



Contact: Claudine Loffi  
Phone: 02 9873 8590  
Fax: 02 9873 8599  
Email: [claudine.loffi@heritage.nsw.gov.au](mailto:claudine.loffi@heritage.nsw.gov.au)  
Our ref: A1604181  
File number: 13/07977  
Your ref: 10\_0068

Ms Natasha Harras  
Town Planner  
NSW Department of Planning and Infrastructure  
c/o [Natasha.Harras@planning.nsw.gov.au](mailto:Natasha.Harras@planning.nsw.gov.au)

Dear Ms Harras

**PART 3A DEVELOPMENT – PARRAMATTA WESTFIELD – CONCEPT PLAN AND  
STAGE 1 PROJECT APPLICATION – COMMERCIAL TOWER, RETAIL AND CARPARK  
ADDITIONS – MAJOR PROJECT 10\_0068**

Reference is made to your email of 6 August 2013 requesting comments on the above concept plan, project application, preferred project and response to submissions. Thank you for your offer to accept late comments. The Heritage Council has reviewed the proposal and supporting assessments, in particular the Statement of Heritage Impact by NBR&S Partners dated 9 November 2012, and accordingly provides the following comments with regard to heritage issues managed under the *Heritage Act 1977* (NSW).

**Preferred project – Concept plan**

The Heritage Council notes that this modified application seeks approval for:

- Commercial high-rise building of additional 20 storeys (up to 35,000 square metres) above existing retail podium located on corner of Church and Argyle Streets
- Additional level of retail (31,495 square metres)
- Three additional car park levels for approximately 562 additional car spaces
- Activation and revitalization of public domain Church and Argyle Street corner (deferred to stage 2 project application yet to be submitted)

**Heritage Council comments**

The following comments concentrate on heritage matters managed by the Heritage Council under the *Heritage Act* to be addressed as part of the consolidated Part 3A approval. This covers heritage sites of state heritage significance and archaeological relics of local and state heritage significance.

Please note that these comments do not assess or address local or national heritage issues, which are matters managed by separate authorities under other statutes.

For local heritage issues and comments, such as relating to the Former Masonic Temple on Campbell Street, the Heritage Council refers you to the heritage comments of the local or state planning authority responsible for assessing impacts on heritage items and areas listed on environmental planning instruments in accordance with the *Environmental Planning and Assessment Act*.

For national or world heritage issues primarily relating to Parramatta Park, the Heritage Council refers you to the Commonwealth agency responsible for assessing impacts on national and world heritage items listed under the Environment Protection and Biodiversity Conservation Act.

Having reviewed the submitted assessments and modified proposal, the primary state heritage issues identified by the Heritage Council include the following:

- A. Archaeological impacts:** managed under the Heritage Act.
- B. Lennox House & St John's Anglican Cemetery:** Overshadowing and setting impacts on these items listed on the State Heritage Register opposite the car park additions (at 39 Campbell Street and 1 O'Connell Street).
- C. St John's Anglican Cathedral, Parramatta Town Hall and Parramatta Railway Station:** Setting impacts on these items listed on the State Heritage Register or of potential state heritage significance from the commercial high-rise tower.
- D. Parramatta Park and Old Government House:** View and setting impacts on this item listed on the State Heritage Register (and also national and world heritage lists).

The following comments address these matters.

#### **A. Archaeological impacts**

As Part 3A applications replace the need to obtain a separate excavation permit under the Heritage Act, impacts on potential archaeological relics instead need to be addressed as part of the consolidated Part 3A assessment.

The exhibited Statement of Heritage Impact notes that the excavation for the commercial tower will be located within the land identified as the Parramatta Archaeological Management Unit 2871 for Church Street, which has no identified archaeological potential. However, this development will be located in the near vicinity of areas of high or moderate archaeological potential, such as along Argyle Street.

Please note that this assessment of archaeological potential for this and surrounding land was derived from a local government inventory (based on a local government study), not from a Heritage Branch inventory as erroneously stated in this report.

Nevertheless, on the basis of this assessment, provided the works are restricted to the land of the Parramatta Archaeological Management Unit 2871, it is accepted that the risk of disturbing significant archaeology is low. Given the proximity of the highly significant Argyle Street archaeology, precautionary conditions are recommended for managing excavation.

#### **B. Lennox House & St John's Anglican Cemetery**

Both Lennox House (circa 1855) and St John's Cemetery (circa 1790) are listed on the State Heritage Register in recognition of their exceptional significance to the State as rare remnants of our colonial history.

The three proposed additional levels will raise the height of the Westfield car park located directly opposite this modest single-storey cottage and open cemetery landscape. This will increase the detrimental impact of the dominant and intrusive car park building on the setting these highly significant items.

Furthermore, the additional levels will have direct physical impacts on the landscaping of the garden and cemetery, and their resulting setting and amenity, by removing or reducing sunlight access. The exhibited shadow analysis indicates that, while the proposed carpark levels only produce a slight increase in overshadowing, this is sufficient to remove all remaining solar access to the northern elevation, windows and gardens of Lennox House from 10am to 3pm. The eastern carpark additions will also overshadow the western end of the cemetery in the morning, where no overshadowing currently results from this development.

This impact on the landscaping, amenity and sunlight access of these heritage items will diminish their heritage significance, contrary to the intent of the listing on the State Heritage Register.

It is noted that the environmental assessments submitted with this application indicate that the reason for the lower height restrictions on the Westfield site were to prevent overshadowing of surrounding residential development, including Lennox House. It is therefore considered unreasonable to exceed these height standards when a variation as proposed will result in any loss of sunlight access to these highly significant heritage items.

For these reasons, increased set-backs are recommended from Campbell and O'Connell Streets to ensure there is no increased overshadowing of the land of Lennox House and St John's Cemetery. It is further recommended that the materials and finishes of these car park elevations are detailed in the next application to minimise the dominance of the existing and extended carpark structure and improve its presentation to balance to some degree the negative impact of the increased height on the setting of state heritage items.

### **C. St John's Anglican Cathedral, Parramatta Town Hall and Parramatta Station**

The proposed commercial tower on the corner of Church and Argyle Streets will introduce a dominant feature into the setting and immediate view corridors of these state significant items, particularly views from the Cathedral, Town Hall and associated town square from Church Street to the north. By significantly exceeding the height of these historic buildings, the commercial tower will further detract from the historically significant landmark qualities of the Cathedral spires and town hall.

Reducing the bulk and scale of the proposed commercial tower, without increasing the height, is therefore encouraged to reduce the dominance of this new tower on the view corridors and setting of landmark heritage items in the vicinity, in particular from the paved town square fronting the state-listed St John's Cathedral, and consequently views from Parramatta Park as noted below.

### **D. Parramatta Park and Old Government House**

Parramatta Park is listed on the State Heritage Register as an outstanding cultural landscape dating from land of the Burramatta clan of the Dharug people and the earliest history of European settlement in Australia, incorporating Australia's oldest surviving public building, Old Government House. The boundary of the state heritage listing extends further than the world heritage and national listing for this item. The views from the park to the surrounding landscape contribute to the significance and historic integrity of this landscape, as reflected in the world heritage listing for this site and identified earlier in strategic plans for Parramatta, such as the Parramatta Regional Planning Strategy of 1999.

The exhibited visual impact photo montages do not assess the visibility of the proposed commercial tower from all principal elevated views from within Parramatta Park, or provide

the full width of the panorama for views photographed. Particular omissions include the highest view points to the city from The Crescent and Mays Hill, identified in the Parramatta Regional Planning Strategy as Views 2A and 3B (shown in Map 3.2 and photographed in Appendix 1).

While it would be preferable to update the exhibited photo montages to include these missing views (2A and 3B) and full width panoramas, in the same manner as the 1999 strategy Appendix 1, to properly indicate the likely visual impacts on Parramatta Park, the above recommended reduction in bulk and scale, without increasing heights, will limit the intrusion of the new commercial tower on these important views. The recommendations of the exhibited Statement of Heritage Impact to reduce the visibility of the tower from the park, in particular the signage height and materials and finishes are supported and reinforced in the conditions recommended below.

## **Recommendations**

As delegate of the Heritage Council, the following conditions or modified statements of commitment are recommended for the consolidated consent under Part 3A of the Environmental Planning and Assessment Act 1979 in relation to heritage issues:

### **Archaeology**

- 1) The applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.**
- 2) Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment and Heritage informed in accordance with Section 89A of the National Parks and Wildlife Act, 1974 (as amended). Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act, 1974.**

### **Car park set-backs**

- 3) Set-backs of car park additions are increased from Campbell and O'Connell Streets to ensure there is no additional overshadowing of the land of Lennox House and St John's Cemetery.**

### **Commercial tower**

- 4) Reducing the bulk and scale of the proposed commercial tower, without increasing the height, is therefore encouraged to reduce the dominance of this new tower on the view corridors and setting of landmark heritage items in the vicinity, in particular from the town square fronting the state-listed St John's Cathedral, and consequently views from Parramatta Park on Mays Hill and The Crescent.**

### **Materials, finishes and design resolution**

- 5) The next application shall provide details of materials, finishes and design of the car park and commercial tower elevations to minimise the visual dominance and reflectivity of these buildings in relation to Lennox House, St John's Cemetery**



and views from Parramatta Park, and improve the presentation of the car parks to O'Connell and Campbell Streets. These details should be prepared to the satisfaction of the Heritage Council with regard to impacts on the setting and views from state heritage listed items.

**Westfield signage**

- 6) **External Westfield signage on the proposed tower structure should be located at lower levels and designed to minimise visibility from Parramatta Park.**

For enquiries regarding this matter, please contact Claudine Loffi at the Heritage Branch on (02) 9873 8590.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sicari'.

23/08/2013

**Vincent Sicari**  
Conservation Manager  
Heritage Division  
Office of Environment and Heritage  
Department of Premier and Cabinet  
**As Delegate of the Heritage Council of NSW**