

20 September 2024

Environment Assessments (NSW, ACT) Branch
Southern NSW Assessments Section
Department of Climate Change, Energy, the Environment and Water
GPO Box 3090
CANBERRA, ACT, 2601

RE: 16-22a Hunter Street, 23-29 Macquarie Street and 14-16 O'Connell Street, PARRAMATTA
Referral to take an action under the EPBC Act

Dear Sir/Madam,

I write on behalf of Southern Han Parramatta Pty Ltd (applicant proposing to take an action) in relation to a proposed action on land at 16-22a Hunter Street, 23-29 Macquarie Street and 14-16 O'Connell Street, Parramatta, NSW, within the Parramatta CBD.

The proposed action

The proposed action is for the re-development of the subject site for the purpose of a mixed-use development across two tower forms, and incorporates a lower scale podium, the retention embellishment and maintenance in perpetuity of the three-state heritage listed items, a publicly accessible open space curtilage around the heritage items and community, retail and commercial floorspace.

In summary, the proposed action is to:

"to demolish existing buildings and structures, while enhancing, protecting and maintaining the three-state heritage listed cottages, to develop a mixed-use development over two towers (one 39 storeys and one 40 storeys) with approximately 1,505sq.m of open space and built-to-rent housing, at 16-22a Hunter Street, 23-29 Macquarie Street, and 14-16 O'Connell Street, Parramatta".

Pursuant to Sections 75 and 87 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the proposed action is referred to the Department of Climate Change, Energy, the Environment and Water to determine whether the proposed action is a controlled action.

The proposed action relates to land within the Parramatta CBD which is within the vicinity and visual catchment of the nationally heritage listed Old Government House and Domain (OGHD). Importantly, the land identified in the listing does not include the development site. However, the potential for any development of the development site to impact visually on the listed item places it within a “Highly Sensitive Area”.

Further, the site is located within an ancient river valley whose natural and cultural heritage stories can be viewed back to the last Ice Age and Aboriginal connection to the place has continued unbroken for over 30,000 years. The soils may have potential to contain archaeological evidence of past Aboriginal visitation and use in the form of cultural materials left behind by people on old ground surfaces that have subsequently been buried by sediment accumulation over time to become incorporated into the archaeological record.

Therefore, in this context, the controlling provisions for the action under Part 3 of the EPBC Act include those listed under Subdivision A – World Heritage and Subdivision AA – National Heritage:

12. Requirement for approval of activities with a significant impact on a declared World Heritage property

15A Offences relating to declared World Heritage properties

15B Requirement for approval of activities with a significant impact on a National Heritage place

15C Offences relating to National Heritage places

Project Narrative

The development associated with the proposed action is a culmination of an extensive amount of research, expert analysis interrogation of options and designs, the preparation of a detailed Heritage conservation management plan and urban design analysis process. The key development controls of height and FSR are significantly fragmented across the site and not conducive to the orderly and economic development of the land. The controls are also old and have not been reviewed in many years.

The project team has undertaken significant and detailed analysis, which has included the application of significant resources being applied to ensure the inclusion of the three state heritage items within the project, known collectively as the Travellers Rest Inn Group, which form a central and integral part of the design and proposal outcome.

These three heritage items were not part of the site for the purpose of previous planning processes, however their inclusion now forms the basis for a new methodology and management and conservation of heritage as part of a considered design approach to the redevelopment of the site.

In this context, the project team has adopted a sustainable design analysis methodology to ensure that any future design and redevelopment of the site drives to exceed the design outcomes of previous planning processes. This methodology enables a proposition that maintains and protects the state listed items of significance in perpetuity via the implementation of an enhancement fund supported by the redevelopment. This method also supports the creation, enhancement and maintenance of a new public plaza that removes unsympathetic urban built form that challenges the existing curtilage of the items and provides the opportunity for a new open public plaza within the curtilage.

Importantly, the design methodology has also provided a framework within which future development can be considered and designed, having regard to the significant aboriginal cultural heritage context in conjunction with the areas of Commonwealth heritage sensitivity, the guidance of the Planisphere Technical Report and how potential impacts can be avoided and mitigated.

Supporting Documentation

A draft Conservation Management Plan (CMP) and Heritage Design Guidelines have been prepared by GBA Heritage to develop strategies and guidelines prior to any future upgrading of the existing heritage buildings for continued use and the redevelopment of the other sites and structures within the amalgamated lot boundaries. The Comprehensive CMP is a multidisciplinary approach, including built heritage, archaeology, architecture, urban design, town planning and economic analysis.

A base design and analysis has also been prepared by Tzannes Architects in response to the heritage concept design principles and the conservation policies, which establishes an appropriate development framework for the subject site. The design process will continue to develop in detail in alignment with community engagement and assessment processes when the CMP has been finalised.

In support of the proposed action referral, GBA Heritage have undertaken an impact assessment against the World Heritage values of the World Heritage property, and the National heritage values of the National Heritage place. The assessment draws heavily on the World Heritage Nomination Dossier and supporting documentation that highlighted the historically important administrative role of OGHD within the emblematic collection of Australian Convict Sites that form the World Heritage Listed Property.

The impact assessment, base design, view analysis and draft CMP principles are included in support of the referral. The following documents are attached:

Controlled Action Report

Attachment 1 – Urban Design and Development Principles

Attachment 2 – View Analysis

Attachment 3 – GBA Heritage Design Guidelines

Attachment 4 – Conservation Management Plan Methodology

Planning Pathway

The project has adopted a state significant development pathway (under Division 4.7 of the NSW *Environmental Planning & Assessment Act 1979*) to drive state desired outcomes in creating opportunities for new affordable and build-to-rent housing, provides an assessment process where the issues of heritage significance at both Commonwealth and State level can be appropriately considered by the Minister as per the delegation powers under the EPBC Act.

The assessment under the EPBC Act will be conducted for the Commonwealth by the NSW government pursuant to the Bilateral Agreement executed between the Commonwealth Government and NSW State Government on 13 February 2015.

A request for the Secretary's Environmental Assessment Requirements (SEARs) was lodged with the NSW Department of Planning and Environment on 27 April 2023. The Controlled Action will assist the issuing of the SEARs and the next steps of assessment and analysis.

Thank you for your consideration of this matter and we look forward to working with the Department on the Controlled Action.

Yours sincerely



James Mathews
Planning Director
Pacific Planning

Attachments

Controlled Action Report

Attachment 1 – Urban Design and Development Principles

Attachment 2 – View Analysis

Attachment 3 – GBA Heritage Design Guidelines

Attachment 4 – Conservation Management Plan Methodology