

# PARRAMATTA LEAGUES CLUB HOTEL DEVELOPMENT

## PEER REVIEW

Statement of Heritage and Visual Impact (Purcell,  
December 2021)



Prepared by

# RKH

ROMEY.KNAGGS HERITAGE

Final

February 2022

# Parramatta Leagues Club Hotel Development

## PEER REVIEW

### Statement of Heritage and Visual Impact (Purcell, December 2021)

(Cover image: Hassell, 2021)

|                   |   |
|-------------------|---|
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# 1 INTRODUCTION

## 1.1 Background

This report is a Peer Review of the final version of the Statement of Heritage and Visual Impact (SHVI) prepared by Purcell for the proposed Parramatta Leagues Club Hotel Development.

The Secretary's Environmental Assessment Requirements (SEARS, dated 6 November 2017) for SSD 8800 required<sup>1</sup>:

- *A visual impact assessment is required to identify the visual changes and view impacts of the project to/from key vantage points and surrounding land. Photomontages or perspectives should be provided showing the project.*
- *The visual impact assessment must consider the impact of the project on key views to and from places of heritage significance including important views as identified within the Conservation Agreement for the protection and conservation of World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta.*

The Purcell SHVI was prepared to address these requirements.

In September 2021, Romey.Knaggs Heritage (RKH) was commissioned by APP Corporation, project managers for the development, to prepare a Peer Review of the SHVI. The appointment was in response to a recommendation from the NSW Office of Environment and Heritage (OEH) on 22 February 2019 as delegate of the Heritage Council of NSW. The comment provided by OEH reads:

*The Statement of Heritage and Visual Impact (SHVI) prepared by Purcell (November 2018) concludes that the proposal does not present a significant impact on views to, from and between the adjacent significant heritage items, nor that it has no [sic] significant impact on their heritage values. The Heritage Council does not agree with the conclusions of the proponent's assessment. We recommend that this assessment be peer reviewed by and independent heritage expert.*

In response to the advice from OEH, Purcell then prepared a number of addendums to the original SHVI, which were subsequently consolidated into a single comprehensive SHVI report (dated 19 October, 2021).

RKH provided preliminary comments in November 2021 on the SHVI, particularly with regard to the analysis of significant view impacts, as well as other additional information and clarifications. RKH provided further, more detailed, comments in early December 2021.

In response to the comments provided by RKH, Purcell has further revised the SHVI. This Peer Reviews report addresses the final version of the SHVI report (dated 15 December 2021).

Prior to the finalisation of this Peer Review report, preliminary and second draft versions were

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<sup>1</sup> SEARS SSD 8800 Key Issue 5: Visual Impacts, p.2.

provided to the project team. The objective was to allow the project team to respond with any corrections to factual errors or omissions in the draft reports. However, the outcomes and conclusions of the report were determined solely by RKH on the basis of the information available.

## 1.2 Methodology

RKH is not aware of any mandatory standard methodology for peer review reports in NSW, but understands that these are required from time to time to assess the adequacy of an environmental or heritage assessment. There are a number of guidelines for broader landscape impact assessments, including the *Guideline for Landscape Character and Visual Impact Assessment* (Transport for NSW) and the guideline for the *Use of Photomontages* (NSW Land and Environment Court).

The Victorian Department of Land, Water and Planning (DLWP) has prepared an Advisory Note 'Peer Review and Quality Assurance'<sup>2</sup>, that includes the following definition:

*A peer review is undertaken by reviewers external to an organisation to verify that investigation and assessment methods are suitable and meet best practice environmental assessment and are consistent with the body of technical knowledge in the subject area. In the context of an EES [Environmental Effects Statement], a peer review typically verifies that work is technically sound, conclusions are supported and clearly covers the relevant matters identified in scoping requirements and Ministerial Guidelines. This will include reviewing whether it is based upon appropriate data, has adopted suitable methods for assessment and that conclusions are supported by the work presented.*

Concerning outcomes of a peer review, the DLWP Advisory Note states:

*A peer reviewer is not expected to be more expert than a study's author. In most cases, there is no expectation that the author will 'take direction' from a peer review. Residual areas of disagreement may remain, particularly in areas that are non-quantifiable or emerging. This should not be viewed as a negative outcome but simply reflects the robust and scientific debate that is common within assessment of some environmental effects that are more uncertain or complex. In such circumstances, the peer reviewer would indicate any outstanding issues, and whether, in their opinion, they are material to the technical integrity of the report and its conclusions.*

*It would be prudent (or required in some cases) for the advice from proponent led peer reviews, to be provided to the ... [project team] for consideration, together with a revised technical report that responds to the review.*

In response to the advice from OEH, and in consideration of the available guidelines, this Peer Review of the SHVI for the proposed Parramatta Leagues Club Hotel Development will examine:

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<sup>2</sup> [https://www.planning.vic.gov.au/\\_\\_data/assets/pdf\\_file/0016/424231/Advisory-Note-EES-Peer-Review-and-Quality-Assurance.pdf](https://www.planning.vic.gov.au/__data/assets/pdf_file/0016/424231/Advisory-Note-EES-Peer-Review-and-Quality-Assurance.pdf)

1. Whether the overall investigation and assessment methodology is appropriate and adequate to assess the potential visual impacts on heritage places in the vicinity of the proposed development site (refer to Section 3.1);
2. Whether the analysis of the impacts of the selected views in the SHVI is rigorous and objective (refer to Section 3.2);
3. Whether the SHVI responds adequately to the relevant approval authority controls and guidelines (refer to Section 3.3); and
4. An overview commentary of the SHVI conclusions (refer to Section 3.4).

As noted above, and in response to the DLWP Advisory Note recommendation, RKH has provided feedback to the project team that has resulted in a number of revisions to the SHVI.

Section 4 of this Peer Review report also provides a summary assessment of the adequacy of the SHVI report in identifying and quantifying the potential impacts on significant view views to and from the heritage places within the vicinity of the proposed development.

## 1.3 Limitations

This Peer Review has been prepared in response to the final version of the SHVI report (dated 15 December 2021). It is not, and is not intended to be, an assessment of any other heritage issues that might arise from the proposed Parramatta Leagues Club Hotel Development project.

This Peer Review is only concerned with the impacts on heritage views to the development from adjacent statutory listed heritage items. It is not a peer review of any other environmental, planning, heritage or archaeological assessments that may have been prepared for the proposed development.

The Limitations of the SHVI (December 2021) are also noted:

*This preliminary assessment focuses on the potential impacts of the development on the visual setting and context of the site and the adjacent items of World, National, State and Local heritage significance. The analysis considers the potential impacts of the proposal on the World Heritage and national heritage values of the OGHG and national heritage values of the PNHS. In addition it considers the potential impacts to the North Parramatta Conservation Area given considerations of vicinity (5.10, 5(c)) within the Parramatta LEP 2011.*

*This assessment does not consider the Old Government House Conservation & Management Plan (1997) and Supplementary Volume (2001), prepared by the National Trust of Australia (NSW).*

*Wider Archaeological values and potential impacts (both Aboriginal and European) and Interpretation Strategies for the communication and enhancement of values and significance have been prepared by others. No assessment has been undertaken on the social values through community consultation, or other means, nor of the potential impacts to natural values.*

*The assessment assumes accuracy of the modeled views prepared by HASSELL, and conformance with the methodology Section 2.5.*

*Access limitations to the Norma Parker Centre have resulted in some images being taken in the*



*public domain, adjacent defined views, and in the general direction of those views.*

*Consultation beyond government bodies is beyond the Purcell brief and scope of services.*

## 1.4 Authorship

This Report has been prepared by Mary Knaggs and Peter Romey, Directors of Romey.Knaggs Heritage (RKH).

# 2 CONTEXT OF THE SHVI

## 2.1 Site Identification

The PLC Hotel Development site is identified as Lot 369 DP 752058, Lot 7054 DP 1074335, Residual Crown Plan 80-300 (Sydney), forming part of the Crown Lands of Parramatta Park. It is approximately 3,500m<sup>2</sup> and currently contains at grade parking on a bitumen surface, trees and services. The site is owned by the Parramatta Park Trust and is under exclusive lease to the PLC. The site is to the south of the current PLC building and north of the Parramatta Stadium.

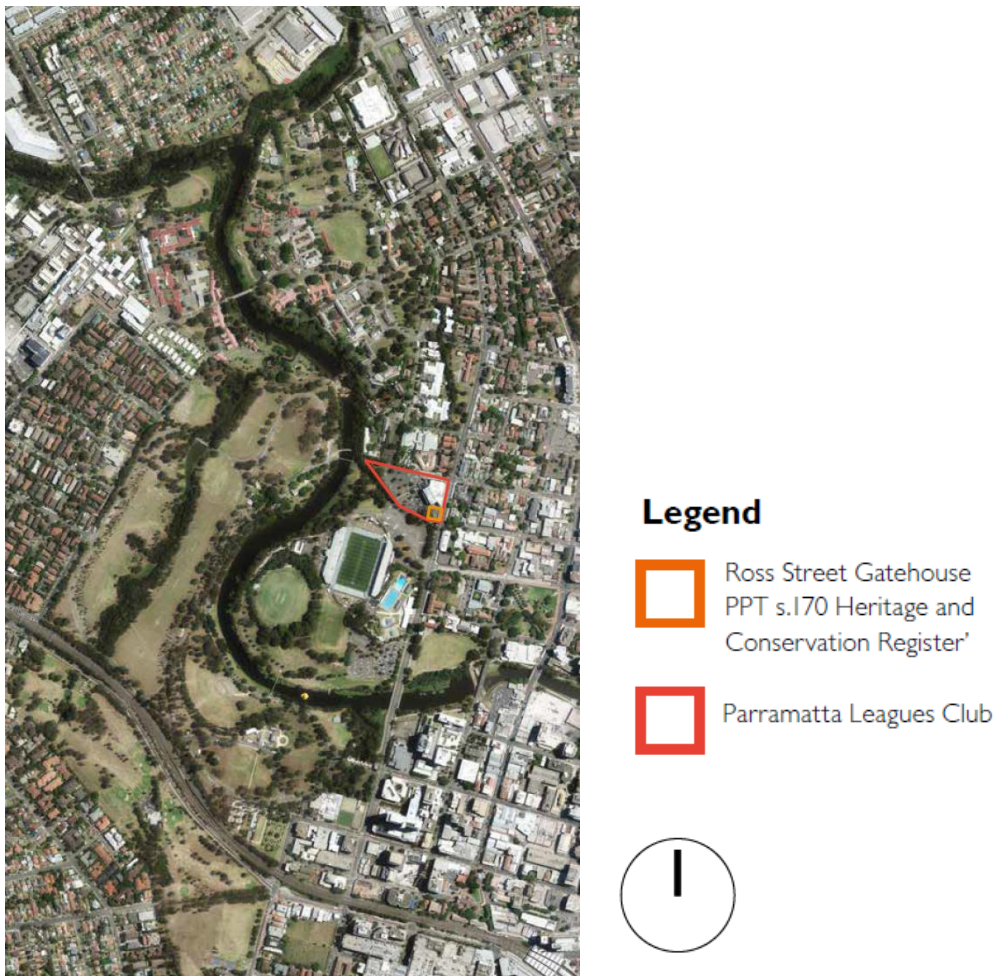


Figure 1: Location of the whole Parramatta Leagues Club (Source Purcell 2021). See Figure 2 for information on the PLC Hotel Development Site.



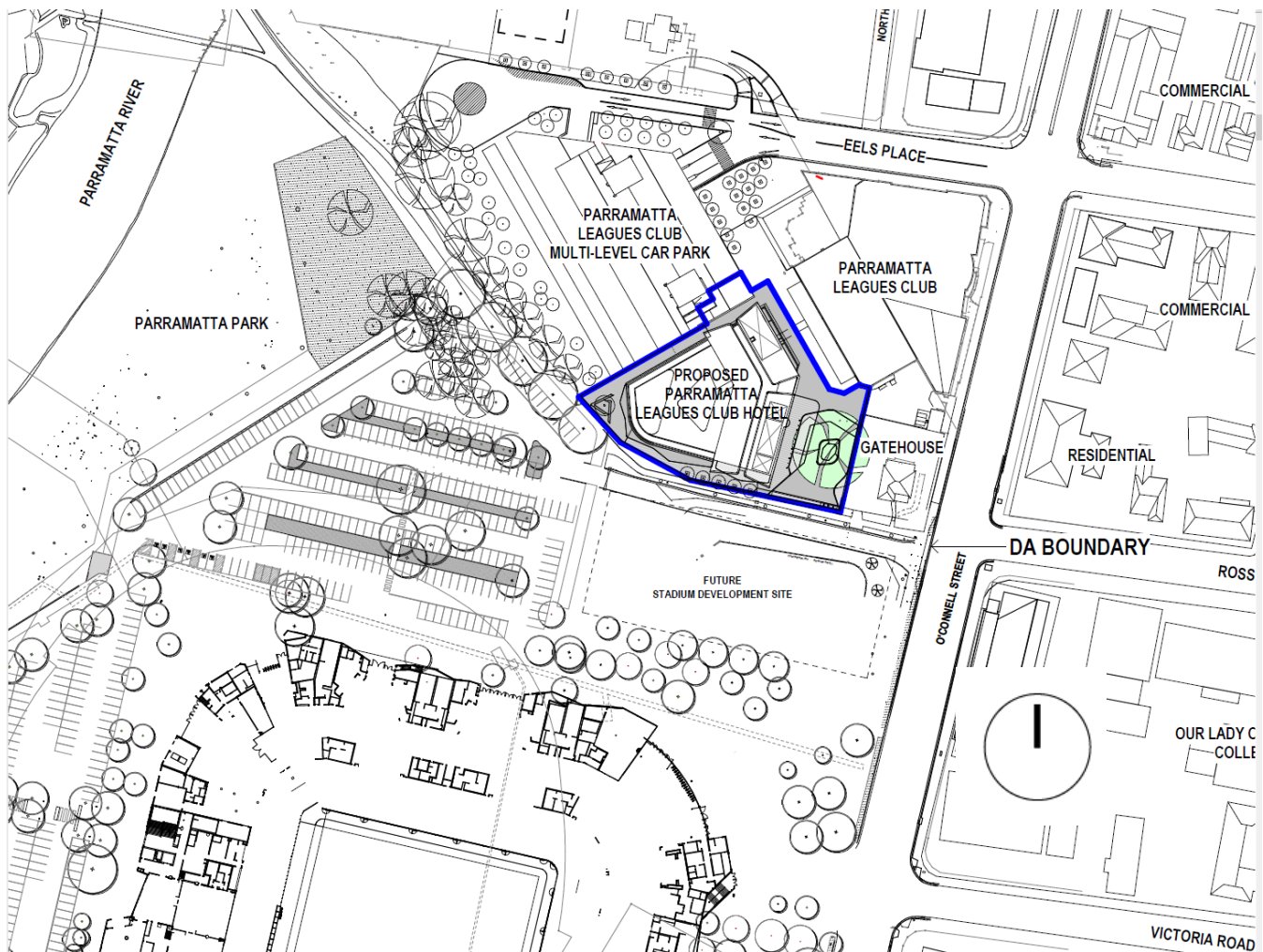


Figure 2: The PLC Hotel Development Site is outlined in blue (Source: Hassell 2021).

## 2.2 The Development Proposal

Section 5 of the SHVI contains a brief description of the proposed development:

The proposal includes demolition of all existing form and erection of a fifteen (15) storey hotel building (plus a single level basement for services). The hotel will include 190 beds and the lower four levels will contain café, fitness/recreation uses and a function room. Proposed access is from O'Connell Street. The proposal includes public domain works and services upgrades to integrate the building into the surrounding area and infrastructure.

No additional parking is proposed, given the adjoining approved large multi-level carpark.



Figure 3: Ground Level Landscape Plan (Source: Hassell 2021). A large mature tree is retained.



Figure 4: GA Floor Plan Level 14 - Hotel and Roof Terrace Bar (Source: Hassell 2021).

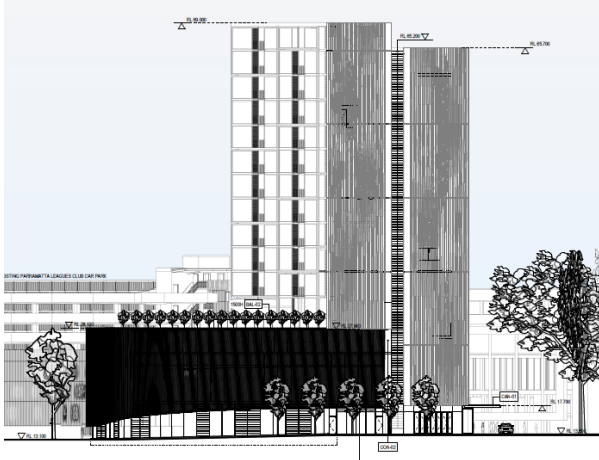


Figure 5: Southwest elevation (toward OGH) (Source: Hassell 2021).



Figure 6: View from O'Connell Street – existing and with the proposed development (Source: Hassell 2021).



Figure 7: View from the Northern Access Road – existing and with the proposed development (Source: Hassell 2021).



## 2.3 Statutory, Design Review and Heritage Context

The 2018 EIS for the project contains the following information in its Executive Summary which has assisted in understanding the statutory, design review and heritage context<sup>3</sup>:

*In November 2017, Secretary Environmental Assessment Requirements (SEARs) were issued by the NSW Department of Planning and Environment for the proposal (SSDD 8800), which is State Significant Development due to being a hotel over \$100 million in Capital Investment Value (CIV). Since that time, the Parramatta Leagues Club and its' consultant team have worked through a Design Excellence Strategy and subsequent process, which included establishment of a Design Review Panel, chaired by the NSW Office of Government Architect, including the Parramatta Council City Architect and an independent well-regarded architect and urban designer. This included three panel meetings/workshops, which were positive and were embraced by the proponent team, with the process assisting in improving the design development of the proposal. The activation and ground floor/public domain was refined and the building better modulated and conceived as a result of this process. This included greater articulation and a slight reduction in the height compared to the SEARs request, with a stepping of the roof form.*

The design of the proposal has been further refined by a reduction in height after consultation OEH, Parramatta Council and DPIE. The SHVI Introduction (Section 1.1) summarises this evolution:

*The originally proposed building form was subsequently reduced [subsequent to the original 2018 DA design] by an overall height of 6m, including a reduction of 19 hotel rooms, revision of the podium and reduction of approximately 2,100 sqm of Gross Floor Area. Changes to access to the development have also been made. This action was in response to consultation with the Office of Environment and Heritage (OEH), and OEH correspondence of 22 February 2019 in response to Exhibition SSD 8800 (OEH ref: DOC19/28356). In addition it was responsive to the consultation with the City of Parramatta and DPIE, which recommended a review of the height, bulk, and scale of the development, and ensuring that the building met all relevant controls within the Parramatta Development Control Plan 2011 (city of Parramatta Reference NCA/8/2017, 21/03/2018; DPIE Response to Submissions SSD 8800 1/4/2019).*

Section 2.1 of the SHVI lists the EPIs, Policies and Guidelines referenced in the report.

Section 4 assesses the proposed development against the relevant statutory considerations relevant to the SHVI (refer to Section 3.3 of this report).

## 2.4 Background Documents

In preparing this Peer Review, RKH undertook a review of all relevant project information, including reports and guidelines related to development within Parramatta, especially in the vicinity of Old

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<sup>3</sup> Perica & Assoc. (17 Dec 2018) Environmental Impact Statement – 1 Eels Place, Parramatta: New Hotel, with associated fitness and wellness uses (SSD 8800), p.8.

Government House and Domain - particularly, but not exclusively, the '*Technical Report Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage listed Values*' (Planisphere, 2012).

RKH have also considered relevant development controls and communications from the various consent authorities including:

- SEARS SSD 8800
- Parramatta Local Environmental Plan 2011
- Parramatta Development Control Plan 2011
- Parramatta North Historic Sites Consolidated Conservation Management Plan (TKD Architects, March 2017)
- Conservation Agreement for the Protection and Conservation of World and National Heritage Values of the Australian Convict Sites, Old Government House and Domain, Parramatta
- Technical Report Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage listed Values (Planisphere, 2012)
- National Heritage Management Principles

## 2.5 Terms and Abbreviations

This Peer Review employs the terminology outlined in the *Australia ICOMOS Burra Charter for Places of Cultural Significance* 2013 (the Burra Charter).

In this document the following definitions and abbreviations are relevant:

|                              |   |
|------------------------------|---|
| Burra Charter                | <p>The Burra Charter sets out the standard for best practice heritage and conservation work in Australia. The Charter is issued by the peak heritage group Australia ICOMOS (the International Council of Monuments and Sites). Refer to <a href="http://www.icomos.org/australia/">www.icomos.org/australia/</a>.</p> <p>Although the Burra Charter is not cited formally in an Act, it is nationally recognised as a document that shapes the policies of the Heritage Council of NSW and Heritage NSW. In December 2004 the Heritage Council formally endorsed the Burra Charter as the key policy document that underpins heritage management in New South Wales and Australia.</p> |
| CMP                          | See Conservation Management Plan  |
| Conservation                 | Includes preservation, protection, maintenance, restoration and adaptation (definition from the Australia ICOMOS Burra Charter 2013).   |
| Conservation Management Plan | CMPs are the main guiding document for the conservation and management of heritage assets <sup>4</sup> . A CMP has been defined in Jim Kerr's The Conservation Plan as 'a document which sets out what is significant about a place and consequently what policies are appropriate which enable that significance to be retained in its future use and development. For most places it deals with the management of change <sup>5</sup> .'  |
| Heritage Council of NSW      | <p>The Heritage Council of NSW is an advisory body created by the Heritage Act in 1977. Its membership reflects a cross-section of community, government and conservation expertise.</p> <p>The Heritage Council makes decisions about the care and protection of heritage places and items that have been identified as being significant to the people of NSW. The</p>  |

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<sup>4</sup> Heritage NSW website <https://www.heritage.nsw.gov.au/protecting-our-heritage/conservation-management-plans/>

<sup>5</sup> Kerr, J.S. 2013, The Conservation Plan, Australia ICOMOS.

|                                |  |
|--------------------------------|--|
|                                | council provides advice on heritage matters to the Minister, including recommendations for places and objects to be listed on the State Heritage Register.   |
| Heritage NSW                   | The Heritage NSW is the State government agency concerned with heritage in NSW. It is based in Parramatta. Its mission is 'to help the community conserve our heritage'. This includes: working with government and communities to help them identify their important places and items; providing guidance on how to look after heritage assets; and maintaining the NSW heritage database, an online list of all statutory-listed heritage items in NSW. Currently Heritage NSW sits under the Premier's Office.  |
| HVIA                           | Heritage Visual Impact Assessment (see also SHVI).   |
| OGHD Conservation Agreement    | Conservation Agreement for the Protection and Conservation of World and National Heritage Values of the Australian Convict Sites, Old Government House and Domain, Parramatta.   |
| Planisphere Technical Report   | Technical Report Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage listed Values  |
| SEARS                          | Secretary's Environmental Assessment Requirements (dated 6 November, 2017).  |
| SHVI                           | Statement of Heritage (and) Visual Assessment.   |
| SSD                            | State Significant Development.   |
| LEP                            | Local Environment Plan for a local government area under the NSW Environmental Planning and Assessment Act 1979.   |
| SHI                            | State Heritage Inventory   |
| State Agency                   | All NSW State government instrumentalities, organisations and agencies required to prepare heritage and conservation registers in accordance with section 170 of the Heritage Act.   |
| State Heritage Inventory (SHI) | <p>The State Heritage Inventory is a database of heritage items in New South Wales which includes:</p> <ul style="list-style-type: none"> <li>- declared Aboriginal Places</li> <li>- items listed on the State Heritage Register listed Interim Heritage Orders</li> <li>- items on State Agency Heritage Registers, and,</li> <li>- items listed of local heritage significance on a local council's Local Environmental Plan.<sup>6</sup></li> </ul>  |
| State Heritage Register (SHI)  | The State Heritage Register is a list of places and objects of particular importance to the people of NSW. The register lists a diverse range of places, buildings and objects including: Aboriginal places, buildings, objects, monuments, gardens, natural landscapes, archaeological sites, shipwrecks, relics, streets, industrial structures, public buildings, shops, factories, houses, religious buildings, schools, conservation precincts, jetties, bridges and movable items.   |
| Statutory Heritage Listings    | <p>In NSW there are several types of statutory listings.</p> <p>A property, place or item can be:</p> <ul style="list-style-type: none"> <li>- listed in the heritage schedule of a local council's Local Environmental Plan (LEP);</li> <li>- listed on the State Heritage Register under the NSW Heritage Act 1977, a register of places and items of particular importance to the people of NSW. Refer to <a href="http://www.heritage.nsw.gov.au">www.heritage.nsw.gov.au</a>;</li> <li>- Listed under Section 170 of the NSW Heritage Act on the Heritage and Conservation Register of a NSW Government Agency.</li> <li>- Listed as a World Heritage place, a National Heritage place or a Commonwealth Heritage place under the Australian EPBC Act 1999.</li> <li>- Note there are also statutory controls controlling disturbance of archaeology of known heritage significance under the NSW Heritage Act 1977 whether it is a statutory listed place or not.</li> <li>- Note there are also places of Aboriginal cultural value protected under the NSW National Parks and Wildlife Act.</li> </ul> |

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<sup>6</sup> NSW Heritage website <https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/> Accessed 20/01/2021.



## 3 PEER REVIEW OF SHVI

### 3.1 Overall Investigation and Assessment Methodology

#### 3.1.1 The Heritage Context

It is standard practice for heritage impact documents to consider the various recognised heritage values for not only the place where the development is to take place, but also for other heritage items in the vicinity. This is particularly necessary when there are statutory controls over development including:

- The EPBC Act 1999 in terms of impact on the World and National Heritage Values of Old Government House and Domain;
- Impact on heritage items and conservation areas 'in the vicinity' listed on the State Heritage Register or Schedule 5 of the Parramatta LEP 2011.

While the NSW Heritage Act does not specifically allow for consideration of indirect heritage impacts on SHR listed places, the NSW Minister for Heritage has a role under the OGHD Conservation Agreement.

Sections 4.2 to 4.7 of the SHVI consider the listed heritage places that are within the broader context of the site of the proposed development. Development on the site has the potential to adversely impact the settings and views, and hence the heritage significance, of heritage items and conservation areas in the vicinity.

#### **RKH Peer Review Comment**

The compilation of World and National Heritage value statements, statements of heritage significance and the heritage management principles for State and local heritage items in the vicinity is appropriate as it outlines the extent and relative significance of these places.

It would have been useful for the SHVI to provide an overview of the relative importance of views to and from these heritage listed places, and to provide a concluding section that would identify which of these view are the more significant and hence vulnerable to adverse view impacts.

The SHVI report is nevertheless adequate as it identifies the extent of heritage listed places in the vicinity of the proposed development site that warrant assessment in terms of potentially adverse view impacts.

#### 3.1.2 Consideration of Impacts on Key Views

It was a requirement of the 'Secretary's Environmental Assessment Requirements' (SEARs) for SSD 8800 that the visual impact assessment '*consider the impact on key views to and from places of heritage significance including important views identified within the Conservation Agreement for the protection and conservation of World and National Heritage values of the Australian Convict Sites, Old Government House and*

*Domain, Parramatta*<sup>7</sup> ('OGHD Conservation Agreement').

The SHVI considers a total of 11 views, selected from views identified in existing development controls or heritage management documents. A number of these views were added to the scope of the initial draft of the SHVI at the request of OEH (notably internal views within the Norma Parker Centre/Kamballa).

### **RKH Peer Review Comment**

The SEARs also talks about the '*potential visual impacts of the proposal on the heritage significance of heritage items in the vicinity of the site including ...*'<sup>8</sup>

The assessment of potential impacts on heritage views has not been limited to those within the OGHD Conservation Agreement, or extends to all of those broadly identified in the various heritage conservation documents for the various heritage listed places in the vicinity of the proposed development site, but has been determined through a staged process including consultation with relevant stakeholders (notably OEH).

The SHVI report is therefore adequate as it identifies the critical views to heritage listed places in the vicinity of the proposed development site that warrant assessment in terms of potentially adverse view impacts.

### **3.1.3 Visual Impact Assessment Methodology**

The SEARs SSD 8800 includes the following Visual Impact Assessment requirements<sup>9</sup>:

'The visual impact assessment, including focal lengths, must be done in accordance with Land and Environment Court principles.

#### ***Visual assessment methodology***

- *The consultant's methodology should be explicit. This may include a flow-chart indicating how the analysis is to be undertaken, or a narrative description of the proposed sequence of activities.*
- *As part of the methodology, the consultant should provide, and explain, criteria for assessment relevant to the site, local context and proposed built form and public domain outcomes. A rationale should be provided for the choice of criteria. Criteria must include reference to the planning framework.*
- *Visual catchment should be defined and explained (see below).*
- *An assessment matrix should be produced including number of viewers (sic), period of view, distance of view, location of viewer to determine potential visual impact - i.e. high, medium or low.*

#### ***Visual catchment***

- *Potential visual catchments and view locations, including contours (areas from which the development is visible) should be identified. This must include views*

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<sup>7</sup> SEARS SSD 8800 Key Issue 5: Visual Impacts, p.2.

<sup>8</sup> Ibid. Key Issue 7: Heritage and Archaeology, p.4.

<sup>9</sup> Ibid. Plans and Documents: Visual Impact Assessment, p.8.

*identified within the Conservation Agreement for the protection and conservation of World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta.*

- *Categories of views (eg from public open space, from key streets, from main buildings and from key heritage items) should be defined.*
- *Photos are required for representative view categories, plotted on a map.*

The SHVI report has considered 11 views – as noted above, these have been selected from views identified in existing development controls or heritage management documents.

In Section 6.1.1 Purcell note that the 11 views which consider visual heritage impact have been:

*'...modelled by HASSELL and show the original height and subsequent 6 metre height reduction of the Proposal. Views subject to DCP Figure 4.3.3.7.7 identify the percent of the building contained below the level of the surrounding tree canopy of Parramatta Park, as per the request of the Department of Planning and Environment, outlined within their Response to Submissions SSD 8800, dated 1 April 2019. These views have been modelled in accordance with the SEARs requirements as outlined in Section 2.5.'*

#### **RKH Peer Review Comment**

The SHVI report has relied on photography and photomontage modelling ('wire frames') prepared by Hassel on data supplied by Guy Wilkinson (BBS-Property) of Guy Wilkinson Photography.

In terms of technical methodology, the SHVI report notes in Section 2.5 that the NSW 'Land and Environment Court Principles' as outlined in the LEC Photomontage Policy have been followed.

In preparing this Peer Review report, RKH has assumed that the photomontage data supplied is accurate, has been prepared in accordance with the LEC Photomontage Policy.

The SEARS requires that *an '...assessment matrix should be produced including number of viewers (sic), period of view, distance of view, location of viewer to determine potential visual impact'*<sup>10</sup>. However, the SHVI report relies on a table which describes and rates the significance of each view, and includes a detailed assessment of the impact of each view on the heritage listed place. This methodology is superior to a simple high, medium or low rating, and is therefore adequate.

### **3.1.4 Mapping of Selected Views**

The 11 views assessed by the SHVI are shown on a map under each subsection in Section 6. On each of these maps the river, the PLC stadium and the proposed

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<sup>10</sup> SEARS SSD 8800 Plans and Documents: Visual Impact Assessment, p.8.

development site are clearly shown. Each view has a dedicated subsection under Section 6.1.2 with a summary at 6.1.3. Other views related to the North Parramatta Historic Site are considered under individual subsections in Section 6.1.4.

For View 10 from the Dairy Precinct (the original view in the Planisphere Technical Report) has been extended slightly to the north to include the proposed development.

### **RKH Peer Review Comment**

It is assumed the SHVI view locations are technically accurate. The maps are clear as to the physical location of each view in relation to the proposed development site.

Although the maps are reduced, they are of reasonable clarity so that contours and street names are legible.

Most of the photomontage also show the adjacent development height control envelopes, and it would have been useful to also show these development sites on each map. However the Parramatta LEP 2011 Height of Buildings control map (HOB\_009) is provided as Annexure J in the Report. The extension of the Planisphere Technical Report View 10 to include the proposed development is commended.

Overall, the quality and clarity of the mapping to locate each of the selected views is adequate.

## **3.1.5 Information and Assessment for Selected Views**

For the views identified in the Planisphere Technical Report (Views 2, 3, 4, 6, 9, 10 & 16), the outline of the proposed development is graphically illustrated as a photomontage. Each subsection includes:

- Existing view showing no development;
- View showing a 'wire frame' outline of the proposed development (or where the development is out of the frame then an arrow indicating its location) as originally proposed and at the current proposed (reduced) height: and,
- View showing a 'wire frame' outline of the proposed development, plus the potential development envelope permissible under the Parramatta LEP 2011 height controls.

In addition to the view location photomontages, the following headings are provided as a table for each view subsection:

- View location
- Direction/type (types are 'point to point' or 'point to area')
- Description
- Physical components
- Experiential/sensory components
- Aesthetic considerations (composition/visual quality/rarity)
- Values significance (where provided in a secondary document)
- Urban design/park management notes (particularly extant landscaping restricting views)

For the views within the Parramatta North Historic Site (Views 6C, 48, 49B & 51), the

SHVI report provides a simplified but more heritage focused set of headings (derived primarily from the PNHS CMP). These are:

- Description
- Significance
- Preliminary Management Recommendations

As noted in Section 3.1.3 above, the tables all include a detailed assessment of the impact of each view on the heritage listed place.

### **RKH Peer Review Comment**

It is noted that, in regard to the potential development envelope permissible under the Parramatta LEP 2011, other heritage and town planning considerations could result in development that is not able to achieve these hypothetical envelopes. The integrity of the SHVI report would be enhanced if this contingency was to be set out for each relevant view.

For View 49b (within the main courtyard of the Norma Parker Centre/Kamballa complex), a more realistic architectural representation of the proposed development is included. This additional detail is warranted due to the potential visual prominence of the proposed development.

For those photomontage views showing the potential development envelope permissible under the Parramatta LEP 2011 height controls, the SHVI *'...recognizes that the full envelope of allowable development under these controls may not be achieved and does not assume that they afford any visual mitigation of the proposal and its potential impacts'* (refer to SHVI Section 2.5). This is an important qualification for comparing the visual impact of the proposed development against the possible mitigating impacts of future developments in its context.

Overall, the overall methodology for the provision of information and heritage impact assessment relevant to each selected view is considered adequate.

## **3.2 Analysis of Selected View Impact Assessments**

The SHVI assessment of heritage impact under each of the selected views is considered in this section (relevant extracts from the SHVI heritage impacts assessments are in italics, but are not repeated in full).

### **3.2.1 View 2 (OGHD): Looking NE to OGH**

Viewing Location: Looking NE toward OGH.

This view is not subject to the OGHD Conservation Agreement height control.

*Values significance: HIGH*

*Visible layering of landscape elements including pathways, dovecote and the prominence of OGH itself. Significant, parkland setting evocative of the colonial era (Macquarie and later Governors), no visual intrusion from new buildings.*

## **Assessment**

*The significance of the view is not impacted in that the visible layering of landscape elements and of OGH itself is retained. The significant parkland setting evocative of the colonial era is retained without impact. The proposal will not result in visual intrusion of new built form.*

## **RKH Comment**

The photomontage shows the height of the proposed development reduced to the ridge height of the OGH outbuilding (which is also below the ridge of the main OGH building). This is comfortably below the existing middle ground tree canopy.

The SHVI provides no analysis of the types of trees providing the tree canopy for this view. These appear to be a combination of mature and young traditional trees (possibly a Port Jackson and an oak) in the OGH courtyard, with mature native plantings along the OGH northeast boundary. The mature native trees seem to provide most of the tree screening. Given many native trees are short lived, it should be acknowledged that maintaining tree plantings will be necessary to address the possible future risk for this view.

Other than the abovementioned issue of tree longevity, the SHVI assessment is supported.

### **3.2.2 View 3 (OGHD): OGH to Former Kings School**

Viewing Location: NE Corner of OGH to former Kings School.

This view is subject to the OGHD Conservation Agreement height control (ie 80% of the building height is to be contained below the level of the surrounding established tree canopy).

*Values significance: HIGH*

*Very strong layering of landscape elements including the School building, church spires and Government farm which provide historical connection to colonial era. Tree lined ridge on the horizon helps to evoke a sense of the rural.*

## **Assessment**

*The visual modelling indicates that 100% of the building height is contained below the tree canopy.*

## **RKH Comment**

The photomontage shows the height of the proposed development reduced to be comfortably below the existing distant tree canopy, and is therefore compliant with the OGHD Conservation Agreement height control.

The SHVI provides no analysis of the types of trees providing the tree canopy for this view. These appear to be mostly mature native plantings along the slopes either side of the Parramatta River. Given many native trees are short lived, it should be



acknowledged that maintaining tree plantings will be necessary to address the possible future risk for this view.

Other than the abovementioned issue of tree longevity, the SHVI assessment is supported.

### 3.2.3 View 4 (OGHD): From Crescent North

Viewing Location: From the rear of OGH (actually NE from a point above the Crescent near OGH).

This view is not subject to the OGHD Conservation Agreement height control.

*Values significance: MODERATE*

*'Good views of the Amphitheatre with no visual intrusion from new buildings. Views reflect the natural topography of the area the vegetated hills on the horizon which help to reinforce the rural character of the place.'*

#### **Assessment**

*The view contained within the Technical Guide is dominated by the immediate foreground being wooden fencing, bush, young trees and shrubby understory. This blocks view to the foreground, middle and background as described within the Technical Guide. For the purposes of this assessment the modelled views have been taken from an alternate location on the Crescent North, being one with clear view over the foreground and toward the direction of the proposal within the background.*

*The modelled views indicate that the PLC Hotel proposal will not be visible from this viewing location. The proposal is contained within the tree canopy.*

*The proposal does not impact the physical components of the views from the Crescent North.*

#### **RKH Comment**

The photomontage shows the height of the proposed development reduced to be visible only just above the existing distant tree canopy.

The SHVI provides no analysis of the types of trees providing the tree canopy for this view. These appear to be mostly mature native plantings along the slopes either side of the Parramatta River and along the southern boundary of the Parramatta Stadium site. Given many native trees are short lived, it should be acknowledged that maintaining tree plantings will be necessary to address the possible future risk for this view.

Other than the abovementioned issue of tree longevity, the SHVI assessment is supported.

### 3.2.4 View 6 (OGHD): Crescent to City

Viewing Location: View towards the city from the from the Boer War Memorial Steps (actually from a lower level of central Boer War Memorial steps down to amphitheatre of

Crescent).

This view is not subject to the OGHD Conservation Agreement height control.

*Values significance: MODERATE*

*Layering of landscape elements including the crescent and the river. Views north towards the tree'd ridgeline create a sense of openness and rurality against the city.*

### **Assessment**

*The view contained within the Technical Guide is toward 1 Sorell Street, the Park Royal Hotel and the NSW Registry Building. All are located adjacent the Parramatta River corridor to the southeast of the subject site. The site photos taken for the purpose of this assessment indicate that the proposal does not fall within this view, and as such an assessment has not been undertaken.*

### **RKH Comment**

It is understood that this view was included at the request of OEH. The visual impact of the development at 323 Church Street (carried out since the 2012 Planisphere Technical Report) is clearly visible in the view, strengthening the need to protect other views from above the Crescent, such as View 4 are discussed in Section 3.3.3 above.

The SHVI assertion that that the proposed development does not fall within this view, and that therefore it is not necessary to include an assessment of any impacts, is supported.

## **3.2.5 View 9 (OGHD): Northern Crescent to City**

Viewing Location: Dairy Precinct.

This view is not subject to the OGHD Conservation Agreement height control.

View Significance (as Given in Purcell Report)

*Values significance: MODERATE*

*Views towards the amphitheatre area and river provide some sense of a layering of landscape elements. City buildings are prominent to the east. Tree lined ridge visible to the north.*

### **Assessment**

*The view contained within the Technical Guide is toward 1 Sorell Street, the Park Royal Hotel and the NSW Registry building. All are located adjacent the Parramatta River corridor to the southeast of the subject site. The site photos taken for the purpose of this assessment indicate that the proposal does not fall within this view, and as such an assessment has not been undertaken.*

### **RKH Comment**

It is understood that this view was included at the request of OEH. The visual impact of the development at 323 Church Street (carried out since the 2012 Planisphere Technical

Report) is clearly visible in the view, strengthening the need to protect other views from above the Crescent, such as View 4 are discussed in Section 3.3.3 above.

The SHVI assertion that that the proposed development does not fall within this view, and that therefore it is not necessary to include an assessment of any impacts, is supported.

### 3.2.6 View 10 (OGHD): Dairy Precinct

Viewing Location: Dairy Precinct (actually looking east towards the Dairy from a point across the open grassed area to the west). The SHVI extends the view provided in the Technical Report to include the site of the proposed development to the north (refer to SHVI p.26).

This view is subject to the OGHD Conservation Agreement height control (ie 80% of the building height is to be contained below the level of the surrounding established tree canopy).

*Values significance: HIGH*

*Strong layering of landscape elements including dairy buildings, alignment of former carriageway and landscaped parkland. Rural qualities. Tree lined creek terminates views creating closure.*

#### **Assessment**

*The proposal does not impact on the physical, experiential or sensory components of the view. The dairy precinct and park like setting is retained with the proposal being situated beyond and screened from the immediacy of the foreground.*

*Being situated the immediate foreground and foreground of the view the proposal retains the strong layering of landscape elements including dairy buildings, alignment of former carriageway and landscaped parkland of the wider viewing location. Rural qualities are retained.*

*The proposal is consistent with the Urban Design and Park Management notes in that it does not impact the tree line which protects the significant components of the view.*

*This view is subject to the conservation agreement height control which requires that:*

*At least 80% of the building height must be contained below the level of the surrounding established tree canopy of Parramatta Park when viewed from any of the key viewing locations from OGHD shown in Figure 4.3.3.7.7. Any building elements must be oriented so as to minimise the visual impact from these viewing locations.*

*The visual modelling indicates that 95% of the building height is contained below the tree canopy.*

#### **RKH Comment**

The photomontage shows the height of the proposed development reduced to be mostly screened by a large mature tree in the middle ground.

There are already two tall buildings that impact on the extended view context within View 10. However, the proposed development would not impact on the heritage values of this view because it would be substantially screened by mature trees in the middle ground, and is therefore compliant with the OGHD Conservation Agreement height control.

The SHVI provides no analysis of the primary tree providing the screening for this view, which appears to be a long lived European species. It should be acknowledged that maintaining tree plantings will be necessary to address the possible future risk for this view.

Other than the abovementioned issue of tree longevity, the SHVI assessment is supported.

### 3.2.7 View 16: Mays Hill (OGHD)

Viewing Location: Mays Hill.

This view is not subject to the OGHD Conservation Agreement height control.

*Values significance: MODERATE*

*There is a strong layering of landscape elements Parramatta Park and the City visible.*

#### **Assessment**

*The proposal does not impact the immediate foreground or foreground described within the Technical Guide. The proposal sits within the panoramic views of the middle ground, over the treetops to Parramatta Park. Given its relative scale within the panorama it does not greatly impact on the majority green outlook to the northwest or the long range views toward the tree'd horizon.*

#### **RKH Comment**

There are already several tall buildings that impact on the extended view context within View 10. However, the proposed development would not exacerbate the existing impact on the heritage values of this view because it would be substantially screened by mature trees in the middle ground, but more importantly is distant compared to the existing tall buildings that already dominate the view.

The SHVI assessment is supported.

### 3.2.8 PNHS CMP View 6c: Byrne's Avenue (South)

Viewing Location: Byrnes's Avenue (South), Causeway and Pedestrian bridge to Norma Parker Centre/Kamballa Site and Cumberland Hospital (East Campus).

This view is considered as being of heritage significance in the Parramatta North Historic Sites Consolidated CMP.

#### **Significance**

*The glimpses of the buildings and walls of the Norma Parker Centre/Kamballa site, the weir and the Female Factory/Lunatic Asylum Precinct in the distance are a remnant of once expansive views that existed up until the 1980s. Re-instatement of the views would greatly assist with interpretation of the development of both sites. It would also assist with an appreciation of the aesthetic qualities of the Female Factory/Lunatic Asylum Precinct within its riverfront setting including the formal lawn terraces and cultural plantings down to the river edge.*

### **Assessment**

*The proposal is situated outside of the 'Historic Core' of the PNHS and Norma Parker Centre/Kamballa site. The proposal is partially visible from this viewing location.*

*The height of the proposal accords with the upper tree canopy of the surrounding vegetation. Its bulk is mitigated by its form which reduces potential visual impact associated with a mass façade. The responsiveness of the design to the relevant controls is further outlined within Section 6.2.*

Note: Assessment based on Parramatta North Historic Sites Consolidated CMP.

### **RKH Comment**

The SHVI description that the height of the proposed development 'accords with the upper tree canopy of the surrounding vegetation' does not acknowledge that a major part of the hotel tower will be prominent in this view. Moreover, the inclusion of potential development envelopes that might ensue to mitigate the prominence of the proposed development needs to be qualified (as the SHVI does in Section 2.5) with the possibility that these may not be approved. The suggestion that the bulk of the proposed hotel tower would reduce impacts for this view would need to be supported by an actual photomontage.

Nevertheless, it is accepted that the key views from this location are to the Norma Parker Centre/Kamballa precinct to the northeast. It is noted that the proposed development would not prevent reinstatement of the views to the Norma Parker precinct from this location, as discussed in the SHVI Significance section.

Notwithstanding that the prominence of the proposed development from the viewing location, it is accepted that views to the Norma Parker Centre/Kamballa precinct will not be adversely impacted. Subject to the abovementioned qualification, the SHVI assessment is supported.

## **3.2.9 PNHS CMP View 48: Between Main Building and Superintendent's Garden**

Viewing Location: Between Main Building and Superintendent's Garden

Note that access the Norma Parker grounds was not available when the SHVI surveyor and photographer visited the site to set up the photomontage. The view provided is actually on Fleet Street looking south toward the proposed development.

## **Significance**

*The visual relationship between the Main Building and the former Superintendent's Garden makes an important contribution to the historic and aesthetic values of the Main Building and the wider Norma Parker Centre/Kamballa site. The open spatial qualities of the garden makes an important contribution to the setting of the Main Building when viewed from Fleet Street and from within the Garden.*

## **Assessment**

*The proposal, when viewed from Fleet Street, is partially visible in middle distant views. Lower podium levels will be screened by existing built form between Fennell Street and Eels Place with deciduous and ever green street trees along Fleet Street affording additional screening.*

*When considering the potential visual impact within the Superintendent's Garden it is to be noted that site lines to the proposal will likely be screened by established pines and the three storey Main Building which is in the immediate foreground and the siting of the proposal some 315 metres toward the south.*

Note: Assessment based on Parramatta North Historic Sites Consolidated CMP.

## **RKH Comment**

The actual location of the Parramatta North Historic Site CMP View 48 is north of the 3-storey main building at Norma Parker (Superintendent's Quarters) looking to the south toward the proposed development. The proposed PLC hotel will be substantially screened by the main building and existing vegetation on the Norma Parker site.

In terms of impacts on views to the south from Fleet Street immediately to the east of the View 48 location and the main building, the proposed PLC hotel will be partly screened by existing street trees, except when the deciduous varieties lose their leaves. When this occurs, the proposed development will be much more prominent from Fleet Street, but probably less so from within the Norma Parker complex.

As for View 6c, the inclusion of potential development envelope that might ensue to mitigate the prominence of the proposed development needs to be qualified (as the SHVI does in Section 2.5) with the possibility that these may not be approved.

Subject to the qualification that views of the proposed development will be prominent from Fleet Street when the deciduous street trees lose their leaves, the SHVI assessment is supported.



### 3.2.10 PNHS CMP View 49b: Within Main Complex Courtyard

Viewing Location: Within the Main Complex Courtyard (Norma Parker/Kamballa looking south).

#### **Significance**

*The views within the Main Complex courtyard make an important contribution to the historic and aesthetic values of the Norma Parker Centre/Kamballa site and to the original Roman Catholic Orphan buildings in particular. The views allow for an understanding of the visual and functional relationships between the buildings and their operations over 150 years.*

#### **Assessment**

*While the proposal will not directly impact the significance of this internal view it will be partially visible from within the Main Complex Courtyard. From this viewing location the overall height of the proposal aligns with that of the ridge line of the Chapel. The articulated ridgeline and form of the proposal will lessen the perceived bulk and mass of the proposal when viewed from this location. The balance of fenestration and mixed material palette (Drawings 211020\_A.Architectural Drawings 4 – Façade Systems & External Finishes, Hassell), including plantings will also lessen perceived bulk and mass. The elevation of the proposal visible from this location does not include signage, and plant and equipment is concealed from view. Shadow Analysis indicates that the Norma Parker Centre/Kamballa site will not be impacted by overshadowing (Drawings 211020\_A. Architectural Drawings 5 – Shadow and Swept Path Analysis Hassell).*

Note: Assessment based on Parramatta North Historic Sites Consolidated CMP.

#### **RKH Comment**

The SHVI assessment concludes that 'While the proposal will not directly impact the significance of this internal view it will be partially visible from within the Main Complex Courtyard', and that the '...articulated ridgeline and form of the proposal will lessen the perceived bulk and mass of the proposal when viewed from this location'.

The proposed development is located approximately 250 metres to the southeast of the viewing point. For this view, a more realistic architectural representation of the proposed development is included rather than the standard 'wire frame' outline. This additional detail is warranted due to the potential visual prominence of the proposed development.

The SHVI assessment therefore accepts that there will be some visual impact from within this significant low scale heritage complex, but the visual prominence of the proposed development is understated, while the expectation to adequately mitigate this impact by means of the proposed articulated ridgeline and form of the hotel tower is questionable.

As for Views 6c and 48, the inclusion of potential development envelope that might ensue to mitigate the prominence of the proposed development needs to be qualified (as the SHVI does in Section 2.5) with the possibility that these may not be approved.

The SHVI assessment is supported insofar as it accepts that there will be a visual impact from within this significant low scale heritage complex, but the magnitude of the impact and the ability to mitigate this is not adequately addressed.

### 3.2.11 PNHS CMP View 51: Within closed yard of Bethel House.

Viewing Location: Within enclosed yard of Bethel House

#### **Significance**

*The views within the enclosed space of Bethel House make an important contribution to the historic and aesthetic values of the Norma Parker Centre/Kamballa site and to Bethel House in particular. The views allow for an understanding of the changing visual and functional relationships between the building and its surroundings since it was constructed in the 1860s.*

#### **Assessment**

*The proposal does not conflict with the Preliminary Management Recommendations of the PNHS CMP relevant to this view. Views north toward Bethel House will not be impacted. While the proposal will not directly impact the significance of this internal view it will be partially visible from within the enclosed yard of Bethel House when looking south.*

Note: Assessment based on Parramatta North Historic Sites Consolidated CMP.

#### **RKH Comment**

The SHVI assessment states that *'The proposal does not conflict with the Preliminary Management Recommendations of the PNHS CMP relevant to this view'*. Given that the CMP does not have policy jurisdiction beyond the boundary of the Parramatta North Historic Sites, this is technically correct. However, Policy 14.1 of the CMP states: *'Significant views and vistas to, from and within the PNHS should be retained conserved and enhanced, where possible, by sympathetic management of plantings and appropriate location of new development and landscaping,'* which is clearly a recognition that the internal scale and spatial character of the complex is significant.

The proposed development is located approximately 200 metres to the southeast of the viewing point. Although limited in its breadth, the photomontages for View 51 indicate that views of the proposed development from within this significant low scale heritage complex will be more than *'...partially visible from within the enclosed yard of Bethel House'*. On the other hand, it is accepted that internal views north toward Bethel House will not be impacted.

The suggestion that the bulk of the proposed hotel tower would reduce impacts for this view would need to be supported by an actual photomontage.

As for Views 6c, 48 and 49b, the inclusion of potential development envelope that might ensue to mitigate the prominence of the proposed development needs to be qualified (as

the SHVI does in Section 2.5) with the possibility that these may not be approved.

The SHVI assessment is supported insofar as it accepts that there will be a visual impact from within this significant low scale heritage complex, although internal views north toward Bethel House will not be impacted, but the magnitude of the impact and the ability to mitigate this is not adequately addressed.

### 3.3 Response to Relevant Approval Authority Controls and Guidelines

Section 6.2 of the SHVI provides a series of tables entitled 'Assessment Against Environmental Planning Instruments, Policies, Guidelines and Best Practice Principles'.

Many of the compliance issues summarised in the table have been addressed above in the subsections of Section 3.2 above. The following Section 3.3 only refers to those sections of the SHVI Section 6.2 analysis where comment is considered to be warranted.

#### 3.3.1 EPBC Act 1999–OGHD Conservation Agreement

The OGHD Conservation Agreement applies to views from the OGHD in Parramatta Park in an approximate 'northerly' direction to the subject site only.

##### **SHVI Section 6.2.1b**

Section 6.2.1b states that *'The PCC LEP 2007 clause 22 does not stipulate a FSR for the nominated 'highly sensitive site' A1, the subject development site. It is noted that the PCC LEP 2017 has since been repealed and replaced by the PLEP 2011. The PLEP 2011 similarly contains no maximum height standard for the subject site.'*

##### **RKH Comment**

It is noted that the subject site does not have an FSR assigned. This proposal has an FSR of 3.11:1/1.37:1 depending on the site area used. The immediate adjacent sites have an allowable FSR of from 0.33:1 to 2.5:1 (PLEP FSR Map Site reference U1).

##### **SHVI Section 6.2.1d**

Section 6.2.1d states *'Views 2 and 5 of the DCP Figure 4.3.3.7.7 are subject to the Area A1a control regarding building height. These views correlate with views 3 and 10 (respectively) of the Development in Parramatta Technical Guide (Planisphere 2012). With the overall height of the proposed building being 55.9m (RL 69), 100% of the height is contained below the level of the surrounding established tree canopy of Parramatta Park. The proposal complies with this control.'*

##### **RKH Comment**

View 10 in the Planisphere Report does not show the impact of the proposed development. Consequently, the SHVI has shifted the view to the northwest to take in the subject site and the proposed hotel tower. This approach is commended, however the text at Section 6.2.1d should note the correction.

### 3.3.2 Parramatta Local Environment Plan 2011

#### **SHVI Section 6.2.2a**

Section 6.2.2a states that the LEP Section 5.10 objective '*to conserve the environmental heritage of Parramatta*' is not applicable to the proposed development.

#### **RKH Comment**

The proposed hotel is a tall tower within the 'vicinity' or 'setting' of many heritage items with heritage values from the local to the World Heritage level of significance. Therefore Clause 5.10 (5)(c) is entirely applicable.

### 3.3.3 Parramatta Development Control Plan 2011

#### **SHVI Section 6.2.3.C.3**

Section 6.2.3.C.3 refers to the objective of the DCP that '*Development near Heritage Items - Where development is proposed that adjoins a heritage item identified within the Parramatta LEP 2011 or Parramatta City Centre LEP 2007, the building height and setbacks must have regard to and respect the value of that heritage item and its setting.*'

The SHVI response includes: '*The current PLEP similarly contains no maximum height standard for the subject site. Notwithstanding this the proposal has been developed in consideration of the potential visual impacts to OGHD and the PNHS.*'

#### **RKH Comment**

The SHVI response that there is no height limit is not sufficient. It is necessary to demonstrate that the scale and mass of the proposed development would have '*regard to and respect the value of*' heritage items and their settings in the vicinity. For the proposed development, the setting of the Norma Parker/Kamballa complex is arguably the most impacted on as an adjoining heritage item (Views 48, 49b and 51).

It is noted that the DCP includes Principle P.5 (p.4.3-260) for the PNUT precinct that '*Scale, siting and location of development to respect key heritage views and vistas*'. Although this principle refers to development within the PNUT precinct, it is also reasonable to consider the potential visual impacts of any external development that would be visible from within the PNUT precinct, particularly from key points within the Parramatta North Historic Sites.

### 3.3.4 OGHD Conservation Agreement/Planisphere Technical Report 2012.

#### **SHVI Section 6.2.4.A2.2**

Section 6.2.4.A2.2 quotes the '*Essential Future Development Guideline*' (A2) ie '*The form, bulk and massing of new buildings must not visually dominate the setting of Old Government House when viewed from within the Domain Parklands. This can be*

*achieved by ensuring that new built form retains a sense of openness and sky between buildings, and does not result in a 'wall' of development when viewed from within the domain, by: (A2.2) 'ensuring that buildings are designed so that the side of towers facing the Domain is no wider than 30m'.*

#### **RKH Comment**

If the side of the proposed hotel tower facing OGH is wider than 30m, it should be clearly stated what this is. It is noted that the SHVI accepts that the width is acceptable because of the *'architectural detailing of the proposed development'*. The reasoning for this should be explained.

### **3.3.5 National Heritage Management Principles**

#### **SHVI Section 6.2.5**

In Section 6.2.5 the SHVI notes *'The proposal recognises the National Heritage Values of the OGHD and PNHS. The objectives, guidelines and controls established to protect and enhance these values have been considered throughout design development to ensure that the proposal is responsive to its context and setting without adverse impact to the significance and integrity of these values.'*

#### **RKH Comment**

In general, the SHVI has determined that the impact on identified heritage views from the Old Government House & Domain is acceptable.

The impact on views from Parramatta North Historic Sites is more contentious and reference should be made in this section to the potential impacts on National Heritage values identified in Views 48, 49a and 51, even if it is asserted that there would be no significant impact.

### **3.3.6 OGHD Management Plan 2008**

#### **SHVI Section 6.2.6**

Section 6.2.6/8.2.1 of the SHVI notes *'The proposal does not impact on the vistas from OGH to the east and north and is outside of the view cones of Views 1, 1B and 3 of the Development in Parramatta Technical Guide (Planisphere 2012).'*

#### **RKH Comment**

Policy 8.2.1 in the OGHD Management Plan 2008 states *'Retain vistas from the house to the east and north'*, while Policy 8.2.1.4 states *'Do not permit large scale development adjacent to or within the Park. Retain vistas from the House to the east and north.'*

The SHVI should address these policies in relation to the proposed development without restriction to the nominated view in the OGHD Conservation Agreement.

### **3.3.7 Parramatta North Historic Sites Consolidated CMP**

### **SHVI Section 6.2.7**

Section 6.2.7 of the SHVI provides an assessment against the Parramatta North Historic Sites Consolidated CMP. The section notes:

*'The proposal falls outside the PNHS boundary. The CMP notes that control of development outside the PNHS boundary to minimise impacts is important but beyond the scope of the PNHS CMP.'*

*Existing landscape plantings provide substantial screening of the PNHS from the development Site. The Proposal is responsive to its heritage context and setting and does not present an impact to the setting, context and values of the PNHS.*

*The view modelling indicates that the proposal will not directly impact the significant views of the CMP to or within the site, in the proximity of the proposal. Further there are no significant views from the PNHS to surrounding areas which correlate with the proposal (Reference Map E-9, PNHS CMP 2017, p.E-8).'*

### **RKH Comment**

Policy 14.1 of the CMP states *'Significant views and vistas to, from and within the PNHS should be retained conserved and enhanced, where possible, by sympathetic management of plantings and appropriate location of new development and landscaping.'*

Despite the CMP also noting that *'control of development outside the PNHS boundary to minimise impacts is important but beyond the scope of the PNHS CMP'*, Policy 14.1 is clearly a recognition that the internal scale and spatial character of the complex is significant. As noted in Section 3.2.11 and 3.3.3 of this Peer review report, it is also reasonable to consider the potential visual impacts of any external development that would be visible from key points within the Parramatta North Historic Sites.

Section 6.1.4 of the SVHI also considers any impacts on views of the Norma Parker Centre/Kamballa complex from Parramatta Park (refer to Section 3.8)

## **3.3.8 Assessment of Heritage Impact**

### **SHVI Section 6.2.8.4**

Section 6.2.8 of the SHVI comprises a Statement of Heritage Impact *'...based on the Heritage Council of NSW format and seeks to assess the potential impacts to built heritage items, and to the visual context and setting of the Site.'*

Section 6.2.8.4 states: *'The views analysis would indicate that the proposal does not present significant impact to the views subject to the Park Edge Highly Sensitive Zone Site A1 of the Development in Parramatta Technical Guide (Planisphere 2012). forming part of the Conservation Agreement. Additional studies indicate that views to, and within, the adjacent Norma Parker Centre will not present a significant impact to the stated values of these views. There are no historic views from the PNHS to surrounding areas which correspond with the site.'*



## RKH Comment

As noted in Sections 3.2.9, 3.2.10 and 3.2.11 of this Peer Review report, the SHVI adopts the position that the policies of Parramatta North Historic Sites Consolidated CMP are effectively limited to internal views, while at the same time acknowledging that there will be some visual impact in these within the Norma Parker Centre/Kamballa complex.

As stated in these sections, this assessment is technically correct but at the same time understates the visual prominence of the proposed development in at least some of these views.

## 3.4 Overview Commentary of SHVI Conclusions

Section 7 of the SHVI comprises a 'Summary Assessment of Potential Heritage Impact'. The summary states that *'The visual impact analysis indicates that the proposed development does not present significant impact to the National and OUVs of OGHD, nor to the National Heritage Values of the Parramatta Female Factory and Institutions Precinct.'* It concludes that *'...the visual assessment undertaken identifies that there is no reasonable basis, based on heritage impacts in the vicinity of other items, to require the proposal to be reduced in height to approximately 30m in height, as recommended by OEH.'*

### RKH Peer Review Comment

The primary focus of the summary are the potential visual impacts on the World Heritage values of the Old Government House and Domain site; although it does include an assessment of potential visual impacts on the Parramatta Female Factory and Institutions Precinct.

The summary is not however an overall assessment of heritage impacts using the methodology generally utilised in NSW and set out in the guideline *Statements of Heritage Impacts* (Heritage NSW). The SHVI is a visual impact assessment, which is appropriate given that the site of the proposed development is not a heritage item and the project would not have any direct impacts on heritage places located in the vicinity. It is noted that Section 1.2 of the SHVI notes that *'Wider Archaeological values and potential impacts (both Aboriginal and European) and Interpretation Strategies for the communication and enhancement of values and significance have been prepared by others.'*

The key findings of the summary in regard to the potential impacts on the OUVs of Old Government House and the Domain site, as set out in Sections 3.2.1, 3.2.2, 3.2.3, 3.2.6 and 3.2.7 of this Peer Review Report are supported, as is the assertion that the context and setting of the Ross Street Gatehouse is already substantially compromised and therefore not a concern regarding any additional impacts.

The summary finding that the proposed development *'...will be partially visible in views 49a and 51', but will '...not impact the historic views toward or within the PNHS, namely it does not detract from the attributed values and significance of the subject views and visual connections within the PNHS'* is however not entirely supported. As set out in

Sections 3.2.10 and 3.2.11 in particular, the proposed development will be prominent in Views 49b and 51 from within the Norma Parker Centre/Kamballa complex, part of the NHL listed Parramatta Female Factory and Institutions Precinct.

Most of the important internal views within the complex will not be affected by the proposed development, although future development to the eastern edge of Fleet Street, if allowed to proceed in accordance with the height controls under the current Parramatta LEP 2011, would result in substantial cumulative visual impacts on the setting of the complex.

However, given the EPBC Act threshold for an action that might compromise the NHL values of the precinct, and the gazetted criteria for NHL listing of the precinct, it is unlikely that the proposed development in itself would have this effect. In this respect at least, the findings of the summary as they related to the NHL values of the Parramatta Female Factory and Institutions Precinct are supported.

## 4 CONCLUSIONS

### 4.1 Summary Peer Review of the SHVI

As noted in Sections 3.1.1, 3.1.2, 3.1.3, 3.1.4 and 3.1.5, this Peer review report has found that the methodology and technical integrity of the SHVI report is adequate for the purpose of assessing the potential visual impacts of the proposed Parramatta Leagues Club development *'...on key views to and from places of heritage significance including important views as identified within the Conservation Agreement for the protection and conservation of World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta.'*<sup>11</sup>

The key findings of the summary in regard to the potential impacts on the OUVs of Old Government House and the Domain site, as set out in Sections 3.2.1, 3.2.2, 3.2.3, 3.2.6 and 3.2.7 of this Peer Review Report are supported, as is the assertion that the context and setting of the Ross Street Gatehouse is already substantially compromised and therefore not a concern regarding any additional impacts.

However, the summary finding regarding visual impacts on the Parramatta North Historic Sites (especially the Norma Parker Centre/Kamballa complex) is not entirely supported. The assertion that the proposed development *'...will be partially visible in views 49a and 51'*, understates the visual prominence of the proposed development as a substantial new element above the low scale roofscape of the complex, notwithstanding that most of the important internal views within the complex will not be affected by the proposed development. It is also considered that while the SHVI expectation that the visual impact of the proposed hotel tower could be adequately mitigated by means of the proposed articulated ridgeline and form of the hotel tower is questionable. As set out in Sections 3.2.10 and 3.2.11 in particular, the proposed development will be prominent in

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<sup>11</sup> SEARS SSD 8800 Key Issue 5: Visual Impacts, p.2.

Views 49b and 51 from within the complex, part of the NHL listed Parramatta Female Factory and Institutions Precinct.

The inclusion in the SHVI photomontages of potential development envelopes that might ensue to mitigate the prominence of the proposed development is useful, but needs to be qualified (as the SHVI does in Section 2.5) with the possibility that these may not be approved.

Although beyond the scope of this Peer Review, there is no doubt that future development to the eastern edge of Fleet Street, if allowed to proceed in accordance with the height controls under the current Parramatta LEP 2011, would result in substantial cumulative visual impacts on the setting of the complex.

However, given the EPBC Act threshold for an action that might compromise the NHL values of the precinct, and the gazetted criteria for NHL listing of the precinct, it is unlikely that the proposed development in itself would have this effect. In this respect at least, the findings of the summary as they related to the NHL values of the Parramatta Female Factory and Institutions Precinct are supported.