

Council note

This Heritage Response was submitted prior to Council's Marion Street Precinct Plan. Should there be any discrepancies between this report and the Precinct Plan, it should be interpreted that the Precinct Plan takes precedence.

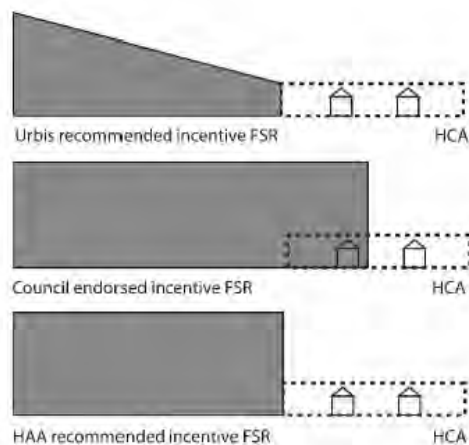
Response by Peter Lonergan To Gateway Determination for Planning Proposal

**(Department Ref: PP_2018_COPAR_001_00): to permit a mixed-use
development at 33-43 Marion Street, Harris Park**

Executive Summary

I have considered in this report under the two heads of consideration 1.(h) and 1.(i) in the Gateway Determination.

In doing so I have considered the CBDPP, the URBIS Heritage Study, the HAA Study and Councils Response to these reports, The LEP Clause 5.10 and the illustrated summary of development and its acceptability in terms of heritage impact, contained in the HAA study and appropriate height and FSR with suitable building controls within the interface and adjacent to heritage items and conservation areas, but also note that no detailed assessment of any Item has been made for the purpose of their reports. I note that council recognises that not all items can or should be conserved and in respect of the subject P.P. that both URBIS and HAA acknowledge that the precinct has been degraded by “recent” uncharacteristic development, these developments date from the 1960’s and the council in preference to further reduced controls suggest that a heritage assessment of the items may be done in the future.



**TABLE 1 from the Heritage Interface Report
10/07/2017**

I made a number of site visits during the preparation of my reports and considered the nature and characteristics of some conservation areas and items within an expanded context, my general concern was that the items in Marion Street, being “old listings” may not have been properly considered, particularly as the listing sheets were bereft of any detailed or qualitative assessment, fabric analysis or comparative or parity analysis to ensure that an acceptable level of significance was reached.

The proponent has tested this reality through an application to demolish a heritage item at 37 Marion Street which was found to not be significant or intact or representative of a threshold of significance which would warrant its retention.

The FSR and height proposed by the CBD PP are designed to reach the jobs and growth targets set by the council. The lower FSR in the interface areas are indiscriminating and do not allow for the flexibilities that would enable the application of the controls and incentives in the HAA report.

The controls also do not consider the nature of the core and to achieve the growth, would require the disruption at the core, where the growth can be achieved around the periphery with a nuanced flexible and site specific approach through the design excellence processes.

It is my assessment, that in respect of 35-47 Marion Street the current height and FSR 9.26:1 is acceptable. I would recommend that the adjoining items at No. 29 + 31 should be conserved through a VPA or further site consolidation and the site become more transparent with enhanced Plaza typology and "*through site links*" at the ground plane. This will activate the local character, enhance the setting and streetscape and assist the achievement of growth and extension of the CBD.

I do not think that the items at No. 29 + 31 meet the threshold for retention and I know that there are better examples which are more intact within an appropriate setting in the conservation areas bounding or within the interfaces area. The persistence of these places on Marion Street is anachronistic and their conservation could be perverse and I believe that in these parts of the URBIS and HAA study there is insufficient evidence (other than the old listings) to suggest specific controls which would cruel development anticipated within the study area that are neither supported by the council or the content of the HAA or URBIS studies.

INTRODUCTION

I have been requested to respond to the condition 1.(h) and 1.(i) of the Gateway Determination.

Planning Proposal PP_2018_COPAR 001_00 to amend the Parramatta Local Environmental Plan 2011.

Which states:

(h) the planning proposal is to address and justify inconsistencies with the Parramatta CBD heritage study by Urbis (2015), the HAA heritage study of interface areas (2017) and Council's response to the HAA study;

(i) the planning proposal is to be amended to include the assessment of the relationship of the proposed height and floor space ratio and resulting built form, with the local character. The assessment will need to account for the preservation of view corridors along Marion Street, visual impact on streetscape, the retention of local character, the interface with heritage items and overshadowing issues. The proposed land use and development controls should be justified and amended accordingly, if required;

PART I – CONDITION 1.(h)

1. Whilst 1.(h) is not clear, the covering letter from the department makes clear that the inconsistency lies between Council's studies being 'the Parramatta CBD Heritage Study of Interface Areas' prepared by Hector Abrahams Architect (HAA) 21.6.2017 attached to the council minute paper, the officer report recommendations 10.7.2017 and the proponents report.
2. The proponent's reports include Heritage Fabric Analysis, Measured Drawings and Photographic Reports (29-37 Marion Street) prepared by Cracknell & LonerGAN Architects 3 May 2017. 3 X Statement of Heritage Impact (29, 31, 37 Marion Street) 18.8.2017 and Heritage Assessment (37 Marion Street Parramatta) prepared by John Oultram Heritage and Design, September 2017 for 29, 31 and 37 Marion Street Parramatta which were prepared as a "peer review" of the Cracknell & LonerGAN Reports but that does not peer review the Heritage Impact Statement.
3. Relevantly the Gateway Determination notes at 1. (c) The planning proposal is to be updated to refer to the approved demolition of 37 Marion Street and 1. (b) 'all reference and mapping regarding the delisting of local items at 29 and 31 Marion Street are to be removed;' (for the purpose of public exhibition). Subsequently to the making of the planning proposal and based on the documentation provided by the proponents Heritage Consultancy an application was made to demolish No. 37 Marion Street.

The application was approved by the Planning Panel who commented,
“agreed with the heritage reports submitted by the applicant, and its inspection of the heritage items confirmed that it is not worthy of retention, having lost most of the original fabric.”

4. In contrast to the Planning Panel’s findings, Councils heritage advisor, through an analysis that misuses the NSW Heritage Manual assessment criteria, and is antithetical to the proponent’s reports, and is not objective, states:
“Conversely, it is my opinion that significance of the house is such that it warrants retention and conservation.” (Appendix A page 9)
5. In preparation for the assessment I reviewed the heritage mapping in the LEP noting the heritage items of the subject site and in the vicinity, as well as the conservation areas in the vicinity. I have a good long-term knowledge of the Local Government Area and in particular the heritage sensitivities as one of the most Historically significant places in the state with a range of Items and relatively intact precincts that span almost 200 years of European settlement.
6. I paid particular attention to the proximity of the two conservation areas, Harris Park and Parramatta South, and considered why the conservation area was not simply one large area, given the number of individual items between the two areas. I had recently done work in High Street and Station Lane and was aware of the conflicting planning within the precinct including the historic “Auto Alley” developments of the 1970’s + 80’s to the Western end of Marion Street along Church Street.
7. I made a number of site visits during the preparation of my reports and considered the nature and characteristics of some conservation areas and items within an expanded context, my general concern was that the items in Marion Street, being “old listings” may not have been properly considered, particularly as the listing sheets were bereft of any detailed or qualitative assessment, fabric analysis or comparative or parity analysis to ensure that an acceptable level of significance was reached.
8. I made a detailed visual assessment of the items along Marion Street and attach a rating diagram at illustration 1. I walked the three conservation areas in the vicinity and found that these retained a sense of the early 20th century development peppered with some Victorian cottages displaying the subdivisions of the late 19th century stimulated by the construction of the railways.
9. I had access to all the properties from 29 to 47 Marion Street and prepared measured studies and photographic records of 29-37 Marion Street for the purpose of a detailed fabric analysis. These reports were submitted with the Planning Proposal, but it can summarised that 29, 31 and 37 did not meet a threshold that could sustain the continued inclusion on the Schedule of Items of Environmental Heritage. This opinion has been borne out with respect to 37 Marion Street by the Local Planning Panel and was subject to the same

analysis by myself that I carried out in respect of No. 29 and 31 Marion Street and I maintain that my assessment was robust and objective.

10. It is worth noting here that the HAA report was not available before it was considered by council on the 10.07.17, which was 2 months after the submission of the planning proposal, this of course does not prevent an examination of its recommendations now as the report is designed to assist council's approach to development within the CBD, and the subject site is within the study area and provides useful tools for the analysis of this type of development.
11. It is relevant then to examine the observations of the URBIS report and the HAA report in respect of the South Parramatta conservation area and in particular Marion Street and the items 29, 31 and 37 Marion Street.

The Urbis Study

12. The Urbis study states that the report provides a review of the planning controls which address, heritage related impacts on items within the study area and periphery, and guidance for transition planning controls for conservation area 1s.
13. The objectives of the study are to ensure that greater density of development takes account of heritage conservations so as to ameliorate impacts, the conservation of identified items and to establish a nexus between recommended controls and existing heritage studies.
15. At 1.4 Limitations, the Urbis team notes that no reassessment of significance or condition of the identified heritage sites, and conservation areas was made, but has reviewed the existing statement of heritage significance. Whilst this is reassuring on the surface it should be pointed out that these listing sheets (in respect of 29, 31, 37 Marion Street) provide no fabric analysis, no measured study, no detailed documentary evidence and simply rely on the historic “drive by” listing. The process relies on the measures set out in 5.10 of the LEP which is contemplated by the study. I have included at Appendix B the relevant URBIS listing sheets with comment.

Marion Street does not fall within the identified significant views and vistas identified in the DCP 2011 or the corridors identified in the Planisphere Technical Report of 2017. (Appendix C)

The Urbis report lists likely impacts to heritage items, conservation areas and views as:

- Infill + new development
- Cumulative effect of development and increased scale in the vicinity
- Subdivision or amalgamation of curtilage or setting
- Unresponsive development
- Design quality

And states the underlying principles, policies and guidelines which will respect the setting context and scale of items and conservation areas and preserve significant views, being;

- Retention and conservation of items, conservations areas, views and vistas
- Tailored recommendations for items and conservation areas
- Retain significant vistas and items
- Consider cumulative impacts
- Consider settings context setbacks and massing
- The achievements of design excellence

16. The Marion Street Precinct is described as “...*demonstrating an early 1870’s – 90’s subdivision and model residential development associated with the development of the railway characterised by 1-2 storey residential*”

development incorporating late 19th and 20th century styles” and notes the setting of the precinct “...has however been compromised by high density development in particular along Cowper Street and adjoining heritage items, to the south of the precinct.” but recommends the maintenance of the existing 2:1 FSR for the properties fronting Marion Street.

17. These recommendations were not adopted by the Council.

Heritage Study of Interface Areas, Hector Abrahams Architects (HAA)

18. The HAA study is designed to assess, at a precinct scale, the impact of Council's proposed controls on items and conservation areas within and adjacent to the interface areas and to make recommendations, which would ensure development occurs in a manner that protects and manages heritage assets.
19. The study identifies negative heritage impacts arising from the Parramatta CBD planning proposal and suggests that the best way to identify impacts is through the methods suggested by the NSW Heritage Manual, and discusses the impacts of FSR and height on heritage houses and conservations areas.
20. The study identifies the lack of definition of the term transition and the impacts of site amalgamation; floor space transfer; warnings against facadism; overhanging heritage items; widowing items; corner sites; setbacks; overlooking and alienation; overshadowing of outer conservation areas; views; and provides clear guidance with illustrated examples of such impacts and ways in which these potential impacts can be managed.
21. The subject site lies within the South East Parramatta interface area, special interest area 12 and notes

"a number of more recent developments and combining of lots have made major negative impacts on the character of this precinct, particularly around Marion Street... developments along High Street retain the character of the sub-division..." and lists priorities
 - Control height and bulk on west side High St.
 - Preserve an open sky at the west end of Marion St.
 - Preserve the grain of the existing subdivision pattern
 - Isolated heritage items at risk of bully arguments to de list as a result of proposed amalgamations

Summary of Reports

22. There are some key points to be made that apply to both reports.
 - The reports have been adopted only in part and the reasons are outlined by the council, and I think the council's reasons are sound.
 - Neither of the reports provide the type of assessment required by the provisions of the LEP at 5.10 in relation to the assessment of significance but acknowledge that this is the first step to the extent that they make an assumption that the listing is sound or recommends in the case of the HAA + council report that an independent study be made of the Marion Street group.

- I am concerned that in relation to the Marion Street precinct or Special Study Area 12 the HAA report refers to “*Bullying application to delist items*”, this invective would certainly disqualify the opinions simply on the basis of a demonstrated bias that has arisen out of the application made by the proponent. No such land use control is recommended to any other study area and disrespects the presumption of professional behaviour of the proponent and their consultants. It is a fundamental pillar of the LEP that the schedules be reviewed and that any development proposal is welcome but subject to assessment.
 - The inclusion of Marion Street as a precinct is curious as both reports record that it is degraded by development and its setting and qualities are diminished by site amalgamations and development. The areas have been incorrectly mapped in the LEP (as confirmed by staff and not identified by the HAA and Urbis reports), and the development which degrades the “precinct” predates the LEP, the original heritage study, and the EPAA 1979.
 - The recommendations relating to high street and the ‘open sky’ to the west are not offended by the proposal.
 - The recommendation ‘to retain’ the FSR at 2:1 is not borne out of either study, and the HAA study illustrates methodologies that would support a far higher FSR and unlimited heights to allow for nuanced site specific forms.
 - The notion that the heritage significance of the conservation areas and views and vistas are adversely impacted by shadows at mid-winter is not the case broadly speaking, and a control which seeks to ban shadows on curtilage as well as items or any part of a conservation area is unreasonable and unsustainable.
23. The gateway determination requires at 1. (h) that the proponent address council officers’ response to the HAA study of interfaced areas. This response is dealt with in point form and where it has adopted applicable numeric controls the design has been altered to illustrate the effect of this control. Other recommendations are as follows:

TABLE 1

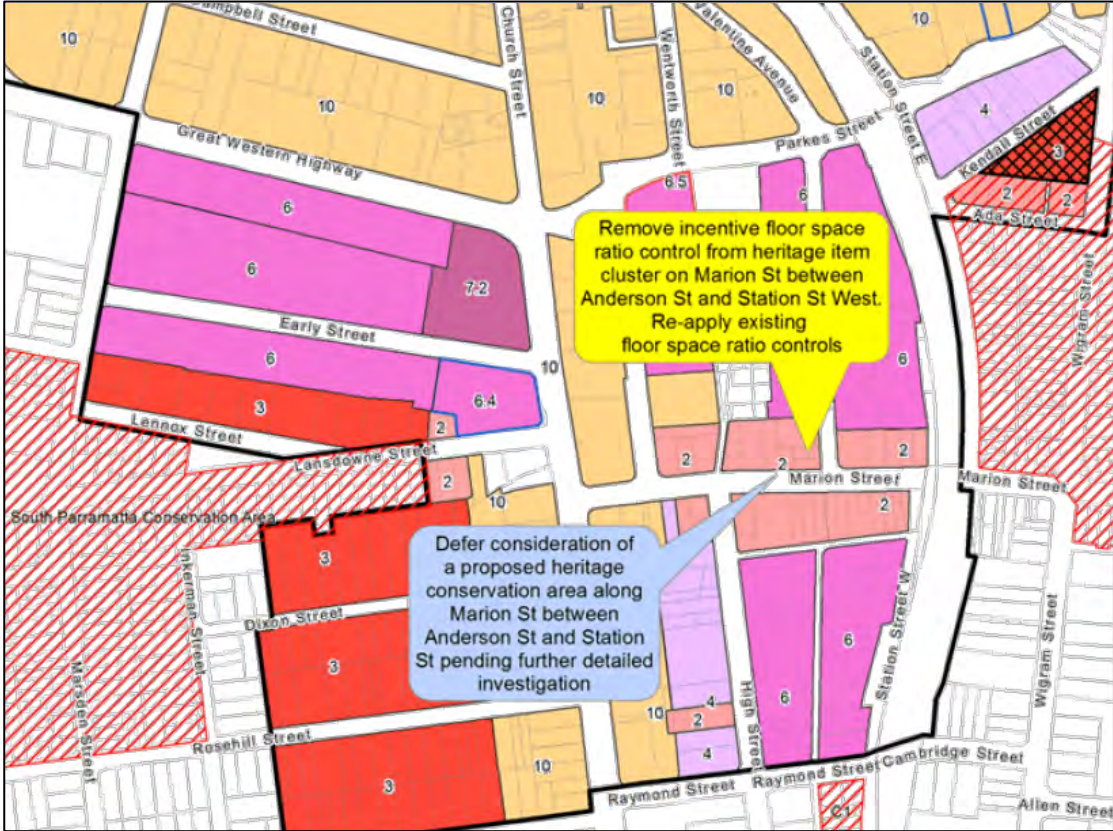
No	HAA Study Recommendation	Council Response	Lonerган Response
General Recommendations			
3	A Heritage Impact Statement should be prepared for any development potentially having any adverse impact upon an individually listed heritage item or conservation area. A key method of assessing the impact of a development upon a heritage item or conservation area is to consider the relationship between that new development and the item or area.	Supported. Clause 5.10 of the Parramatta LEP 2011 already requires this, and the PP to be updated to include additional heads of consideration as detailed above (refer to proposed heritage clause at Part 2).	Statement of Heritage Impact (HIS) is provided. The purpose of the HIS is to assess the impacts on significance and therefore requires an assessment of significance. The relationship between the item or area and new development should not be discouraged in a changing environment.
4	For any lot amalgamation including or adjacent to a heritage item a Conservation Management Plan must be prepared and lodged with Council for comment prior to the lodgement of a development application for the subdivision.	Supported. PP to be updated (refer to proposed heritage clause at Part 2). Requirement for a CMP will be required prior to issue of a development consent.	Conservation Management Plan for site amalgamation is not warranted as the Item at 37 was considered not significant and 29 and 31 were not proposed or required to be amalgamated.
7	Heritage items should not be isolated as a result of development.	Supported. PP to be updated to include additional heads of consideration as detailed above (refer to proposed heritage clause at Part 2) with supporting provisions in the DCP.	The items are not isolated however items often are by their nature, isolated, this does not mean that they have no significance, as their curtilage is defined by the lot boundary.
10	All of the setting of a	Supported. This provision	The items were

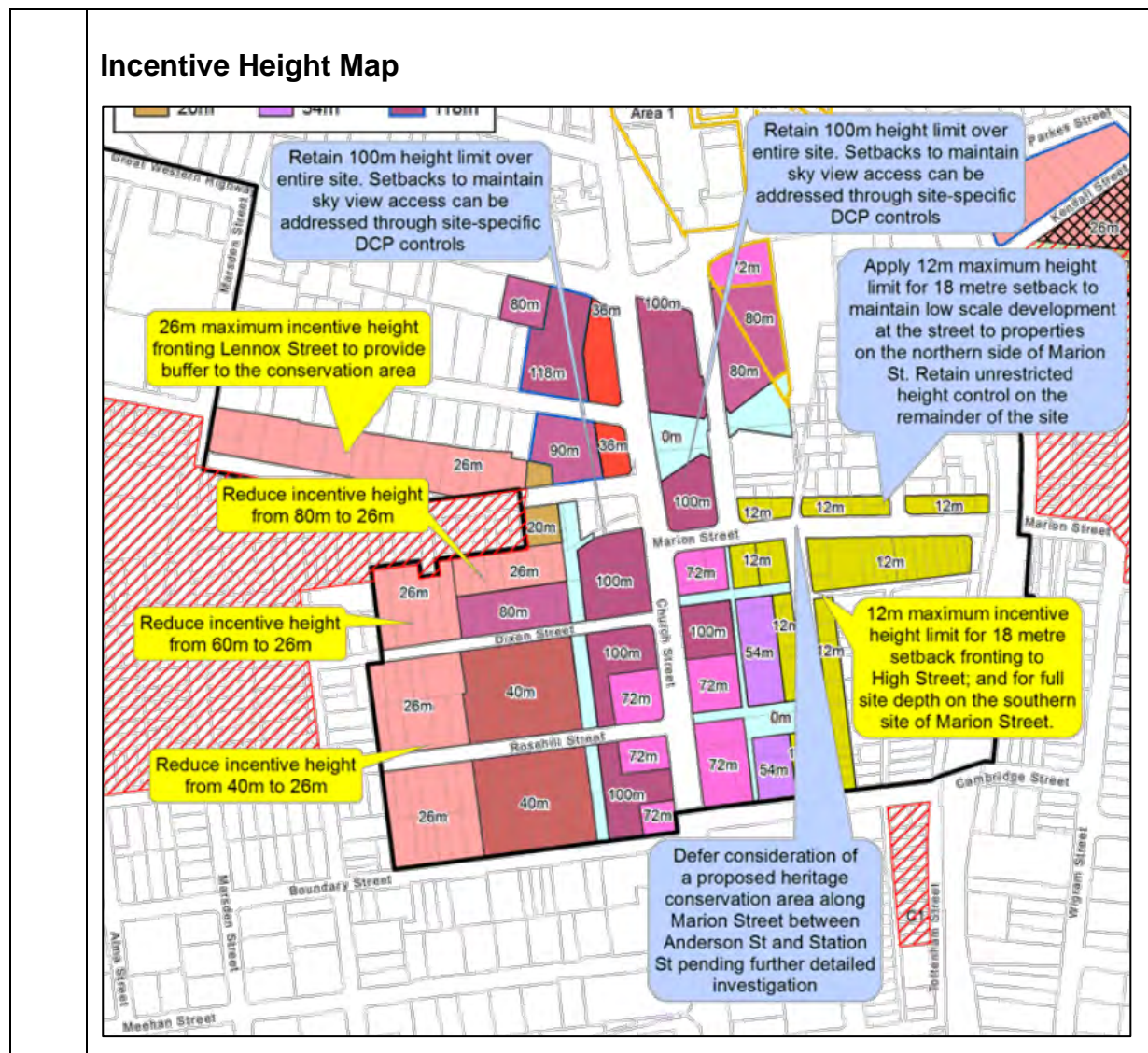
	house that contributes to its significance must be conserved.	would be better placed in the DCP.	assessed 29, 31, 37 and were of such low level of intactness with no cultural setting. Setting should be defined and must retain its integrity.
11	In all cases retain an area of deep soil landscape to the rear of an historic house large enough to plant an appropriate tree in order to retain the detached nature of the dwelling and the presence of a garden setting.	Supported. This provision would be better placed in the DCP.	There are no deep soil landscapes of significance. This is not a general control as there are many items such as churches where there is no backyard and a tree or deep soil would not occur.
12	Conserve historic setback patterns where they exist, and restore them where they have been concealed by later development.	Supported. This provision would be better placed in the DCP.	Set backs are retained. A blanket land use control of such type is unrealistic in an urban environment and could only be a case-by-case analysis and only implemented if warranted by detailed study.
13	Interpret the historic subdivision pattern of a street in new developments that involve amalgamation of lots through careful architectural detailing.	Supported. This provision would be better placed in the DCP.	This can be incorporated through an interpretative strategy and were altered in the 1890's at the first stage of development.
15	Where a heritage item has been negatively impacted by past development, new development must include the reversal of the	Supported. This provision would be better placed in the DCP.	This was not "feasible" meaning it was not physically possible, there was no evidence of the

	negative impact to the heritage item.		lost fabric.
41	Preserve sky visibility between and around tall developments.	Supported. This provision would be better placed in the DCP.	This is not a heritage consideration
42	Consideration of street width in any new development proposal to avoid creation of canyons.	Supported in part. PP to be updated to protect solar access between 10am-2pm mid-winter. Protecting solar access into late afternoon will have significant adverse impacts on development yield in the Parramatta CBD.	This is subjective. A blanket land use control of such type is unrealistic in an urban environment and could only be a case-by-case analysis and only implemented if warranted by detailed study. Marion Street is a wide street in an urban setting and there is no proposal to adjust its dimensions.
50	The location of defined Active street frontages should be extended to connect a network of heritage items and places throughout the interface areas.	Supported in part. This is better places in the DCP to achieve a built form that is engaging through the design. Refer to active street frontage map in Part 3.	The street front is activated.
52	Compile a CBD register of views that must be preserved.	An analysis of significant views has already been undertaken in the Heritage Study by Urbis (Appendix B). In addition, critical heritage views identified in the HAA study could be addressed in the DCP.	Should preserve "significant views" in accordance with the URBIS study. These do not include the Marion Street area.
South-West Parramatta Interface Area – LEP recommendation			
Special Interest Area 11 – Auto Alley			
125	The view west of open sky from Marion Street should	Supported. This provision would be better places in	Not impacted by the

	be preserved. This would result in amended maximum heights to blocks on Church Street.	the DCP. No change to the building height map is recommended.	proposal
126	Preserve the similar view (although with a higher possible limit) East from Lansdowne Street. Without a sky view at their respective ends, the heritage character of these streets will be compromised.	Supported. This provision would be better places in the DCP. No change to the building height map is recommended.	This is a distant view not identified in the URBIS Study, there are no views to or from heritage places. The view East from Lansdowne St is Church St and the height and FSR would result in the current view being altered. The eastern end of Lansdowne does not contribute to the conservation area.
Special Interest Area 12 – Marion and High Street Village			
127	Marion Street should be scheduled as a Heritage Conservation Area, and thus incentives should not apply to this zone.	A separate defined heritage study would be required to investigate whether Marion Street should be scheduled as a HCA. The study would assess the heritage significance of all existing building within the proposed heritage conservation area, including contributory significance and overall character. This could be undertaken by Council at a later date as a separate piece of work.	Marion Street does not reach any reasonable threshold for consideration as a conversation area by admission in the content of both the Urbis and HAA report or the LEP or previous heritage studies. Council recommends the assessment of individual items where in respect of 29, 31 and 37 this has been done and on two counts the listings were found to be not at a level of significance that would support

			retention.
128	Preserve the open sky view at the western end of Marion Street.	Supported. This provision would be better placed in the DCP. No change to the building height map is recommended.	Views to the west are maintained
Special Interest Area 12 – Marion and High Street Village			
135	Setbacks of all existing buildings and historic subdivision allotments to be retained and expressed in any development.	Supported. DCP to be updated.	There are zero setbacks to Marion Street from 39-47 Marion Street the setbacks are increased to match the items at 29+31.
138	Allow no overshadowing of house allotments in the precinct.	Recommend objective based DCP controls to guide siting of built form to minimise overshadowing of house allotments.	The HAA point is unreasonable and unwarranted. The Council position of minimisation and appropriate built forms is sensible for merit assessment in a dense urban setting.
150	Remove incentive FSR and Height from Marion Street heritage item cluster.	Supported with respect to FSR including the 12 metres incentive height of building control apply for the first 18 metres of the site. However, the recommendation that the current base height of building control (18, 26 and 54 metres) become the incentive height of the building control for the rear portion of the sites along Marion Street (that have an incentive FSR of 2:1) is not supported. This is because it is inconsistent with the	The Council did not endorse the officer's position in the CBD LEP. Councils 'no height limit' will allow for "form modelling" to control shadow impact and sky views.

		<p>report recommendation for 'balanced streets' and recovering historic street hierarchy, and may lead to poor urban design outcomes. It is therefore recommended that the incentive height of building control is 'no height limit' for the portion of the site excluded from the 12 metre height limit. The application of the 12 metre height limit to the first 18 metres of the site is consistent with the map and principles in the HAA study.</p> <p>Refer to maps in Part 3.</p>	
	<p>Incentive FSR Map</p> 		



24. At Part 2 of the assessment Council has drafted clauses to manage heritage impacts, it is my opinion that these would perform better within clause 5.10 of the PLEP to ensure the proper correspondence within the known operation of this clause. Largely I consider the amended proposal addresses the council report and approach to the recommendations of the HAA report.
25. The departmental correspondence with respect to the delisting of 29-31 calls into question the veracity and methodology employed by myself on behalf of the proponent. It is worth making some comment to ameliorate the adverse impacts of such an unqualified criticism.
- The methodologies were employed for 29, 31, 33, 35 + 37 and 39-47, 29, 31 +37 local heritage items.
 - The assessments were not undertaken for the purpose of delisting, but to ascertain the level of heritage significance where the initial assessment of the documentary evidence and “fabric” indicated that the Item did not reach a reasonable threshold for retention.

- The veracity of this assessment was further evaluated by the Local Planning Panel in respect of an application to demolish No. 37 Marion Street who found that the evidence, reports, presented supported demolition in accordance with 'Clause 5.10' of the LEP.
- The assertion made at (e) on Page 119 of the HAA study that "*Isolated Heritage Items (are) at risk of bully arguments to de list as a result of proposed amalgamations*" is ill informed, misguided, wrong and offensive and draws attention only to the apparent irreconcilable difference between the heritage and development perspectives, not least because No. 29, 31 are not proposed to be amalgamated within the proponents site.

26. It has been my approach throughout the process to objectively assess the heritage significance of the Items within the subject site and in the vicinity of the proposal, and then the impact of the proposal on the heritage significance of items in the vicinity. It is an objective and sustained truth that 37 is not worthy of retention on heritage grounds.

27. 29 Marion St is a Victorian era cottage similar to 37, less altered but in very poor physical condition with no immediate setting or cultural landscape. 31 Marion St is an interwar bungalow similar to 35 in very poor condition and a poor exemplar of the type and style.

It is my opinion that weak listings such as these diminish the strength of the list in its totality, it is better to have fewer items that maintain a level of excellence (cultural significance) that can be sustained and when such evidence is presented those items which do not meet a reasonable threshold, should be removed from the list to ensure the force of the schedule.

28. It is the opinion of this report that the amended proposal is consistent with the Council's position with respect to the Urbis and HAA report. Councils FSR with design excellence and incentives would be 7.4:1 and a height of 90 metres.

Part 2 – CONDITION 1. (i)

29. In the second part of this report I will deal with the Condition 1(i) of the gateway determination and provide an assessment of:

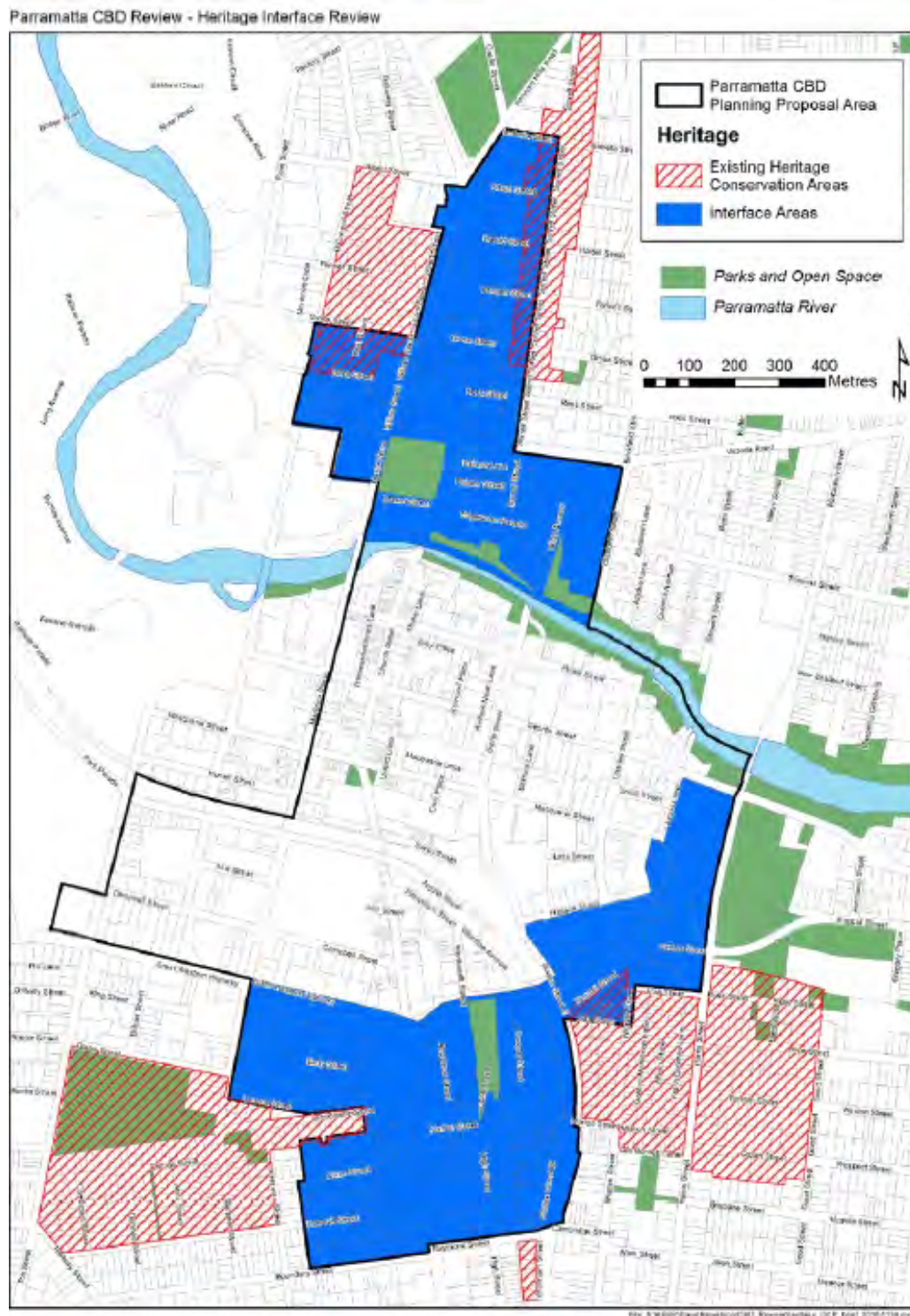
- The presentation of view corridors along Marion Street
- Visual impact on streetscape
- The retention of local character
- The interface with heritage items
- Overshadowing issues

And through this justify the land use and development controls, the resultant built form and its relationship with the local character.

30. Council as background to the presentation of the Parramatta Central Business District Heritage Interface Study states that "*DPE and heritage council concerns and issues arising during the assessment of several site specific*

planning proposals were the impetus for council undertaking additional heritage analysis within the interface areas”, and defines interface areas as “located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas shown in figure 1 below.”

FIGURE 1



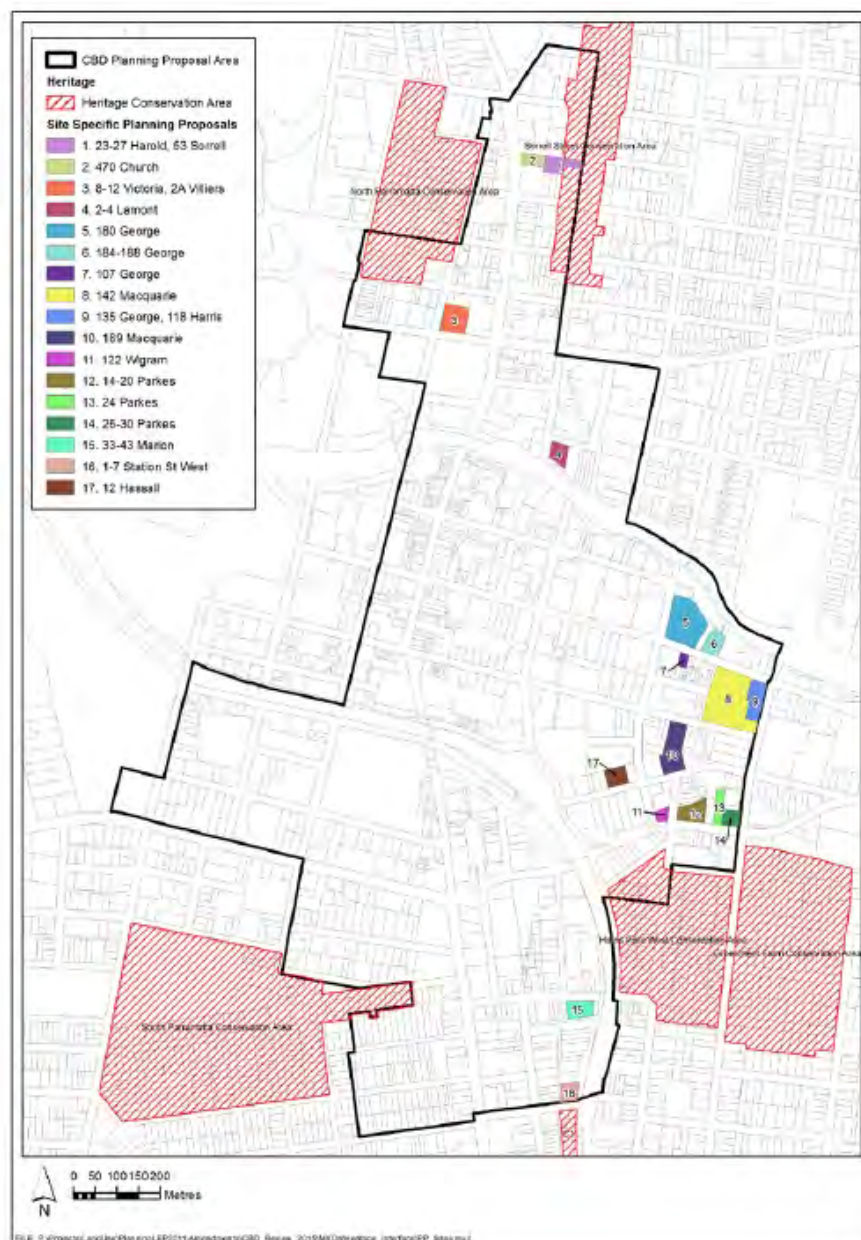
31. Council goes on to report from the DPE *“the need for more detailed investigation of appropriate transitional controls specific to conservation areas to support the Parramatta CBD Planning Proposals. Such an investigation could clarify the purpose of the controls, provide suitable evidence based methodology and consider the potential cumulative impacts of development on the heritage values of affected conservation areas.”*
32. Council proffers in large part the HAA study, which *“identifies potential heritage impacts resulting from the Parramatta CBD Planning Proposal as related to the interface areas”* and *“makes recommendations to ameliorate adverse impact on heritage through modifications to the draft planning controls for interface areas to ensure new growth and development occur in a manner that protects and manages the city’s heritage assets and demonstrates consistency with Section 117 Direction 2.3 Heritage Conservation (S117(2) of the EPAA 1979)”*.
33. HAA report concludes *“These recommendations if adopted should ensure new growth + developments occur in a manner that protects and manages the city’s Heritage assets...”*
34. Council summarizes the issues raised in the HAA report briefly. These are
 - Height and FSR.
 - Lack of definition of appropriate transition to heritage items and conservation areas.
 - Impacts arising from, lot amalgamation, corner sites, setbacks, subdivision patterns, overlooking and alienation.
36. The HAA report recommends in respect of the subject site within the southwest Parramatta interface area that *“sites along Marion Street to be scheduled as a heritage conservation area (between Anderson and Station Street)” ... “To protect the cluster of heritage items and historic subdivision pattern”*
37. Councils response to these recommendations are that a separate defined heritage study would be required to investigate whether Marion Street should be identified as a HCA and recommends this be done as a separate study, HAA recommends a series of height and FSR controls which council disputes, as inconsistent with the HAA recommendation for Balanced Streets and does therefore not adopt the HAA controls to this precinct, and proposes an FSR of 7.4:1 with incentives and no height control contained in the 11 April 2016 Council endorsed draft Parramatta CBD Planning proposal.
38. This assessment accepts the recommendation of the council in respect of the HAA study with some further qualifications, observations and opinions.

The Interface Areas

39. The purpose of the interface areas is to map areas within the “*Parramatta CBD Core and Heritage Conservation / lower scale residential areas shown in the map,*” see figure 2

Heritage Conservation Areas is defined by the City of Parramatta as “*areas where history and elements create a cohesive sense of place that is worth protecting. Elements can include a patterned subdivision building style, landscaping and streetscapes.*”

FIGURE 2



40. The southwest Parramatta Interface is located between the south Parramatta conservation area (1856-1960) (Railway and development of related private residential estates) and the Harris Park west conservation area (Colonial Government town and is early residential growth) The area contains 19 heritage items, 10 of which front Marion Street.
41. A heritage item is defined as *“buildings, structure and places of individual value that have heritage significance... heritage listing is a formal recognition that the community wants to keep items for future generations there are different levels of statutory list”* local and state.
42. As discussed in part I, I have studied the 19 items within the interface area and the area itself, I have undertaken detailed assessment of the items at 29, 31 and 37 Marion Street and have included the URBIS review of all of these 19 items. It is worth noting that the URBIS and HAA study Note that no detailed assessment of the items were made and the HAA recommends that such a study be done, this is further qualified by the council as a “latter study” and outside of the scope or brief of the HAA study.
43. It is curious that the HAA study suggest that the *“sites along Marion Street be scheduled as a conservation area”*, when both HAA and URBIS note the altered and degraded nature of the area and particularly along Marion Street. It is also worth noting that the council’s own definition of a conservation area *“Where history and elements create a cohesive sense of place that is worth protecting”*. Urbis has left out (unlisted) the items on the Cowper Street corner.
44. I would say that the local character lacks cohesion and my experience has been there is no sense of place and this is a character which is not worth retaining and certainly does not meet any threshold for listing as a conservation area, the conservation areas in the LGA are larger and comprise of a number of blocks which are cohesive and tend to exhibit development from key period, similar scale and size and contain many more items with a greater degree of intactness and integrity.
45. I have called into question the veracity of the listings in respect of 29, 31 and 37 Marion Street and supported the consolidation of the sites from 33-45 Marion Street and the obfuscation of the historic subdivision pattern, where it is claimed in the HAA Study that this subdivision is somehow significant. However, the original subdivisions provided in the HAA study confuses the facts and it is known that the first wave of building in the late 1890’s further distorted these speculative grid overlays of early land grants divided and intensified by the prospect and reality of rail transport, for profit. My point here is only that the subdivision pattern was coincidental, it is not significant and it could be illustrated and demonstrated through an interpretative strategy, which would make these patterns and developments clear. The subdivision pattern in this instance is not a reason to list sites along Marion Street as a conservation area.

46. The HAA study provides guidelines which “*should ensure new growth and development occur in a manner that protects and manages the city’s heritage assets*”. For the purpose of this assessment I have prepared a diagrammatic comparative analysis at Appendix B, which illustrates compliance with the HAA recommendations.
47. The Council has provided an illustration of the principal approach to heritage interface by URBIS, HAA and the Council. The proposal, which is the subject of this response is consistent with the HAA Report, However I would consider council’s summary to be acceptable which is also broadly consistent with the controls recommended in the HAA Report. This summary diagram illustrates an interface, which depicts a heritage item emoji, if we were to assume that this emoji, represents the 3 considerations which define the interface, 1. Heritage item, 2. Heritage Conservation Area, and 3. Residential areas of lower scale, and interface generally prescribes a far lesser FRS (generally reduced from 10:1-6:1). There should be no further amelioration required in respect of any of these edge conditions and certainly no more onerous for an individual item than a conservation area, these matters are dealt with well in the HAA Study where it is clearly illustrated that development can occur adjacent to Items. It is contradictory to provide diagrams where the heritage emoji would be overshadowed in midwinter at some part of the day to then prohibit any shadow at any time falling on a conservation area.
48. The subject development will site adjacent to the items at 31 and 29 Marion Street and is consistent with the HAA diagram. Fortunately the proposal will not overshadow either of the conservation areas due only to good fortune, however I do not consider the slender fast moving winter shadow to have any adverse impact on the heritage significance of a conservation area, these controls are usually reserved for the preservation of residential amenity and requires the maintenance of access to the sun to the principal living areas and private open space, this is not a heritage consideration.
49. The HAA report contemplates the visual impact on streetscapes and views, and presents some useful photographs (Appendix B), which deal with such potential impacts. These matters cannot deal with scale and usually are resolved at ground/street level interface. The subject development presents a high level of public interface, transparency and through site links. As a corner site with proximity to Harris Park station, the design takes the opportunity to enhance the public transition from station through the site to Marion Street. Marion Street is wide in comparison to the surrounding streets and does maintain, by virtue of its width, good sky views and a broad perspective does not crowd or “canyon” the view of the items along Marion Street and in this respect will improve the existing situation, where there is currently a row of haphazard and poorly designed infill development.
50. I have considered the site as a type of gateway being close to the corner of the CBD and at the Edge, the interface discussion has not considered the impact or effect of the rail corridor, which provides a physical edge to the

development on either side. It is interesting that the original design was for two side platforms, but was rebuilt as an island platform during the quadruplication of the Granville to Westmead line in the mid 1980's, in 2013 the retaining wall along station street South of the subject site collapsed burying the tracks and part of platform 4 there has been little or no consideration of the integration of the public transport interface into the Station Street Marion Street part of the CBD. The subject development will greatly enhance this interface.

51. View corridors in a heritage context relate to significant views (to and from heritage items). The Urbis Study refers to a study of heritage view analysis and does not include Marion Street, however both URBIS and HAA studies talk about views within the interface area.
52. The proponent has prepared a series of views towards the proposal which examine the setting and context of the proposal and demonstrate an adequate maintenance of sky views and enhances streetscape and local aesthetic.

Tottenham Conservation Area

53. To the south of the subject site and outside the CBD and LGA until 2016 (formerly Holroyd council) are additional item and a small conservation area, one of only 3 conservation areas, C1 Tottenham Street conservation area of local significance and the individual listing of 8,10,11,12,14,16,18,19,20 Tottenham Street, a group of federation period cottages – (items 14-22). However, 20 Tottenham is a Victorian period house, other items of poor quality intactness or integrity and infill or alterations, which have destroyed the cohesive nature of the conservation area. There are however, some good examples of simple timber cottages. The proposal may overshadow the conservation area for a very short period of time, however due to the east-west orientation will have little or no material effect on the residential amenity.

Ministerial Direction

The 117 direction requires that the *“planning proposal must contain provisions that facilitate the conservation of:*

- a) item places buildings works relics moveable objects or precincts of environmental heritage significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item object or place, identified in a study of the environment a heritage of the area.”*

The direction notes that the meanings of conservation, environmental heritage item place and relic have the same meaning as in the heritage act 1977, and; Heritage conservation is covered by a compulsory clause in the standard instrument order 2006.

“A LEP that adopts the standard instrument should identify such items areas objects or places of environmental heritage significance...as are relevant to the terms of this direction the heritage map and relevant schedule of the LEP.”

The NSW Heritage Act defines:

Conservation includes preservation, protection, maintenance, restoration and adaption.

Environmental heritage means those places, building works, relics, moveable objects and precincts of state or local significance.

Item means a place, building, relic, moveable object or precinct.

Place means an area of land with or without improvements.

- 54. The compulsory clause in the LEP at 5.10 and included in Appendix D as adopted in the LEP in total, which guides the conservation, and management of heritage significance.

5.10 (2) *Requirement for consent is requires for:*

(a). Demolition or moving, altering the exterior of:

i. A heritage item

iii. A building within a conservation area

(b). Altering a heritage item

(e). Erecting a building on land:

i. on which a heritage item is located or within a heritage conservation area.

(f). Subdividing land:

i. on which a heritage item is located or that is within a heritage conservation area.

5. The consent authority may:

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

6. ...the submission of a heritage conservation management plan.

10. Conservation incentives...consent to development for any purpose.

55. The HAA report would require amendment to the LEP to require 5.10 (6) heritage conservation management plans for site consolidation within an interface area and further amendments to the Clause 5.10.10 for the inclusion of Heritage floor space transfer as indicated at fig. 23 of the HAA study.

56. The first consideration here again is the assessment of significance in the absence of any reliable recent assessment other than my own. It is simply not enough to rely on an assumption that the old listings are sound or that because there is a cluster of items that this proximity alone causes cohesion to the extent that it should become a heritage conservation area.

57. The council has complied with the direction and amended the planning proposal, which contains or refers to studies (HAA), which contain provisions that facilitate the conservation of the environmental heritage significance. In this respect the controls of 7.4:1 FRS and no height limit is justified.

Purpose of the Controls

58. The purpose of the CBD proposal is to expand the city centre boundary to allow council to meet its growth targets for additional 19,362 dwellings and 48,475 jobs. HAA Report states: *"The planning proposal seeks to accommodate in the Parramatta CBD a significant enlargement of developable floor space, for office and residential use. This is simply allowed for in the plan by a quantitative uplift of the existing controls over floor space under certain conditions"*. The proposal seeks to meet the third goal of 'A Plan for Growing Sydney' to promote heritage simply by retaining *"most but not all existing protections"* and by a process of allowing development returns to heritage properties by transfer of development rights to adjacent properties. The impact of this planning proposal will be found at the level of the whole of the city as well as near to the items to be preserved.

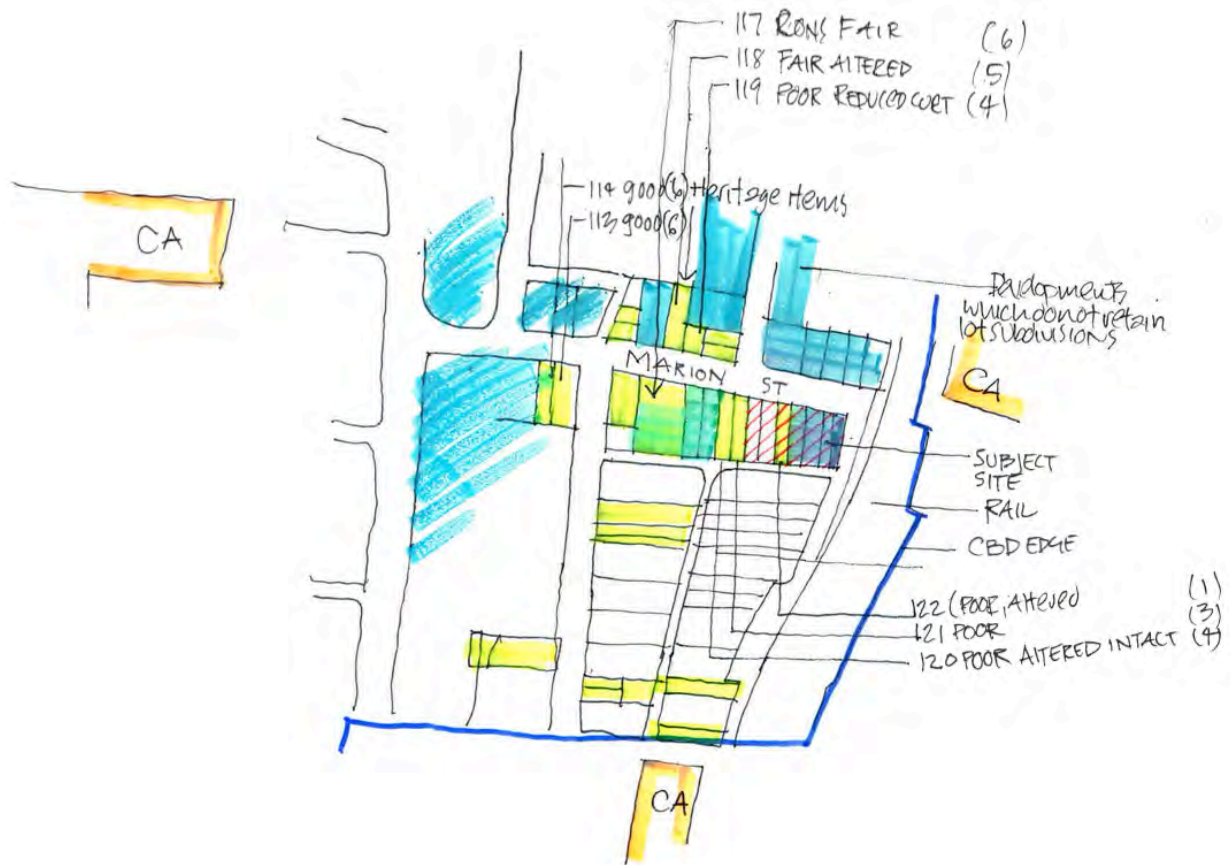
59. The HAA report is somewhat critical of the simplicity of council's method proposed for the interface. I am further critical of the fact that there is little interface proposed to the Parramatta park complex, which bounds the length of the Western edge of the CBD. But broadly the shape and location of the interface appears to take away the finer grain potential of site specific responses and the more nuanced controls of the HAA report would, in respect of the heritage and by extension edge condition suggest that there is no need to lessen the FSR from the general control of 10:1. However to apply the controls implicitly in the illustration and general precepts proposed by HAA and therefore I am satisfied that the current height and FSR of 9.26:1 with the opportunity of design excellence is acceptable.

60. The department concerns around the recent planning proposals highlighted in the map in the HAA study betrays a confirmation bias in some respects that the lessening of non discretionary controls and prescribing prohibitions at some of those sites is only a distraction from the excellent work in the HAA study, the applications and adherence to the design principals proffered will result in design excellence.

I believe that the design excellence process with the application of the HAA design controls with no other lesser or controlled height and FSR will produce better design outcomes. It is a harsh point to make, but the impact of a twenty storey building on a single, two or three storey heritage item is no different to that of a thirty-storey building. However, these impacts are not necessarily impacts, which diminish heritage significance, or qualities that make items valuable to the community, they are matters for other merit assessment principles.

Its is an unfortunate reality if council wish to attain the jobs and growth targets through the encouragement of higher density development will occur on the underdeveloped rim rather than the CBD core. As the conservation area is more recently developed and more constrained by important (State) items of significance and less likely to afford the immediate permissible up lifts, which can happen around the periphery.

The site specific planning proposal map shows that the current proposals are in the interface areas of the or in the vicinity of items and/or conservation areas propose site consolidation and therefore are all subject to 5.10 of the LEP and assessment that can and should adopt the captured controls which are in the HAA report.

FIGURE 3 – SITE ANALYSIS

APPENDIX A

Assessing Heritage Significance

The Heritage Significance Criteria

Criterion (a)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item is important in the course, or pattern, of NSW's cultural or natural history (State significance); OR An item is important in the course, or pattern, of the local area's cultural or natural history (Local Significance)		Cracknell Lonergan Response: It is not important, it is not ordinary.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Shows evidence of a significant human activity	Y	N	The human activity is ordinary, speculative subdivision, re-subdivision and "project home" building is not significant. There is no continuity of a process that is part of the cultural history.
	Is associated with a significant activity or historical phase	Y	N	
	Maintains or shows the continuity of a historical process or activity	Y	N	
Exclusions				
	Has incidental or unsubstantiated connections with historically important activities or processes	N	N	There are incidental connections with activities that are not important. These are of dubious historical importance as they are ordinary and common.
	Provides evidence of activities or processes that are of dubious historical importance	N	N	
	Has been so altered that it can no longer provide evidence of a particular (Meets all the three inclusion guidelines) (Meets no exclusion guidelines) association	N	N	This has been attached
Other Comments				
	<p>Council Response: Mr Oultram's report informs us that: "37 Marion Street is an example of a late Victorian house built c. 1885 by builder Thomas Baker who had purchased three lots of a re-subdivision of the Harris Park Estate that had been carried out by Henry Soloman in 1882. Baker appears to have constructed three houses (including the subject house) on four lots that he purchased at the same time."</p> <p>In my opinion, the house (esp. viewed externally, from public domain) retains its ability to demonstrate the significant process of the early suburban development and subdivision, as evidenced in its readily apparent property boundaries and architectural design.</p> <p>The house meets this criterion on local area level.</p> <p>Cracknell Lonergan Response:</p> <p>This development ignored the historic subdivision and the other 2 houses were demolished and redeveloped isolating No. 37. The house does (did) not retain an ability to demonstrate as the bay window was removed and it was not significant.</p>			

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (b)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (State significance) OR An item has strong or special association with the life or works of a person, or groups of persons, of importance in the cultural or natural history of the local area. (Local significance)		Cracknell Lonergan Response: The place has no association with the life works of a person of importance to the cultural history of the area.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Shows evidence of a significant human occupation	N	N	It is not significant.
	Is associated with a significant event, person, or group of persons	Y	N	
Exclusions				
	Has incidental or unsubstantiated connections with historically important people or events	N	N	It is only incidental, Thomas Baker is not of historical importance and Henry Solomon links are dubious.
	Provides evidence of people or events that are of dubious historical importance	N	N	
	Has been so altered that it can no longer provide evidence of a particular association	N	N	
Other Comments				
	Council Response: As outlined above, the house is work of locally important person, Thomas Baker, who had it commissioned , built and presumably had a major influence on its design. The house meets this criterion on local area level. ⇐⇐ Cracknell Lonergan Response: There is no evidence that it was commissioned and the design is a pattern book “project home” typology of it's time.			

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (c)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item is important in demonstrating aesthetic characteristics and/or technical achievement in NSW (State significance) OR An item is important in demonstrating aesthetic characteristics and/or technical achievement in the local area (Local significance)		Cracknell Lonergan Response: The style is ordinary and modest, it is not a high style or technically excellent example, nor does it show innovation or technical achievement.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Shows or is associated with, creative or technological innovation or achievement	N	N	It is not associated with creative or technical achievement, described as the criteria.
	Is the inspiration for a creative or technical innovation or achievement	N	N	It is not an inspiration nor is it innovative.
	Is aesthetically distinctive	Y	N	It is not distinctive.
	Has landmark qualities	N	N	It does not have landmark qualities.
	Exemplifies a particular taste, style or technology	Y	N	It is not exemplary of the style as it is not intact and it does not retain even the ordinary stylistic attributes of the type.
Exclusions				
	Is not a major work by an important designer or artist	Y	N	It is not.
	Has lost its design or technical integrity	N	N	It has lost its design integrity, it is not technically significant.
	Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	N	N	It does not have visual or sensory appeal of significance.
	Has only a loose association with a creative or technical achievement	N	N	It has no association with creative or technical achievements.
Other Comments				
<p>Council Response: In my opinion, the house retains its key aesthetic features, particularly when viewed from the public domain. Admittedly, it can be argued that the "design or technical integrity" of the interior have been lost beyond replacement, however, this is an arbitrary matter, mainly dependent on feasibility, not on technology. On balance, with guidelines split (2 for inclusion, one for exclusion) I deem that inclusion arguments will prevail, and that the house meets this listing criterion.</p> <p>In my opinion, the house meets this criterion on local area level.</p> <p>Cracknell Lonergan Response: These matters are not arbitrary, the house design is not rare, it is not good or exemplary of the Victorian style. It does not meet the listing criteria at all as this criteria relates to technical or aesthetic excellence and it never was excellent.</p>				

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (d)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item has strong or special association with a particular community or cultural group in NSW (State significance); OR An item has strong or special association with a particular community or cultural group in the area for social, cultural or spiritual (Local Significance)				
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Is important for its associations with an identifiable group	N/A	N/A	
	Is important to a community's sense of place	N/A	N/A	
Exclusions				
	Is only important to the community for amenity reasons	N/A	N/A	This is an unimportant consideration as the report opposes the proposal.
	Is retained only in preference to a proposed alternative	N/A	N/A	
Other Comments				
	Council Response: N/A Cracknell Lonergan Response: N/A			

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (e)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer	
Description An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (State significance); OR An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history (Local Significance)					
Grading					
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN	
	Has the potential to yield new or further substantial scientific and/ or archaeological information	N/A	N/A		
	Is an important benchmark or reference site or type	N/A	N/A		
	Provides evidence of past human cultures that is unavailable elsewhere	N/A	N/A		
Exclusions					
	The knowledge gained would be irrelevant to research on science, human history or culture	N/A	N/A		
	Has little archaeological or research potential	N/A	N/A		
	Only contains information that is readily available from other resources or archaeological sites	N/A	N/A		
Other Comments					
	Council Response: N/A Cracknell Lonergan Response:				

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (f)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (State significance); OR An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history (Local Significance)		Cracknell Lonergan Response: It is not rare or endangered, it is not intact and it was not significant.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Provides evidence of a defunct custom, way of life or process	Y	N	
	Demonstrates a process, custom or other human activity that is in danger of being lost	N	N	
	Shows unusually accurate evidence of a significant human activity	N	N	It is not significant.
	Is the only example of its type	N	N	It is abundant.
	Demonstrates designs or techniques of exceptional interest	N	N	It is not exceptional.
	Shows rare evidence of a significant human activity important to a community	N	N	
Exclusions				
	Is not rare	Y	N	It is not rare.
	Is numerous but under threat	N	N	It is not under threat.
Other Comments				
	Council Response: Given that the house meets both inclusion and exclusion guidelines, it is deemed adequate to not apply this criterion. N/A Cracknell Lonergan Response:			

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (g)		Application		Lonergan's (CLA) Response to Council Officer
Description An item is important in demonstrating the principal characteristics of a class of NSW's Cultural or Natural Places/ Environments (State significance); OR An item is important in demonstrating the principal characteristics of a class of the area's Cultural or Natural Places/ Environments (Local Significance)		Cracknell Lonergan Response: It does not.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Is a fine example of its type	Y	N	It is not fine.
	Has the principal characteristics of an important class or group of items	Y	N	It displays few items of the style indicators.
	Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity	Y	N	It does not demonstrate well, any custom other than the day to day.
	Is a significant variation to a class of items	N	N	It is not significant.
	Is a part of a group which collectively illustrates a representative type	Y	N	2 of the group of 3 has been demolished.
	Is outstanding because of its setting, condition or size	N	N	It has no setting.
	Is outstanding because of its integrity or the esteem in which it is held	N	N	It has no integral link with it's history.
Exclusions				
	Is a poor example of its type	N	N	It is poor.
	Does not include or has lost the range of characteristics of a type	N	N	It has few and lost others of the characteristics of the style.
	Does not represent well the characteristics that make up a significant variation of a type	N	N	It is not a variant type.
Other Comments				
	Council Response: The house (especially viewed externally, from the public domain) retains its ability to demonstrate the key significant features of the late Victorian period houses in Parramatta and the work of locally significant builder, Mr Thomas Baker. Albeit much of the interior fabric is lost, a surprising number of details - e.g. brick arches, topflight above doors etc. remain, even in the interior. The house meets this criterion on local area level. Cracknell Lonergan Response: It is not significant.			

02 Appendix A - Assessment of Impact


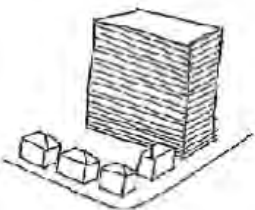
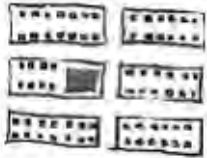
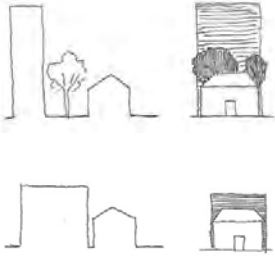

Against NSW Heritage Council criteria

COUNCIL OFFICER	LONERGAN
<ul style="list-style-type: none"> Have all options for retention and adaptive re-use been explored? <p>Mr Lonegran, in reply to these criterion, states: "As the cottage on the subject site has little original fabric remaining, it has very little significance thereby even though retaining or attempting adaptive reuse of the structure was considered it was not found to be a feasible option."</p> <p>Notwithstanding the meaning of the word "feasible" in this context, the report obviously does not present any explored options for reuse. It is my view that it appears based on the pre-established opinion that the house is not of heritage value.</p>	<p>I have no vested interest in the retention or demolition of the house. My only consideration was that it did not reach a benchmark of cultural significance that could be made capable of demonstrating the significant history of Parramatta.</p>
<ul style="list-style-type: none"> Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site? <p>Mr Lonegran states: "The cottage has been greatly modified therefore there are very few original or significant elements remaining, therefore there are no elements to either keep or relocate."</p> <p>Conversely, as the proposal is for amalgamation of five sites, in my opinion it is possible to develop a portion of the site with transfer of FSR, and retain the house.</p>	<p>The house is not worthy of retaining.</p>
<ul style="list-style-type: none"> Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible? <p>Mr Lonegran states: "The cottage on the subject site has been highly altered, and its significance as part of a cohesive single storied group on the street has been further compromised, therefore retaining the cottage on the site is not considered necessary or viable."</p> <p>Conversely, it is my opinion that it is conceivable that in future, with technology progressing, with increased residential density and with potential change in use, it may well be more feasible to retain the house.</p>	<p>I don't see what the progress of technology, or increased residential density has to do with the level of significance of an Item.</p>
<ul style="list-style-type: none"> Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not? <p>Mr Lonegran states: "The recommendation of this report is that the subject site is of questionable quality, integrity and heritage significance. It is not worth retaining or conserving."</p> <p>Conversely, it is my opinion that significance of the house is such that it warrants retention and conservation.</p>	<p>It is not significant. It is ordinary and in very poor condition.</p>

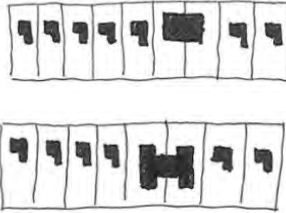
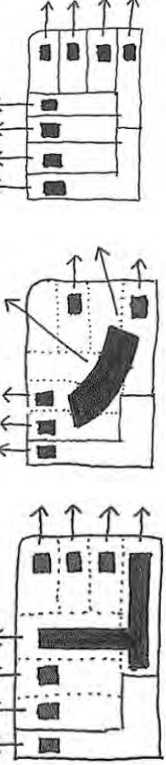
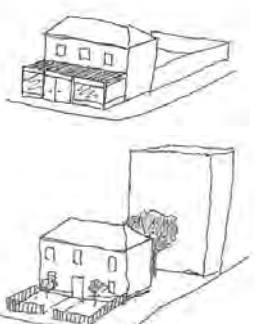
APPENDIX B

Hector Abrahams Analysis

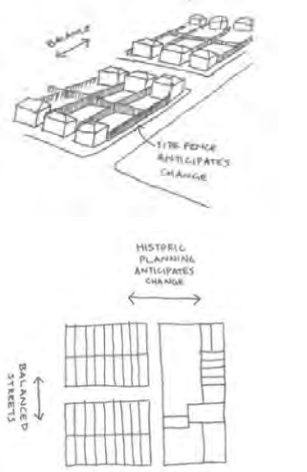
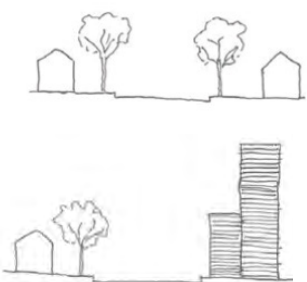
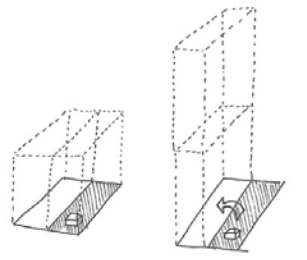
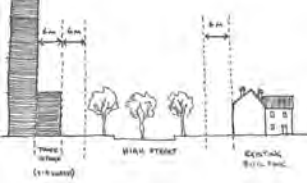
HAA Diagrammatic Controls

Diagram	Description	Comment: Re Proposed Development
	Immediate Relationship This is impact upon the built fabric or within or adjacent to the lot of that heritage item, or impact upon a property located within a conservation area	The proposed is adjacent to 31+29 Marion Street, which are scheduled Heritage items.
	Street Relationship This includes development that is visible from the street elevation. If the site is a corner location (or adjacent to a corner) then the impact upon both streets must be considered.	The proposal is within the vicinity of other items.
	Area Relationship Where a development is of a certain height and is adjacent to a conservation area or cluster of individually listed heritage items, then the impact of that development upon the significance of the conservation area must be considered.	The proposal is not within a consistent or exemplary historic subdivision pattern with intact characteristics.
	Figure 15: A building of a greater height but which preserves a more appropriate setting to a house (above) is preferable to a building of greater bulk that reduces the setting (below)	There is an appropriate (as illustrated) separation.
	Figure 16: New developments should avoid long linear podiums that conceal street rhythm (above) and instead should conserve the existing pattern and rhythm of a street (below).	The proposal complies as there is no podium, rather a transparent public space.

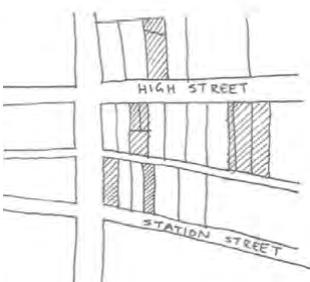
HAA Diagrammatic Controls

Diagram	Description	Comment: Re Proposed Development
	<p>Figure 17: Inappropriate setbacks may affect the character and rhythm of a street (above). New developments can return character and setting to a street and reconnect isolated heritage items with their context (below).</p>	<p>The setbacks are acceptable and consistent.</p>
	<p>Figure 18: Existing historic direct mode of address to the street (above) can be lost through amalgamation and radical building siting (middle). New developments should maintain historic modes of street address (bottom).</p>	<p>The proposal complies.</p>
	<p>Figure 19: New developments may be provided with incentives or conditions to remove intrusive elements and guide the restoration of a historic building as a condition of consent.</p>	<p>It is proposed to conserve 29+31 Marion Street and provide through site links to the new development., all intrusive additions would be removed and the items restored with retail public access.</p>





HAA Diagrammatic Controls

Diagram	Description	Comment: Re Proposed Development
	<p>Figure 21: Some historic building alignments and subdivision patterns anticipate change in balance</p>	<p>The site on Marion Street does not exhibit this level of integrity or pattern.</p>
	<p>Figure 22: The existing balanced nature of a street (above) can be eroded as a result of mismatched development resulting in a poor relationship (below).</p>	<p>Marion Street, at the Cowpel Street "T" intersection, has the benefit of dragging or referencing high density development in the locality.</p>
	<p>Figure 23: The effect of floor space transfer adjacent to a heritage item.</p>	<p>This is proposed for 29 and 31 Marion Street and will result in this type of diagrammatic solution.</p>
	<p>Figure 85: The unique character of High Street with its central avenue of trees must be retained by providing appropriate setbacks, podiums and planting.</p>	<p>The proposal will not impact the visual catchment of High Street.</p>





HAA Diagrammatic Controls

Diagram	Description	Comment: Re Proposed Development
	<p>Figure 86: A collection of individual heritage items is at risk of isolation in this precinct.</p>	<p>All items risk isolation by their nature, the preceding controls cater for this eventuality.</p>




HAA Diagrammatic Controls

Photo	Description	Comment
	Figure 14: The qualities of a precinct may be gradually eroded	The qualities of the Marion Street precinct are diminished. The proposal will enhance these.
	Figure 20: Developments without a buffer to new development, and which ignore historic subdivision patterns have a detrimental effect upon the setting of historic houses, and can result in further isolation (Marion Street, Above). Where trees have been retained, a setting for the historic house remains (Albert Street, Below)	This is not unlike the illustration fig 16 apart from the poor quality of the architecture. However, the strength of the heritage items prevails through the colour and detail, it is an acceptable outcome. This is not what it proposed.
	Figure 32: Sometimes a setback can be of benefit in providing a setting for a historic building within a CBD context (Ray White Real Estate listing for 25 Bligh Street, Sydney)	The HAA uses examples from the Sydney City CBD, and in many instances the proximity is successful due to the strength of the item.
	Figure 33: The podium of Regent Place reproduces subdivision patterns in George Street, Sydney.	As above the classical brick facade proportion and detail is prevalent, the streetscape infill and the looming towers do not diminish the heritage significance.





HAA Diagrammatic Controls

Photo	Description	Comment
	Figure 37: Experiment Farm Cottage	Here curtilage is paramount. I don't believe this is diminished by shadows, which are quickly moving.
 	Figure 42: Views to and from the Judges House, 531 Kent Street, Sydney	These are probably amongst the most alien and ill considered developments on heritage ground, rear of the Hoyts cinema complex and the like. However, the item with its grounds , although isolated is splendidly isolated and this contrast enhances its signification.
	Figure 46: Church Street North	In a changing skyline it is worthwhile to review heritage listings as well as the scale and nature of the remnant development and insensitive renewal.






HAA Diagrammatic Controls

Photo	Description	Comment
	<p>Figure 47: Some heritage items retain their street prominence (above), while others have been compromised by later intrusive additions (below).</p>	
	<p>Figure 48: Subdivision patterns and the sense of an incline within the street are often not reflected when sites are amalgamated.</p>	<p>Whether a street slopes or is flat is not a heritage consideration that can be altered. If you are in a car or on foot you will be aware of the incline. The historic subdivision is not always significant. The subject proposal is level along Marion Street and the old subdivision pattern.</p>
	<p>Figure 49: The view from Church Street towards Conservation Areas should be considered.</p>	<p>N/A</p>





HAA Diagrammatic Controls

Photo	Description	Comment
	Figure 55: St Patrick's Cathedral	
	Figure 58: Parramatta River bank looking north	(This is looking West).
	Figure 59: Views along the Parramatta River looking east and west	
	Figure 63: Corner of Harold and Sorrell Streets, looking west.	




HAA Diagrammatic Controls

Photo	Description	Comment
	Figure 64: Existing setbacks on a section of Sorrell Street. Unit developments on the western side do not protrude in front of the building line of historic buildings, and this does much to retain the character of the street.	
	Figure 66: All Saint's Church	
	Figure 67: All Saint's Church Spire, as seen from Victoria Road	
	Figure 70: Eastern end of George Street with low rise development	
	Figure 71: Podium showing amalgamation of lots in George Street, Parramatta and the early house Harrisford.	

HAA Diagrammatic Controls


Photo	Description	Comment
	Figure 75: View west down Una Street with development in the background.	
	Figure 77: Recent development near Hassell Street	
	Figure 80: Auto Alley looking north with the city beyond	
	Figure 82: View west along Marion Street towards Church Street, with open sky view.	

HAA Diagrammatic Controls

Photo	Description	Comment
	Figure 83: Marion Street with recent development in Cowper Street behind.	The most destructive element in this view is the 3 storey walk up on Marion Street, this is not a recent development(1970's).
	Figure 84: The retention of heritage buildings in Marion Street, but with their original sense of space and order compromised by an overbearing development to the rear.	Again, the disruptive element is the red textured 1960'd RFB.
	Figure 89: The unique character of High Street with its central avenue of trees.	Not affected by the proposal.




APPENDIX C


URBIS Analysis



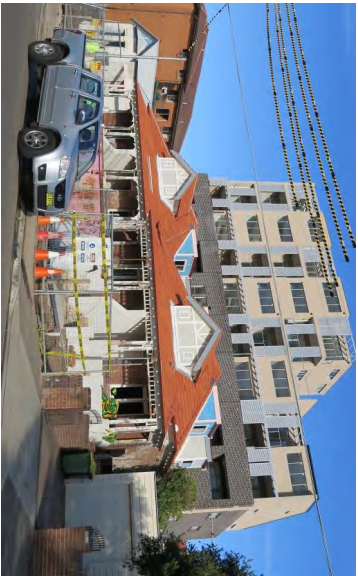
Two-storey residence	42 High Street Lot 1, DP 1003369 Lot 1, DP 81523, Lot 1, DP 81603	Parramatta City Centre Local Environmental Plan 2007	101	<p>No additional development potential – additional FSR may be realised as part of site amalgamation.</p> <p>Additional FSR may be realised as part of site amalgamation. Where sites are amalgamated dwellings must retain their integrity as a heritage item and as an independent streetscape element. This includes retention of curtilage and setting and interpretation of the original subdivision.</p>	
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Peter’s notes:




The High Street items are not consistent with the Marion Street items, generally the high street items are better quality design, larger, and exhibit more of the elements that are characteristic of the styles exhibited. the streetscape and overall setting has been less impacted by the creep of the light industrial development of the 1970s and 1980s.



NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Attached houses	49 and 51 High Street Lot 2, DP 530845, Lot B, DP 388388	Parramatta City Centre Local Environmental Plan 2007	102	<p>Subject to development application. Existing FSR to be maintained.</p> <p>Peter's notes: The high street items are not consistent with the Marion Street items, generally the high street items are better quality design, larger, and exhibit more of the elements that are characteristic of the styles exhibited. The streetscape and overall setting has been less impacted by the creep of the light industrial development of the 1970s and 1980s.</p>	
Single-storey residence	65 High Street Lot 48, Sec 1, DP 976, Lot 1, DP 576223	Parramatta City Centre Local Environmental Plan 2007	103	<p>No additional development potential - existing FSR to be maintained.</p> <p>Peter's notes: The high street items are not consistent with the Marion Street items, generally the high street items are better quality design, larger, and exhibit more of the elements that are characteristic of the styles exhibited. The streetscape and overall setting has been less impacted by the creep of the light industrial development of the 1970s and 1980s.</p>	
Single-storey residence	67 High Street Lot B, DP 421597	Parramatta City Centre Local Environmental Plan 2007	104	<p>No additional development potential - existing FSR to be maintained.</p> <p>Peter's notes: The high street items are not consistent with the Marion Street items, generally the high street items are better quality design, larger, and exhibit more of the elements that are characteristic of the styles exhibited. The streetscape and overall setting has been less impacted by the creep of the light industrial development of the 1970s and 1980s.</p>	


House/Industrial	9 Marion Street Lot 1, DP 794747	Parramatta City Centre Local Environmental Plan 2007	112	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the south should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>The house interior is altered, the exterior joinery doors and windows removed (glass bricks and aluminium). The setting degraded and the historic subdivision obscure, not a good example of its type, not intact and not in good condition. Consider delisting.</p>	
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NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Single-storey residence	11 Marion Street Lot 1, DP 574174	Parramatta City Centre Local Environmental Plan 2007	113	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the south should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>Good quality inter war bungalow with 13 makes a good "gateway" to High Street.</p>	
Residence—Mona	13 Marion Street Lot 1, DP 528361	Parramatta City Centre Local Environmental Plan 2007	114	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the south should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>Good, federation timber cottage (tiled roof is intrusive but in good condition), brick boundary fence intrusive, garage and driveway intrusive.</p>	
Attached house and office	17 Marion Street (17-23) Lot 1, DP 600258	Parramatta City Centre Local Environmental Plan 2007	115	<p>Site presently under construction and subject to redevelopment. Amalgamated site, 17-23 Marion Street.</p> <p>No additional development potential; existing FSR to be maintained.</p> <p>Peter's notes:</p> <p>Cottages adaptively reused and re-subdivided for rear multi-unit development, roof alterations are fair (neutral). Streetscape presentation is good, positive.</p>	

NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Single-storey residence	20 Marion Street Lot 2, DP 524232	Parramatta City Centre Local Environmental Plan 2007	116	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the north should be subject to setback provisions under the DCP.</p> <p>Peter's notes: Good streetscape contribution adaptively reused as multi-unit housing, simple Victorian cottage, c1890s.</p>	
Attached house and office	23 Marion Street Lot 5, Sec 1, DP 976	Parramatta City Centre Local Environmental Plan 2007	117	<p>Site presently under construction and subject to redevelopment. Amalgamated site, 17-23 Marion Street.</p> <p>No additional development potential; existing FSR to be maintained.</p> <p>Peter's notes: This is in twice in the Urbis report.</p>	
Single-storey residence	26 Marion Street Lot 2, DP 909383	Parramatta City Centre Local Environmental Plan 2007	118	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the north should be subject to setback provisions under the DCP.</p> <p>Peter's notes: Simple Victorian back cottage altered. Very poor condition and setting. Concrete paving to most of site.</p>	

NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Single-storey residence	28 Marion Street Lot 1, DP 966322	Parramatta City Centre Local Environmental Plan 2007	119	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the north should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>Early 20th century timber cottage, better represented in the Harris Park conservation area with better more representative setting.</p>	
Single-storey residence	29 Marion Street Lot 8, Sec 1, DP 976, Lot 1, DP 345868	Parramatta City Centre Local Environmental Plan 2007	120	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the south should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>Refer to detailed fabric analysis.</p>	
Single-storey residence	31 Marion Street Lot 9, DP 128787	Parramatta City Centre Local Environmental Plan 2007	121	<p>No additional development potential; existing FSR to be maintained.</p> <p>Development of adjoining sites to the south should be subject to setback provisions under the DCP.</p> <p>Peter's notes:</p> <p>See detailed fabric analysis.</p>	

NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Two-storey residence	1 Station Street West Lot 34, Sec 1, DP 976West	Parramatta City Centre Local Environmental Plan 2007	126	No additional development potential. Additional FSR may be realised as part of site amalgamation Where sites are amalgamated dwellings must retain their integrity as a heritage item and as an independent streetscape element. This includes retention of curtilage and setting and interpretation of the original subdivision.	
Single-storey residence	7 Station Street Lot 31, Sec 1, DP 976	Parramatta City Centre Local Environmental Plan 2007	127	No additional development potential; existing FSR to be maintained.	

NAME	ADDRESS	SIGNIFICANCE/ LISTINGS	ITEM NO. ON THE HERITAGE MAP (LEP)	URBIS RECOMMENDATION	IMAGE
Attached houses	21 Wentworth Street Lot 5, DP 555797, Lot 7, DP 531926	Parramatta City Centre Local Environmental Plan 2007	129	Setting has been altered. Existing development to the rear. Should future development of the block be proposed, the significance of these items could be reviewed, with consideration for the context.	

APPENDIX D

Parramatta LEP 2012

5.10 Heritage Conservation

Parramatta Local Environmental Plan 2011

Historical version for 21 March 2014 to 10 April 2014 (accessed 17 October 2018 at 17:20) Current version

Part 5 Clause 5.10

<https://legislation.nsw.gov.au/-/view/EPI/2011/540/historical2014-03-21/id63><https://legislation.nsw.gov.au/-/view/EPI/2011/540/historical2014-03-21/id65>

5.10 Heritage conservation

Note.

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives. The objectives of this clause are as follows:

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

(2) Requirement for consent. Development consent is required for any of the following:

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

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

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

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

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

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

(i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required. However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage

significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:

(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development.

(4) Effect of proposed development on heritage significance. The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment. The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

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

(6) Heritage conservation management plans. The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites. The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance. The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items. The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) Conservation incentives. The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:
- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
 - (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
 - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
 - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
 - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (e)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer	
Description An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (State significance); OR An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history (Local Significance)					
Grading					
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN	
	Has the potential to yield new or further substantial scientific and/ or archaeological information	N/A	N/A		
	Is an important benchmark or reference site or type	N/A	N/A		
	Provides evidence of past human cultures that is unavailable elsewhere	N/A	N/A		
Exclusions					
	The knowledge gained would be irrelevant to research on science, human history or culture	N/A	N/A		
	Has little archaeological or research potential	N/A	N/A		
	Only contains information that is readily available from other resources or archaeological sites	N/A	N/A		
Other Comments					
	Council Response: N/A Cracknell Lonergan Response:				

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (f)		Guideline Met? [Y/N]		Lonergan's (CLA) Response to Council Officer
Description An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (State significance); OR An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history (Local Significance)		Cracknell Lonergan Response: It is not rare or endangered, it is not intact and it was not significant.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Provides evidence of a defunct custom, way of life or process	Y	N	
	Demonstrates a process, custom or other human activity that is in danger of being lost	N	N	
	Shows unusually accurate evidence of a significant human activity	N	N	It is not significant.
	Is the only example of its type	N	N	It is abundant.
	Demonstrates designs or techniques of exceptional interest	N	N	It is not exceptional.
	Shows rare evidence of a significant human activity important to a community	N	N	
Exclusions				
	Is not rare	Y	N	It is not rare.
	Is numerous but under threat	N	N	It is not under threat.
Other Comments				
	Council Response: Given that the house meets both inclusion and exclusion guidelines, it is deemed adequate to not apply this criterion. N/A Cracknell Lonergan Response:			

01 Appendix A - Assessing Heritage

The Heritage Significance Criteria

Criterion (g)		Application		Lonergan's (CLA) Response to Council Officer
Description An item is important in demonstrating the principal characteristics of a class of NSW's Cultural or Natural Places/ Environments (State significance); OR An item is important in demonstrating the principal characteristics of a class of the area's Cultural or Natural Places/ Environments (Local Significance)		Cracknell Lonergan Response: It does not.		
Grading				
Inclusions	COUNCIL OFFICER	CO	CLA	LONERGAN
	Is a fine example of its type	Y	N	It is not fine.
	Has the principal characteristics of an important class or group of items	Y	N	It displays few items of the style indicators.
	Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity	Y	N	It does not demonstrate well, any custom other than the day to day.
	Is a significant variation to a class of items	N	N	It is not significant.
	Is a part of a group which collectively illustrates a representative type	Y	N	2 of the group of 3 has been demolished.
	Is outstanding because of its setting, condition or size	N	N	It has no setting.
	Is outstanding because of its integrity or the esteem in which it is held	N	N	It has no integral link with it's history.
Exclusions				
	Is a poor example of its type	N	N	It is poor.
	Does not include or has lost the range of characteristics of a type	N	N	It has few and lost others of the characteristics of the style.
	Does not represent well the characteristics that make up a significant variation of a type	N	N	It is not a variant type.
Other Comments				
	Council Response: The house (especially viewed externally, from the public domain) retains its ability to demonstrate the key significant features of the late Victorian period houses in Parramatta and the work of locally significant builder, Mr Thomas Baker. Albeit much of the interior fabric is lost, a surprising number of details - e.g. brick arches, topflight above doors etc. remain, even in the interior. The house meets this criterion on local area level. Cracknell Lonergan Response: It is not significant.			

02 Appendix A - Assessment of Impact

Against NSW Heritage Council criteria

COUNCIL OFFICER	LONERGAN
<ul style="list-style-type: none"> Have all options for retention and adaptive re-use been explored? <p>Mr Lonegran, in reply to these criterion, states: "As the cottage on the subject site has little original fabric remaining, it has very little significance thereby even though retaining or attempting adaptive reuse of the structure was considered it was not found to be a feasible option."</p> <p>Notwithstanding the meaning of the word "feasible" in this context, the report obviously does not present any explored options for reuse. It is my view that it appears based on the pre-established opinion that the house is not of heritage value.</p>	<p>I have no vested interest in the retention or demolition of the house. My only consideration was that it did not reach a benchmark of cultural significance that could be made capable of demonstrating the significant history of Parramatta.</p>
<ul style="list-style-type: none"> Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site? <p>Mr Lonegran states: "The cottage has been greatly modified therefore there are very few original or significant elements remaining, therefore there are no elements to either keep or relocate."</p> <p>Conversely, as the proposal is for amalgamation of five sites, in my opinion it is possible to develop a portion of the site with transfer of FSR, and retain the house.</p>	<p>The house is not worthy of retaining.</p>
<ul style="list-style-type: none"> Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible? <p>Mr Lonegran states: "The cottage on the subject site has been highly altered, and its significance as part of a cohesive single storied group on the street has been further compromised, therefore retaining the cottage on the site is not considered necessary or viable."</p> <p>Conversely, it is my opinion that it is conceivable that in future, with technology progressing, with increased residential density and with potential change in use, it may well be more feasible to retain the house.</p>	<p>I don't see what the progress of technology, or increased residential density has to do with the level of significance of an Item.</p>
<ul style="list-style-type: none"> Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not? <p>Mr Lonegran states: "The recommendation of this report is that the subject site is of questionable quality, integrity and heritage significance. It is not worth retaining or conserving."</p> <p>Conversely, it is my opinion that significance of the house is such that it warrants retention and conservation.</p>	<p>It is not significant. It is ordinary and in very poor condition.</p>