

MINUTES OF THE HERITAGE COUNCIL APPROVALS COMMITTEE
2 February 2005 at the Heritage Office, 3 Marist Place,
Parramatta at 1.00pm

Attendance

Mary-Lynne Taylor	Chair
Jacqui Goddard	
Susan Macdonald	Assistant Director, Heritage Office
Bruce Pettman	
Megan Jones	
Gary Prattley	
David Logan	

Also in Attendance

Vincent Sicari	Heritage Office	
Vanessa Williams	Heritage Office	
Rajeev Maini	Heritage Office	
Ed Beebe	Heritage Office	
Adam Byrnes, Project Manager	Estate Properties	Item 4.1
Jamin Tappouras, Construction Manager	Estate Properties	Item 4.1
Noni Boyd	Luna Park	Item 4.2
Otto Cserhalmi	Luna Park	Item 4.2
David Tierney	Luna Park	Item 4.2
Peter Hearne	Luna Park	Item 4.2
Robert Phillips	UWS	Item 5.4
Luke Johnson	Hassell	Item 5.4
Ken Maher	Hassell	Item 5.4

1. Declarations of Interest

David Logan
Megan Jones
Susan Macdonald

1.2 Apologies

Rod Leaver

2. Confirmation of the minutes of the previous meeting

The minutes of the December meeting were approved.

3. Action Report

Members noted the December Action report

4. Presentations

- 4.1 Representatives from Estate Properties presented to the Approvals Committee their justification for the proposed development in relation to possible archaeological remains that may be found. Estate properties assessed the viability of a structural re-design to enable any archaeological finds to be kept insitu, but found that the cost of insitu retention was not a viable option. Estate Properties are happy with the report before the Approvals

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Committee and assured the Approvals Committee that they are committed to Heritage and have turned their attention to how to best preserve the archaeology within cost boundaries.

4.2 The team for the Luna Park proposal met with the Approvals Committee and requested that a meeting be held on-site to discuss issues raised in the Heritage Council report. In light of this request the applicant asked that the application be deferred till this meeting takes place.

5. Integrated Development Applications/Section 60 and 132 Applications/Section 140 Excavation permits

5.1 197 Albion Street, Surry Hills (DEFERRED)

5.2 Archaeological Site, 134 -140 Marsden Street, corner 45 - 47 Macquarie Street, Parramatta

Resolved:

That the Heritage Council approve the application with the following conditions:

- 1. All works shall be in accordance with the methodology outlined in the S140 Excavation Permit Application number 2004/S140/068 and supporting documents, in particular the 'Conservation Management Plan for proposed development 134-140 Marsden Street & 45-47 Macquarie Street, Parramatta, NSW' prepared for Estate Properties by Edward Higginbotham & Associates Pty Ltd, September 2004, except as amended by the following conditions:**
- 2. This permit is issued for an archaeological salvage excavation, which will include the removal of archaeological relics of State significance. Selected features and items are to be dismantled and conserved to enable their reconstruction and reinstatement on site as part of the interpretation of the new development. These features are to be selected in consultation with the Director, NSW Heritage Office, in accordance with Conditions 17, 18, and 19 below.**
- 3. This archaeological approval is valid for five (5) years from the date of approval. Requests for extensions after this time will only be considered in writing.**
- 4. The Applicant must ensure that the Heritage Office is informed in writing of the start of the on site archaeological fieldwork at least five (5) days prior to its commencement and, that the Heritage Office is informed of the end of the on site fieldwork within five (5) days of its completion.**
- 5. The Heritage Council and the Heritage Office reserve the right to inspect the site and records at all times and access any relics recovered from the site.**
- 6. The Applicant must ensure that if any additional substantial intact archaeological deposits and/or State significant relics not already identified in the Application for S140 Excavation Permit number 2004/S140/068 are discovered, work must cease immediately in the affected area(s) and the Heritage Office must be contacted for advice. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.**
- 7. The Applicant must ensure that the nominated Excavation Director, Dr Edward Higginbotham, carries out the excavation work. Under the supervision of the approved Excavation Director, the work is to be completed in accordance with the methodology outlined in the S140 Application number 2004/S140/068, dated November 2004.**

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8. The Director of the Heritage Office must approve any substantial deviations from the approved research design (including extent and techniques of excavations) as an application for the variation or revocation of permit under section 144 of the *NSW Heritage Act, 1977*. If the nominated Excavation Director will be absent from the site for more than 10% of the archaeological activity, the Applicant must forward for the approval of the Director of the Heritage Office the details of the Site Director in charge, including a current C.V. The Site Director must be a qualified archaeologist, and must meet the current Excavation Director Criteria for State significant sites as published by the NSW Heritage Council.
9. During the initial excavation phase the Excavation Director must avoid as much as possible any negative impact on the potential archaeological remains within the site at 140 Marsden Street, by minimising the movement of machines across the archaeologically sensitive areas, and by ensuring careful removal of ground level features or deposits where these must be removed to facilitate the archaeological salvage excavation.
10. The Applicant must ensure that the Excavation Director takes adequate steps to record to scale and in detail relics, structures and features discovered on the site during the archaeological works in accordance with the approved research design and current best practice guidelines. This work must be undertaken in accordance with the Heritage Office guidelines, *How to Prepare Archival Records of Heritage Items and Guidelines for Photographic Recording of Heritage Sites, Buildings and Structures (2001)*. Photography must include archivally stable formats including black and white photographic prints and colour slides.
11. The Applicant must ensure that during the period of excavation, the site is made secure and that artefacts, structures and features are not subject to deterioration, damage or destruction, during the fieldwork.
12. Throughout the archaeological excavation works the Applicant must ensure that:
 - a. Appropriate signage to explain the history of the site and the archaeological programme is placed at the site during any archaeological excavation. This signage must be placed from the first week of the archaeological works on the site.
 - b. A local public information program is implemented including press releases to ensure the public is informed about the project and its outcomes.
 - c. Free public brochures are available on the site for the public to collect. These public brochures must be available from the first week of the archaeological works on the site.
 - d. The site is fenced in a way that allows the public to view the archaeological remains and works on a daily basis.
 - e. Volunteers are used where possible to assist with the archaeological works.
 - f. The services of a conservator are utilised for conservation of significant artefacts and structural items or features as necessary.
13. The Applicant must ensure that at least one Public Open Day is conducted on the site. The Public Open Day should be carried out in a day during the weekend to facilitate public attendance and should be advertised at least one week ahead. Details of the proposed Public Open Day during the excavation program must be submitted to the Director of the Heritage Office.
14. The Applicant must ensure that local historical societies and other relevant cultural organisations are formally notified and invited to the Public Open Day(s).
15. The Applicant is responsible for the safe-keeping of all relics recovered from the site, during and after fieldwork. Adequate security measures shall be maintained until

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such time as a repository for section 146A(2) relics is identified in accordance with section 146A of the *Heritage Act, 1977*.

16. The Applicant must ensure that the nominated Excavation Director, Dr Edward Higginbotham, cleans, stabilises, identifies, labels, catalogues and stores any artefacts uncovered from the site in a way that allows them to be retrieved according to both type and provenance.
17. An interim report on the results must be submitted to the Director, Heritage Office within (1) month of the completion of the archaeological fieldwork, in order that the results of the work may be used to inform future discussions about the salvage, conservation and reinstatement of the structural elements and relics within the site.
18. After the completion of the archaeological fieldwork the previously prepared 'Interpretation Strategy' dated May 2004 should be revised to incorporate the findings from the archaeological works. An updated strategy or final Interpretation Plan should be submitted for the approval of the Director, Heritage Office.
19. Written advice must be received from the Director, Heritage Office, that the proposed treatment of the site and relics is acceptable before any bulk excavation or construction work is commenced for the new building.
20. In accordance with section 146(b) of the *Heritage Act, 1977*, the Applicant must ensure that the final report is prepared by the nominated Excavation Director, to publication standard, within one (1) year of the completion of the field based archaeological activity unless an extension of time is approved by the Heritage Council of NSW. Two hard copies and one electronic copy of this report must be submitted to the NSW Heritage Office. A further copy must be lodged in the local library, heritage centre or another appropriate local repository in the Parramatta City Council area.
21. The Heritage Council of NSW requires, as stated in section 146(b), that the final report shall include:
 - a. An executive summary;
 - b. Due credit to the client paying for the excavation on the title page;
 - c. An accurate site location and site plan;
 - d. Historical research, references, and bibliography. The historical research should be formulated to provide an insight into the social and cultural context for the exposed structural remains and associated artefacts;
 - e. Detailed information on the excavation including the aim, context of the excavation, procedures, analysis, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale drawings, photographs, repository);
 - f. Nominated repository for the items;
 - g. Detailed response to research questions; and
 - h. Details of how information about this excavation has been publicly disseminated.
22. The report on the outcomes of the archaeological investigation must include a detailed response to the research questions. A revised assessment of the research questions and their relevance to the significance of the site and the archaeological resources contained in the site should be included in the final report. The final report should also include a comparative analysis which deals with all of the previously identified and excavated convict hut sites in Parramatta. An assessment of the known number of convict hut sites likely to remain in Parramatta to be available as a future research resource should also be provided as part of this analysis.

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23. Should any Aboriginal relics be uncovered, excavation or disturbance of the area is to stop immediately and the Department of Environment and Conservation (National Parks and Wildlife Service) is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974. NPWS CONTACT NUMBERS: Hurstville (02) 9585 6453 (in Head Office); Parramatta (02) 9895 7420.

for the following reasons:

1. The proposed redevelopment of the site at 134-140 Marsden Street and 45-47 Macquarie Street, Parramatta, would destroy any archaeological remains at the site. The assessed significance for many of the potential remains is State. It is likely that the site will contain early Colonial sites including Convict Huts and an early Hotel as well as remains from later periods throughout the nineteenth century.
2. An archaeological salvage excavation program would therefore be appropriate to recover and record the evidence within this site before it is removed by bulk excavation.
3. The information submitted with the current S140 Application for the site indicates that the Applicant is prepared to commit resources to salvage and reconstruction of some elements as part of an appropriate Interpretation Strategy for the site which is intended to mitigate the loss of the site's archaeology.
4. The information submitted with the current S140 Application for the site indicates that the Applicant has prepared a number of documents which assess the final implications of possible redesign options to conserve archaeology in-situ. Based on the information supplied, additional costs associated with redesign would be between \$6 million to \$12 million.

5.3 Marsden Rehabilitation Centre, (Former King's School, Marsden Site), Parramatta

Resolved:

That the Heritage Council approve the proposal to subdivide, subject to the following conditions:

- 1) The plan of subdivision, suitable for registration at the Land Titles Office and including all of the elements described below, shall be submitted to and approved by the Director of the Heritage Office on the advice of an independent assessor prior to lodgement with the Registrar-General;
- 2) The plan of subdivision shall show the western boundary of Lot 1 along the western face of the original end wall of the Main Building, and the eastern face of the eastern walls of the Dining Hall where they project to the north and south of the Main Building;
- 3) The plan of subdivision shall show proposed easements along the western boundary that permit the encroachment of existing eaves on both eastern and western sides of the boundary, and provide support for structures on both sides of the boundary;
- 4) The plan of subdivision shall be accompanied by proposed restrictions on the use of land under Section 88B of the Conveyancing Act 1919 that:

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- a) Prohibit permanent fencing between Lots 1 and 2 (with the exception of the existing fire gates);
- b) Prohibit planting between the Main Building group and the oval (with the exception of the retention of the existing privet hedge);
- c) Maintain the landscaping of the oval as open grassed land;
- d) Prohibit permanent structures between the main building group and the Parramatta River; and
- e) Require the owners of the land jointly to prepare and implement a plan of management for the development, use, care and maintenance of and access to the portion of Lot 2 between the Main Building group and the Parramatta River, and to review the plan of management whenever there is a change of ownership.

It is also recommended that the Director obtain legal advice on the adequacy and enforceability of all proposed easements and restrictions prior to approving the proposed plan of subdivision.

5.4 Former Rydalmere Hospital Precinct (former Female Orphan Site) – Currently University of Western Sydney Rydalmere Campus

Resolved:

That the Heritage Council approve the application with the following conditions:

1. The development being carried out in accordance with the following documents:
 - a. Drawings NTB-DA-001 to 010, 020, 021, 030, 031, NTB-ASK-058, NTB-ASK-036 and perspectives dated 17.11.2004 prepared by Hassell Architects;
 - b. Heritage Impact Statement prepared by Tanner Architects.
 - c. Environmental Impact Statement prepared by Hassell Architects;
2. Detailed drawings of the building including materials being used and details of landscaping works must be submitted by the applicant and approved by the Director, Heritage Office prior to building commencing on site;
3. Further work needs to be done to establish the actual alignment of the Ha-Ha in agreement with the director of the HO. Adequate consideration must be given to the Ha-Ha in any landscape proposal around the proposed Teaching Building including interpretation of its alignment;
4. Adequate provision must be made to protect the Ha-Ha during construction. Details of the protection measures must be submitted for approval by the Director, Heritage Office, prior to any work being undertaken on site;
5. Prior to completion of the works an interpretation strategy shall be prepared and submitted to the NSW Heritage Office for the approval of the Heritage Council or its delegate;
6. The Urban Design Analysis submitted with the application is considered insufficient as it does not provide any justification for the orientation, footprint, building envelope, heights of future buildings and impact on any significant views. A detailed Urban Design Analysis must be submitted and endorsed by the Heritage Council before any future building applications. Any further building

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plans within this or any other Building Location Zone on this Campus must be finalised on the basis of this endorsed Urban Design Analysis including analysis of the impacts of orientation, footprints, building envelopes, heights and significant views;

7. Any excavation related to the proposed Teaching Building must be monitored by an experienced historical archaeologist in order to record evidence of the gardens and orchards shown on the 1893 plan and the two water closets and drains in Zone A. Areas of the site should also be recorded by removing the present ground cover and recording evidence for ploughing and other cultivation. The information collected must be submitted in the form of final report to the satisfaction of the Director, Heritage Office; and
8. Should any Aboriginal objects be uncovered, excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Division of the Department of Environment and Conservation is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974;
9. A comprehensive Conservation Management Plan must be submitted for the whole site within a period of 3 months from the date of this approval for endorsement by the Heritage Council.

6. Development Application Referrals

6.1 Luna Park, 1 Olympic Drive Milsons Point

Resolved:

The Heritage Council advise Sydney Harbour Foreshore Authority that:

At the request of the applicant the Approvals Committee will defer this matter, for further discussion with the Heritage Office, to the next meeting of the Approvals Committee on March 2 to allow the applicant time to respond to the issues raised in the report.

The Approvals Committee invites the applicant to give a comprehensive presentation of the proposal taking into account the comments from the Heritage Council report as well as providing several copies of the colour photos taking into consideration significant views.

7. Conservation Management Plans

7.1 The Committee noted the CMP Report

8. Matters for Consideration

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9. Matters for Information

10. General Business

11. Next Meeting 2 March 2005

Signed:

Date