



Our ref: DOC21/964801

Ms Angela Stewart
Department of Planning, Industry and Environment
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Parramatta NSW 2124.

By email: Angela Stewart E: angela.stewart@dpie.nsw.gov.au

Dear Ms Stewart,

Notice of Exhibition of application for Sydney Metro West – The Bays to Sydney CBD (SSI-19238057)

Thank you for your referral dated 3 November 2021 inviting comments from the Heritage Council of NSW on the above State Significant Infrastructure (SSI) proposal.

The proposed development for Sydney Metro west is being assessed as a staged infrastructure application (in three stages). The Concept approval and major civil construction works for the Sydney Metro West, known as Stage 1 extended between Westmead and the Bays. Stage 1 was approved under SSI 10038 in March 2021. The Stage 1 approval referred to the Bays to Sydney CBD portion of works, although the detail was unavailable.

The current SSI application (SSI 19238057) is Stage 2 of the Sydney Metro West project includes the following activities:

- all major civil construction work including
- station excavation (at the Pyrmont Station and Hunter Street Station (Sydney CBD) construction sites) and
- tunneling between The Bays and Sydney CBD

The proposed SSI will impact either directly or indirectly the following **ten (10)** items listed on the State Heritage Register (SHR):

- **Tank Stream (SHR no. 00636) extending from Hyde Park to Circular Quay.** The Tank Stream was the first water course in the settlement, significant as the reason for the First Fleet settled in Sydney Cove. It is a metaphor of the period of contact and early urban settlement in Australia. It has undergone functional changes from a fresh water supply to use as a combined sewer and stormwater drain, which is its current function as a (now) buried engineering heritage item. The fabric documents mid nineteenth century sanitation design and construction. The valley of the tank stream contains potential for environmental deposits both for Aboriginal occupation (pre settlement and post contact) and early colonial occupation of Sydney.
- **Skinner's Family Hotel (SHR no. 00584) located at 296 George Street Sydney.** This item has no statement of significance on the State Heritage Register. However, the significance of the item is understood to be focused on its built form in aesthetic values, as one of the few Old Colonial Regency buildings remaining in the city. Its significance extends to rarity as it was one of a network of corner hotels and provided social/recreational venues and budget accommodation in the city. Its significance

extends to research potential linked to its use from the early days of Colonial settlement.

- **NSW Club House Building** (SHR 00145) located at 31 Bligh Street, Sydney. This item is of state significance as the sole surviving example of a nineteenth century gentleman's club in the Sydney CBD. The building has high aesthetic significance linked to its façade and stencil decoration on the ground floor constructed by the significant Victorian era architect William Wilkinson Wardell. There is research potential in its built fabric and the item is a rare example of its type.
- **Little Hunter and Hamilton Street Precinct and NSW Sports Club** (SHR no 00599) There is no statement of significance listed for this item on the State Heritage Register. However, the precinct includes The Grand Hotel, the NSW Sports Club and Hamilton Street within the precinct. However, the Conservation Management Plan for the NSW Sports Club identifies the following values: The items are aesthetically significant as Victorian Free Classical Style architecture with a significant surviving interior and intact original commercial Victorian exterior of high quality design. The NSW club is a rare 19th century exemplifying clubs and particularly sporting clubs as a social institution.
- **Perpetual Trustee Company** (SHR 00678), located at 33-39 Hunter Street, Sydney. Is of State significance due to its historic, social, architectural, aesthetic and scientific values. The building's construction relates to a social change in emerging complexity of Mid Victorian society, as a new commercial venture aimed to identify a growing community need for agency to professionally manage deceased estates. It is a fine example of Edwardian office architecture and a major work of Architect Robertson and Marks. It is the sole surviving Edwardian building in Hunter Street, embodying this style of architecture with a multi storey office building.
- **City Mutual Life Assurance Building** (SHR 00585) located at 60-66 Hunter Street, Sydney. It is one of the foremost examples of high quality, well designed commercial Art Deco architecture in the CBD and is directly associated with Emil Sodersteen (as a significant proponent of this style). The exterior elevations and dramatic interior spaces reflect the aesthetic and commercial aspects of this type of architecture in Australia. It is a landmark building in Bligh and Hunter Streetscapes and serves as a backdrop to Richard Johnson Square. The exterior and interior demonstrate significance at a state level.
- **Public Trust Office (SHR 01019)** located at 19-21 O'Connell Street, Sydney. The item is associated with the historical development of the public trustee in NSW. It retains historic and associative significance as the purpose built office of the Public Trustee with social significance in managing deceased estates. The facade contributes to the streetscape and it is a good example of Inter-war Free Classical Style of architecture associated with architects Ross and Rowe.
- **Former Wales House (SHR 00586)** located at 64-66 Pitt Street Sydney. It is significant as the purpose built 28 year home of the Sydney Morning Herald, with a 99 year association with the newspaper. It is associated with John Fairfax and sons and the exterior treatment of the building (Interwar Commercial Renaissance Palazzo Style) reflects the perceived role of the SMH (conservative, substantial, influential and responsible in design). Limited interior elements survive of its used by the SMH.

- **Pymont Bridge (SHR 01618)**, located across Darling Harbour. The item is of state significance due to its aesthetic, historical and scientific values. It is an essential link between the city and inner west suburbs and is associated with the economic and social development of Sydney at the end of the 19th century. It was one of the largest swing span bridges at its time of construction in the world, and the first to be electrically powered. It is a rare example of the Allan Truss deck type and is associated with Percy Allen, a significant figure at the Public Works Department and former Engineer in Chief of bridge designs.

Heritage NSW notes that the Former Industrial Building (Manufacturers Mutual) is not listed on the State Heritage Register of NSW.

The project has potential to impact Historical archaeological relics assessed as being of local significance at the proposed Pymont Station and local and State significance the Hunter Street Station.

The following reports were considered in our assessment:

- *Sydney Metro West – Major Civil Construction work between the Bays and Sydney CBD, Technical Paper 3: Non Aboriginal Heritage, prepared by Artefact Heritage Services, dated September 2021*
- *Sydney Metro West – Major Civil Construction work between the Bays and Sydney CBD, Technical Paper 5: Landscape and Visual Impact Assessment, prepared by Iris, dated October 2021*
- *Sydney Metro West – Major Civil Construction work between the Bays and Sydney CBD, Technical Paper 2: Noise and Vibration (in two parts), prepared by SLR, dated October 2021*
- *EIS Chapter 11: Landscape and Visual Amenity*
- *EIS Chapter 1: Introduction*

Separate correspondence for the project will be provided regarding Aboriginal cultural heritage assessment by Heritage NSW.

As delegate of the Heritage Council of NSW, I provide the following recommended advice for preparation of the Response to Submissions Phase of the project. Detailed comments are provided in an Annexure to this letter.

Recommended advice for RTS:

1. Clarification of commitments for vibration and settlement/ground movement requirements for NAH8 and NAH9 are sought at RTS stage, specifically to ensure a structural assessment of heritage items occurs at the start of the project to confirm the level of vibration screening that is appropriate. At the end of the project, a commitment to a structural assessment and to rectify any damage to heritage items is also required.
2. Technical Paper 3 should consider the visual impacts to Pymont Bridge, an item listed on the State Heritage Register. It is noted this is identified in Technical Paper 2 with moderate adverse impacts as a result of the proposed acoustic shed. Further commitments to ensuring reduction of visual impacts to heritage items from acoustic sheds at both Pymont and the Hunter Street stations with advice from a built or landscape heritage specialist is recommended. This commitment be clarified at RTS.

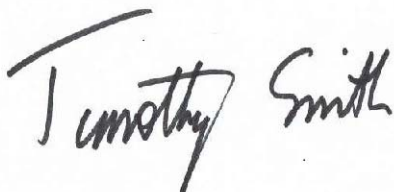
3. Additional investigation of the location of the Tank Stream and Bennelong Stormwater Channel No 29A is recommended prior to determination of the SSI application and to inform the RTS phase of the project. This should clarify the proximity of these items to the eastern Hunter Street Station, the impacts from excavation proposed including those required to accommodate the tunnel to the station. A commitment to identifying and avoiding these significant engineering heritage assets is requested by the project at RTS based on this investigation.
4. Heritage NSW advises DPIE that for the project to be consistent with the Heritage Council of NSW Guidance it purports to follow, all items identified as retaining 'Potential heritage significance' should be assessed and the impact assessment amended to reflect this information at RTS.
5. Technical Paper 3 requires reconsideration of the assessment of potential and significance for the Pyrmont station site for RTS phase of the project. This is based on issues with the map data referenced which may indicate the archaeology is earlier than the predicted 1880s.
6. The project should commit to additional, site specific historical research to guide the significance assessment and management requirements linked to the project's impacts. This is particularly important where state significant historical archaeological relics may be salvaged (removed) by the project. To accommodate the limited nature of the research used to support the EIS, Heritage NSW recommends a commitment for detailed site specific research to underpin any archaeological research designs prepared for the project, noting this is not a current project commitment. This should be confirmed at RTS.

Local Heritage Items

As the site contains seventeen (17) local heritage items, including the Pyrmont heritage conservation area, which will be impacted (directly and indirectly) by the proposal, advice should be sought from the relevant local councils in managing these items. Efforts to reduce visual impacts from proposed elements such as new acoustic sheds should be minimized as much as possible by the project in design as discussed in the annexure attached.

If you have any questions regarding the above advice, please contact Felicity Barry, Acting Senior Team Leader, Specialist Services at Heritage NSW on (02) 9995 6914 or Felicity.Barry@environment.nsw.gov.au.

Yours sincerely



Tim Smith, OAM

Director, Operations

Heritage NSW

Department of Premier and Cabinet

As Delegate of the Heritage Council of NSW

1 December 2021

Annexure: Detailed commentary on the SSI proposal:

Vibration assessment criteria

Technical Paper 3 states that the project has adopted the British standard BC 7385:2-1993 for vibration assessment and defers to the Technical Paper 2 for assessment of vibratory impacts. In reviewing Technical Paper 2, HNSW notes that the project states German standard DIN 4150 is also considered (Section 3.5.3.3, p31 Tech Paper 2). However, it goes on to advise that unless structurally unsound, all items are assumed to be managed under Table 11 (which identifies a peak particle velocity of 7.5mm/s).

Heritage NSW notes this approach and seeks clarity on whether structural assessment is proposed for each of the heritage items, particularly those on the SHR, to establish a baseline against the German Standard DIN 4150 and confirm which standard should be applied (i.e. 7.5mm/s or 2.5mm/s peak particle velocity). This should be clarified at RTS as **there is no current statement of commitments** to ensure a structural assessment at the start of the project, with a followup assessment at the end of the project and rectification of any damage incurred, should there be any. HNSW notes that vibration monitoring is proposed by the project (NAH9) linked to the above screening levels. Structural assessments are also likely to be necessary for identifying and managing settlement impacts and ground movement by the tunnel alignment. This is partly addressed by NAH8, however further clarification on the assessment at the start of the project and rectification of damage is required.

The Bays Construction Site

Heritage NSW understands that the project impacts were assessed as part of the stage 1 approval issued by the Department of Planning Industry and Environment under SSI 10038. Technical Paper 3 (2021:p4) advises that there would be “minimal surface ground disturbance associated with this work as the potential heritage and archaeological impacts for The Bays Station construction site has been previously assessed and no additional surface work is proposed at the Bays tunnel launch and support site, the non-Aboriginal heritage or archaeological assessment at this site has been limited to the potential vibration and settlement impacts for the proposed tunneling work”. No further comment is provided for this part of the project.

Pymont Station Construction Site

Pymont Bridge

There are no SHR listed items within the impact area for the Pymont Station. However, several heritage items are located in land surrounding it. While the project has assessed impacts to items within 25m of the proposed stations, the Pymont Bridge (SHR 01618), which is located some 160m away from the eastern station and has a visual link to the station, has not been assessed by Technical Paper 3. Chapter 11 of the EIS (Landscape and visual amenity) clearly shows in Figure 11-13 (p11-18) that the view of the acoustic shed and its proposed treatment can be seen from Pymont Bridge. Technical Paper 3 should include a revision for the RTS stage to address the visual impact to the Pymont Bridge as a result of the proposed Acoustic Shed (identified to a height of 15m) at the eastern part of the Pymont Station.

This aspect of the proposal (the acoustic shed) has not been assessed as part of Technical Paper 3, although Technical Paper 2 considers view lines from the Bridge (Tech Paper 2, Figure 6-3, p57). Technical Paper 2 identifies a “moderate adverse impact from viewpoints 8 and 9 – both of which relate to the view from Pymont Bridge. HNSW recommends that the acoustic shed designs should be carefully selected to reduce visual impacts both to the SHR

listed Pyrmont Bridge and the neighbouring streetscapes. The mitigation measures recommended in Tech Paper 2, viii may assist in reducing visual impacts to this area as well as for the eastern part of the Hunter Street Station. The Eastern Part of the Hunter Street Station has a visual impact from acoustic sheds to the Richard Johnson Square which is surrounded by three neighbouring SHR items (City Mutual Life Assurance Building; NSW Club and the Perpetual Trustee Company).

Consideration of design, materials, size/bulk (potentially with a height setback) and colour may reduce some of these impacts. The designs should be developed further with the advice of a built heritage expert in the flagged areas of heritage sensitivity. Potential options such as hoarding or interpretive signage may be additional options to reduce impacts. Retention of street trees is also supported as a buffering element to the new sheds.

Historical Archaeology

The 1990 Pyrmont Heritage Study also includes an archaeological zoning plan for the Pyrmont Peninsula. HNSW notes that Technical Paper 3 does not consider this study when considering the predicted levels of archaeological potential for the Pyrmont Construction sites.

The potential archaeological resource is identified as post 1880s, however the assessment has misidentified the dates for the Trigonometrical survey of Sydney which dates from 1855-1865, not the 1880s. This discussion highlights the need for more detailed site investigation through land title data and rates information to support the argument that the archaeology dates from the 1880s, rather than from the 1860s in this part of Pyrmont. Technical Paper 3 requires reconsideration of the assessment of potential and significance for the Pyrmont station site. This is required for the RTS phase of the project.

The level of assessment provided in Technical Paper 3 is based on desktop research and does not extend to site specific research sufficient to support an historical archaeological assessment and archaeological research design and excavation methodology according to Heritage Council of NSW guidelines. Heritage NSW reiterates as with SSI 10038, that the level of assessment provided at EIS stage needs to be consistent with Heritage Council standards for historical archaeology, to both understand the significance of the resource, and to guide its management. Additional site specific research should be a commitment of the project ahead of the preparation of any documents to manage the archaeological process (e.g. archaeological research design and excavation methodology).

Hunter Street (CBD) Station Construction Site

The SHR listed Skinner Family Hotel is located within the Western Construction site but will be retained. HNSW notes that there may be issues with vibration and settlement linked to the item. Appropriate structural studies ahead of works commencing should be conducted to ensure there is a clear baseline for managing change to the item as a result of the construction nearby and underneath. HNSW agrees that an archival recording would also be required prior to the major change taking place to record its current setting. This is proposed under NAH1.

To ensure the protection of this item, Heritage NSW supports a demolition plan for the neighbouring structures around this item, which is prepared in conjunction with a built heritage specialist/engineer. This should ensure that the SHR item is appropriately protected during the work. A structural assessment is recommended with appropriate vibration controls. HNSW notes there is a commitment to a structured protection plan during nearby demolition works under NAH3.

The SHR listed NSW Club directly abuts the north east corner of the eastern construction site of the Hunter Street Station. To ensure the protection of this item, Heritage NSW supports a demolition plan for the structures to be removed for the new station. This should be prepared in conjunction with a built heritage specialist/engineer. This should ensure that the SHR item is appropriately protected during the work. HNSW notes there is a commitment to a structured protection plan during nearby demolition works under NAH3. A structural assessment is recommended with appropriate vibration controls. An archival recording is also supported to record the item in its setting prior to the significant change occurring. This is also proposed under NAH1.

The project has identified the locational data of the **Tank Stream and Bennelong stormwater channel** no 29A may require clarification to determine proximity to the Eastern Hunter Street station. HNSW notes with concern the proximity of the tank stream to the construction zone and particularly to the total excavation zone. Heritage NSW strongly emphasises the need for the project to avoid the tank stream. Spatial locational data should be obtained as soon as possible and a commitment by the project to avoid direct impact to the Tank Stream is required.

Technical Paper 3 has recommended (NAH2) that the project should conduct locational investigations to clearly understand and map the location to the Tank Stream and Bennelong Stormwater Channel No 29A both significant buried engineering heritage assets. HNSW recommends this is undertaken ahead of determining the SSI and to inform the RTS. Liaison with Sydney Water, as the asset owner for both items is imperative and should be conducted as soon as possible. However, HNSW further notes that vibration assessment is also likely to be required for these items and this should also be discussed with Sydney Water based on their knowledge and management of these significant heritage assets.

Historical Archaeology

The Technical Paper 3 has identified there is potential for local and state significant archaeology within this part of the project and it would be fully removed by the proposal due to the level of excavation required. The State significant archaeology is linked to de Mestra's counting house and residence which dates from the 1820s to the 1840s, although the potential is in a small part of the site in the western construction zone. HNSW notes that testing is unlikely to change the impacts and recommends instead a commitment to appropriate salvage as part of the project, reporting, artefact conservation, and interpretation of the results.

HNSW notes that only limited areas of land within the Hunter Street construction site do not have modern basements and the overall likelihood for significant archaeology may be quite limited. However, as redesign would appear to be unlikely due to the specific selection of areas for the Metro station for the CBD, Heritage NSW would expect appropriate archaeological investigation and mitigation to best practice standards with outcomes including interpretation and final reporting.

The archaeological research design and excavation methodology must be prepared by the nominated excavation directors of appropriate skill and experience to conduct the work. Provision of final reporting from any excavation will be a key mitigation for the loss of the resource and must form a commitment of the project. HNSW notes that the project sets out these commitments under NAH6 and NAH7. This is consistent with advice for the SSI 10038 and approval conditions to manage archaeological relics of local and state significant at the Bays and in Parramatta. As with comments for the Pyrmont Station assessment of archaeological potential, HNSW notes that the level of research to investigate the

archaeological sites identified has not been sufficiently detailed and site specific research is recommended to support a clear understanding of the research significance including comparative data guiding the identification of research questions for future management.

Potential heritage items

The project identifies two items of 'potential' heritage significance (**Gilbey's Distillery** and **Pangas House**). The assessment of significance in section 6 of Technical Paper 3 does not refer to relevant historical research to justify statements made for the Gilbey's Distillery under criterion a and b, which may in fact require a level of comparative analysis to understand both context and justify significance. The details supplied focus on the physical fabric of the item, noting that it is no longer used for its purpose as a distillery, which it is presumed relate to its identification as a local item. Further research and assessment, according to Heritage Council guidelines (Heritage Manual 1996) is recommended for the RTS.

In respect to Pangas House, it was listed in the Register of the National Estate (RNE). However, the assessment appears to repeat the RNE assessment and has not updated it in terms of rarity, and representativeness for the structure which now survives in modern Sydney. In both instances the project has identified the items demonstrate local significance yet are confusingly identified as potential heritage items. If they have been assessed as demonstrating significance, they are significant. They are not potential items. Technical Paper 3 should reassess the significance of these items and revise its terminology for the RTS phase of the project.

Heritage NSW has previously raised concerns with heritage reports that identify '*potential heritage items*' as part of SSD and SSI projects, but fail to assess their significance. This issue was raised with the Stage 1 Assessment of the Sydney Metro West project (SSI 10038). A significance assessment, consistent with Heritage Council guidance (Heritage Manual 1996) is required to appropriately identify why an item is of significance and under what criteria. This should identify clearly how the project may impact it and if it would warrant a response by the project according to its significant values.

Interpretation

Interpretation will be an important part of the Sydney West Metro project, particularly where impacts to local and state significant heritage fabric is proposed. Heritage NSW supports an appropriate heritage interpretation plan and strategy that is consistent across the project, however the detail will need to be specific to the areas in question. A suitable commitment is supported by Sydney West Metro (NAH5), with an outcome prepared in consultation with the Heritage Council of NSW and approved by the Secretary.