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Greater Sydney Commission
PO Box 257
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Via online portal: http://www.greater.sydney/open-submission

Australia ICOMOS Submission on the Greater Sydney Commission’s District Plans

This submission is provided on behalf of Australia ICOMOS.

ICOMOS – the International Council for Monuments and Sites – is a non-government professional organisation that promotes expertise in the conservation of cultural heritage. ICOMOS is also an Advisory Body to the World Heritage Committee under the World Heritage Convention.

Australia ICOMOS, formed in 1976, is one of over 100 national committees throughout the world. Australia ICOMOS has over 600 members across Australia in a range of heritage professions. We have expert members on a large number of ICOMOS International and National Scientific Committees, as well as on expert committees and boards in Australia.

We provide the attached comments on the Greater Sydney Commission’s District Plans. We would be happy to provide further information or to meet with representatives of the Greater Sydney Commission to discuss this submission.

Ian Travers
President, Australia ICOMOS
The cultural heritage of NSW is primarily protected and managed under the EP&A Act, rather than under the Heritage Act, as is often thought. There are approximately 27,000 locally-listed heritage items that are protected and managed through heritage listing in Local Environmental Plans as well as several hundred Heritage Conservation Areas (HCAs) across the State. Thus, over 99% of the heritage items and properties within HCAs in NSW are protected and managed through the planning system under the EP&A Act.

While it is laudable that the Draft District Plans recognise heritage as a fundamental element of planning, there are a number of weaknesses in the heritage provisions of the Draft District Plans that will reduce certainty that cultural heritage will be adequately protected under these Plans and the subsidiary Local Plans.

Vision Statement and Goals

A Plan for Growing Sydney (December 2014) (page 5) outlines the Government’s vision for Sydney as a strong global city, a great place to live.

To achieve this vision, the Government has set down goals that Sydney will be:

1. a competitive economy with world-class services and transport;
2. a city of housing choice with homes that meet our needs and lifestyles;
3. a great place to live with communities that are strong, healthy and well connected; and
4. a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The District Plans (pages 12, 13) prioritize these goals as follows:

- A Productive City (Goal 1)
- A Liveable City (Goals 2 and 3)
- A Sustainable city (Goals 3 and 4)

The economic, social, and environmental goals are in line with the Three pillars of sustainability developed in the late 1980s in Our Common Future report, also known as the Brundtland Report (1987).
However the Three pillars have since been superseded by Four pillars of sustainable development also including culture as a fourth main goal.

Based on UNESCO’s Universal Declaration on Human Diversity (2001), the call from the European United Cities and Local Governments\(^1\) in *Culture: Fourth Pillar of Sustainable Development*, called on national governments to promote culture as the fourth pillar of sustainable development. The sustainability benefits of this for communities are outlined in *Culture as a Goal in the Post 2015 Development Agenda*.\(^2\)

Whilst culture is mentioned in parts of the Plans, both the **Government Vision Statement and Goals** and the District Plans omit ‘Culture’ as a stated main goal.

Culture is a crucial pillar of sustainable development. If any single pillar is weak then the system as a whole is unsustainable, therefore rather than just including culture as a sub-set under other pillars, it is important to make culture a stated main goal and pillar of the Government’s plan to provide clear recognition of the importance of culture and ensure the culture goals are met.

Australia ICOMOS calls on the Government, the Greater Sydney Commission and Local Governments to recognize culture as the Fourth Pillar of Sustainability in the overarching documents and the District Plans. Further, the fourth goal in the four goals for Sydney should be amended to add the words ‘cultural heritage’, as follows:

4. a sustainable and resilient city that protects the natural environment and cultural heritage and has a balanced approach to the use of land and resources.

**Comments on the District Plans**

The District Plans do not recognise that heritage conservation is part of sustainability. Laudably, heritage is included within the Liveability section of the District Plans but it should also be addressed within the Sustainability section. There should be a specific ‘Heritage’ section/sub-heading within the Sustainability section of the District Plans so as to elevate its importance to the same level as other key environmental considerations, such as biodiversity etc.

An important principle in heritage management is that heritage values change over time. There is a need for periodic review and assessment, including the identification and listing of places that have become important to the community in the period since previous heritage studies were undertaken. The ongoing identification and protection of cultural heritage, through listing and appropriate downstream management, are essential requirements for their successful management under the

\(^1\) [http://www.agenda21culture.net/](http://www.agenda21culture.net/)

Effective strategic planning will need to be preceded by comprehensive identification of all of an area’s heritage places and values, based on research, survey and wide-ranging community consultation.

Given that District Plans determine the basis of Local Plans and must be complied with, it is essential that the heritage provisions within them are cogent and not ambiguous. Generally, the heritage-related terminology used in the Liveability actions and throughout the sections titled ‘Conserve and enhance environmental heritage including Aboriginal, European and natural’ needs to revised to ensure that cultural heritage is adequately protected and also to reflect best-practice heritage principles and management. By way of example, there is mention that the cultural heritage of conservation areas comprises ‘Victorian and Federation architecture’, while completely ignoring other important periods such as Inter-War, Post-War etc as well as the significance of landscape and other historic features. Further, there is an over-emphasis on ‘adaptive re-use’ rather than ‘conservation’. ICOMOS members would be happy to assist the Commission in revising the relevant sections of the District Plans.

The objective for cultural heritage throughout the planning system should be to **identify, protect and conserve built and other cultural heritage (including Aboriginal cultural heritage)**. This wording should be used in the District Plans and all subsidiary instruments and strategic plans, including Local Plans, as well as parent instruments such as the Metropolitan Plan (and the EP&A Act itself).

There should be a permeating recognition throughout the District Plans, and all up-line and subsidiary plans and strategies that retention and conservation of existing buildings – especially heritage and contributory items – is consistent with sustainability objectives. At present, such a message is generally absent. It is essential that any forward-looking planning system include such recognition.

The District Plans should recognise that the heritage significance of Heritage Conservation Areas (HCAs) is determined by the ‘contributory items’ within them ie those buildings, landscape features and other elements that contribute to the historic and aesthetic values of the HCA as a whole. The term ‘contributory item’ needs to be recognised and used in the planning system, both in the Act and all subsidiary plans and instruments. The term has been used in the Land and Environment Court for several years and is even the subject of an LEC Planning Principle. **The District Plans should state that a specific heritage goal is to retain and conserve heritage items as well as the contributory items within HCAs.** Without such a statement, it is made more difficult for local government to adequately protect HCAs.

**The Planning Process – need for more information followed by further consultation**

Given the anticipated growth of the Sydney Metropolitan area, it would be reasonable to expect that the new overarching plan Towards Our Greater Sydney
2056 and the District Plans would be more specific about the shaping of the city, in particular;

- transport corridors, particularly rail, metro, light rail
- new open space, existing open spaces to be improved and corridors to link open spaces
- new educational, health, cultural, community facilities
- new pedestrian friendly town centres
- clarity about the ongoing planning and implementation process

The documents are voluminous and repetitive, lacking physical proposals to address the issues that we face due to the rate of Sydney’s growth. Tangible, concrete and compelling proposals are needed:

The West Central District Plan is the only plan that indicates a new metro connection – between Parramatta and Central Sydney – but the transport linking the strategic centres with each other appears to rely on existing modes even though the densities will increase substantially. Further, if we are serious about a 30 minute city we need to know that there will be north-south rapid transport links from the west central area, and we need to plan for them.

The plans indicate parks but are they adequate with such an increase in density in the strategic centres. State and Local Government should plan to set aside more open space and community space in these centres.

The strategic centres are not always shown on the district plan maps. This makes the plans difficult to follow. Furthermore, there is no indication of the desired nature and character of these strategic centres, not the main issues they face. It is not enough to rely on Model Codes. These considerations should be an integral part of plan making, not something that comes later. The main structures, such as access corridors, foreshore links, important public places, parks, should be shown in concept, yet all that is shown is a hatched area over the whole, large, development precinct.

In summary, the District Plans are lacking in both general information and also specific details required to clearly communicate proposed changes and to enable sufficient comments to be provided at this stage. There is uncertainty about what is planned for each area as well as the process for adoption/gazettal. For example, will more intense development be permitted in any Heritage Conservation Areas and, if so, which ones and where? The public should be given the opportunity to provide further comment when more detail can be provided, and these comments should then be factored into the Final Plans.

Australia ICOMOS has a particular interest in Australia’s world heritage sites, ICOMOS being an advisor to UNESCO on World Heritage listings. One of these is Parramatta Park which is part of a serial listing of several of Australia’s most significant convict sites.

The West Central District Plan in 4.7.1 (page 121), makes special note of the Old Government House and the Government Domain (OGHD) historic precinct in Parramatta Park, part of the World Heritage Listed Australian Convict Sites, amongst Australia’s and the World’s most significant cultural heritage.

Impacts on Old Government House and the Domain of high-rise development in Parramatta CBD

Australia ICOMOS has provided submissions on the adverse impacts on Old Government House and the Domain of excessively high development in Parramatta CBD.

The impacts of high-rise developments in the vicinity of OGHD were being considered by Local, State and Commonwealth Governments on the basis of the 2012 study by Planisphere: “Development in Parramatta City and the Impact on Old Government House and Domain’s World and National Heritage Listed Values”.

The Planisphere study assessed the impacts of development only up to a maximum of 80 metres high, but since 2012 the height of some Parramatta CBD developments have more than doubled, e.g. the development at 330 Church Street reached 185 metres. So over time this study became obsolete, however it was still used as the basis for Local, State and Commonwealth Governments in formulating all subsequent agreements and controls.

Controls on high-rise development in the ‘Highly Sensitive’ Area

A “Conservation Agreement for the protection and conservation of the World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta”3 on the significant views and settings of Old Government House and the Domain, was made in early February 2016 between the Australian Government, New South Wales Government and Parramatta City Council, under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). It sets out height and footprint limits for the area identified as of ‘High Sensitivity’ identified in the 2012 Planisphere study. These agreed limits are being applied by the Commonwealth.

Australia ICOMOS met with the Commonwealth to discuss our concerns in the ‘Highly sensitive’ and the ‘Sensitive’ zones with the height parameters taken in the Planisphere study being outdated as well as not taking into consideration the cumulative adverse impact of the high-rise development.

The Commonwealth planned to meet with stakeholders to continue discussions on this matter in particular establishing the critical view corridors to reduce the cumulative impact of the high rise development, but no further meetings eventuated with Australia ICOMOS.

It is of concern to Australia ICOMOS that the final agreement enacted includes that the controls can be exceeded by 15% within the ‘High Sensitivity’ zone if the project is the winner of a design competition. We consider that there would likely to be adverse impacts resulting on Old Government House and the Domain from any development, whether well designed or not, which exceeds the controls, due to its increased height and bulk.

**Controls on high-rise development in the ‘Sensitive’ Area**

The Commonwealth’s protection and management agreement does not assist to control the impacts in the ‘Sensitive’ area.

There are insufficient controls on high-rise development within the ‘Sensitive’ zone where Parramatta Council is the decision maker, to protect Old Government House and the Domain and the Australian Convict Sites World Heritage property. It is not valid to assume there will be no impact on world heritage values if developments in the ‘Sensitive’ area can be approved that are more than double the height of that on which the original assessment was based in the Planisphere study.

In addition, Old Government House and the Domain will be increasingly adversely impacted by the cumulative effect of excessively high development in Parramatta CBD.

The cumulative impacts of high-rise developments remain of concern to Australia ICOMOS. There is a definite risk of creating a mass or wall of a proliferation of inappropriately scaled high-rise developments, both at the edge of the ‘highly sensitive’ area and within the ‘sensitive’ area from any number of view-points.

Australia ICOMOS calls on the State Government to provide leadership (through the West Central District Plan) on preventing cumulative damage to Old Government House and the Domain and the Australian Convict Sites World Heritage property.

Australia ICOMOS would be happy to provide further information or to meet with representatives of the Greater Sydney Commission to discuss this submission.