

STATEMENT OF HERITAGE IMPACT

50-52 Phillip Street (Former Department of Public Works), Sydney

March 2021 - Issue D



50-52 PHILLIP STREET, SYDNEY

ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	08/12/2020	SM
B	Amended Draft	18/12/2020	SM
C	Amended Draft	26/02/2021	SM
D	Issued for DA submission	24/03/2021	SM

GBA Heritage Pty Ltd

Level 1, 71 York Street

Sydney NSW 2000, Australia

T: (61) 2 9299 8600

F: (61) 2 9299 8711

E: gba@gbaheritage.com

W: www.gbaheritage.com

ABN: 56 073 802 730

ACN: 073 802 730

Nominated Architect: Graham Leslie Brooks - NSW Architects Registration 3836

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1.0

INTRODUCTION

1.1 BACKGROUND (BUILT UNSOLICITED PROPOSAL)

On 15 October 2019, the NSW Government published details of the Built Unsolicited Proposal for the leasehold purchase of 50 Phillip Street, Sydney to allow for the proposed hotel redevelopment. The Built proposal has progressed to Stage 2 of the Unsolicited Proposal process, and has been deemed unique as Built owns the adjacent property (52 Phillip Street, Sydney) to the Government owned 50 Phillip Street, Sydney. As there are no other privately owned properties immediately contiguous to 50 Phillip Street, Built possesses unique property ownership that enables it to amalgamate 50 and 52 Phillip Street, and take full advantage of the unused developable air space.

The proposed redevelopment project will combine both private and Government land, breathing new life into an underutilised heritage-listed NSW Government owned building and Built's aging privately-held commercial office building.

Built is well recognised for work in the refurbishment and restoration of iconic heritage properties across Australia. As such, a foremost principle of the project is to ensure that the integrity of the heritage listed Government building is not compromised. Rather, the heritage qualities of the building will be celebrated and revitalised for the people of NSW. The Chief Secretary's Building which fronts Bridge Street will not be leased as part of this redevelopment project, and it is intended to remain in Government ownership and control.

1.2 REPORT OVERVIEW

This report has been prepared as part of the Environmental Impact Statement (EIS) for State Significant Development (SSD) application number SSD 10464, for the redevelopment of a new mixed use hotel and branded residential building at 50-52 Phillip Street, Sydney. The Stage 1 SSD DA is for the refurbishment and adaptive reuse of the heritage building (Former Department of Public Works) on

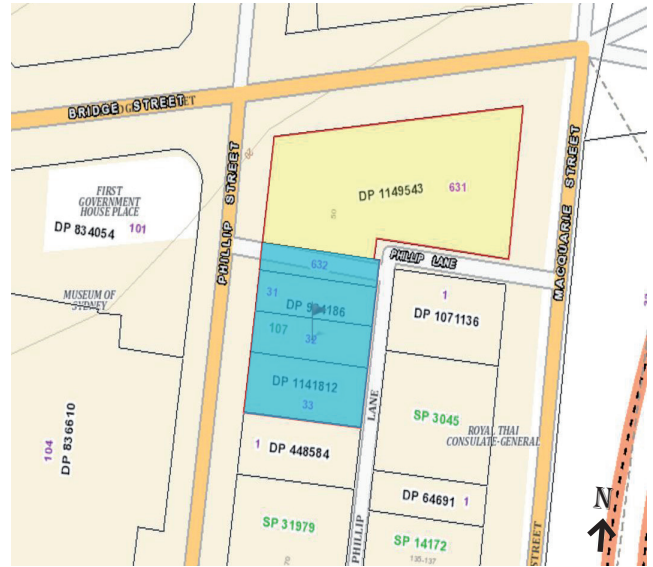


Figure 1.1
Location map showing the subject site shaded in blue.
Source: NSW LRS SIX Maps website



Figure 1.2
Extract from the LEP Heritage Map 014 showing the subject site shaded in blue.
Source: NSW Government Legislation website

the site, demolition of other existing buildings, and construction of a new, modern mixed use building on the site.

The proposed development aims to retain, refurbish, and reuse the existing heritage building at 50 Phillip Street for hotel purposes and demolish the adjoining 12-storey commercial tower at 52 Phillip Street. The proposed development is a new 46-storey mixed use hotel and residential tower in the heart of Sydney CBD, which will cantilever over and be supported by new structure placed carefully within the footprint of the heritage building at 50 Phillip Street. As such, the proposal is for the development of a tourist related accommodation, revitalising the lower end of Sydney's financial services district, and positively contributing to the character and vibrancy of Sydney's Central Business District (CBD). The proposed development aims to contribute to overcoming identified Sydney's critical shortage in hotel accommodation. As the proposal is for the development of predominately tourist related purposes, being a hotel that has a capital investment value in excess of \$100 million, it is State Significant Development (SSD) as prescribed in Schedule 1 of State Environment Planning Policy.

This application is lodged with the NSW Department of Planning, Industry and Environment (NSW DPIE) for assessment.

The Stage 1 SSD DA Concept Proposal will establish a maximum building envelope, land use, a maximum total quantity of floor space, pedestrian, vehicle circulation, and drop-off arrangements and associated car-parking provision. Accordingly, this report evaluates the potential heritage impact of the proposed design concept (indicative design) prepared by FJMT Studio upon which the SSD DA envelopes were based. Following the completion of a competitive design process (Stage 2 SSD DA), a detailed Statement of Heritage Impact will be prepared.

This report has been prepared in response to the requirements contained within the Secretary's Environmental Assessment Requirements (SEARs) dated 23 March 2021. This report is the 'Statement of Heritage Impact (SOHI)' required by the SEARs. The specific items required by the SEARs to be addressed with regard to the heritage impact of the proposal are shown in Table 1 below.

This report concludes that the proposal will have an acceptable heritage impact.

TABLE 1: SEARs REQUIREMENTS

Title	Description of Requirements	Section reference in this report
<p>Item 8 Heritage</p>	<p>Provide a Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to identify the following:</p> <ul style="list-style-type: none"> All heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance, including the pending National Listing of the Governors Domain and Civic Precinct. 	<p>Section 5.0 Section 7.2</p>
	<ul style="list-style-type: none"> Provide justification for any non-compliances with any setback controls for heritage buildings as prescribed under Sydney DCP 2012. 	<p>Section 7.8</p>
	<ul style="list-style-type: none"> Compliance with the policies and management guidelines contained in the current endorsed Conservation Management Plan (CMP). If an updated CMP is proposed to be submitted with the application, it must be endorsed by the Heritage Council prior to the finalisation of the proposal and submission of the EIS. 	<p>Section 7.4</p>
	<ul style="list-style-type: none"> The impacts of the proposal on heritage item(s) including a visual impact assessment and photomontages. 	<p>Section 3.4 Section 3.5</p>
	<ul style="list-style-type: none"> Demonstrate attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items and heritage conservation areas and provide an evaluation of the effectiveness of the proposed mitigation measures. 	<p>Section 7.9</p>
	<ul style="list-style-type: none"> Provide justification for any changes that may have a major impact of the heritage significance of the heritage items including any options analysis. 	<p>Section 7.0</p>
	<ul style="list-style-type: none"> Demonstrate the integration of the interpretation of the site's heritage significance, archaeology, and historical association within the development proposal. 	<p>This requirement is beyond the scope of this report. No separate Interpretation Plan has been prepared for Stage 1 SSD DA.</p>
	<ul style="list-style-type: none"> Outline pedestrian and circulation impacts on the heritage building and how the design addresses and mitigates any adverse impacts. 	<p>Section 7.0</p>

	<ul style="list-style-type: none"> If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the guidelines, Archaeological Assessment (1996) and Assessing Significance for Historical Archaeological Sites and Relics (2009). This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage program. 	The archaeological assessment is beyond the scope of this report and has been undertaken by specialist consultancy practice, Curio Projects, and is presented under a separate cover.
	<ul style="list-style-type: none"> Provide documentary evidence from a Structural Engineer, with experience in heritage buildings, confirming that the proposal would not have any adverse impacts on the structural integrity of the Chief Secretary's building and its extension. This must include an investigation of the structure and footing conditions of the existing heritage building. 	This requirement is beyond the scope of this report, and has been undertaken by specialist structural engineer, TTW (Taylor Thomson Whitting), and is presented under a separate cover.
Item 4 Built Form and Urban Design	<ul style="list-style-type: none"> Address the height, setbacks, bulk and scale of the proposal, massing, building articulation and scale, including compliance with height and floor space ratio controls, consideration of the building layout, impacts on the existing heritage building and surrounding context. 	Section 3.5 and Section 7.0
Item 5 Visual Impacts	<ul style="list-style-type: none"> key elements and views of the development from key locations, including close views showing the relationship of the heritage buildings with the proposed tower as well as Phillip Lane. 	Section 3.4 A comprehensive and detailed visual impact report in undertaken by Ethos Urban, a highly experience company at preparing visual impact assessment.

1.3 REPORT OBJECTIVES

The main objective of this Statement of Heritage Impact is to assess the heritage impact of the Stage 1 proposal against the relevant heritage guidelines and objectives established by the City of Sydney in the Sydney Environmental Plan (LEP) 2012 and the Sydney Development Control Plan (DCP) 2012, the assessment criteria established by the NSW Heritage Office (now Heritage NSW) and the SEARs.

The report also assesses the proposal against the principle conservation policies contained within the previous endorsed Conservation Management Plan (2016), and the updated Conservation Management Plan prepared by GBA Heritage in 2020. This report confirms that the proposal is in accordance with the detailed policies contained within the both CMPs. The updated CMP is prepared to protect the heritage significance of the heritage building at 50 Phillip Street, and guide its proposed adaptive reuse as a hotel facility.

1.4 METHODOLOGY AND STRUCTURE

This Statement of Heritage Impact has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance, 2013*, known as *The Burra Charter*, and the New South Wales Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) publication, *NSW Heritage Manual*.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of *The Burra Charter*. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

1.5 SITE IDENTIFICATION

The subject site is located on the southern side of the Chief Secretary's Building at 50 Phillip Street, near the intersection of Phillip and Bridge Streets and opposite of the 'First Government House Site'. The rear of the building fronts Phillip Lane, providing vehicular access to the site. It is described by NSW Land Registry Services (LRS) as:

- Lots 31 & 32 DP 984186, Section 107
- Lot 33 DP 1141812
- Lot 632 DP 1149543

The subject site, as a later addition to the Former Chief Secretary's building, is identified in Sydney LEP 2012 as Crown land in S268858R. The subject site is also within the boundary of the National Heritage listed Governors Domain and Civic Precinct.

1.6 SITE DESCRIPTION

The site is located along the north eastern edge of Sydney's core Central Business District (CBD). The immediate surrounds of the site in the eastern edge of the Sydney CBD present a mix of commercial, residential, and tourism uses. The prevailing built form in the vicinity of the site includes a range of building typologies and heights, as well as several significant state-listed heritage buildings, such as the Chief Secretary's Building immediately to the north of the site.

The site itself is located at 50-52 Phillip Street, Sydney and has a total area of approximately 1,726m², with frontages to Phillip Street and Phillip Lane. Two commercial buildings sharing a built-to-boundary condition currently occupy the site. The heritage-listed sandstone building in the northern portion of the site is six generous storeys in height and contains commercial office space. The building located on the southern portion of the site is 12 storeys in height, and contains a ground level café/bar use, with commercial office space above.

Phillip Lane, which forms part of the 50 Phillip Street lot, connects through the site from Phillip Street at the northern boundary of the site. Phillip Lane is not proposed to be altered from its current form as an access point to the remainder of Phillip Lane at the rear of the site.

1.7 HERITAGE MANAGEMENT FRAMEWORK

The subject site at 50 Phillip Street, Sydney, is listed as a heritage item in Schedule 5 of the *Sydney Local Environmental Plan (LEP) 2012*, as an item of local heritage significance. As a later addition to the Chief Secretary's Building, it is also listed on the State Heritage Register of New South Wales. Accordingly, the Sydney Council and the NSW Heritage Council are the dual consent authorities.

The subject site is also located in the vicinity of several listed items. The closest being (Figure 1.2):

- *11872 - Chief Secretary's Building* at 121 Macquarie Street,
- *11905 - Phillip Lane*
- *11685 - First Government House Site* at 41 Bridge Street,
- *11907, 11908, 11909, 11910 - Phillip Street Terraces* at 39-47 Phillip Street,
- *11873 - The Astor Building* at 123-125 Macquarie Street,
- *11874 - History House* at 133 Macquarie Street,
- *11875 - BMA House* at 135-137 Macquarie Street,
- *11871 - Former Treasury Building* at 115-119 Macquarie Street.

Any potential impact of the proposed development on the heritage significance of the above listed items must be considered by the consent authorities. The project having been designated as SSD. The City of Sydney and (with regard to items listed on the SHR) Heritage NSW will also act as referral authorities.

Potential heritage impact will therefore be assessed herein against the relevant guidelines and objectives of the Sydney LEP 2012 and the Sydney DCP 2012 under the Environmental Planning and Assessment Act 1979, and the assessment criteria established by the NSW Heritage Office (now Heritage NSW).

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The *EPBC Act* provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places — defined in the *EPBC Act* as matters of national environmental significance.

The seven matters of national environmental significance to which the *EPBC Act* applies are:

- world heritage sites
- national heritage places
- wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)
- nationally threatened species and ecological communities
- migratory species
- Commonwealth marine areas
- nuclear actions.

In addition, the *EPBC Act* confers jurisdiction over actions that have a significant environmental impact on Commonwealth land, or that are to be carried out by a Commonwealth agency (even if that significant impact is not on one of the seven matters of 'national environmental significance').

The subject site is located within the boundary of Governors Domain and Civic Precinct, which is on the National Heritage List. Accordingly, there are heritage approvals required under the *EPBC Act*.

Australian Heritage Council Act 2003

The *Australian Heritage Council Act 2003* established the Australian Heritage Council, as an independent expert advisory body on heritage matters. The Australian Heritage Council is the principal adviser to the Australian Government on heritage matters. The Council assesses nominations for the National Heritage List, the Commonwealth Heritage List and the List of Overseas Places of Historic Significance to Australia.

As the subject site is included on the National Heritage Listing of the Governors Domain and Civic Precinct, there are provisions of this *Act* applicable to the proposed development.

NSW Environmental Planning and Assessment Act 1979 (EP&A Act)

The Secretary's Environmental Assessment Requirements (SEARs) for SSD 10464 note "*the Environmental Impact Statement (EIS) must be prepared in accordance with and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).*"

NSW Heritage Act 1977

The *NSW Heritage Act 1977* (Amended) is an Act to conserve the environmental heritage of New South Wales. The Act established the Heritage Council of NSW, and the State Heritage Register.

As the subject site is included on the State Heritage Register there are heritage approvals required under the *NSW Heritage Act 1977* other than those that may be applicable to archaeology.

1.8 AUTHORSHIP

This report has been prepared by Dr. Shabnam Yazdani Mehr, Heritage Consultant, of GBA Heritage and has been reviewed by the Director, Graham Brooks. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.9 REPORT LIMITATIONS

While this report is limited to the analysis of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

This report only addresses the relevant heritage planning provisions and does not address general planning or environmental management considerations. Archaeological assessment of the subject site is outside the scope of this report.

This Statement of Heritage Impact does not include a comprehensive historical overview or a detailed description of the property as these are included in the accompanying *CMP*.

This report does not address the moveable heritage in the building which is the subject of separate reports. 50 Phillip Street Moveable Heritage Strategy & Inventory was prepared by the Government Architect's Office in 2015. More recently in June 2017 an additional report titled "Moveable Heritage 50 Phillip Street" (part 1 and 2) has been prepared by Betteridge Consulting Pty Ltd for the NSW Department of Justice.

1.10 COPYRIGHT

Copyright of this report remains with GBA Heritage.

2.0

HISTORICAL SUMMARY

2.1 BRIEF HISTORY OF THE LOCALITY

The following historical summary has been sourced from the NSW Heritage Inventory, database entry number 5045423, Chief Secretary's Building which includes reference to the adjoining 50 Phillip Street:

In 1856 New South Wales was a granted responsible government. This important step in self government brought with it a number of new portfolios requiring new office space as well as a greater need for the departmental head and his staff to be located in approximately the same space. At this time the several departments were located in a number of buildings some hired and some still housed in the domestic buildings constructed in the earliest days of the colony.

During the later years of the nineteenth century, while some former responsibilities were removed from the authority of the Colonial Secretary, it remained a pre-eminently prestigious and important political position. The Premier and the Colonial Secretary were usually one or, in coalition governments where the Premier chose another portfolio, such as Lands, the post of Colonial Secretary usually was held by the head of the coalition party.

It was against this high profile role of the Colonial Secretary as well as the expansion of that and several other departments and the escalating costs of rental properties such as those in Phillip and Young Streets and that the construction proposal and plans were formed for the new building for the Chief Secretary. The site of the building was highly symbolic of the elevation in status of the office. Further up Bridge Street, it formed a significant element of the most important political and administrative offices.



Figure 2.1

The Phillip Street side of the Chief Secretary's Building as originally completed in 1880. The houses on the right side of the CSB were occupied by the Department of Public Works.

Source: State Records NSW, Government Printer Glass Negatives Reel 2546 Image 1160

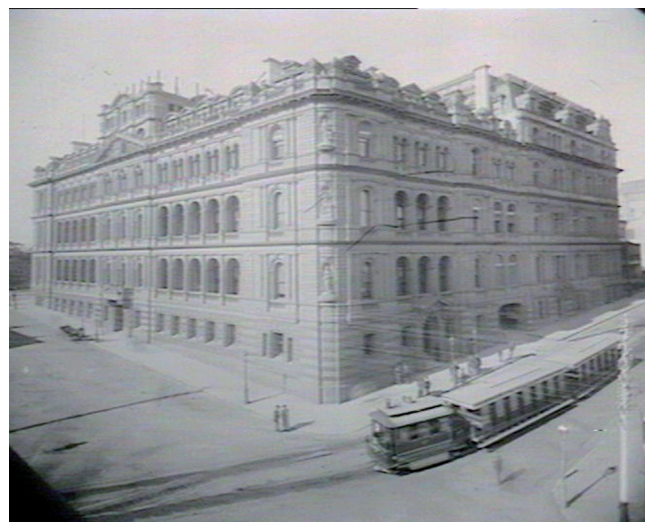


Figure 2.2

Work in progress on the construction of the dome over CSB c. 1896. The caretaker's quarters have been added to the roof of the former Department of Public Works building.

Source: Government Printing Office photograph St 990, Mitchell Library GPO 1-08674

In close proximity to Government House, the gates to that residence being across the road, it was in close to Parliament House and overlooked the Treasury Building. Its position halfway between Parliament and Government House, was both practical and illustrative of the respective relationships of those offices.

2.2 INITIAL CONSTRUCTION OF THE BUILDING

By 1869 sufficient finance had been raised to construct a new and worthy building for the office of the Chief Secretary of the colony as well as providing offices for the Works Department. James Barnet, the Colonial Architect, designed an impressive multistorey building to occupy the six lots in an 'L' shaped portion of the block fronting bridge Street in the period. The drawings were prepared in the period of July 1869 to mid 1870. For this work Barnet was paid nineteen pounds and ten shillings.

The first tender for the work, excavation and masonry, was let in 1873 to the McCredie Brothers. However, by mid 1874, only a little over three thousand pounds had been spent out of an estimated sixty thousand pounds expenditure.

By mid 1875 over fifteen and a half thousand pounds had been spent on the new building. By this time tenders had been let for marble and timber floors. By mid 1876 the expenditure on the building had risen to 33,128 pounds and by mid 1877 to 52,424 pounds. By 1878 it was obvious that the building was going to considerably exceed the original estimates for its construction costs. By June of that year over seventy six thousand pounds had been spent, sixteen thousand pounds above the original estimate. This figure did not encompass the thirty five thousand pounds it was estimated would be required for the finishing trades.

The last works on the buildings included the commissioning and erection of statues by Giovanni Fontana and the completion of the finishing trades. In 1880 it was reported that work on the Colonial Secretary's building was completed at a final cost of 81,558 pounds, nineteen shillings and one penny. It was noted, though, that the finishing trades were still ongoing at that time, having spent over 42,620 pounds upon them. These works were completed the following year.



Figure 2.3

Looking to the former Department of Works building, a later addition to the Chief Secretary's Building in 1906.

Source: Proudfoot, 1991, from ML, State Library of NSW

2.3 SUBSEQUENT ALTERATIONS

The former Department of Public Works building has undergone several alterations in the course of its history. The following chronological timeline of alterations and changes to the heritage building over time, is an edited version from the 2016 CMP. For a more detailed history of the subject building refer to the accompanying updated CMP prepared by GBA Heritage.

1873 - 1880	<ul style="list-style-type: none"> Construction of the Colonial (Chief) Secretary's and Public Works Offices in Italian Renaissance style, fronting Bridge, Macquarie, and Phillip Streets, designed by James Barnet, Colonial Architect.
1889	<ul style="list-style-type: none"> Additional offices were required for Public Works Department. The building comprised six stories and three bays with sixty foot frontage to Phillip Street, and to be of red brick. The connection between this building and existing offices was proposed to be through iron footbridges to each floor. Design sent to James Barnet with instruction to 'have it put into shape as quickly as possible'. Even though 50 Phillip Street was designed, amended and approved in several rounds, the construction process was relatively seamless.
1890	<ul style="list-style-type: none"> Nos. 44-46 Phillip Street and Phillip lane were resumed by government. Public Works Committee request for using the Board Room in main building resulted in the preparation of plans for further accommodation for Public Works on site of 50 Phillip Street. Following pressure from heads of various branches within Public Works Department, Cabinet approved the second additions to 50 Phillip Street, on the southern side of the first addition. Plans prepared for a linking suite of rooms of four stories with arches over Phillip Lane. Buildings at Nos. 48-50 Phillip Street resumed. Composite plans drawn for Phillip Street extension with a further addition proposed on the site of Nos. 52-54 Phillip Street (not constructed).
1891	<ul style="list-style-type: none"> Vernon proposed to provide additional offices by altering the upper floors of the building in the course of construction. Third and fourth floors (Levels 5 & 6) to be converted into full floors, fenestration and roof completely altered. Work stopped due to changes of plan. Price agreed with Fallick & Murgatroyd for revised plans and amendments to existing contract.
1892 - 94	<ul style="list-style-type: none"> Caretaker's cottage added to roof of Phillip Street additions. Phillip Street additions including extra floor, Mansard roof and dome to original building completed.
1894 - 96	<ul style="list-style-type: none"> Following a fire to the roof of the original Colonial Secretary's Building, an extensive mansard roof and central dome was added to the original building to provide more accommodation
1896 - 1922	<ul style="list-style-type: none"> Addition of external galleries on Level 2-4 along the north side of the Phillip Street addition, over laneway.
Pre - 1911	<ul style="list-style-type: none"> Removal of tanks on top of toilet block at the southwest corner of the Colonial Secretary's Building and addition of two floors, providing two large offices.
1911	<ul style="list-style-type: none"> Addition of new helio room on top of toilet block.
1915	<ul style="list-style-type: none"> New ladies' lavatories were constructed.
1923 - 24	<ul style="list-style-type: none"> Bridge connection made from CSB to former Department of Public Works on level 5 and roofed.
1936	<ul style="list-style-type: none"> Renewal of roof covering of whole building.
1954	<ul style="list-style-type: none"> Two new lifts installed in the building and old lift within the central stair removed, resulted in reduced light well.

1967	<ul style="list-style-type: none"> Phillip Street building was used for the Family Division of the Supreme Court. Treasury records accommodated on level 6 of the building.
1967 - 70	<ul style="list-style-type: none"> Major refit to the building to accommodate divorce courts, staff and to improve egress and safety.
1970 - 77	<ul style="list-style-type: none"> Former Department of Public Works used by Family Law Division of the Supreme Court as courts, chambers, and offices
1976	<ul style="list-style-type: none"> Proposed refit for use by the NSW Industrial Commission.
1977	<ul style="list-style-type: none"> New Industrial Commission, courts and administration relocated to the building.
1985	<ul style="list-style-type: none"> Beginning of major program of stonework restoration to Chief Secretary's Building and former Department of Public Works by State Projects, Public Works Department as part of Bicentennial project.
1989 - 90	<ul style="list-style-type: none"> Mansard roof repairs to the building, Phillip lane and north eastern corner elevations including replacement of the sheeting, dormer windows and roof vents, all on copper. The remaining elevations of the mansard roof were retained, and the original zinc dormer windows and roof vents were patched with fibre glass patches and painted.
1992	<ul style="list-style-type: none"> Centenary of industrial arbitration in New South Wales. Refurbishment of judges' consulting room including repainting of room, new curtains, carpet, lights and furniture. Some furniture restored. The room was re-named Centenary Room.
1994	<ul style="list-style-type: none"> President of Industrial Relations Commission approved plans for redevelopment of both buildings for use by the Commission in terms approved by the NSW Heritage Council.
1997	<ul style="list-style-type: none"> Industrial Relations Commission, previously part of Department of Industrial Relations, occupied level 5 of the building.
1998	<ul style="list-style-type: none"> The building underwent minor refurbishment including revision of accommodation for manager of the Industrial Court Registry and the Industrial Commission Registry. Lift cars replaced; staircase repainted.
2003	<ul style="list-style-type: none"> Plans well advanced for refurbishment of the Chief Secretary's Building for use by Industrial Relations Commission and transfer of all staff to CSB and former Department of Public Works. Construction work for integrated IRC across CSB and former Department of Public Works commenced, including the provision of new internal pedestrian link at level 5. The two buildings were served by updated and integrated new services including Fire, EWIS and Security Systems.
1970 - 2004	<ul style="list-style-type: none"> Phillip Street addition renamed No. 50 Phillip Street and used as a separate building administered by the Attorney General's Department.
2004 - 5	<ul style="list-style-type: none"> New ducted air-conditioning was installed to levels 2-6, including replacement of FCU (floor mounted units) on to existing skirting ducts, installation of plant within a room on level 3 and new condenser units at roof level. Corridors were also repainted in heritage colour scheme at this time. Installation of new joinery for the Vice President's Courtroom (level 3) and Commissioners Hearing Room (level 2), including repainting of the walls. Installation of structural bracing in the first floor balcony to support the original stone archway spanning across Phillip lane.

2006	<ul style="list-style-type: none">• Installation of a new lift in 2006 between levels 5 and 6, including new partition walls, to extend disabled access to all floors.
2017 - 2020	<ul style="list-style-type: none">• Alterations to the existing court rooms and installation of new office fitouts for the NSW Department of Justice carried out in 2017.• Dividing large rooms into two or three smaller spaces by fixed or movable (rolling) partition walls, destruction of ensuites on levels 3 - 5, construction of walls and openings on the northern side of the building at all levels, enclosing corridors and separating toilets from other spaces, and the demolition of stairs to courtrooms in levels 3 - 6.

3.0

SITE DESCRIPTION

3.1 INTRODUCTION

This section describes the current buildings and their context. It makes use of the historical evidence outlined in the previous section to understand the physical changes that have taken place.

3.2 BUILDING HEIGHTS IN SYDNEY

Sydney has evolved through a series of historical stages. Regarding the evolution of building heights, the following cities can be discerned¹:

- The Colonial city
- The Victorian/Federation city
- The Post-War city
- The contemporary city

In the Colonial city, buildings were mainly constructed in one or two storeys, whilst builders usually had difficulty in achieving good quality clay or lime. However, by 1800, construction techniques had improved remarkably, allowing the construction of two or three storey buildings. During this time, regulations banned the use of timber for fire safety reasons, resulting in changes in the nature of the city².

Over the second half of the 19th century, Sydney was developed by phenomenal growth, one which eradicated the traces of landscape in which the city had been developed, in the inner city at least. As Sydney became denser and buildings enclosed the view, the vision of the city settled among nature, became substantially obscured. The advances in technology allowed for and demanded straighter routes to provide tram tracks, gas, sewers, electricity, and telephone lines.

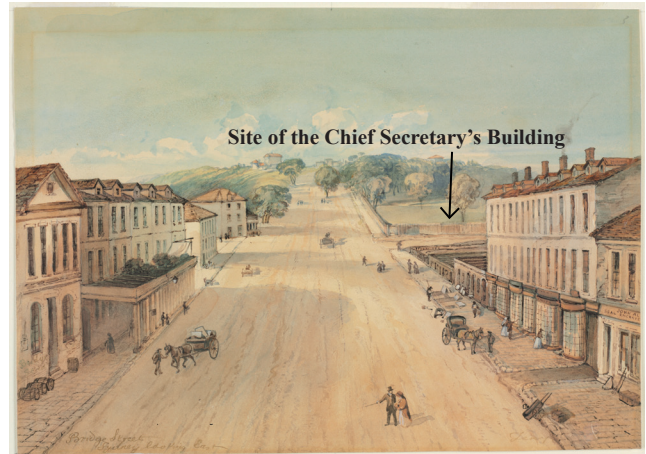


Figure 3.1
This picture shows western side of Bridge Street toward Macquarie Street in 1853.
Source: SLNSW_c1853_Frederic Charles Terry_Ref Code 862481

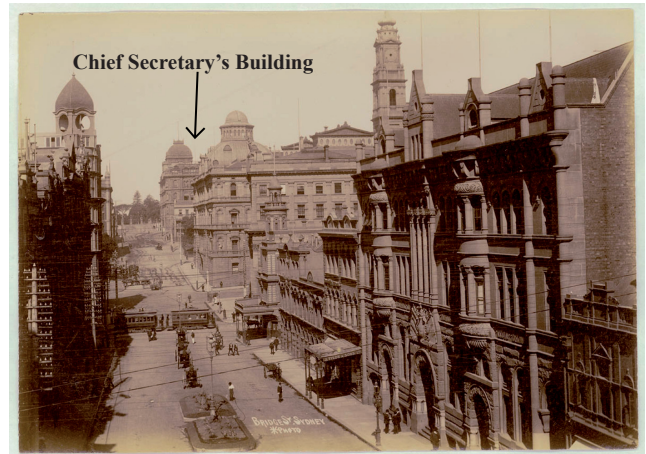


Figure 3.2
This picture shows western side of Bridge Street toward Macquarie Street. CSB is visible on the corner of Phillip and Bridge Streets.
Source: State Library New South Wales, ca. 1900-1910 PXE 711/386



Figure 3.3
This picture shows western side of Bridge Street toward Macquarie Street in 2020 (CSB is not visible in this picture).
Source: GBA Heritage, 2020

¹ SHI for Sydney Metro prepared by GBA Heritage in 2020

The views of the harbour that had delighted the early settlers, were preserved for those wealthy people to see it as a sea playground². In the second half of the 19th Century, when Sydney's population increased from nearly 50,000 to 400,000, the Victorian city was formed. During this time, many three storey buildings were interspersed with taller buildings such as hotels, banks, church spires, and government buildings¹.

Until the advent of the lift in the 1880s, the tallest buildings only reached four to five storeys. The Chief Secretary's Building was constructed in the 1880. During this time, new construction materials such as ready-made cast iron columns and beams began to be imported. Most of the tall commercial, religious and public buildings built at this time remained as landmarks.

During the Federation period, with the advances in new structural and lift technologies, several seven to ten storeys buildings were constructed and called 'skyscrapers'. In 1910, Sydney developed into a metropolis after Federation and the wealth of the settlement increased, resulting in the construction of taller buildings³. The change in the Sydney streetscape can be seen from Figures 3.1 - 3.4.

Sydney's first tower was Culwulla Chambers, a 12-storey commercial/office building located on the corner of King and Castlereagh Streets. The construction of this building at 50 metres high as the tallest building in Sydney, raised fears that Sydney would develop a New York style skyline with darkened streets. As such, the 1912 Height of Buildings Act by the New South Wales government introduced restrictions for buildings' height to 45 meters. This Act remained until 1957², when it was amended to remove the height restriction. An advisory committee was appointed to control the design of buildings over 150 feet in height³.

With the removal of height restrictions in the post Second World War, many of central Sydney's old buildings were demolished to make a way for modern high-rise buildings, which consequently changed Sydney's cityscape again.

In 1957, most 19th century buildings located around Circular Quay were demolished to give way to towers designed in a monotonous local version of the international style. By the end of the 1960s, Sydney was looking like the American model it had so recently sought to emulate, though on a reduced scale and set within a landscape that still, despite all odds, prevailed¹.



Figure 3.4
Central Sydney as it was (from top) in 1888, 1960, 1970 and 2016. Several taller buildings have since been built, commenced or approved.
Source: National Library of Australia



Figure 3.5
This map shows tall buildings over 60 metre (shaded in black), and heritage items (shaded in yellow). The subject site (shaded in pink) is surrounded by tall buildings.
Source: Central Sydney Planning Strategy, Appendix C, Height of Buildings Study.

2 Fromonot, F., & Thompson, C. (2000). Sydney: History of a Landscape. Vilo International.
3 The Dictionary of Sydney, Culwulla Chambers, 2006-2016.

In 1961, the AMP building, the first to aspire to replicate the New York skyline, was completed. In the 1950s, the State Government aspired to increase the range and scale of government services. At this time, the government decided to construct its new office block, resulted in the construction of the State Office Block in 1965 at a height of 420 feet, creating a significant change in the appearance of Sydney. This building was the tallest building in Australia until Harry Seidler's Australia Square Tower, which was constructed a year later in 1966, eclipsing the State Office Block³.

Since the 1980s, with substantial advances in computers, materials and structural technologies, a new wave of 'supertall' buildings emerged throughout the world.

In Central Sydney, the current maximum building height is generally 235 metres (with exceptions such as Area 3, where height is largely governed by solar access considerations)⁴. Under the draft Central Sydney Planning Strategy, aiming at enhancing Sydney's global competitiveness, permissible heights will be further increased in certain locations².

Sydney CBD is still evolving, and is characterised by a considerable and substantial collection of old and new, tall and short buildings, all in close proximity to each other.

3.3 URBAN CONTEXT

The subject site is located in Central Sydney, on one of Sydney's most important locations, on a key site along the north east edge of Sydney's core Central Business District (CBD), extending from the southern Harbour entrance along the south shore. The area presents a mix of important commercial and tourism uses and is located on an intersection of three key precinct:

- Circular Quay Precinct: A vibrant, waterfront destination that includes the financial business core as well as world renowned tourist icons such as the Sydney Harbour Bridge, Opera House and Circular Quay Ferry Wharves.
- Bridge Street Precinct: A historic sandstone building precinct including state heritage listed Chief Secretary's Building, Land and Education Buildings, and the Museum of Sydney site.
- Macquarie Street East Precinct: Home to some of Sydney's most important public buildings and iconic open spaces including the Sydney Botanic Gardens, the Domain, NSW State Library and Parliament buildings.

⁴ Sydney LEP 2012 Height of Buildings Map.

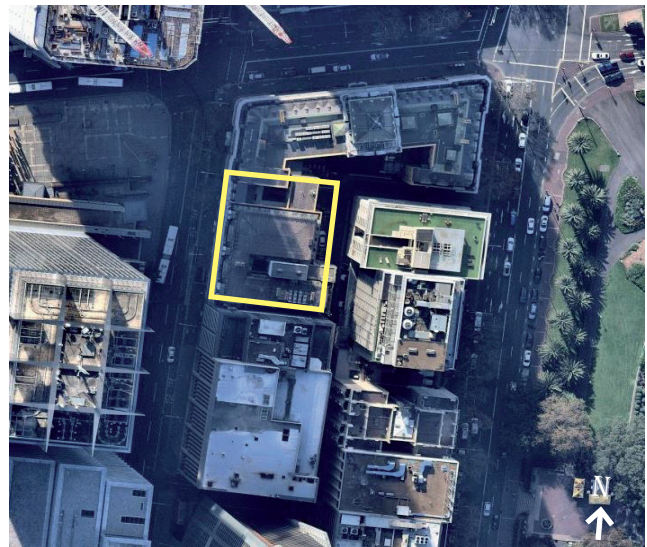


Figure 3.6
Aerial location map showing the subject site outlined in yellow.
Source: Nearthmap, 2020



Figure 3.7
Looking north toward the former Department of Public Works building at 50 Phillip Street
Source: GBA Heritage, 2020



Figure 3.8
Looking south toward the former Department of Public Works building at 50 Phillip Street
Source: GBA Heritage, 2020

The subject site is in Metropolitan Centre zone area, with frontages to Phillip Street on the west, and Phillip Lane on the east. Two commercial buildings sharing a built-to-boundary condition currently occupy the overall site. The heritage listed sandstone building at 50 Phillip Street on the north side of the site is six storeys in height and contains commercial office space. The building at 52 Phillip Street is located on the south side of the site and is twelve storeys in height, containing a ground level cafe/bar use, with commercial office space above.

The site slopes down from east to west along with the northern Phillip Lane which connects through western side of the site from Phillip Street at the west boundary of the site. This connection creates a stratum of land on the northern edge of the site forming part of the proposed project by offering opportunity for both hotel drop off and loading functions whilst preserving the heritage significant Phillip Street frontage (main facade).

The subject site is within walking distance to a diverse mix of commercial, cultural, retail, entertainment facilities and public open space. The subject site benefits from a well established system of pedestrian routes and transport infrastructure. The immediate area is characterised by a mix of commercial office and hotel uses with some ground level retail, restaurant, cafe, bar and residential uses. The tallest buildings in Sydney's CBD are clustered towards the western side of the site.

Architecturally, the area is surrounded by several local and state heritage listed items, mainly constructed in the 19th and 20th Centuries, contributing to the historical significance and character of the area. The heritage items in the vicinity of the subject site are characterised by a range of styles, ranging from Old Colonial Georgian and Victorian "Neo-Classical" to Art Deco styles.

The subject site is in close proximity to Sydney Royal Botanic Gardens, specifically to Palm Trees which is an archaeological state heritage registered avenue, and Bridge Street. The subject site is also in close proximity to the site of the First Government House, the NSW Parliamentary buildings and the principal offices of the main departments including Treasury, Lands, and Education. The subject site is surrounded by high rise modern buildings on its southern, eastern, and western sides.

The subject site is located within the boundary of Governors Domain and Civic Precinct which is on the National Heritage List, demonstrating the foundation and development of Australia's civic institutions and early parliamentary forms of government, as well as historic patterns in Australia's development as a nation.

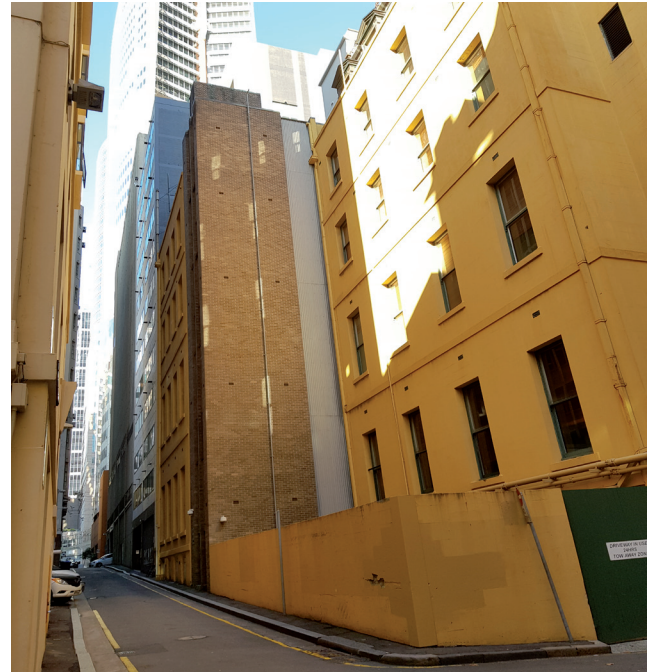


Figure 3.9
The rear facade of the building (east side) facing Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.10
Looking south toward the building from the intersection of Bridge and Phillip Streets. The First Government House Site, Museum of Sydney, Terrace Houses, Governor Phillip and Macquarie Towers are located opposite the subject site.
Source: GBA Heritage, 2020



Figure 3.11
Location map showing the subject site outlined in red.
Source: Nearmaps (edits by Ethos Urban)



Figure 3.12
Looking South to Phillip Street from the Museum of Sydney. Aurora Place and Hotel School Sydney are located on the south side of the subject site.
Source: GBA Heritage, 2020



Figure 3.13
Looking to the Museum of Sydney from the subject site.
Source: GBA Heritage, 2020



Figure 3.14
Looking to the Phillip Street Terraces from the subject site.
Source: GBA Heritage, 2020



Figure 3.15
Former Treasury building (Intercontinental Hotel Sydney) located on the intersection of Bridge and Phillip Streets
Source: GBA Heritage, 2020



Figure 3.16
Looking northward to Phillip Street from the intersection of Bridge and Phillip Streets
Source: GBA Heritage, 2020



Figure 3.17
Looking southward to Phillip Street from the subject site
Source: GBA Heritage, 2020



Figure 3.18
Looking to Governor Macquarie and Governor Phillip Towers, located opposite the subject site and behind the museum of Sydney.
Source: GBA Heritage, 2020

3.4 VIEWS TO AND FROM THE SITE

The subject site is located on one of the Sydney's most important locations, on a key site along the north-east edge of Sydney's Central Business District (CBD). Accordingly, there are significant views to and from the former Department of Public Works building, which are identified in this section, and a detailed assessment is provided later.

The following information has been taken from the 2016 CMP:

There are significant views to and from the subject site along the major streets, as well as Phillip Lane, which terminates at Aurora Place on the southern end of the block.

The building at 50 Phillip Street contributes strongly to the group of landmark sandstone buildings which front Macquarie Street. Together with the Chief Secretary's Building, 50 Phillip Street forms an important backdrop for the plaza fronting the Museum of Sydney (site of First Government House).

The subject site is prominently located on Phillip Street, and is a component of a highly significant group of 19th and early 20th century government buildings on Phillip and Bridge Streets. Accordingly, it is an important historic visual element in the streetscapes of Phillip Street, and to some extent, Bridge Street.

The former Department of Public Works building has a setting which extends beyond its property boundaries as it can be seen from the surrounding streets, totally or partially.

Primary view is the northern view and eastern view. The northwestern view is available between the Governor Phillip Tower and the Quay Quarter Tower.

The main frontage of the subject site is to Phillip Street and the rear opens onto Phillip Lane. The Chief Secretary's Building is on the north side of the subject site. A 12-storey modern commercial building is located on the south side of the site, which is to be demolished and used as the primary base for the new 46 storey mixed use hotel and residential tower.

The First Government House Site, as the first centre of colonial administration in Australia, sits opposite the subject site, on the south western corner of the intersection of Bridge and Phillip Streets. Governor Phillip and Macquarie Towers, a modern commercial skyscraper, as well as state heritage listed Terrace Houses at 39-47 Phillip Street are located on the southern side of the First Government House Site and opposite the subject site.

Phillip Lane is a narrow lane which has high rise buildings on both sides. Accordingly, view to the subject site from the southern end of Phillip Lane, is partially obscured.

Regarding the location of the former Department of Public Works building, the primary views to and from the subject site, are:

- Phillip Lane, on the east side of the building.
- Museum of Sydney, forecourt at Phillip Street and threshold from Bridge Street, on the west side of the building.
- Bridge Street, between Young and Loftus Streets.

The most notable views, which are also historical views, are views from Phillip and Bridge Streets. The forecourt of the Museum of Sydney is also considered to be an important visual setting.

Views outside the public domain are from upper levels of the various high-rise buildings surrounding the site and are largely limited to the building's roof level.

Views to the former Department of Public Works building from the corner of Phillip and Bent Streets, looking north, are mainly obscured due to the arrangement of the street and the street wall. However, there are views to the heritage building from a closer distance, looking north to the subject site.

Views from the corner of Phillip and Alfred Streets to the heritage building are mainly covered by street trees of Phillip Street. However, there are views to the subject site from the Quay Quarter Tower, looking south.

3.5 HERITAGE ITEMS IN THE VICINITY

The location of heritage listed items in the vicinity of the subject site are shown in Figure 3.19. These items and the impact of the proposed development on them is further described.

I1872 - Chief Secretary's Building

121 Macquarie Street
SHR Number: 00766

This heritage item is a four storey sandstone building with a copper and slate roof mansard and a copper clad dome facing Macquarie, Bridge, and Phillip Streets. This heritage building is located on the North side of the subject site.

The long history and multiple examples of tall buildings directly adjacent to low-scale heritage buildings in Sydney's Central Business District (CBD), especially on street corners, has been noted and discussed in this section. The proposal is thus consistent with the nature of development in the city centre generally, and in Phillip Street particularly.

The proposed development sits well back from the Chief Secretary's Building on its northern boundary. This sufficient separation between the two buildings will retain views to the Chief Secretary's Building from Bridge, Phillip, and Macquarie Streets. Furthermore, the proposed form and material make a clear distinction between old and new. Accordingly, the proposed development will have an acceptable heritage impact on the Chief Secretary's building and will not obscure views to and from the heritage item.

I1873 - The Astor Building

123-125 Macquarie Street

The Astor is located in Macquarie Street, facing the Botanic Gardens. The building is a rendered masonry designed in the Inter-War Free Classical Architectural style. The building comprises 13 residential floors from ground floor to level 12, and lower ground retails facing Phillip Lane. The Astor building is located on the eastern side of the subject site, across Phillip Lane.

The Astor building is built to boundary without setbacks, so that the windows are relying on the facing Phillip Lane for light and air. The Astor apartments are relying on surrounding sites for amenity/separation due to their built to boundary condition. Accordingly, an initial residential visual privacy study has been undertaken by referring to the Design criteria of Apartment Design Guide (AGD).

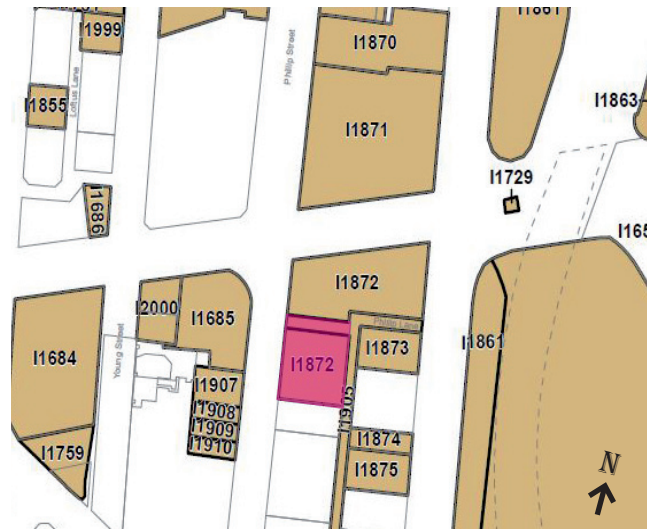


Figure 3.19
Extract from the LEP Heritage Map 014 showing the subject site shaded in pink., and the listed heritage items in the vicinity
Source: Sydney Local Environmental Plan 2012



Figure 3.20
The Chief Secretary's Building located on the northern side of the subject site, adjacent to the former Department of Public Works building
Source: Google Map, 2020



Figure 3.21
The Astor Building on the eastern side of Phillip Lane and the western side of Macquarie Street.
Source: GBA Heritage, 2020

Although some extension of the tower exists above 50 Phillip Street, the tower volume is largely setback from the north-west corner and also three-dimensionally stepped down to land on 52 Phillip Street site, which provide a great distance and visual separation from the Astor building to the proposed tower. Furthermore, proposed first hotel floor is above the last residential floor of Astor building, the tower volume is all non-habitable, which does not impact on the visual privacy of the habitable rooms of the Astor building.

Two levels of proposed rear additions to the heritage building facing Phillip Lane will be above the existing service entry on 50 Phillip Street, which is in front of the residential floor of Astor building on ground floor to level 2. These addition floors consist of a library on level 2 and a function room on level 3, which are habitable rooms however having less privacy impact than hotel rooms. A privacy screen is proposed to be installed to the facade of the rear addition volume, which protects the visual privacy of Astor building and also protect them from the light coming from the library and the function room at the night time.

Regarding views to the Astor building from Macquarie Street, the proposed development along with other high-rise buildings in the same row, form a cityscape backdrop to the heritage buildings on the west side of Macquarie Street, respecting and enhancing streetscape presence of the heritage buildings. Accordingly, the proposal has the potential to protect the character and setting of the Astor, while not imposing on its identity and visual presence on Macquarie Street and Phillip Lane.

I1685 - First Government House site

41 Bridge Street
SHR Number: 01309

First Government House was the first permanent centre of colonial administration in Australia. As such, the site is of great symbolic importance to the Australian people.

The site is located on the corner of Bridge and Phillip Streets. The proposed development is opposite the site, on the eastern side of Phillip Street. Although the proposed development is visible from the site, it is largely in keeping with the character of the area, respecting and retaining the streetscape presence and character of the site.

The proposed tower envelope is set well back from the Plaza and sits above the dramatic scale of the 50 Phillip Street sandstone facade that forms an important oblique backdrop to the Plaza. The proposed podium is aligned with the height of the heritage building and site boundary. As such, the proposal will have an acceptable heritage impact on views to and from the First Government House site, forming an important oblique backdrop to the Plaza.



Figure 3.22
Looking toward the First Government House site and the subject site, from Bridge Street
Source: GBA Heritage, 2020

I1907, I1908, I1909, I1910 - Phillip Street Terraces

39-47 Phillip Street
SHR Number: 00621

These terraces are located on the west side of Phillip Street, opposite the subject site. There are views to the proposed development from the Phillip Street Terraces. However, the proposed podium is aligned with the heritage building and the proposed tower envelope provides a more generous setback to Phillip Street by siting well up beyond the immediate streetscape in comparison to the alignments of high-rise buildings on this side of Phillip Street. The proposed development maintains the existing urban and historical architectural relationship with the Phillip Street Terraces, which were the earlier home of the Public Works Department. Therefore, the proposal will have an acceptable heritage impact on views to and from these heritage listed terraces.

I1871 - Former Treasury Building (Intercontinental Hotel)

115-119 Macquarie Street

The former Treasury building comprises an attached group of sandstone buildings fronting Macquarie and Bridge Streets, to the east and south respectively. The subject site is facing Phillip Street, which is well separated from the former Treasury building by distance and intervening development. As such, there is no direct visual connection between the former Treasury building and the former Department of Public Works building. However, views to the airspace above the heritage item are available. The proposed development concentrates away from the Former Treasury Building. The proposed development will respect and protect the established historical relationship between the Former Treasury and Chief Secretary's Building, two of the most important and prominent buildings in Macquarie and Bridge Streets precinct.

I1874 - History House

133 Macquarie Street
SHR Number: 00692

The History House is a three storey building located between Bridge and Bent Streets. It is on the western side of Macquarie Street, facing the Royal Botanic Gardens. As such, the main views to the heritage item is from Macquarie Street and the western edge of the Botanical Gardens across the street. However, these views are partially obscured by street trees on either side of Macquarie Street. Therefore, there is no direct visual connection between the heritage item and the proposed development. However, views to the airspace above the subject site are available from



Figure 3.23

Looking toward Phillip Street Terraces from the subject site
Source: GBA Heritage, 2020



Figure 3.24

Looking to the former Treasury Building from Macquarie Street
Source: GBA Heritage, 2020

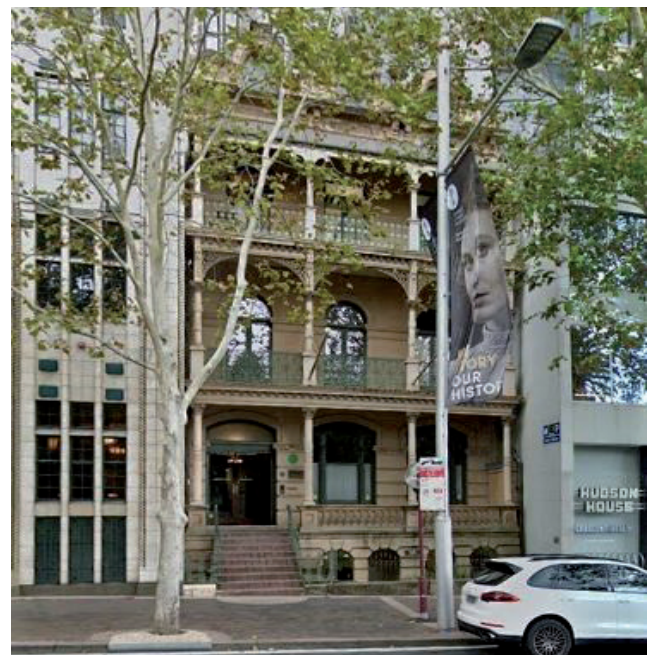


Figure 3.25

Looking toward History House from the Royal Botanic Garden
Source: Google Map, 2020

behind the heritage item on Macquarie Street. The stepped form and well separation of the proposed development from the heritage item, preserve the streetscape presence of History House. Thus, the proposal has an acceptable heritage impact on History House.

I1875 - BMA House

135-137 Macquarie Street
SHR Number: 00252

BMA House is a 13-storey building located between Bridge and Bent Streets, on the western side of Macquarie Street, adjacent to History House. This heritage building is one of the Sydney's early skyscrapers. The main views to the BMA House are from Macquarie Street and the Royal Botanic Gardens across the Street. Accordingly, there is no direct visual relationship between BMA House and the proposed development, except views to the airspace above the subject site. However, the proposed podium and tower envelope as well as its well separation from the BMA House result in preserving the streetscape presence of the heritage item.



Figure 3.26
Looking to BMA House from the Royal Botanic Garden
Source: Google Map, 2020

I1905 - Phillip Lane

Phillip Lane

The north-south Phillip Lane connects Bent Street to 121 Macquarie Street, then it crosses with the east-west Phillip Lane, connecting Phillip Street to Macquarie Street. This connection creates a stratum of land on the northern edge of the subject site, forming part of the proposed development.

Phillip Lane provides vehicle access and service to buildings on both Phillip and Macquarie Streets. The Lane is substantially surrounded by buildings which are of heritage significance. The subject site is located on the western side of Phillip Lane and is connected to the lane via a sandstone archway. The western side of the north-south Phillip Lane has a varied street wall height buildings.

For the proposed addition to the rear of the heritage building, several options have been considered, with respect to the view towards the Chief Secretary's Building through Phillip Lane from the south to the north, and considering the importance of the clear visibility towards the dome structure of Chief Secretary's Building from Phillip Lane. The proposed additions maintain views to the Chief Secretary's Building, the dome structure, and the sky around the dome.

Accordingly, the proposal has an acceptable heritage impact on Phillip Lane as it keeps with the built form character of Phillip Lane and maintain significant views to heritage buildings.

3.6 BRIDGE STREET, MACQUARIE PLACE, BULLETIN PLACE SPECIAL CHARACTER AREA

As the subject site is located within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area (Figure 3.27), the potential impact of the proposed development on this area is also considered herein.

Regarding the Bridge Street/Macquarie Place/Bulletin Place Special Character Area, the DCP 2012 states:

Bridge Street was the earliest east-west link across the Tank Stream between George and Macquarie Streets. It is significant for its association with a major colonial government building programme in the 1880's, which included the First Government House and Macquarie Place Reserve. Both the Reserve and Bridge Street represent the early planning of the colony with a street pattern that is reflective of the area's early topography.

The area retains evidence of its establishment by Governor Macquarie as the geographic and administrative centre of the colony, with the sandstone obelisk placed at the centre of Macquarie Place to mark the point from which all distances in the colony were measured.

A cohesive group of landmark sandstone buildings, some occupying whole blocks, define important public spaces and corners. Bridge Street offers an important vista to the Conservatorium of Music to the east and views to the water. Other views are distinguished by significant buildings within the area, especially those with special roof features.

The intact system of supporting lanes, some incorporated within building facades, is rare in the City and improves pedestrian permeability.

No external changes on the principal (west) facade of the heritage building is proposed. The proposed adaptive reuse of the heritage building will not impact on its substantial contribution to the Victoria era character and townscape values of the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses.

3.7 MACQUARIE STREET SPECIAL CHARACTER AREA

The eastern side of the subject site is adjacent to the western boundary of the Macquarie Street Special Character Area (Figure 3.28). Regarding the Macquarie Street Special Character Area, the DCP 2012 states:

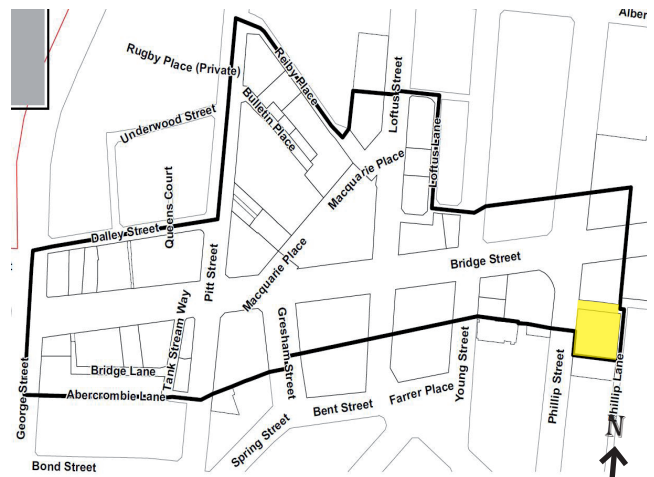


Figure 3.27
Bridge Street/Macquarie Place/Bulletin Place Special Character Area outlined in black. The subject site is shaded in yellow.
Source: Sydney DCP 2012

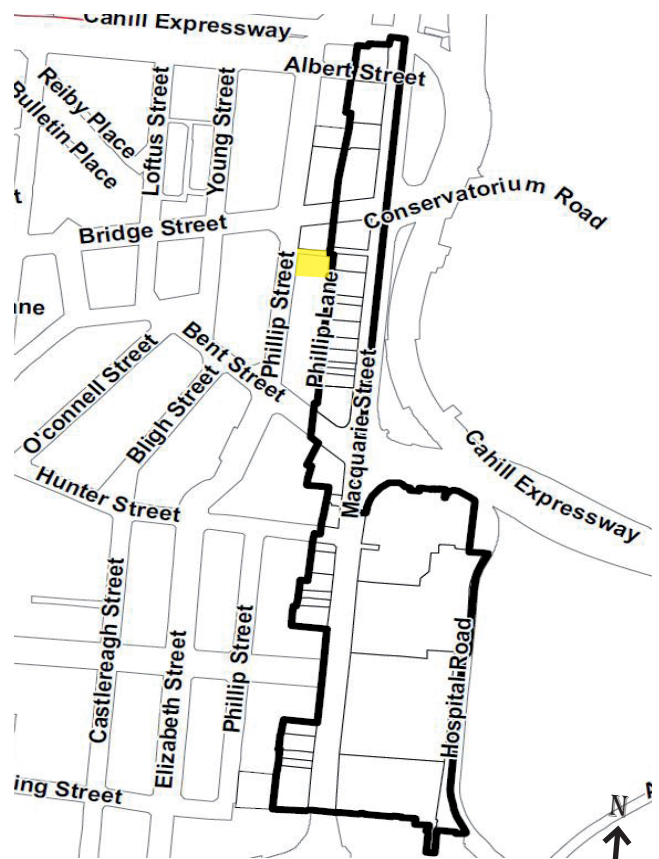


Figure 3.28
Macquarie Street Special Character Area outlined in black. The subject site is shaded in yellow.
Source: Sydney DCP 2012

Macquarie Street contains a collection of highly significant buildings dating from the early 19th century to the late 20th century. Originally a government precinct, it has expanded to embrace first residential, professional, then commercial and tourism uses.

Macquarie Street forms the eastern built edge of the City Centre. It is characterised by two distinct sides: its western built edge consists of medium scale buildings, stepping up to the city high rise beyond, creating a prominent city skyline when viewed from the Botanic Gardens; while the eastern edge includes the Botanic Gardens and to the south a cohesive rare group of public buildings of national significance, that terminate east-west streets and create significant vistas, particularly from Martin Place.

Macquarie Street is an important civic street providing a vista terminated to the south by Hyde Park, with views north to the Opera House.

Although the subject site is not within the Macquarie Street Special Character Area, the proposed development is consistent with the Special Area locality statement by preserving the highly significant building at 50 Phillip Street, as well as views to and from Macquarie Street.

3.8 DESCRIPTION OF THE BUILDING EXTERIOR

The following information has been taken from the CMP 2016:

The building consists of a five storey structure plus a sixth attic floor incorporated into the mansard roof. The principal sandstone-clad facade fronts Phillip Street and the building is connected at the upper floors across Phillip Lane to the Chief Secretary's Building to its north.

It was designed as an annex to the earlier Chief Secretary's Building and built in two stages (a proposed third stage did not eventuate) resulting in a symmetrical composition of the Phillip Street facade. The entrance portico is located on the central axis of the first stage of development.

The building abuts the Chief Secretary's Building at levels 2, 3 and 4 with a single room and colonnaded balcony (the balcony is dispensed with at the 5th floor level) in a continuation of the Phillip Street facade of the earlier adjacent building. These rooms bridge over Phillip Lane supported on a shallow elliptical arch of sandstone supporting the arcaded facade below.

The side and rear facades of the building are constructed in cement-rendered brickwork with sandstone window sills and copings to the boundary walls.

The western (and upper parapet of the northern) facades of 50 Phillip Street have finely detailed sandstone construction of high aesthetic quality.

The principal facade of the building was designed to sit comfortably with the western facade of the earlier Chief Secretary's Building. The architectural style is "free classical", decorated with paired pilasters of the Doric, Ionic and Corinthian orders to the three principal floors above a basement (ground floor) of heavily rusticated stonework. It is constructed of yellow block sandstone, and is heavily articulated, featuring cornices, strings courses, paired pilasters, arch-headed windows with lions' head keystones and a pediment over the main entrance.

The Phillip Street facade has an apparent free form arrangement which is a direct outcome of the building being designed and approved in at least three major stages, even if built in one continuous building campaign. This is why the heavily unified composition of the Chief Secretary's Building to Bridge Street varies markedly from the 50 Phillip St extension.

The pattern of fenestration is similar to the Chief Secretary's Building, the arcades of that building here replaced by tripartite windows, flush with the facade. The elevation of the Phillip Lane 'bridge' is arcaded to match those of the earlier building. Cornices and string lines are carried through from the adjoining building while the arch-headed windows, complete with lions' head keystones are also directly copied.

The obvious difference between the two buildings is the added two-storey height of the Phillip Street annex. This is achieved by way of an attic floor in the sandstone facade above the main cornice; and a second attic within the slate mansard roof with dormer windows clad in Muntz metal and lead. The decorative cast iron 'cresting' to the roof gives the upper storeys a distinctly Parisian character, somewhat at odds with the more correct classicism of the Barnet's roofscape on the CSB building.

Extensive stone conservation works were undertaken to the Bridge Street and Phillip Street elevations of the Chief Secretary's Building and No. 50 Phillip Street during the 1980-1990s. The work at this time included replacement of coping and cornice stones, cleaning and installation of lead weatherings, and coincided with the roof and mansard works.

In 2002 the condition of the stone facades and associated elements was inspected, and outstanding conservation works identified. At No. 50 Phillip Street this outstanding work included movement of the arch spanning Phillip Lane. This was subsequently addressed in 2005 with the installation of structural bracing to the first floor balcony spanning over Phillip Lane.

Comment

The former Department of Public Works building was constructed in four stages between 1890 to 1893. The first stage was 3 bay width from levels 1 - 6, stage 2 was the construction of an infill over Phillip lane from level 2 to 5, stage three was the construction of an addition with 2 bay width from levels 1 to 6, and stage 4 included the increase height of mansard on level 6.

On the eastern side of the building on levels 3 and 4, on the south side of CSB, an external cantilevered walkway connects two buildings. On level 5, the curved walkway is in the form of a glass corridor.

The main facades of the building including the principal sandstone-clad facade fronting Phillip Street and the rear facade fronting Phillip Lane are currently in good condition. Phillip lane slopes toward west, so that the external ground level is above the finished floor level. The north facade of the building at ground level facing Phillip lane is dirty. There are signs of flaking and cracking of the paintwork to the ceiling of the archway over Phillip lane. Some window sills over the Phillip Lane appear to be buried under the kerbstone, damaged, or broken. The kerbstone has also blocked lower floor vents over the Phillip Lane.

For a more detailed description of the building exterior refer to the accompanying updated CMP prepared by GBA Heritage.

3.9 DESCRIPTION OF THE BUILDING INTERIOR

The following information has been taken from the CMP 2016:

The general internal arrangement at No. 50 Phillip Street is courtrooms, judges' chambers, conference and meeting rooms, staff rooms and ancillary functions located around a central main stair and tow lifts either side of a small lift lobby.

The main spaces of the building have the following construction and finishes:

Walls are of brick construction with a plastered finish. Generally, all of the original 1895 plaster and paint finishes were removed and replaced with thin cement render in the 1967 refurbishment with the exception of within the octagonal rooms bridging Phillip Lane.

Floors are timber floor boards, mostly with carpet linings to the office and courtroom areas, and linoleum to kitchen and storage areas. Stained timber floor boards are provided at limited locations (storage at Level 1). Bathrooms have ceramic tiles over a presumed concrete floor. Generally all of the floor finishes are in fair condition; although there are some areas of wear, in particular to some corridor areas or where the heavy furniture has been relocated. The floor linings to original kitchens (level 4-5) are in poor condition, and contain asbestos.

The original decorative ceilings were also largely removed in 1967, and were replaced with modern plasterboard with simple coved cornice throughout.

At ground level some of the rooms are below street level with accompanying issues of damp development.

The interior appearance of the building is generally plain, as much of the original detailing was removed in the 1967 refurbishment for court use. Remnant detailing includes brackets and cast-iron columns to the former open stair, which were partially embedded in to the north wall in the 1967 refurbishment.

Levels 3, 4 and 5 (the subject area) have been largely stripped of original internal fabric and finishes. Each of these three levels of the building was refurbished fitted out either in 1967, in 2006 when the building was occupied by the Industrial Relations Court, or more recently. As described above the refurbishment of these levels included the removal of the majority of original fabric and detailing including ceilings, wall plaster and paint finishes, new floor coverings, new lighting, and the insertion of services throughout.

The majority of joinery to the existing courtrooms on Levels 3 - 5 date from the 1967 refurbishment of the building by the Public Works department. One courtroom on Level 3 also contains joinery completed in 2005.

The lifts in the building were first installed in c1954, however the lift cars and lobby have undergone a number of upgrades, with the current lift cars dating from 1998 or later.

Comment

The reuse of building for the NSW Department of Justice has resulted in some internal changes to the building including the demolition and removal of existing courtrooms, as well as upgrading office fitouts.

At the present time, floors are mostly covered with carpet lining. Bathrooms have ceramic tiles. Floor finishes are in good condition with no signs of wear. The floor linings to original kitchens on levels 4 and 5 which were previously in poor condition, are currently in fair condition. Probably the latest refurbishment of the building in 2017, has addressed previous issues of flooring.

The building is currently occupied by the NSW Department of Justice, consequently spaces are mainly converted to offices for the department, based on their requirements. Accordingly, the building has changed remarkably as all platforms and stairs have been demolished to give way to new offices.

Items of movable heritage were observed in various locations within the building mainly on levels 4, 5, and 6, most of which have little significance.

New and modern office fitouts have been installed in most spaces. Some larger spaces such as a Courtroom on level 2, Judges Court on level 5, Judges Technology Court and Judges Court on level 4 have been subdivided into smaller office spaces through fixed or sliding partitions. Sliding partitions have capability to be folded and combine spaces as a larger space when needed, increasing the flexibility of spaces.

In some offices, new electrical services such as projectors and screens are installed. Throughout the building, there are several security (surveillance) cameras (CCTV). All these changes appear to have been carried out during the last refurbishment of the building in 2017.

For a more detailed description of the building interior refer to the accompanying updated CMP prepared by GBA Heritage.

3.10 CONDITION AND INTEGRITY

It is observed that the former Department of Public Works building is generally in good condition due to the regular refurbishment and relatively recent renovation of the building.

As the former Department of Public Works building is currently occupied by the NSW Department of Justice, the general internal arrangement of the building is offices, conference rooms, and storage, which are located around a central stair.

The building has undergone several refurbishments and two major alterations in the course of its history, resulting in extensive internal changes. The 1967 alterations of the building for NSW Industrial Relations Commission substantially changed the interior of the building through stripping out all original interior elements and fabric from the building. During this time, all fireplaces were bricked up (except two fireplaces at level 6), ceilings and cornices were demolished, plaster and painted decorative finishes were removed from most walls. A wall on the northern side of the central stair was constructed, in order to comply with the BCA. Raised platforms on courtrooms resulted in the construction of stairs. En-suite bathrooms were constructed on the southern side of the building to the large rooms such as Judges' Chambers. The toilet blocks and walkway on the eastern side of the building were demolished to give way for the construction of a fire stair.

During this time, the original lift (constructed in 1954) located in the main stairwell was demolished and two new lifts were constructed on the southern side of the central stair. Consequently, the eastern and western sides of the light well were partially covered up.

In 2017, the building underwent another alteration and refurbishment, to be used by the NSW Department of Justice. During this time, various fixed and sliding partition walls were constructed to subdivide large spaces into small office spaces. The building was painted, kitchens and toilets were renovated. The raised platforms and stairs to courtrooms were demolished. A wall on the northern side of the building was constructed, creating a separation between toilet blocks from the curved walkway to CSB. Office spaces were upgraded with new fitouts.

Although the building is in reasonable condition, damages to some elements of the building were observed. Cracking and flaking of the paintwork to the windows' sills were observed (levels 4 and 6). Some door locks, architraves, and skirtings are damaged and broken. Some spaces are dirty and there is a substantial amount of storage inside the building in different locations and spaces, that could be removed to clear these spaces. As outlined in the 2016 CMP, the only room to survive the carnage were the lozenge-shaped rooms above the Phillip Lane bridge. However, at the present time there was no access to this room, consequently its current situation could not be observed. Generally, there are few remnant original elements in the building, which make the interior less sensitive to further changes.

Externally the building has a high level of integrity, especially on the west side fronting Phillip Street, when seen from the public domain. The roofscape has also a high level of integrity. The interior of the building has little remnant integrity as a result of several changes over time.

Items of movable heritage were observed in various locations within the building mainly at levels 4, 5, and 6, most of which have little significance.



Figure 3.29
Looking north towards the former Department of Public Works building at 50 Phillip Street.
Source: GBA Heritage, 2020



Figure 3.30
The connection between the former Department of Public Works building and Chief Secretary's Building over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.31
North side of the building over Phillip Lane
Source: GBA Heritage, 2020



Figure 3.32
North side of the building over Phillip Lane, showing the buried and damaged window sills.
Source: GBA Heritage, 2020



Figure 3.33
Flaking paint of the archway ceiling over Phillip Lane.
Source: GBA Heritage, 2020



Figure 3.34
The rear facade of the building over Phillip lane.
Source: GBA Heritage, 2020



Figure 3.35
 Mansard roof and dormer windows within the lightwell, decorative iron balustrade around the perimeter of the light well, and metal louvred vents.
 Source: GBA Heritage, 2020



Figure 3.36
 A remnant fireplace on level 6 with a Timber Framed Mirror on the wall (little significant movable heritage).
 Source: GBA Heritage, 2020

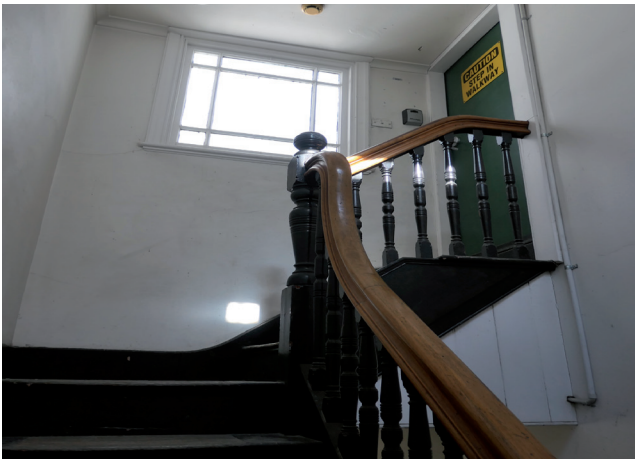


Figure 3.37
 A timber staircase to the roof on level 6
 Source: GBA Heritage, 2020



Figure 3.38
 Main central staircase
 Source: GBA Heritage, 2020



Figure 3.39
 A broken door architrave on level 6, showing an original brass knob and a new lever door handle
 Source: GBA Heritage, 2020



Figure 3.40
 A new office fitout and space for the NSW Department of Justice on level 4.
 Source: GBA Heritage, 2020



Figure 3.41
A new office fitout and space for the NSW Department of Justice on level 4.
Source: GBA Heritage, 2020



Figure 3.42
The original walkway to lozenge-shaped over Phillip Lane on level 3
Source: GBA Heritage, 2020



Figure 3.43
Level 5, looking across existing corridor
Source: GBA Heritage, 2020



Figure 3.44
Level 5, looking through the central staircase, showing the cast iron column partially enclosed
Source: GBA Heritage, 2020

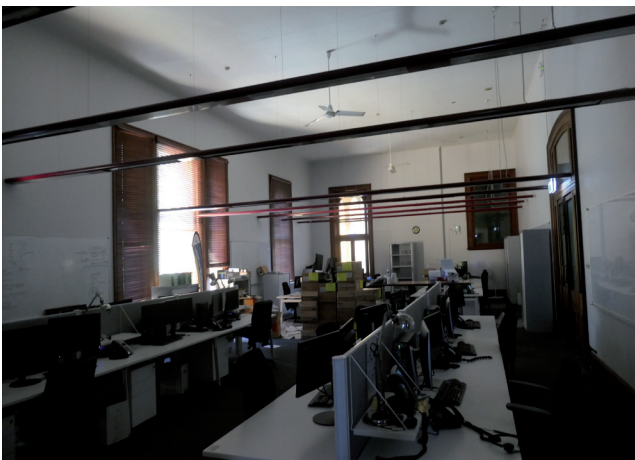


Figure 3.45
A new office fitout and office for the NSW Department of Justice on level 2
Source: GBA Heritage, 2020



Figure 3.46
A kitchenette on the first level, showing vents and mechanical fans installed within the window sashes
Source: GBA Heritage, 2020

4.0

ASSESSMENT OF CULTURAL SIGNIFICANCE

4.1 INTRODUCTION

Heritage, or “cultural” value, is a term used to describe an item’s value or importance to our current society and is defined as follows in *The Australia ICOMOS Burra Charter*, 2013, published by Australia ICOMOS (Article 1.0):

Cultural significance means **aesthetic, historic, scientific or social or spiritual value** for past, present or future generations.¹

This section establishes the criteria which are used to understand significance and identifies the reasons for the cultural value of the site and its components.

Significance may be contained within, and demonstrated by, the fabric of an item; its setting and relationship with other items; historical records that allow us to understand it in terms of its contemporary context, and in the response that the item stimulates in those who value it.² The assessment of significance is not static. Significance may increase as more is learnt about the past and as items become rare, endangered or illustrate aspects that achieve a new recognition of importance.

Determining the cultural value is at the basis of all planning for places of historic value. A clear determination of significance permits informed decisions for future planning that will ensure that the expressions of significance are retained and conserved, enhanced or at least minimally impacted upon. A clear understanding of the nature and degree of significance will determine the parameters for, and flexibility of, any future development.

A historical analysis and understanding of the physical evidence provide the context for assessing the significance. These are presented in the preceding sections. An assessment of significance is made by applying standard evaluation criteria to the facts of the item’s development and associations.

4.2 COMPARATIVE ANALYSIS

The subject property was built in four major stages over the period 1890-93 as a later extension to Chief Secretary’s Building, resulting in the asymmetrical formation of the Phillip Street facade. It has retained its character as a Victorian Second Empire style building, bearing a resemblance to Chief Secretary’s Building in style.

The subject building presents as a six storey extension to the Chief Secretary’s Building with a main frontage of sandstone cladding, contributing to the sandstone buildings which front Phillip and Bridge Streets. The sixth storey is an attic floor incorporated into the mansard roof. The side and rear facades are rendered brickwork, which are simple in comparison to the main sandstone facade.

The comparable analysis focuses on listed heritage items comparable with the subject site. These selected comparable 19th century buildings in Sydney LGA are detailed in Section 4.2.2 below, addressing buildings that share similarities in terms of date of construction, architectural detailing, architect, use, setting, visual prominence, and scale.

¹ *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013, p.2

² ie “social”, or community, value

General Post Office

Martin Place, Sydney, NSW 2000

General Post Office was constructed in a Victorian Free Classical style sandstone. Vernon designed additions on the George Street side of the building in the 1890s. He also added two storey fenestrated parapet and a tall mansard roof, bearing a resemblance to the former Department of Public Works building. As such, both buildings share a number of historical and design similarities.

The NSW Heritage Inventory provides the following Statement of Significance for the building, database entry number 5045424:

Statement of Significance

Of architectural significance as one of the finest 19th century public buildings in Australia. It features excellent Victorian carved stonework and is a monument to the important Colonial Architect - James Barnet. It is also of environmental significance as the key element in the Martin Place streetscape. This listing includes the main Martin Place structure, built in stages and the 1927 infill building.

Intercontinental Hotel former Treasury Building

117 Macquarie Street, Sydney, NSW 2000

This building is the first purpose built government office which was constructed in 1851 by Mortimer Lewis. This two storey sandstone building was designed in the style of a Georgian London club. The building underwent two additions.

Vernon designed the pedimented entry to Macquarie Street, giving a renewed importance of the building and respecting the architecture of the former building.

The NSW Heritage Inventory provides the following Statement of Significance for the building, database entry number 5044997:

Statement of Significance

The former Treasury Buildings group (within the Intercontinental Hotel complex) is an outstanding example of the state's 19th- early 20th century public buildings and forms part of what is arguably the finest group of these sandstone buildings in NSW. The architectural forms and detailing of the group, with its strong links to Victorian "Neo-Classical" traditions, make it an extremely fine exemplar of this style and reflect important contemporary links with English architectural practice. The facade of Lewis's original building in particular is a premier example in NSW of 19th century "Italian Palazzo" style based closely on a London model. The bold but

sympathetically related Vernon additions fronting Macquarie Street are impressively proportioned and detailed and represent an excellent and perhaps unique example of late Victorian eclectic architecture in NSW. The site's contribution to the significant streetscapes of Macquarie and Bridge Streets is both large and indisputable, with the siting, form, materials and detailing enhancing the adjacent precincts of early buildings. Historically the building group is significant because of its long association with the NSW Treasury and the state treasurer's and premier's offices.

Former Lands Titles Office (NSW Land Registry Services)

Queen Square, Prince Albert Road, Sydney, NSW 2000

Former Lands Titles Office is a three storey Neo Gothic sandstone office building with attic storey and basement, which was designed by Vernon and completed in 1914.

The NSW Heritage Inventory provides the following Statement of Significance for the building, database entry number 5045050:

Statement of Significance

A well scaled civic building sensitively detailed to complement the adjoining older buildings such as St. Mary's Cathedral. Its carefully composed sandstone facade contributes to the streetscape and satisfactorily terminates the northern end of College Street. It provides a sympathetic component in the progression of civic historical buildings along College Street to Queen's Square. The building has long association with the registration of birth, death and marriages, as well as trademarks, bills of sale, business agents etc. The building stores valuable old registers and other land title documents.

Former Custom House

31 Alfred Street, Sydney, NSW 2000

The former Custom House is a six storey sandstone building designed and constructed in Classical style. Vernon designed an addition of two storeys and a second verandah floor to the front side of the building in 1899.

The NSW Heritage Inventory provides the following Statement of Significance for the building, database entry number 2423695:

Statement of Significance

Sydney Customs House occupies a unique symbolic and physical position on the site of the First Fleet landing. The buildings location and construction is a physical reminder of the importance of Circular Quay as the original maritime and civic centre for the colony. It was built at the same time as the formation of Circular Quay and close to the jetties then under construction. The present building contains parts of the original Customs House constructed on the site by Mortimer Lewis. The building in its various stages had been used continuously by the Customs service for 145 years until 1990. It is a physical representation of the history of the Customs Service, symbolising also its importance in the history of Australia. The building has been associated with three prominent official architects of NSW: Mortimer Lewis, James Barnet and Walter Liberty Vernon. Because of the scarcity of documentary evidence about the early stages of construction, the surviving building fabric from these stages constitutes the principal source of additional evidence about the early history of the building and its occupants. Aesthetically the building is a good example of the use of decorated sandstone and detailing representative of the early Victorian era in Sydney.

The potential archaeological resource is significant due to its ability to provide physical evidence relating to the history of European settlement with respect to evolution, association, research potential and rarity. This would include evidence of structures and environmental conditions relating to the first settlement of the colony, its use as part of the Government Domain (Macquarie wall), land mark qualities and early town planning. The construction and use of the 1844 Lewis Customs House and later Barnet rebuilding demonstrate the importance and evolution of the Customs department. The potential to identify and record aboriginal cultural material is rare and of high research and social significance.

Conclusion

These comparable buildings are mainly constructed in the 19th century to be used by both NSW government and the general public. These buildings were mostly constructed in Victorian architectural style with sandstone facade, contributing significantly to the streetscape.

Former Department of Public Works building is an addition, designed by Vernon, to Chief Secretary's Building which was designed by James Barnet. Comparative analysis shows that Vernon designed additions to several public buildings including Former General Post Office, Former Treasury, and Former Custom House. Walter Liberty Vernon was a prominent official architect of NSW, who designed Land Title Office in 1912, in a "Neo-Gothic" architectural style with an elaborated gothic sandstone facade. This building has an attic level room within mansard style roof extension clad in copper sheet, bearing a resemblance to former Department of Public Works building, and demonstrating Vernon adopted the same approach for these two buildings.

These comparable buildings have, to varying extents, experienced sympathetic additions over time, showing the population growth, increased number of staff and their demands over time. These sympathetic additions have been well integrated into the original buildings, added to the heritage significance of these buildings over time.

The use of a fenestrated parapet and a tall mansard roof, as one of the characteristics of Vernon architecture, was used in the Former General Post Office and the Former Land Title Office. Vernon considered using the conceit of fenestrated parapet in designing an additional two floors to the Former Customs House, adopting a similar approach to the former Department of Public Works building.

These comparable buildings contribute significantly to the streetscape of Sydney. The Chief Secretary's Building, Former Department of Public Works building, Former Treasury Building, and Former Lands Title Office are part of the important government precinct of purpose built administration buildings, locating in an area of increased heritage sensitivity.

The design of the former Department of Public Works building as an addition to the Chief Secretary's Building, is the first Vernon design of additions to the important government building, making the building distinctive from other comparable buildings. Although the building was designed in the Victorian Second Empire style, Vernon perfectly considered the existing architectural features of the Chief Secretary's Building. Accordingly, the building shows Vernon's ability to work efficiently through different architectural styles, and at the same time applying his own architectural style. Vernon was able to cleverly balance the increased height of the former Department of Public Works building, by adding a mansard attic and a central aluminium dome on top of the Chief Secretary's Building.

The former Department of Public Works building, the Chief Secretary's Building, the former Land Titles Office, and Treasury Building are within the boundary of Governors Domain and Civic Precinct in the National Heritage list, playing an important role in the demonstration of Australia's historic development as a nation. The external architectural form of these buildings contribute to the history of Australia's democratic development.

4.3 ANALYSIS OF CULTURAL SIGNIFICANCE

The following commentary discusses how each of the criteria established by the New South Wales Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) relate to the subject site.

The following established criteria of cultural significance for the former Department of Public Works building is sourced from the CMP 2016. However, some statements are further developed.

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

The construction of the substantial additions (50 Phillip Street) to the Colonial Secretary's Building (CSB) within ten years of its completion was a visible demonstration of the importance and growing work load of the Department of Public Works in the later 19th century and of the expansion and the prominence of the public service. The expansion of accommodation for NSW Public Works within 50 Phillip Street continued the government's ambition of having each department within one complex; and all departments in close proximity within the city.

While the CSB included offices and board rooms on a grand scale for the heads of the most important government portfolios in the late 1900s (including the Colonial Secretary, Under-Secretary, Clerk to the Executive Council, the Engineers in Chief, the heads of the various branches of Public Works, and the Commissioners for Railways, Roads and Harbours and Rivers), many of the actual staff continued to be scattered around the city and in the adjoining terraced houses. The decision to build major offices for the Public Works Department adjacent to CSB was to replace the overcrowded and outdated terraced houses occupied by lesser Government staff.

The process of the building's design and construction reflected tensions in the management and organisation of the Department of Public Works leading up to and following the enforced retirement of the Colonial Architect James Barnet in 1890 and the reorganisation of the Architect's Branch under the new Government Architect Walter Liberty Vernon.

The close proximity to the CSB, Government House, NSW Parliament and other departments illustrates the significance of the building within the political and administrative history of NSW.

50 Phillip Street also has historical significance associated with continued use through to the twentieth century as government offices and also provides evidence of changes in the fabric to enable subsequent adaptation to courtrooms and chambers.

Comment

The building is significant as the place of Public Works Department that had a remarkable impact on all aspects of life at every level of society. Furthermore, this building along with the Chief Secretary's Building demonstrate how political, administrative and public services were functioning in close coordination. The construction of the former Department of Public Works building as an addition to the Chief Secretary's Building is a demonstration of new conditions in the wider community such as increased employment opportunities for women. The provision of ladies' lavatories in the Chief Secretary's Building in 1915, further demonstrates the workforce changing pattern in the NSW departments.

The extensions to the Chief Secretary's Building were added gradually through four main stages, demonstrating the continuous increased needs of the Department of Public Works over time.

The former Department of Public Works building, as a later addition to the Chief Secretary's Building, is within the boundary of Governors Domain and Civic Precinct on the National Heritage List, demonstrating a direct connection and historic association of the building to the first decades of British Settlement in Sydney, and contributing to the public buildings constructed during the 19th and 20th centuries which form a grand civic precinct on the eastern edge of the CBD. The heritage building, as a later addition to the Chief Secretary's Building, contributes to the demonstration of historic patterns in Australia's development as a nation, and the evolving pattern of the modern Australia's history of democratic development. As such, the heritage building plays an important role in the pattern of NSW's

cultural history.

Criterion (b) - An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)

The initial design of 50 Phillip Street represents the last major work by Barnett as Government Architect. Barnett was called on to "put into shape" earlier sketch designs by Acting Engineer-in-Chief, J H Deane. It was Barnett's decision to give the building a sandstone front as more durable and in keeping with the present building than brick'.

The finalisation of the design (including the two top floors, one within the mansard roof) and the overseeing of construction and fitout was one of the first and major works by the newly appointed Government Architect, Walter Liberty Vernon.

The Department of Public Works, which occupied 50 Phillip Street from construction in 1893/4 until 1967, had a remarkable influence on every level of NSW society during this period. Important branch heads of the Department of Public Works, notably Dr J J C Bradfield, who was responsible for the construction of the Sydney Harbour Bridge and the City Railway, worked from the building.

The building was occupied by the Industrial Relations Commission of New South Wales (1977-c.2011), possibly the oldest continuing industrial court or tribunal in Australia and also in the world.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

50 Phillip Street contributes to the townscape values of Phillip Street, Bridge Street, First Government House Place and Macquarie Place. In particular it reinforces the late Victorian era character of Bridge Street.

While the Chief Secretary's Building is a notable example of the work of the Colonial Architect James Barnett, 50 Phillip Street demonstrates the contrasting style and times of his successor Walter Liberty Vernon.

Always intended to read as a separate building, Vernon added to and extended Barnett's original design in the Victorian Second Empire style, characterised by the stone façade detailing, the iron crested mansard roofs and the pavilion dome. The resolution by Vernon in response to the pressure for additional space is of technical interest. The increased height of 50 Phillip Street was balanced by Vernon's addition of the fifth floor mansard and major dome to the CSB to recapture its prominence in the streetscape.

The exterior detailing of 50 Phillip St was designed and constructed to a high standard, complementing the existing architectural qualities of the CSB. Particularly significant is the sandstone detailing and the roofscape in the French Empire style.

Other than the arched link to the Chief Secretary's Building, the interior of 50 Phillip Street does not have the aesthetic value of other Victorian public buildings in Sydney. The use of a central grand stairwell and generous main corridors and an indented "lightwell" are reasonably typical of the period. The functional layout reflects the increasing demands for accommodation of the Department of Public Works in the late 19th century.

Compared to other State government buildings in the vicinity such as the CSB and the Lands Building, the interior of 50 Phillip Street is less intact, having been altered over time, including fairly major interventions for court use in the 1960s.

Comment

The former Department of Public Works building makes a major contribution to the surviving Victorian era streetscapes in Phillip Street.

In comparison to other public buildings, the former Department of Public Works building is connected to Chief Secretary's Building through a five storey link over the Phillip Lane, demonstrating a creative achievement in connecting two separate public buildings as a unified whole.

Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

The building is currently largely disused, and some recent uses have been very brief (e.g. Industrial Courts). The building has social heritage value for former employees and those on official business at 50 Phillip Street (and their descendants). In particular it has value as the former NSW Public Works head office from the late 19th and to the late 20th century – the work of that department having such an impact on the entire NSW community.

Phillip Lane is likely to be a valued intimate historic townscape element for those living, working and visiting Sydney and 50 Phillip Street obviously make a significant contribution to the laneway.

Comment

Former Department of Public Works building is located within the boundary of Governors Domain and Civic Precinct on the National Heritage list, having a direct historic association and connection to the NSW Colonial government Department of Public Works, the agency changed with delivering public buildings and public infrastructure throughout the colony and State. The architectural form of the building along with other heritage buildings in the precinct demonstrate the history of Australia's democratic development. Accordingly, the building has a social value and plays an important role in the community's sense of place.

The former Department of Public Works building was used by NSW Industrial Courts which is assumed to be the oldest continuing industrial court in Australia. As such, the building demonstrates a significant association with a particular group in NSW.

Criterion (e) - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

Subject to further research, the site may have some potential to yield archaeological information about its earlier use as part of the immediate curtilage of the First Government House; of the adjacent Emigrants' Barracks and; of the mid-19th century houses, used as offices and domestic residences, that once occupied the site.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

50 Phillip Street was conceived as a free standing extension and was subsequently blended into the design of the pre-existing CSB. Other major Victorian public buildings (e.g. the Lands and Education buildings in Bridge Street) were conceived as a whole, although built in two stages, with the architects working hard to disguise the difference in time. 50 Phillip Street has a different development history, which is probably rare within the collection of grand Sydney public buildings.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments)

The exterior of 50 Phillip Street is a good representative example of the early work of the rapid building program for grand government offices in the late 19th century. It adds to the collection of fine sandstone public buildings in the centre of Sydney.

Comment

The former Department of Public Works building as a later addition to the Chief Secretary's Building is within the boundary of Governors Domain and Heritage Precinct on the National Heritage list. The heritage building along with other heritage buildings in the precinct provide a tangible link to public administration from governor Macquarie to early 20th century, and its continuous reinforcement by later public and state institutions which extended the colony's civic, social, cultural, and government sphere.

4.4 STATEMENT OF SIGNIFICANCE

The following information is sourced from the CMP 2016:

The building known as 50 Phillip Street is of State historical significance because of its use from 1893/4 until 1967 as purpose built offices for the Department of Public Works and the Government Architect's Office, augmenting the public administration provided in the adjacent Chief Secretary's Building (completed 1880). Both buildings reflect the status and hierarchical organisation of the public service in the later 19th century.

The close proximity of 50 Phillip Street to the CSB, Government House, NSW Parliament and other departments illustrates the significance of the building within the political and administrative history of NSW. The occupation of 50 Phillip Street in 1977 by the NSW Industrial Courts (possibly the oldest continuing industrial court or tribunal in Australia and also in the world) is also of historical interest.

The construction of 50 Phillip Street, within ten years of completion of the Colonial Secretary's Building was a visible demonstration of the importance and growing work load of the Department of Public Works in the later 19th century and of the expansion and the prominence of the public service.

The Department of Public Works, which occupied 50 Phillip Street from its construction in 1893/4 until 1967, had a remarkable influence on every level of NSW society during this period. Important branch heads of the Department of Public Works, notably Dr J J C Bradfield, who was responsible for the construction of the Sydney Harbour Bridge and the City Railway, worked from the building.

The process of the building's design and construction reflected tensions in the management and organisation of the Department of Public Works in the period leading up to and following the enforced retirement of the Colonial Architect James Barnet in 1890 and the reorganisation of the Architect's Branch under the new Government Architect Walter Liberty Vernon. Vernon added to and extended Barnet's design in the Victorian Second Empire style, characterised by the iron crested mansard roofs and the pavilion dome.

The exterior detailing of 50 Phillip Street was designed and constructed to a high standard. Its conception as a free standing building linked to the Chief Secretary's building is rare amongst the grander public buildings of Victorian Sydney.

50 Phillip Street contributes substantially to the Victorian era character and townscape values of Phillip Street, Bridge Street and Macquarie Place. It also provides an important backdrop to First Government House Place.

Phillip Lane is likely to be a valued intimate historic townscape and 50 Phillip Street makes a significant contribution to the character of the laneway.

Should significant archaeological remains exist of the mid-19th century houses below ground, these may be uncommon or rare in the State context.

A collection of movable items (mainly furniture) remains within the building.

Comment

The former Department of Public Works building, as a later addition to the Chief Secretary's Building, is located within the boundary of the National Heritage listing of the Governors Domain and Civic Precinct, demonstrating historic patterns in Australia's development as a nation. The heritage building along with other heritage buildings in the precinct reflect the evolving patterns of the modern Australia's history of democratic development and policy framework of public administration.

The former Department of Public Works building was constructed in four stages, demonstrating how different stages of the construction were integrated perfectly to form the building as a whole. Although the interior of the building has undergone several alterations and refurbishments over time, the exterior of the building, particularly the Phillip Street facade, remains intact, contributing substantially to the Victorian era streetscape of Phillip Street.

The first stage of the construction of the building was started in 1890, when Australia was hit by an economic depression and the staff of the Public Works Department was depleted. Accordingly, the most important consideration for the new building was economy. The building shows the success of NSW government in constructing a building for Public Works Department during the depression period in the 1890s.

The former Department of Public Works building demonstrates how political, administrative and public services worked together. Public Works Department had a remarkable impact on all aspects of life of the general public in NSW, demonstrating the significant connection of the building with the society.

The planning organisation of the north-south corridor on all levels in the design of the second addition by Vernon, demonstrates the intention of further extension of the building along Phillip Street, that is rare amongst other public building designs of that time. This further shows the growth and progress of the Department of Public Works over time, which was reflected in the design of the second additions. The current use of the building for the NSW Department of Justice confirms its ongoing significance.

4.5 GRADING OF SIGNIFICANCE

The former Department of Public Works building at 50 Phillip Street, Sydney, has been carefully assessed to determine a relative grading of significance into five levels. This process examines a number of factors, including:

- Relative age
- Original design quality
- Degree of intactness and general condition
- Extent of subsequent alterations
- Association with important people or events
- Ability to demonstrate a rare quality, craft or construction process

Grading reflects the contribution the element makes to the overall significance of the item (or the degree to which the significance of the item would be diminished if the component were removed or altered).

EXCEPTIONAL SIGNIFICANCE

Includes rare or outstanding building fabric that displays a high degree of intactness or can be interpreted relatively easily.

HIGH SIGNIFICANCE

Includes the original extant fabric and spaces of particular historic and aesthetic value. Includes extant fabric from the early phases of construction.

MODERATE SIGNIFICANCE

Includes building fabric and relationships which were originally of higher significance but have been compromised by later, less significant modifications.

LITTLE SIGNIFICANCE

Includes most of the fabric associated with recent alterations and additions made to accommodate changing functional requirements. These are components generally of neutral impact on the site's significance.

INTRUSIVE

Recent fabric, which adversely affects the significance of the site.

Grading has been established as a valuable tool, to assist in developing appropriate conservation measures for the treatment of the building and its various elements. In general, good conservation practice encourages the focussing on change, or upgrading of, an historical building/site to those areas or components which make a lesser contribution to significance. The areas or components that make a greater or defining contribution to significance should generally be left intact or changed with the greatest care and respect.

KEY TO GRADING OF SIGNIFICANCE



GRADING OF SIGNIFICANCE	SITE ELEMENTS
EXCEPTIONAL	<p>External</p> <ul style="list-style-type: none"> • The exterior façade of the building facing Phillip Street including stonework, balconies, and joinery (west elevation). • Exterior Mansard roofs with crested iron railings, and Wunderlich external dormer architraves, dormer windows and louvred ventilation consoles. <p>Internal</p> <ul style="list-style-type: none"> • Items of movable heritage in levels 4 and 5.
HIGH	<p>External</p> <ul style="list-style-type: none"> • North and east facades of the building to Phillip Lane. • Current extent of bridging of Phillip Lane. • Current extent of lightwells above Phillip Lane and south of the main staircase. • External cantilevered walkways on the southern side of the lightwell over Phillip Lane on level 3. • Masonry archways to Phillip Lane. • Phillip Lane as a bridged public thoroughfare. • Kerbstones to Phillip Lane. <p>Internal</p> <ul style="list-style-type: none"> • Central staircase and surrounding walls, as well as the original wrought iron balustrade, except the wall on the north side constructed in 1967 and the extended balustrade where the original lift opening had been. • Marble tiles floor to entrance lobby. • Original Australian cedar joinery. • Main corridors and surrounding walls; original plasterwork; wall brackets; ceiling plaster and cornices. • Remaining two original fireplaces to Level 6. • Curved walkway to CSB on the north side of the building. • original doors and windows. • Items of movable heritage in levels 4, 5, and 6.
MODERATE	<p>Internal</p> <ul style="list-style-type: none"> • External walls around the central lightwell and the south facade of the building. • Some of the original internal walls which have undergone several alterations over time. • Items of movable heritage in levels on levels 4 and 5.

LITTLE	<p>External</p> <ul style="list-style-type: none"> • Roof Plant Areas (currently not visible except to maintenance staff and from adjacent tall buildings). • External cantilevered walkways, on levels 2, 4, and 5, on the northern side of the building over Phillip Lane. <p>Internal</p> <ul style="list-style-type: none"> • Brass railings to main staircase to comply with BCA. • Remnant en-suite bathrooms. • 1967 fire stair. • 1954 lift installation. • 1992 fit-out for the Centenary Room. • Some of the original internal walls which have undergone extensive alterations over time. • Items of movable heritage on levels 4, 5, and 6.
INTRUSIVE	<p>External</p> <ul style="list-style-type: none"> • Exposed plumbing and drainage lines (e.g. across rear of Phillip Street Arch). • External paving and ground works contributing to rising damp. <p>Internal</p> <ul style="list-style-type: none"> • Surface mounted conduiting and piping to the interior. • Ceiling mounted air-conditioning and bulkheads. • Fluorescent tube lighting. • Floor lining to all levels. • Renovated kitchens to all levels. • Fixed and sliding partition walls. • The second handrail to increase the central stair balustrade height and a glass balustrade addition to the main staircase. • Toilet fitouts generally. • A new lift between levels 5 and 6.

4.5.1 DIAGRAMS SHOWING GRADING OF SIGNIFICANCE OF THE BUILDING FABRIC

The following architectural plans (Figures 4.1-4.7) show the grading of significance of the building fabric. These plans can be used as a guideline for any further proposed changes to the building.

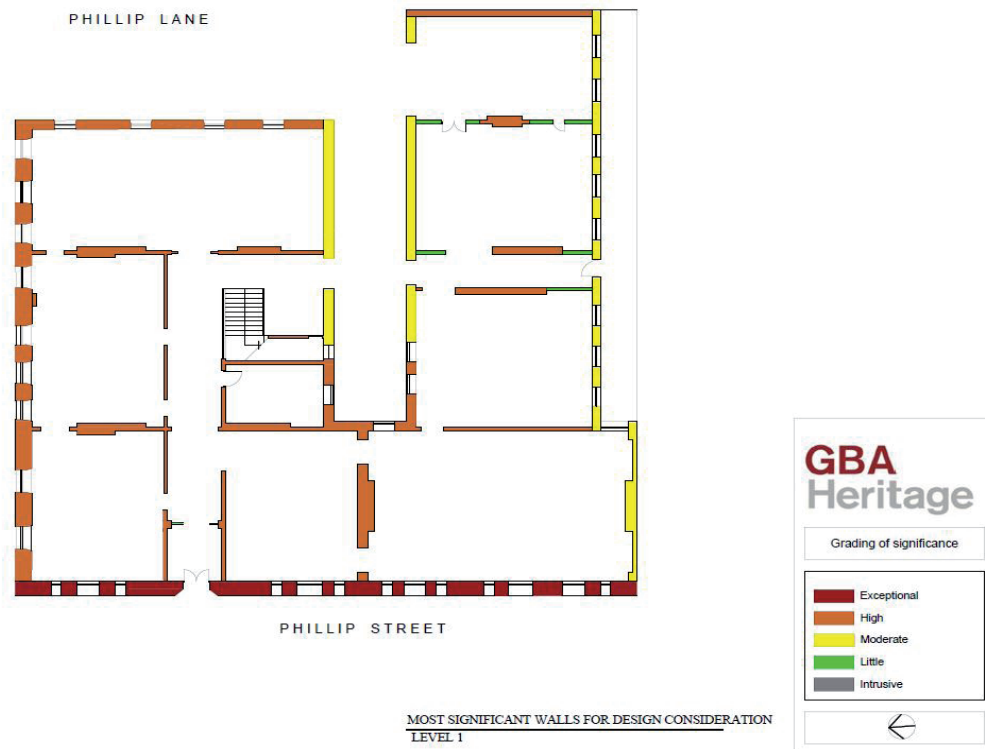


Figure 4.1
Existing Floor Plan: Level 1 (Ground Level)
Source: GBA Heritage

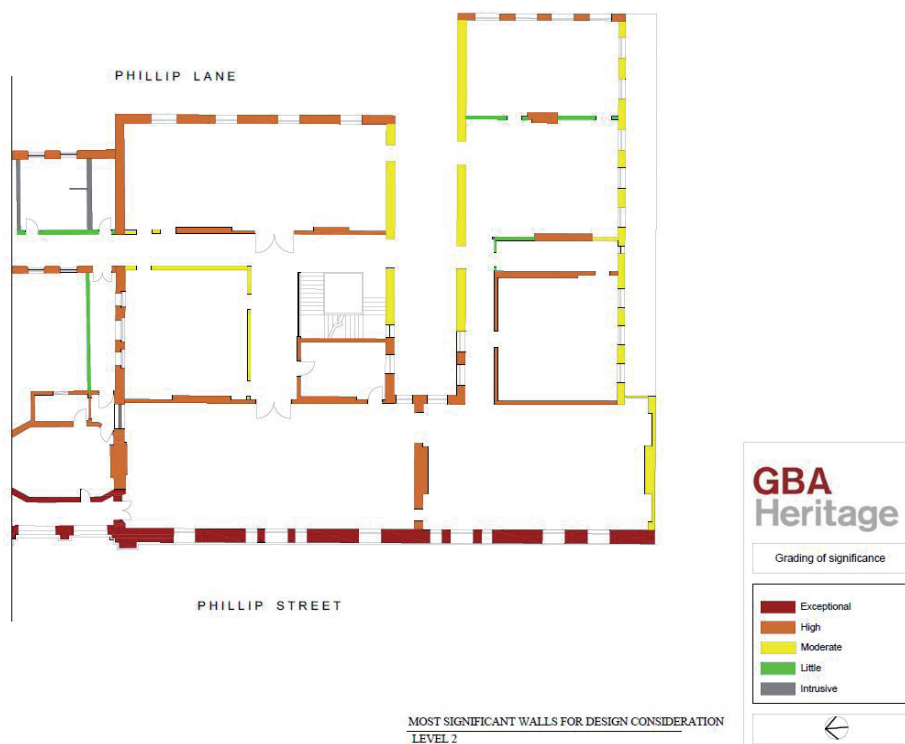


Figure 4.2
Existing Floor Plan: Level 2
Source: GBA Heritage

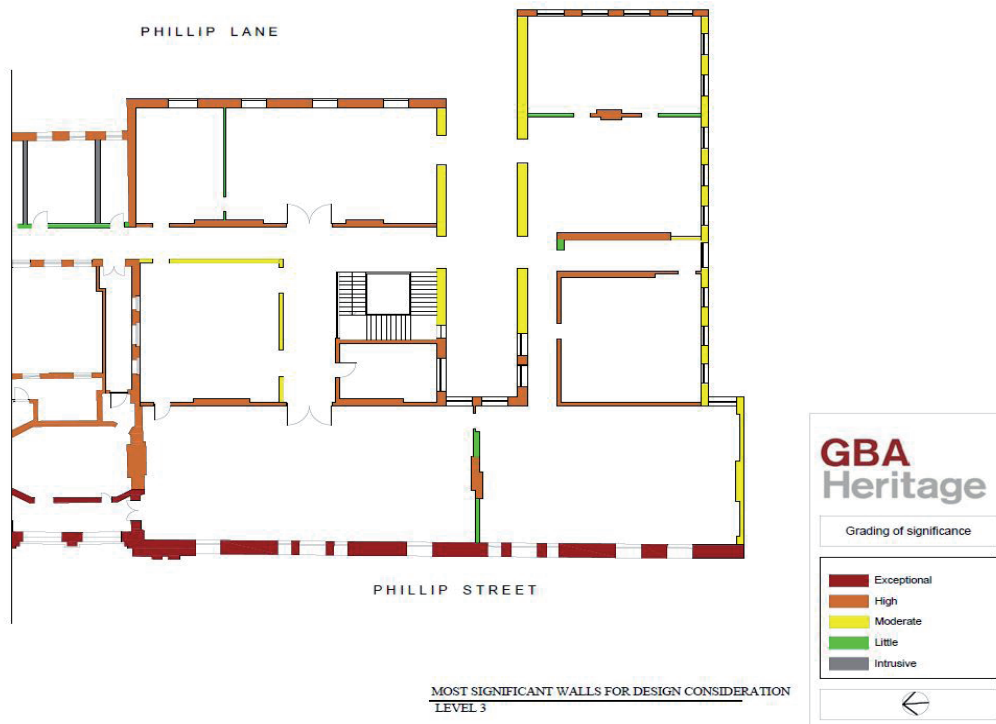


Figure 4.3
Existing Floor Plan: Level 3
Source: GBA Heritage

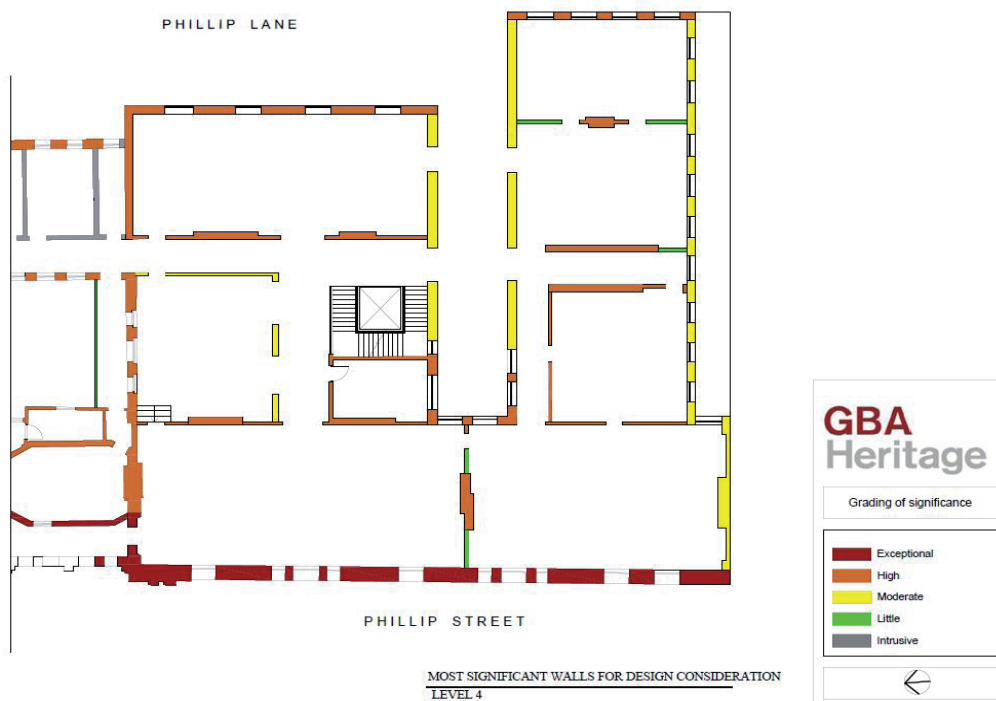


Figure 4.4
Existing Floor Plan: Level 4
Source: GBA Heritage

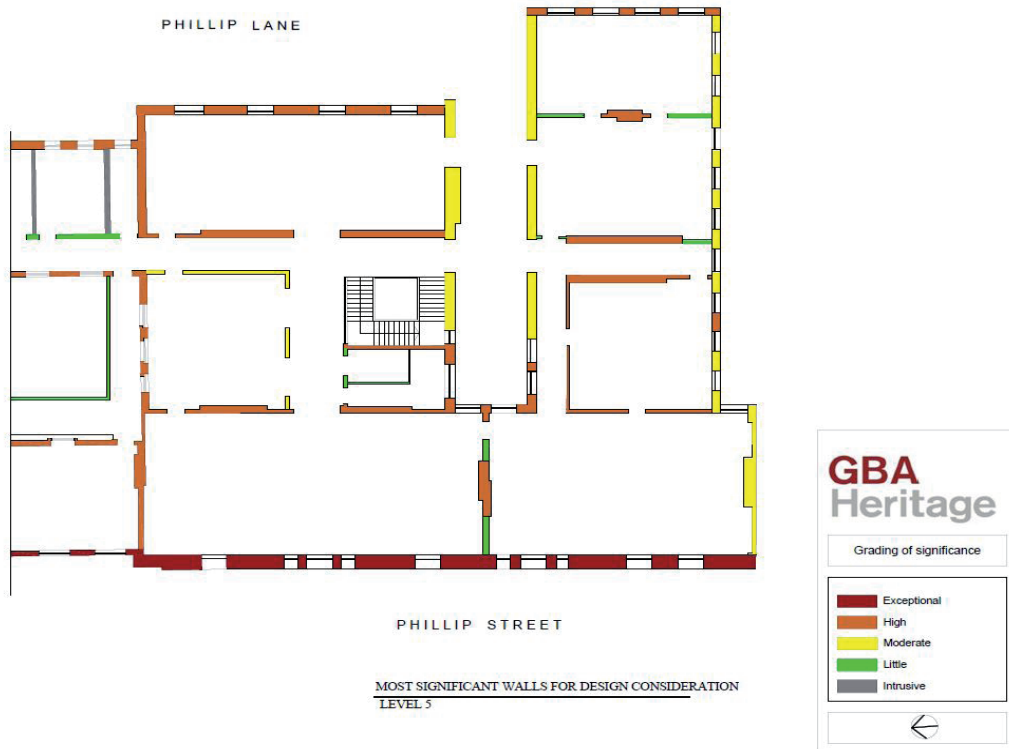


Figure 4.5
Existing Floor Plan: Level 5
Source: GBA Heritage

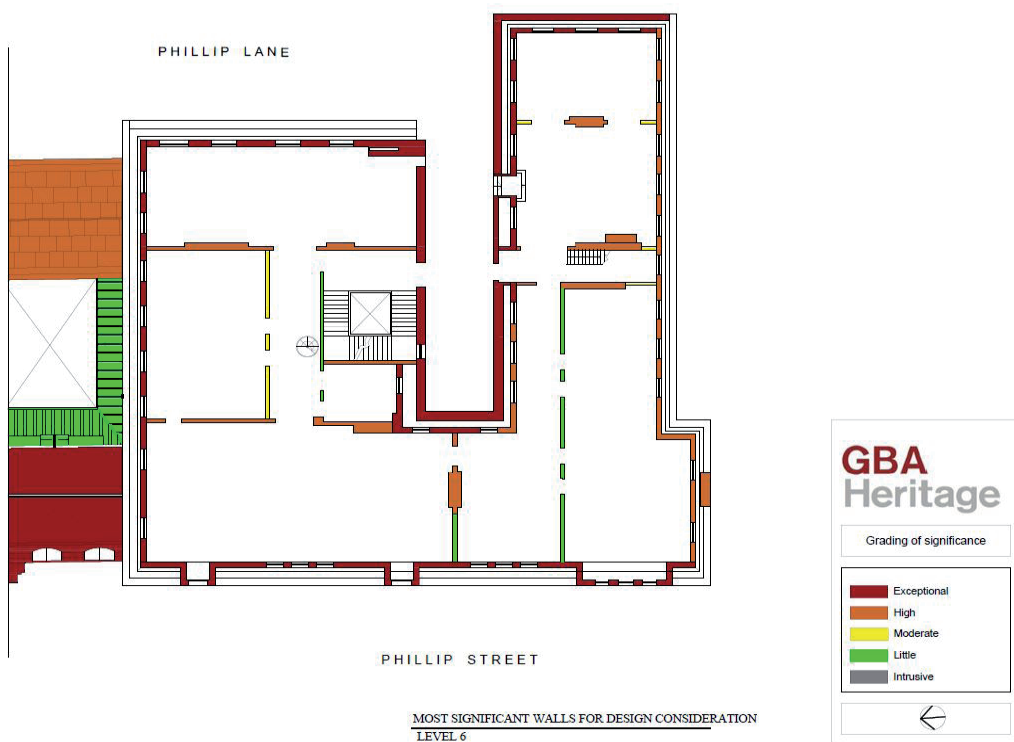


Figure 4.6
Existing Floor Plan: Level 6
Source: GBA Heritage

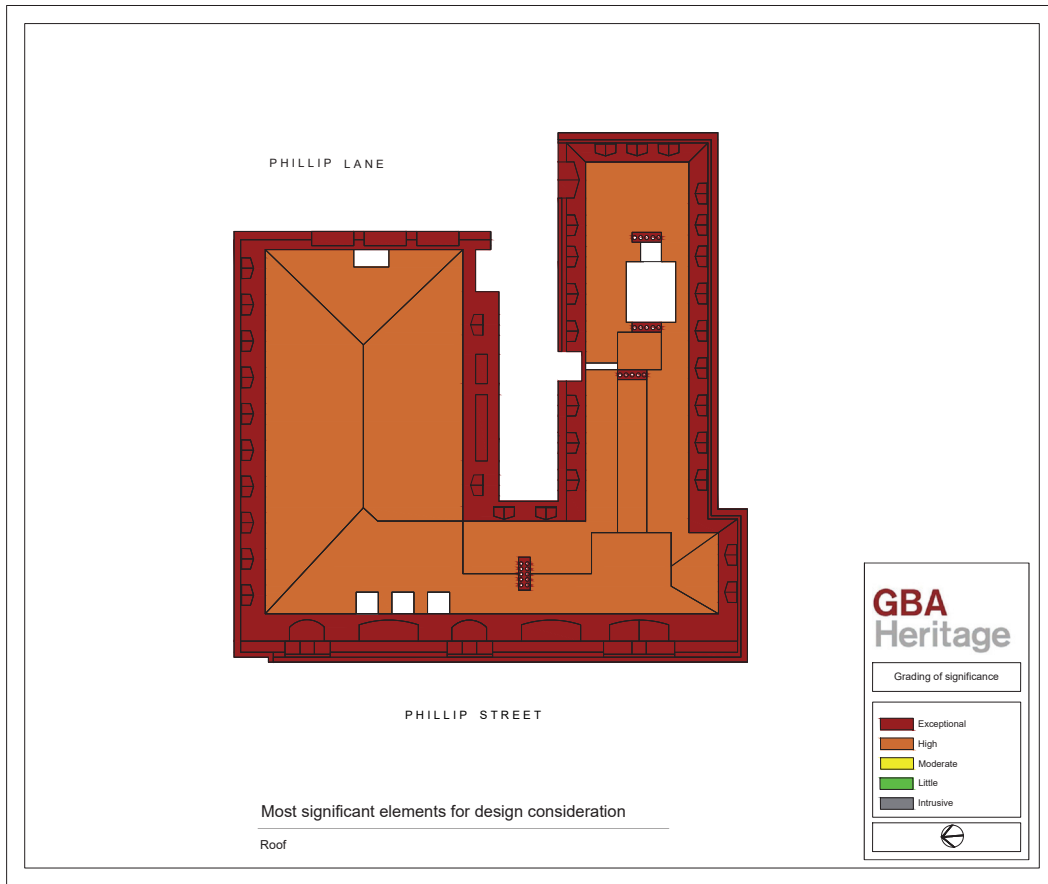


Figure 4.7
Existing Roof Plan
Source: GBA Heritage

4.6 CURTLAGE ANALYSIS

The NSW Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) publication *Heritage Curtilages*³ defines “heritage curtilage” as the area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. Heritage curtilage can be classified as one of four types:

- Lot Boundary Heritage Curtilage: for places where the legal boundary of the allotment is defined as the heritage curtilage. The allotment should, in general, contain all significant related features, for example outbuildings and gardens, within its boundaries.
- Reduced Heritage Curtilage: for places where an area less than the total allotment is defined as the heritage curtilage. Applicable where not all parts of a property contain places associated with its significance.
- Expanded Heritage Curtilage: for places where the heritage curtilage is larger than the allotment. Particularly relevant where views to and/or from a place are of significance.
- Composite Heritage Curtilage: for larger areas that include a number of separate related places, such as heritage conservation areas based on a block, precinct or whole village.

The Lot Boundary Heritage Curtilage for former Department of Public Works is shown in Figure 4.2.

The SHR listing curtilage map dates from the 1997 Permanent Conservation Order, shows the Chief Secretary’s Building and former Department of Public Works were jointly considered (Figure 4.3). The heritage listing under the Sydney LEP 2012 also shows a joint listing between the building and the Chief Secretary’s Building.

On the 1880 Dove plan, the subject site comprises six former lots of 23-28 Phillip Street, which were amalgamated into the three lots of 31-33 and a portion encroached over the lot 34, as seen in the SHR listing curtilage map (Figure 4.1 & Figure 4.3). Accordingly, the existing Lot Boundary Heritage Curtilage for the subject site at 50 Phillip Street is defined by its boundary with Chief Secretary’s Building and Phillip Lane to the north, Phillip Lane to the east, Phillip Street to the west, and the Hotel School building to the south.

3 Warwick Mayne-Wilson, *Heritage Curtilages*, NSW Heritage Office and the Department of Urban Affairs and Planning, NSW, 1996

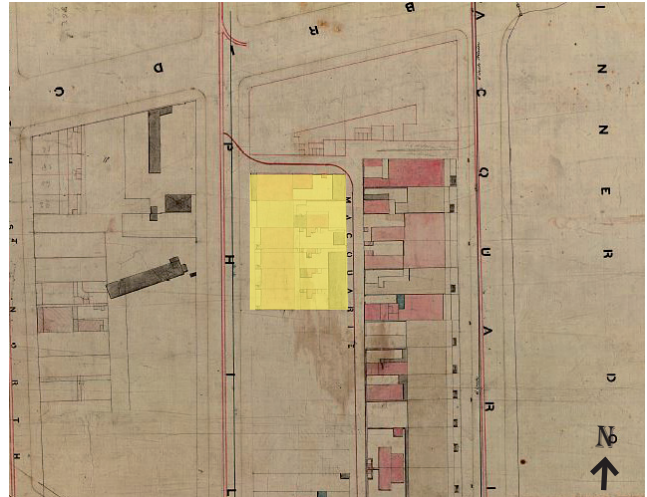


Figure 4.8
1880 Dove Plan showing the original lot boundaries shaded in yellow.
Source: City of Sydney, *Historical Atlas of Sydney*.

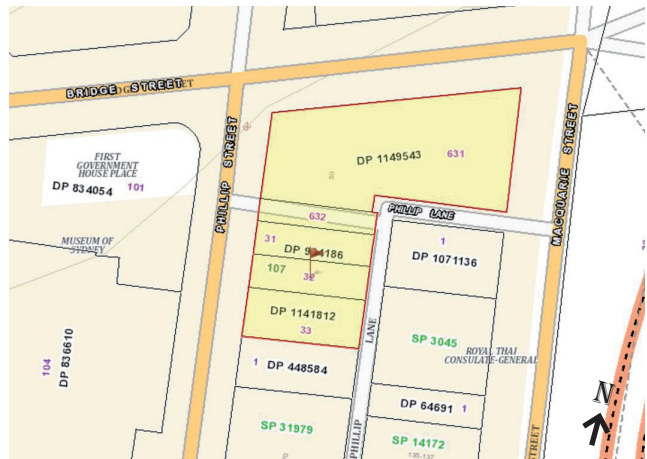


Figure 4.9
Lot boundary for 50 Phillip Street is highlighted in yellow.
Source: Six Maps

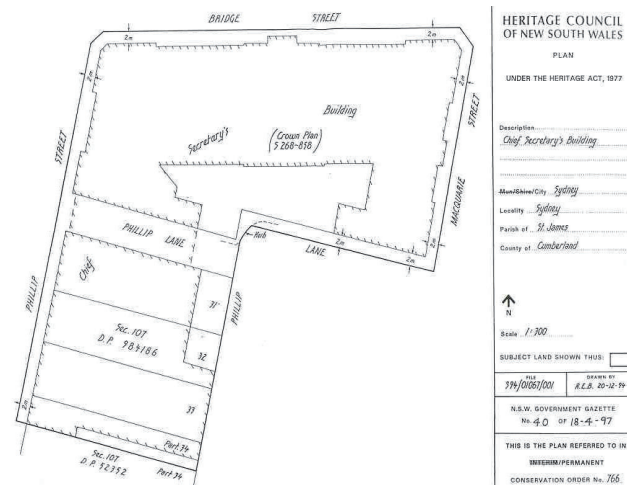


Figure 4.10
Heritage listing curtilage map, with the original Lot and DP numbers.
Source: SHR Inventory

The former Department of Public Works building, as a later addition to the Chief Secretary's Building, is within the boundary of the Governors Domain and Civic Precinct on the National Heritage Listing that also includes Education Building, Lands Building, and former Treasury Building (Figure 4.4).

The Expanded non-statutory curtilage or setting of the building is defined by the City of Sydney's DCP 2012 section 5 Special Character Area (Figure 4.5):

- The Bridge Street, Macquarie Place and Bulletin Special Character Area.
- The Macquarie's Street Special Character Area. Although the former Department of Public Works building is not located within this area, it is adjacent to the western boundary of this area.

4.7 ARCHAEOLOGICAL POTENTIAL

The following information is sourced from the 2016 CMP:

No. 50 Phillip Street is identified as an area of archaeological potential for deeper sub-surface features in the City of Sydney's Archaeological Zoning Plan for Central Sydney 1992. The Plan also notes that 'in the absence of evidence to the contrary' laneways should be considered as areas of archaeological potential.

The site has moderate potential to yield archaeological information about its earlier uses, primarily the mid-19th century terrace houses that were demolished to make way for the current 50 Phillip Street government office building. Such evidence would include building footings, artefacts deposits and deeper features such as wells and privies. These remains would be disturbed by the footings of the later office building but there may be sections that are intact.

It is unlikely that evidence associated with the site's use as part of the grounds of First Government House would survive. If it did, the evidence would have State heritage significance.

It is far less likely that evidence associated with the site's use as part of the grounds of First Government House would survive. If Arabanoo was buried on this site (and there is no clear evidence that he was) is it possible that evidence of the grave may exist at deeper levels of the site. Similarly, evidence of Aboriginal occupation is possible at deeper levels although this cannot be confirmed with any certainty

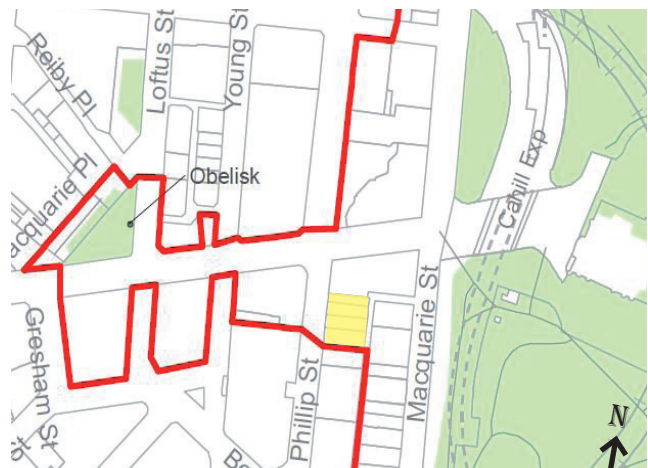


Figure 4.11
Governors Domain and Civic Precinct boundary map outlined in red and 50 Phillip Street is highlighted in yellow.
Source: Department of Agriculture, Water and the Environment; National Heritage List (Place ID: 106103)

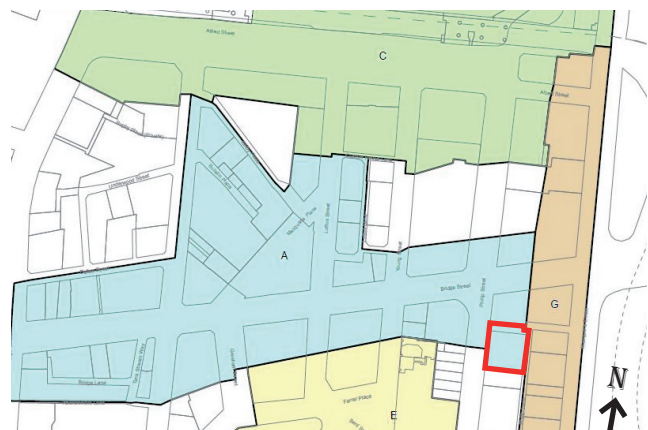


Figure 4.12
This map shows the former Department of Public Works building (outlined in red) is located within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area (shaded in Blue), and is also on the boundary of the Macquarie Street Special Character Area (Shaded in Brown).
Source: Sydney LEP 2012

without further assessment. If such evidence did exist it would have State heritage significance.

Although Archaeological Assessment is outside the scope of this Report, it should be noted that the Archaeological Management Provisions of the NSW Heritage Act apply to any relics which are essentially located below ground level. If, at any time, unexpected archaeological remains are uncovered or disturbed, work must stop immediately, and the NSW Heritage Council must be notified.

5.0

ESTABLISHED HERITAGE SIGNIFICANCE

5.1 ESTABLISHED SIGNIFICANCE OF THE SUBJECT SITE

The NSW Heritage Inventory does not include independent information related to Statement of Significance for the former Department of Public Works, which is a later extension to Chief Secretary's Building. The following established Statement of Significance for the building, has been sourced from the 2016 CMP:

The building known as 50 Phillip Street is of State historical significance because of its use from 1893/4 until 1967 as purpose built offices for the Department of Public Works and the Government Architect's Office, augmenting the public administration provided in the adjacent Chief Secretary's Building (completed 1880). Both buildings reflect the status and hierarchical organisation of the public service in the later 19th century.

The close proximity of 50 Phillip Street to the CSB, Government House, NSW Parliament and other departments illustrates the significance of the building within the political and administrative history of NSW. The occupation of 50 Phillip Street in 1977 by the NSW Industrial Courts (possibly the oldest continuing industrial court or tribunal in Australia and also in the world) is also of historical interest.

The construction of 50 Phillip Street, within ten years of completion of the Colonial Secretary's Building was a visible demonstration of the importance and growing work load of the Department of Public Works in the later 19th century and of the expansion and the prominence of the public service. The Department of Public Works, which occupied 50 Phillip Street from its construction in 1893/4 until 1967, had a remarkable influence on every level of NSW society during this period. Important branch heads of the Department of Public Works, notably Dr J J C Bradfield, who was responsible for the construction of the Sydney Harbour Bridge and the City Railway, worked from the building.

The process of the building's design and construction reflected tensions in the management and organisation of the Department of Public Works in the period leading up to and following the enforced retirement of the Colonial Architect James Barnet in 1890 and the reorganisation of the Architect's Branch under the new Government Architect Walter Liberty Vernon. Vernon added to and extended Barnet's design in the Victorian Second Empire style, characterised by the iron crested mansard roofs and the pavilion dome.

The exterior detailing of 50 Phillip Street was designed and constructed to a high standard. Its conception as a free standing building linked to the Chief Secretary's building is rare amongst the grander public buildings of Victorian Sydney.

50 Phillip Street contributes substantially to the Victorian era character and townscape values of Phillip Street, Bridge Street and Macquarie Place. It also provides an important backdrop to First Government House Place.

Phillip Lane is likely to be a valued intimate historic townscape and 50 Phillip Street makes a significant contribution to the character of the laneway.

Should significant archaeological remains exist of the mid-19th century houses below ground, these may be uncommon or rare in the State context.

A collection of movable items (mainly furniture) remains within the building.

5.2 ESTABLISHED SIGNIFICANCE OF THE HERITAGE ITEMS IN THE VICINITY OF THE SUBJECT SITE

There are a number of individually listed heritage items in the vicinity of the subject site. These are listed as items of State heritage significance on Schedule 5 of the *Sydney LEP 2012*.

The analysis in this report focuses on the impact of the proposed development (if any) on the following listed items, being the closest items. The other listed heritage items in the wider locality are physically and visually separated from the subject site by intervening development, distance, buildings, and public domain. As such, they have no direct visual connection to the site and are not considered in this report.

The NSW Heritage Inventory contains the following Statements of Significance for these items:

Intercontinental Hotel former Treasury Building

117 Macquarie St, Sydney NSW 2000
SHR number 00355

Statement of Significance

The former Treasury Buildings group (within the Intercontinental Hotel complex) is an outstanding example of the state's 19th- early 20th century public buildings and forms part of what is arguably the finest group of these sandstone buildings in NSW. The architectural forms and detailing of the group, with its strong links to Victorian "Neo-Classical" traditions, make it an extremely fine exemplar of this style and reflect important contemporary links with English architectural practice. The facade of Lewis's original building in particular is a premier example in NSW of 19th century "Italian Palazzo" style based closely on a London model. The bold but sympathetically related Vernon additions fronting Macquarie Street are impressively proportioned and detailed and represent an excellent and perhaps unique example of late Victorian eclectic architecture in NSW. The site's contribution to the significant streetscapes of Macquarie and Bridge Streets is both large and indisputable, with the siting, form, materials and detailing enhancing the adjacent precincts of early buildings. Historically the building group is significant because of its long association with the NSW Treasury and the state treasurer's and premier's offices.

First Government House Site

Farrer Place, Governor Phillip & Macquarie Tower
SHR number 01309:

Statement of Significance

First Government House was the first permanent centre of colonial administration in Australia. It was the home and offices of the Governors of New South Wales from 1788-1845 and the official, social and administrative centre of the colony from 1788-1845. As such, it is associated with numerous events of political, cultural and social significance to the colony's development. Its use as both home and seat of authority and its siting and subsequent development determined to a large extent the pattern of growth of Sydney. This entails both the physical pattern of the streets and its cultural pattern of political, official, recreational and residential and mercantile quarters.

The site of the building contains the only remains from 1788 known to survive. These remains provide evidence of Australia's major phases of history, architectural, building technology, and administration of the colony in New South Wales.

First Government House has a unique historical significance because of the many historic figures, both European and Aboriginal, who are associated with the building. It also has great scientific significance which is proven in its potential to answer research questions in these and other fields.

First Government House is of great symbolic importance to the Australian people. The site is our most tangible link to our past and the foundation of white settlement in this country.

Royal Botanic Gardens and Domain

Mrs Macquaries Rd, Sydney NSW 2000
SHR number 01070

The ROYAL BOTANIC GARDENS AND DOMAIN collectively are of exceptional national, state and local significance.

Phillip Street Terraces

39-47 Phillip Street, Sydney NSW 2000
SHR number 00621

The Heritage Division SHR inventory does not have a Statement of Significance; however, the Local Government inventory listing has a Statement of Significance for each of the terraces. The following is a proposed Statement of Significance for the items as a group, sourced from the 2016 Conservation Management Plan:

Statement of Significance

39-47 Phillip Street are a rare surviving group of mid to late Victorian residential terraces within the CBD that occupied a section of the First Government House grounds, including the stables on the lot area of 39 Phillip Street. The group has archaeological significance at the State level relating to the first years of colonial settlement from 1788.

39-47 Phillip Street are historically significant as they demonstrate the transition of the city from a predominately residential use to a commercial precinct and provide remnant domestic streetscape context that resisted developmental pressures of the late 20th century.

39-47 Phillip Street are significant as being associated with the architect William Munro, who built most of the terraces and owned 43 Phillip Street. The carpenter trained Munro developed an architectural career, initially by building Gothic Revival churches designed by both Edmond Blacket and Augustus Pugin, culminating in his design for St Andrews College at the University of Sydney. The Phillip Street terraces are one of the few known extant residential buildings by Munro.

39-47 Phillip Street have aesthetic significance as a rare group of five residential three storey terraces in the Victorian Filigree style that included a generous lot with and sandstone walled basement, as well as fine crafted joinery and plasterwork to the stairs. As a terrace group in the CBD, they are rare in their variety of individual elevational treatment, and in particular, No. 43 is very rare as an example of Art Nouveau designed bay windows. The few remaining examples of terraced houses within the CBD have a unified presentation to the street.

39-47 Phillip Street have social significance in relation to the First Government House archaeological site, as an example of community pressure bringing to bear on the nature of commercial development, as well as the working of the Heritage Act, in the conservation and access to the FGH site, as well as the adaptive reuse and extensive 1980s restoration of the Phillip Street terraces within a large commercial development.

39 Phillip Street has significance at a Street level to potentially yield archaeological information about the early 19th century stables of the FGH. In addition, 41 Phillip Street has potential archaeological significance for a shed that existed in the intervening years from the demolition of the FGH to the construction of the current terraces.

BMA House

135-137 Macquarie Street, Sydney NSW 2000
SHR number 00252

Statement of Significance

BMA House has high aesthetic significance as a particularly fine and rare example of early Sydney "skyscraper" designed in an exuberant and idiosyncratic Art Deco style embellished with "Medieval" and "Gothic" decoration. While providing important evidence of the strong influence of American styles and building techniques on Sydney's interwar commercial buildings, BMA House is notable for its use of both local materials and technologies - including particularly the faience cladding by Wunderlich and maple joinery - and its flamboyant incorporation of Australian iconography - including particularly the Koala bears at the top of the front facade. The quality of original finishes and detailing both externally and internally and the high degree of intactness of significant original fabric enhance the building's architectural and aesthetic significance.

The building is also of importance as a fine, award winning example of the work of a prominent firm of Sydney architects, Fowell and McConnel was one of only two office buildings designed by this firm in the Interwar period.

BMA House also has important historical associations with the medical profession in NSW generally and their professional organisation, the BMA in particular, these associations still retained in the building's name, various plaques, the decorative iconography and particular rooms such as the Robert H. Todd Assembly Hall and the former BMA offices. The building's location in Macquarie Street further enhances these associations, the building be one of the few and certainly the most obvious reminder of the former "medical precinct" character of Macquarie Street.

The building's technical significance arises primarily from its generous and varied use of new materials, detailing and technologies characteristic of the new commercial "skyscrapers" of the Interwar period and the high degree of intactness of these elements. The building is also a rare example of an Interwar building which incorporated squash courts at roof level.

History House

133 Macquarie Street, Sydney NSW 2000
SHR number 00692

The Heritage Division SHR inventory does not have a Statement of Significance. The following Statement of Significance is sourced from the 2000 CMP prepared by Design 5 Architects and endorsed by Heritage Council:

Statement of Significance

History House is a rare surviving example of a first class, late Victorian gentleman's townhouse, possibly the finest of its type, in New South Wales. It is an important, and possibly the finest example, of the domestic work of the prominent nineteenth century architect, George Allen Mansfield. The quality and execution of its stonework, plasterwork and cedar joinery is exceptional in domestic work in NSW.

History House stands on part of the original Governor's Domain, associated with the First Government House, which was subdivided and sold in the 1840s.

Its location on Macquarie Street and its relationship with the Botanic Gardens retains the key elements of its historic context and meaning as a fine gentleman's townhouse in this part of the city. It retains the ability to demonstrate the scale, quality, and history of nineteenth century residential development in one of Sydney's finest streets and most fashionable residential addresses.

The place is also significant for its political, social, and medical associations with George Oakes and Dr George Bell as well as being, most recently, the headquarters of the Royal Australian Historical Society.

The changing uses of No. 133 Macquarie Street, from gentleman's residence, to gentleman's club, to boarding house, then doctors' rooms, and finally the headquarters of the Royal Australian Historical Society, kerb-side cafe and corporate offices, reflect the changing uses and demographics of Macquarie Street and central and inner Sydney generally, from residential to commercial.

History House is significant as the national headquarters of the Royal Australian Historical Society, and held in high esteem by its members as a symbol of the work and focus of the society.

The Astor (I1873)

123 Macquarie St, Sydney NSW 2000
Database entry number 2423816

Statement of Significance

The Astor Flats, a thirteen storey reinforced concrete residential apartment building constructed in the Interwar Free Classical Style has a prestige Macquarie Street address with commanding views of the Harbour and Botanic Gardens. The building has high historic significance as an example of the initial development of residential apartments in Sydney as a prestige housing form. It is an important building in professional work of Esplin and Mould. The building facade and interior public spaces have high aesthetic significance as a fine and largely intact example of the style and includes many of the identifying elements such as the cornice, the large spandrel fenestration and three storey classical base and the timber and terrazzo foyer. The building has medium scientific significance for its early use of reversible steel windows and reinforced concrete frame.

Phillip Lane (I1905)

Phillip Lane, Sydney, NSW 2000

Database entry number 2424752

Statement of Significance

Phillip Lane has Historic Significance for its ability to evidence the development of Victorian Sydney lane networks and for its high level of integrity of the building stock and high archaeological potential. The lanes formed the service access to properties developed in the 1840's and the Chief Secretary Buildings developed in the 1870's.

5.3 ESTABLISHED SIGNIFICANCE OF THE NATIONAL HERITAGE LISTING OF THE GOVERNORS DOMAIN AND CIVIC PRECINCT

The former Department of Public Works building as a later addition to the Chief Secretary's Building is located within the boundary of the Governors Domain and Civic Precinct which is in the National Heritage List. The proposed development ensures that the values of the place will be protected and conserved.

Governors Domain and Civic Precinct
Macquarie Street, Sydney, NSW 2000
Place ID: 106103

Statement of Significance

The Governor's Domain and Civic Precinct is located in the City of Sydney, near the place of arrival of the First Fleet in Warrane, the Indigenous name recorded in historic journals for Sydney Cove.

The Precinct is of outstanding heritage value to the nation for its capacity to connect people to the early history of Australia including interactions between Indigenous people and British colonisers. Its ability to demonstrate the historic processes which shaped Australia's civic institutions, democratic progress and the physical character of our cities, which were set in train from the early colonial period in the Sydney colony, is outstanding. In particular, the Precinct's ensemble of buildings, parks and gardens tell us about important events in the establishment of early Parliamentary forms of government, the establishment of the Supreme Court and aspects of the history of suffrage.

The archaeological material found near or associated with many of its historic places is rare and has an exceptional research value capable of informing Australians about aspects of British colonisation and the first interactions British colonists had with Indigenous people living in and around the place we now call Sydney.

The Precinct is also outstanding for its collection of buildings and open spaces, which as an ensemble, demonstrates the transition of the early, isolated penal settlement into a more substantial permanent town. Early British Governors and in particular Governor Macquarie, worked to create improvements in civic amenity and fostered the establishment of civic institutions like Australia's first hospital, public parks, a mint and places of worship. Later civic, legal and government institutions continued to be developed which helped to foster greater independence from Britain.

The Precinct and its buildings are also of outstanding heritage value to the nation for their association with a number of important Australians including Governor Macquarie, Elizabeth Macquarie, Governor Phillip, Governor Bligh, Bennelong and Francis Greenway. Their significant contributions in the course of Australia's history are well demonstrated within the precinct.

6.0

DESCRIPTION OF THE PROPOSAL

The proposed development, designed by FJMT Studio, is detailed in the plans and Environmental Impact Statement (EIS) prepared by Ethos Urban that accompany this application.

The proposal is to locate the hotel facilities and suites in 50 Phillip Street, the Former Department of Public Works Building, and a new mixed use hotel tower on 52 Phillip Street which will partially sit above 50 Phillip Street.

This SSD DA seeks consent for a concept proposal for a new landmark mixed use building with approximately 331 new hotel rooms and 23 branded residential apartments in Sydney's CBD. The Stage 1 SSD DA Concept Proposal will establish a maximum building envelope, land uses, a maximum total quantity of floor space, pedestrian, vehicle circulation, and drop-off arrangements and associated car parking provision.

Specifically, the Stage 1 SSD DA seeks concept approval for:

- In-principle site preparation works, including termination/relocation of site services and infrastructure, demolition of the existing buildings/structure on the site, excluding the existing heritage-listed building;
- A new 47 storey mixed use building envelope containing:
 - lower level café/bar uses and associated servicing and back-of-house facilities;
 - a new basement containing waste rooms, loading space, and car parking spaces;
 - hotel uses on levels 1 to 35; and
 - residential uses on levels 36 to 47.
- Retention of the existing heritage-listed building on the site, and refurbishment of this building for hotel purposes.
- A new driveway crossing over Phillip Street at the southern end of the site.

- Maintenance and retention of the existing vehicular access over Phillip Lane.

The proposed indicative design is carefully designed with respect to the proposed envelope, which represents possible use, GFA allocations and structure and service systems in conjunction with the significant heritage fabric.

Indicative Design Plan - Level 1

On level 1, the hotel and the penthouse suites entries and street activations are proposed along with Phillip Street and northern Phillip Lane.

The penthouse suites entry is proposed in 52 Phillip Street facing to southern Phillip Street, adjacent to the tower lift core which is only able to be located in 52 Phillip Street due to the significant heritage fabric in 50 Phillip Street.

The main hotel entry is provided from northern Phillip Street, which internally connects through the hotel lobby to the hotel drop off entry. The hotel drop off is proposed below the heritage bridge link between the Former Public Works Building and the Chief Secretary's Building utilising a significant heritage fabric, which provides a great experience of hotel arrival. Both of the hotel entries activate southern Phillip Street and Northern Phillip Lane by attracting people walking through the Laneway towards Castlereagh Street and the Royal Botanic Gardens at the east.

The penthouse suites carpark entry is located through the hotel drop off, however the access is controlled and limited to 23 cars only for the penthouse residents.

Indicative Design Plan - Level 2

On level 2, publicly accessible hotel all day dining and lounge are proposed to the inside of heritage building with respect to the original heritage fabric and circulations, and hotel library is proposed as facade extension facing to Phillip Lane above the carpark entry in 50 Phillip Street. A Main preparation kitchen is located in 52 Phillip Street with direct access to the service lifts.

The service entry and loading dock are designed in 52 Phillip Street facing to southeastern Phillip Lane which is approximately 2m above Phillip Street penthouse suites entry on Level 1. This proposed service entry location is carefully designed with consideration of heritage constraints and back-of-house access from the loading dock. Phillip Lane is currently shared and used for servicing by several adjoining buildings, which will be clearly separated from the main pedestrian circulation and private vehicle access from northern Phillip Street.

Indicative Design Plan - Level 3

On level 3, publicly accessible hotel function rooms are proposed to the inside of heritage building with respect to the original heritage fabric and circulations, and one of the function room is proposed as facade extension facing to Phillip Lane above the car park entry in 50 Phillip Street. A finishing kitchen serving to the function rooms is located in 52 Phillip Street with direct access to service lifts.

Indicative Design Plan - Levels 4 & 5

On level 4, hotel guest rooms are proposed to the inside of heritage building with respect to the original heritage fabric and circulations. Two hotel rooms are located in 52 Phillip Street facing to Phillip Street which is accessed through the hotel lift lobby.

Back-of-house functions are located in southeastern corner of 50 Phillip Street and 52 Phillip Street facing to Phillip Lane with dedicated service corridor to access to the service lifts.

Indicative Design Plan - Level 6

On level 6 inside of heritage roof, hotel guest rooms are proposed with respect to the original heritage fabric and circulations.

A tower lift core and fire stairs in 52 Phillip Street are not accessible from 50 Phillip Street to retain exceptionally significant heritage roof windows of the Former Public Works Building. To provide sufficient fire egress to this floor, glass fire stair is proposed behind the service lift in the eastern heritage light well. The interface of glass fire stair mitigates a visual impact to the significant heritage facade facing to eastern Phillip Lane.

Development consent is not sought for any detailed component of development. A future separate Stage 2 SSD DA will be lodged for the detailed design and construction of the development, following the completion of a competitive design process.



Figure 6.1
Looking to a photomontage of the indicative scheme from Bridge Street
Source: FJMT Studio

7.0

ASSESSMENT OF HERITAGE IMPACT

7.1 INTRODUCTION

This Statement of Heritage Impact of the proposed Stage 1 SSD DA concept and proposal has been prepared in relation to the following impact assessment criteria: the *Sydney Local Environmental Plan (LEP) 2012*, the *Sydney Development Control Plan (DCP) 2012* and the New South Wales Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) guidelines, *Altering Heritage Assets* and *Statements of Heritage Impact*, as well as Secretary's Environmental Assessment Requirements (SEARs).

This report also assesses the proposal against the principle conservation policies contained within the previous endorsed Conservation Management Plan (CMP) prepared in 2016, and updated Conservation Management Plan (CMP) prepared by GBA Heritage in 2020. This report also confirms that the proposal is in accordance with the detailed policies contained within both CMPs. The updated CMP is prepared to protect the heritage significance of the heritage building (former Department of Public Works) at 50 Phillip Street, and guide its proposed adaptive reuse as hotel facility.

7.2 OVERVIEW OF THE POTENTIAL HERITAGE IMPACTS

The proposed development will be consistent with the evolved urban landscape of this sector of Sydney's Central Business District (CBD) and with the Phillip Street streetscape in close proximity.

The proposed development aims to demolish and redevelop the 12-storey commercial tower at 52 Phillip Street, as well as to retain, conserve, and reuse the heritage listed building at 50 Phillip Street, while separating it functionally from the adjoining Chief Secretary's Building (CSB). The proposed development comprises the conservation and adaptive reuse of the heritage building and the redevelopment of the adjoining 52 Phillip Street site



Figure 7.1
Extract from the *LEP Heritage Map 014* showing the subject site, outlined in red, and the listed heritage items in the vicinity.
Source: *Sydney Local Environmental Plan 2012*



Figure 7.2
Location map showing the subject site outlined in red.
Source: *Nearmaps (edits by Ethos Urban)*

for a new 47 storey mixed use hotel and residential tower, which will cantilever over and be supported by new structure placed carefully within the footprint of the heritage building at 50 Phillip Street. However, the new structure (the Tower form) is designed to taper away from the street as it reaches the roof level of 50 Phillip Street, it is also set well back from the northern boundary of 50 Phillip Street. The outcome of these setbacks and tapered forms is a slender tower which is visually separated the heritage buildings at 50 Phillip Street and 121 Macquarie Street and instead sits in the skyline with the tower cluster to the west and south of the site. The tapering at the top of the tower responds to the overshadowing controls of the Domain and the Royal Botanic garden and increased the slenderness of the tower whilst avoiding any additional overshadowing of the public domain.

Successful adaptive reuse of a significant heritage building requires a new use that is complementary to the original building form and the spaces and organisation within. The proposed development has been engineered structurally within the spatial and heritage constraints of the historic building.

The heritage building at 50 Phillip Street is proposed to be maintained as part of the overall project. However, for the adaptive reuse of the building as part of a hotel development some areas of the existing structure load capacity may need to be assessed.

The proposed development for a new modern 47 storey mixed use hotel and residential building is consistent with the long Sydney tradition of juxtaposing low-scale older buildings with new high-rise ones, forming backdrop to the heritage buildings in the vicinity as seen from nearby identified viewing locations.

The heritage building at 50 Phillip Street directly adjoins the Chief Secretary's Building, a State heritage listed item on the north side. Other State and Local heritage listed items are in close proximity. Given that the heritage building is currently flanked by high-rise buildings in different directions, the proposed development is considered to have acceptable heritage impact on these items in terms of potential visual domination of them, views to and from them, the scale, and the character of their setting. Furthermore, the proposed height of the development is consistent with development in the identified vicinity and the streetscape in close proximity.

Carefully integrating the former Department of Public Works building on the southern side with the adjacent building as part of the proposed development will result in some level of changes in high and moderate significant fabric of the heritage building. However, given that these changes are required to meet a hotel operational requirement, they have an acceptable heritage impact.

The heritage building has undergone additions on the east side in the form of installation of fire stairs and lifts, making this side less sensitive to further changes. The proposed changes are necessary to guarantee the on-going use and significance of the heritage building through breathing a new life into it. Smaller modifications and additions along Phillip Lane to the rear of the building will remove the existing intrusive fabric and replace it with lightweight transparent modern materials which contrast with the rendered masonry character of the Phillip Lane facades. The proposed changes respect the original form and scale of the heritage building and Phillip Lane.

The new infill podium at 52 Phillip Street will reinforce the scale and material quality of the heritage facades of 121 Macquarie Street, 50 Phillip Street, and Intercontinental hotel on the north side of Bridge Street. The main (west) facade of the building will be retained intact as an important component of the local streetscape, in which its significance can be readily appreciated and interpreted by the general public.

As the building has undergone several alterations in terms of complying with BCA and DDA, the potential constraints of DDA and BCA compliance have been addressed. However, as there are still several instances of non-compliance with the NCC, and with regard to the proposed separation between the two connected heritage buildings, the reuse of the former Department of Public Works building to a hotel will need to address independent compliance with the current NCC and DDA.

The heritage building, as a later addition to the Chief Secretary's Building, is within the boundary of the National Heritage List on the Governors Domain and Civic Precinct, contributing to public buildings constructed during the 19th and early 20th centuries which their external architectural form creates a grand civic presence on the eastern edge of the CBD. The proposed development retains and conserves the principal sandstone facade of the building, fronting Phillip Street, contributing to the sandstone buildings which front Phillip and Bridge Streets. Given that the Chief Secretary's Building is contributed imposing landmark which endowed the city with a confident civic grace, the refurbishment and adaptive reuse

of the former Department of Public Works building respects the Governors Domain and Civic Precinct by preserving the imposing landmark character of the Chief Secretary's Building. The Governors Domain and Heritage Precinct includes many heritage buildings which are able to tell a national story about Australia. The adaptive reuse of the heritage building reflects the growth and change of the Department of Public Works over time, enabling the appreciation and interpretation of the heritage building by the general public.

Alterations to the existing heritage building (structure) will be required to achieve a design that meets the operational requirements for a modern hotel. These alterations need to be supported by design excellence outcomes that add significance to the heritage building, enabling its appreciation and interpretation by the public. The construction of the basement levels under the existing heritage building has the potential to cause localised differential ground settlement due to its proximity to the heritage structures foundations. Recommended design limitations are required to control the risk of damage. A detailed Heritage Structural Construction Methodology Report prepared by TTW (Taylor Thomson Whitting) contains the recommended design limitations.

The proposed development comprises some level of internal changes; however, remnant significant components of the building will be retained. Although, the building interior has undergone extensive changes over time, resulting in the loss of its architectural integrity, the principle of "loose fit" for new functions protects the overall architectural character and integrity, as well as remnant significant heritage interiors. The original old central corridor will be re-instated and reuse as a connecting corridor between the heritage building and the proposed adjacent development. The original planning of the north-south corridor on all levels in the design of the second additions by Vernon, demonstrates the intention of further extension of the building along Phillip Street. The impact of internal changes to the heritage building can be mitigated by minimising the extent of alterations, keeping them in line with the extent of changes already made to the building over time, and retaining the overall character of the heritage building.

The proposed development has a well resolved potential and clear intent of protecting, reviving, and sustaining the heritage significance of the former Department of Public Works building and its architectural integrity into the long term.

The proposed development is carefully formulated through a close and productive liaison between architects, structural engineer, heritage consultants and proponent. It is considered that the proposed development will have acceptable heritage impact on the historic fabric and heritage significance of the former Department of Public Works. These changes will guarantee the on-going sustainable use, and significance of the building.

7.3 OVERVIEW OF HERITAGE OUTCOMES

The primary heritage outcomes of the proposal will be as follows:

- The redevelopment of 52 Phillip Street and adaptive reuse of 50 Phillip Street is an opportunity to sustainably perpetuate the active use of the State Significance Heritage listed former Department of Public Works building, contribute to the revitalisation of the precinct and the surrounding public domain whilst providing much needed hotel accommodation at the north eastern edge of the city with its associated economic benefits for tourism and employment.
- The former Department of Public Works building will be given a new, sustainable lease of life in a manner that respects its prime location in the Phillip Street, and its remnant high quality interiors.
- The proposed development will provide greater increased street activation and increased employee and visitor participation in the street life within the surrounding precincts.
- Presently relatively closed to the street due to the character of the palazzo style colonial architecture and the nature of its present use, the hotel proposal for 50 Phillip Street will provide public access and greater transparency at the ground level from Phillip Street and Phillip Lane.
- The proposed development will ensure the long term sustainability of the state heritage listed building.
- The finely detailed sandstone facades of the former Department of Public Works building facing Phillip Street will be unaffected.

- The form of new additions has been carefully considered to reinforce the scale and character of the streetscape in this sensitive context whilst the tower envelope is designed to be clearly visually separated from the heritage buildings and from a visual grouping with the existing Aurora Place tower, Governor Phillip Tower, and Governor Macquarie Tower.
- The remnant significant interiors of the building, which retain its integrity, will be respected and enhanced, with spaces formerly occupied by the Industrial Court converted to hotel functions. The original old central corridor will be re-instated and reuse as a connecting corridor between the heritage building and the proposed adjacent development. The original planning of the north-south corridor on all levels in the design of the second additions by Vernon, demonstrates the intention of further extension of the building along Phillip Street. The surviving interior joinery will be restored and new work will interpret the features and detailing of original finishes.
- Spaces of lesser importance within the former Department of Public Works building will be converted to back-of-house and smaller scale loading operations.
- The majority of the hotel rooms will be located in the high-rise tower that is set to the southern end of the overall site, utilising 52 Phillip Street for its primary access, service and lift core, and a cantilevered portion over the southern portion of the former Department of Public Works building.
- The proposal will conserve and sustain the significance of the historic “Sandstone” former Government administration buildings along Bridge Street, the Phillip Street Terraces and the spatial integrity of the setting of First Government House Plaza. It is also separated from the historic Astor Residential Building.
- The subject site is located at the edge of the Royal Botanic Gardens Sun Access Plane and the Domain Sun Access Plane. The proposed tower massing is driven by these two Sun Access Planes. The proposed tower envelope is located under the Domain Sun Access Plane, but the lower portion of the tower is above the Royal Botanic Gardens Sun Access Plane. However, this portion sits under the existing overshadowing of Quay Quarter Tower, so that there is no additional overshadowing on any public domains.
- The proposed development in the form of a hotel and residential building above the former Department of Public Works building will facilitate the conservation and ongoing maintenance of the heritage building in the long term.
- The proposed adaptive reuse of the former Department of Public Works building requires certain internal interventions. Given that all remnant significant components of the building will be preserved, the loss of some high significant fabric is considered acceptable and the overall heritage impact is considered to be acceptable.
- The adaptive reuse of the former Department of Public Works building respects and retains the imposing landmark character of the Chief Secretary’s Building, contributing to the heritage significance of the Governors Domain and Heritage Precinct of the National Heritage List.
- The adaptive reuse of the heritage building reflects the growth of Department of Public Works over time, enabling its appreciation and interpretation by the general public.
- The adaptive reuse of the former Department of Public Works building will sustain the importance of this significant building in the fabric and life of the city and assure the maintenance of the building fabric for future maintenance.

7.4 EVALUATION AGAINST THE PREVIOUS ENDORSED CMP (2016) POLICIES

The Stage 1 SSD DA specifically seeks consent for land uses, a maximum gross floor area, a maximum building envelope, pedestrian and vehicle access and circulation arrangements, as well as associated car parking provision. As development consent is not sought for any detailed component of development, this report mainly assesses the proposal against the principle conservation policies which are relevant to Stage 1 SSD DA. A future separate Stage 2 SSD DA will be lodged for the detailed design and construction of the development, following the completion of a competitive design process. A Statement of Heritage Impact will be provided for Stage 2 SSD DA, addressing the proposal against the principle conservation policies in detail.

Policy 1

Ensure all conservation works, maintenance programs and new works:

- *are undertaken in accordance with the principles and objectives of the Burra Charter: the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance;*
- *are undertaken in accordance with the aims and intentions of this CMP;*
- *use an understanding of all aspects of the cultural significance of 50 Phillip Street as one of the key factors for future planning and implementation;*
- *are aimed at ensuring the retention and enhancement of the cultural significance of the 50 Phillip Street;*
- *seek to minimise adverse heritage impacts;*
- *are co-ordinated by a project manager familiar with the philosophy, methodology and practice of heritage conservation; and*
- *follow the required statutory approvals or notification processes.*

Comment

Heritage elements and cultural significance of the building have been identified and graded as part of this report (Section 4.5). All proposed changes, externally and internally, aim to respect and retain identified heritage elements and heritage significance of the building as whole, by doing “as much as necessary, as little as possible”. Thus, the proposed development is consistent with the principles and objectives of the Burra Charter. Furthermore, the project will be undertaken by “Built”, a well recognised company for work in the refurbishment and restoration of iconic heritage properties across Australia.

Policy 2

Ensure that a record of the underlying methodology for each conservation project is maintained, including:

- *documentation of the reasoning behind major decisions;*
- *records of any testing or additional research undertaken; and*
- *appropriate archiving of this documentation.*

Comment

All proposed changes to the heritage building and applied methodologies for each change or conservation project will be documented and recorded.

Policy 3

Restoration or reconstruction should only be undertaken where there is sufficient evidence to ensure the accuracy and authenticity of the work.

Comment

A comprehensive and detailed assessment of the heritage building will be undertaken prior to any proposed restoration or reconstruction (stage 2 SSDA), ensuring the accuracy and authenticity of the work is retained and respected.

Policy 4

Changes which reduce cultural significance should be reversible, and be reversed when circumstances permit. Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Comment

All proposed changes to the heritage building will be reversible if the heritage building will outlive the new proposed works or at the end of the lease agreement, enabling the building to return to its original condition.

Policy 6

Proposed changes that impact on heritage significance should only be considered if:

- *the change is considered necessary to maintain the asset in working order;*
- *they support the conservation of elements of Exceptional and Considerable heritage significance;*
- *care is taken to minimise the adverse effect on heritage significance;*
- *the change helps to maintain the security or safety of the heritage building or its significant elements;*
- *there is no other alternative solution; and/or*
- *new work is of a high design standard and quality materials are used sympathetic to the significant fabric.*

Comment

Changes to the heritage building are mainly proposed to elements of moderate and little significance. Elements of high significance will undergo some level of changes to meet the operational requirements of a new modern hotel which is of high design standard, minimising the adverse effect on heritage significance. Elements of exceptional significance will remain intact, contributing to the heritage significance of the building, and enabling its ongoing interpretation and appreciation by the public. For each major change to the heritage building, several options have been considered and the best solution has been considered with respect to the heritage significance of the building.

Policy 7

Any new use for 50 Phillip Street should minimise substantial physical changes to spaces and fabric of Exceptional or Considerable significance, particularly changes that would involve subdivision or demolition of the more significant internal spaces, or the removal or obscuring of highly significant internal and/or external detailing.

Comment

The proposed hotel envelope will restore the original spatial character and organisation of the building interiors into a high quality and appropriate use series of spaces. No substantial physical changes are proposed to spaces and elements of exceptional significance. Proposed changes to elements of high significance are required to meet the proposed hotel operational requirement and assist in the sustainable use of the heritage building in the long term. As the building has undergone several extensive internal alterations over time in form of subdivision or demolition of internal spaces, the building interior is considered less sensitive to further changes. However, the proposed adaptive reuse of the heritage building to a modern hotel respects and retains remnant significant internal spaces and elements by adopting the principle of 'loose-fit'.

Policy 8

Any new use of 50 Phillip street should provide for the economic sustainability and conservation of the asset into the future, including the funding of ongoing maintenance and repair.

Comment

The proposal is for the development of a predominately tourist related purpose, being a hotel, that has a capital investment value in excess of \$100 million. The vision for the redevelopment is to revitalise the lower end of Sydney's financial services district by delivering a new luxury mixed use hotel with a portion of branded residential apartments. The project will provide the following key public benefits:

- Job creation and benefits to the tourism industry from construction and operation of a new 5/6 star hotel in Central Sydney.
- Contribution to the NSW State's economic activity and Gross State Product, including the generation of construction phase revenue for the Government in the form of payroll tax, stamp duty and GST payments.
- Rejuvenation and adaptive reuse of a Government owned heritage building.

- Regeneration, enhancement and activation of the surrounding public domain, particularly upgrades to Phillip Lane.
- Creation of a heritage-tourism precinct with a new hotel as the centrepiece.
- A portion of branded residential apartments to support the deliver of the hotel and provide a variety of uses to contribute to the liveability of Central Sydney.
- The potential to deliver a capital return to Government to fund future Government investment in services and infrastructure.

The adaptive reuse of the heritage building provides an opportunity to sustainably perpetuate the active use of the State Significance Heritage listed former Department of Public Works building, contribute to the revitalisation of the precinct and the surrounding public domain whilst providing much needed hotel accommodation at the north eastern edge of the city with its associated economic benefits for tourism and employment. The adaptive reuse of the heritage building will sustain the importance of this significant building in the fabric and life of the city and assure the maintenance of the building fabric for future generation. Accordingly, the adaptive reuse of the heritage building will provide for the economic sustainability and the funding of its ongoing maintenance and repair.

Policy 9

Uses which enable a wider appreciation of the significant interiors of the building should be favourably considered.

Comment

The vision for the adaptive reuse of the heritage building is to revitalise the lower end of Sydney's financial services district by delivering a new luxury hotel with associated retail spaces on ground floor and function rooms on levels 2 and 3. The hotel proposal for 50 Phillip Street will provide public access and greater transparency at the ground level from Phillip Street and Phillip Lane. The public facilities of a hotel align well with the spatial characteristics of the spaces on the lower floors, whilst on the upper floors the large office spaces translate well into hotel room suites. The adaptive reuse of the heritage building provides public activation by making the heritage building accessible to the public and hotel guests alike, enabling a wider appreciation of the building, internally and externally, by the general public. The adaptive reuse of the heritage building provides a unique opportunity to restore and refurbish one of Sydney iconic heritage buildings into a public space whilst still respecting and maintaining its heritage features.

Policy 11

New uses that would result in an unacceptable level of change to significant fabric or spatial qualities are unacceptable.

Comment

All proposed changes to the heritage building are acceptable and have an acceptable heritage impact on the significant fabric or spatial qualities.

Policy 18

Any decisions regarding external change to 50 Phillip Street should have regard to its important contributory role to the Bridge Street/Macquarie Place/Bulletin Place Special Character Area, and also to its proximity to the Macquarie Street Special Character Area under the Sydney City LEP 2012.

Comment

No external changes on the main (west) facade of the heritage building is proposed. The proposed adaptive reuse of the heritage building will not impact on its substantial contribution to the Victoria era character and townscape values of Phillip Street, Bridge Street, and Macquarie Place. The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses.

Policy 19

The Building Owner and any development proponent should work with the City of Sydney Council and adjoining land owners to maintain the setting (expanded curtilage) of 50 Phillip Street, in particular its relationship with adjacent heritage buildings; First Government House Place and the conservation of other significant views to and from adjacent buildings and sites.

Comment

The proposed development will respect and retain the original setting of the heritage building and its relationship with adjacent heritage buildings. The proposed podium is aligned with the site boundary and the height of heritage building and the proposed tower is set well back from the heritage building and its significant roofscape. Accordingly, the proposed development is consistent with a recognised aspect of the city's built character, maintaining the expanded curtilage of the heritage building and significant views to and from adjacent buildings and sites.

Policy 20

Proposed works affecting the exterior of 50 Phillip Street should address the objectives and provisions of the Sydney DCP 2012 Section 5 Specific Areas, with regards to the principles for the Bridge Street Macquarie Place/Bulletin Place Special Character Area as stated in the DCP:

(a) Development must achieve and satisfy the outcomes expressed in the character statement and supporting principles.

(b) Recognise and enhance Bridge Street as one of Sydney's pre-eminent urban spaces and as the locality of heritage items which have housed activities of State and National significance.

(c) Protect and extend morning sun access to Macquarie Place, Bridge Street and First Government House Place.

(d) Conserve the existing significant laneways in the area and encourage active uses, where compatible with their significance.

(e) Maintain and reinforce existing important public spaces, intersections and corners, in particular those crowned by significant buildings, such as the Lands Department and the Chief Secretary's Building.

(f) Maintain and enhance existing views to the water, and also significant vistas to the Lands Building from Loftus Street, Macquarie Place and Bridge Street itself, in addition to the vista along Bridge Street to the Conservatorium of Music.

Comment

The adaptive reuse of the heritage building to a hotel will provide greater increased street activation and increased employee and visitor participation in the street life within the surrounding precincts.

The subject site forms part of the Bridge Street precinct which is currently undergoing significant transformation with the redevelopment of the AMP Tower and Young and Loftus blocks into the Quay Quarter development, the adaptive reuse of the former Lands Department and Education Department buildings on Bridge Street and future plans for enhancements to the Museum of Sydney and First Government House Place. The proposal will extend this rejuvenation to the eastern side of Phillip Street and through the Phillip Lane network, through to Macquarie Street.

The subject site also forms part of the Macquarie Street precinct, with the new hotel and active use of the groundplane contributing to the pedestrian life for Macquarie Street. The new tower envelope forms a backdrop to the Macquarie Street buildings and contributes to the city skyline when viewed from the east.

The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses.

The proposed development will recognise and enhance significant views from Loftus Street, Macquarie Place, and Bridge Street by preserving and conserving the former Department of Public Works building. Although the heritage building is located in Phillip Street, there are significant views to the building from Bridge Street, contributing to the state and national significance of the area. The proposed development retains and enhances the significant views to the heritage building from Bridge Street.

Policy 21

When considering external changes, views to and from 50 Phillip Street need analysis and protection, together with the view to the 50 Phillip Street roof scape from adjoining buildings.

Comment

A comprehensive and detailed visual impact report is undertaken by Virtual Ideas, a highly experience company at preparing visual impact assessment.

No external changes are proposed to the main (west) facade of the heritage building. The proposed podium at 52 Phillip Street is consistent with other developments along this side of Phillip Street. The proposed tower envelope is set well back from the heritage building and sits above the significant roofscape of the heritage building. Although the proposed development is contemporary in design, it is sympathetic to the overall architectural character and integrity of the heritage building. Accordingly, the proposed development will have an acceptable heritage impact on views to and from the heritage building and its significant roofscape from adjoining buildings.

The proposed slender tower envelope will provide a clear separation from the existing heritage building so that the facades, roofscape, and building form remain clearly legible, respecting the views to the heritage building.

Policy 30

The HIS will include the close study and assessment of significance of elements and spatial qualities of the building and its context so that the nature and extent of impacts can be identified and minimised.

Comment

This Heritage Impact Statement (HIS) has comprehensively studied and assessed the significance of elements and spatial qualities of the heritage building in order to retain and respect them in any further changes to the building.

Policy 31 Components of Exceptional Significance

Retain all components of Exceptional Significance as a priority.

- Aim to retain all original fabric or other components of exceptional significance as a first conservation option. Where this will affect the safe operation or structural integrity of 50 Phillip Street, renew components by matching exceptionally significant elements. Undertake all new work in accordance with the policies in this CMP.

- Avoid adding new fabric, where this will result in a negative impact on significance and on the ability to conserve significant fabric into the future.

- If adaptation is necessary for the continued use of the place, minimise extent of change and impact on significance.

- Give preference to changes that are reversible.

- Prior to any change, a full archival recording is essential.

Policy 32 Components of Considerable Significance

Retain all components of Considerable (High) Significance.

- Changes to fabric of Considerable significance should be minimal.

- Aim to retain the original fabric or renew using matching details.

- Give preference to changes that are reversible.

- Some adaptation of components may be acceptable, particularly where this process might assist in the sustainable use of the place; the new work complies with the policies of this CMP; and heritage impact is minimal.

- Prior to any change a full archival recording is essential.

Policy 33 Components of Moderate or Some Significance

Retain components of Moderate or Some significance as a first preference.

If retention compromises the safe use or structural integrity of 50 Phillip Street, the component could be altered or demolished/removed, provided that the change can be justified (i.e. all feasible alternatives have been considered) and the new work complies with the policies of this CMP and does not detract from the significance of the 50 Phillip Street as a whole or its components of Exceptional or Considerable significance.

Policy 34 Components of Little Significance and Neutral Elements

Components of Little Significance and Neutral elements can be demolished or removed to reveal significant fabric or as required to allow sustainable use, provided that their removal would cause no damage to adjacent fabric of Exceptional or Considerable significance and any new work complies with the policies of this CMP and does not detract from the overall significance of 50 Phillip Street.

They may be replaced, in a way that is in keeping with the policies in this CMP.

Policy 35 Intrusive Components

Demolish or remove or alter Intrusive Components.

- When possible and in accordance with an overall vision for the place, remove, modify or replace the intrusive components in keeping with the policies in this CMP. Removal should respect the heritage significance of the site and/or adjoining fabric.

Comment

Key to the proposal is the adaptive re-use of 50 Phillip Street. Currently a NSW Department of Justice facility, the new hotel will restore the original spatial character and organisation of the building interiors into a high quality and appropriate use series of spaces including the hotel foyer, public restaurants, bars and function spaces. The original building organisation and circulation will be clarified and reinforced, the surviving interior joinery restored and new work will interpret the features and detailing of original finishes.

The proposed development has been carefully considered and well designed to ensure the overall heritage and cultural significance of the former Department of Public Works building is conserved and respected. The proposed development respects and retains the overall architectural character and integrity of the heritage building, enabling its appreciation and interpretation by the general public.

No alterations to the exceptional significant components of the heritage building are proposed. Accordingly, the principal (west) facade of the heritage building to Phillip Street is retained and conserved, allowing for the interpretation of the original form and facade.

Proposed alterations to the high significant fabric and elements of the heritage building, on the north, south, and east facades are generated to meet the proposed new building design requirements, as well as facilitating the future occupation of the heritage building as a modern hotel and residential building. Accordingly, these changes assist in the sustainable reuse of the heritage building, and are considered reasonable with consideration for the facilitation of future occupation of the heritage building.

The proposed hotel drop-off and carpark entry, as well as the rear additions to the heritage building result in some level of changes to the fabric and elements of high significance on the north and east facade. However, the proposed changes to these facades retain and respect the original form, architectural integrity and character of the heritage building. Furthermore, the proposed changes will be reversible if the heritage building outlives the new proposed works or at the end of the lease agreement. Therefore, proposed alterations have an acceptable heritage impact on the building.

Some components of moderate significance are proposed to be altered. As these elements have experienced several changes over time, they can be altered without compromising the overall heritage significance and architectural integrity of the heritage building. These changes will be reversible.

Most identified elements of little significance and all intrusive elements are proposed to be demolished in line with the best heritage practice in order to give a way to the new building design as a new mixed-use hotel and branded residential building. Intrusive items at central lightwell are proposed to be demolished and redesigned as vertical circulation core for podium building.

All proposed changes are required in order to meet a hotel operational requirement and to assist in the sustainable use of the heritage building as a new modern hotel and residential building in the long term. All proposed changes to the heritage building are consistent with the new use of the building and will not detract from the original fabric as well as architectural integrity and character of the heritage building. The proposed changes contribute to the interpretation and appreciation of the heritage building by the general public.

Policy 36

Dependent on the particular change, new work may be contemporary in character, materials and finishes as long as is sympathetic and recessive and does not detract from or diminish the heritage significance of the place and its setting.

Comment

The proposed massing and tower envelope are of extremely high quality architectural design. The proposed podium at 52 Phillip Street will reinforce the scale and material quality of the heritage facades of the Chief Secretary's Building and former Department of Public Works Building, and provide a similar scale and material character to Phillip Lane to the south. The proposed modifications and additions along Phillip Lane to the rear of 52 Phillip Street will remove the existing intrusive fabric and replace it with lightweight transparent modern materials which contrast with the rendered masonry character of the Phillip Lane facades.

The proposed podium will be inserted to be aligned with the height of the heritage building along Phillip Lane and Phillip Street. The proposed slender tower lends itself to hotel and residential use due to the small footprint and high quality location, will provide a clear separation from the existing heritage building. The materials of the proposed tower envelope will be carefully selected to reduce the impact of the proposed tower over the heritage building. Accordingly, the proposed development respects and retains the heritage significance of the building and its setting.

Policy 37

New access to Level 4 and above and new plant equipment should not be located where it disrupts the roofscape, and/or can be seen from the expanded curtilage.

Comment

The tower form is designed to taper away from the street as it reaches the roof level of 50 Phillip Street. As such, the proposed tower is set well back from the roofscape, retaining and respecting the significant roofscape of the heritage building.

Policy 38

Ensure any internal works to sub-divide spaces are easily reversible, are not affixed or are minimally affixed to the building and do not obscure significant internal detailing or spatial qualities.

Comment

It is noted that many of the larger former office spaces were partitioned over time, which has made these spaces flexible for further changes. The proposed internal works in form of subdividing spaces will be reversible and do not obscure remnant significant internal detailing or spacial qualities.

Policy 39

Internal works to create new openings between existing spaces must respect significant internal detailing and spatial qualities of 50 Phillip Street. Interpret the loss of original internal walls in the detailing of the work (e .g. by retaining nibs and bulkheads; and/or by marking the former wall position in the floor and ceiling.

Comment

The proposal appropriately addresses this requirement. Although minor changes are proposed to the original significant openings, they respect to the architectural integrity of the heritage building as whole. The proposed changes will be reversible.

Policy 40

Minor alterations to 50 Phillip Street, particularly those that recover significance, can be undertaken as long as the character and significant fabric (particularly that of Exceptional and Considerable significance) are retained, as these are integral to the heritage significance of the place.

Comment

No alterations are proposed to fabric and elements of exceptional significance. Proposed alterations to components of high significance are required in order to meet the hotel and residential building operational requirements. All proposed changes to the building respect and retain the heritage and cultural significance, as well as architectural integrity and character of the building as whole.

Policy 41

Minor alterations/works in materials, forms and details, shall respect and complement the existing fabric.

Comment

All proposed alterations will be visually subservient to the heritage building, and respect the composition, architectural style, form and features of the heritage building.

Policy 42

No new alterations to the western facade of 50 Phillip Street and the upper northern parapet. Elsewhere discrete new or altered openings can be considered with some provisos.

Comment

No alterations to the main (western) facade of the heritage building are proposed. The western facade will remain intact, contributing to the heritage significance of the building and the streetscape.

Policy 44

Open verandahs should not be enclosed.

Comment

Original open verandahs on the western side of the heritage building are not proposed to be enclosed.

Policy 48

Division or partitioning of the major internal rooms at 50 Phillip Street should be avoided. Aim to retain the hierarchy of original spaces and their contribution to the overall significance of the place. Effort should be made to retain the spatial volume of the room in the first instance, utilising it for a purpose that does not require its division.

Comment

The original spatial volume of the heritage building has undergone several changes over time in form of division or partitioning of the internal large spaces. As such, the building interior is less sensitive to further changes in form of partitioning. The adaptive reuse of the heritage building to a new modern hotel requires division and partitioning of the large spaces. However, given the extent of changes to the building interior, and adopting the principle of “loose fit” for new uses, the proposed division and partitioning will not detract from the heritage significance of the building.

Policy 83

Take the opportunity of any change of use to increase the areas open to public access in 50 Phillip Street on a regular basis.

Comment

The proposed development will breathe new life into an underutilised heritage listed NSW Government owned building, revitalising the lower end of Sydney’s financial services district by delivering a new luxury mixed use hotel with a portion of branded residential apartments, accessible to the general public and hotel guests alike. Proposing retail spaces on the ground floor and function rooms within the heritage building on levels 2 and 3, increase the areas open to the public, enabling a wider appreciation of the heritage building.

7.5 EVALUATION AGAINST THE UPDATED CMP (2020) POLICIES

The Stage 1 SSD DA specifically seeks consent for land uses, a maximum gross floor area, a maximum building envelope, pedestrian and vehicle access and circulation arrangements, as well as associated car parking provision. As development consent is not sought for any detailed component of development, this report mainly assesses the proposal against the principle conservation policies which are relevant to Stage 1 SSD DA. A future separate Stage 2 SSD DA will be lodged for the detailed design and construction of the development, following the completion of a competitive design process. A Statement of Heritage Impact will be provided for Stage 2 SSD DA, addressing the proposal against the principle conservation policies in detail.

The proposed development is generally consistent with the overall policies and guidelines of the updated CMP, with the principle policies in the CMP being:

Policy 6.2 PRINCIPAL CONSERVATION POLICIES

Policy 6.2.1

Those aspects of the former Department of Public Works building that make a defining contribution to its significance (see section 4.0) should be retained and respected in its adaptive reuse as a hotel facility, and incorporated with a new sympathetic development. New development or change should aim to minimise adverse heritage impacts.

Policy 6.2.2

Future changes to fabric, form and associated structural elements should respect its visual significance and architectural integrity and respond accordingly to the Grading of Significance (section 4.5).

Comment

All elements of exceptional significance are to be retained and respected in the proposed adaptive reuse of the heritage building to a new mixed use hotel and residential building. Some level of changes are proposed to the fabric and elements of high significance on the north, east, and south sides of the heritage building. These changes are required to meet the functional requirements of the building as a hotel and residential building.

On the north side of the building, alterations to the fabric of high significance are required to maintain and improve the existing vehicular access within Phillip Lane. A number of options have been considered and analysed for the provision of a hotel drop-off zone. The subject site slopes down from east to west along with the northern Phillip Lane, which connects through the site from Phillip Street offering opportunity for both hotel drop off and loading functions while preserving the main (west) facade of the heritage building. The current proposal is low key and strikes an appropriate balance between providing a practical main vehicle drop off for the hotel and the retention and restoration of Phillip Lane. This alteration to the fabric of high significance will be acceptable, provided that the building's original architectural character remains clearly legible and appreciable. These changes are reversible if the heritage building outlives the new proposed works or at the end of the lease agreement, enabling the building to return to its original condition.

The proposed changes to fabric, form, and associated structural elements will respect the overall visual significance, as well as architectural integrity and character of the building. The proposed tower sits well above the original roof, providing a great gap between the significant roofscape and the proposed tower envelope, thus will not visually dominate the original component of the building and will not make any changes to the exceptional and high significant components of the roof.

The location of the proposed column within the central lightwell provides a sufficient separation from the heritage facade facing into the lightwell. This gap avoids any interventions into the heritage fabric, respecting and retaining the architectural integrity and character of the heritage building. Furthermore, the minimum column off-set, which would be improved during later design development, provides construction access that can control the risk of damage or adverse impacts to the heritage fabric, and allows for adequate maintenance access.

Policy 6.2.3

The former Department of Public Work's landmark position as a strong visual element in 50 Phillip Street should be retained.

Comment

Given that all components of exceptional significance will be respected and retained intact, the position of the building as a strong visual element along Phillip Street will be preserved. Furthermore, the main (western) sandstone facade of the building facing Phillip Street will not undergo changes, retaining and respecting the original architectural character and integrity of the heritage building and its visual contribution to the streetscape.

Policy 6.2.4

Conservation of the former Department of Public Works building should be in the form of on-going or new compatible uses for the building, uses that respect and utilise the current scale, form and internal configuration of the building with minimal external changes to the structure or external envelope.

Policy 6.2.5

The current adaptive reuse proposal for the former Department of Public Works building as a hotel facility, requires that the proposal is informed by the aims of best conservation practice balanced with an understanding of the functionality and commerciality of tourism accommodation projects.

Policy 6.2.6.

A key component of adaptation to hotel use must increase public access to the building and increase interpretation of its significance.

Policy 6.2.7

Any new work should be of design excellence and employ superior materials.

Comment

The proposed reuse of the heritage building to a new mixed-use hotel and residential building provides and ensures an on-going sustainable use for the building. The heritage features of the building will be retained and respected by proposing minimum external changes to the original structure and envelope.

The proposed development is seeking to combine both private (52 Phillip Street, Sydney) and Government land (50 Phillip Street, Sydney) to deliver a new luxury accommodation hotel for Sydney, which will provide an important and much needed asset to the people of NSW and visitors. The proposed development will provide public access and greater transparency at the ground level from Phillip Street and Phillip Lane. The proposed development will be accessible by the general public and hotel guest alike, especially on the ground floor where retail spaces are located. The portion of Phillip Lane under the existing bridge structures will become the entrance portico, and will be the centre of activity for the hotel. From this entrance a pedestrian friendly treatment of Phillip Lane from Phillip Street through to Macquarie Street will encourage visitors and the public along these lanes, providing increased exposure to existing and new retail spaces within this laneway network. Along Phillip Street the main pedestrian entry to the hotel will utilise the existing entry with a Manhattan style awning and concierge service. The windows to both level 1 and 2 will reveal and invite passers-by into the spaces within as Phillip Street slopes up to the South. Beyond that a new street frontage retail space and residential lobby will continue the activation along Phillip Street on the 52 Phillip Street site. Accordingly, the proposed adaptive reuse provides the best possible development outcome for the site, NSW Government, and the NSW people, enabling its appreciation and interpretation by the general public.

The proposed alterations to the existing heritage building are of extremely high quality architectural design, adding to the heritage significance of the building.

Policy 6.4 CONSERVATION OF THE CONTRIBUTION TO THE SETTING

Policy 6.4.1

The contribution of the building to its visual setting in this section of site should be retained and carefully managed in any future use and development of the building or the site through careful and sympathetic design.

Policy 6.4.2

Any new additions on the combined 50-52 Phillip Street site must be planned and designed to maintain the visual presence of the heritage building.

Policy 6.4.3

Any proposals for alterations and additions to the external facades or roof of the building must take into account the impact on the building's setting as seen from key viewpoints. The primary significant views to the building (identified in section 3.0) must be maintained.

Comment

No alterations to the building's setting are proposed. The setting of the building will remain unchanged, while proposed structures will be within the existing setting of the heritage building, aligned with the site boundary. The proposed development is sympathetic to the heritage building, thus the visual setting around the heritage building, and significant views to and from the heritage building will be respected and retained. The proposed podium and tower envelope maintain the visual prominence of the heritage building along Phillip and Bridge Streets. Accordingly, the proposal respects the heritage building's visual prominence significance as well as its architectural integrity, and responds accordingly.

The proposed additions to the rear of the heritage building (east side) facing Phillip Lane will be up to level 3 and have a transparent massing, thus maintain the visual setting and presentation of the heritage building along Phillip Lane.

The proposed podium aligns with the site boundary, setting back from the heritage building, reflecting the form, scales, and styles of buildings in locality, thus will have an acceptable heritage impact on primary significant views to and from the heritage building.

Although the proposed tower envelope will be visible from the identified key viewpoints, its stepped built form, proposed cladding and envelope, as well as its setback from the heritage building, give it an independent contemporary character, so will not challenge the scale, materiality or original architectural character of the heritage building. Furthermore, the proposed tower envelope sits well above the significant roof of the heritage building and will not visually or spatially encroach on the dignified presence of the building or its significant roofscape. Accordingly, the proposed development will have an acceptable heritage impact on the significant views to and from the heritage building.

POLICY 6.7 EXPANDED CURTILAGE

Policy 6.7.1

Any decisions regarding external change to the former Department of Public Works building should have regard to its important contributory role to the Bridge Street/Macquarie Place/Bulletin Place Special Character Area, and also to its proximity to the Macquarie Street Special Character Area under the Sydney City LEP 2012.

Policy 6.7.2

The Building Owner and any development proponent should work with the City of Sydney Council and adjoining land owners to maintain the setting (expanded curtilage) of the building, in particular its relationship with adjacent heritage buildings; Chief Secretary's Building, and the conservation of other significant views to and from adjacent buildings and sites.

Policy 6.7.3

When considering external changes, views to and from the former Department of Public Works building need to be analysed and managed, together with the views to the building roofscape from adjoining buildings.

Comment

Proposed adaptive reuse of the heritage building will have an acceptable impact on its substantial contribution to the Victoria era character and townscape values of Phillip Street, Bridge Street, and Macquarie Place. The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses.

The proposed development will respect and retain the original setting of the heritage building and its relationship with adjacent heritage buildings. Significant views to and from adjacent buildings and sites will be retained and respected through the stepped built form of the proposed tower envelope and its well separation from the heritage building. The materials of the proposed tower envelope above the heritage building will be carefully selected to reduce its adverse visual impact on the heritage building.

A comprehensive and detailed visual Impact report is undertaken by Ethos Urban, a highly experienced company at preparing visual impact assessment.

Policy 6.8 TREATMENT OF FABRIC OF DIFFERENT GRADES OF SIGNIFICANCE

Policy 6.8.1 ELEMENTS OF EXCEPTIONAL SIGNIFICANCE

Retain all elements of Exceptional Significance as a priority.

- *Retain all original fabric of elements of exceptional significance where possible as a first conservation option. Where this will affect the safe operation or structural integrity of the former Department of Public Works building, renew elements using matching components. Undertake all new work in accordance with the policies in this CMP.*
- *Avoid adding new fabric, where this will result in a negative impact on significance.*
- *If adaptation is necessary for the continued use of the place, minimise extent of change and impact on significance.*
- *Give preference to changes that are reversible.*
- *Prior to any change, full archival recording is essential.*

Policy 6.8.2 ELEMENTS OF HIGH SIGNIFICANCE

Retain all elements of High Significance.

- *Changes to fabric of High significance should be minimal and carefully managed.*
- *Retain the original fabric where possible or renew using matching components.*
- *Give preference to changes that are reversible.*
- *Some adaptation of elements may be acceptable, particularly where this process might assist in the sustainable use of the place; the new work complies with the policies of this CMP; and heritage impact is minimal.*
- *Prior to any change full archival recording is essential.*

Policy 6.8.3 ELEMENTS OF MODERATE SIGNIFICANCE

Retain elements of Moderate significance as a first preference.

If the retention of the item compromises the safe use or structural integrity of the former Department of Public Works building, the element could be altered or demolished, provided that the change can be justified and the new work complies with the policies of this CMP and does not detract from the significance of the Building as a whole or elements of Exceptional or High significance.

POLICY 6.8.4 ELEMENTS OF LITTLE SIGNIFICANCE

Elements of Little Significance can be demolished or removed to reveal significant fabric or as required, provided that their removal would cause no damage to adjacent fabric of Exceptional or High significance and any new work complies with the policies of this CMP and does not detract from the significance of the former Department of Public Works building as a whole.

They may be replaced, in a way that is in keeping with the policies in this CMP.

Policy 6.8.5 INTRUSIVE ELEMENTS

Demolish or remove Intrusive Elements.

- *They could also be altered to reduce the level of intrusion as required for the future use of the place, and/or to increase the heritage significance of the site or adjoining fabric,*
- *During change minimise damage to adjacent significant fabric.*
- *They may be replaced, in a way that is in keeping with the policies in this CMP.*

Policy 6.8.6

In general, future changes should be focused on areas or components which provide a lesser contribution to the overall significance and are, therefore, less sensitive to change.

Policy 6.8.7

Any work which affects fabric, spaces or relationships with a High assessed heritage value should be confined to preservation, restoration, reconstruction and adaptation as defined in The Burra Charter and should be carefully maintained.

Comment

The proposed development has been carefully considered and well designed to ensure the overall heritage and cultural significance of the former Department of Public Works building is conserved and respected:

No alterations to the exceptional significant components of the heritage building are proposed. Accordingly, the principal (west) facade of the heritage building facing Phillip Street is retained and conserved, allowing for the interpretation of the original form and facade.

Proposed alterations to the high significant fabric and elements of the heritage building, on the north, south, and east facades, are required to meet the proposed new building design requirements, facilitating the future occupation of the heritage building as a modern hotel and residential building. Accordingly, these changes assist in the sustainable reuse of the heritage building, and are considered reasonable with consideration for the facilitation of future occupation of the heritage building. The proposed changes to the fabric and elements of high significant retain and respect to the original form and architectural integrity of the heritage building and will be reversible, thus have an acceptable heritage impact on the building.

Some components of moderate significance are proposed to be altered. As these elements have experienced several changes over time, they can be altered without compromising the overall significance and architectural integrity of the heritage building. These changes are reversible if the heritage building outlives the new proposed works or at the end of the lease agreement, enabling the building to return to its original condition. Accordingly, all proposed changes will have an acceptable heritage impact on the building.

Most identified elements of little significance and all intrusive elements are proposed to be demolished in line with the best heritage practice in order to give way to the new building design as a new mixed-use hotel and branded residential building. Intrusive items at central lightwell of the heritage building are proposed to be demolished and redesigned as vertical circulation core for the proposed podium.

All proposed changes are required in order to meet a hotel operational requirement and assist in the sustainable use of the heritage building as a luxury hotel and residential building in the long term. All proposed changes to the heritage building are consistent with the new use of the building and will not detract from the original fabric and architectural integrity of the building.

Policy 6.9 EXTERIOR ELEMENTS

Policy 6.9.1

There should be no new alterations to the western decorative sandstone façade (and upper northern parapet) of the building.

Comment

No alterations to the main (western) facade of the building facing Phillip Street, are proposed. Therefore, the main sandstone facade of the building will be retained and conserved, contributing to the Victoria era character and townscape values of Phillip Street. Furthermore, the proposed tower envelope above the heritage building sits well above the roof, thus the significant roofscape and upper northern parapet of the heritage building will be retained and respected.

Policy 6.9.2

Any new building components within the central lightwell must be set back as far as possible from the exceptional and high significant fabric and components of the heritage building, retaining, and respecting its aesthetic, sitting, and curtilage, and allowing its interpretation.

Comment

Intrusive items at central lightwell of the heritage building are proposed to be demolished and redesigned as vertical circulation core for the proposed podium, with lightweight transparent modern materials which contrast with the rendered masonry character of the Phillip Lane facades.

The introduction of the new column in the lightwell will disrupt views into the lightwell and to portions of the mansard roof from a number of internal or corridor windows, having a minimum visual impact on the high significant fabric and elements in this area.

The location of the proposed mega column within the central lightwell will maintain minimum gap from the any part of heritage fabric including window sills and architraves, allowing for adequate maintenance access and respecting the heritage facade facing into the lightwell. This gap avoids any interventions into the heritage fabric, respecting and retaining the architectural integrity of the heritage building, its aesthetic, sitting, and curtilage, and allowing its interpretation.

Policy 6.9.3 ROOF STRUCTURE

It is essential that the major roof features (including the roof trusses, timber boards (sarking), timber roof purlins, and steel members) of the building are not affected adversely by any new development.

Policy 6.9.4

Retain and conserve the copper flat rolled sheet, traditional sheet metal roofing details over a boarded sarking, metal architraves around the dormer windows, metal louvred vents, decorative cast iron balustrade around the perimeter of the roof, original chimneys, and copper clad stair well. Fixings to these major roof features are to be carefully managed and heritage impacts avoided.

Policy 6.9.5

Any works to improve access to the roof level and above or introduction of new plant equipment should not be located where it adversely affects important views of the significant major roof features when seen from the public domain.

Policy 6.9.6

Where plant and service upgrades are required for the new and adapted hotel facilities, every effort to locate them within the new tower should be taken.

Comment

The reworking of the plant for whole building will include the removal of the existing lift motor room and services which currently project above the roof. No changes or introduction of new plant equipment and services are proposed to the significant roofscape of the heritage building. No alterations are proposed to the roof structure of the heritage building. Accordingly, the significant roofscape and its structure will be retained intact.

The minor portion of proposed tower extends above the heritage building, providing a sufficient gap between the roofscape and the bottom of tower. Accordingly, the proposed tower envelope will not visually dominate the original component of the building and will not make any changes to the exceptional and high significant components of the roof.

The core of a new high-rise hotel, as well as service and lift core are located in the proposed development adjacent to the heritage building, thus will not have adverse impact on the exceptional or high significant roof structure and roofscape of the heritage building.

Policy 6.9.7 SANDSTONE FACADES

The exceptionally significant sandstone clad facades, featuring fine stone carvings, are to be retained and conserved. As a rule, there are to be no changes to existing windows or door openings and no cutting or chasing.

No new openings should be created in the western facade of the building. Elsewhere discrete new internal openings can be considered with some provisos.

Policy 6.9.8 OPENINGS

The exceptionally significant main timber entrance door on Phillip Street must be retained and conserved.

If special security or access is required through that entry, internal glass doors should be considered.

Policy 6.9.9 FENESTRATION

The original fenestration, including arch-headed windows with lion head keystones on the main facade of the building, should be retained and conserved.

The original dormer windows within the central lightwell must be retained and conserved.

Window repairs (and reconstruction when required) should be carried out using materials and construction techniques that match the original.

Comment

No modifications or changes to the main (western) facade of the heritage building facing Phillip Street, as well as openings and windows of exceptional and high significance on this side of the building are proposed. The main (western) sandstone facade of the building is retained and conserved, enabling the interpretation and appreciation of the original form and facade of the heritage building, contributing to the Victoria era character and townscape of Phillip Street.

No alterations to the original fenestration on the main facade of the building including arch-headed windows with lion head keystones, as well as the original dormer windows within the central lightwell are proposed.

Policy 6.10 VERANDAHS AND WINDOWS

Policy 6.10.1

Open verandahs should not be enclosed.

Window repairs (and reconstruction when required) should be carried out using materials and construction techniques that match the original. Original verandahs should not be enclosed.

Comment

The original open verandahs on the main (western) facade of the building to Phillip Street are proposed to be retained intact and conserved, allowing for the interpretation and appreciation of the original form and facade of the heritage building.

Policy 6.11 BUILDING INTERIOR

Policy 6.11.1

Alterations to interior spaces should be undertaken in such a way as to retain evidence of the original spaces.

New dividing walls should be detailed to integrate with the structural pattern of the wall and ceiling detailing, rather than cut across or through them.

Comment

Several changes over time have resulted in the loss of overall internal integrity of the heritage building. However, remnant original interior fabric of the building will remain intact, which will be retained and respected in the adaptive reuse of the heritage building.

As the heritage building comprises spacious rooms, these spaces will be subdivided to accommodate new spaces for the proposed hotel. The dividing walls will be integrated with the structural pattern of the original walls, ensuring the compatibility between old spaces and new uses. These proposed dividing walls/partitions will be reversible in the future.

Many of the hotel rooms within the historic building component will be generously considered as a result of the “loose-fit” approach. The octagonal rooms above the Phillip Lane will be retained intact and reused as hotel rooms, respecting the original form and layout of the building.

The central staircase with its decorative wrought iron balustrade will be reinstated and retained. The wall to the north of the central staircase will be demolished, reinstating the stair to its original open character and engulfing the free-standing decorative column as an original feature of that space.

Policy 6.11.2 STRUCTURE

Retain, conserve and maintain all intact structural elements of the original 1890-94 building, if required, rather than replaced as a last resort.

Comment

The fabric and elements of exceptional significance including the main facade of the heritage building will be retained and conserved. Although the high significant fabric and components of the building will be mainly retained, some level of changes are proposed to the high significant fabric on the north, east, and south sides of the heritage building, on levels 1-3, in order to meet the functional requirements of the proposed new use as a hotel. These changes will respect the original form, as well as architectural integrity and character of the heritage building.

Policy 6.11.6 STAIRCASE

The significant central staircase with its decorative wrought iron balustrade and timber handrail should be retained.

Comment

The central staircase with its decorative wrought iron balustrade will be reinstated and retained. The wall to the north of the central staircase will be demolished, reinstating the stair to its original open character and engulfing the free-standing decorative column as an original feature of that space.

6.14 PRINCIPLES FOR ADAPTIVE REUSE

Policy 6.14.1

During preparation of schemes for future uses for the building, care should be taken to respect the scale and character of the existing interior spaces, external openings and general character of the building. However, the 1960s changes in the building resulted in the loss of internal integrity and authenticity of the building.

Policy 6.14.2

New uses that are selected for any particular internal space should adopt the principle of 'loose fit', whereby the functional and spatial requirements of each use are tailored to suit the available space, in contrast to the approach that alters the building to suit the requirements of the new use.

Comment

No changes are proposed to the fabric and components of exceptional significance. The proposed adaptive reuse of the heritage building to a new modern hotel and branded residential building will result in some level of internal and external changes to the elements of high significance, which are necessary to meet a hotel operational requirements and ensure ongoing sustainable use of the heritage building. Although the internal integrity of the building has been largely lost due to the several extensive changes over time, most of the remnant significant components of the

building are proposed to be retained and respected by adopting the principle of "loose-fit". The proposed adaptive reuse of the heritage building respects the scale, form, architectural character and integrity of the building.

Policy 6.14.3

Installation of any new enclosures within the larger internal volumes of the former Department of Public Works building should recognise the tradition that such enclosures are clearly expressed as new, self contained units and can be readily removed or altered in the future without affecting significant fabric. They should be of a contemporary design and character, whilst remain respectful of the power and mixed character of the old, in accordance with Article 22.2 of the Burra Charter.

Comment

The installation of new enclosures or fittings within the larger internal volumes of spaces will be clearly expressed as new, and can be readily removed or altered in the future.

Policy 6.14.4

Internal divisions are permissible, provided that they are reversible and do not read on the external facades or obscure any significant fabric such as windows openings, or views from those windows.

Comment

It is noted that many of the larger former office spaces were partitioned over time. As such, these spaces are flexible for further changes. The proposed internal works in form of subdividing spaces will be reversible and do not obscure remnant significant internal detailing or special qualities.

Policy 6.14.7

Any new uses for the former Department of Public Works building should minimise substantial physical changes to spaces and fabric of exceptional or high significance, particularly changes that would involve subdivision or demolition of the exceptional/high significant internal spaces, or the removal or obscuring of highly significant internal and/or external detailing.

Comment

No substantial physical changes are proposed to spaces and elements of exceptional significance. Proposed changes to elements of high significance are required to meet the proposed hotel operational requirements and assist in the sustainable use of the heritage building in the long term. As the building has undergone several extensive internal alterations over

time in form of subdivision or demolition of internal spaces, the building interior is considered less sensitive to further changes. However, the proposed adaptive reuse of the heritage building to a hotel respects and retains remnant significant internal spaces and elements by adopting the principle of “loose fit” for new functions, which protects the architectural character and integrity of the heritage building.

Policy 6.14.8

Any new use of the building should provide for the economic sustainability and conservation of the asset into the future, including the funding of ongoing maintenance and repair.

Comment

The proposal is for the development of a predominately tourist related purpose, being a hotel, that has a capital investment value in excess of \$100 million. The vision for the redevelopment is to revitalise the lower end of Sydney’s financial services district by delivering a new luxury mixed use hotel with a portion of branded residential apartments. The project will provide the following key public benefits:

- Job creation and benefits to the tourism industry from construction and operation of a new 5/6 star hotel in Central Sydney.
- Contribution to the NSW State’s economic activity and Gross State Product, including the generation of construction phase revenue for the Government in the form of payroll tax, stamp duty and GST payments.
- Rejuvenation and adaptive reuse of a Government owned heritage building.
- Regeneration, enhancement and activation of the surrounding public domain, particularly upgrades to Phillip Lane.
- Creation of a heritage-tourism precinct with a new hotel as the centerpiece.
- A portion of branded residential apartments to support the deliver of the hotel and provide a variety of uses to contribute to the liveability of Central Sydney.
- The potential to deliver a capital return to Government to fund future Government investment in services and infrastructure.

The redevelopment of 52 Phillip Street and adaptive reuse of 50 Phillip Street is an opportunity to sustainably perpetuate the active use of the State Significant Heritage listed former Department of Public Works building, contribute to the revitalisation of the precinct and the surrounding public domain whilst providing much needed hotel accommodation at the north eastern edge of the city with its associated economic benefits for tourism and employment. The

adaptive reuse of the heritage building will sustain the importance of this significant building in the fabric and life of the city and assure the maintenance of the building fabric for future generation. Accordingly, the adaptive reuse of the heritage building will provide for the economic sustainability and the funding of ongoing maintenance and repair.

Policy 6.14.9

Uses which enable a wider appreciation of the significant interiors of the building should be favourably considered.

Comment

The vision for the adaptive reuse of the heritage building is to revitalise the lower end of Sydney’s financial services district by delivering a new modern hotel with associated retail spaces, providing ground floor public activation accessible to the general public and hotel guests alike. The adaptive reuse of the heritage building provides a unique opportunity to restore and refurbish one of Sydney’s iconic heritage buildings into a public space whilst still respecting and maintaining its heritage features. Proposed adaptive reuse of the underutilised heritage-listed NSW Government owned building into a modern hotel with retail spaces on the ground floor and function rooms on levels 2 and 3 enables a wider appreciation of the building, internally and externally, by the general public.

Policy 6.14.10

Alterations to the building, especially those that recover significance, can be undertaken as long as the important aspects of the original external character and significant fabric and spaces (particularly those of exceptional and high significance) are retained, as these are integral to the overall heritage significance of the place.

Comment

All proposed changes to the heritage building will respect, retain, and conserve the fabric and components of exceptional significance. The important aspects of the original external character and significant fabric such as the principal (western) facade will be retained and conserved, respecting and protecting the overall heritage significance of the building.

Policy 6.14.12

As far as possible major new services required for the adaptive reuse of the building and the potential new tower, should be located within the new tower.

Comment

The location of vertical circulation core is proposed in the central lightwell of the heritage building by demolition of intrusive elements in this area, thus they are subservient and respectful to the dignity, overall presentation, architectural integrity and character of the existing heritage building.

Policy 6.15 ADAPTATION/ALTERATIONS & ADDITIONS

Policy 6.15.1

Any additions to the heritage building should respect but not attempt to replicate the original heritage building. They should be of a contemporary design and character, but remain respectful of the power and mixed character of the old, in accordance with Article 22.2 of the Burra Charter.

Comment

Several options have been considered for potential rear additions to the heritage building. The proposed rear additions facing Phillip Lane are to be aligned with level 3 of the former Department of Public Works building, respecting the original architectural character and integrity of the heritage building. Although these additions are contemporary in design, they will be sympathetic to the heritage building, enabling its ongoing interpretation and appreciation by the general public.

Policy 6.15.2

New access to Level 4 and above and minor new plant equipment should not be located where it disrupts the roofscape, and/or can be seen from the expanded curtilage.

Comment

The reworking of the plant for whole building will include the removal of the existing lift motor room and services which currently project above the roof. However, no new access and plant equipment is proposed to Level 4 and on the roofscape. Accordingly, the significant roofscape of the heritage building will be seen and respected from the expanded curtilage.

Policy 6.15.3

Ensure any internal works to sub-divide spaces are easily reversible, are not affixed or are minimally affixed to the building and do not obscure significant internal detailing.

Policy 6.15.4

Minor alterations to the former Department of Public Works building, particularly those that recover significance, can be undertaken as long as the original internal configuration, external character, and significant fabric (particularly that of Exceptional and High significance) are retained, as these are integral to the heritage significance of the place.

Comment

There are no identified components of exceptional significance inside the building. Most of the high and moderate significant components of the building, as well as the original configuration will be respected and retained. The original old central corridor will be reinstated and reuse as a connecting corridor between the heritage building and the proposed adjacent development. The original planning of the north-south corridor on all levels in the design of the second additions by Vernon, demonstrates the intention of further extension of the building along Phillip Street. The retention and reuse of the original corridor enable the interpretation of the heritage building and its original function and design intent. All proposed internal works to sub-divide spaces for a new hotel function will be easily reversible and do not obscure remnant heritage significant internal detailing.

Policy 6.15.5

Minor alterations/works in materials, forms and details, shall respect and complement the existing fabric.

Comment

All proposed minor/major alterations to the heritage building will be matched with the heritage building in terms of form, details, and materiality, respecting and retaining the overall heritage significance of the building, as well as its architectural character and integrity.

POLICY 6.16 MANAGING CHANGE

Policy 6.16.1

Ensure all conservation works, maintenance programs and new works:

- *are undertaken in accordance with the principles and objectives of the Burra Charter: the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance;*
- *are undertaken in accordance with the aims and intentions of this CMP,*
- *use an understanding of all aspects of the cultural significance of the former Department of Public Works building as one of the key factors for future planning and implementation;*

- are aimed at ensuring the retention and enhancement of the cultural significance of the former Department of Public Works building;
- seek to minimise adverse heritage impacts;
- are co-ordinated by a project manager familiar with the philosophy, methodology and practice of heritage conservation; and
- follow the required statutory approvals or notification processes.

Comment

Heritage elements and cultural significance of the building have been identified and graded as part of this report (Section 4.5). All proposed changes, externally and internally, aim to respect and retain identified heritage elements and cultural significance of the building as whole, by doing “as much as necessary, as little as possible”. Thus, the proposed development is consistent with the principles and objectives of the Burra Charter. Furthermore, the project will be undertaken by “Built”, a well recognised company for work in the refurbishment and restoration of iconic heritage properties across Australia.

Policy 6.16.2

Ensure that a record of the underlying methodology for each conservation project is maintained, including:

- documentation of the reasoning behind major decisions;
- records of any testing or additional research undertaken; and
- appropriate archiving of this documentation

Comment

All proposed changes to the heritage building and applied methodologies for each change or conservation project will be documented and recorded.

Policy 6.16.3

Restoration or reconstruction should only be undertaken where there is sufficient evidence to ensure the accuracy and authenticity of the work.

Comment

A comprehensive and detailed assessment of the heritage building will be undertaken prior to any proposed restoration or reconstruction (stage 2 SSSA), ensuring the accuracy and authenticity of the work is retained and respected.

Policy 6.16.4

Changes which reduce cultural significance should be reversible, and be reversed when circumstances permit. Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Comment

All proposed changes to the heritage building will be reversible if the heritage building will outlive the new proposed works or at the end of the lease agreement, enabling the building to return to its original condition.

Policy 6.16.5

Ensure adequate funding and resources are available to support the conservation, repair and maintenance necessary for the long-term conservation of the identified heritage values of the building.

Comment

The proposal is for the development of a predominately tourist related purpose, being a hotel, that has a capital investment value in excess of \$100 million. The vision for the redevelopment is to revitalise the lower end of Sydney’s financial services district by delivering a new luxury mixed use hotel with a portion of branded residential apartments. The project will provide the following key public benefits:

- Job creation and benefits to the tourism industry from construction and operation of a new 5/6 star hotel in Central Sydney.
- Contribution to the NSW State’s economic activity and Gross State Product, including the generation of construction phase revenue for the Government in the form of payroll tax, stamp duty and GST payments.
- Rejuvenation and adaptive reuse of a Government owned heritage building.
- Regeneration, enhancement and activation of the surrounding public domain, particularly upgrades to Phillip Lane.
- Creation of a heritage-tourism precinct with a new hotel as the centerpiece.
- A portion of branded residential apartments to support the deliver of the hotel and provide a variety of uses to contribute to the liveability of Central Sydney.
- The potential to deliver a capital return to Government to fund future Government investment in services and infrastructure.

The redevelopment of 52 Phillip Street and adaptive reuse of 50 Phillip Street is an opportunity to sustainably perpetuate the active use of the State Significant Heritage listed former Department of Public Works building, contribute to the revitalisation of the precinct and the surrounding public domain whilst providing much needed hotel accommodation at the north eastern edge of the city with its associated economic benefits for tourism and employment. The adaptive reuse of the heritage building will sustain the importance of this significant building in the fabric and life of the city and assure the maintenance of the building fabric for future generation. Accordingly, the adaptive reuse of the heritage building will ensure adequate funding and resources are available to support conservation, repair, and maintenance of the heritage building in the long term.

POLICY 6.19 ACCESS

Policy 6.19.1

Take the opportunity of any change of use to increase the areas open to public access in the building.

Policy 6.19.2

Consideration should be given to ensuring that areas of the Ground Level are publicly accessible and that public connectivity is promoted through the ground level of the building.

Policy 6.19.3

Any changes to the site required to improve public access should also be made in accordance with the other policies in this CMP.

Policy 6.19.4

Any proposed excavation and construction of the underground carparking area in the immediate vicinity of the heritage building should be guided by a detailed structural engineering design and construction methodology to consider the structural stability of the building.

Comment

The proposed development will provide greater increased street activation and increased employee and visitor participation in the street life within the surrounding precincts. The adaptive reuse of the heritage building provides a unique opportunity to restore and refurbish one of Sydney iconic heritage buildings into a public space whilst still respecting and maintain the heritage features. Proposed adaptive reuse of the underutilised heritage-listed NSW Government owned building into a new modern hotel with retail spaces on the ground floor enable a wider appreciation of the building, internally and externally, by the general public.

The proposed development includes excavating underneath the Phillip Lane wing on the eastern extremity of the heritage building to provide carepark. This involves digging underneath highly and moderately significant heritage fabric. To prevent settlement and subsequent cracking to these elements, a comprehensive Heritage Structural Construction Methodology Report is prepared by TTW, which contains the recommended design limitations.

7.6 CONSIDERATION OF THE GUIDELINES OF THE NSW HERITAGE DIVISION

The NSW Heritage Office (now the Heritage Division of the NSW Department of Premier and Cabinet) has published a series of criteria for the assessment of heritage impact. The relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact', provided below, have been considered in the preparation of our assessment:

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

Major Partial Demolition

- Is the demolition essential for the heritage item to function?*
- Are particular features of the item affected by the demolition (e.g. fireplaces in buildings)?*
- Is the detailing of the partial demolition sympathetic to the heritage significance of the item?*
- If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?*

Comment

The proposed development comprises a non heritage listed podium located at 52 Phillip Street, and a slender tower to cantilever over the heritage building at 50 Phillip Street. A mega column connects the heritage building to the new tower. Two options have been considered for the location of the mega column within the footprint of the heritage building including:

1. Inside the heritage building, on the west side of the central staircase,
2. Within the existing central lightwell

From the heritage perspective, the second option has been considered acceptable. The proposed mega column will maintain minimum gap from any part of heritage fabric including window sills and architraves, allowing for adequate maintenance access and respecting the heritage facade facing into the lightwell. The location of the mega column within the lightwell retains and respects the overall architectural character of the heritage building by imposing minimum level of changes, thus has an acceptable impact. However, given that both options are volumetric concepts, the first option will be considered in detail during the design phase (Stage 2 SSD DA).

For the hotel drop-off zone, two options have been considered, including:

1. Using existing Phillip Lane
2. Proposing a hotel drop-off zone on the southern side of the site

Based on a detailed and comprehensive Transport Impact Assessment Report, the first option has been considered acceptable as the site already has a driveway access from Phillip Lane. A hotel drop-off zone provides an opportunity of laneway activation, restoration, and enhancement, as well as facilitates an adaptive reuse of the heritage building with respect to the original architectural character. All changes to the fabric of high significance on this facade are reversible. Accordingly, proposed changes to the northern side of the heritage building for a hotel drop-off zone have acceptable heritage impact.

The proposed hotel drop-off and carpark entry, as well as the rear additions to the heritage building result in some level of changes to the fabric and elements of high significance on the north and east facade. However, the proposed changes to these facades retain and respect the original form, architectural integrity and character of the heritage building. Furthermore, the proposed changes will be reversible if the heritage building outlives the new proposed works or at the end of the lease agreement. Therefore, proposed alterations have an acceptable heritage impact on the building.

Minor Partial Demolition

- *Is the demolition essential for the heritage item to function?*
- *Are important features of the item affected by the demolition (e.g. fireplaces in buildings)?*
- *Is the resolution to partially demolish sympathetic to the heritage significance of the item?*
- *If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?*

Comment

All proposed minor partial demolitions are necessary for the adaptive reuse of the heritage building to a new modern hotel; however, they have been thoughtfully and carefully considered to reduce the impact of changes on the building. All the proposed changes to the building will be reversible if the building outlives the new proposed works or at the end of the lease agreement.

On levels 2 and 3 of the heritage building, windows on the eastern facade of the heritage building facing Phillip Lane are proposed to be demolished down to floor level, but not widened, in order to provide connection between the heritage building and the proposed rear addition. The extent of the proposed demolition will not disrupt the overall layout and configuration of the heritage building, while these changes are required to facilitate the adaptive reuse of the building. In order to mitigate the adverse impact of these changes to the heritage building, they should be documented and supported by design excellence outcomes that retains and respects the overall architectural integrity of the building.

Although loading dock access will be provided from the Phillip Lane on the ground level, some windows and components of moderate significance on the southern side of the heritage building are proposed to be demolished for the provision of three loading bays at the southern side of the heritage building. These components of moderate significance have been compromised by later less significant modifications over time. Accordingly, they are more flexible to the proposed changes. However, the heritage impact of the proposed changes will be mitigated by design excellence outcomes and adopting a number of performance based solutions from a structural perspective.

As the building interior has undergone extensive changes over time, it is less sensible to further changes. However, the proposed internal alterations will respect and retain the remnant internal heritage significant elements of the building such as fireplaces.

All intrusive interventions such as partitions and office fit-outs are proposed to be demolished. All proposed changes to the building will be reversible, enabling the interpretation and appreciation of the heritage building and its significance.

Although, in the endorsed CMP (2016) the courtrooms dating from the 1967 and 1977 have been identified as contributing to the overall significance of the working place, they could be more readily altered to achieve a sustainable future for the place. All the proposed changes are required to achieve contemporary function and amenity requirements for the heritage building to function as a hotel, ensuring its on-going sustainable use in the long term.

Change of Use

- *Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why not?*
- *Does the existing use contribute to the significance of the heritage item?*
- *Why does the use need to be changed?*
- *What changes to the fabric are required as a result of the change of use?*
- *What changes to the site are required as a result of the change of use?*

Comment

The proposed development is carefully formulated through a close and productive liaison between architects, structural engineer, heritage consultants and proponent. All proposed changes to the heritage building have been done in consultation with a qualified heritage consultant, and engineered structurally within the spatial and heritage constraints of the 50 Phillip Street.

The former Department of Public Works building is largely underutilised. The proposed redevelopment project will combine both private and Government land, breathing new life into an underutilised heritage-listed NSW Government owned building and privately-held adjacent commercial office building.

The proposed redevelopment revitalises the lower end of Sydney's financial services district by delivering a new modern mixed use hotel with a portion of branded residential apartments. The proposal will provide an important and much needed asset to the people of NSW and visitors. Sydney will have, as part of the amalgamation of the properties, its finest luxury hotel with associated retail areas and function rooms, providing public activation accessible to the general public and hotel guests alike.

The proposed development comprises a podium located at 52 Phillip Street, and a slender tower to cantilever over the heritage building at 50 Phillip Street. Accordingly, no changes to the setting and site of the heritage building are proposed. No fabric or elements of exceptional significance are proposed to be altered. Some level of changes to the high significant elements and fabric are proposed in order to meet a hotel operational requirements.

The proposed hotel drop-off and carpark entry, as well as the rear additions to the heritage building result in some level of changes to the fabric and elements of high significance on the north and east facade. However, the proposed changes to these facades retain and respect the original form, architectural integrity and character of the heritage building. Furthermore, the proposed changes will be reversible if the heritage building outlives the new proposed works or at the end of the lease agreement. Therefore, proposed alterations have an acceptable heritage impact on the building.

The proposed internal and external changes to the heritage building respect the architectural character and integrity of the building, enabling the interpretation of the heritage building and its significance.

Minor / Major Additions

- *How is the impact of the addition on the heritage significance of the item to be minimised?*
- *Can the additional area be located within an existing structure? If no, why not?*
- *Will the additions tend to visually dominate the heritage item?*
- *Is the addition sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?*
- *Are the additions sympathetic to the heritage item? In what way (eg form, proportions, design)?*

Comment

The proposed development comprises a podium located at 52 Phillip Street, and a slender tower to cantilever over the heritage building at 50 Phillip Street. A mega column connects the heritage building to the new tower. Two options have been considered for the location of the mega column within the footprint of the heritage building including:

1. Inside the heritage building, on the west side of the central staircase,
2. Within the existing central lightwell

From the heritage perspective, the second option has been considered acceptable. The proposed mega column will maintain minimum gap from any part of heritage fabric including window sills and architraves, allowing for adequate maintenance access and respecting the heritage facade facing into the lightwell. The location of the mega column within the lightwell retains and respects the overall architectural character of the heritage building by imposing minimum level of changes, thus has an acceptable impact. However, given that both options are volumetric concepts, the first option will be considered in detail during the design phase (Stage 2 SSD DA).

In order to meet operational requirements of a proposed hotel, an infill volume is proposed on the eastern facade of the heritage building facing Phillip Lane. For the rear additions to the east facade (courtyard) facing Phillip Lane, three options have been considered including:

1. No rear additions
2. Rear additions up to level 5, with no setback from the boundary
3. Rear additions up to level 3, with one metre setback from the boundary

From the heritage perspective, option 3 has been considered acceptable. Infill volume to the eastern facade of the former Department of Public Works building, facing Phillip Lane, will be carefully designed to achieve minimum adverse heritage impacts by retaining the original architectural character of the building through applying transparent glazing materials. The proposed infill volume maintain views to the Chief Secretary's Building, the dome structure, and the sky around the dome, while the proposed setback provides required privacy for the Astor building that has a built to boundary condition.

The proposed slender tower above the heritage building is set well back from the significant roofscape of the heritage building, providing a clear separation from the heritage building, and ensuring the facades, roofscape, visual dominance, and building form remain clearly legible. The material of the proposed tower envelope will be carefully selected to reduce its impact above the heritage building, respecting the significant heritage fabric. The proposed tower envelope is above the dome height of the Chief Secretary's Building, allowing clear visual separation between the proposed tower envelope and the Chief Secretary's Building. Accordingly, the proposed tower envelope will not make any changes to the fabric and elements of exceptional or high significance.

All proposed additions are sympathetic to the overall architectural character and integrity of the heritage building in terms of material, form, and design, enabling the interpretation and appreciation of the heritage building by the general public. The proposed additions respect and retain the visual dominance of the heritage building.

The archaeological assessment is outside the scope of this report. However, prior to any changes to the heritage building (Stage 2 SSDA), a comprehensive detailed archaeological study will be undertaken.

New Building Adjacent to Heritage Items

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

Comment

The former Department of Public Works building is largely underutilised, increasing the risk of damage to the components of heritage significance. The proposed development aims to retain, refurbish, and adaptively reuse the existing heritage building as a new modern hotel. A new mixed use hotel and residential building is proposed to be constructed at 52 Phillip Street, part of which will be cantilevered over and be supported by new structure (mega column) placed carefully within the footprint of the heritage building (lightwell) at 50 Phillip Street. The proposed development will ensure an on-going sustainable use for the heritage building, contributing to the preservation of its heritage significance in the long term.

The proposed podium is within the site boundary and the height of heritage building. Subject to design resolution, the proposed podium will be sympathetic to the heritage building, not detracting from the original architectural character and integrity of the heritage building.

The adverse heritage impact of the proposed tower envelope above the heritage building is minimised by the design of a stepped tower volume and 3 dimensionally tapered down to land on 52 Phillip Street site. The proposed tower envelope sits well above the significant roofscape of the heritage building at 50 Phillip Street. The careful handling of massing, scale, materiality, and colour, will be reviewed in Stage 2 SSD DA, ensuring the proposed development is sympathetic to the heritage building and heritage items in the vicinity.

The proposed development will be sympathetic to the heritage item, and will not 'visually dominate' or disempower any heritage items in the vicinity, whilst the significance of all heritage items in the vicinity will continue to be legible and able to be interpreted and appreciated by the general public.

No heritage curtilage will be altered or encroached upon. No existing significant views to or from heritage items in the vicinity will be obscured. Although the proposed development will form a new element in the existing setting of the heritage item, it has an acceptable heritage impact.

7.7 HERITAGE OBJECTIVES OF THE SYDNEY LEP 2012

The proposed development is considered to be acceptable, from a heritage perspective, for the reasons discussed in Sections 7.2 to 7.5, and is thus consistent with the heritage objectives of the Sydney LEP 2012, which are:

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of the City of Sydney,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views...

Comment

The analysis described in this report and the Design Report prepared by FJMT demonstrate how these objectives have been satisfied.

7.8 HERITAGE GUIDELINES OF THE SYDNEY DCP 2012

Although Development Control Plans do not apply to SSD projects, this section mainly considers setback controls and proposed variations as part of the SEARs requirements.

The subject site is located within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The subject site is also located adjacent to the western boundary of the Macquarie Street Special Character Area identified in the Sydney DCP 2012.

The proposed development is considered to be consistent with the relevant heritage guidelines of the Sydney DCP 2012 which are:

The following heritage principles apply to all Special Character Areas:

Section 2 - Central Sydney

Development within a Special Character Area must achieve and satisfy the outcomes expressed in the Special Character Area Locality Statements and be consistent with supporting Principles as well as the following objectives:

- (a) retain and enhance the unique character of each Special Character Area;
- (b) ensure development has regard to the fabric and character of each area in scale, proportion, street alignment, materials and finishes and reinforce distinctive attributes and qualities of built form;
- (c) conserve and protect heritage items and their settings;
- (d) maintain a high level of daylight access to streets, lanes, parks and other public domain spaces;
- (e) encourage active street frontages to the public domain;
- (f) conserve, maintain and enhance existing views and vistas to buildings and places of historic and aesthetic significance.

Comment

The proposed development respects and retains the overall architectural character and integrity of the heritage building. No changes to the fabric and components of exceptional significance such as the main (western) facade are proposed, enabling the interpretation and appreciation of the building, as well as protecting and enhancing its contribution to a cohesive group of highly significant sandstone buildings in Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The proposed podium is aligned with the heritage buildings in the vicinity and is sympathetic to the heritage building at 50 Phillip Street. The proposed tower envelope has a stepped volume and sits well above the high significant roofscape of the heritage building, retaining and enhancing existing significant views to and from the heritage buildings in the vicinity.

Many massing options have been considered to prevent an additional overshadowing to the Royal Botanic Gardens and the Domain at southeastern side of the subject site. The proposed massing option is located under the Domain Sun Access Plane, but the lower portion of the tower is above the Royal Botanic Gardens Sun Access Planes. Given that this option sits under the existing overshadowing of Quay Quarter Tower, there is no additional overshadowing on any public domains. Furthermore, the tower form achieves desirable slender form, which has less visual impact on the Chief Secretary's Building and the former Department of Public Works building. The proposed massing option is progressed as it forms viable tower envelope, resulting no additional overshadowing.

The following heritage principles are identified in the Sydney DCP 2012 for the Bridge Street/Macquarie Place/Bulletin Place Special Character Area:

2.1.5 Bridge Street/Macquarie Place/Bulletin Place Special Character Area

Principles

a) *Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.*

Comment

The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related adaptive reuse of the heritage building at 50 Phillip Street.

(b) Enhance Macquarie Place as one of Sydney's pre-eminent urban spaces, and recognise the unique collective value of heritage items that align Bridge Street, many that are of state and national significance.

Comment

The proposed development will recognise and enhance Macquarie Place and Bridge Street by retaining, refurbishing, and adaptively reusing the former Department of Public Works building. Although the heritage building is located in Phillip Street, there are significant views to the building from Bridge Street. The proposed development retains and enhances the visual dominance of the heritage building from Phillip and Bridge Streets.

(c) Conserve and enhance the heritage significance of the area including the nineteenth and twentieth century buildings and landscapes, and their settings.

Comment

The proposed development retains and conserves the former Department of Public Works building and its setting, contributing to the conservation of the heritage significance of the area especially with regard to the nineteenth century buildings and their settings.

(d) Protect and enhance solar access to Macquarie Place, Bridge Street and First Government House Place.

(e) Conserve the significant lane network, and protect and enhance solar access and encourage active uses, where compatible with their significance.

(f) Maintain and enhance significant views along streets north to the water, views east along Bridge Street to the Conservatorium of Music and Domain, and vistas that terminate at significant heritage buildings.

(g) Maintain and reinforce the cohesive and rare streetscape character of Bridge Street and Macquarie Place by requiring new buildings to be built to the street alignment, with building heights that reinforce the existing predominant street frontage height, and frontages incorporating Sydney sandstone.

Comment

The proposed tower envelope is within the Domain sun access plane, and below AMP Tower existing shadow, retaining solar access to Macquarie Place, Bridge Street, and First Government House Place. The proposed development sits well back from heritage buildings, maintaining and enhancing the significant views to the heritage buildings and landscapes within the area. As the proposed development is concentrated away from the Chief Secretary's Building, the rare streetscape character of Bridge Street and Macquarie Place will be preserved.

(h) Conserve significant tree plantings and archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.

(j) Enhance the character of Reiby Place and Customs House Lane by protecting solar access, and encourage active uses, where compatible with the significance of aligning buildings. New development along these lanes should provide appropriate street wall heights and high quality designed active frontages.

Comment

The proposed development does not affect these areas in any manner.

2.1.6 Macquarie Street Special Character Area

Principles

(a) Development must achieve and satisfy the outcomes expressed in the locality statement and supporting general objectives for special character areas, in addition to the principles below.

(b) Recognise Macquarie Street as one of Sydney's pre-eminent public spaces flanked by heritage items of local, state, national and world significance.

(c) Maintain and reinforce the urban character and scale of Macquarie Street by requiring new development to:

(i) Have street frontage heights and building setbacks above street frontage heights, consistent with the prevailing scale, form, materiality and character of heritage items in the area.

(ii) Ensure new development is designed and sited to conserve the views and settings of heritage items within the area, with special consideration given to heritage curtilage of heritage items.

(iii) Maintain and enhance the historic fine grain subdivision pattern.

(iv) North of Phillip Lane, conserve the cohesive townscape setting of heritage items in this precinct by ensuring new development maintains the established low scale, and by reinforcing the predominant sandstone character of this precinct.

(v) On the eastern side of Macquarie Street, conserve the significance of heritage items in this precinct by ensuring new development is of a minor nature, is subservient in scale and conserves the landscape settings of these heritage items.

(d) Protect and enhance solar access to the eastern side of the street, including to the grounds of heritage listed public buildings, and beyond to the Royal Botanic Gardens, the Domain, Queen's Square, Hyde Park Barracks, St James Church, and Hyde Park.

(e) Maintain and enhance visual connectivity and pedestrian permeability through to the Domain and Royal Botanical Gardens from Macquarie Street.

(f) Maintain and enhance vistas to the harbour and Sydney Opera House to the north, and to Hyde Park to the south. Conserve significant vistas that terminate the east-west streets.

(g) Conserve Phillip Lane and Domain Terrace, protect and enhance solar access, and encourage active uses, where compatible with the significance of aligning property. Enhance the interpretation of Domain Terrace through to the Domain.

(h) Conserve significant tree plantings, gardens and grounds, walls, fences and significant archaeological resources.

(i) Promote an understanding of the historical and symbolic value of the area through interpretation.

Comment

The proposed development comprises a podium and a tower which cantilevers partially over the heritage building at 50 Phillip Street. The proposed podium is not visible from Macquarie Street, having no adverse impact on the Macquarie Street Special Character Area. The proposed tower envelope is set well back from heritage items in the vicinity and on the western side of Macquarie Street, forming a backdrop as seen from Macquarie Street. Accordingly, the proposed development maintains significant views, as well as setting of heritage items and their heritage curtilage within the area.

The proposed development is separated from the Chief Secretary's Building on the north side of Phillip Lane. For the tower envelope and rear additions to the heritage building, transparent glazing materials are proposed in order to reduce the adverse impact on the heritage building. The rear additions to the heritage building are proposed up to level 3. As such, the proposed development conserves the setting of heritage items, reinforces the prominent sandstone character, and maintains established low scale of this precinct.

Many massing options have been considered to prevent an additional overshadowing to the Royal Botanic Gardens and the Domain at southeastern side of the subject site. The proposed massing option is located under the Domain Sun Access Plane, but the lower portion of the tower is above the Royal Botanic Gardens Sun Access Planes. Given that this option sits under the existing overshadowing of Quay Quarter Tower, there is no additional overshadowing on any public domains. Furthermore, the tower form achieves desirable slender form, which has less visual impact on the Chief Secretary's Building and the former Department of Public Works building. The proposed massing option is progressed as it forms viable tower envelope, resulting no additional overshadowing and having no adverse impact on solar access to the eastern side of the street and Phillip Lane.

The proposed development has an acceptable heritage impact on heritage buildings in the vicinity, enabling their interpretation and appreciation by the general public.

3.9 Heritage

objectives

(a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.

(b) Enhance the character and heritage significance of heritage items and heritage conservation areas and ensure that infill development is designed to respond positively to the heritage character of adjoining and nearby buildings and features of the public domain.

3.9.4 Development of sites of State heritage significance or containing more than one heritage item

(1) This provision applies to development that will introduce major changes to a heritage item identified in Schedule 5 of the Sydney LEP 2012 as being of State heritage significance or to a site containing more than one heritage item, if the development involves:

(a) demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;

(b) an increase in the size of the building envelope of the heritage item by more than 20%; or

(c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.

(2) When considering an application for development to which this provision applies, the consent authority is to:

(a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;

(b) be satisfied that committee has followed an appropriate public process for the purpose of that examination; and

(c) consider the advice

3.9.5 Heritage items

Objective

(a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.

Comment

The preceding analysis in this report demonstrates that the proposed development is consistent with these guidelines.

7.9 RECOMMENDED MITIGATION MEASURES

An archival photographic recording of the former Department of Public Works building at 50 Phillip Street, undertaken in accordance with the NSW Heritage Council publication "*Photographic Recording of Heritage Items Using Film or Digital Capture*", should be made prior to any proposed changes or demolition.

In general, the deconstruction methodology needs to ensure that the works are undertaken in a manner which prevents any potential for damage and that measures are taken as necessary to avoid any physical impact on the adjacent buildings. These should include the use of protective screens, where necessary, to protect the adjacent building facades when using oxy-acetylene kits to cut beams.

A historic assessment of the building is recommended in order to determine the structural systems, geometry, condition and capacity of the heritage building for the proposed change of use.

The final work method statements, both general and property specific, must include discussion of the risks associated with, and measures to be undertaken, to prevent collateral damage to adjacent buildings.

Any damage to heritage items should be "made good" under the supervision of an experienced heritage practitioner.

7.10 REQUIREMENTS OF THE SEARs

The following requirements of the SEARs are considered in this section:

7.10.1 SEARs ITEM 8 - HERITAGE

Provide a Statement of Heritage Impact (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and is to identify the following:

- *All heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance, including the pending National Listing of the Governors Domain and Civic Precinct.*

This Statement of Heritage Impacts prepared by GBA Heritage satisfies this requirement.

Section 3.5 'Heritage items in the vicinity' assessed the impact of the proposed development on heritage items in the vicinity. The analysis in Sections 7.2 and 7.3 demonstrates that the proposal will have acceptable heritage impacts on the site, its curtilage and surrounding area, including any built and landscape items, views and settings.

The analysis in Section 5 investigates all heritage items within the vicinity of the subject site including built heritage, landscapes and archaeology. This section provides a statement of significance for each item, confirming their heritage significance.

Intercontinental Hotel former Treasury Building

The building's primary and significant facades front onto Macquarie and Bridge Streets. Considering the location of the proposed new development, no significant views from the public domain to either facades of the former Treasury Building will be obscured or affected.

First Government House Site

The First Government House site is located on the intersection of Bridge and Phillip Streets. The proposed development will be well visible from the site. However, there are already several high-rise buildings facing Phillip Street including Aurora Place and the Hotel School Sydney, which are visible from the site. The proposed development is set well back from the main facade of the heritage building, respecting and retaining the architectural character of the heritage building and its presentation to Phillip Street. As such, the significant views from the First Government House Site to the heritage building will not be adversely affected.

Royal Botanic Gardens and Domain

The proposed development sits well back from Macquarie Street, contributing to the cityscape backdrop. Accordingly, no significant views from the public realm to Royal Botanic Gardens and Domain will be obscured.

BMA House and History House

BMA House and History House are facing Macquarie Street. There are currently several high-rise buildings behind the main street frontage to Macquarie Street including Aurora Place, Chifley Tower, and Governor Macquarie Tower. The proposed development sits behind these two Houses and well up the immediate streetscape, contributing to the cityscape backdrop of the Macquarie Street. Therefore, no significant views to BMA House and History House will be adversely affected.

Chief Secretary's Building

The long history and multiple examples of tall buildings directly adjacent to low-scale heritage buildings in central Sydney, especially on street corners, has been noted and discussed in Section 3. The proposal is thus consistent with the nature of development in the city centre.

Governors Domain and Civic Precinct

The Governors Domain and Civic Precinct is on the east side of the Sydney CBD, comprising historic buildings, mainly constructed of sandstone, during the 19th and early 20th centuries. The external architectural form of heritage buildings in the precinct contributes to the demonstration of the history of Australia's democratic development. The former Department of Public Works building as a later addition to the Chief Secretary's Building is located within the boundary of the Governors Domain and Civic Precinct of the National Heritage Listing. The main (west) sandstone facade of the building, fronting Phillip Street, contributes

to the group of landmark sandstone buildings, and significant streetscape presence of Bridge Street. The proposed development will be set well back from the heritage building, retain and conserve the principal sandstone facade, and respect the original form and scale of the heritage building. Accordingly, the proposed development respects the heritage significance of the Governors Domain and Civic Precinct, enabling its appreciation and interpretation by the general public.

GBA Heritage has worked closely with the project architects and planners to further ensure that the proposed development respects and sympathises with the Chief Secretary's Building. This has been achieved as follows:

- The proposed development comprises a podium and a tower. The Podium along the Phillip Street is aligned with the height of the heritage building, and the proposed tower envelope is consistent with the height of other high-rise buildings facing Phillip Street. The proposed development is visually separated from the Chief Secretary's Building, preserving the visual distinctness of the heritage building, and other heritage buildings in the vicinity. The proposed tower envelope is carefully set to respect to the existing significant heritage building below and an alignment of street setbacks of adjacent neighbouring buildings.
- The proposed development is set well back from Phillip and Bridge Streets, reducing its presence behind the Chief Secretary's Building as seen from Bridge Street.
- *Provide justification for any non-compliances with any setback controls for heritage buildings as prescribed under Sydney DCP 2012.*

This requirement is addressed in Section 7.7, confirming that the proposed development complies with setback controls for heritage buildings as prescribed under Sydney DCP 2012.

- *Compliance with the policies and management guidelines contained in the current endorsed Conservation Management Plan (CMP). If an updated CMP is proposed to be submitted with the application, it must be endorsed by the Heritage Council prior to the finalisation of the proposal and submission of the EIS.*

This requirement is addressed in Section 7.4. In this section, the proposed development is evaluated against the previous endorsed CMP (2016) and the updated CMP (2020) policies, confirming that the proposed development is consistent with both CMPs policies.

- *The impacts of the proposal on heritage item(s) including a visual impact assessment and photomontages.*

Above description and Section 3.5 address this requirement. A visual impact assessment has been undertaken by Ethos Urban, a company that is highly experienced at preparing visual impact assessments.

- *Demonstrate attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items and heritage conservation areas and provide an evaluation of the effectiveness of the proposed mitigation measures.*

This requirement is addressed in this section.

- *Provide justification for any changes that may have a major impact on the heritage significance of the heritage items including any options analysis.*

This requirement is addressed in this report, mainly in Section 7. This section concludes that the proposed development has an acceptable impact on the heritage significance of the heritage items.

- *Demonstrate the integration of the interpretation of the site's heritage significance, archaeology and historical association within the development proposal.*

The interpretation study of the site is outside the scope of this report. No interpretation Plan has been prepared for the Stage 1 SSD DA.

- *Outline pedestrian and circulation impacts on the heritage building and how the design addresses and mitigates any adverse impacts.*

This requirement is mainly addressed in Section 7.6 of this report.

The Stage 1 SSD DA Concept Proposal will establish a maximum building envelope, land uses, a maximum total quantity of floor space, pedestrian, vehicle circulation, and drop-off arrangements and associated car parking provision.

Regarding pedestrian access to the site, the site is well connected via a network of good quality, wide pedestrian footpaths with signalised crossing of main local roads. The site has a pedestrian link through the site, improving permeability and walkability in the area. The site frontage to Phillip Lane has a limited width footpath and pedestrians often walk on the carriageway. Pedestrian access to the site will be maintained on Phillip Lane, mitigating any adverse impacts on the heritage building. It is expected that pedestrians external to the site will continue to utilise Phillip Lane in the current arrangement.

Several options have been considered and assessed for a hotel drop-off zone. The site proposes a driveway access from Phillip Lane. Accordingly, the northern facade of the heritage building will undergo changes to accommodate two car drop-off and consequently a smooth traffic flow.

Although the proposed drop-off zone will result in some level of changes to the high significant fabric of the heritage building, it provides an opportunity for laneway activation, facilitates the restoration of Phillip Lane, and an adaptive reuse of the heritage building with respect to the original architectural character. Accordingly, the proposed changes to the heritage building have an acceptable heritage impact.

The proposed carpark entry utilises the existing northern opening of heritage building on lower ground level, which does not impact on the significant heritage fabric.

Loading dock is consolidated to the southern side of the subject site and is accessed from the eastern Phillip Lane. The required head and height entry width of loading dock are accommodated within the 52 Phillip Street site without impacting on the heritage significance of the building at 50 Phillip Street.

- *If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the guidelines, Archaeological Assessment (1996) and Assessing Significance for Historical Archaeological Sites and Relics (2009). This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage program.*

The archaeological assessment component of the assessment is beyond the scope of this report and has been undertaken by specialist consultancy practice, Curio Projects, and is presented under separate cover.

- *Provide documentary evidence from a Structural Engineer, with experience in heritage buildings, confirming that the proposal would not have any adverse impacts on the structural integrity of the Chief Secretary's building and its extension. This must include an investigation of the structure and footing conditions of the existing heritage building.*

This report has been undertaken by specialist structural engineer, TTW (Taylor Thomson Whitting), and is presented under separate cover.

7.10.2 SEARs ITEM 4 - BUILT FORM AND URBAN DESIGN

- *Address the height, setbacks, bulk and scale of the proposal, massing, building articulation and scale, including compliance with height and floor space ratio controls, consideration of the building layout, impacts on the existing heritage building and surrounding context.*

This requirement is addressed in Section 3.5 and Section 7. The analysis of these sections show that the proposed development will have an acceptable impact on the existing heritage building and surrounding context.

7.10.3 SEARs ITEM 5 - VISUAL IMPACTS

- *key elements and views of the development from key locations, including close views showing the relationship of the heritage buildings with the proposed tower as well as Phillip Lane.*

This requirement is addressed in Section 3.5. The analysis in this section confirms that the proposed development will have an acceptable impact on the heritage buildings as well as Phillip Lane. Furthermore, a visual impact assessment has been undertaken by Virtual Ideas, a company that is highly experienced at preparing visual impact assessments.

8.0

CONCLUSIONS AND RECOMMENDATIONS

8.1 CONCLUSIONS

- The former Department of Public Works building at 50 Phillip Street, Sydney, is listed as a heritage item in Schedule 5 of the *Sydney Local Environmental Plan (LEP) 2012*, as an item of local heritage significance. As a later addition to the Chief Secretary's Building, it is also listed on the State Heritage Register of New South Wales.
- It is located in the vicinity of several listed heritage items. The closest being:
 - *11872 - Chief Secretary's Building*
 - *11905 - Phillip Lane*
 - *11685 - First Government House Site*
 - *11907, 11908, 11909, 11910 - Phillip Street Terraces*
 - *11873 - The Astor Building*
 - *11874 - History House*
 - *11875 - BMA House*
 - *11871 - Former Treasury Building*
- The former Department of Public Works building, a later addition to the Chief Secretary's Building, was constructed in four main stages including:
 - First stage - 3 bay width, levels 1-6,
 - Second stage - Infill over Phillip Lane, levels 2-5,
 - Third stage - 2 bay width, levels 1-6,
 - Fourth stage - Mansard increased in height, level 6.
- The former Department of Public Works building as a later addition to the Chief Secretary's Building is located within the boundary of Governors Domain and Civic Precinct on the National Heritage Listing. The adaptive reuse of the former Department of Public Works building retains and respects the imposing landmark character of the Chief Secretary's Building in the precinct, enabling its appreciation and interpretation by the general public. Accordingly, the proposed development respects the heritage significance of the Governors Domain and Heritage Precinct.
- The adaptive reuse of the heritage building reflects growth and change of the Department of Public Works and 50 Phillip Street building over time in accordance with the evolving policy framework of public administration.
- The proposed development aims to retain, refurbish, and adaptively reuse the existing heritage building at 50 to a new modern hotel with associated retail spaces, providing ground floor public activation accessible to the general public and hotel guests alike.
- The proposed development comprises three major components, the adaptive reuse of the state heritage listed former Department of Public Works building, a new podium infill building at 52 Phillip Street, and a new tower at 52 Phillip Street which partially cantilevers over the heritage building.
- The proposed development will provide greater increased street activation and increased employee and visitor participation in the street life within the surrounding precincts.
- The adaptive reuse of the heritage building provides a unique opportunity to restore and refurbish one of Sydney's iconic heritage buildings into a space whilst still respects and maintains its heritage features, enabling a wider appreciation of the building.
- The finely detailed sandstone facade of the former Department of Public Works building facing Phillip Street will be unaffected and remained intact, contributing to the significant streetscape of Bridge Street.
- Although the fabric and elements of exceptional significance will remain intact, the removal of some original fabric of high significance is considered acceptable, given that original features, as well as architectural character and integrity of the heritage building are to be retained.

- The proposed development and the siting of the proposed tower above the heritage building is consistent with many other examples of such combination of old and new in Sydney's Central Business District, which is a recognised aspect of the city's built character.
- The proposed mega column is considered to be an acceptable solution to a currently open lightwell, allowing for visual appreciation of the heritage building, whilst connects it to the upper levels of the proposed development.
- The proposed development is consistent with the conservation policies of the previous endorsed *CMP 2016 and the updated CMP 2020* for the site, prepared by GBA Heritage.
- As the building interior has undergone several extensive changes over time, it is less sensible to further changes. However, the proposed development applies the principle of "loose-fit" for new functions, protecting the architectural character and remnant significant heritage interiors. The original old central corridor will be re-instated and reuse as a connecting corridor between the heritage building and the proposed adjacent development. The original planning of the north-south corridor on all levels in the design of the second additions by Vernon, demonstrates the intention of further extension of the building along Phillip Street. The proposed internal alterations are mainly in line with the extent of changes already made to the heritage building over time.
- The proposed development will have no physical impact on the heritage items in the vicinity of the site. The visual setting around the heritage building, and significant views to and from the heritage building will be respected and retained. The proposed podium and tower maintain the visual prominence of the heritage building along Phillip and Bridge Streets. Accordingly, the proposal respects the heritage building's visual significance and architectural integrity, and responds accordingly.
- Although the proposed tower envelope will be visible from the identified key viewpoints, its stepped built form, proposed cladding, and its setback from the heritage building, give it an independent nature and contemporary character, so will not challenge the scale, materiality or original architectural integrity of the heritage buildings in the vicinity.
- The subject site is located within the Bridge Street/Macquarie Place/Bulletin Place Special Character Area. The subject site is also located adjacent to the western boundary of the Macquarie Street Special Character Area identified in the Sydney DCP 2012.
- The proposed development will respect and retain the important contributory role of the heritage building to the Bridge Street/Macquarie Place/Bulletin Place Special Character area and also to its proximity to the Macquarie Street Special Character Area.
- The proposed development is consistent with the special area locality statement as the dominant heritage buildings that define the immediate precinct within the Special Character Area are to be retained and respected, while being enlivened by the proposed tourism related uses.
- The proposed development achieves an appropriate reuse of the heritage building, an appropriate relationship of the new tower with the heritage building, and an appropriate urban response to the site.
- 50 and 52 Phillip Streets are located within the land affected by Sun Access Planes, The Domain and Royal Botanic Gardens, controlling the height of a new development. The proposed tower envelope will be within the Domain Sun Access Plane and below AMP Tower existing shadow, having no adverse impact on the existing solar access to the public domain.
- The proposed development is consistent with the heritage requirements and guidelines of the *Sydney LEP 2012*, the *Sydney DCP 2012*, the guidelines of Heritage NSW, the relevant SEARs and the relevant conservation policies of both CMPs.
- Should any unexpected relics be disturbed during excavation of the site, they must be managed under the Archaeological provisions of the *NSW Heritage Act*.
- Overall, the proposed development will have an acceptable heritage impact.

8.2 RECOMMENDATIONS

- Form, design, and materials of the proposed development should be carefully considered in the future detailed design (Stage 2 SSD DA), to be an elegant transition and be sympathetic to the former Department of Public Works building and heritage buildings in the vicinity.
- A further consideration should be given to the facade of the proposed tower, ensuring its contribution to the significant surrounding streetscape and precincts.
- A further detailed study should be undertaken to address the impact of water shedding from the overhung section of the tower over the heritage fabric of the former Department of Public Works building.
- A further detailed study should be undertaken for the potential relocation of the lift core or the main support column, to achieve a more efficient structural solution.
- The reconfiguration of the proposed column within the central lightwell should be considered in Stage 2 SSD DA.
- Council should have no hesitation, from a heritage perspective, in approving the application.

9.0

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