1. My name is Helen Wilson and I am speaking on behalf of Australia ICOMOS. I am a heritage consultant and the immediate past Secretary of Australia ICOMOS.

2. ICOMOS – the International Council on Monuments and Sites – is a worldwide non-government professional organisation that promotes expertise in the conservation of cultural heritage. Under the UNESCO World Heritage Convention ICOMOS is the Advisory Body responsible for assessing nominations to the World Heritage list of cultural heritage places.

Australia ICOMOS is a national committee of ICOMOS. Australia has an international reputation for heritage management and Australian ICOMOS delegates have been called on in the past by UNESCO to assist with negotiation for improved outcomes for similar high rise developments surrounding world heritage sites. Australia ICOMOS provided input into the nomination of the Australian Convict Sites which includes OGH and the Domain, Parramatta. The ICOMOS assessment report for the Australian Convict Sites, tabled at the 34th Meeting of the World Heritage Committee in Brasilia in 2010, recommended that the Commonwealth of Australia, as the State party responsible for this WH site:

Pay attention to managing the landscape values of the sites in or close to urban areas by studying the visual impact of their current environment and any projects liable to affect those values (World Heritage Committee Meeting Decision 34COM 8B.16)

3. ICOMOS at its 2005 General Assembly in Xi’an China, adopted the XI’AN DECLARATION ON THE CONSERVATION OF THE SETTING OF HERITAGE STRUCTURES, SITES AND AREAS. This is a Declaration of principles and recommendations to governmental and other organisations, authorities and specialists involved in legislation, policies, planning processes and management to protect and conserve the world’s heritage structures, sites and areas in their settings.

- It notes the references to the concept of setting in UNESCO conventions and recommendations, specifically the World Heritage Convention (1972) and its Operational Guidelines, where setting is listed as an attribute of authenticity and as needing protection through the establishment of buffer zones,

- It acknowledges the contribution of setting to the significance of heritage monuments, sites and areas saying in clause (2) of the Xi’an Declaration: Heritage structures, sites or
areas also derive their significance and distinctive character from their meaningful relationships with their cultural context and settings.

- In Clause (7.) it recommends “Planning instruments should include provisions to effectively control the impact of incremental or rapid change on settings” and notes: Significant skylines, sight lines and adequate distance between any new public or private development and heritage structures, sites and areas are key aspects to assess in the prevention of inappropriate visual and spatial encroachments or land use in significant settings.

Australia ICOMOS submits that no adequate assessment has been made of the impacts of the Modification, because the assessment has used the wrong parameters for this height of development. The ‘Old Government House Views and Settings study’ by Planisphere should have provided the parameters to allow the impacts of the development to be assessed. However, as a ceiling of 80m was used in the View Study and as parts of the development are more than double this height, the View Study cannot be relied on. It is not valid to assume there will be no impact on heritage values if the height is more than double that on which the original assessment was based. The impact of the Modification on the setting of OGH and the Domain has NOT YET been adequately defined, analysed or assessed.

4. As the Australian government is aware, the impact on heritage values of developments in areas surrounding a World Heritage property is of interest and can be of serious concern to the UNESCO World Heritage Committee. In the Australian context this has recently been reinforced by the Reactive Monitoring Mission to review actions in relation to the Great Barrier Reef World Heritage Area. Next year UNESCO is due to rule on whether the Great Barrier Reef should be added to the list of “World Heritage in Danger”.

The World Heritage Committee can and does take an active interest in apparent threats, and this 330 Church Street development is likely to be brought to the attention of the World Heritage Centre - if they aren’t aware of it already - as it has already attracted international concern. We are confident that the Australian government would not wish to attract a similar mission or questions in the case of the Australian Convict Sites World Heritage property. Paragraph 172 of the Operational Guidelines of the World Heritage Convention provides a mechanism to refer concerns from State Parties – particularly ‘new constructions which may affect the outstanding universal value of the property’ and this is urgently required, given the identification of potential development impacts at the time the Australian Convict Sites was added to the World Heritage List and the likely impact from this development: The 2010 Assessment report for the Listing further noted under the heading ‘Development pressures’:

More broadly, some of the sites within the property may be threatened by the development of the property's peripheral area and in its buffer zone, notably in terms of the landscape impact of growing urban environments (see Integrity). This refers in particular to the City of Sydney for Hyde Park Barracks (3) and Cockatoo Island (10), to Parramatta city for Old Government House (2) ...

5. Australia ICOMOS is concerned that, as the Australian Convict Sites World Heritage Property consists of 11 individual sites, any negative impact on the heritage values of one site can be considered to affect the Australian Convict Sites as a single property. The
implications are hence far greater reaching than the impact on the identified heritage values of Old Government House and Domain.

6. This DA, if approved, would be setting a poor precedent for future 'large developments' to disregard the existing planning controls and World Heritage Obligations for management.

7. The DSEWPaC decision used the Planisphere Views and Settings study with its baseline of 80 metre height. Whilst we do not support the decision by the Australian government, the matter is no longer being considered by DSEWPaC.

8. In submission after submission, Australia ICOMOS has expressed concern about the ‘Old Government House Views and Settings study’, as well as the Statement of Heritage Impact which relies on the DSEWPaC decision based on the incorrect parameters of the “Views and Settings Study”. AI has recommended that these documents be revised to properly consider the impacts of the proposed development on the heritage values of this World Heritage Site and National Heritage Listed place, however this has not happened and Meriton has not responded to our concerns on this. Furthermore we note that no illustrations of views of the Modification from OGHD were provided in material on DOPI website.

9. AI agrees with the concerns voiced by the National Trust, including that the additional scale of the development requires a new DA. The towers of the first Meriton scheme were shown in the Planisphere Views and Settings Study as being visible from OGHD and DSEWPaC agreed there would be some impact on OGHD arising from the first scheme. Surely the increased bulk and further 80 metres of height of the towers “against the sky” will have the result that the towers would be far more visible above the treeline around OGHD yet the Department of Planning and Infrastructure’s concludes that this modification “would not result in any adverse environmental impacts”. Australia ICOMOS rejects the conclusions of the DOPI.

In summary:
1. Paragraph 172 of the Operational Guidelines of the World Heritage Convention provide a mechanism to refer concerns from State Parties – particularly ‘new constructions which may affect the outstanding universal value of the property’, and we urge the Planning Assessment Commission to recommend that the Australian Government URGENTLY seeks feedback from the World Heritage Centre WHATEVER THE OUTCOME OF THIS HEARING, i.e. on either the Modification (if it is approved), or the previously approved scheme (if the Modification is not approved).

2. Australia ICOMOS recommends that this development is NOT approved. ALL assessments of the impact on OGHD settings and views have relied on the ‘Old Government House Views and Settings study’. However the baseline data for heights (80m) is not valid for this Modification (over 160m). It is incorrect to assume that the ‘OGHD Views and Settings study’ identifies the impact of the greatly increased building heights of the Modified DAs or that one can extrapolate from a study using incorrect data.

Helen Wilson
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