pleasure in providing this Heritage Assessment Report in support of a Planning Proposal, prepared by Planning Ingenuity in relation to the State Listed Archaeological resources at the above property.

The Planning Proposal, which has been prepared by Planning Ingenuity and is attached to this letter, is described as follows:

To amend the Parramatta *Local Environmental Plan 2011* by reducing the extent of the archaeological site, identified as A11 at 45 Macquarie St Parramatta, listed on Schedule 5 of the LEP, (Lot 100, DP 12122216) and identified on the Heritage Map (HER10), to align with the extent of the recently gazetted listing of that archaeology on the *NSW State Heritage Register* as item 2027, "Archaeological Site and associated artefacts".

The subject archaeological site was revealed in c2015 as part of the preliminary excavations for a future multi-story tower to be erected on the western corner of Macquarie, Marsden and Hunter Streets. This whole site was subsequently listed as an archaeological site (Item A11) on Parramatta LEP 2011.

Subsequent discussions with the Director and Senior Archaeologist at Heritage NSW, (then OEH) determined that, while the relics identified along the northern portion of the site were likely to be of State Heritage significance, the process of designing and approving a high rise mixed use residential tower, required a degree of flexibility in the statutory definition of the most important relics prior to a formal listing on the NSW State Heritage Register.

As part of the recognition of the value and significance of the archaeology, the proponent and HNSW agreed that a full-scale Archaeological Display and Interpretation Centre for visiting members of the public and scholars, should be developed around the actual relics. The resultant basement level Archaeological Centre is readily identifiable from the large opening in the ground floor level northern plaza of the V by Crown building at 45 Macquarie Street.

The final physical configuration of the Display Centre was selected as the limit of the State Heritage Register listed site. This Planning Proposal seeks to align the extent of the PLEP listed site (A11) with the that SHR listing footprint. For consistency, it proposes to use identical information from the SHR Heritage Inventory for the site.

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THE STATE HERITAGE LISTING OF THE ARCHAEOLOGY

The formal listing of the site on the NSW State Heritage Register was gazetted on 5 July 2019 and is illustrated on SHR Plan 3220. It is also illustrated on the attached survey plan by Crown Landmark Developments Pty Ltd.

STATEMENT OF SIGNIFICANCE +

The formal **Statement of Significance** for the V by Crown Archaeological Site is:

The two in situ archaeological displays at 45 Macquarie Street, Parramatta are of state heritage significance for their historical values demonstrating the development of Parramatta, the second settlement in NSW, from a Goal Town to a Market Town between the years 1790 and 1823. The in situ remains and wealth of individual artefacts collected from the site, some of which are on permanent display, are compelling evidence of the important role of convicts, native born and free migrants in this transformation.

The archaeological site is of state significance as pollen samples from the site are evidence of the first crops, including cereal crops of barley sown in Parramatta from 1788 to 1790.

The site is of state heritage significance for its aesthetic values as examples of traditional building and construction technology and for the visual appeal or attractiveness of the in-situ retention of the archaeological remains.

The site and its treatment archaeologically as an in-situ museum, is of state significance for the esteem in which it is held in the community, including the community of archaeologists, heritage professionals and those with an interest in our colonial beginnings, not only in Parramatta, but also New South Wales and nationally.

The archaeological site is of state heritage significance for its research significance as the excavation has provided evidence relating to a number of research questions relating to the development of Parramatta, the colony's second settlement, from a Gaol Town to Market Town and the progress of settlement in New South Wales as a whole.

The Archaeological Site at 45 Macquarie Street, Parramatta is of state heritage significance as it contains a rare well-preserved example of a 'convict hut' in the second settlement in the colony of NSW.

It also has state level rarity values as, unlike other sites at Parramatta, it provides clear physical evidence of an early convict hut as well as later layers of the sites occupation as a bakery, wheel wrights workshop, masonry residence and evidence of the origins and expansion of the Shepherd and Flock Hotel. As such it clearly demonstrates the transformation of the settlement at Parramatta from a Gaol Town to a Market Town in the early decades of European occupation.

The site is of state heritage significance as a rare example of the management of an important archaeological site to be retained and conserved in situ rather than excavated and salvaged off site.

The archaeological site at 45 Macquarie St Parramatta is of state heritage significance as a fine example of a remnant 'convict hut' at one of the four original colonial settlements. It also represents the evolution and growth of Parramatta and the colony in its first 50 to 60 years.

DESCRIPTION AND PHYSICAL CONDITION

The formal **Description** on the SHR listing states:

The Main Display Area includes archaeological remains of the convict hut, built c. 1800 on Allotment 16, Section 12, Town of Parramatta. The archaeological excavations in 2005 revealed how the hut was extended and altered until the 1836-1844. The most significant addition was a wheelwright's workshop on the west side of the convict hut, built by John Walker after he leased the allotment from the Crown in 1823. Remains of a sandstone working floor, spattered with molten iron and also two forges were located in this area. Other important changes to the convict hut included the addition of a brick floor and two large fireplaces on the south wall, one of which may have been a bread oven.

The convict hut and its extensions were demolished between 1836 and 1844 to be replaced by a substantial brick cottage with sandstone foundations. There were two large front rooms, a central hallway, front verandah and rear skillion rooms. Above the main rooms were attic bedrooms with dormer windows. The back wall of the skillion had collapsed due to saturation of the soil during a period of heavy rain, coupled with poor drainage. A large timber outbuilding was built over these footings to extend the back of the house in the late nineteenth century. The cottage was finally demolished in the 1950s but the land remained vacant until the 1990s. A failed development resulted in a series of concrete piles being drilled through the archaeological remains, but left most of the site intact.

The second Display Area includes the cellar of the Shepherd and Flock Inn, licensed from 1825 to 1870. The stone-built cellar, with intact timber floor, was backfilled with demolition material and a layer of charcoal, indicating a large fire. The dating of the cellar could only be resolved during the archaeological investigations to open up the site for display in 2016. The cellar is now known to have straddled the boundary between Allotments 17 and 18. Allotment 18 was leased to John Graham on 1 January 1806. It was the site of the Wheatsheaf Hotel from 1801 to 1809, which was housed within a typical convict hut and its extensions. The allotment was leased to Thomas Reynolds in 1823, when he also bought the lease to Allotment 17.

The cellar was built over the site of the east wall of the former convict hut on Allotment 17, thus revealing the encroachment onto Allotment 17. Neither of the convict huts on Allotments 17 and 18 could be conserved in situ, since their remains were so poorly preserved.

The SHR listing provides Further Comments about the **stratigraphy** of the subject archaeology:

The depth of stratigraphy on the Macquarie Street frontage of Allotment 16 preserved intact the remains of the convict hut and its extensions, including the wheelwrights workshop. These were overlain by demolition layers and only partially cut through by the later brick cottage, built between 1836 and 1844. The demolition of the cottage in the 1950s also provided protection for the underlying archaeology. Initially it was thought that the concrete piers from the failed 1990s development had destroyed the archaeological remains, but excavation proved their intactness. Because the site had been in a low lying and poorly drained area, there was a historical tendency to build up the ground around the archaeological sites to the level of Macquarie Street, in order to avoid flooding. The preservation of the archaeological remains on Allotment 16 is therefore largely due to this accumulation of layers and to waterlogging of the lower soil profile.

The adjacent buildings on Allotment 17 and 18 were located on higher ground and did not therefore have a similar stratigraphic history. These sites tended to be cut down to the level of the adjacent streets. This resulted in the poor preservation of building remains except for the most recent, but did allow the deep cellar of the Shepherd Inn to survive.

The **Physical Condition** of the archaeological features, as described on the SHR listing states:

Of the sites on the Macquarie Street frontage, the remains on former Allotment 16 and the cellar on Allotment 17-18 were preserved in a condition that was suitable for conservation, interpretation and display. Both the cellar and the lower levels of the convict hut presented waterlogged or anaerobic conditions, allowing for the preservation of the timber floor of the cellar and some of the lower timbers of the convict hut. Not all the timbers could be conserved and, in some cases, modern timbers have been used to indicate the positions of original timbers in the displays.

One of the most unusual features was the depth of stratigraphy on Allotment 16, with over a metre from the original topsoil to the current kerb height on Macquarie Street. Pollen samples were taken from the soil profile,

revealing the changing environment over time and the presence of cereal pollen at the beginning of historical settlement, when Rose Hill was a government farm from 1788 to 1790. The depth of stratigraphy also allowed assemblages from each period of occupation to be treated separately, revealing the paucity of material comforts for the early convict occupants



Fig 1 The residential building at 45 Macquarie St, Parramatta, erected over the subject archaeology



Fig 2 The archaeology is now conserved and displayed below the Macquarie St Plaza



Fig 3 Interpretive information located on the plaza level balustrade



Fig 4.. The archaeological relics are now confined within the basement level walls of the Display Centre



Fig 5 The Display Centre is fitted with many interpretive panels and display cases



Fig 6 The basement Display and Interpretive Centre allows visitors to closely inspect the archaeology



Fig 7 A glazed insert in the plaza floor highlights the Wheelwright's Workshop section of the archaeology



Fig 8 Interpretive panels inform visitors to the Display Centre of the different features



Fig 9 Visitors can get close to the archaeology to gain respect for its cultural heritage values



Fig 10 The eastern part of the archaeology illustrates the cellar of an old hotel

HISTORICAL NOTES

The SHR listing provided the following **Historical Notes**:

Aboriginal and first contact history

The land at Parramatta was the traditional home of the Burramatta people of the Darug language group who had lived there for some 60,000 years before the arrival of the English colonists. The Burramatta people were a coastal or salt-water people, a group bordering the area between the coast and the hinterland. Their traditional lands were a place where the hinterland and coastal groups met to trade and perform ceremonial battles and hold corroborees. (History of the Female Factory Precinct. <https://environment.gov.au/.../parramatta-female-factory-history.pdf>)

The word Burramatta means place of the eel and the eel was the totem symbol for the local people. Each year eels gathered at a particular place where the salt water meets the freshwater to 'lie down' and fatten up for their journey north to the Coral Sea to spawn. (Parramatta. Leanne Tobin and Bonny Djuric. <http://urbantheatre.com.au>) During this time the eels made a significant contribution to the Burramattagal diet. Women fished from boats and men speared fish from the riverbanks or hunted possum in the woodland areas and yam and fruits were gathered from the land. Grass seeds were collected and crushed on stones and later processed into a dough for cooking. Other stones found in the Parramatta area were large and rounded. (History of the Female Factory Precinct. <https://environment.gov.au/.../parramatta-female-factory-history.pdf>)

In April Captain Arthur Phillip sailed up the Parramatta river and declared the land around present day Parramatta to be suitable place for a 'gaol town and farm.". By September Phillip declared a settlement at what was then called Rose Hill. Initially there was some bartering between the Burramattagal and the colonists but with increased settlement and the alienation of more and more land by the colonists relations soured. The farms destroyed the yam beds and settlement did not allow the local people to freely move through their lands. Facing the diminishing of traditional foods sources, the Burramattagal took to harvesting the new crops of corn which met with retaliation from the farmers. (Parramatta. Leanne Tobin and Bonny Djuric. <http://urbantheatre.com.au>)

In 1789 another blow to the indigenous population occurred when their population was decimated by the outbreak of smallpox. While the population was reduced the many indigenous people of western Sydney including the Burramattagal continued to resist the colonial settlers. From 1790, Pemulwuy was widely seen to be the leader of the conflict and resistance against settlers in outlying settlements including Parramatta, Toongabbie, Georges River and Brickfield Hill. In 1797 was severely wounded during a raid on the government farm at Toongabbie. He was taken to hospital where he subsequently recovered, escaped and continued to fight. Four years later in 1801, Governor King declared that Aboriginals near Parramatta, Georges River and Prospect could be shot on sight and in the following year Pemulwuy was shot by a group of settlers. (Pelmuway Australian Dictionary of Biography adb.anu.edu.au/biography/pemulwuy)

While first contact resulted in the reduction of the Aboriginal population all over NSW, many people of the western Sydney area including Parramatta, survived and their descendants still live in the area today.

History of the township of Parramatta

The following historical overview has been sourced and summarised primarily from the excavation report prepared by Edward Higgenbotham and Associates with historical research by Terry Kass, which provides a comprehensive historical background for the site.

The site is in an area of early European settlement in Parramatta, or Rose Hill as it was originally known, which began in late 1788 as a farm to provide much needed crops for the new colony. The Rose Hill farm was converted into a town in 1790 and renamed Parramatta in June 1791. Initial development in the town centred on what are now George, Macquarie and Church Streets, with the construction of several public and government buildings.

While some early town leases were granted to prominent free persons, such as civil servants or members of the NSW Corps, most of the town allotments were occupied by convict huts. The allotments on which these stood generally measured 100 feet by 200 feet and the convict huts were usually 24 feet by 12 feet, containing two rooms one slightly larger than the other to house between 10 and 14 convicts. The large allotment size was to allow for the convict residents to establish household gardens for fruit and vegetables. In November 1790, Watkin Tench described the town has containing 32 completed convict huts occupied by men on either side of the main street (now George Street), with an additional nine huts for women on what is now Church Street, and several other huts occupied by convict families. By the following year, there were approximately 100 convict huts in Parramatta.

While the town was primarily at this stage a goal town it was not long before town leases were occupied by free persons. In 1796 the first town lease in Parramatta was let to John McArthur for 14 years and was occupied by a former convict who was pardoned in 1794, James Larra. The number of town leases granted to free persons (both emancipists and free settlers) gradually increased between 1800 and 1809.

After his establishment as Governor of NSW, Macquarie escalated this trend. Macquarie took the view that the township of Parramatta and other towns should be the domain of the free settler and that convicts should be housed in a way that the government could keep a tight rein on the supervision and control of the convict population. To this end, by 1821, a new convict barracks was constructed at Parramatta, removing the need for convict huts on the allotments within the town.

Governor Brisbane granted new town leases in Parramatta in 1823, and on 30 June over 300 leases were made, with many of the town's inhabitants gaining secure title. With the increase in the free population and the laying out of several new streets, Parramatta soon grew from a penal, gaol town into a fully-fledged market town.

Site specific history

Allotment 16 - Remains of convict hut, brick cottage and Wheelwrights Workshop

The archaeological site at 45 Macquarie Street contains the remains of a convict hut which was built around 1800. This hut on Allotment 16 was inhabited by a John Paisley until 1823. In 1823 it was occupied by John Walker who was a wheelwright, an Australian born man who married an Australian born woman.

It seems he may have started his working life as a wheelwright working for a Hugh Taylor and later went on to run his own successful business. During the 1820s there is evidence the convict hut was used as a bakery and then in the late 1820s Walker added a wheelwrights workshop to the western side of the hut.

In 1839 the permissive occupancy for allotment 16 was converted to a Town Grant in John Walkers name and between the years of 1836 and 1844 the original convict hut was replaced by a brick cottage comprising two large rooms flanking a central hall way with a skillion at the rear and attic rooms above. Evidence of various extensions over the life of the house are revealed in the excavation.

After John Walker died in 1846 his wife continued to live in the house until 1875. At this time the wife sold the property to John Pratt, a local fruit dealer who soon subdivided the land into two parcels and sold the western parcel on and the western part sold for (Pounds)260, indicating that it already had a house on it. A weatherboard cottage had been erected, but was replaced in 1911 by a 'Federation' style house.. The eastern parcel was later sold to a Coach Maker, who retained the cottage. Subsequent owners up to the early 1950s when it became the premises of three Dr Maloufs, retained the cottage.

Allotment 17 and 18 - Basement of the Shepherd and Flock Inn

Originally there were three convict huts in on the site facing Macquarie Street - on Allotments 16, as discussed above; on Allotment 17, where the basement and drain of the shepherd and Flock is located; and Allotment 18 on the corner of Marsden and Macquarie Streets. The hut on Allotment 18 was the site of the Wheatsheaf Hotel between 1801-1809, making it one of the earliest hotels in Parramatta. Unfortunately the evidence of convict huts on Lots 17 and 18 was so poorly preserved that they could not be preserved in situ and so the majority of the area of Allotment 18 is not included in the SHR listing.

Allotment 18 was, from at least 1823, leased to Thomas Reynolds which had become the Shepherd and Flock Inn by 1825. Reynolds was a convict transported to the colony in 1816 on the Ocean. Recommended for emancipation by Rowland Hassel he became a free man in 1820. He married a colonial born woman, Mary Reynolds in 1820 and by 1823 had leased the Allotment 18. Reynolds purchased the neighbouring property (Allotment 17) in 1823 from William Sully and extended the hotel into this area. The cellar is associated with this extension.

The Shepherd and Flock Inn closed in 1870.

Recent history

All buildings on the site had been demolished by the early 1950s, and the area was used as a carpark.

The area was identified as PHALMS AMU 3190. The site is included in the Parramatta Historical Archaeological Landscape Management Study (PHALMS) completed in 2001 as Archaeological Management Unit (AMU) 3190, likely to contain intact archaeological resources of State significance including the sites of convict huts.

The area was excavated in 2005.

In 2012 construction began on the 'V by Crown' development at 45 Macquarie Street, Parramatta. The innovatively designed residential/commercial development was completed in 2015.

In mid 2017 the 'V Heritage' Archaeology Display Centre was opened and celebrates the completion of the conservation and interpretive display of the archaeological relics.

HERITAGE ASSESSMENT

CRITERIA A – HISTORICAL SIGNIFICANCE

The two in situ archaeological displays and associated artefacts are of state heritage significance for their historical values demonstrating the development of Parramatta, the second settlement in NSW, from a Goal Town to a Market Town between the years 1790 and 1823. There is compelling evidence on site of the important role of convicts, native born and free migrants in this transformation.

Allotment 16 was occupied by firstly by a convict named John Paisley and later a colonial born man John Walker who eventually established a wheel wrights workshop on the property. He prospered and replaced the convict hut with a brick cottage. The basement remains are of a hotel established by Thomas Reynolds, a convict who made good in the town of Parramatta in the decades from 1820s to the late 1840s. The Shepherd and Flock was established on the site of one of the earlier hotels in the area. The basement, located on adjacent land bought to extend the hotel premises, demonstrates the growth of the township and colonial society in the early to mid-19th century.

The Archaeological Site and associated artefacts are of state significance as pollen samples from the site have been analysed and shown to contain which contain pollens from cereal from the first crops sown in Parramatta from 1788 to 1790.

John Walker died in 1846, but his widow lived in the house until 1875.

The convict hut on the corner of Marsden Street (Allotment 18) was leased to John Graham on 1 January 1806. This lease is one of only two pre 1823 leases that can be located on the south side of Macquarie Street. It was the site of the Wheatsheaf Hotel from 1801 to 1809, one of the earlier hotels in Parramatta. The allotment was leased to Thomas Reynolds in 1823 and by 1825 had become the Shepherd and Flock Inn. Reynolds had purchased the neighbouring Allotment 17 in 1823, enabling him to extend the Hotel across this boundary. The cellar therefore represents an extension of the Wheatsheaf / later Shepherd Inn building, which closed in 1870. Both allotments are important examples of the trends of development from a gaol town to a market town, a process that had largely been completed by 1823.

CRITERIA C – AESTHETIC / TECHNICAL SIGNIFICANCE

The Archaeological Site and associated artefacts at 45 Macquarie Street are of state heritage significance as it is the first archaeological excavation in Parramatta that revealed remains of a convict hut. Most convict huts reveal only a pattern of post-holes. This convict hut retained waterlogged timber posts, but more importantly a brick floor, associated ovens and the adjacent wheelwrights workshop, showing how the building was extended and used for different purposes over time. The later walls of the overlying 1840s cottage reveal well-built sandstone and brick walls of a large cottage. The remains of buildings and the cellar possess aesthetic significance as examples of traditional building technology and for visual appeal or attractiveness of the in-situ retention of the remains.

CRITERIA D – SOCIAL / CULTURAL SIGNIFICANCE

The site and collection are of state significance as the investigation, conservation and management of the heritage values of the subject site is deemed of interest and concern to a broader community, including the community of archaeologists, heritage professionals and those with an interest in our colonial beginnings, not only in Parramatta, but also New South Wales and nationally.

CRITERIA E - RESEARCH POTENTIAL

The Archaeological Site and associated artefacts, 45 Macquarie Street, Parramatta, is of state heritage significance for its research significance as the excavation has provided evidence relating to a number of research questions about the foundation of the colony of NSW. The findings contribute to our understanding of the site, the development of Parramatta, the colony's second settlement, from a Gaol Town to Market Town and the progress of settlement in New South Wales as a whole.

CRITERIA F - RARITY

The Archaeological Site and associated artefacts at 45 Macquarie Street, Parramatta are of state heritage significance as it contains a rare, well preserved example of a convict hut in the second settlement in the colony of NSW. While other huts in Parramatta and the other first four settlements in NSW have evidence of convict huts, this site is unique in that there are significant samples of timber surviving in the post holes for the hut on allotment 16. There is also evidence of convict hut at allotment 18 although this is not so well preserved.

The site also demonstrates the transformation of the settlement at Parramatta from a Gaol Town to a Market Town through evidence of the transformation of the convict hut on allotment 16 is firstly adapted to a residence and then replaced with a timber and masonry house as the occupant, John Walker, established his business as a Wheelwright and prospered. The basement of the Shepherd and Flock Hotel demonstrates the evolution of the site at Allotment 18 from convict hut to hotel and the further expansion of the hotel as the proprietor, Thomas Reynolds improves his business through the early to mid-1800s.

The site had a substantial depth of stratigraphy, enabling separation of the artefact assemblage into several datable phases, from convict occupation, through to the 1880s and later.

The site is also be of state heritage significance as a rare example of the management of an important archaeological site to be retained and conserved in situ rather than excavated and salvaged off site. Of the 48 terrestrial -archaeological sites listed on the SHR this is one of only five sites of excavated archaeology dating from the early colonial years which has been retained, conserved and interpreted in situ.

CRITERIA G – REPRESENTATIVE

The Archaeological Site and associated artefacts at 45 Macquarie Street is of state heritage significance as a fine example of a convict hut at one of the four original colonial settlements. It also represents the evolution and growth of Parramatta and the colony in its first 50 to 60 years.

The information that has been gained from the study of the assemblages from this site provide representative examples of the information that can be gained from artefact analysis.

THE PLANNING PROPOSAL

The final physical configuration of the Display Centre was selected as the limit of the State Heritage Register listed site.

The Planning Proposal seeks to align the extent of the PLEP listed site (A11) with the that SHR listing footprint. For consistency, it proposes to use identical information from the SHR Heritage Inventory for the site.

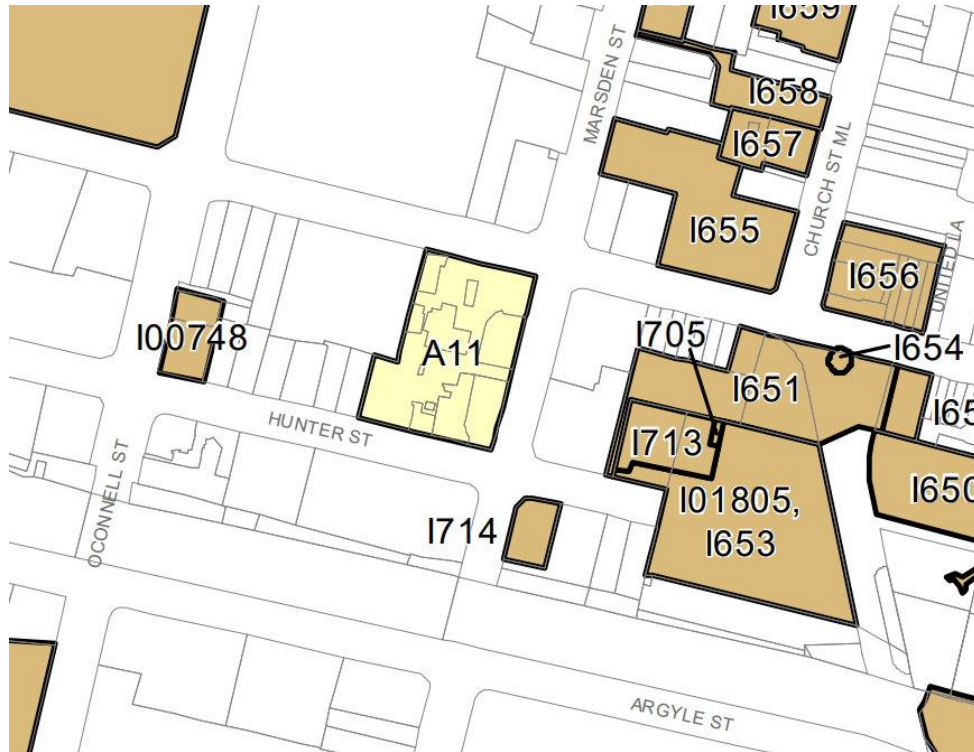


Fig 11 Extract from Parramatta LEP 2011 Heritage Plan showing extent of Item A11

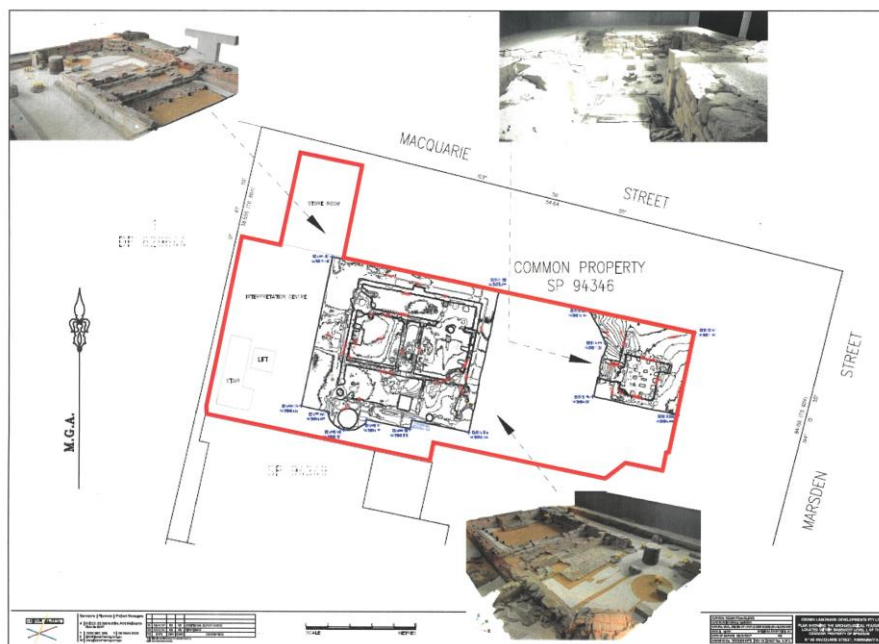


Fig 12 Plan of the existing State Heritage listing, which the Planning Proposal seeks to match for the amended LEP listing to be confined to the northern, Macquarie St frontage of the overall site

RECOMMENDATION

On the basis that the subject Planning Proposal seeks to amend the current LEP boundaries and listing information of the surviving archaeological relics at 45 Macquarie St, Parramatta to match those recently gazetted for the State Heritage Register listing, Parramatta Council and the NSW Department of Environment and Planning should have no hesitation on heritage grounds in approving this change.

- The retained archaeological relics have already been reduced in extent by the construction of the high-rise residential building, as approved by HNSW and PCC.
- The reduced archaeological area is now defined and enclosed by the concrete basement walls that surround the Archaeological Display Centre.
- The retained archaeological relics are protected and conserved under the relevant provisions of the Heritage Act NSW, 1977.
- The ownership of the archaeological relics and the Display Centre fall within the strata title framework of the remainder of the building and site.
- The clarification of the confined extent of the heritage listed archaeological relics will enable changes and upgrades to the remainder of the high-rise building at 45 Macquarie Street to be approved by the relevant consent authority without any need to consider potential heritage impacts on the archaeology.

Yours faithfully
GBA HERITAGE PTY LTD



Graham Brooks
Director
grahambrooks@gbaheritage.com



GRAHAM BROOKS

Managing Director, GBA Heritage Pty Ltd

Positions Held

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Managing Director, Graham Brooks & Associates Pty Ltd, 1996 – 2015
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Former Executive Committee Member, Australia ICOMOS, 1990-1992
Former Member Heritage Council Technical Advisory Committee on Materials Conservation, RAI Heritage Committee & RAHS Historic Buildings Committee

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Appendix 2 – Supplementary Heritage Information

[GBA Heritage 2023]

14 March 2023

The General Manager
City of Parramatta
Attn Rachel Machkevitch
Senior Project Officer
Major Projects and Precincts

Email kkirk-torresan@cityofparramatta.nsw.gov.au

Dear Rachel

**DRAFT PLANNING PROPOSAL
45 MACQUARIE ST, PARRAMATTA
ADDITIONAL REQUESTED INFORMATION
REF RZ/7/2022**

Please forgive the long delay in responding to your request to Stratplus, dated 21 December 2022, with regards to a request for further information regarding the Draft Planning Proposal to reduce the extent of the LEP Listed Archaeological Site (A11) at 45 Macquarie St, Parramatta. The site is now commonly known as "V by Crown".

Unfortunately your request, dated 21 December 2022, arrived after the Stratplus' office had closed for the Christmas and New Year period. The request was forwarded to the V by Crown Archaeological Advisory Committee, of which Graham Brooks is a founding and continuing member. Our first reaction has been to refer the request to Dr Edward Higginbotham, the Archaeologist for all the documentary and physical investigations, report preparations, repair and presentation of the remnant archaeology and submissions to Heritage NSW to formally complete the long intended SHR listing. Unfortunately, Dr Higginbotham retired in mid 2021 and confirmed that he was unable to assist in progressing the Draft Planning Proposal.

Consequently, Graham Brooks was requested to respond to the Committee's request. Graham had been the Heritage Adviser on the V by Crown project since its inception, and was familiar with the agreement struck with Heritage NSW to delay a formal SHR gazettal until such time as the retained archaeology was secured and displayed in a defined and completed concrete-walled enclosure at the northern (Macquarie St frontage) of the multilevel basement for the new residential tower.

The extent of the current LEP Listing for A11 is illustrated on LEP Map HER 10. The Draft Planning Proposal seeks to align the LEP mapped area with the now gazetted NSW State heritage Registered Item 2027, "Archaeological site and associated artefacts".

Your letter indicated that the Draft Planning Proposal was reviewed by the City of Parramatta's Heritage Advisory Committee who requested the following information to be referred back to the Committee, when answers could be provided.

The three requests sought by the Heritage Committee were:

1. Provide reasoning to why it is necessary to reduce the existing LEP listing, and additionally, confirm what physical deposits, and what value exists outside the area of the proposed reduced listing



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Nominated Architect
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Incorporated in NSW

ACN 073 802 730
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2. Further details are sought to understand the archaeological significance of the remainder of the site with regard to the threshold for local significance as well as State significance.
3. Demonstrate how existing stratification of the site impacts the proposed listing and vice versa.

BACKGROUND TO THE FORMATION OF THE EXISTING ARCHAEOLOGICAL CENTRE

The agreement with Heritage NSW, made before any development permits were issued for the project, that the gazettal could be delayed, was based on a number of factors:

The research undertaken by Dr Higginbotham from at least 2005, had identified and mapped the survival of two major archaeological sites at the northern frontage to Macquarie Street – extensive evidence of an early convict hut with a later overlay of an early 19th century cottage, and the remains of a cellar, known to belong to an early 19th century pub. The extent and condition of these remains made them very rare and without doubt, of State Significance. The only other archaeological relic on the entire V by Crown site was the remains of a well near the south eastern corner of the overall site.

The Heritage NSW Senior Archaeologist and the then Director were fully aware that the archaeological sites were within the footprint of a major new development, and had been aware of the archaeology for some years, when the site was owned by another developer. Heritage NSW had, during that time, negotiated with that developer for a reduced footprint and additional height bonus for the ten proposed development, provided that any tower was set back in a manner that protected the archaeology at the northern end of the site. Thus, Heritage NSW were prepared to negotiate with the new owner, Crown Developments, to facilitate the overall project on the same proviso – the protection and display of the northern archaeology.

The final design of the existing tower was permitted to be above the northern archaeology on the new proviso that the number of major columns potentially likely to impact the archaeology be reduced by 50%. It was this directive that resulted in pairs of the northern façade columns being paired before they hit the ground – hence the V shaped expression that led to the naming identification of the project as “V by Crown”.

The additional requirement of Heritage NSW was that the archaeology remain sitting on virgin ground and be made available for exhibition to the public. From the outset of these discussions, it was realised that areas of the site without archaeological relics of similar significance, could be totally excavated for the required basements.

Heritage NSW also realised that a lot of construction work would required before the full extent of the retained archaeology could be listed on the NSW SHR. The agreement was eventually completed with the gazetted SHR boundary surrounding the defined archaeology of the two adjacent site, supported by sufficient space for a research workshop, store and public interpretation facilities.

Heritage NSW also agreed with a recommendation from Dr Higginbotham that the remnant well on the south east corner of the overall site was of insufficient value to be retained in-situ.

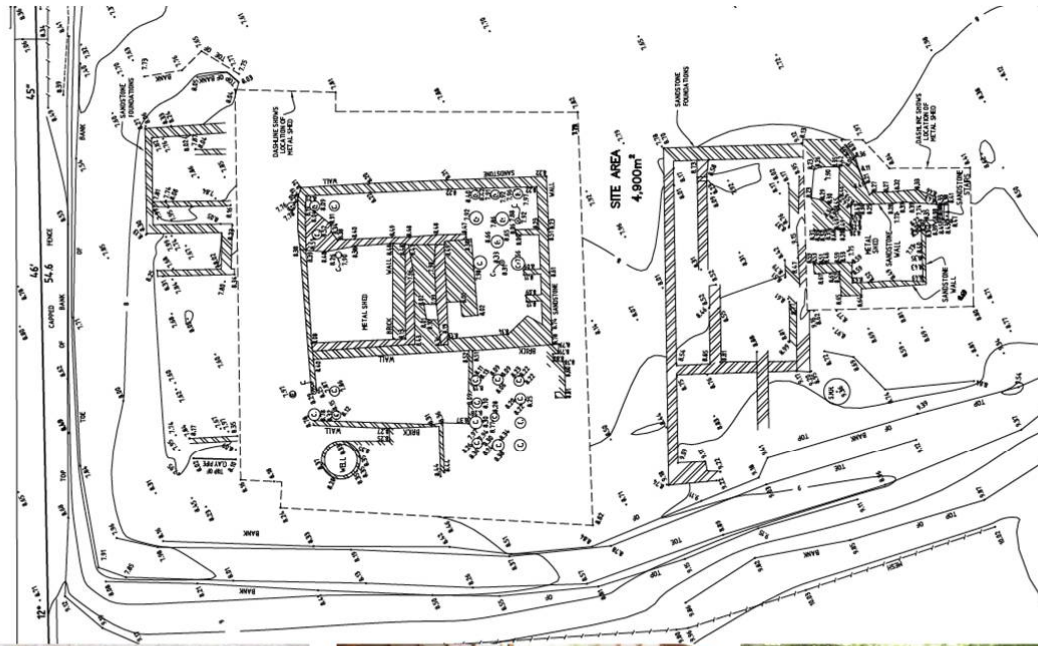
Relevant information to support the above summary is contained overleaf.

EXTRACTS FROM PROJECT DOCUMENTATION THAT DEFINED THE ESHR ARCHAEOLOGY



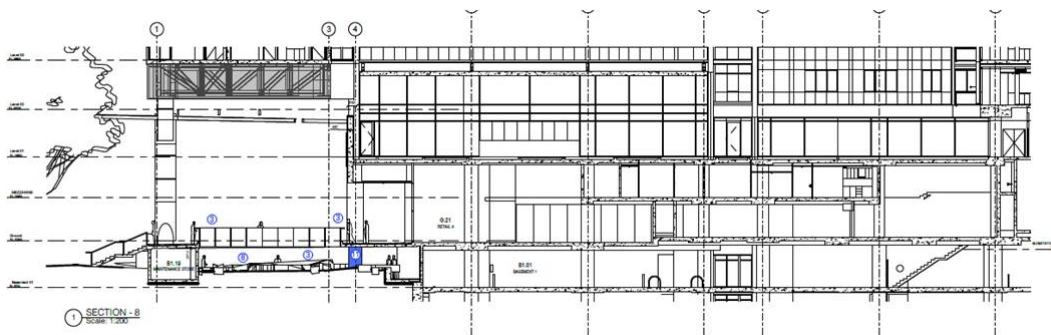
Edward Higginbotham & Associates Pty Ltd, 2005.

2005 photo of the initial archaeological excavation that revealed the archaeological evidence

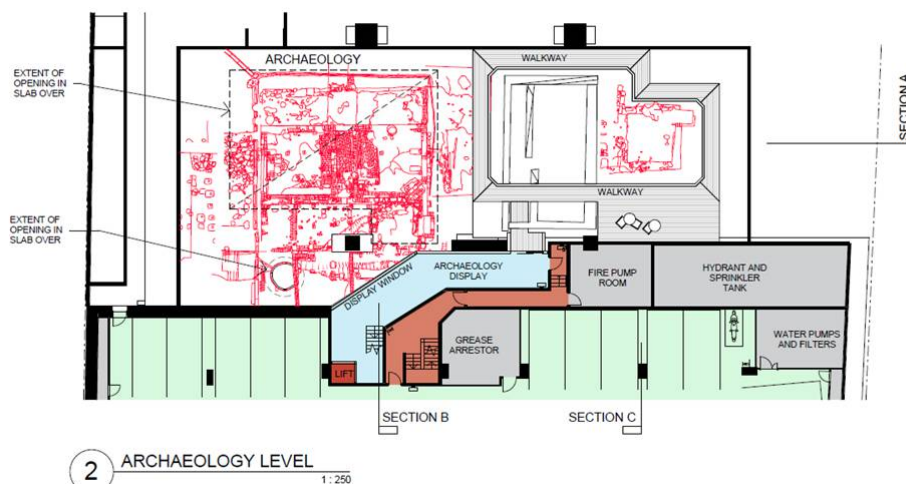


Mapping and detailed photography of archaeological evidence before long term protection when the final development proponent and final proposal were being negotiated.

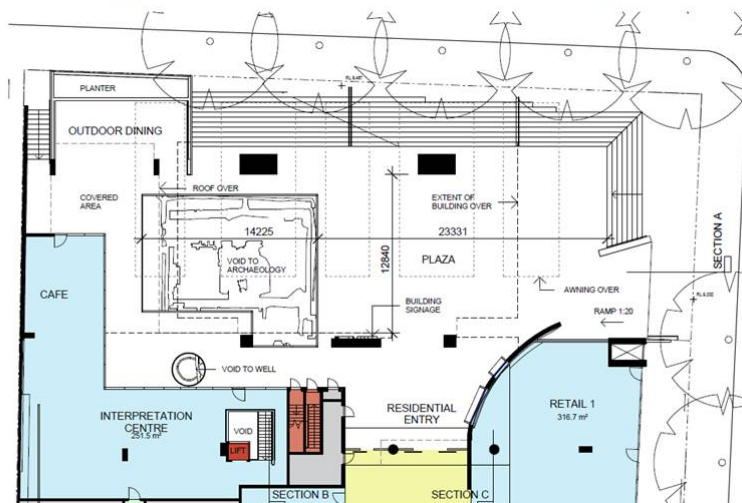
Material on this page drawn from documentation by Edward Higginbotham & Associates



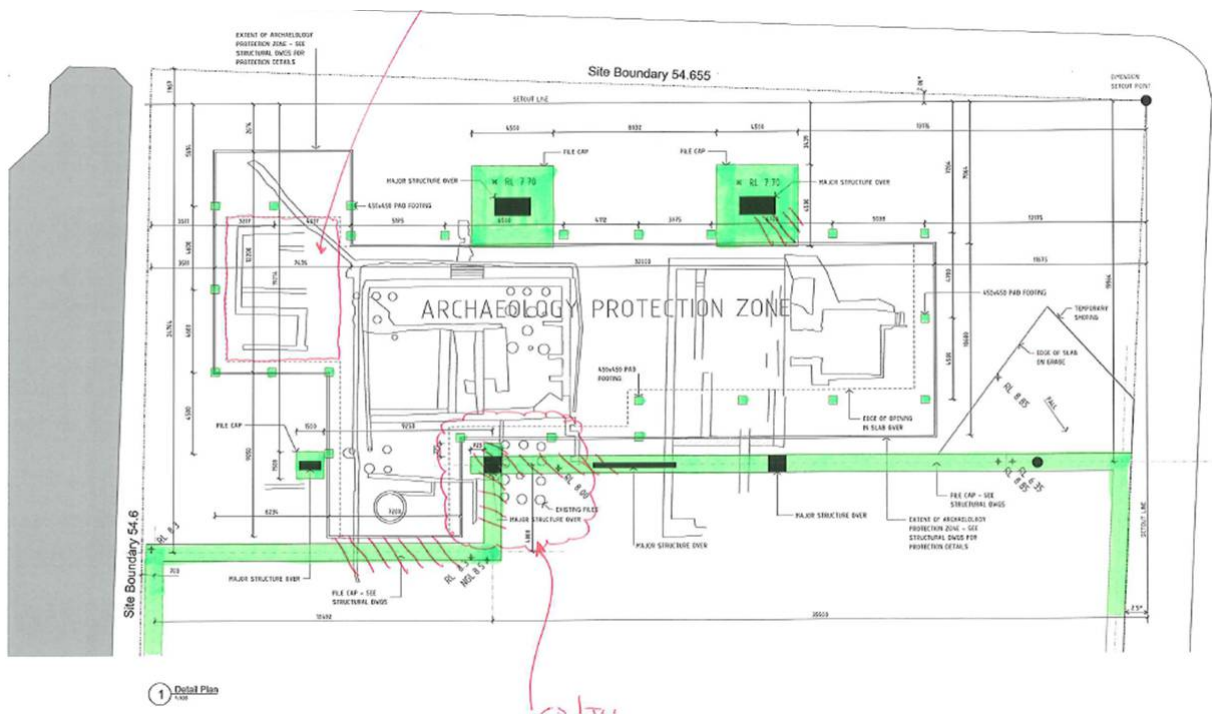
*Architectural section with detailed archaeological display proposal by FRD
 Note the excavated depth to accommodate the upper basement level.
 Additional basement levels to the right of the retained archaeology are not shown in this extract*



*Initial plan of the Archaeological level.
 This layout was ultimately increased to include a conservation workshop plus lift and stair access*



Plan of Macquarie St Plaza level with opening above the major archaeological display



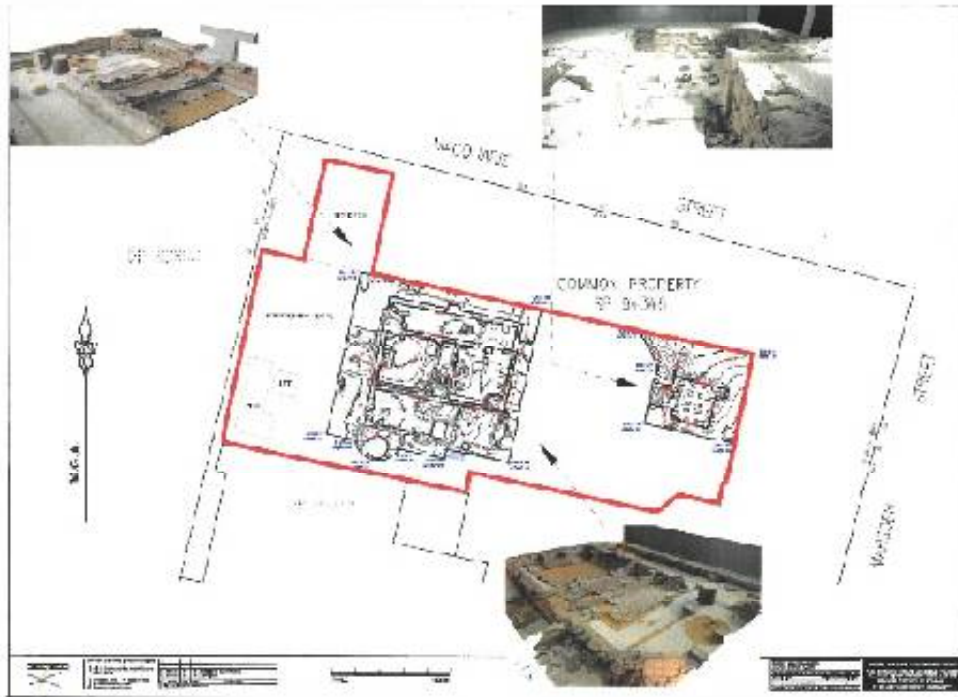
Exploratory architectural plan that led to the reduction of main column footings near the archaeology from four to two, resulting in the V profile of the architectural expression



Indicative sketch of how the basement archaeological display centre would work, with an opening in the Macquarie St plaza



Photos of the completed Archaeological Display Centre



The final SHR boundary to legally and physically protect the state significant archaeology

RESPONSES TO THE REQUESTS FOR MORE INFORMATION

Provide reasoning to why it is necessary to reduce the existing LEP listing, and additionally, confirm what physical deposits, and what value exists outside the area of the proposed reduced listing

Response

The reasoning for reducing the LEP listed area to match the SHR listed area comprises:

- There is no surviving archaeology on the site beyond that now delineated in the SHR curtilage, therefore the additional area of LEP listing is incorrect to the extent that it is now redundant.
- Sound Heritage Management processes need to be based on correct and up to date information.
- The Archaeological Management implications arising from the relevant provisions of the LEP and the NSW Heritage Act, must rely on accurate information.
- The long term management of the building above, with its various common and privately owned strata lots, should be facilitated in a manner that is unencumbered by specific, but potentially redundant and unnecessary development control restrictions that would be generated if the LEP archaeology was not accurately defined.

With regard to the presence and value of any physical archaeological relics outside the SHR listed area, there is no such archaeology surviving, having been removed during the approved excavation for the now existing basements.

Further details are sought to understand the archaeological significance of the remainder of the site with regard to the threshold for local significance as well as State significance.

Response

As discussed above, there is no archaeological significance associated with the remainder of the site.

This fact is confirmed by the location and coverage of the SHR listed area.

Demonstrate how existing stratification of the site impacts the proposed listing and vice versa.

Response

There is no existing stratification remaining on the remainder of the site outside of the SHR listed area.

All of the very important, State Significant Archaeology on the overall V by Crown site at 45 Macquarie St, Parramatta, is contained within the boundary of the SHR listed area. The existing stratification below the retained archaeology has not been disturbed.

Yours faithfully
GBA HERITAGE PTY LTD



Graham Brooks
Director
grahambrooks@gbaheritage.com



GRAHAM BROOKS

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