



Heritage Council



of New South Wales

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HOD number 5056035
B number: B496892
File number 11/17670

Ms Heather Warton
Director, Metropolitan & Regional Projects North
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Kate MacDonald

Dear Ms MacDonald

RE: MP 10_0171 330 Church Street Parramatta – Mixed use residential, retail and commercial development.

Thank you for your letter received on 29 August 2011 referring the above application for comment. As the subject property is not currently listed on the State Heritage Register, it is noted that the Heritage Council is not the consent authority for this application.

However, the following comments are provided to assist you in assessing the heritage impact of the proposal:

1. The subject property (former David Jones Store) is listed as a Heritage Item on the Parramatta Local Environmental Plan. The proposed development will require complete demolition of this item. Although a Heritage Impact Statement has been submitted recommending approval for the total demolition on the basis of *substantial enhancement of the public domain along the riverbank as well as the improved setting of the Lennox Bridge*, it is considered that effort should have been made to achieve these benefits without complete demolition and partial retention of the subject heritage item. The applicant should be asked to explore this possibility;
2. If this was found to be unviable, as a minimum the applicant should be asked to provide substantial ongoing interpretation of the former use of the site to be implemented prior to any Occupation Certificate being issued;
3. The subject site is immediately adjacent to the 1836-9 Lennox Bridge, an item listed on the NSW State Heritage Register as a significant early colonial engineering achievement. The visual setting of this bridge and its approaches needs more careful consideration in the statement of heritage impact and final proposed design. There may also be opportunities in the proposal (noting comment under [2] above) for interpretation on the subject site to note the existence and proximity of the Lennox Bridge;
4. The subject development is in close proximity to a State, National and World Heritage Area (*Parramatta Park and Old Government House*, listed as part of a serial site listing called the *Australian Convict Sites*). It is noted that the Heritage Impact Statement submitted does not consider the impact of the proposed development on views from this

significant item and on its setting. The subject proposal is in substantial breach of the existing Local Environmental Plan's 90m height limit on this block. This height limit is directly due to the need to maintain the visual setting of Parramatta Park as a centre of colonial administration. It also reflects a planning principle paramount in Sydney Regional Environmental Plan 28 – Parramatta 1999 seeking to place the tallest new development around the railway station, stepping heights down to the Parramatta River and heritage items. It is recommended that the applicant be required to provide justification for why this height limit should be breached, and provide a revised assessment of any likely impacts;

5. It is also noted that in inscribing the Australian Convict Sites, the World Heritage Committee recommended that the State Party *pay attention to managing the landscape values of the sites in or close to urban areas by studying the visual impact of their current environment and any projects liable to affect those values*. The wider context to this is that there has been considerable international disquiet and many recent conferences, published statements and concern over exactly this principle: putting high rise development in or adjacent to World-Heritage-Listed historic (and low-rise) city sites. Careful consideration of stepping heights down and handling of the edges of high-rise districts in the vicinity of World Heritage listed historic urban areas is the key concern. Therefore, If required as a result of the assessment mentioned above, it may be necessary to seek approval under the Environmental Protection and Biodiversity Conservation Act from the Federal Government;
6. Appendix 25 ('Aboriginal & Historical Preliminary Archaeological Impact Assessment 330 Church Street, Parramatta') by AHMS, dated 2011 does not comply with the Director General of Planning's Requirements which require an assessment of Aboriginal and non-indigenous archaeological resources, *including* an assessment of the significance and potential impact on the archaeological resources. This report states (page 62) that it has **"not included a detailed archaeological potential assessment or a comprehensive significance assessment"**. Therefore a detailed archaeological assessment which addresses the above DGR must be undertaken as a matter of urgency, particularly as the report does detail that the site has the potential to contain early archaeology from Parramatta's history which may be of state significance. The Branch notes the recent 2011 addition to the NSW State Heritage Register of the *Ancient Aboriginal and Early Colonial Landscape*, in part for its rich archaeological layers representing the high archaeological potential for Aboriginal and colonial cultural remains (artefacts or relics) to be retained within this item's riverine setting. The subject site bounds the Parramatta River and is within a geological formation known as the *Parramatta Pleistocene Sand Body*. Due to its location in an area found to have high Aboriginal sensitivity, an Aboriginal Archaeological Assessment should be undertaken to inform future development. The site also falls within or adjacent to archaeological management unit (AMU)s identified in the *Parramatta Historical Archaeological Landscape Management Study 2000* (AMU numbers 2950, 3083, 3092 and 2882) which can be searched on Parramatta City Council's GIS system and on [www.heritage.nsw.gov.au /listings](http://www.heritage.nsw.gov.au/listings) database. The identified level of significance of the archaeological management units ranges from not significant through to locally and state significant. The relevant findings of and recommendations for the relevant AMUs in this Parramatta Historical Archaeological Landscape Management Study must be addressed and implemented as part of the planning of this proposal. These are likely (again) to require a detailed archaeological assessment be undertaken as significant archaeological resources may need to be accommodated (e.g. retained in situ, interpreted) in the current proposal;

the appropriate level of experience against Heritage Council Excavation Director Criteria for a site of this nature. Furthermore, prior to any archaeological works commencing on site, the approved Excavation Director must submit a detailed archaeological research design and methodology for these works to the this branch for comment.

I hope that this information is of assistance. If you have any further enquiries regarding this matter, please contact Rajeev Maini at the Heritage Branch on (02) 9873 592.

Yours faithfully



Tim Smith 6/10/14
Assistant Director
Heritage Branch
Office of Environment and Heritage
AS DELEGATE OF NSW HERITAGE COUNCIL